

2:06 p.m.

[Chairman: Mr. Bogle]

MR. CHAIRMAN: I officially declare the meeting open. Let the record show that we welcome Gordon Miller, the president of the Alberta Association of Municipal Districts and Counties, and Larry Goodhope, the executive director of the association. We're pleased that you have accepted our invitation to come in and share thoughts with us. I know the association has been very active in attending hearings both by the former all-party committee and by the commission. You've encouraged the municipalities to be involved, and that's really been appreciated. Hearing from the grass roots is a very important part of this process.

So without any further remarks, Gordon, I'm pleased to turn it over to you. As you know, *Hansard* is recording our proceedings. We'd like to have a very open discussion with you. If you have some formal remarks you'd like to make, we'll then follow that up with questions and answers and hopefully come away a little wiser and more knowledgeable about this very important challenge we have.

MR. MILLER: Thank you very much, Mr. Chairman. It's a pleasure to be here, hon. members of the committee, and we thank all of you for this opportunity to appear before you again. We certainly consider this a very, very important issue in the future of Alberta. As president of the Alberta Association of Municipal Districts and Counties I'm here today on behalf of our 53 incorporated rural municipalities in this province and the approximately two-thirds of the rural Albertans who reside within those municipalities.

The issue of provincial electoral boundaries is one of tremendous importance to Alberta's rural citizens, and I believe that importance has been reflected in the priority which our association and its members have placed on this matter in the past two years. As some of you may be aware, our association intervened on behalf of rural municipalities in the Alberta Court of Appeal's consideration of the Electoral Boundaries Commission Act, and we were the only nongovernment entity in Canada to intervene on behalf of rural interests in the Supreme Court of Canada's consideration of the province of Saskatchewan's electoral boundaries legislation.

Our efforts in this regard have not been inexpensive, but neither have they been without reward. The result of both courts' actions was the reaffirmation of the fundamental importance of the principle of effective representation for all citizens, thereby dismissing the argument that fair representation necessarily means representation by population. Indeed, the courts have specifically recognized the potential need for significant variations in constituency populations in order to ensure effective representation, particularly for residents of rural and more sparsely populated regions.

Of course, the Alberta government in its foresight recognizes this important principle in drafting an Electoral Boundaries Commission Act by including a provision for up to 25 percent variance in constituency populations and up to 50 percent in certain specific circumstances.

The arguments in favour of allowing this variation are not new, and neither are they complex or difficult to understand. The Electoral Boundaries Commission which preceded your committee received many submissions on this very important issue from rural MLAs, individual citizens, and a great many of our own member municipalities. Of course, I will not seek to repeat those arguments here. I would, however, like to briefly read to you two brief quotations from two distinguished Canadians who have pondered

this issue at length, and I do this for two reasons. Firstly, their comments are particularly insightful and credible, and secondly, their stations in life may help to dispel the mistaken impression on the part of certain commentators that this issue is somehow a matter of partisan political interest.

The first quote is from Madam Justice Beverley McLachlin of the Supreme Court of Canada, who has said:

Before examining the electoral boundaries to determine if they are justified, it may be useful to mention some of the factors other than equality of voting power which figure in the analysis. One of the most important is the fact that it is more difficult to represent rural ridings than urban. The material before us suggests that not only are rural ridings harder to serve because of difficulty in transport and communications but that rural voters make greater demands on their elected representatives, whether because of the absence of alternative resources to be found in urban centres or for other reasons. Thus the goal of effective representation may justify somewhat lower voter populations in rural areas.

These comments are not a revelation for anyone who has lived in rural Alberta, and certainly they would come as no surprise to those members of the committee who represent a rural constituency. They are mainly a reflection of reality and of the need to design boundaries which will recognize that reality.

The second quotation I would like to share with you is from the late Grant Notley, the former leader of the New Democratic Party of Alberta and a former MLA for a rural Alberta constituency. The quotation is from *Hansard* of May 12, 1977, and reads as follows:

If one had come to me seven or eight years ago and said we should provide some sort of special consideration for rural constituencies, I wouldn't have been very sympathetic. As a matter of fact in 1970, I recall making some rather harsh statements outside the House about the recommendations of the Electoral Boundaries Commission at the time and the fact that there was not rigid representation by population. But in the last six years there is no doubt in my mind that there are some very real problems in representing rural Alberta, which must lead us to the conclusion that rigid application of representation by population is not fair. It may be fair in an abstract, philosophical sense, but in my judgment it is not fair in terms of providing access by the electorate to their member of the Legislature.

I think it just happens to be a fact that rural MLAs have a higher volume of constituency business, because there's a greater interest, a perception of the MLA as a representative of people which is more clearly understood and, somehow, defined in the rural area than the average urban constituency.

Again, I would suggest that Mr. Notley's comments reflect a very realistic and responsible assessment of the challenges facing rural MLAs and the importance of ensuring that the rural citizens of this province have reasonable access to their elected representatives.

Given the comments of these two individuals and the Supreme Court and Alberta Court of Appeal decisions as well as the many submissions of Albertans in support of the principle of effective representation, I don't think there can be any doubt of the legitimacy of this principle.

What is necessary, then, is to determine how we can best apply this principle to ensure that the interests of all Albertans, rural and urban alike, are properly addressed. Our association and its members have long argued that the 25 percent variance rule of thumb is an appropriate guideline for determining constituency sizes, along with the recognition of the potential for exceeding that variance in very special circumstances such as regions of northern Alberta and even some of the more sparsely populated areas in southern and eastern Alberta. Along with these guidelines on variance, which of course merely reflect the content of the Electoral Boundaries Commission Act, we would simply urge you to consider a few other very important principles.

Firstly, we believe that it's very important for constituency boundaries to follow local community of interest boundaries in terms of trading patterns, geographic areas, municipal boundaries.

Although this factor is recognized in the Electoral Boundaries Commission Act, it is the opinion of our association that the interim report of the boundaries commission failed in many instances to take proper regard of these local boundaries. We saw situations where individual counties and municipal districts were divided amongst two, three, and even four separate provincial constituencies in order to more closely equalize constituency populations. Such an approach is fundamentally flawed, as it greatly hinders the ability of the local citizens to speak with one voice to their provincial government. It also works to reduce the effectiveness of the local MLA, who may thus be required to deal with parts of several separate municipalities, each of which may have very separate and distinct priorities and concerns. It is therefore crucial that municipal and other local boundaries be respected wherever possible in the drawing of new provincial constituencies.

Secondly, we would strongly urge that the new system of boundaries involves as little destruction of the existing boundaries as possible. We recognize that population shifts do necessitate some changes in many areas throughout this province. However, we do not believe that these adjustments necessarily require major upheavals of the existing system. Minor fine-tuning of many constituencies could achieve the desired ends without creating excessive confusion and dislocation on the part of affected Albertans.

Lastly, we would urge the committee to avoid the use of so-called 'rurban' constituencies wherever possible. It is our opinion that rural and urban citizens are still subject to significant differences in terms of their priorities, their needs, and what they expect or demand from their elected representatives. To lump these extremely diverse interests together in one constituency merely to achieve greater equalization of the constituency population would not only greatly increase the difficulties faced by the local MLA; it would also greatly detract from the rights of both urban and rural citizens to effective representation. The legislation and the Canadian court system have recognized the legitimacy of utilizing population variances in order to ensure effective representation. We would urge the committee to make use of that provision where appropriate rather than artificially melding diverse rural and urban populations.

Mr. Chairman and hon. committee members, that concludes my remarks on this subject. Once again, we thank you for the opportunity to be here with you today and share our views with you and bring our concerns to your attention. We would certainly be pleased to try and answer any questions that you may have for us. Thank you.

2:16

MR. CHAIRMAN: Gordon, just for clarification. I had an earlier request that we go in camera for the question and answer portion. Is that correct?

MR. MILLER: Yes.

MR. CHAIRMAN: All right.

Do I have a motion that we go in camera? Stock.

MR. DAY: So moved.

MR. CHAIRMAN: Further discussion? All in favour? Carried unanimously.

[The committee met in camera at 2:17 p.m.]