



Legislative Assembly of Alberta

Electoral Boundaries Commission  
Public Hearings

Brooks

Tuesday, April 27, 2010  
6 p.m.

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## **Legislative Assembly of Alberta**

### **Electoral Boundaries Commission**

Judge Ernest J.M. Walter, Chairman

Dr. Keith Archer  
Peter Dobbie, QC  
Brian Evans, QC  
Allyson Jeffs

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### **Participant**

Clint Henrickson, Strathmore-Brooks Progressive Conservative Constituency Association

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[Judge Walter in the chair]

**The Chair:** Good evening. We are ready to proceed. We have to for *Hansard* ask that you give your name and position so that they can record it, and then we'll proceed.

**Clint Henrickson, Strathmore-Brooks  
Progressive Conservative Constituency Association**

**Mr. Henrickson:** Good evening, hon. Judge Walter and committee members. We do appreciate your appearance here. My name is Clint Henrickson. I'm on the board of directors of the constituency association in this area for the incumbent MLA. I sat for 18 years on the Eastern irrigation district board and went through a lot of adventures, you might say, public businesswise on that.

I'm not sure how much I should read of this now. I think my first paragraph was almost covered since I talked to a couple of you.

When you, the commission, sent out mailers last year announcing the start of the hearings regarding electoral boundary changes, there were included stated guidelines for required voter populations. It was also said that natural boundaries and common interests within existing electoral divisions would be respected whenever possible. Since this rural riding was seemingly nearly ideal in every respect, it was generally assumed that this riding would be left untouched by the committee, and therefore we went merrily and comfortably on our way.

After all the written submissions of various strengths sent from the Newell county area of this constituency in reaction to the changes proposed in your final report, one would logically think that leaving Strathmore-Brooks intact would now be a slam dunk and that further representation to the committee would be unnecessary, but I guess we thought that thought, and mistakenly, before.

I did take the time to read through and count the written spring submissions as listed from Strathmore-Brooks, a total of 188 out of 488 province-wide. By far the majority of these 188 were from the county of Newell area. I believe that our MLA can be rightfully proud of his constituents.

I must start by saying, committee, that I think the easy part of your task is over and that the difficult part is just beginning. I have some empathy for your situation now in reassessing the decisions made in reapportioning boundaries according to the guidelines of the electoral boundaries act and still trying to address the very real concerns of the residents of different ridings who feel they would be unfairly impacted by the proposed changes to their ridings.

Strathmore-Brooks has a very common interest of irrigation and contains 100 per cent of the Eastern irrigation district, which is the same area as the county of Newell, just the fourth county formed in Alberta. Overall, school board administration is for the same area, and the area is served by the same health region. You very seldom get more common interests in one area than this. The agricultural component is nearly all irrigation, and co-operation on various projects has been encouraged and has been very successful.

The Eastern irrigation district has been one homogeneous region in this area since 1935, when the irrigation farmers in the EID took over ownership, management, and operation of the complete district infrastructure from the Canadian Pacific Railway along with some 600,000 acres of land. The CPR had built the irrigation system some 25 years previous but had found it too expensive to operate. As well, many of the irrigation land buyers could not make land payments during those Depression years.

The county of Newell No. 4 was formed about 20 years later. The

county covers almost exactly the same area as the EID. The other half of the riding comprises the town of Strathmore and all of Wheatland county, which contains most of the irrigation system of the Western irrigation district. The two irrigation districts comprise nearly all of the organized irrigation along the north side of the Bow River. They depend on close contact with two government departments and their MLA, who for the time since the last boundary changes has been the same person. So far the arrangement has given us very good representation.

In talking with other irrigation districts who have their facilities in two or more ridings, they find they have less success in getting effective representation. If we had three MLAs, especially if some MLAs had only a small portion of their riding in this area, we could be facing much more difficulty in achieving good, effective representation.

By putting the suggested portion of the county of Newell/EID into the area north of the Red Deer River, which is nearly all special areas land, we would definitely not have a riding with cohesive interests, and neither part, I fear, would feel adequately represented, so the change likely would be resented. This would be a bad move. There must be better alternatives.

Submissions that I have read from Drumheller-Stettler, Battle River-Wainwright, and Little Bow were all very unsatisfied with the proposed changes to their areas. Chestermere might be satisfied with the proposed changes, but in reading their mayor's submission of last September, they certainly didn't get what they asked for. The ridings I have mentioned above along with Strathmore-Brooks seem to be in the area most affected by your proposal for change.

I have to think that the committee's decisions could have been biased by the many submissions from urban areas which show very little sympathy for the rural problems with effective representation. Generally, they suggest a simple solution of using the many types of electronic communication available, not stopping to realize or care that many of the methods they take so for granted are not available in the sparsely settled, far-flung areas.

A common theme of their complaints, as exemplified by a submission by representatives from Calgary-Currie, is that rural areas have far too much political influence for their voting populations and that rural MLAs and their constituents should use more imagination and technology in communicating. They don't seem to care or realize that rural areas long ago found they had to become politically active to keep the government informed that they do still exist and that there are roads and other amenities they need, too. Urban ridings or community organizations can go to their city councillors or their mayor and let them set up the howl on their behalf.

Sure, cities are divided into many ridings, and redistribution changes them, too, but they collectively have an overall administration and governance for the whole municipal area, which usually speaks for all and in some instances may zero in on ridings that are not well represented and put pressure on an ineffective person or the government for change.

The arrangement you have contemplated would have no such powers of remedy for us. So if a chopped-off fraction of the county of Newell were not well served by an MLA whose greater interest would likely lie with the original riding from before expansion, it could be likely just too bad for them.

6:10

A short note to the commission, penned by Hon. Iris Evans, on the release of your report was illustrative of the opinions of many, many people that the primary purpose of the commission's deliberations was to achieve equity of voting power. Effective representation is a near nonstarter. Ms Evans was "thrilled" with the report. It

supports equitable distribution and “will give Albertans a respected, lucid view.” It does seem quite obvious that she had no discussion of the report with any of her compatriot MLAs of the rural persuasion.

In the preamble to the decisions made by the EBC, special notations were made of a series of points that were listed as rules or guidelines to be respected or considered important in their deliberations such as common interests and cohesion in an electoral area, natural boundaries such as rivers and other natural divisions. This made up a fair number of what looked like rules that should be respected or obeyed in deciding on any changes in the electoral boundaries.

It was interesting to read the account of a judgment by Madam Justice McLachlin in interpretation of a disputed clause in the Charter of Rights and Freedoms about the comparative importance of voting power or effective representation in different electoral districts. Her ruling was that effective representation trumps numerical representation, and her suggested guidelines were to respect geography, community history, community interests, and the right to effective representation. She concluded with, “The list is not closed.”

Section 419(b) of the Elections Act says: take into account the physical characteristics of electoral divisions. The EBC at one point listed highways as barriers between communities. This, for the most part, is not true as highways can be entered and exited from both sides while rivers, especially, are more likely to present formidable barriers to integration in electoral districts and in many cases are certainly impediments to effective representation.

Considering the foregoing, I think I can arguably say that the EBC in this case has broken just about every rule they were going to obey or respect.

I would argue for leaving the Strathmore-Brooks riding as is with possibly some expansion to the west of Strathmore to pick up a few extra votes if necessary. But in retrospect, after writing that, I would think that we have some areas within the riding that are very fast growers, and it won't be many years before we'll be bulging at the seams. I think that the way this riding is set up, a good MLA could fairly comfortably accommodate quite a few more people than he is doing now.

We do have a rotation in riding association meetings. We split them between Brooks, Bassano, and Strathmore and try to be equitable that way, and it's beginning to work well.

I have one question to put to the commission as I wrap up my presentation. It concerns the Chestermere request regarding the proposal for forming what they call the Chestermere-East Rocky View constituency. Both Chestermere's and Airdrie's spoken and written presentations in the fall of 2009 were in favour of continuing the relationship they have been used to, and I believe that Rocky View did not seem to object to the concept of forming a new Chestermere-East Rocky View constituency. Your problem of what to do about Chestermere seems to have led you to the hatchet jobs proposed on the Strathmore-Brooks and the Drumheller-Stettler constituencies. I guess, then, I'd ask: what was wrong with Chestermere's concept?

Thank you.

**The Chair:** Well, thank you very much.

Keith, have you any questions?

**Dr. Archer:** Yeah. Thanks, Mr. Henrickson. Well, certainly the general position that you're outlining tonight is something that we heard earlier today in some of the submissions, that there's a community of interest across these two counties and a desire to keep that community of interest intact. One of the challenges we have

generally is that in looking at areas across the province, sometimes a change in one area has an impact on a change in other areas. The purpose of this two-stage process is to do some tweaking after we've had a chance to go through and make some recommendations. Certainly, we've heard a pretty consistent message here.

I would be remiss, though, if I didn't challenge some of your statements, particularly the statement that the commission was focused entirely on numeric equality in constituencies. The data suggests otherwise. When we look at the three areas of the province that we have categorized constituencies in, they are Calgary, Edmonton, and the rest of Alberta. Although the Edmonton population comes close to having a proportional number of seats to its population, in Calgary a strong argument can be made that the city deserves one more seat than we have recommended. In the rural areas there is one additional seat than the population would warrant.

That has an impact as you look across the constituencies. There are two special ridings within the province that have a population less than 25 per cent below the provincial average. Both of those are rural ridings. Dunvegan-Central Peace is at 39 per cent below the provincial average, and Lesser Slave Lake is at 29 per cent below the provincial average. There are also a couple of ridings that are between 15 per cent below and 25 per cent below the provincial average. Those are Bonnyville-Cold Lake, at minus 15 per cent, and West Yellowhead, at minus 23 per cent. Both of those are rural ridings as well.

If you look at the report in its totality, it's pretty clear that while equality of representation was an important factor taken into account by the commission, it wasn't the only factor taken into account. As you can probably appreciate, there's a diversity of views across Alberta on the degree to which relative voter equality should be taken into account, and we've heard the full gamut on this.

Again, I just wanted to challenge the idea that the sole focus of this commission was representation equality. I think the interim report suggests otherwise. That's the only comment I have, and I would welcome your response.

**Mr. Henrickson:** Yes. I guess the optics of what you do are prejudiced by the feeling of whose ox got gored. I think that jiggling around to change some of these ridings so they would have a better population mix – from what I've read and a lot of submissions, people would be amenable to working with you on some of them to make something that'll work fairly well for them as long as trying to address some of the problems, that the average person who thinks everything has got to be equal could be more satisfied. Some of those ridings have such a disparity; I can see that it must be very hard to solve that problem. Maybe they can be forgiven for not having enough population. I don't know.

Thank you.

**Dr. Archer:** Thank you.

**The Chair:** Peter.

6:20

**Mr. Dobbie:** Thanks, Mr. Chairman. Thank you, sir, for taking the time to send in your previous report and for coming today. You would have been heartened, I believe, had you been here throughout the day to hear what we heard from your fellow members of this constituency and also what the commission has put on the record as part of the approach that was taken and also, frankly, our acceptance that these representations that are being made are quite compelling.

Again, just to have it on the record, when you use a term like “biased,” it is important for us to address it. I believe that when you say “biased” on page 2, you likely mean influenced. An allegation

of bias does create another problem for us. I can assure you as a person who lives in the county of Minburn and works in a small town that it has been a challenge throughout to really balance the two competing views of electoral equality and effective representation for nonurban constituencies. Rest assured that we didn't take this lightly.

Your comment that it depends on whose ox is being gored really comes home to roost here. It may have been that had we started in a different area of the province, we would have had a different outcome here. A number of factors have also allowed us to look at some changes. That includes many people's position in Red Deer that we shouldn't take the extra 10,000 people there and move them into an adjacent constituency.

As Dr. Archer said, this two-step process allows us to get feedback. The intention of what we've put out there was to propose some alternative approaches because we can't be certain that – well, we certainly know that there are a different number of constituencies than there are counties, that things don't overlap completely. It may be in some cases that a change is warranted and that multiple MLAs is a good approach. Here it's clear that you're telling us that you're happy with the way things are.

Thank you.

**Mr. Henrickson:** Thank you.

**The Chair:** Allyson.

**Ms Jeffs:** Thank you, Mr. Chairman. Thank you, Mr. Henrickson, for coming this evening. I was intrigued by your comment that in the urban areas organizations can go to the city or their mayor to step up the howl on their behalf. From what we've heard today, I don't think anyone sets up a howl better than the county of Newell. We've heard quite a bit from the county and from the communities in the county today, so I think you can rest assured that we have heard that message.

Just one other thing regarding the presentation. You have a summary of a judgment of Madam Justice McLachlin suggesting that her ruling was to the effect that effective representation trumps numerical representation. I think that's not a particularly accurate summary of that.

**Mr. Henrickson:** Somebody made the summary, and I just read it.

**Ms Jeffs:** Yeah. I mean, in fact, we do not have this sort of commitment to absolute voter parity in Canada, but where there are going to be significant deviations in the population size in ridings, there must be significant justification. Then she raised a number of the factors that you have raised, but it wasn't that they could trump that but, rather, that relative voter parity was desirable but that it may be appropriate to have more significant deviations where they can be specifically justified. That was really my only comment.

Mr. Chairman, I have nothing further.

**The Chair:** Thank you.  
Brian.

**Mr. Evans:** Thank you, Mr. Chairman. Thank you very much, Mr. Henrickson, for your presentation. I'll only make one comment in addition to just kind of an overview of the recommendations that we've had and the submissions we've had today. They're all very clear that the relationship between Newell county and Wheatland county is an excellent one and that it works very effectively both for the constituents here and for the MLA as well. That's the message heard loud and clear.

The comment I'd like to make, though, is about the process that we've undertaken. Specifically, I just want to mention that when we tabled our interim report in February – and it's very clear that it is an interim report – we certainly understood, accepted, and, quite frankly, embraced the concept that we would be going out to a number of locations around the province of Alberta after that interim report was released to give Albertans, who felt that the interim 87 constituency boundaries either did work and they wanted to make comments about them or didn't work and they wanted to make educated and informed recommendations to improve those, lots of time for that.

Not only did we get the report out consistent with our legislative requirement to get the report out, but we ensured that there was enough time for people to carefully review what we had proposed, carefully form their own submissions, take the time to come out – we really do appreciate everyone who has come out at our various locations – and then, in turn, give us enough time as a commission to carefully review that additional input and then to have a report in, as we are required to do, within five months from the tabling of our interim report. That has to be before the latter part of July of this year.

In summary, there is more than enough time from the start to the end of this process for people to have a good, long look at what is being proposed and to create a better mousetrap. What we want to do is make sure that we take all of the better ideas that have come from Albertans' submissions and create the best 87 electoral boundaries that we can possibly create, respecting the case law that has been developed through our courts and the legislation under which we operate. That's my summary of the processes that we have voluntarily undertaken as members of the commission, and I truly believe that the vast majority of Albertans will be quite satisfied with the final report that we do submit.

Those are my comments, Mr. Chairman. Thank you.

**The Chair:** Mr. Henrickson, thank you very much. You obviously spent a considerable amount of time preparing this, and it's consistent with the message we've been receiving all day. Thank you very much. We appreciate your coming here. You'll hear from us by July.

**Mr. Henrickson:** Thank you very much. Do I have any response about Chestermere-East Rocky View?

**The Chair:** We are taking everything under advisement. We have representations concerning that also.

**Mr. Henrickson:** I can see future problems in that area with the rate of growth in population, including Strathmore itself, too.

**The Chair:** Yeah. We've been advised of those problems, too. Again, thank you.

I don't think we have any other presenters this evening, do we, Melanie?

**Ms Friesacher:** No, Your Honour. There are no further scheduled presenters.

**The Chair:** Our next hearings are tomorrow morning in Drumheller. Thank you again, all of you, for coming today.

We are adjourned.

[The hearing adjourned at 6:29 p.m.]





