

9:59 a.m.

[Chairman: Mr. Bogle]

MR. CHAIRMAN: I think we're ready to begin. I'd like to open with a special welcome to you, Mayor Duerr, and note that you're accompanied by your director of corporate resources, Mike Facey. Welcome to you both.

The process that we followed in previous meetings is to remain on the record unless specifically requested by the presenters to go in camera. You've already indicated that you're comfortable staying on the record. Thank you. We'd like to hear your presentation and then have a general question-and-answer session, an exchange of ideas. We know that we have an onerous job, and we certainly appreciate the fact that you are here today along with Mike to give us some assistance.

I might also state for the record how pleased we are with the assistance you've already provided us through Bob Pritchard in terms of the map with the community districts with your best guesstimate of the 1991 populations for those areas. That is helping us tremendously, and we do thank you.

MR. DUERR: Well, thank you, Mr. Chairman. Any ongoing assistance – and I'll be offering some through the course of the presentation – that we can provide, I can assure you it will be there. From the outset I'd like to say that I think I said in my first presentation to the original committee that you didn't have an easy task. Obviously it wasn't, and this also is not going to be an easy task. In fact, in many respects it's going to be a no-win situation. You have some very difficult decisions to make.

I'm going to be speaking from my city's perspective, and I hope you take it as such. I'm going to be making some comments that describe what we think should occur from our city's perspective but also in the context of the directions that we see the population going in. I want to say from the outset, too, that I don't see this as an urban/rural issue. It shouldn't be constituted as such. It's going to be very difficult for you to ultimately make some decisions without recognizing that there may well have to be some redistribution, and in any case when there is redistribution, there will be perceived winners and losers. I don't think that has to be the case, and that's certainly not our intent, but I think it is important to get some of the facts as we see them on the table.

You have a presentation before you. I'm just going to briefly highlight some of the things in it, and you can read it at your leisure.

The original Electoral Boundaries Commission that was established was faced with what we believe to be an impossible task. We in fact made a decision to not make a representation to that commission. We largely felt that although we didn't like the outcome, they fulfilled the mandate because they were given essentially an impossible task. We felt that the requirements of the Act were inconsistent with the realities of the actual demographics of Alberta. To a large extent they were being asked to fit a square peg in a round hole, and they were able to shave some edges off when you looked at the recommendations on the 'rurban' ridings, especially in the case of Calgary and Edmonton. This seemed to be unacceptable to the MLAs and certainly was unacceptable to a lot of Albertans who looked at those recommendations.

We understand – you can clarify this if I'm wrong, and we're very pleased to hear if this is the case – that your mandate now is both to review the legislation and to draw boundaries for the new electoral divisions. I think this is important because the past legislation and some of the requirements of that legislation were leading, I think,

any commission down the wrong path, and it was important to recognize that some legislative changes were required.

I'm going to try and be as constructive as possible. I'll outline some of the legislative problems as I see them. I'm going to be referring to two tables. I think you've been given copies of the tables. They're also in the text of the material before you. I'll just go through these in order. When you start looking at current census data, the requirements of the Act that the commission was operating under were that you had to use census data available at the time the commission was appointed, which forced the commission to use 1986 data. When you look at table 1, it compares the 1991 Stats Canada data which is now available, and it showed that the 1986 data in fact underrepresented the current situation, the 1991 situation, by 180,000 people throughout the entire province. If you looked at that on the basis of the urban centres, the differences would in fact be larger.

We believe that you should be using more up-to-date data. We believe that you should be using the 1991 Stats Canada data and ideally include the additional data that is available through the municipal services branch of Alberta Municipal Affairs in compliance with the Property Tax Reduction Act. Many municipalities do annual censuses. This gives you much more current information. In fact, to give you an idea as to the reliability of that, the Alberta Municipal Affairs data that we had worked up since 1986 had the population of Alberta at 2.5 million; the 1991 Stats Canada data had the population at 2.54 million. So that was underrepresentation by about 40,000, which on a provincewide basis is very close, and that's a credit to Municipal Affairs and everyone who is involved in it. The data is available, it's fairly close, and I think it should be used. The alternative would be, if you just want to use Stats Canada data, to put in place that there be a review every 10 years coincident with this new data being available. It's absolutely essential that you work with current data, especially given the substantial population changes that are occurring throughout the province.

When you deal with the issue of multimunicipality electoral divisions, they may work outside of the main urban concentrations. We really do believe that they are inappropriate when you look at large urban concentrations like Calgary and Edmonton. In the case of Edmonton it's, I guess, classified more correctly as an urban "area." Calgary is sitting at about 710,677 people; Edmonton, 616,741. The additional 100,000 in the city of Edmonton is made up of surrounding communities. In both cases it creates what is almost a conflict of interest for the representatives. Again this isn't necessarily a question of rural versus urban, but there are conflicts of interest when you're looking at issues of growth and development.

The city of Calgary prides itself on its unicity concept. As a result of that, we are constantly trying to ensure that yes, the surrounding communities around Calgary can grow and prosper: Okotoks, Airdrie, Strathmore, High River. We're very concerned about the growth of small and new urban centres like Chestermere Lake and the potential Elbow valley development. When we register those concerns, it would be extremely difficult for an MLA who maybe has 80 percent of their population residing in the city of Calgary to represent the 20 percent who are outside Calgary. It puts them in an extremely difficult situation, and we think that's something that should be avoided if at all possible. It's very difficult to reconcile these populations.

One of the issues that also came out in that was even in the naming of these ridings. The Chestermere riding, as pointed out in the material: 87 percent of its population resided in the city of Calgary. Although the name may have acknowledged the rural component, it really did not in any way reflect what was happening within that constituency.

In terms of the number of electoral divisions, without question this is probably the most sensitive and critical issue of all and certainly one that is going to be a major issue as far as you're concerned. If you look at the 1991 Stats Canada figures, table 2, you can see the disparity between the population and representation. Under the current situation Calgary represents roughly 27.9 percent of Alberta's population and has 22.9 percent of the electoral divisions. Outside of Calgary and Edmonton, the rest of the province has 47.9 percent of the population but 56.6 percent of the divisions. To bring representation in line with population, Calgary would need an increase in representation from 19 to 23 seats; Edmonton, from 17 to 20. Unfortunately, that would mean, with the current number of seats, that the rest of the province would be reduced from 47 to 40 seats.

10:09

In the work of the boundaries commission and the provision in the Act for multimunicipality electoral divisions, that resulted in Calgary having 25 MLAs, albeit we would say that five of them had somewhat of a conflict of interest or were going to have a potential real difficulty in doing their job. It was a theoretical, pragmatic solution, but it wasn't acceptable either to the MLAs or to their constituents, and I would suggest that that probably is not something that's going to be on the table in the future.

When you look at the population of electoral divisions, we certainly agree with the provisions of the Act that at least 95 percent of the electoral divisions must not deviate from the average population by more than plus or minus 25 percent. It's important if you're applying this plus or minus 25 percent rule that you use again the most up-to-date data available if it's going to remain valid over the eight- to 10-year range, and that's why I suggested earlier that we use that more current data. If in the future Calgary is to be composed of single-municipality electoral divisions, the average plus or minus 25 percent rule would be inoperable unless the number of seats were increased. In my material I go through some examples of that.

The average population in the electoral divisions through the province, applying the plus or minus 25 percent rule and 1991 Stats Canada information, would be 31,000, with the upper limit being 38,000. Based on Calgary's 1991 population and 19 divisions, the Calgary average in 1991 would be 37,000 people, and it would be almost impossible to slice the city up into exactly equal areas of 37,000 people. What it would mean is that by 1993, which is next year, you would have some electoral divisions violating that 38,000 maximum limit. That's a reality. By 2001, which is 10 years from now, you'd be in a situation that the Calgary average would be 42,000 people per electoral division. So it's very clear that you can't fulfill your mandate with a plus or minus 25 percent rule with 19 electoral divisions in Calgary. We indicated that Calgary should have 23 electoral divisions. This would result in an average division size in Calgary being 31,000, which would be identical to the provincial average, and by 2001 we'd have about 35,000, which would still be below the maximum allowable of 38,000.

If the provincial government would be adamant that the 47 non large urban centre divisions must be retained, you would need proportional increases in Calgary and Edmonton, 27 and 24 respectively, to ensure that the population rules are met and remain respected over the life of the divisions. This would raise the total number of MLAs in the province to 98. We're not recommending this. I think you recognize that that would not sit well with the people of this province, but it does show that if you want to keep the status quo in the one instance, you're going to have to increase in another if you're going to maintain that plus or minus 25 percent rule

and the representation and the equity in representation that that implies.

In terms of drawing electoral division boundaries, we've had some discussions prior to my formal presentation. We believe that there are going to have to be some boundaries redrawn. Certainly in the case of the city of Calgary that's going to disrupt some current constituency boundaries, and there will be some concern. I think it's fair to acknowledge that this resistance cannot disrupt the process. What we would like to do is to say to you: to the greatest extent possible, respect existing board and community boundaries. Where that's not possible, use logical boundaries such as roads and rivers, and also recognize that there are differential growth rates within the city of Calgary. You can draw some fairly firm boundaries in your more inner-city ridings, but you're not going to be able to do that in growth areas, and you should provide yourself some flexibility. Our corporate resources department will work with you on an ongoing basis to help sort that out so whatever work you do is valid for as long a period of time as possible.

So in conclusion then, I'll move just very quickly to the recommendations. I discussed some conclusions, but in the interests of time I would recommend that the Act be amended to require that the most current official population data be utilized; that we eliminate the concept of multimunicipality divisions for both Calgary and Edmonton; that we maintain 83 electoral divisions but redistribute them so Calgary has 23, Edmonton 20, and the remaining 40 are distributed to the balance of the province. We believe this is important and fundamental in maintaining the integrity and fairness of the system and upholding the principles set up in the Canadian Charter of Rights and Freedoms. Fourthly, that we maintain the current rules for allowable populations within electoral divisions but we apply them so that they remain valid over a 10-year period. Fifthly, that we recognize that redrawing the division boundaries, especially in the big cities, will be disruptive but it must be done. Finally, that in redrawing the divisions, we take into account the special characteristics. As a city we will work with you to assist wherever possible in that regard.

Thank you for giving me this opportunity. I hope I've been reasonably close to 10 minutes. We're open and available for any questions. Mr. Facey is here with me, and we'll try to respond to any questions or concerns you might have.

MR. CHAIRMAN: Thanks very much.

May I ask at the beginning: any supplementary comments, Mike, that you'd like to make to the mayor's?

MR. FACEY: No, I don't think so. I think the mayor's done an excellent job.

MR. CHAIRMAN: Pat first.

MRS. BLACK: Thank you, Mr. Chairman. I'd like to welcome what I call "my city, my mayor." Thank you for coming this morning. It's always enlightening to have a Calgary representation.

One thing for clarification purposes, Mr. Chairman. I think the motion that was passed in our Legislature in June to reconstitute our Select Special Committee on Electoral Boundaries included the direction that we were to use 1991 census numbers.

MR. DUERR: Okay. That's good.

MRS. BLACK: July 2, I guess, that was passed. While they aren't available in as much detail as we might like, they certainly are coming in.

I wanted to say, Mr. Chairman, that on behalf of our committee I really appreciate the co-operation from the city of Calgary in providing the community maps and the numbers by community. That has been extremely helpful in this job. It's not an easy job, and I do want to emphasize that your co-operation has been absolutely fantastic. Your offer for further assistance will be gratefully appreciated.

MR. DUERR: Well, thank you. On that, one of the things where we can also help, too, is we keep our growth projections by community. We do it for transportation, for managing our own infrastructure, and especially in the newer communities – some are growing faster than others – based on current trends and anticipated directions. I think that's where we can be of even greater help in some of those newer areas: ensuring that you end up with something that's going to be workable for the MLA that ultimately adds responsibility.

MRS. BLACK: Mr. Chairman, I couldn't agree more with the mayor's comments on the growth patterns. I've taken the time as a Calgary representative to drive around the perimeter areas of the city and look at the growth that has occurred, even in the last few months again. I think your comment on the minimal growth potential for the inner-city ridings is very valid, and I couldn't agree with you more. In fact, I made a presentation to the commission when they carved out sections of Calgary that that was unacceptable. Certainly the new growth was on the perimeter areas of the city. That should have been taken into consideration.

10:19

MR. FACEY: If I may, to elaborate on that, Calgary's natural growth is about 9,000 a year without taking into account immigration, which fluctuates from year to year. What is happening is that that growth is tending to be concentrated on the periphery. In fact, there's that movement to the periphery. We chart all that, and it's really quite phenomenal how the periphery of the city is growing.

MRS. BLACK: Yes. It's phenomenal growth. As you drive even on the highway out to Banff, you can see the development along what used to be Happy Valley. Some massive development has gone in there.

MR. FACEY: That's right.

MRS. BLACK: At one point I think we had on a community list that there were 27 houses there. Well, there's 10 times that many today. It was interesting to go and make the tour around the city to see what had happened and start counting houses and the potential for lots. We appreciate your co-operation.

One thing I was going to ask you was on the redistribution, the 25 percent variance. You alluded to it in the inner-city ridings being almost up at the top end of that and leaving room for the growth in the perimeter ridings. What I don't have as yet is a copy of the new redistribution in the wards. We went through a redistribution in the ward system, did we not, last year or the year before?

MR. DUERR: Yes. We did do that.

MRS. BLACK: That information would be quite beneficial if we could get a copy of that and see those ward boundaries.

MR. DUERR: I can assure you that we had long discussions, a tremendous amount of reaction on the part of some members of council to not change the boundaries despite the fact that the populations no longer represented anything approaching reality. We

had some wards that had populations of 68,000 and growing, and others were sitting at 27,000. I guess we've gone through a fair amount of that ourselves. That's available, and we could show you how they've changed and where they've changed and the increases of population.

MRS. BLACK: I think that would be most helpful. I know that what you went through, we're going through. Everyone would like everything to stay as is. However, that's not possible, and with the changes, when you change one line, then they all seem to change. There will be changes. That's inevitable when populations shift. So I don't think we can get around that.

The one thing I wanted to clarify is that I think we also agreed in our original there was a misconception. The 'urban' connotation did not come out of the legislation; it's not even there. It came actually out of a hearing, I believe, in the county of Strathcona, something that they had implemented for their particular situation within their county. So how it got sort of labeled as part of our legislation – it was never there. The intent was never to carve out major sections of Calgary or Edmonton or any other centre. The intent was to look at recently annexed acreages. If they chose, if the people so chose, they could stay within the rural setting. That's what the intent was. I know that Ranchlands, Hawkwood, areas going out into Olds-Didsbury: that was just unacceptable to everyone, the rural people and the urban people.

MR. DUERR: The Act provided for it, it enabled it, but it didn't suggest it. I think that's the point you're making.

MRS. BLACK: I think that that was really stretching it, to consider taking high-density areas of the city of Calgary and moving them out to rural settings. That was not acceptable.

MR. DUERR: We share the same concerns. Again, when I reference conflicts in here, we spend a lot of time and make a lot of efforts to work with our surrounding rural municipalities. I know the city of Calgary – and they talk about rural versus urban. We have started in our economic development initiatives Seminar South. We just used "south" because we don't have responsibility for the whole province. From Red Deer on south we've been inviting other municipalities in to develop – and this is consistent with the province's Towards 2000 initiatives – to work with these centres, recognizing that a strong Brooks and a strong Medicine Hat and a strong Red Deer are good for Calgary, too, and to get people to understand that we should be working more directly together and to see how we could use our combined efforts to work. That's happening. We've invited the rural municipalities to participate in that.

Where we have problems and where a lot of work still has to be done is in sorting out, and we would like to see another forum set up. I've had ongoing discussions with our rural municipalities, with the members of their councils, on ways of addressing municipal finance both from their perspective and ours so we don't destroy the unicity by putting in place development that will potentially compromise the long-term unicity concept, which we believe – and I could show you and demonstrate – is probably the most efficient and effective form of government in this country in terms of municipal structures. The problems faced, though, by an MLA having to represent part of the rural areas, which have boundaries on the city where there are development pressures, and the city, which is opposing those development pressures, are extremely difficult and almost unfair. So I mention conflicts, but it's almost unfair to put someone in that kind of position, and if they are representing their people, most of the people come from Calgary. We had a concern that it's almost an

inappropriate loading of Calgary decision-making on those people who are in the suburban areas. They should have some independent representation that can carry their point forward in the appropriate forums.

So that was more of the context. We're not in any way suggesting we want to overpower those areas. We want them to have an effective voice, but we don't want that voice taken away because of the 'rurban' ridings.

MRS. BLACK: Well, again it gets down to community of interests. The interests are different, and that's one thing that people said: maintain the communities of interest. On that principle it fits in.

MR. DUERR: The strength in democratic process lies in our ability to ensure that all points of view are considered, and that's where I would sooner have separate ridings which reflect the community of interest. They may be divergent in their points of view to the position the city of Calgary is taking, but it's still important for the democratic process to have that view made.

If I could just add one other thing. When we talk about the impacts, where you're going to have to consider the impacts if you follow through on these recommendations in reducing the number of constituencies through the remainder of the province, without question in a province with such a large geography as ours – and there are other provinces with large geographies – you're going to have to consider how people who represent a much larger geographic area than they potentially have now are going to do their job. I guess if it lends any support, I will go on record as saying personally that if that required additional resources for MLAs with those kinds of special challenges, I think that's something that you may well have to consider in some recommendations. What I'm basically saying is it's going to be an awful lot more difficult for an MLA representing hundreds of square miles to represent an area than it would be for a Calgary MLA who has a constituency with albeit potentially a large population but a relatively small area.

MRS. BLACK: Could I just ask one quick question? The process that we went through originally as a committee on the tours certainly opened my eyes to some of the difficulties in the outlying communities, particularly in the larger ridings up in the north. I think there's a caution in saying there's electronic equipment available or things available to help people have access to their MLA. The problem is more than that. You look at the riding of Fort McMurray as an example. It was 114,000 square kilometres for one person to cover in that riding, and it was difficult going from Fort McMurray to Fort Chipewyan, to have access back and forth. You know, you can't necessarily say electronic equipment will service that if the recipients at the other end don't have it. So it becomes very difficult. I think you have to look at the whole picture of accessibility, fairness: what's fair and what's reasonable for some of these people.

I know one of our colleagues unfortunately isn't with us today. Someone made the suggestion to him that he have access to, say, an aircraft to get to the northern part of his riding, but there are no airports. So it's fine for us to say that, but I think we have to be reasonable too. That's where you cannot compare, even within Calgary, a riding in northwest Calgary with a riding in southwest Calgary or north. Every community has very unique and distinct concerns and interests and even more so when you get outside of our urban setting. That's where the difficulty is coming in.

10:29

MR. DUERR: I appreciate there are difficulties, I really do, having spent a lot of time prior to coming to Alberta working in northern

Saskatchewan, flying into remote communities of 300 people with floatplanes and ski planes in the winter. I'm very familiar with some of those real problems. I guess I would just offer that at some point, though, there are some very real trends that are emerging, and at some point you're going to have to bite the bullet. There are realities associated with very sparse populations in certain parts of our country, and that is something that has to be accepted. I don't think we can assume that as we get increasingly large population concentrations, those can be ignored in terms of the political process.

What's happening in this country – this isn't your concern right now, but I raised this before a provincial committee looking at the Constitution – is that at the time of Confederation 6 percent of the people of this country lived in urban centres; right now 80 percent of the people of this country live in urban centres, and 70 percent live in larger cities. That's a reality, and that isn't reflected anywhere. It isn't reflected in our Constitution. In fact, we pursued that with the federal government, to ask even that municipalities be recognized as an order of government: no powers, special powers, still under the provincial powers, but that we be recognized as an order of government. That was deemed to be complicating the process. So it's not your problem. As an example, we now have a constitutional document – I haven't read it all, but I'll probably be supporting the essential elements of it – that reflects the political geography of the 19th century. The more we continue to ignore these facts, the more I think we're going to be out of touch with the major activities. This isn't urban versus rural either. I'm very sensitive to the needs of these people. We're trying to reach out as a city to these communities, whether it be Rocky Mountain House or what have you. We're trying to reach out and say: how can we help? How can we lend our support?

We're sponsoring a lot of these initiatives like Seminar South, but ultimately in terms of representation I think you're going to have to either increase the number of representatives, which I wouldn't advocate, or bite that bullet and find some ways to get more effective representation. Even with the situation you have right now, I would say to you that the people in those very remote communities that don't have an airport and don't have good electronic communication are not as well served as they are in the urban centres. That's a reality right now, and it becomes really just a relative question.

MR. CHAIRMAN: Thanks.

Stock.

MR. DAY: Thanks, Mr. Chairman. Thanks, Your Worship. I appreciate the co-operative spirit that I sense in the written and verbal presentation. We can't at this time respond in a whole lot of detail to everything here because we need to absorb it and digest it, but I do appreciate the fact that you've offered your corporate resources department to us. I hope we avail ourselves of that; that would be very helpful.

I can assure you, too, that we hear plenty of good talk on the Calgary sensitivities from Pat Black and the other Calgary MLAs. So we get our ears properly filled with Calgary concerns, and we sure appreciate that.

I think you also realize how sensitive the task before us is, and I'm glad you do. People are concerned about their constituencies, be they urban or whatever, and we're trying to dispel concerns that one area of the province or one city might be trying to get a leg up on another. I think you're sensitive to that, so that's appreciated too.

You really touched on a key, central part with the court rulings. As you know, when we prepared our legislation, before we gave it to the commission, at our own insistence – I think Pat was one of the people instrumental in that too – we said this has to be subjected to the Alberta Court of Appeal and ultimately the Supreme Court,

which at that time had the Saskatchewan case, a similar one, before them. That was at our insistence. A key element of those judgments was that in Canada the history is not the U.S. history of one person, one vote because they have a Senate to balance that. We now do too nationally, it looks like, but we don't have one provincially like they do in each of their states. Because of that, the key is effective representation. That's the key to democracy in Canada.

Both courts upheld that very strongly, and you've certainly recognized that, Mr. Mayor, in recognizing that people in remote areas have a tough job. That's why the courts are sensitive to allowing a disparity of up to 25 percent, and I'm glad to see that you appreciate that also. I just want to assure you that in areas where there will be a variation, and there certainly will be, we will be taking into account carefully your comments that would justify that this isn't just a wholesale type of thing. That's why we'll be looking to things like your comments about as far as possible drawing lines along community lines, lines of wards, those types of things. We certainly have to take them in context. Of course, we anticipated your concern about the 1991 census, so we moved quickly to deal with that. We appreciate the fact that that was one of your concerns there.

The question, too, of the population differences between the two major urban centres, being Red Deer and – between Edmonton and Calgary.

MR. DUERR: We always think of Red Deer and Calgary.

MR. DAY: Oh, you've heard about our annexation plans, have you? Actually, that's the nice thing about sitting in between Edmonton and Calgary. In Red Deer we get invited to both the Calgary Stampede and the Edmonton exhibition and things like that. It's difficult for us politically in Red Deer. You obviously can unashamedly cheer for the Flames or the Stampeders, and someone in Edmonton can do the same for the Oilers. But stuck in between, my comment to constituents yesterday about the football game was that I enjoyed the game, and I just leave it at that.

The Alberta appeal court made an interesting observation. They looked at the percentage of seats that Edmonton and Calgary had in 1971 versus the population, and they said yes, there's a disparity there. They looked at it in '81, they looked at it and projected it in '86, and the appeal court said there has been a gradual move to balance that, to recognize the difference. They went on to say that they endorse the gradual aspect of doing that rather than a gigantic shift. So that's something else that was observed in the appeal court which I think substantiates the way the province has been moving over the last 20 years in that direction, and it will probably continue to do so in the years ahead.

You had an interesting comment about other forums, too, being set up to discuss some of these other developments, financial and otherwise, and that's a good observation.

I think, Mr. Chairman, those are my main observations there. Again, I appreciate the spirit of co-operation and the tone of goodwill in terms of you're certainly putting Calgary interests to the fore, which you need to, but you're recognizing the other challenges we're facing. We look forward to working together with you.

MR. CHAIRMAN: Really, there's not much left to cover now that Pat and Stock have spoken, so I'll just briefly summarize a couple of key points. I'm looking at your conclusions on page 8, "population data must be the most current available," and we agree. We don't think we have the luxury of moving to something like Alberta Municipal Affairs or individual municipality census for a given year. We believe, based on some of the legal advice we've been given, that you must ensure you have a level playing field. Therefore, if you're

not going to use the enumerated list – and we made a decision in our earlier all-party committee to recommend to the Legislature that we move to a census list in keeping with what Canada and most other provinces do – then you must use the most recent. I think your comments were very valid in that if we have a census taken every five years, if we find a way to ensure that redistribution occurs after a census, whether it's the five- or the 10-year period, then we are using the most recent available statistics. They're common across the province, so you have that level playing field that I spoke of.

10:39

Your second point, that centres like Calgary and Edmonton should not have multimunicipality divisions. We heard that loud and clear. We heard it from your constituents. We heard it from Pat's and Stock's and my constituents across the province, and I think that's a given. As Pat earlier indicated, the original intent was that if there were recently annexed acreage areas that had traditionally been part of the Highwood constituency, as an example, they may wish to continue to be part of that constituency. But the arguments are being made by the municipal governments very strongly that they would like to see the areas within the two metropolitan cities represented by city MLAs. That's a fact of life, and that's democracy.

Your third point, that representation in Calgary and Edmonton must be proportional to population. I think Stockwell addressed that very well. We don't have the concept in Canada of one person, one vote. We now have a proposal at the federal level that for the first time ever we have an equal Senate, but we have a single-chamber Assembly in this province. Therefore, we must blend together the elements of rep by pop with regional representation. We think that's why the courts clearly, in both the Alberta Court of Appeal decision and the Supreme Court of Canada decision written by Justice McLachlin, indicate the plus/minus 25 percent variance.

Your final point is a really interesting one, wherein you're recommending that when establishing the actual districts, we try to take into account areas that are going to grow. You've offered the services of your corporate resources division, through its director, and we very much appreciate that. As I earlier stated, we appreciated the help you've already given us. Anything further you can assist us with would be welcomed. We think that's critical as well. It makes no sense, in looking at a city like Calgary, that if the number of seats are to be 19, each of the 19 seats would have exactly the same population. There has to be some factor as to where ridings have already reached your maximum population and areas that are still fast growing.

So I just conclude by echoing what both Pat, as a Calgary MLA, and Stockwell, as not only a member of this committee but as our government Whip, have said: that we do appreciate the co-operative way you've approached this and look forward to working with you. While we're not Solomon and we're not going to please everyone, we're going to do our very best to bring down a report which is fair. As you know, we've already requested and the government has responded by indicating that once the legislation is passed, it, as the former legislation, will be referred to the Alberta Court of Appeal, our highest court, to ensure that it meets the legal and Charter requirements. The other arena is the public arena, and we're determined to strive to achieve success in both those areas.

Do you have any closing comments you'd like to make? Otherwise, we'll wrap up.

MR. FACEY: Just one point I wanted to make. When we're talking about representation proportional to population, we weren't talking on a one-to-one basis. We were talking within the 25 percent.

MR. DUERR: Yeah, and we'd like that clarified, which is, I think, what you indicated, Stockwell, that the courts have said that those are acceptable parameters in which to operate. We didn't know that when we made our first representation. We said more rep by pop; those are the rules that we play under. So this was written in the context of applying those rules. Even if you apply those rules, we think you'd find that you're probably going to end up seeing more ridings in Calgary and some more in Edmonton, with an absolute maximum in the reductions in the rest of the province – if you don't have 'rurban' ridings.

MRS. BLACK: Get rid of the term 'rurban.'

MR. DUERR: Yeah. But that's the context.

MR. FACEY: Even within Calgary it's impossible to draw your boundaries so they're logical and you get exactly equal, one-on-one representation. We can see fluctuations even within that allowable limit within Calgary.

MR. CHAIRMAN: Well, I don't know what your population variances are in your wards, but I'm sure you weren't able to . . .

MR. DUERR: No, we weren't. I can tell you right now. We don't have to spend a lot of time looking at that, I can tell you.

Thank you so much.

MR. DAY: Thank you.

[The committee adjourned from 10:45 a.m. to 10:46 a.m.]

MR. CHAIRMAN: We are meeting this afternoon with Justice Virtue, who chaired the first stage of the Electoral Boundaries Commission. At Mr. Justice Virtue's request, the meeting will be in camera. Therefore, *Hansard* will not be covering those portions of our discussions today.

Pat has moved that we move in camera. All in favour? Carried unanimously. Thank you.

[The committee met in camera at 10:47 a.m.]