

[Chairman: Mr. Bogle]

[8:03 p.m.]

MR. CHAIRMAN: I'm going to suggest that we proceed, recognizing that one of our members is not yet here, but Pat Black will be joining us shortly. I'll quickly go through and introduce the members of the committee who are present, and then we'll ask you to introduce yourselves, if you would, for the record. Quickly I'll also mention that as this is a select special committee, all of our proceedings are recorded and a copy of *Hansard* will be available to the public upon demand. But we ask you not to be intimidated by the microphones as we've tried to keep the proceedings as informal as possible.

First of all, to introduce the committee members: on my immediate left, Pat Black. Pat Black? How about Pam Barrett? We're waiting for Pat Black.

MS BARRETT: We're ideologically interchangeable too.

MR. CHAIRMAN: I had the pleasure of riding back from Vulcan with Pat and Pam, and I'm pleased to say that it was a very good discussion. We didn't get into any ideological rifts.

Pam is the House leader for the New Democratic Party, as you're probably aware. Tom Sigurdson, seated next to Pam, is from Edmonton-Belmont, also from the New Democratic Party. On my right, Frank Bruseker, Calgary-North West, member of the Liberal caucus. Pat Black is making a gracious entrance at this moment. Pat is from Calgary-Foothills. I'm Bob Bogle, from Taber-Warner.

If we could just begin with you, Your Honour.

MR. JUSTICE DIXON: Mr. Chairman, I was invited sometime back to join you in this dinner meeting, which has taken a little bit of time prior to this particular moment, and to join this group, I guess, in the status that I happened to be the chairman of the 1983-1984 Electoral Boundaries Commission.

At that time - as I gather, the legislation still stands - a justice of the court was required to be chairman. I was and am a member of the Court of Queen's Bench. It was a committee that had as its members seven of us in total. I'll give you the complement. It changed partway through the committee because one of the members became ill. Tom Chambers was a member of the committee; Bill Payne; the late Grant Notley was a member; Mr. Henry Kroeger is also now deceased; Buck Olsen from Edmonton was a member at large; and the then Chief Electoral Officer, Ken Wark, was a member of the committee.

We were authorized under the legislation that structured our particular committee to create 42 urban ridings within the province and 41 rural ridings. At the time of the commencement of our studies there were 79 electoral ridings in the province, and we were instructed to increase it to 83. So we were in effect instructed what to do in terms of the number of ridings and in the split between the urban ridings and the rural ridings.

We had, I think, seven public meetings that were held. I'm sorry I don't have the interim report, but we started by compiling an interim report, which was then published and circulated to many, many newspapers, libraries, et cetera. We then had these public hearings, and I can recall that we met in Grande Prairie, Athabasca, Edmonton, Red Deer, Calgary, and Vulcan. I don't believe we met in Lethbridge. So Vulcan was the furthest south the committee sat. After hearing oral submissions at those meetings and receiving written submissions, we had a further number of meetings of the committee and we structured

the final report, which was filed with the Legislature and which bears my signature as chairman and the signatures of all the remaining committee members.

Your chairman was kind enough to send me a copy of the correspondence of November 14, '89, dealing with the function of this committee, which is quite a different function than the one we performed. I gather this committee is something akin to the Fisher committee in British Columbia that is referred to in the judgment of Madam Justice McLachlin. Strangely enough, it's called "re Dixon," and the Attorney General of British Columbia is no relation of mine. Of course, I've read that judgment. The writer of the judgment is now, as you probably know, a member of the Supreme Court of Canada.

So our function really was a totally different one. We dealt with local issues primarily, listening to representations, as I recall, from Leduc as opposed to Wetaskiwin and straightening out Stony Plain, trying to adjust the boundaries so they made some particular sense vis-à-vis the rural ridings as a group and the urban ridings as a group, with no attempt made to recognize or correlate the differences in overall populations between the two.

We added some recommendations at the end of our report, one of which was that we believed that in the future some committee would have to spend some time on the issue of urban as opposed to rural representation. That, of course, has proven to be of significance in this day and age and in connection with the Charter that was the subject matter of Madam Justice McLachlin's decision.

In our final report we ended up revising a number of the recommendations that were contained in the interim report. I don't think there's any particular interest in the details of the necessary massaging that we did from boundary to boundary to try and respond to local complaints and business concerns and traffic patterns and trade patterns plus the obvious difficulty of members of the Legislature in covering vast areas of territory. Those are historic problems, and I gather they would still be matters that have to be considered in the present day.

Other than that, Mr. Chairman, I'd be happy to respond to any questions, but that was the general thrust of our responsibilities.

MR. CHAIRMAN: Thank you, sir.

Any questions from committee members? Tom first.

MR. SIGURDSON: Yes. Thank you, Your Honour. One of the mandates of this committee is to determine what the makeup of the next commission should be. Other provinces have commissioned - it isn't a matter of size, but they seem to lean towards an apolitical makeup or perhaps that there are no sitting members of the Legislature serving on the committees. I was just wondering, having chaired a commission that was predominantly made up of members of the Legislature, what your recommendations would be in terms of establishing the makeup of the next commission.

MR. JUSTICE DIXON: I'm not familiar with the makeup of equivalent committees in the other provinces. If they are structured on an apolitical basis, or a nonpolitical basis, I believe that would be the direction the province should go in structuring this committee. Apart from getting the input from members of the Legislature in terms of difficulty in communicating in representing the people in a particular riding, I tend to believe that this should be essentially a nonpolitical exercise.

The complement of my particular committee. I construed myself as being nonpolitical. Ken Wark, who was the Chief Electoral Officer, was of tremendous help to me. I'm not sure if this is also part of your consideration. I would believe that the Chief Electoral Officer of the province should be a member of this committee. At least the help he gave us and the facility in producing plans and figures and numbers, et cetera - I suppose it wouldn't have to be the case, but he was a superior person, in my judgment. I really welcomed him on my committee. Ladies and gentlemen, you might wish to consider that in your recommendations in the future. The other nonlegislative member was Mr. Buck Olsen, who some of you might know and, I gather, was a former alderman in Edmonton.

I would think it's preferable to have as little political connotation in the constitution of the committee as possible. Now, whether you always want to have a justice of our courts as the chairman is another matter. I'm sure you could always find a candidate, if that's what you wish.

MR. SIGURDSON: Another question, and it's on a different matter. We've had a number of presentations from urban Albertans and rural Albertans. Rural Albertans have offered that perhaps there ought to be two formulae: one that applies to urban areas of our province and we take the average of that and work a mean plus or minus 25 percent; the second being that there be a rural average and have a variance off that, perhaps plus or minus 25 percent. I'm wondering if I can impose on the benefit of your being a lawyer and a member of the Court of Queen's Bench to give us your opinion on that. Would that satisfy, do you think, the intent that Justice McLachlin gave in her decision?

MR. JUSTICE DIXON: Now, I haven't seen the Fisher report, and I may have to ask some help from you people as to what the recommendation was. Is it a 25 percent overall?

MR. CHAIRMAN: It was, in essence, that all of the constituencies in British Columbia fall within the plus/minus 25 percent variant.

MR. JUSTICE DIXON: With no differentiation as between a so-called rural number and a suburban number?

MR. CHAIRMAN: No.

MR. JUSTICE DIXON: I thought in reading this judgment that there was something about a 10 percent in B.C. with the maximum of 25 percent or 24 percent in one isolated riding, but I don't have the advantage of having the report.

MR. CHAIRMAN: We visited British Columbia three weeks ago. We even met with some of the MLAs, both government and opposition, as well as the Chief Electoral Officer. We did not, unfortunately, meet with Justice Fisher. It was my understanding that it was very clearly plus/minus 25 percent, even though their new legislation that's been passed I believe allows for a variation in isolated areas above that range - or below that range, if you like. All of the proposed constituencies will fall within plus/minus 25 percent, and that's to be proclaimed in January '90.

MR. JUSTICE DIXON: The way the Act presently reads is that

the 25 percent only applies to the urban?

MR. CHAIRMAN: No. All of the constituencies in the province. They've gone to - what was the number, 69? No.

MR. BRUSEKER: Seventy-five.

MR. CHAIRMAN: Seventy-five from 69. They've increased the number.

MR. JUSTICE DIXON: I'm sorry. You're speaking of B.C.?

MR. CHAIRMAN: Yes.

MR. JUSTICE DIXON: Sorry, I'm back to Alberta. We presently have the 25 percent applying only to urban ridings?

MR. CHAIRMAN: Yes, only to urban ridings.

MR. JUSTICE DIXON: Well, let's put it this way. Madam Justice McLachlin gave this judgment as the Chief Justice of the B.C. Supreme Court. She then went to the B.C. Court of Appeal and then on to the Supreme Court of Canada. As far as I know, her judgment has not been appealed. You know, we're not bound. When I say "we," the province of Alberta is not strictly bound by a decision of an equivalent court of another province. We are bound, of course, by the Supreme Court of Canada and by our own Court of Appeal. But I would think very high regard would have to be given to this judgment. It's a very carefully written and reasoned judgment. Some equality of representation, in my view - and I'm not here to give either a legal opinion or a prejudgment of any kind; please understand that. I'm really interpreting what I read as being her views. She clearly made no distinction between urban ridings and rural ridings.

Now, the geographic makeup of a province I'm sure can vary from one province to another, et cetera. I'm not aware enough of the problems in British Columbia, and I don't know where their individual ridings are to see if they have similar problems that we do, with Peace River away up in the north and Fort McMurray in the northeast and a number of very small ridings in the south, in particular in the Medicine Hat area and, as I recall, in MacLeod and some of these other ridings. It seems to me Chinook was also another rural riding that we had some concerns about at the time we did our analysis of things. So I would imagine that anybody viewing the future structure would have to give consideration to the thrust of that decision.

MR. CHAIRMAN: Thank you.

MS BARRETT: Given your experience in chairing the last commission, would you think it wise that the commission that we will be responsible for striking - or the Assembly - be instructed to undertake public hearings before they make their first draft and then after the interim report?

MR. JUSTICE DIXON: Ms Barrett, I'm not sure how to answer that. My problem is that I don't have a copy of the interim report, and I honestly can't recall after these years how extensive that was.

MR. CHAIRMAN: Would it be helpful if we shared with you the background of that question?

MR. JUSTICE DIXON: Surely.

MR. CHAIRMAN: Okay. When we were in Peace River – I believe it was the second hearing – one of the participants was the returning officer for a neighbouring constituency. The returning officer made the suggestion that it would be nice if the commission would come out and hold some hearings, albeit limited, and give those closest to the scene an opportunity to make some comments prior to the drawing of boundaries. We talked about it, and there was certainly some sympathy in the committee to that concept. In essence, we'd be adding one step to the current process, because I think currently once the commission's been struck, you do your detailed work and prepare an interim report, the report is submitted to the Assembly, and then you hold public hearings.

MR. JUSTICE DIXON: Well, I'm not sure what your experience has been, but let's face it: this isn't a really high-profile exercise. That wasn't our experience.

MR. CHAIRMAN: That's right.

MR. JUSTICE DIXON: Maybe we did an interim report because the last commission had also issued an interim report and on back through the years. Maybe that was just the format that seemed to be adopted.

My concern would be that people tend to respond to something a lot better than responding to nothing. In other words, if you submit an interim report and it's circulated adequately, they can read it, they know what the commission is suggesting for starters, so to speak, and they're prepared to come into a meeting and say either, "Hey, we like what you're doing," or "We don't like what you're doing," or "We think you should be doing something else." You may feel it's worthwhile trying a scenario where you don't issue the interim report until after doing just as you suggest, then issue an interim report, and then see what the response is. It may prove to be very beneficial. I don't know whether people would take the initiative to come in in advance, so to speak, and tell you what they want. But I would see nothing wrong with trying something different. What we want is input, and the greater the input the better, and that might be a way to encourage it.

MS BARRETT: Thank you.

MR. CHAIRMAN: Pat.

MRS. BLACK: Thank you, Mr. Chairman. My question really deals with a hypothetical situation at this point. When we visited the other jurisdictions, their distribution was based on population as a whole as opposed to eligible voters, which we have in Alberta. I guess my question is: do you feel that we are going to have to shift to more of a representation by population as opposed to representation by eligible voters?

MR. JUSTICE DIXON: I've never really given consideration to . . . You mean straight representation by population?

MRS. BLACK: Yes, I guess.

MR. JUSTICE DIXON: What are our numbers now?

MR. CHAIRMAN: You mean using population bases.

MRS. BLACK: Population base for the distribution. In Alberta in the last enumeration we had 1.5 million eligible voters, and right now we have a population of almost 2.4 million people. Now, there were Indian reservations, Hutterite colonies, and groups of people that chose, say, not to participate in the enumeration process. But they have the right at some point to participate, and they also have the right to representation. So do you have to factor the full population into your distribution or just the eligible voters?

MR. JUSTICE DIXON: Well, my off-the-cuff view would be that it should be eligible voters. We're excluding – what? – persons under 18, for example . . .

MRS. BLACK: Yes.

MR. JUSTICE DIXON: . . . and certain Indian reserve populations but not all of them. Is it the Stoney Indian Band that have said they're not interested in the electoral process and don't want to be included?

MR. CHAIRMAN: The Bloods in particular.

MR. JUSTICE DIXON: The Blood Indians. The prison population in the province presumably doesn't have a vote. What other groups do you think you'd be . . .

MR. SIGURDSON: Landed immigrants.

MR. JUSTICE DIXON: I somehow feel that the electoral process is still a function . . . Let's put it this way. If the Blood Indians want to become part of the process, they can certainly do so and would have that right under the Charter, if under no other reason. I gather from talking to Mr. Sigurdson that in Manitoba the prison population does have a vote, but they don't vote in the Manitoba constituencies; they vote in their own jurisdictions from prior to their incarceration. So they have a vote. I would think it should remain on a basis of electoral representation. I don't understand the real rationale for basing it on total population, but I've never had to consider it before.

MRS. BLACK: That was one thing we noticed was different between British Columbia and Alberta. They had based theirs on a full population.

MR. JUSTICE DIXON: When you were out there, did you ask them why they made that decision?

MRS. BLACK: Yes, I think we did, Tom, didn't we?

MR. SIGURDSON: Well, not in British Columbia but in Manitoba. They too have representation based on global population rather than voter population. The rationale is that if you have a constituency in inner-city Winnipeg that has a large landed immigrant population, those people still have access to a member of the Legislature and deserve representation. Same as in rural communities: you may have Indian bands that choose at a later time to become involved in the political process. Therefore, their figures should be factored into the global population.

MR. JUSTICE DIXON: From what I understand, in Manitoba all pre-18ers would be taken into account, is what you're

suggesting.

MR. SIGURDSON: Yes. You know, perhaps 40 percent of our budget in our province is dedicated to education. That includes advanced education, sure, but certainly well over a billion dollars is dedicated to elementary education. While we represent a number of constituents that are involved in education, not the least of which is children, we're trying to ensure that they have some benefit from government as well. Although they're not entitled to vote, they're still entitled to representation.

MR. JUSTICE DIXON: No, I understand that. I've honestly never considered that a representation of a riding should be determined on total population. Maybe it's just kind of an historic thing that responsible representation always seemed to imply having attained a certain age. I guess in the old days you had to have so many acres of land and things of that kind, which, of course, don't apply any more.

MR. SIGURDSON: Just if I might follow up. I suppose it stems from: if you have a constituency that has a 40 percent turnout, and 4,000 voters go out to vote, such as Calgary-Forest Lawn, which had a very low turnout . . . [interjection] Pardon me?

MR. HICKEY: Obviously.

MR. SIGURDSON: Yeah. Although there are other areas of the city that have a very high turnout. Those are people that, while they are enumerated, choose not to participate. There are other groups that live in colonies or on reserves that choose not to participate in the enumeration process. So where does the process begin? Where does it end?

MR. JUSTICE DIXON: I don't know what you do about that. I mean, this is a free country, and the right to vote is extended to most people. If people show apathy to the political process it's regrettable, but I just don't know what you do about it.

I would tend to leave it on the basis of some standard of eligibility for voting in structuring the ridings. I haven't really thought about the other part.

MR. CHAIRMAN: Okay. Thanks.

Pat, do you want to finish off?

MRS. BLACK: Just on that, you've mentioned something tonight that was brought up earlier today when we were out in the Vulcan area. You talked about in the past representation had been based on land holdings, et cetera. I'm wondering: do you have a definition of what an elected representative is? What does that mean?

MR. JUSTICE DIXON: What an elected . . .

MRS. BLACK: Yeah. What is an elected representative?

MR. JUSTICE DIXON: An MLA, you mean?

MRS. BLACK: Yeah. Well, any elected representative.

MR. JUSTICE DIXON: I suppose he's the representative of the people in a particular geographic area, whether it's urban or rural, intended to bring to a communal group such as the

Legislature in the capital the views of his constituents, the interests of his constituents, and to see if he can, I would think, improve the lot in life of the people he represents, in keeping with the overall general good of the province. In other words, I don't think you can be insular in your views and insist on special treatment or concessions for particular areas unless there's some generally understood disadvantage to living in a certain area where some special considerations arise. He's there to adjudicate and assess the wisdom of the Bills that are presented to the House by the majority government and to vote on them according to (a), his own conscience, I suppose, and then (b), the understood wishes of the people he represents.

I would think that's generally - I've never been a political person, and I may be miles away with my assessment of what an MLA should be or should do, but I would think that's generally what I would expect.

MRS. BLACK: Thank you.

MR. BRUSEKER: Your Honour, I just want to back up. Last time when you were involved with the process, the House was increased from 79 to 83. I wonder if you could sort of comment on two things. Number one, what was the rationale for increasing it by four? Secondly, I guess, and it's perhaps more important, one of the things that we perhaps will be recommending is the size of the House in the future. I wonder if you might care to hypothesize or speculate as to what you think might be sort of an optimum ratio of constituents to MLA. Right now the provincial average, as you may be aware, is about 18,600 constituents, voters, per MLA. I'm wondering if you might care to comment on the total population compared to the number of MLAs.

MR. JUSTICE DIXON: No disrespect to the members of the Legislature, but we had quite a few people tell us there were too damn many MLAs already, and why were we creating another four? We started from the proposition that we were instructed by the Legislature to create another four. I can't tell you what went on in the minds of those very wise people that decided to do that; I wasn't privy to their deliberations.

Let's face it; the boom years had been on in the oil patch and elsewhere between the time when I chaired my commission and the previous commission, and there were a lot of people that poured into particularly the city areas. Some of the ridings were very heavily overbalanced, and obviously something had to be done about it. Why four as opposed to three or five? I don't really think I can help you. I don't know what the magic number is. I suppose there must reach a point where a Legislature gets too unwieldy and too expensive, et cetera, et cetera, to keep forever increasing that august body.

As I say, we had a number of people who were saying, "Why are we doing this?" We had to politely explain that we had really no choice in the matter and this was our function; now let's get on with the business. But I don't know how you make that decision. I haven't studied the history of the House of Parliament in England that has been going for all these years. I forget the number; is it 440? Whether it has increased greatly since the war or not I honestly don't know, but there must be some number beyond which I think it's reasonable to go. Particularly when you have very soft ridings in terms of the numbers, there's got to be some consolidation somewhere, it seems to me. I don't know what the resulting figure is, because I just don't know enough about the figures.

I don't know if that answers your question.

MR. BRUSEKER: Yeah. That's fine, thank you.

MR. CHAIRMAN: Well, on behalf of the committee let me express our sincere appreciation for the approximately hour and a half you spent with us before we got here for the official portion of the meeting. We found it very enlightening to be able to go back and not only speak with you and hear your views but also those of Tevie Miller, who chaired the commission in the late 1970s. So again our appreciation.

MR. JUSTICE DIXON: It was my pleasure. Thank you.

MR. CHAIRMAN: Thank you.

Mr. Mayor, you've been very patient.

MR. JUSTICE DIXON: The mayor will know that if I do leave, I just want to see how badly Calgary beats Edmonton in the last period.

MR. DUERR: I can understand that.

MR. CHAIRMAN: Would you like to come up? I was remiss, really, in not inviting others. Anyone, if you'd feel comfortable, please come join us.

MR. DUERR: I have a very brief presentation. What I'll do is leave that document with you, and you may want to peruse it in more detail at some point when you have the time. What I'll try to do is just briefly review the document.

First of all, Mr. Chairman and members, before I get going too far, thank you for this opportunity to address you. What we tried to do is address point (e) in your considerations. We felt that you would be receiving numerous representations on the other points, and we felt that from the city's perspective and addressing primarily the issue of large urban centres, which we think are somewhat unique, the geographic, demographic, and other factors that should be considered is something we could most appropriately address.

The submission that you have contains a very summary investigation. It then looks at an analysis of the current situation and makes two recommendations. I'll very briefly walk you through it. A big part of this, I think, addresses some of the urban/rural discussion that you were having with His Honour just previously.

Calgary at 27.9 percent and Edmonton at 24.9 percent contain 53 percent of Alberta's eligible voters. If you started looking at population, that number would be higher again. The large number of ethnic communities, a lot of new Canadians: most of that settlement occurs in urban areas, and they generally tend to have younger populations. Calgary with 18 and Edmonton with 17 have only 35, which is 42 percent of the provincial electoral divisions. To achieve equality of representation with other Albertans in the Legislative Assembly – and this is essentially the information on table 1 – we are saying there either has to be an increase in the number of Calgary- and Edmonton-based constituencies, or you're going to be faced with a reduction in the number of rural constituencies, if you're going to try to address this equity issue.

In terms of population growth the present imbalance, the current situation, is further compounded by the fact that Alberta's population continues to become increasingly urbanized.

When you look at the population growth from 1983 to 1988 in the province, it's 56,300 people. Calgary had 36,426 and Edmonton had some 16,000, so the two large urban centres had the vast majority of the net population increase in the province of Alberta. That very clearly is the trend, and we see that trend continuing.

In addition to addressing the current urban/rural constituency imbalances, I think the submission we would like to make to you is that you have to give some thought to the future. If you're looking at electoral boundary reviews at this point in time and the number of constituencies, you have to recognize that this urbanization trend is not something that's reducing. In fact, it's increasing, and problems we're talking about right now are just going to be intensified as we move into the future.

We looked at a number of alternative solutions, and we're presenting two. We've dealt with averages, and we appreciate that that may be somewhat of an oversimplification, but we felt that the principle stands. It wasn't our business to get into the detail and try to anticipate, based on these other criteria, (a) to (g), that you're going to be addressing, how you would do those adjustments. So appreciate the fact that we dealt with averages.

The first alternative essentially said that if you maintained the current total of 83 electoral divisions and tried to realign them based on that provincial average of some 18,600 electors per division, you would end up with a situation where Calgary went from 18 to 23, Edmonton from 17 to 21, and in the Other Areas the distribution would be reduced from 48 to 39. Certainly an advantage was that it secured proportional representation, but in looking at this, we felt that it also had some significant disadvantages. There's a reality of representing our largely rural province, and certainly representation in the Other Areas would be extremely difficult. Certainly the large geographic areas that would result would make good representation almost impossible, and we felt that that probably wasn't reasonable.

In recognizing the fact that we still felt some form of proportional representation was important, we proposed an alternative 2, and that responds to table 3 in the appendix of the report. It basically said that we believe the Other Areas should be guaranteed some form of minimum representation. We set that at 45 – again, that's somewhat of an arbitrary number – recognizing that there could be some rural divisions that would take part of urban areas. But if we set that at 45, we would have a situation where if we adjusted Edmonton and Calgary to be close, then, to the provincial average – still addressing that provincial average – Calgary would go from 18 to 27 ridings and Edmonton from 17 to 24 ridings, the Other Areas being 48 to 45 as indicated.

The advantages. Certainly it secures a more proportional representation. It ensures that future growth in the urban constituencies won't be addressed at the expense of the rural areas and will ensure that rural areas will have some form of manageable constituencies with respect to the ability of an MLA to serve their electorate. The disadvantage, and we recognize this right up front, is the increase in the total number of constituencies. Appreciating that that creates some problems, we feel that would be the lesser of the two evils. It would at least ensure that proportional representation that I believe is extremely important.

As mayor of a very large city in this province, I'd like to say to you that so many of our issues that relate to large cities are issues that I think need a stronger voice in the Legislature. That's no reflection on any party or any particular issue. I think we're going to see an increasing trend in that whole area, and

that's not unique in Canada. That's what's happening in North America generally.

So our submission is: given the fact that we have a rural population, we have to respond, and they should be fairly represented. The only way we're going to reasonably address that is by increasing the number of constituencies. And that's essentially it. There's more material in the report. I just very briefly summarized it.

MR. CHAIRMAN: Thank you.

Questions? Yes, Pat first.

MRS. BLACK: Thank you, Mr. Chairman.

Your Worship, you've been just through a very, very successful election, and congratulations again.

MR. DUERR: Thank you.

MRS. BLACK: I'm going to ask you the same question. Do you feel that distribution should be based on population or on eligible voters?

MR. DUERR: Again representing the position of large cities, I think population would more reflect the reality of who we serve. As the mayor I would have many new Canadians who weren't citizens yet saying, "Well, we can't vote." My response always was, "Well, I'm still going to represent your interests." I think that's something we have to recognize, especially in urban centres that have large populations of new Canadians. I think it lends a recognition to the fact that our country and the makeup of our country is changing significantly, and it says a lot about how we treat and how we recognize the importance of newcomers to our cities and to our country.

MRS. BLACK: Thank you.

MR. CHAIRMAN: Tom.

MR. SIGURDSON: Thank you.

Thank you, Your Worship. The presentation was very good. In your second scenario, your second alternative, you talk about increasing the number from 83 members of the Legislature to 96, and that's guaranteeing 45 electoral divisions for rural Alberta. It sets 45 - I don't know for how long - and I guess the question I have is that we are . . . And you addressed this; you touched on the fact that urban areas are growing and rural areas are suffering depopulation to some degree, some areas in rural Alberta greater than others. If we continue in those trends and we have an increase in urban Alberta in the next five years and a decrease in rural Alberta, are we always going to guarantee that there be 45 seats or guarantee a set number? This seems to go against the grain that Justice McLachlin handed down in her decision, where there are guarantees made based on where one lives as opposed to representation by population. So I wonder where we draw the line if population in rural Alberta slips below a certain number.

MR. DUERR: I must admit that I don't know where you'd draw the line. I think we've certainly found in more recent years that modern advances in communications technology and transportation technology make it easier to represent larger areas. But I think realistically, looking ahead for the next 10 to 15 years, we're not going to see phenomenal changes. I

personally believe that people in rural areas need that contact from their elected representatives, and that should be recognized in having constituencies that allow for some kind of manageable representation. I know it's a very difficult question, and I think in the future one would probably have to make some adjustments. Certainly some of those adjustments can be addressed by dealing with the larger urban centres, looking at apportioning some of the urban population with large rural areas that form part of the constituency. Even then, though, I think one would have to be very cautious, because I think you could very well create problems of perception of representation. If, for instance, you peeled off a portion of an urban area that had a large section of population and took in a large rural area that had a small portion, you could end up creating some question of who the elected representative truly represents. So it is not an easy task.

I'm sort of talking around your question. I don't have an easy answer for it.

MR. SIGURDSON: That's fine. I'm just wanting a follow-up. How many voters do you have per ward right now? How many wards have you in Calgary?

MR. DUERR: I valiantly tried to get our ward boundaries readjusted before the last election and lost. They vary from a high of about 35,000 electors to a low of about 21,000 electors, so there was a very, very large split. The two lows occurred essentially in two wards, and the rest were all in the order of 28,000 to 35,000.

MR. SIGURDSON: And how many wards?

MR. DUERR: Fourteen.

MR. SIGURDSON: Fourteen. I don't know if the province could . . . The city of Calgary has 14 wards, and I'm sure they're well represented on city council, but I'm not sure that I would want to go out . . .

MR. DUERR: Wonderfully represented.

MR. SIGURDSON: Wonderfully represented. I'm not sure I'd want to go out and say, "There are going to be two MLAs, approximately, for every one alderman." I mean, I find some difficulty.

MR. DUERR: I guess there are two choices, then, and the other choice is to . . . I certainly appreciate that problem. The issue of representation is what I'm trying to address here, and in the absence of that, there is alternative 1, which basically does create another problem in how someone would represent a large rural constituency. I guess in posing alternative 2, we were trying to say that either alternative would be acceptable to the city of Calgary. Alternative 2 was basically the city saying we would be prepared to accept a compromise, still recognizing that large urban centres are the majority in the province and that should be reflected in representation in the Legislature. We are prepared to accept a compromise.

MR. CHAIRMAN: Okay. Thank you.

Frank, Pam, and then Pat.

MR. BRUSEKER: Thank you for the presentation, Mr. Mayor.

It's very well done. You've actually answered a couple of the questions I had, but I did have one more that hasn't quite been addressed yet.

In both of the alternatives you put forward a provincial average, and depending on the number, that figure then gets higher or lower. In creating electoral divisions around the province, are you advocating that all constituencies adhere as closely as is practical to that average, or should we be . . . My question really is: how much use of that plus or minus 25 percent should the commission be making in establishing its boundaries? Or should the guidelines be to stick very closely to that provincial average, whatever that may be?

MR. DUERR: I think if you look at recommendation/-alternative 2, we as a city were quite prepared to say that there should be some flexibility. We used the average because it was simple to deal with. With a plus or minus factor you're still going to, I think, ultimately end up with the same bottom line at the end.

I wouldn't have a lot of problem with the 25 percent movement. I certainly have some problem with the vast disparity that occurs at this point in time. I think it creates a situation that is almost untenable from the standpoint of the large urban centres. My preference would be to suggest that you should keep in the order of 10 to 15 percent, but that's an arbitrary number. I think 25 percent is the outside limit between the highest and lowest, and I certainly wouldn't go beyond that.

MR. CHAIRMAN: All right. Pam, and then Pat.

MS BARRETT: That was one of my questions, so I only have one at this point. I checked and rechecked looking for a presumption relating to the recommendation in option 2 of an increase in the number of rural seats and then extrapolation therefrom to arrive at certain increases in the two major cities. What was the presumption that led to that recommendation, or do you know?

MR. DUERR: In recommendation 2?

MS BARRETT: The recommendation that you start with an increase from 41 to 45 seats.

MR. DUERR: We were looking at Other Areas, and in fact . . .

MS BARRETT: Yes, Other Areas.

MR. DUERR: It went from 48 seats down to 45. Other Areas have 48 seats at this point in time.

MS BARRETT: Oh, I see.

MR. DUERR: It excluded the other cities. I was addressing this . . .

MS BARRETT: So it is a reduction.

MR. DUERR: Yeah. I just addressed Edmonton and Calgary.

MS BARRETT: All right. Then if that's the case, can you explain why it is that you would still be - I see what you're trying to do in terms of voter weighting, but if you had a plus or minus 25 variance, would you then suggest that we could

accommodate the Supreme Court ruling out of British Columbia, fairness to non Edmonton and Calgary areas, and not have to increase the number of seats in the House?

MR. DUERR: If you chose alternative one, all three criteria . . .

MS BARRETT: Yes, I understand. That's cut and dried. What I'm asking is: is there a middle ground, as far as you could suggest, between one and two which is plus or minus 25, a reduction in the non Edmonton and Calgary seats and, therefore, no additional seats being required for the overall composition of the House?

MR. DUERR: Yes, I could see that. I don't know what those numbers would end up being, but . . .

MR. JUSTICE DIXON: Excuse me, Mr. Mayor.

MS BARRETT: Good night. Thanks again.

MR. DUERR: If I understand what you're saying, do I think it would be possible to achieve, using the 25 percent factor, no additional seats?

MS BARRETT: Correct.

MR. DUERR: A reasonable balancing representation. We actually did a scenario close to that. Without having the specific numbers, you'd certainly see an increase in Calgary and Edmonton representation and a decrease in the rural seats. Our concern - and I guess it's a function of how you perceive your role - was that politically you might end up with a situation where the reduction was too large. I think even with a 25 percent rule you're still going to have a significant reduction in your rural seats. You'd almost have to.

MS BARRETT: So your primary motivation, then, was not that you think the House should be bigger but, in order to ensure a rural or non big city voice, have, you know, some weight to it. That's how you came to this conclusion.

MR. DUERR: That's correct.

MS BARRETT: Okay.

MR. DUERR: Again, we could have run other scenarios, and we'd be quite prepared to run more if you want.

MS BARRETT: You did a good job.

MR. DUERR: It's very easy, and if it would be of some use to run more scenarios of things that would be acceptable to us, we'd be more than prepared to do that and submit that to you. We tried to keep it as simple as possible, recognizing we'd be dealing with averages and without trying to get into how you would actually be distributing the boundaries themselves, which are going to have some impact on the amounts of population.

If I could just add one other thing to the percentage difference, one of the things we also talked about, which we felt had some merit, would be to say that there'd be no more than a 25 percent difference between the highest and lowest, between the rural and urban municipalities, but that within those

respective jurisdictions the differences be much tighter. In fact, you end up in the rural areas having maybe a 10 to 15 percent variance and in the urban areas a similar variance. You tend to have a consolidation in representation, so urban areas are all represented by relatively the same population. That way you could recognize that there is a different rationale in how you would choose electoral divisions for an urban area versus a rural area, the big rationale difference being geography, but ensuring that there's some kind of overall equity by the 25 percent rule and ensuring your 25 percent difference, then ensuring that within those different jurisdictions you're working towards equity.

MS BARRETT: One final?

MR. CHAIRMAN: Go ahead.

MS BARRETT: Have you an opinion on the composition of the commission that will be given the responsibility of drawing the boundaries?

MR. DUERR: No.

MS BARRETT: Thank you.

MR. DUERR: I could offer one, but I haven't formulated one.

MS BARRETT: Should it be partisan or nonpartisan? Have you got any opinion in that regard? Number of members?

MR. DUERR: I think as long as there is fair representation. I don't have a problem with a partisan committee if there's fair representation from . . .

MR. CHAIRMAN: If I can just piggyback on this for a minute. When we were in Manitoba, we discovered that the commission, which had been made up of three people, all of whom lived in Winnipeg, inadvertently made a number of errors in the rural areas. I think one of the recommendations coming from MLAs for the composition of their next commission would be possibly to bring in people from their version of our AUMA and MDs and Cs so you get people who are not provincial politicians but still are politicians with a feel for natural boundaries and some of the unique features in the rural area and smaller urban centres. Does that help, Pam?

MS BARRETT: Amongst them, yeah.

MR. DUERR: There is certainly some merit in that. When you were referencing nonpartisan, I was somewhat concerned, because I don't think it is just a numbers game. Obviously there are a lot of areas that have to enter into it, and knowledge of representation and what it takes to represent an area. I don't know what it would take to represent the Athabasca area, but I have very good knowledge of what it would take to represent a constituency in Calgary. There is certainly some merit, and if you have some provincial members on this committee, I would certainly recommend that you invite some participation from AUMA and the rural equivalent, because that sense of, first of all, issues relating to their respective jurisdictions and just a knowledge of the political process I think would be very useful.

MS BARRETT: Thank you.

MR. CHAIRMAN: Pat, and then Tom.

MRS. BLACK: Yes. Just as a follow-up, you mentioned a moment ago that some of the factors that had to be considered were, of course, the geographical factors. Do you think we should be looking at putting together some formula that would have factors such as geography, demographics, et cetera, that play a part in distribution?

MR. DUERR: I guess if you could find one, it would be nice, but it's . . .

MRS. BLACK: I'm thinking of the Athabasca-Lac La Biche riding. You mentioned it earlier. You're looking at probably 1,000 square miles in Athabasca-Lac La Biche. In my riding of Calgary-Foothills, I'm probably looking at 200 square miles, maybe less. To go from one end of my riding to the other by car takes me possibly 20 minutes. It takes Mike Cardinal two days to travel through his riding. These are some of the things we're hearing from the rural people, that there is, in fact, a difference. You mentioned them earlier. I'm wondering if that's something we should be paying more attention to.

MR. DUERR: I think you have to consider it. I guess I believe all Albertans have a right to basic representation and access to their representative on a reasonable basis. You have to recognize that if you live in a rural area, you will not have the access you have if you are living in an urban area. But there is some minimum. I don't know if you could ever find a formula that would accommodate that.

MRS. BLACK: Do you think two formulas would be appropriate, one for urban and one for rural?

MR. DUERR: Well, being a geographer, you know, you spend a lot of time doing central place theories and all those analyses. Even when you start looking at formulas and doing that kind of analysis, it works very well when you're dealing with featureless plains - you know, sort of southern Saskatchewan or southern Alberta where urban centres evolved on a nice pattern - but as soon as you get out of that, as soon as you get into central and northern areas of our country, it just gets extremely difficult. It would be very hard to do in a quantitative way. I think you're going to have to recognize that that judgment will be very qualitative. You could try, and I'd certainly laud your efforts, but . . .

MR. CHAIRMAN: Tom.

MR. SIGURDSON: Both of the alternatives you propose really argue representation by population. I think that in the second alternative you try to soften the blow for rural Albertans.

Concerns I've heard to date coming out of rural Alberta are: trying to make sure that there is access to their member of the Legislature, but also that the ratio must stay pretty much as it is, the 50-50 split, although there is one extra member of the Legislature designated urban than there is rural. It should be maintained. How would you respond to that that is being offered, or would you even care to?

MR. DUERR: I appreciate why it's being offered. I think it just flies in the face of the realities of growth and change. As we move into the latter part of this century and into the 21st



century, we see what's happening in the world and see what's happening in large urban centres. To suggest that we are just going to ignore all those changes and continue with a system that responded to a very different pattern and distribution of population, a whole different pattern of settlement and economic development, to suggest that we would retain that – well, I won't use very strong language – I think is unacceptable.

MR. CHAIRMAN: Anyone else?

All right. Thank you very much, Mr. Mayor.

MR. DUERR: Thank you.

MR. CHAIRMAN: Again, our apologies for keeping you waiting beyond the appointed time.

MR. DUERR: That's fine; I'll run home and see my children.

MS BARRETT: Yeah, take a rare opportunity.

MR. CHAIRMAN: While I'm apologizing, I'll do the same to you, Frank, and maybe even Tom. We were not aware that others were coming in tonight, or we would have been here promptly at seven.

MS BARRETT: That's right.

MR. DUERR: Mr. Chairman, would it be of advantage . . . I'm sure you have resources of your own, but if it would be of advantage to look at some other scenarios and just submit these, I'd be more than prepared to do that.

MR. CHAIRMAN: We'd appreciate that.

MS BARRETT: We should tell you that we've got access to a sort of number-crunching program as well. In fact, it'll do it all in colours. You know, you press a button, say do such and such a change, and you get colours on the screen. I think it would be . . . It'd sure be great if you did it from the city's perspective.

MR. DUERR: Trying to give you some ranges of what we think would be acceptable. We'd deal with it from the standpoint of our intergovernmental affairs committee.

MR. CHAIRMAN: Uh huh. Okay.

MS BARRETT: Great.

MR. DUERR: Well, thank you very much for your time and the opportunity.

MR. CHAIRMAN: Thank you for coming.

MS BARRETT: Thank you. Nice to meet you. See you again.

MR. CHAIRMAN: Do you have a brief, Frank?

MR. HICKEY: Right, we do. Yes.

Mr. Chairman and committee members, thanks very much for the opportunity to make a presentation to you this evening.

We had a committee of four members for Calgary-Northwest Progressive Conservative Association. We contacted Karen Hudson and were given to understand the reason for the

hearings tonight was to make recommendations with respect to the geographical boundaries with consideration to the number of electors, so that was the work we undertook. We weren't prepared, of course, for the discussion on urban and rural breakdown, et cetera. So basically what we did was prepare a brief. We didn't prepare sufficient numbers of them for every member, so perhaps, if it's your wish, I could read it out.

MR. CHAIRMAN: We can share. Why don't you do that.

MR. HICKEY: I'll pass a couple of . . .

MR. CHAIRMAN: Thank you.

MR. HICKEY: If you can spread those around a bit, then I'll read out our recommendations. Regarding Electoral Boundary Changes – A Proposal, we recommend the electoral boundaries for this constituency be revised to create two constituencies from the existing one. The division we propose would be marked by Crowchild Trail northwest, thereby dividing Calgary-North West in a north-south configuration. This would place polls one to 43 in the south, with a population of 17,008 electors, and polls 44 to 77 in the north, with a population of 13,286 electors.

We attached a map to that. Maybe you can have a peek at that. It's fairly simple. Basically, it allows for the current boundaries. Pat, maybe you should share the map with . . . It's just really, really basic. Had we known we were going to have the opportunity to work with such a broad panel, we certainly would have been better prepared, and we appreciate your consideration.

Our rationale: geographically our proposal is marked by a natural boundary, being the Crowchild Trail northwest. Distinct bounds minimize voter confusion. Number two, both of the new areas we propose are experiencing substantial growth. This proposal will accommodate this growth, rendering further revisions unnecessary in the foreseeable future.

Our committee considered other proposals, however found them unsuitable after consideration. These are listed in appendix 2. We can deal with appendix 2. Number one was to add the communities of Silver Springs and Varsity to the existing Calgary-Bow constituency. This would result in overpopulation of Calgary-Bow, according to the B.C. judgment, resulting in a domino effect of changing constituency boundaries throughout the city.

The second proposal was to add Scenic Acres to the rural constituency of Banff-Cochrane. This would combine a primarily urban population with a rural one. Fair representation would be more difficult. The population of Calgary-North West would only be reduced by 17,025 voters, an insufficient change to meet the B.C. judgment.

The third option we considered was to add Edgemont and west Dalhousie to Calgary-Foothills. The reduction of Calgary-North West constituency would only be 1,593 voters. This would neither create proper constituency size nor allow room for further growth in Calgary-Foothills.

Number four, add Edgemont, west Dalhousie, and Hawkwood to Calgary-Foothills. The reduction of Calgary-North West would only be 8,371. This would leave Calgary-North West with 21,923 voters, which, although within the guidelines, allows for no growth.

You'll notice the asterisk there. The 1988 enumeration figures have been exceeded due to the rapid growth, particularly in Scenic Acres, Hawkwood, and Edgemont. I think particularly in

that Calgary-North West riding construction is proceeding at a fantastic pace, and these numbers are, I'm sure, quite out of date.

We believe the constituents of Calgary-North West will be best represented by implementation of our proposed changes. The three of us named on the brief would be most delighted to do any other work or discuss any other ideas that may come up. The idea was to try and keep things as simple as possible and without affecting, again, the domino effect of the whole city. Now, we haven't had the benefit of having meetings with all the other constituencies, because, of course, if we made a recommendation much different from the one we have done, we would impose either greater or lesser population on neighbouring constituencies. So that was basically the idea or the rationale behind it.

Tom, have I missed anything there? Again, we used the numbers and the statistics that were provided to us from the electoral office in making our considerations.

MR. CHAIRMAN: Thanks, Frank. As I think you now appreciate, our committee won't actually be drawing boundaries, but we've had other individuals come forward with specific recommendations – that's happened in both urban and rural – and the commitment we've given is that we'll pass the recommendations on to the commission once it's been struck. But we urge you to follow up. For instance, you heard the discussion tonight as to whether or not there should be hearings prior to the interim report, and if that were the case, this would be very helpful.

Tom.

MR. SIGURDSON: Thank you, Mr. Chairman. Just a couple of questions. First off, when we were discussing earlier with Justice Dixon the number of members of the Legislature, while it's not contained in the presentation you make, I just wonder if we could get your thoughts on increasing the number of members of the Legislature.

MR. HICKEY: Tom, again, I've not had the benefit of committee input on this, particularly from our own constituency. Personally, I would say no. We've got enough expense and cost. I mean the public is certainly not in the mood for footing any more public bills that they would perceive as being unnecessary. I'm not sure, Tom, what your feeling on this is.

MR. WILLIAMS: Well, in a discussion I had the other day with a particular individual, this was talked about and the point brought up was: why is an MLA not capable of representing as many people as an MP, who represents anywhere from approximately 80,000, maybe up to 100,000? You know the magic number we're looking at here is approximately 23,000 according to the judgment. I would say I would be opposed to increasing the number. I would say: why cannot an existing MLA represent a higher number than that?

I know our brief contradicts that. We're asking in effect for one riding to be split in two. The rationale for that is the fact that the judgment is there which basically says you're going to be limited to 23,000, or some odd number, on the upside and 14,000 on the downside. So we based our brief on that rationale. But I'd really be opposed to increasing the numbers.

MR. HICKEY: See, from my side of that, I've had the pleasure and opportunity of working in both urban and rural constituencies. I know full well that it's far more difficult to represent a

spread out, thinly populated rural constituency. Like Calgary-North West is a large constituency, but it's not impossible to handle. It's quite easy to handle, as a matter of fact, because it's all in one place.

MR. BRUSEKER: For a Liberal, yes.

MR. HICKEY: For a Liberal, yeah. Exactly.

In any case, the facilities are there. I mean, your constituents all live in one place and you can address them through, say, three or four different mediums, whereas in a rural constituency, when you're talking 9,000, 10,000, or 12,000 people that are scattered 150 miles apart, for any of us that have had that opportunity, it's difficult and it's really tough to represent them.

MR. SIGURDSON: Can I just follow up, Mr. Chairman. Perhaps instead of increasing the numbers of members of the Legislature, would you be in favour of . . . One of the options we have as a committee is to make recommendations to other committees of the Legislature, and perhaps what we ought to be doing is looking at staff inside constituencies so a member has the opportunity to have other staff. You asked the question why an MLA can't have the same number of constituents as a Member of Parliament. A Member of Parliament is guaranteed four people, to look at staff, whereas we have one. We do a lot of our own leg work, body work, and build arguments that sometimes Members of Parliament are able to go in and direct staff and say, "This is what I need; you do the research," and it's done and delivered. So would you be in favour of there being provision for more staffing, more communication with constituents to accommodate that suggestion?

MR. WILLIAMS: No.

MR. HICKEY: In my opinion, there'd have to be an extremely well demonstrated need for that.

MR. SIGURDSON: The demonstration may very well be the ratio between members of the Legislature in Alberta and Members of Parliament for Alberta.

MR. HICKEY: Perhaps.

MRS. BLACK: Frank, I was going to ask you – you mentioned you'd worked in both rural and urban. Do you think there should be two formulas?

MR. HICKEY: It's a double standard, but in order to properly represent the people in the rural areas, I think you have to. If you use the same number – let's suggest we're going to pick 25,000 or 23,865 or whatever the number is – the people, rural Albertans, would lose a lot of representation. Looking at it from the point of view of the representative, I think it would be very difficult to represent those people. Looking at it from the view of the constituent, let's suggest that a constituency is made up of several smaller urban centres of, say, two or three thousand or even less. Well, if my member, whom I probably wouldn't know, lived 100 miles away, there would be very, very little likelihood of me being properly represented. If I wanted to make a presentation to him such as we're doing this evening, it would be a major effort. Unfortunately, I think we do have to perhaps have two formulas. I'm not sure how you'd base the formulas at all. I think you'd want to seek input, do research

on what they have done in other jurisdictions, in other provinces, for example. But I think as far as just using a straight number, Al Duerr had a good point there. I think theoretically it would be right, but practically it would be very, very difficult for all concerned, particularly your constituents. I mean, you as MLAs would know. I don't see any rural MLAs here. Well, Bob here is the only rural one.

MR. WILLIAMS: Taber-Warner.

MR. HICKEY: You know, Bob.

MR. CHAIRMAN: Well, today, if I can jump in for a moment, it's really interesting when you think of the 20-odd people we saw in Vulcan and the written submissions and the oral briefs presented. Of course, the Little Bow constituency is one of a handful in the province that doesn't have a large town. Vulcan is the largest community, with less than 3,000 people and - what did they say? - 15 municipalities. So the MLA is meeting with 15 councils, all of whom think their concerns are the most important, and they're all different. There might be some factors in common, but there are unique features to each community's problems, and we listened very carefully as a committee to the pleas coming out of that constituency not to carve them up or make them any larger. They're already quite a large area.

Then we listened in the urban areas to briefs, the mayors, which is basically rep by pop, one vote, one person. We're trying to strike a balance, trying to look at the implications of a court decision. The other factor - you know, I don't think there's a person on this committee who's recommended we increase the numbers. But if we had to go to the one person, one vote concept, we'd say goodbye to 10 or 11 rural constituencies. I was a member of the governing caucus when Henry Kroeger and Jack Butler saw their ridings disappear and one new riding created. Those two individuals went through hell and then a nomination process where one won and the other lost, and the cold war got even worse. I try to imagine a House with that happening. They may all affect government members; they may not. They could affect opposition members as well. But, again, if we had our druthers, wouldn't it be nice if we could have gone back 10 or 15 years and said, "We must prepare for the day when we're going to go to a system with a variation of X percentage points, and we've got time to make some adjustments between now and the time we get to that point." [interjection] Pardon?

MR. WILLIAMS: Back to 1905?

MR. HICKEY: Well, without regard to political considerations, forget politics because, I mean, the decisions that the committee makes today are going to be affecting very different political environments, whether it be next year or within the next 10 years, for example. I think the thing is that to be a rural MP or a rural MLA is a lot more work than to be an urban MLA or representative. I think that research should be done to show the amount of travel that's required and the amount of liaison with individual constituents.

To me, again looking at Calgary-North West since that's the subject constituency here, we can have one or two forums and meet with virtually everyone in our riding who's interested in it. But you cannot do that in a rural riding. I mean, you just can't get people from one small town.

MR. CHAIRMAN: Frank, I think what happens, though, to be fair: the workload, the kind of work, is very different.

MR. HICKEY: Yes, it is.

MR. CHAIRMAN: But I'm gaining a better appreciation for the kind of loads that the urban members carry. It depends on the riding. Pam is in a unique riding where people are reaching out for help in a multitude of ways, and it's not easy.

MR. HICKEY: Right.

MR. CHAIRMAN: Pat or Frank are in relatively affluent parts of this city. Tom is in a working class . . .

MR. SIGURDSON: Everything.

MR. CHAIRMAN: Yeah, and then you've got a new growth area with some pretty well-to-do areas and a rural strip. We've got Mike Cardinal on the committee, who represents Athabasca-Lac La Biche, with all the challenges in that area, and then Stockwell Day, whose constituency is primarily the urban part of the northern half of Red Deer, the city, but also includes a rural belt around it. It's an urban/rural mix. Our life has become too complex to categorize.

MS BARRETT: Hear, hear.

MR. CHAIRMAN: Yet we know the workload that's there. Tom made the comment that if he goes to the local Co-op to get groceries, to get a few things for his wife, invariably someone will stop him and ask him a question. I thought, hey, that's like the IGA store in Taber for me.

MR. HICKEY: Exactly.

MR. CHAIRMAN: And I'm sure we can all relate to those things.

MR. HICKEY: But I don't think what was said is that a rural MLA or an urban MLA does not have work to do, because both, of course, do. We're all fully cognizant of that, but the facts of life are that physically it's just tougher to properly represent your riding.

MR. CHAIRMAN: I think it was Glen Clegg who said it best, as far as I'm concerned. He said, "I spend a third of my time dealing with individuals; a third of my time dealing with hospital boards, school boards, town councils, and so on; and third of my time in the car traveling between meetings." There is that travel time. Now, Tom, on the other hand, has said, "I'd welcome a little bit of the travel time."

MR. SIGURDSON: Yeah, right. I worked for Grant Notley in his constituency for a couple of years, and I can remember those days traveling from point A to point B - Spirit River to Fairview was an hour's drive - going down to see a constituent. Now I think when I have a number of people waiting in the waiting room to come in and see me: what wouldn't I give to have the opportunity to hop in my car and drive to my next appointment.

MR. HICKEY: But what you're saying, basically, at least if I'm understanding you correctly, is that the nature of your work is

similar. However, you have to extend yourself over a considerable distance and time period when you're representing your rural area as opposed to when you're in the city, when you can call.

MR. SIGURDSON: Over a considerable distance. I'm not sure if it's over a considerable time period because . . .

MR. HICKEY: But for one constituent, you have to drive a hundred miles to see that constituent.

MR. SIGURDSON: Yeah, I know, but in that period of time I'm allowed to put some thoughts together, use the dictaphone, and put that down. Sometimes, as an urban member of the Legislature, I don't have that luxury, so at the end of the day after I've had all of the appointments, I'm then sitting and trying to recall what was said at 9 or 10 o'clock in the morning because I haven't had the opportunity to commit it to paper or to tape it the way that it should have been. So the time is still pretty much the same. The role is very different. I'm not sure that, quite frankly, any one is easier than the other, but then that's the way I operate.

Now, I know there might be members of the Legislature who apply themselves a great deal more than I, and I'm sure there's probably a member or two of the Legislature who doesn't make a similar application. That's why it's difficult to measure. We're not looking at apples and oranges. With apples and oranges you can weigh the calorie content and weigh the nutritional value. With constituents, constituencies, urban versus rural, the application that each individual member makes - there are just far too many variables to try and really, I believe, come up with a commonality, which is I suppose why we have the decision that was handed down by a justice of the Supreme Court of British Columbia that said the only real measurement is population.

MR. HICKEY: One question I have is: what if we're doing all this work, or what if you as a committee are doing all this work, and all of a sudden this judgment is appealed? Is this an exercise for nought? There are several of us here, including yourselves, who've got better things to do than visit with the public over something that may or may not happen.

MR. CHAIRMAN: First of all, some facts. I think the necessary time for an appeal has now lapsed, but there was a subsequent decision. The individual who took the British Columbia government to court, Professor Dixon - the judge assured us that no, they're not relations - and had the original case dealt with by McLachlin, took the government to court again, arguing that not only did British Columbia have to do it but it had to be done immediately. The second case was heard by Justice Meredith, and Justice Meredith said: "While I have no fault with the findings of Justice McLachlin, it would not be proper for the courts to give a time frame to the government. We can't do that. We can't put the government in a straitjacket."

But it's also interesting to note that Chief Justice McLachlin, who was then Chief Justice, has since been appointed to the Supreme Court of Canada, so she is now one of the nine members of the Supreme Court. So any decision made in Alberta that would be appealed eventually to the Supreme Court would in all likelihood be dealt with by Justice McLachlin, among others.

MR. WILLIAMS: Chances aren't too good.

MR. CHAIRMAN: No, but there is another factor here, and that's that if these were normal times, we would have gone out and appointed a commission. We would have given them a mandate, and they'd be doing their work right now. That's not happening because of the McLachlin and Meredith decisions. We're doing the most extensive all-party review that's ever been done in this province, possibly in Canada, in terms of what the parameters should be for our commission, who should sit on the commission.

We sure as heck don't want to make the mistakes that were made in Manitoba. We saw some good things in Saskatchewan. We've listened to Mr. Justice Dixon and Mr. Justice Miller, two individuals who chaired previous commissions, to find out what they think worked and where there could be improvements. We're trying, through the hearing process, to get input from people on how we can make the system work better. We've been asked: "Is this merely a public relations exercise you're going through? Do you know your conclusion?" We as a committee have not discussed that; it would be premature. We're now about halfway through the hearing process, and there isn't a day that's gone by in the hearing process that we haven't learned something new. We're keeping track of those factors so that when we sit down to write our report, we'll get our flow chart out on the wall, won't we, Bob?

MR. PRITCHARD: Yes.

MR. CHAIRMAN: And be able to identify, because some people have said to us, "Look, if you can't protect regional interests any other way, then you've got to look at an upper House."

MR. WILLIAMS: Provincially?

MR. CHAIRMAN: Yeah.

MR. HICKEY: Oh, goodness.

MR. CHAIRMAN: Well, that's right. That's the initial reaction of the committee. But we're getting input from people who are saying that you can't go to strictly representation by population, a pure system. Because most people who talk about a pure system will relate to the United States, where they have an upper House in all of the states save one and where they have a Senate, the very thing we're arguing about in Ottawa. We don't know. Maybe there's a way to blend those two into one so you don't create any more members and you still have something to protect the balance out there, the Chinooks, the areas that are big and sparsely populated and yet are totally settled. In other words, every square mile is an organized, settled area. We're still going down that road, but we know it's a big problem and a big challenge facing us.

MR. BRUSEKER: I have a question, sort of a concern, I guess, looking at your proposed division here. My concern is this: the constituency on the north side has two communities, Dalhousie and Edgemont. I'm wondering: what did you discuss in your committee at all about the prospect of communities being split? I'm thinking, for example, in Dalhousie, the number of times people called and the first thing they'd say was, "I don't know if I'm in your constituency; I live in Dalhousie." The proposal that

I might make would be to move this boundary eastward, if this were accepted, to include all of Dalhousie and all of Edgemont, so that you don't split communities. I guess my question really is: in terms of a provincial approach, across the city of Calgary, across the city of Edmonton, across other communities, should we be directing the commission as much as possible not to split communities, as we have here now and as your proposal suggests?

MR. WILLIAMS: Well, I think on that particular one you're talking about, the problem we've looked at is if you take and split off those two communities like west Dalhousie and Edgemont, you have a domino effect on other ridings. That's the major problem. What we tried to do was split existing ridings so that you would not affect other ridings that are also experiencing growth and have the same problem that we do in that we have very large numbers. You know, at one time - 53rd Street in Edgemont, which runs into Edgemont Boulevard, is a very distinct boundary there between the two communities, between the two ridings.

MR. BRUSEKER: It is a very distinct boundary, but I guess I'm a little concerned with - pardon me for saying this - a rather simplistic approach. For example, Pat Black's constituency is right next door, and she is at 23,000 right now, just over the current boundary. So if we split hers into two, we'd end up with two that are below the average, at 12,000. They'd be at 12,000. So, in other words, what I'm saying, gentlemen, I guess, is that there has to be some kind of a domino effect, and there will be some kind of a domino effect. We can't look at constituencies in isolation. For example, a proposal that could work between Pat and I - between our two constituencies there are 54,000 people - is two constituencies together.

MR. HICKEY: Electors or people?

MR. BRUSEKER: Electors, according to the last enumeration. You could take those two and divide them into three, and you might use Sarcee Trail as a dividing line. Everything between Sarcee and Shaganappi, as another piece, and then the rest of Calgary-Foothills, and make in effect three constituencies out of two. So I believe there has to be some domino effect there.

MR. HICKEY: Well, I think the thing has to be looked at in the general context of the overall city boundaries, but, Frank, we did not have the benefit of meeting with Calgary-Foothills or any of the other ridings.

MR. BRUSEKER: I realize that. That's why I asked you . . .

MR. HICKEY: The reason that is simplistic - and of course that's the way things should be kept if at all possible, just basic and simple so that we don't continually have to revise them and change them. The idea behind that was to produce two constituencies if we have to do it. If something has to be done, if the judgment is going to be respected, we're better off, it would appear, to create two constituencies that can grow and are growing.

MR. BRUSEKER: Oh yes, definitely so.

MR. HICKEY: We think that those numbers there in four years' time or three years' time or whenever the next election is

called will be up considerably.

MR. CHAIRMAN: Frank, can I interrupt for a minute? Just to review the process followed in the last commission, they did sit down with the planning people from both Calgary and Edmonton so that they could get a sense of the growth areas, and they tried to take that into account.

What did we decide the population of Calgary-North West was after the last redistribution?

MR. BRUSEKER: I think it was around 22,000, and now it's just over 30,000.

MR. HICKEY: How long ago was that?

MR. CHAIRMAN: In '84.

MR. BRUSEKER: Five years.

MR. HICKEY: So, really, what we're saying is making some sense.

MR. BRUSEKER: Better than a 30 percent increase on a percentage basis.

MR. CHAIRMAN: Ideally, if we can take that into account in the growth areas of all of the urban centres, try to give a little bit of cushion, I think that makes sense.

MR. HICKEY: That was our basic concern. Again, without respect to today's political realities, because these things change election after election - that isn't the concern. Our concern is that we're going through this exercise today. We thought we were just coming to represent the interests of that particular constituency without the benefit of having . . .

MR. BRUSEKER: Which is why I just asked you about the community concept as a theoretical aspect.

MR. HICKEY: Frank, we as a committee I don't think are trying to set something in stone that will change or affect everyone else in an adverse manner. Basically, I think the thing that our constituency association is concerned about is proper representation. To get proper representation, there must be simple dividing lines, as you talked about earlier. West Dalhousie and east Dalhousie are prime examples.

MR. CHAIRMAN: Okay. Anything in conclusion?

MR. BROWN: I'm not with these guys.

MR. WILLIAMS: Thanks a lot, Neil.

MR. HICKEY: We'll hang in with you there, Neil.

MR. CHAIRMAN: All right, good.  
Neil, proceed then.

MR. BROWN: Thank you, Mr. Chairman, members of the committee. I'm a native Albertan. I'm here representing myself tonight and not any constituency or otherwise. I'm a resident of Calgary-North Hill. I heard of this hearing only last week, so I apologize for not having done a written submission. I would

have done so had I had the opportunity to prepare more fully.

The first point that I'd like to make – and I differ from His Worship the Mayor and from Frank, my colleague here, to some extent in that – is that I believe it's fundamentally outrageous and somewhat scandalous, a situation where we have certain constituencies in the province that have three times as many electors as other constituencies, a 3 to 1 ratio. I think that this is tantamount to giving three times the representation to the people in the rural constituencies. It does not fit with my concept of what a democratic society is all about. It's something that I would expect to find in South Africa or Namibia but not in a province in a Canadian free country. I think that since the 1860s the principle of representation by population has been well-established. I think it was expostulated about that time by a fellow by the name of George Brown – no relation. Although this principle of representation by population has not been honoured to the letter through the history of the country, I think it's one that has nevertheless been seen throughout our history as being one that's worthy as an objective, not always achieved and sometimes deliberately not achieved and hence the term "gerrymandering."

The second point that I would like to make – and this is one that was alluded to by His Worship – is the question of demographics. I think it's amply clear that the rural population in the country is declining in addition to the urban population increasing. These two things are taking place at the same time, thus making the relative difference between these two parts of our society even more pronounced. There's every indication that this trend is going to continue throughout North America. I think that will take place because of economic trends as well as simply population trends: trends in terms of education, professions, white-collar professions increasing, service professions increasing proportionately in the economy, et cetera. I would say that even if we redistributed the ridings as they are now on an even basis, if we took the population and tried to assess equal population to each one of the ridings, within five or 10 years we would again be in a position of inequity.

In my view, the resolution lies clearly in decreasing the number of rural ridings and increasing the urban ones, and in my view it's the wrong approach to increase the number of seats. We've seen the political difficulty of doing so on a national scale, when although Quebec ought to have been decreased in its population, it was slightly increased, although not as much as the west and Ontario, which had grown much more proportionately than Quebec. Politically this is more difficult, but with respect, you the MLAs are elected to govern us, and we expect you to make difficult decisions. It's difficult, yes, to take away somebody's riding or to make it larger. I can see no benefit of increasing the number of MLAs. I see no real increase in the efficiency of running the government. I see detriments in terms of the increase in cost.

I believe that what this committee should recommend is a target of equality in the size of the ridings. And I don't mean plus or minus 25 percent; I mean striving for equality. It may end up that in five years we're out again by 25 or 30 percent if demographic trends continue, but at least let's start from a position of equality. There is a saying in international law which I think applies equally to this scenario, and that is: equity is equality; equality is not always equity. So I think that in this case what we are striving for is equity, and you can achieve equity by having equality of representation. As an urban dweller, I believe it's inequitable and undemocratic to have our rural colleagues having an equal say in the government when

they do not represent an equal number of the population.

I'd like to just briefly address what I see as the only logical argument against decreasing the number of rural ridings, and that is the fact that we're increasing the size and therefore making it more difficult for Members of the Legislative Assembly to service that riding. I think times are changing. Not only is society changing demographically, but times are changing with respect to technology. We live in an electronic age. We have fax machines now. We can communicate with a Member of the Legislative Assembly instantly; we can send him a document of 30 pages in less than two minutes. We live in an age of cellular phones where people can use a hands-free phone when they're driving down the road. They don't have to waste their time.

I'd also like to address, though, another aspect of this servicing question and to suggest to the committee that one way of redressing this inequity which will be developed if we decrease the number of rural ridings is to somehow increase the number of services which are provided to rural MLAs. I'm thinking there of increased allowance with respect to travel, perhaps increased accessibility to charter aircraft or government aircraft – God knows we have a tremendous number of airports in this province; almost all small towns in Alberta have an airport of some sort – but also increasing the resources to have more than one constituency office in an appropriate situation: where a constituency is extremely large, have the MLA have additional resources to open an additional office.

Those are basically my comments.

MR. CHAIRMAN: Thank you.

Let's start with Frank, and then Pat.

MR. BRUSEKER: Thank you, Neil. I appreciate your comments. You talked about the idea of equality; let's get them all as close to an average as possible. The question I have for you is: when we make our recommendation to a commission – and coming back to Calgary-Northwest, if I may, because it's a constituency with which I'm most familiar. As the other two gentlemen pointed out, it's a constituency which is growing in two directions and very rapidly, and I believe the city's got a pretty good handle on the projected rate of growth. Should we be directing the commission that in four years' time the constituencies that are experiencing growth should be at that provincial average, or should we strive for it now and say, "Well, whatever happens happens over the next four years"?

MR. BROWN: My own opinion would be that you try to assess it in such a way that the next election, whenever that might be, would be handled in a democratic way; that is, there would be rough equality between rural and urban residents in terms of the representation they have. I would suggest it would be appropriate for this committee to recommend that these redistributions take place on a regular basis. Every five years I think would be plenty of time because of the changing demography. As you point out, a lot of urban ridings are growing very, very quickly. Rural ridings will be decreasing less quickly, nevertheless I think it's appropriate for there to be some mechanism in place to make sure the process stays democratic, that there is equal representation, that there's equality and equity in the electoral process.

MR. CHAIRMAN: All right. Thank you.

Pat, then Tom.

MRS. BLACK: Thank you, Mr. Chairman.

Thank you very much for your presentation and your candid remarks. I appreciate them very much. When you talked about representation, I gathered you talked about total population. Were you referring to the full population or eligible voters? Keep in mind that under our current legislation we only go through this process after every second election, so there would be people that would be eligible voters in a couple of years that would not be factored into the distribution count.

MR. BROWN: To my way of thinking it would make very, very little difference whether it was total population or eligible voters. Either way as a democratic objective would make me happy. I believe if you have X number of voters, chances are that the demographics are going to work out – not too much disparity unless you had a lot of young people in a particular riding and not in another.

MRS. BLACK: Or Indian reservations.

MR. BROWN: Well, I heard the Indian argument a little bit earlier, but, with respect, I cannot see that that has any bearing on it. These are eligible voters. If they choose not to exercise their franchise . . .

MRS. BLACK: No. They chose not to be enumerated.

MR. CHAIRMAN: So when you look at the spread between Cardston, which is the lowest, and Edmonton-Whitemud, which is the highest, the figures for Cardston . . . In your letter turn to the page with the pink and green and note at the bottom of the page, "The Blood Indian Band (1,800 members) chose not to be enumerated." So you could take Cardston's figure and add 1,800 to it as individuals who are Canadian citizens 18 years of age and older.

MR. BROWN: I didn't know that we had a choice in being enumerated in this country, to be honest with you.

MR. CHAIRMAN: Well, a couple of bands have basically said, "We don't want your enumerators on our reserve."

MRS. BLACK: "Unless we can run our own enumeration."

MR. CHAIRMAN: No. It hasn't been that. It's just, "We don't want to be enumerated." Now, we are going down to meet with the chief and council to try to get an understanding as to why. But we've been told by the Chief Electoral Officer that his officials who were trying to arrange for the enumeration came back and said: "We're told to stay off the reserve. We can't recruit people from the band to do it."

MRS. BLACK: Plus there are Hutterite colonies that choose again not to be enumerated; therefore, they're not in these numbers. That's why I keep asking the question. Yet they have the right to representation. When you're an MLA and you have a phone call come to your office, you don't say, "Were you on this voters' list?" Whether they're 17 years of age or . . .

MR. BROWN: I think you've answered the question.

MRS. BLACK: So my question to you is: how should it be done?

MR. BROWN: Well, I think you've answered that question. That is: the person who is the Member of the Legislative Assembly is elected, and he must represent all the people in his riding whether or not they choose to be enumerated and whether or not they choose to actually go to the polling booth and vote.

MRS. BLACK: Or whether they're 17 years of age.

MR. BROWN: Well, that's a little bit different. I mean you're looking at future electors there, I suppose, not eligible electors.

MRS. BLACK: Thank you.

MR. BROWN: I wasn't aware that they weren't obliged to be enumerated.

MR. SIGURDSON: You are obliged to answer the census but not to answer the call of the enumerator.

I want to present to you two scenarios that have happened in our sister provinces and just get your comments, if I may. Saskatchewan, when they had their redistribution, underwent some rather radical changes. They asked that the commission establish constituencies that would fall within the variance of plus or minus 25 percent, again being as close to zero variance as possible except for two constituencies that are sparsely populated. I believe those two constituencies were north of the 53rd parallel, and they cover approximately the northern half of the province. Those two constituencies are allowed a variance of minus 50 percent.

In Manitoba the commission was struck, and they were told that their outside allowance would be 10 percent plus or minus, again working as closely to zero percent as possible. In order to achieve that minimal variance, there were no exclusions. They created one northern constituency that was sparsely populated with pockets of population – and when I talk pockets, I'm talking very small pockets spread throughout the constituency. The constituency is 1,060 miles by 230 miles. Two very different situations in two different provinces. I'm wondering if you would have any comment on either or both or how we make that . . .

MR. BROWN: Well, my position and my sincere belief is that the democratic process means representation by population. I recognize that this is going to lead to some difficulty in servicing it. As I said, this is an electronic age; it's not the age of the dog sled and the mule team. We can get around a lot quicker. I'm not being facetious about that. The Northland School Division covers about a third of northern Alberta. You can ask these guys how they run schools in 30 different towns that are two hours' flying time away. They manage to do it, and I think they do it very well.

I'm sure that if proper allowance were made for resources to the MLAs – as I said, maybe increased constituency offices is one way of doing it so that there's somebody there they can get quick contact with – increased communication facilities, increased transportation support . . . I mean a Piper Seneca will fly 250 miles an hour. I can cover 500 miles in a couple of hours if I've got a place to land the aircraft. So maybe there should be serious consideration given to giving increased resources to these rural MLAs so they can properly service the riding.

MR. SIGURDSON: So you're more closely akin, then, to the

Manitoba scenario than the Saskatchewan.

MR. BROWN: Yeah, that's right.

MR. SIGURDSON: Thank you.

MR. CHAIRMAN: I wanted to add one comment, Neil, for clarification. You said that possibly we should be going through redistribution every five years. Most jurisdictions in Canada, including the federal Parliament, go through redistribution after a 10-year period. We began while we were experiencing rapid growth in the province. Our legislation was amended so we would have redistribution after every second general election. Saskatchewan followed suit, and we think B.C. has. Other provinces may be as well; we're not sure. Considering we had our last redistribution in 1984-85, we will be going through the process, I assume, in 1990. We're pretty well on your target. Would you agree with that?

MR. BROWN: With the five year . . .

MR. CHAIRMAN: Well, we will be meeting your target this time. Our legislation requires every two general elections. I don't know how you'd do it by saying five years.

MR. BROWN: Conceivably if you had a minority government, the general election could be held every three months. It's

happened federally before.

MR. CHAIRMAN: Yes, that's possible.

MR. BROWN: I think it would make more sense to have a situation where it was the number of years rather than the number of general elections. We can often have general elections in rapid succession, although it hasn't happened in Alberta in recent memory.

MR. CHAIRMAN: Well, in any event we'll come out with the objective you stated, 1990 being five years.

MR. BROWN: Thank you.

MR. CHAIRMAN: Okay. Anyone else?  
Again, our thanks, Neil, for your presentation.

MR. BROWN: I appreciate being heard.

MR. CHAIRMAN: Thank you, Tom and Frank, for coming out tonight.

MR. HICKEY: Keep up the good work.

[The committee adjourned at 10 p.m.]