

Electoral Boundaries Commission Public Hearings

Westlock

1:00 p.m.

[Chairman: Chief Judge Edward R. Wachowich]

THE CHAIRMAN: Well, I think we should start. I'd like to welcome you to the public hearings of the Electoral Boundaries Commission being held at Westlock today.

My name is Edward Wachowich. I'm the chairman of the Electoral Boundaries Commission. I am also the Chief Judge of the Provincial Court of Alberta.

I'd like to introduce you to the other members of the commission. On my far left is Robert Grbavac of Raymond, on my immediate right is Joe Lehane of Innisfail, on my far right is John McCarthy of Calgary, and on my immediate left is Wally Worth of Edmonton. The five people you see before you make up the commission, and I want to say that we are delighted to be here to receive your comments and consider your thinking with respect to our duties.

The commission is holding public hearings here in Westlock to receive and to consider your arguments and points of view with respect to the areas, the boundaries, and the names of the electoral divisions in Alberta. We must do this according to a particular set of rules, which I will review in a moment.

I want to assure you that every member of the commission has reviewed the law and the literature which has been recently written concerning electoral boundaries in Alberta. So I want to tell you that our minds are open inasmuch as we have not reached any conclusions. We have given this matter a lot of thought, we have reviewed the law, we have reviewed the work of previous commissions and committees who have studied boundaries in Alberta, and we have reviewed what the courts have said about electoral boundaries in this province and in Canada.

I would like to put before you for your consideration the following summary of the law of Alberta with respect to electoral boundaries. One, our function is to review the existing electoral boundaries and to make proposals to the Legislative Assembly about the area, the boundaries, and the names of the electoral divisions.

Two, we have very limited time to accomplish this task. We must submit a report to the Speaker of the Legislative Assembly setting out our recommendations with respect to area, boundaries, and names of any proposed electoral divisions, with our reasons, by the 31st of January 1996. The Speaker of the Legislative Assembly shall make the report public and publish the commission's proposals in the *Alberta Gazette* as soon as possible.

Three, the commission is required to hold two sets of public hearings. This is the first set. These hearings are being held before we make any report or proposals to the Speaker. The second set of hearings will be held in 1996, probably in March, after our report to the Speaker has been made public. We are required to hold the public hearings to enable representations to be made to us by any person or organization in Alberta about the area, the boundaries, and the names of the electoral divisions. We are required to give reasonable public notice of the times, places, and purposes of our public meetings, which we have done in this case.

Changing our report. After our report is published by the Speaker, we will undertake a second set of public hearings as is required by the Act and lay before the Speaker a final report by June 30, 1996. Again, the Speaker shall make this report public and publish it in the *Alberta Gazette*.

If more than one report is submitted from among the members of the commission, the report of the majority is the report of the commission, but if there is no majority, my report, or the report of the chair, is the report of the commission.

The final report of the commission is then laid at the earliest opportunity before the Legislative Assembly, immediately if it is then sitting or within seven days after the beginning of the next sitting.

Then it is up to the Legislative Assembly by resolution to approve or approve with alterations the proposals of the commission and to introduce a Bill to establish new electoral divisions for Alberta in accordance with the resolution. This law would come into force when proclaimed before the holding of the next general election.

Population means the most recent population set out in the most recent decennial census of the population of Alberta as provided by Statistics Canada. We are also required to add the population of Indian reserves that were not included in the census as provided by the federal department of Indian and northern affairs. But if the commission believes there is another provincewide census more recent than the decennial census compiled by Statistics Canada which provides the population for proposed electoral divisions, then the commission may use this data.

The second rule is that the commission is required to divide Alberta into 83 proposed electoral divisions. The commission may take into consideration any factors it considers appropriate, but it must and shall take into consideration the following.

One, the requirement for effective representation as guaranteed by the Canadian Charter of Rights and Freedoms; two, sparsity and density of population; three, common community interests and community organizations, including those of Indian reserves and Métis settlements; four, whenever possible existing community boundaries within the cities of Edmonton and Calgary; five, the existing municipal boundaries; six, the number of municipalities and other local authorities; seven, geographical features, including existing road systems; eight, the desirability of understandable and clear boundaries.

The population rule is that a proposed electoral division must not be more than 25 percent above or below the average population for all 83 electoral divisions. There is an exception to the 25 percent rule. In the case of not more than four proposed electoral divisions the commission may have a population that is as much as 50 percent below the average population of the electoral divisions in Alberta if three of the following five criteria are met: one, the area exceeds 20,000 square kilometres or the surveyed area of the proposed electoral division exceeds 15,000 square kilometres; two, the distance from the Legislature Building in Edmonton to the nearest boundary of any proposed electoral division by the most direct highway route is more than 150 kilometres; three, there is no town in the proposed electoral division that has a population exceeding 4,000 people; four, the area of the proposed electoral division contains an Indian reserve or a Métis settlement; five, the proposed electoral division has a portion of its boundary coterminous with a boundary of the province of Alberta.

This is a very general overview of the legislation, but we must now also turn to the guidance that has been provided by the Supreme Court of Canada and the Supreme Court of Alberta.

The Supreme Court of Canada and the Alberta Court of Appeal have agreed that the right to vote under the Charter includes, one, the right to vote; two, the right to have the political strength or value or force of the vote an elector casts not unduly diluted; three, the right to effective representation; four, the right to have the parity of the votes of others diluted, but not unduly, in order to gain effective representation or as a matter of practical necessity. The rulings of

the Supreme Courts as well as the electoral boundaries Act must guide our decisions and ultimately the proposals that we make to the Legislature.

The commission in its public advertising has clearly stated that it is considering after its preliminary deliberations, one, merging a number of rural electoral divisions into contiguous or neighbouring divisions; two, adding a number of urban electoral divisions to Edmonton and Calgary; three, any other revisions necessary to achieve one and two.

We have set forth our focus after preliminary deliberations. We have not reached any final conclusions. The commission wishes to hear the views of all Albertans with respect to this focus. Please let me assure you that our preliminary deliberations are preliminary and that no final conclusions have been drawn. The commission will not move to the consideration of proposals without the benefit of input from individuals and organizations in Alberta. Indeed, this is the purpose of the public hearings.

I also want to say that without public input the work of the commission will be seriously impaired. We want to hear the arguments and the reasoning of all organizations and individuals in Alberta with respect to the area, the boundaries, and the names of all electoral divisions.

Those are my opening remarks.

The first presenter that I have on my list today is Mayor Shirley Morie. I think I knew this lady when she was known as Shirley Bishop. Go ahead.

MRS. MORIE: Mr. Chairman, I'd like to introduce you to Mr. Garth Bancroft, who is the administrator of the town of Westlock.

THE CHAIRMAN: Is it Bancroft?

MR. BANCROFT: Yes.

THE CHAIRMAN: Go ahead.

MRS. MORIE: Your Honour and members of the commission, I believe you have our submission. You had our submission yesterday, and I don't intend to go over it and read it again. I just have a few comments to make in addition.

I would like to say that in Barrhead-Westlock our boundaries are coterminous with municipal boundaries, and our communities are identical in many ways. We have the same interests. We are both agricultural and service oriented.

1:10

We feel that the concerns of all the areas are given weight in terms of how our MLA services his constituency. Would this happen if we were part of an urban area? We feel that the area with the greater concentration of population would be given the greater weight. Cities already dominate the economic, social, and political agendas of the province, with the corporate agenda being the driving force. Losing seats, we feel, would just be another nail in the coffin of effective representation for rural Alberta. Hopefully your wise minds will prevail.

We do not want to be part of an urban constituency. If our boundaries must change, we would like them to go northeast and definitely no farther south than Legal-Morinville. Our current boundaries were implemented prior to the 1993 election, and Westlock is happy with them. It has occurred to me that if we are really serious about less government and saving money in this

country and province, we should perhaps be taking steps to reduce the number of MLAs and not increase them.

Thank you very much.

THE CHAIRMAN: Thank you.

Does Garth want to say anything?

MR. BANCROFT: No. I'm just here for any questions.

THE CHAIRMAN: Fine.

We'll start with Wally. Do you have any questions, Wally?

MR. WORTH: Mayor Morie, I would just like to pursue with you for a moment your comments about an extension to the northeast. As I look at the map then, that means moving into the territory that's now Redwater. I assume that at one stage part of Redwater was in the earlier constituency; is that correct?

MRS. MORIE: That's correct.

MR. WORTH: So that's preferable to moving to the west and back into some of the Whitecourt-Ste. Anne area in your view.

MRS. MORIE: I don't think we considered it to be preferable. When we were looking at the previous area, we noticed that it was quite sparsely populated to the west, and we were wondering in terms of size and servicing the constituency, you know, just how large you can get to do that effectively.

MR. WORTH: If you just do simple arithmetic and add up the population in Barrhead-Westlock and Whitecourt-Ste. Anne and divide it by two, you have something that comes out very close to the provincial average. For that reason, they seem to be reasonably sized constituencies and ones that may be appropriate into the future.

MRS. MORIE: Our chief concern was that we did not want to become part of an urban constituency.

MR. WORTH: Thank you.

THE CHAIRMAN: Robert?

MR. GRBAVAC: No.

MR. LEHANE: Can you suggest any part of the Redwater constituency where there might be a population of, let's say, 2,000 that would fit into this constituency?

MRS. MORIE: I think I'll ask Garth.

MR. BANCROFT: Redwater? No, not really. I'm not sure how big Redwater is.

MR. LEHANE: I have a map here if it would be helpful.

MR. BANCROFT: Do you have a map?

MRS. MORIE: Well, we really can't give you a definitive answer to that, I'm sorry, but we know that was at one time part of our area.

THE CHAIRMAN: Any more questions? Joe? John?

Well, I guess that's the extent of the questions. We want to thank you for coming here and making your representations known to us.

MRS. MORIE: Thank you very much.

THE CHAIRMAN: Thank you.

The next speaker was to be the MLA, Mr. Ken Kowalski, but I've asked him to speak last because these MLAs sometimes, we find, have a wealth of information, and we like to pick their brain and take a little longer. Mr. Kowalski has agreed to speak last, so thanks, Ken.

We'll now call upon Albert Cairns.

MR. CAIRNS: Thank you, Your Honour. I'll let Alice do the talking here.

MRS. LEE: Thank you very much for the opportunity to be here, Your Honour and honoured guests or whoever. I'm not sure how to address you other than Your Honours.

THE CHAIRMAN: That's good enough.

MRS. LEE: Okay.

THE CHAIRMAN: As a matter of fact, that's too nice.

MR. McCARTHY: That's the first time in my life I've been referred to in that way.

MRS. LEE: Sir.

You have received our brief letter, I believe, and some of the things that we have outlined. We thank you for the time allotted for us to speak on the electoral boundaries issue. This is the Citizens Action Committee of the municipal district of Westlock No. 92, and we represent the electorate of our committee.

Our opinion is that changes to the electoral boundaries are unnecessary at this time. Things seem to be working well, and we don't see any reason in the near future, either, to extend them. We feel that it would be detrimental to the rural electorate to increase the area of the rural ridings, and also it would increase the amount of travel for the MLAs. We would bring to your attention that it is quite possible for an urban MLA to walk the boundaries of his or her constituency, but in the rural area there are miles and miles and miles – kilometres and kilometres and kilometres, rather, in this day – and we feel that it would not be efficient. We wonder how an MLA at this time can efficiently serve his or her constituency. I know that Ken is doing a great job, but to add further miles and area to that boundary would be detrimental both to the time allotted for people and also in the expense of travel.

This is a large agricultural area, also serving oil and timber. Those things take a lot of an MLA's time and a lot of travel to deal with all those areas. People who are in the larger rural areas, to be involved with the MLA, to attend meetings, have to travel miles and kilometres and take time, in direct comparison to the urban ridings. An MLA there may call a meeting and have it the next day, but it's pretty hard for an MLA in a rural area to do that. So we feel, again, that to extend the boundaries would be detrimental.

I think people in the rural area are very aware that if, again, they're going to have to travel and have their MLA be so 'divided' up, having to go in so many areas and the length of time and the area that has to be served – they're going to look at it very closely in the next election, I would think.

1:20

We question why this commission was necessary, and perhaps we've heard some of those answers. I'm not sure that I'm still positive why it was necessary at this time. We've had a boundary

change – in 1992; is that correct? – recently, and that seems to be working well. We saw boundaries expanded at that time. I'm sure we'll hear later from Ken as to just how those areas are working. We especially wonder why it was called after we hear and read 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.

So again we hear, having quoted from Madam Justice Beverley McLachlin, that it is definitely a concern of the rural ridings. I'm sure we could quote others who express this same sentiment.

At this time of financial restraint we wonder why our tax dollars are being spent to house this commission. I guess the question that has come up since we received notice that we would be meeting here, when the province has a Provincial Building here in Westlock, is why it wasn't housed there. There may be ramifications to that, but it is a question that I would like answered.

In closing, we feel that we don't need another commission. We would like to see the boundaries remain as they are, and we respectfully submit this as the people of the Citizens Action Committee of Westlock.

Thank you.

THE CHAIRMAN: Thank you.

Mr. Cairns, do you wish to add anything?

MR. CAIRNS: No. I think that's pretty much the way we see it. The only thing I'd like to say is that I don't think we want to see another Quebec referendum at all, being this commission is the same thing. You know, we don't want to have the urban areas fighting the rural areas. So I'd like to see this thing stay as is.

THE CHAIRMAN: Thank you.

I'd like to make this comment. We've been asked quite a few times this question as to why this commission is necessary. I think you've asked it a little bit more politely than we have been in other areas, but we've got a specialist on our commission here to answer that question. That's John McCarthy, and I'll ask him to try to explain to you why this commission is being held again.

MR. McCARTHY: Well, I don't know whether I'm a specialist or not, but I'll try and explain it as best I can. The background of this I guess revolves around two court cases. One you have referred to, and that's the Supreme Court of Canada decision that was rendered by Madam Justice Beverley McLachlin, who, interestingly enough, was born and raised in Pincher Creek, Alberta, before she moved to British Columbia.

The decision was rendered in 1991. It was dealing with a similar problem that we're faced with, and that was the boundaries in the province of Saskatchewan. They were dealing with legislation that's very, very similar to ours at the present time. You have in part summarized what she said, but perhaps a more detailed summary of what she said is as follows.

The purpose of the right to vote enshrined in s. 3 of the Charter is not equality of voting power per se but the right to "effective representation." The right to vote therefore comprises many factors, of which equity is but one. The section does not guarantee equality of voting power.

Relative parity of voting power is a prime condition of effective representation. Deviations from absolute voter parity,

however, may be justified on the grounds of practical impossibility or the provision of more effective representation. Factors like geography, community history, community interests and minority representation may need to be taken into account to ensure that our legislative assemblies effectively represent the diversity of our social mosaic. Beyond this, dilution of one citizen's vote as compared with another's should not be countenanced.

So that kind of set out the guidelines. The problem we were faced with was that after these boundaries, as they presently are, were set, the government of Alberta referred the issue to the Alberta Court of Appeal. The Alberta Court of Appeal was aware of that case and considered it. I think the concluding remarks – I know it's been referred to in some of the submissions today, and they are accurate insofar as they went. But the explanation as to the dilemma we're faced with and perhaps the reason why we're here is that I suspect the Legislature of the province of Alberta reacted to this decision, and the result of that reaction was this commission, because the Legislature amended the electoral boundaries Act and we're the result of it.

If I could just read to you the concluding remarks, I think it'll set out the dilemma we're faced with. In my view, the Supreme Court of Canada – those are rather subjective criteria. So the Court of Appeal of Alberta takes a look at those criteria, looks at our boundaries, and they say this in concluding remarks.

In the result, we again have decided to withhold any Charter condemnation. We do, however, wish to say more precisely what we meant by "gradual and steady" change. We think that a new and proper review is essential before the constitutional mandate of the present government expires, and, we hope, before the next general election. We reject any suggestion that the present divisions may rest until after the 2001 census.

This is the only review that the legislation provides for before the 2001 census. So that's an explanatory note of the dilemma that we face.

MRS. LEE: Thank you. I think, after hearing the entire quote there, I again pick up on the fact that not necessarily equality of numbers but the diversity and the difficulty of dealing with an urban versus a rural riding certainly puts the pressure on the rural MLA.

THE CHAIRMAN: One of the other questions was: why are we in this building rather than the Provincial Building here? I should tell you that we don't make the arrangements as to what building we're in. We leave that to the staff, and the staff is telling me that the reasons for the hotel are that there are photocopiers, faxes, proximity to a restaurant, and it's very convenient for us in our time frame. We also get help with the setting up of equipment. But we will take your remark into consideration next time we come to Westlock, as to whether we can maybe use the Provincial Building.

MRS. LEE: Thank you. I think one of the things that the Citizens Action Committee has really looked at is the spending of tax dollars, and in this time of fiscal restraint I think it's something that we all need to do.

Thank you.

THE CHAIRMAN: Wally, do you have any questions?

MR. WORTH: No questions.

THE CHAIRMAN: Robert?

MR. GRBAVAC: Yes. Alice, I've got a question. I'm appointed to this commission as a representative of rural Alberta, if you will.

However, everyone seems to have a very distinct definition of what is rural and what is urban, and I unfortunately don't have the benefit of that. I've spent about 15 years in municipal government, and the area that I represent is largely acreage holders that are employed in the city and living on or near adjacent land that is owned by retired farmers who all live in the city. So my vision of urban versus rural tends at times to be a bit clouded. I'm not using that as an excuse, but I want to prevail on you for your definition of what you could call urban versus rural, in that you suggested that one thing you did not want was to see some sort of mix or blend between what you called urban and rural. I'd like to know where you draw that line, because there are, to use the term, some 'rurban' ridings in the province now. I cite, you know, Grande Prairie and Medicine Hat as examples, and I'd like to know how you define the difference.

1:30

MRS. LEE: Well, maybe I misstated something there, or it was misinterpreted. Mainly I'm thinking of the rural area in this area, in which it's agriculture, farmland, a certain amount of timber, thinking of the Athabasca area, and certainly not a great amount of the same situations that you're looking at in Pincher Creek then. Rural to me is rural. Certainly it takes in towns such as Barrhead and Westlock.

MR. GRBAVAC: But not St. Albert?

MR. CAIRNS: St. Albert is a city.

MRS. LEE: Well, I'm not sure; St. Albert is a city.

MR. GRBAVAC: So you'd call the cities, then, per se urban?

MRS. LEE: Well, yes, I would have to think so. It's my thinking that it's more city ridings, especially the consideration of the areas concerned, the large area of what I consider rural ridings. You have a very unique situation, and I appreciate hearing about that.

MR. GRBAVAC: Well, I'm not so sure it's all that unique. I know that in the city of Lethbridge agricultural issues are taken very seriously by the Members of the Legislative Assembly there, as they are in Medicine Hat and Grande Prairie and Red Deer. You know, maybe the case is not quite as true for the large urban areas of Edmonton and Calgary. My point is that from my perspective sometimes the urban/rural split in this province seems to be fairly clear with a lot of people. My proposition is that in some instances it isn't maybe quite as clear, certainly from my perspective anyway.

MRS. LEE: Yes. I appreciate that. Thank you.

THE CHAIRMAN: Joe, do you have any questions?

MR. LEHANE: No questions.

THE CHAIRMAN: John?

MR. McCARTHY: No further questions.

THE CHAIRMAN: Well, I want to thank you for coming and making your organization's views known to us.

MRS. LEE: Thank you.

THE CHAIRMAN: The next presenter is Albert Van Etten on behalf of the town of Barrhead.

MR. VAN ETTEN: Your Honour, committee, I'd like to thank you for the opportunity afforded me and the town of Barrhead to make this presentation to the Alberta Electoral Boundaries Commission.

Our rural constituencies in Alberta generally have fewer voters than urban constituencies. What must be considered is whether these deviations from the average constituency populations are acceptable under the right to vote granted by the Canadian Charter of Rights and Freedoms. The right to vote does not guarantee equal voting power. What it does is protect effective representation in government.

For the fourth time in this decade electoral boundaries are once again under review in Alberta. Four court decisions, in 1989 a select special committee, the Alberta Court of Appeal in 1991, the Electoral Boundaries Commission in 1991-92, another select special committee in 1992, and again the Alberta Court of Appeal in 1994. Each one found that the current electoral boundary laws meet all legal and constitutional tests. Alberta's urban ridings have only 12 percent more people than the average riding. The Supreme Court says that the population of ridings can vary 25 percent.

The last boundary change took place in 1993, and people are just now beginning to know where they live, in whose constituency. Another change at this time is not necessary. The fact is that we are legal and comfortably legal, given that the population of Alberta's electoral boundaries is well within the required 25 percent from the provincial average. The further time and expense to alter these electoral boundaries is unwarranted and should wait until the next scheduled review in the year 2001.

Currently there are 44 seats representing urban constituencies, 35 seats considered rural, and four special consideration seats because of factors such as large size, long distance from the Legislature, and spread-out population, et cetera. Within the 39 rural ridings are certain ridings with large urban populations; for example, Red Deer-North, Red Deer-South, Cypress-Medicine Hat, Grande Prairie-Smoky, and Grande Prairie-Wapiti. Therefore, the comparison of urban and rural representation based on 44 urban and 39 rural is misleading. Although population is an important factor of the right to vote, other factors, such as the difficulty of representing a riding, justify a deviation from average population.

There are good reasons why rural ridings should be less populous than urban ridings. Rural ridings are larger, more difficult for an MLA to service. Rural ridings have greater geographical barriers than urban ridings. Rural voters are less transient than urban voters. They know their MLAs better and place more demands on him or her. Rural ridings lack the media and resources available to urban ridings and therefore need more assistance from their MLAs. To restrict rural ridings to the same population standard would greatly reduce the effectiveness of representation.

Distance is another factor which really impairs the ability of the MLA to serve his rural constituents. Accordingly, some population variance is necessary to balance factors which reduce effective representation. In the Barrhead-Westlock constituency we conform to existing municipal and community borders, including all of the county of Barrhead, all of the MD of Westlock, the portion of the MD of Woodlands which was once improvement district No. 15, and a straight line on township north boundary 67 divided by the right bank of the Athabasca River. Our community interests are the same. Our community histories are the same. We identify with each other, whether in the strong agricultural base, the oil base, or the forestry base. We have in place a regionalized school board and a regionalized hospital board. Our representative deals with many more boards and municipal governments than our urban MLAs. To enlarge our boundaries even farther would hinder rural representation even further.

Calgary and Edmonton already have more MLAs than aldermen. Underrepresented? We don't think so. A few portions of extra ridings would not make any difference to the cities. However, small-town Albertans would surely miss their badly needed representation. Presently we meet effective representation and are being served sufficiently. The electoral boundaries are fair and should remain as they are.

We thank you for this opportunity.

THE CHAIRMAN: Thank you, Mr. Van Etten. Wally, do you have any questions?

MR. WORTH: I'd just like to discuss the potential for growth in Barrhead in the next 10 years. The last figure I looked at in the 1991 census showed Barrhead with a population of 4,160. How much larger is it today?

MR. VAN ETTEN: We grow at about a rate of 1 percent.

MR. WORTH: Okay. I can't do my arithmetic fast enough, but maybe you can, to tell me what it would be in 2001.

MR. VAN ETTEN: Right now we're at 4,200.

MR. WORTH: So you would anticipate that by the time the next decennial census comes along, there would be some continued growth.

MR. VAN ETTEN: There will be, I'm sure.

MR. WORTH: Is the surrounding area experiencing about 1 percent a year growth?

MR. VAN ETTEN: I'm not sure of that.

MR. WORTH: Okay. Thank you.

THE CHAIRMAN: Robert?

MR. GRBAVAC: No questions.

THE CHAIRMAN: Joe? John?

Well, I want to thank you for coming. One comment I'd like to make is that there's a lot of information in your presentation. I want to say that they're generally very accurate facts and figures that you've used and that whoever researched this did a good job.

MR. VAN ETTEN: Thank you.

1:40

THE CHAIRMAN: The next presenter is Gary Pollock, the mayor of the town of Swan Hills. Go ahead.

MR. POLLOCK: Thank you, commission members, ladies and gentlemen. My name is Gary Pollock. I'm the mayor of the town of Swan Hills. The town of Swan Hills strongly encourages the provincial government to leave the present electoral boundaries, particularly the Barrhead-Westlock constituency, as presently outlined. If the electoral boundaries were to be altered, communities such as Swan Hills would suffer significantly. Not only would diminished representation result from a larger area of constituency, the inherent rural versus urban differences, problems, and needs

would realize a backward step for Swan Hills and all other rural and smaller municipalities.

The shift in balance of urban/rural representation will create the situation whereby rural concerns will no longer be fairly or proportionately addressed. Our goal in Swan Hills of remaining a stable, viable community would be seriously jeopardized. This in turn will negatively affect the region's industry and services.

The question has been raised as to which riding we do and should naturally lean towards. There are logical reasons for staying within the Barrhead-Westlock constituency or for looking in a northward direction to Slave Lake. The following parameters should be considered in answering the question, as these are the natural things we depend upon: our goods and services. The following statements substantiate the rationale for retaining the present constituency boundaries.

Schooling. The regional school system is tied to Barrhead-Westlock, the Pembina Hills regional school division. Our high school students along with some of our special-needs students receive their education through the county of Barrhead schools. School administration, superintendency, and school psychologist services are shared with this neighbouring jurisdiction.

Our town council recognizes and appreciates that the community of Swan Hills has benefited greatly from having an MLA within such close proximity. We wish to continue our political relationship with the Barrhead-Westlock constituency.

Hospital. The Swan Hills hospital district has been carved out of the Barrhead hospital. We still have the link with the nursing home, Hillcrest, and with the auxiliary hospital, the Dr. Keir centre. We have family links as well as medical links with the Barrhead facilities and the regional hospital system. Our emergency assistance agreement includes Barrhead.

Shopping. The population of Swan Hills has traveled through Barrhead and either shopped there or in Edmonton ever since the town's inception. Barrhead continues to remain the main shopping venue outside of the Swan Hills business sector for the majority of our people. This has been confirmed by a detailed questionnaire and study undertaken in September of this year.

Our transportation corridor. The traffic into Swan Hills primarily come and still does come through Barrhead. The natural flow is coming up from the Edmonton population centre into Swan Hills. Anything else would certainly not be natural. Our people from Swan Hills drive south. It is the absolute exception for them to go north.

Human services. The various human services agencies serve from Barrhead; for example, social services, mental health, and AADAC. Any future service from other organizations is being negotiated such that it would in all likelihood be from the Barrhead area. We are served from Slave Lake by only one agency, namely unemployment insurance, and that not on a regular basis; rather, people from Swan Hills have to drive to Slave Lake for service.

Population ties. There are many families in Swan Hills who are from the Fort Assiniboine-Barrhead area. They have moved up here to work in the oil patch, with family still remaining on various farms in the Barrhead area. There are far more Barrhead area people in Swan Hills than from any other town within 100 miles around us. People that retire from Swan Hills typically retire to the Barrhead area if they have family, and the elderly have usually entered the Dr. Keir centre or Hillcrest.

Trading dollars. Although shopping and trade matters have already been addressed, it is important to note that we also have a larger trading area for heavy equipment, among other big items. Barrhead tends to be the place of choice when service needs cannot

be met locally. Swan Hills over the years has contributed many dollars into the Barrhead area and vice versa.

Political. Since the election of our MLA, Ken Kowalski, to the Barrhead-Westlock riding we have seen a significant increase in public-type projects; for example, a new hospital; the opening of the Grizzly Trail as a major highway from north to south; the finishing, paving, and upgrading of Highway 32 from Whitecourt; healthy contributions to various projects within the town of Swan Hills. Federally, Swan Hills, like Barrhead, is in the Yellowhead riding. We are the northernmost point in that riding. It would make sense, then, for provincial and federal constituencies to be contiguous.

Influence. In the present riding there are three towns – Barrhead, Westlock, and Swan Hills – together with the villages and the rural population. In the Slave Lake riding there are two towns, both larger than us, together with several villages and a number of Indian reserves. Our influence in and benefit from a northern riding would be considerably and unquestionably less than we currently enjoy in the Barrhead-Westlock constituency.

Some facts on electoral boundaries. One, the electoral boundaries were redrawn just before the election and will be redrawn again in the year 2001. Two, this is the fourth political commission studying the, quote, problem in six years. Three, four court decisions, including a 1994 Alberta Court of Appeal case, have also studied the matter. Each one found that the current electoral boundary laws meet all legal and constitutional tests. Four, the population variances between urban and rural ridings in Alberta are well within acceptable limits. The court allows a 25 percent variation from the provincial average and 50 percent for special consideration ridings. Five, voters in Calgary, Edmonton, and Red Deer are almost perfectly represented. Those ridings are only 11.6 percent above average population. This is well within the limits prescribed by the courts. Six, rural ridings require special consideration due to large geography, transportation barriers, and widely varying industrial and cultural demographics. Seven, Alberta's unicameral system does not provide for regional representation the way that a second Chamber like Canada's Senate does. This means we must accommodate regional minority interests by allowing slight variations in the size of rural ridings.

In conclusion, we again take this opportunity to register our firm position of desire and need to remain within the Barrhead-Westlock constituency. It is frustrating to us, to say the least, that we have to be reiterating our interests and position to the province. This same study was conducted in 1992 at great length and expense. The matter was decided. We suggest that to address this again within the same decade is an expensive and unnecessary exercise. Please leave us as previously determined, happy to be within the Barrhead-Westlock constituency.

Thank you.

THE CHAIRMAN: Thank you, Mr. Pollock.

I'll ask John if he has any questions.

MR. McCARTHY: No questions.

THE CHAIRMAN: Joe? None. Wally?

MR. WORTH: Sure. A similar kind of question that I directed to the gentleman from Barrhead. The population in 1991 of Swan Hills was 2,345 according to the department of statistics of the federal government. Is it about that same level now? Is it higher?

MR. POLLOCK: I would say slightly lower, probably about 2,200. We've had downsizing in the oil industry and the special waste plant.

MR. WORTH: Now, do you expect that trend to continue to the year 2001, or do you think it will reverse itself?

MR. POLLOCK: Well, we are certainly aware that the oil situation in Swan Hills is about 50 percent complete. Whether they will downsize any more is anybody's guess, but certainly the town of Swan Hills is going to do everything in its power to at least stay the same or even increase.

MR. WORTH: Just one observation. I found the rationale that you provided with respect to justifying keeping the present constituency, keeping Swan Hills in the Barrhead-Westlock constituency, persuasive. Thank you.

THE CHAIRMAN: Robert?

MR. GRBAVAC: No questions.

THE CHAIRMAN: Well, I'd just like to make one comment. Somebody in the course of our deliberations so far suggested that Swan Hills should be moved into the Lesser Slave Lake constituency. I don't remember who it was. I want to agree with Wally that you've done a very good job of presenting the case as to why Swan Hills should stay in Barrhead-Westlock, and thanks for coming.

MR. POLLOCK: Thank you very much.

THE CHAIRMAN: The next presenter is Lorne Olsvik, mayor of the village of Onoway.

1:50

MR. OLSVIK: Thank you, Your Honour. I'm sorry I don't have a written submission for you. We aren't a large municipality. We're very small. I'm from the county of Lac Ste. Anne, and it's the Whitecourt-Ste. Anne constituency. Our community has been moved approximately four times in the last, I believe, 12 years.

Mr. Grbavac was indicating: what is rural Alberta and what is urban Alberta? My belief, extracting the city of Edmonton and the city of Calgary, is that we're all rural Alberta, and that being said, rural Alberta with its frontier attitude has had to work a lot harder. If you talk about equalization through critical mass that the cities of Calgary and Edmonton have, it's a lot easier for them. The demographics are a little different in our area. So we've carved out a resource-based economy, we've carved out a lifestyle, we've carved out safe communities, all built upon teamwork, teamwork between municipalities, both the rural districts and the small urban districts, working together to build our schools, number one; building our elevators so we're able to ship our products; creating gas stations – maybe to a lot of large urban settings that's not a big task; providing services for rural areas; building our arenas; building our ball diamonds; providing senior care.

In today's reorganization of provincial government we've had to work that much harder. We built it on the premise of our constituencies. Ours in particular is one of only two regional systems left in this province in community services. That's recreation and family support services. We're taking on child welfare. We're taking on health care issues. We're doing it together. We're doing it together in our constituency because we have to have all the representation that we can at the provincial table. We have a lot of municipalities. I think we have 26 municipalities within a proximity of 20 miles around our community. We have five lakes, and that's an Alberta advantage.

Our community has shown a steady growth. We are an anomaly. We're only a village by night; by day we're certainly a town. We have over 2,000 residents during the day and 680 at night. We are the district schooling, and it pulls in kids that have to ride a bus for an hour and a half to get to school every day.

We've been divided enough times. We really believe our history has shown that finally in the last electoral boundary division we were unified as a county. Our interests were unified, and to be carved up again is certainly going to be detrimental not only to the municipalities but to the well-being of its people. We want to ensure that equality. Rep by pop may be the word of the day in the two large urban settings, but certainly in our rural areas, where we have high transient populations coming in the summer – Alberta Beach is a village, a summer village. During the summer their population swells to over 5,000. It's not unlike all the rest of the communities. Our schools are all running at a 110 percent occupancy rate in our area because we're growing, and our growth patterns are going to continue to grow.

Is it fair that our rural areas in this rural-based economy, whether it be agricultural, whether it be on the resource basis with oil and gas where we have the crews coming in transiently, the pipelines, the camps, the service industry, the second, the third industries that come along with it – I mean, we enjoy them in our communities. They do bring a disposable income. They do spend their money. But if you go rep by pop, is it including that these people are going to be extracted? Yes, they have one vote and it's in an urban setting, but we are dealing with these people. It's crowd control.

We need to have the link right now, more so than ever, between our small municipalities and our elected provincial representative. Now, I really can't see by increasing the load that's already there and going against what the rural people have already carved out and made that teamwork approach to work – this would be distracting from it. Right now we have it. We have very large challenges and we are working together, and it is working. We are starting to see results, and we certainly need to have the continuity. We know that change is inevitable. We're changing on a daily basis, but for the social good and the viability of rural Alberta, please consider that we do retain some sort of organized autonomy through a provincial/municipal relationship. It is working in our area, and we are very happy in the Lac Ste. Anne-Whitecourt region. We are working together. On a municipal level we know each of our counterparts, we know each of our concerns. We base our decisions on need, not greed, and it is working.

Again, we want you to see clearly that especially in the Whitecourt-Lac Ste. Anne area we have the population. I don't think the population is accurate for the permanent population. How do you define a summer villager and an urbanite? I'm not sure of the exact number of summer villages in our area, but it's probably around 20, and that population does swell. Again, I hope you take it into consideration.

Thank you.

THE CHAIRMAN: Thank you, Lorne.

If you'll just wait in case there are some intelligent questions from this panel. Robert?

MR. GRBAVAC: Yeah. Lorne, I've got a question. We've had the pleasure of knowing each other for a number of years, and I'm actually gratified to see you here. I always enjoy your comments.

Lorne, you know that as a rural member of a municipality it's been a real learning experience for me. This is more a comment than a question, but maybe I can just give you my perspective of what I've

learned over the course of the last two or three months or at least what I think I've learned.

One of the judges on the Alberta Court of Appeal suggested that if Alberta wishes to continue to call itself a democracy, then the current level of disparity between urban and rural, if you will, variances in the constituencies cannot be allowed to continue. I'm suggesting to you and I honestly believe that in some of the more rural areas of Alberta we're fighting a losing battle. The city of Calgary is growing by 45,000 people a year. With a unicameral House and with the obvious rulings that have been made by the courts, both federal and provincial courts, it seems to me that over time you will see a gradual erosion of what you call rural equality in terms of the Legislature.

I may be wrong, but certainly in the area of the province that I'm from there's no question in my mind that the increase in grain prices is going to lead to an exodus from that part of rural Alberta. The farmers that are aging, that are in their 60s – and some are older than that – see this increase in grain prices as their ticket to town. Basically, their retirement plan is now put in place. The value of their land may increase. The equity may be there for them to move into town, and for some of the rural areas I don't think there's any question that the population is going to diminish.

I think around the so-called urban areas of Calgary and Edmonton you may see growth with respect to people living the best of both worlds: being able to access the employment base in the city and yet living the country lifestyle in close proximity to that employment base in the city.

It seems to me that if we are to retain that kind of self-determination within rural Alberta, the problem is not with how many elected Members of the Legislative Assembly we have, although I appreciate that may be a part of the problem. Again, this is my perspective. It seems to me that we need to decentralize power. It seems to me that you as a member of a rural municipality ought to be equally concerned about the level of governance that you have with respect to determining the future fate of your municipality and the people who reside within it.

2:00

I'm certainly not going to suggest that the American system is superior to ours. Far from it. However, I do point out to you that I do live along the Montana border, and when I see the level of involvement of the state Legislature versus the county and the county commissioners, if you will, being responsible for everything from judicial responsibilities to schools, to education, to roads, et cetera, I think they may have part of the solution.

I just want to make those comments to you. I know they're not necessarily relevant in the short-term context of what we're here to discuss, but I think that in the longer term context there is some relevance there, and I would appreciate your response to that, to my rather lengthy observation.

I've learned a new word, though. Ken, you'll have to explain it to me. It's a very interesting word that you put into your submission here: laconic. Maybe I can look forward to having you explain that to me. Maybe I need to know what that means.

MR. OLSVIK: But first, I get a chance for rebuttal.

MR. GRBAVAC: Yes, you do.

MR. OLSVIK: You know that I would certainly want to have a chance to comment on those comments.

I guess history plays a lot with this, as you indicated that historic precedence is certainly there. Alberta was built by rural Alberta.

Our belief is that we've taken our products and we've put that value added in those products in the larger centres, but we still gathered those resources from rural areas that are sparsely populated. Today I guess the number one concern is the environment. Without real input into our areas where, I guess, quite willingly – as well, the rural areas want to have our resources manufactured and jobs created in our areas, because maybe not in your area, Bob, but certainly in our area economic development is a strategy that we are working on with success.

On-site farm manufacturing on a scale is happening. The cattle market in our area is expanding. Oil and gas are expanding. I guess if you're talking about this rep by pop and this losing battle, I don't believe that rural Alberta is losing. Rural Alberta is again faced with these challenges. I guess every once in a while it takes adversity to make us strong. It seems that we have gone through a three- or four-year period of challenging communities to come to the plate. We're doing that. We want to protect that quality of life that we have. We want to protect that our children have an opportunity and a future. That's not done by just maintaining a lifestyle for the one person. We have to look five and 10 years ahead. Where do we see ourselves in five and 10 years? That's how we're building our plans for our region. Economic development, what areas we produce and how can we get more value added, manufacturing in our rural areas: it's working. In our community we've created over 100 new jobs in the last 18 months. They're not living directly in the community because they choose to live in the lakes areas, but it is working.

The reason there's a rural Alberta and there's going to continue to be a rural Alberta is because people choose to live in these communities. They're going to continue to choose to live in those communities because they believe in the lifestyle they're leading. They believe that the quality of life and what the future has to offer for their children is going to be there. Where does the political ramification add to that? Why can't you do it without it? Listen, it's very difficult to build a ball diamond. It's very difficult to build an arena. It's very difficult to operate all of them. To get a swimming pool in a rural area takes teamwork. It takes the work of, again, the local governments and that representative from that area, more so now than ever.

If we're going to carve it up more and more and the load gets greater and greater, well, I guess maybe we are going to be challenged more and more. We're still going to come out at the end of the day. We're going to survive no matter what happens, but in our area, being moved four times in the last four elections is ridiculous. We're not interested in getting involved in getting moved again, because we've tried to build our strategic alliances with our neighbours. We're not trying to amalgamate identities; we're trying to build strategic alliances. We need the wherewithal with our provincial counterparts representing us to build that. Maybe you want to give up on rural Alberta. I certainly don't. I will be there fighting, and you know that. I believe that the way we're going to be able to keep rural Alberta alive and survive is to have a healthy relationship between its municipal areas and its elected provincial representatives. So if we want to have half of Alberta as one representative in a rural area – I mean, already Mike Cardinal's area or Pearl Calahasen's is unbelievable. I guess we have Guy Boutilier, who has the largest municipality.

We want you to take that into consideration. Alberta's big. The demographics are different. The employment opportunities are different. But we haven't even touched the surface in Alberta. We have advantages. We're seeing contacts from foreign entrepreneurs coming into this province to come up with all kinds of ideas. We're already seeing that growth. They're not coming to Edmonton and Calgary. They're coming to rural Alberta to set up operations, and

there's a number of them. If we can bring these people in, yeah, we will get larger. We don't want to become an Edmonton or Calgary, but we're certainly going to need that representation.

Thank you.

THE CHAIRMAN: Wally, do you have any questions? Joe?

MR. LEHANE: Yeah. Lorne, thank you very much for your contribution to our hearing this afternoon. I think it's been very helpful in terms of explaining the rural perspective. I'm also a rural representative on this commission. In terms of the quote from the Court of Appeal decision that Bob Grbavac has indicated to us, I guess also as a lawyer I've had the fortune or misfortune of hearing a lot of opinions by judges. With all deference to the chairman here, I can tell you they're not always right. Unfortunately, since we've got the Charter of Rights, whether they're right or wrong, they sometimes get the last word. I can tell you in terms of the quotation about "if Alberta wishes to call itself a democracy," there has to be more recognition of the populations in urban centres, to me that statement makes me ask the question: did that judge have the advantage that this commission has had in terms of touring this province and listening to the incredibly more complex and difficult job that a rural MLA often has in terms of representing his riding as compared to the urban riding? I think that if the judges had that opportunity, they would have a better understanding of what effective representation is, and I think you've been helpful in explaining that to this commission today.

Certainly when you look at items such as providing for a place for mom and dad to live in the same community that they've always lived in terms of seniors' lodges, the added complexity of education in terms of busing, the distances, and the sparsity of the population, I think you've made some excellent points in terms of explaining that from a rural perspective, and I thank you for that contribution, Lorne.

THE CHAIRMAN: John, any questions?

MR. McCARTHY: No questions.

THE CHAIRMAN: I want to thank you, Lorne. You may have given one of the best unprepared presentations that we've heard.

MR. McCARTHY: Mr. Chairman, I don't think it was unprepared. It was without notes, though, which is impressive.

THE CHAIRMAN: Well, thanks for coming and making your views known.

MR. OLSVIK: Thank you.

THE CHAIRMAN: The next presenter is Don Currie, the reeve of the MD of Westlock. Go ahead.

MR. CURRIE: Mr. Chairman and panel members, it's a privilege to appear in front of you today on behalf of the people in this region and represent their wishes that have been expressed to us as a council. We have prepared a document, that I believe perhaps you people have copies of, and I would like to read it into the record.

2:10

THE CHAIRMAN: Fine.

MR. CURRIE: The council for the municipal district of Westlock wishes to once again express its opinions respecting the provincial electoral boundaries review currently being conducted and the potential shift in representation in favour of urban Alberta.

Firstly, it is submitted that another review so soon after the last one is seen to be much too early an undertaking. The Barrhead-Westlock riding in particular has had a very short period in its present configuration. The municipal district of Westlock was previously represented by four different MLAs, which because of the politics of the time resulted in some parts of the municipal district being represented less equitably than others. It's also submitted that this particular riding should be allowed at least a reasonable period of time to become comfortable with its current state, which, by the way, we have found to be working well.

It is further submitted that the parameters of representation by population are not nearly as far out of line as may be being suggested. A variation of 25 percent from the provincial average for most ridings and 50 percent for special areas we say is not unreasonable. It is suggested that the status quo should be retained. While it is recognized that representation by population is an important principle, it should not be the only factor considered in reviewing constituency boundaries. Consideration should also be given to social, economic, and geographic factors. Many current rural MLAs may have many different municipal councils, special purpose boards, and community groups, or special interest groups, unlike an urban MLA, who may have only one council within his or her electoral district to deal with.

Rural Alberta has a character and lifestyle unique from that of urban Alberta. In fact, each rural community is unique unto itself with regard to ethnic backgrounds, goals, objectives, and aspirations. Given the size of many rural constituencies, rural MLAs are being put into the position of having to choose on certain issues which group of their constituents they support to the detriment of another group. An example would be one community over another, one municipality over another. We're finding the coterminous boundaries of our municipalities to be working rather well.

Should the outcome of the review result in an increase in rural constituency sizes and a decrease in rural representation, there would most assuredly be a decrease in the rural standard of living over time as well as a negative impact on the rural character and social fabric. Although it may be of some questionable relevance, any such shift in representation would also be in conflict with government policy regarding administration and bureaucratic decentralization.

In an economy that is so reliant on agriculture and natural resources, both of which are rural based, it is imperative that an equitable balance of representation be maintained. With all due respect, as an example, an urban-oriented perspective without benefit of the rural grassroots presence could result in decisions for short-term economic advantage to the detriment of environmental and long-term economic advantages. Conversely, economic advantage could be lost in light of possibly inaccurate environmental considerations.

Because of the size of rural constituencies, rural MLAs already find it difficult to visit remote areas and parts of their respective constituencies in order to gather constituent opinion and obtain a feel for the grassroots attitude on current issues. Any increase in rural constituency size would only serve to augment and accentuate the difficulty. An urban MLA may very easily be able to cross his or her jurisdiction in an hour or so, while a rural MLA may take a day or more if he or she stops to talk to anyone. The factor of equal access to Legislature representatives is viewed by the council of the municipal district of Westlock as a very important one to consider.

In summation, the opinion of the council of the municipal district of Westlock is that the interests of all Albertans would be best served by maintaining the current rural/urban relationship in terms of representation. This opinion is respectfully submitted for your consideration.

I would like to mention, in addition to our written submission, that I left the Association of Municipal Districts and Counties convention in Edmonton an hour or so ago, and there was a resolution on the floor of that group this morning dealing with this issue. With your permission, if I may, I would like to read that to you. It's new, and I did not have information on it until today.

THE CHAIRMAN: Go ahead.

MR. CURRIE: It's called emergent resolution No. 95, submitted by the county of Barrhead No. 11, to the Alberta electoral boundaries review commission. It says:

Whereas present constituency boundaries were created in 1992; and

Whereas proposed changes to Alberta's Electoral Boundaries based solely on population would shift elected representation from Rural to Urban Alberta; and

Whereas many M.L.A.'s may already have numerous jurisdictions to represent within their constituency; and

Whereas any future enlargement in constituency size would make effective representation difficult; and

Whereas present boundaries appear to respect the needs of Rural Albertans and balancing them with the needs of Urban Albertans.

Therefore be it resolved that the Alberta Association of Municipal Districts and Counties urge the Alberta Electoral Boundaries Review Commission to maintain the status quo regarding electoral boundaries.

Mr. Chairman, that resolution passed without dissenting vote this morning.

THE CHAIRMAN: So that's hot off the press.

MR. CURRIE: That is hot off the press.

THE CHAIRMAN: Thank you.

Any questions? We'll start with Robert, who probably knows you.

MR. GRBAVAC: Yes. Don, thank you for bringing me up to date on what's happening at the Convention Inn South. I had the opportunity to be there Tuesday night but certainly, obviously, haven't had the opportunity to be at the convention since.

I do feel a certain amount of pressure as a member of the Alberta Association of Municipal Districts and Counties and as a member of the association when it was in fact an intervenor with respect to the case that came before the Alberta Court of Appeal. At that time our legal counsel, now a judge – Judge Costigan I believe – represented the Alberta association. So I've been involved in that for some considerable period of time.

Don, you echo very many of the things that I've been saying as a member of this commission since it started. I'm not trying to make any excuses, and I concur with many of the things that Lorne Olsvik said, but in the absence of a bicameral House in terms of the way that we govern ourselves, I'm just suggesting to you that the fact that Calgary grows on an annual basis roughly equivalent to twice the population of this constituency is going to make it tough for us in the longer term. I'm suggesting that we either look at some other form of representation, be it bicameral or otherwise, or we decentralize

power and give the local municipalities a greater say in the issues that we now feel we must have equal representation for in the city.

All I'm doing is suggesting to you that I would hope the association and you as a municipal representative, a municipal reeve, would take that longer term view and recognize the fact that as much as people would like to live in rural Alberta, the harsh, cold reality of the situation is – and I like to view myself as a realist – that it's hard to ignore the fact that 45,000 people moved into the city of Calgary last year, or something of that nature. Given our current system, that is going to be hard to ignore, relatively speaking, as time goes on. That's the only point I make, and I hope you don't misconstrue that, as Lorne did, to be giving up on rural Alberta.

MR. CURRIE: We're not misconstruing; we're trying to have effective representation. We realize that some of this may happen with some imbalances in numbers. Everyone still has a vote, and I do believe that if they figure they're not getting good representation, they will vote otherwise next time around. So I think that looks after quite a bit of it.

There is no desire from anyone that I've talked to in rural Alberta to have anything over the urban area, for example. By the same token, as I've mentioned twice here, the bulk of the natural resource base is all rural Alberta, and we're suffering the consequences of a lot of those actions being taken now. Even with the present form and should we lose more voice, I think we're going to be in more trouble with our infrastructure and all the rest of it. So perhaps there's a need – and we believe there's a need – to balance that somewhat, because everyone is reaping the benefits of those natural resources, of which a great lot of the Alberta government taxation is based. We think that alone needs some serious considerations.

2:20

MR. GRBAVAC: Don, it's been often stated that in the absence of an elected federal Senate the provinces have provided a counterbalance to representation by population where in fact the Ontario and Quebec election results basically say it all, and when we go to the polls out here, it's a done deal. We've used the provinces and the power that's been given to the provinces as a counterbalance. All I'm doing is suggesting to you that maybe we could do the same thing from a municipal perspective if we hope to retain greater control of our own destiny in rural Alberta.

I'm going to get off my little soapbox at this point. I felt I had a receptive audience here today, so excuse me that latitude, Mr. Chairman.

MR. CURRIE: I think we all in this country have the freedom to speak and, I hope, to listen.

THE CHAIRMAN: Wally?

MR. WORTH: No questions.

THE CHAIRMAN: Wally has no questions. Joe? John?

MR. LEHANE: No questions, thanks.

THE CHAIRMAN: Well, we want to thank you for coming, Don. We want to thank you for leaving your convention and coming. We were aware of the conflict when we scheduled our meetings. We tried our best to adjust them, but we just had to hold our meetings in November here if we were going to have a report for the end of January.

MR. CURRIE: I understand, and we appreciate the privilege of being able to come. I'm sure those things will go on, and I'll be back in time to do some voting this afternoon.

Thank you.

THE CHAIRMAN: Well, our last presenter is our MLA from this constituency, Ken Kowalski. We want to thank you for agreeing to wait and be the last.

MR. KOWALSKI: Thank you very much, Mr. Chairman and members.

THE CHAIRMAN: I might add that you don't have to give the dictionary explanation for the word "laconic." We'll get a dictionary and explain it.

MR. KOWALSKI: Would you give it to Mr. Grbavac? Fine. For his benefit: short, neutral, unemotional, to the point.

MR. GRBAVAC: Yeah, that's what I was afraid it meant.

MR. KOWALSKI: I take this opportunity at the outset to welcome the chairman and members of Alberta's Electoral Boundaries Commission to Westlock and to the constituency of Barrhead-Westlock. The task before you is not an easy one, and may I wish you the utmost of success and the utmost of wisdom. I'm going to be very brief, because I'm going to ask you for permission at the conclusion of this to do something.

I've had the privilege of successfully being a candidate in five provincial elections in several different types of ridings. Electoral redistribution is not unknown to the people living in this part of Alberta. Change has been more the norm than has the status quo. Some residents of the current electoral division have lived and have exercised their democratic prerogative in four different electoral divisions since the 1960s. In its submission of October 24, 1994, the Court of Appeal of Alberta wrote the following when recommending an upcoming review of the make-up of Alberta's current electoral divisions:

That review must identify communities, in every sense of the word. It must look in depth at social history as well as demography and geography.

As a result of the major changes to electoral divisions in this part of Alberta prior to the 1993 general election, it is my emphatic opinion that the current constituency boundary of the electoral division known as Barrhead-Westlock better meets the intent of current Alberta electoral legislation and the intent of the Canadian Charter of Rights and Freedoms than any of the previous electoral divisions drawn for this area.

The current boundary for Barrhead-Westlock reflects the area's history. The make-up of the current constituency reflects the traditional community. The citizens who live here share a common social history. Indeed, since the days of early settlement the demographic make-up has not changed significantly. The current boundaries better reflect the municipal boundary configuration and the transportation and social infrastructure than those of the past. The current boundaries are clear, understandable, and describe the community – and I use that word "community" – better than at any time in the past.

On January 7, 1992, I issued an information document to my constituents titled Interim Report of the Electoral Boundaries, and it is attached. Its purpose was to inform all constituents about the major proposals recommended in the December 1991 interim report

issued by Judge Clare L. Liden. The final report and the new constituency created prior to the 1993 January election contained all – and I underline and emphasize all – of the changes proposed by Judge Liden. The current boundaries of this constituency known as Barrhead-Westlock were drawn up by the previous Electoral Boundaries Commission not as a result of changes recommended by a number of Members of the Alberta Legislative Assembly.

I'd just like to draw your attention to that little document that I've attached. It is dated. If you would kindly look at map 1. Map 1 is a constituency known as Barrhead. It served several elections. The last redistribution, map 2, took away from that constituency known as Barrhead the areas you see that are coloured. The area to the north in blue went to Lesser Slave Lake, then Athabasca as what it was known as. The area in yellow went to the then constituency known as Whitecourt. Of course, it's been changed, as Mayor Olsvik has said, to Whitecourt-Lac St. Anne. The area in green went to the constituency of Drayton Valley, and the area in red went to the constituency of Stony Plain. Now, that was a take-away of the then constituency of Barrhead. There were 4,349 voters in there.

If you look at map 3, then you'll see what was added to what was then known as Barrhead. The name was changed to Barrhead-Westlock, and added to it were 7,311 voters. In the extreme west, an area in blue: essentially unimportant. There's nobody living there. It's just geography. It's just territory. There's not one voter in that whole area, but what it did was align with a coterminous configuration within a municipality. That was one of the principles that was used in this new riding. The area in yellow came from the then riding known as Westlock-Sturgeon. The area in red came from the riding known as Athabasca-Lac La Biche. The area in blue came from the riding known as Redwater-Andrew.

The key thing that's important here is that this is now the coterminous boundary of the MD of Westlock. So when this new riding known as Barrhead-Westlock – one of the principles that the previous Electoral Boundaries Commission looked at was to in fact have coterminous boundaries. For the first time in the history of this area there are the major municipalities all within the same constituency. It has never existed before, and when someone indicated previously – the reeve of the MD of Westlock said that at one time they had four different MLAs. You can see the area in white, red, yellow, and blue. Each one was in a different constituency. So they had the privilege of dealing with four MLAs when the MD of Westlock met with them. Today they have the – I'm not sure I can use the word "privilege," but they have an opportunity now of dealing with only one MLA.

I want to repeat, though, that those changes that were made came as a result of the previous electoral division commission, not recommendations from Members of the Legislative Assembly.

Mr. Chairman, the current riding is a result of the gradual and steady change that the Court of Appeal decision makes mention of. It's evolved. I believe that the current boundaries of the riding known as Barrhead-Westlock meet all of the tests of the various questions that the members of Alberta's Electoral Boundaries Commission 1995-96 will put before themselves.

I want to thank you for the opportunity of being here in the community of Westlock. I'd be very pleased to clarify anything I have said, and should time permit, I would be pleased to show the members of the commission a short video which reflects the diversity of this constituency. It is the diversity that I want you to see by way of a visual. This video was prepared a year ago. It's five minutes. It shows you how the people in this area are similar and are also diverse. There is one point in the video where a little arrow comes up and says, "You are here." That's another building about

five blocks north of here. If I do get your permission to do it, Your Honour, I would just ask that it terminate when there's a lightning flame that comes down at the end of the video and it says, "This is God's country." To go beyond that would be embarrassing.

2:30

THE CHAIRMAN: Well, I think we'll prefer to see this first and then ask you questions.

MR. KOWALSKI: Fine.

THE CHAIRMAN: Can you go ahead and show the video?

[Mr. Kowalski showed a video]

THE CHAIRMAN: Well, those were very nice pictures. I learned something from that. I want you to know, Ken, I come from the constituency now known as Redwater. I always thought you poor people out here were our poor country cousins, but I now realize that you have things very nice out here.

MR. KOWALSKI: Because of the collective work of everybody together.

MR. McCARTHY: Just referring to your submission, I just have a few questions so that I can understand the geography a little better. First of all, you've shown in your maps quite well, I thought, the change. I guess it's something that I find quite useful, because I think it's one thing the commission should be aware of. I'm not fully aware of the total changes that occurred; in other words, what the constituency boundaries were exactly like prior to 1992. I know what they're like now. So yours has been very helpful. I think it'll serve as a model for us to look at other areas in a manner like this, so it's been very helpful.

2:40

With that said and using your maps as a guideline, I look at map 1 and then map 2 and look at the yellow, green, and red areas in map 2, the ones that I just have a question on. Those areas, I'm assuming, reflect the polls, the 4,300 that you referred to in the first page of your submission that were removed, or the vast majority of them in any event. I could have asked this to the mayor of Onoway, but I thought I'd wait for you: do they include one or more municipalities or municipal districts and the like?

MR. KOWALSKI: In map 2 the yellow section is the county of Lac Ste. Anne; the green and the red sections are the county of Parkland. I had the privilege of being the representative for that area for four elections.

MR. McCARTHY: Okay. Does the county of Lac Ste. Anne extend beyond the yellow area outside of the black lines?

MR. KOWALSKI: Yes. It goes west but not east, and it's just a bit north. You'll see that the document you put out basically indicates that the constituency population is 25,723. In the document that I have here, the number is 26,767. So there's a discrepancy there. I've got over 1,200 more people than you identify, and there's a logical reason for that. This map, map 2, that showed the recommendation of the previous electoral commission did not follow the county of Lac Ste. Anne's north boundary. You have to just go a little bit north a few townships to get that. The new constituency does follow the boundaries of the two.

MR. McCARTHY: Okay. And how long have the yellow, green, and red areas been represented by you or in the Barrhead constituency?

MR. KOWALSKI: It was in Barrhead constituency in the 1979 provincial election for the first time, so '79, '82, '86, and '89: four.

MR. McCARTHY: Thanks.

MR. LEHANE: Ken, if we look at Redwater, which is the constituency immediately to the east adjoining Barrhead-Westlock, it is a variance from the provincial population quotient of half of 1 percent. It's very close, one of the closest. This constituency has a variance, I think, of minus 16 percent. Is there any part of that Redwater constituency immediately to the east that would fit with this constituency in terms of community of interest and municipalities, that sort of thing?

MR. KOWALSKI: Well, the last time the commission was in Westlock, it met in this hotel and a submission was made. *Hansard* is kept, so if you look at the *Hansard* of the last time a commission was here, looking prior to 1992, there were submissions made by people living outside of the MD of Westlock to the east of us. The Thorhild area made the argument that it should be part of this constituency. But the principle used by your predecessor commission was to follow coterminous boundaries, and that was the principle that was upheld and in fact in the legislation and the guides that you may be using. In essence, if you want to go with coterminous boundaries, then it will end, on the eastern boundary, at the MD of Westlock. If that principle is not to be upheld, then perhaps that's one of the alternatives, to go that way. I'm just going to respond to your question very clinically.

MR. LEHANE: Well, I guess where it may not be coterminous with municipal boundaries – sometimes trading patterns aren't necessarily coterminous with municipal boundaries.

MR. KOWALSKI: That probably would be. There's a highway that's built, in essence, that goes from Westlock through to Thorhild, and there's a community of interest that way.

THE CHAIRMAN: Thorhild people use the Westlock hospital.

MR. KOWALSKI: Yes, they do, and there's a relationship there with the senior citizen housing and the lodges.

UNIDENTIFIED SPEAKER: Shopping.

MR. KOWALSKI: Yes.

MR. WORTH: Well, I just want to comment that I learned one thing from your videotape. It'd probably be inappropriate to include Whitecourt in this constituency because of the lumbering and the diversity of their economy in contrast to yours.

MR. KOWALSKI: Well, with respect, Dr. Worth, if you look at map 3, Whitecourt is located across from the Athabasca River. So on the western side of this constituency you have the timber development in Whitecourt, on the eastern side of this constituency you have Al-Pac near Athabasca, but smack in the centre is the forest. Interestingly enough, in 1986, 50 of my constituents were involved in the forestry industry. In 1991-92 that number had risen to nearly 700, and today I have over 700 constituents who are gainfully

employed in the timber industry. We do not have anywhere in this constituency anything like you'll find at Al-Pac or at Whitecourt, but you will find in the Fort Assiniboine area small mills that employ 20, 30, 40, 50 people. That's been, by the way, the desire of the people in this area. That's what they want. They don't want the other kind of facility. They want the small, independent mom and pop operation. That's what we've got here, and there's a reason why we've got it. It's that reason.

MR. WORTH: Okay. Thank you.

MR. GRBAVAC: One of the interesting things I learned, Ken, in reading the reasons given by the Alberta Court of Appeal with respect to the current boundaries and why they suggested that they ought to be reviewed before the next election was that the committee – I believe “select committee” was the term that was used to describe the committee that eventually put the stamp to the province – really didn't have enough information to judge but then proceeded to go on and give us 75 pages of interpretation. One of the things that came to the fore in reading those judgments – it seems that the various justices each gave their version – was that that select committee didn't give reasons for the variance.

I'd like to commend you on your report, because I think you gave us a number of very good, valid reasons, not the least of which is the coterminous boundaries for the retention or the status quo here of this constituency. I think you've given us, in my view, ample reason as to why to retain this constituency as it is. Unfortunately, we haven't had the benefit of that in some of the other ridings across the province. I know in the southern Alberta part of the province that I reside in, you touch one little thing and the whole thing starts coming unglued, because virtually all of those constituencies are pushing the 25 percent extreme of that envelope.

I'm curious as to whether or not there is or was some information that we haven't seen that gave a written rationale as to the legitimacy of the previous boundaries. If that's not a fair question, you can tell me.

MR. KOWALSKI: Well, first of all, let me make a comment about the retaining of the status quo in this area. The status quo in this area only began in 1992-93. We've changed here more dramatically than most other provinces. So for us, we'd just like to have – I think what I've heard here today from my constituents is basically to give us a chance to continue to be what we are for a period of time before we go changing again.

Now to your other question.

MR. GRBAVAC: I read Bob Bogle's affidavit, by the way, to the courts, but I want his working notes and I want to know if you've got them.

MR. KOWALSKI: Okay. Well, you should know that I opposed this commission, the establishment of this commission, because in my reading of the Court of Appeal decision there was nothing in it that suggested to me as an MLA that in fact we needed this review. The majority of Members of the Legislative Assembly differed from me, and that's fine. That's certainly not the first time. I mean, it happens quite frequently, and it'll probably happen again in the future too, but that's okay.

MR. GRBAVAC: Was it a rural/urban thing?

MR. KOWALSKI: No, it was nothing like that at all.

I really believe, quite frankly, we've had so many constituency redistributions in Alberta in the short period of time we've had them that there is a tension that's now building. The tension is building upon, in many ways, emotional kinds of factors: rural/urban split, north/south split, east/west split, balanced growth/unbalanced growth, diversification/lack of diversification, centralization/decentralization. You know, most of the people living north of Highway 16 in Alberta would not really be that opposed to the concept of separation from the rest of the province of Alberta because, quite frankly, the resource revenue and wealth of this province is located to the north of Highway 16. We're not advocating that to my knowledge yet, but every time there is constituency redistribution, those things always come into play, and it's very difficult to be I guess laconic about the whole thing because there is a fear. There is a fear.

2:50

Mr. Grbavac, you mentioned Calgary grows by 45,000 people on an annual basis. This part of Alberta would never grow by 45,000 on an annual basis, but what this part of Alberta has always done is had steady growth. The makeup of families here means that they're units that stay together and their children are there. If it's agriculture, then you pass it on to your family and your children, and that's a different kind of concept. As an example, nearly 80 percent of the people who live in this constituency own their own homes. I live part-time in downtown Edmonton, where 8 percent of the population own their own homes. They're renters. You have different value systems and value structures. We welcome people to come here. We welcome people to invest. We see that. We've never had, by the way, a downturn in the economy either. When the rest of Canada, when Edmonton does go down, this area doesn't. But this area doesn't go up like that; it just goes steadily along.

MR. GRBAVAC: Okay. Just a supplementary to that. I keep harping on this, but it seems to me that many have suggested we're trying to fix something that isn't broken. I'm suggesting we're trying to use a tool to solve a problem that it simply wasn't created to solve; that is, we're trying to create regional representation through a unicameral system. I'm just suggesting that there's a flaw there, and I'm not sure how it needs to be addressed. I've suggested maybe a couple of options, Ken, but I think in the long term the greater you create the Alberta advantage, the stark reality will be that the majority of those people moving into this province are going to end up in John McCarthy's urban constituency unfortunately. There may be trends to the contrary – I appreciate that – but all you've got to do is fly over or drive by Calgary and see the extent of the development that's going on in that urban centre to realize that in the longer term, if this continues, this problem is simply going to grow. I'm very concerned about this urban/rural kind of a mentality. It's almost an “us” or “them,” and I'm not sure that that's healthy in the long run. You've alluded to it as well. All I'm saying is that there's a bigger problem here, Ken, and as a Member of the Legislative Assembly I would hope that the province would address the bigger picture. Regional representation cannot be served in the longer term if the population growth is disproportionate with respect to the large urban areas. This job is going to get tougher every time somebody comes around to do it.

MR. KOWALSKI: I have no difficulty understanding that either, as long as we remember that the little time capsule we're currently making the decision in is only a time capsule of the history of the last 30 years. For much of the 1970s and into the early 1980s, quite frankly, rural Alberta was the growth area of this province, not the

one that was losing population. So I think you're going to find some trends that will evolve through a period of time. I look into the future and as far as I can see, Edmonton needs a shot in the arm. I can see Edmonton growing with a greater percentage of growth in the next decade than Calgary. I think rural Alberta too, many parts of rural Alberta, because the resources – that's where they're at. There are no cows in downtown Edmonton. There are no horses raised in downtown Calgary. There's not an ounce of coal to be found on the north side of Calgary. There's not a barrel of oil to be found on the south side of Edmonton.

MR. GRBAVAC: That's not where the jobs are anymore. We've gone beyond a resource based economy.

MR. KOWALSKI: Don't ever discount the fact that the jobs and the head offices will move to where the resources are. That's a current decision by perhaps a group of people today, but that doesn't mean it will remain that way in the year 2000 or the year 2005 or the year 2010. The 1970s was a tremendous time of leadership in terms of decentralization, where countless offices were moved out of the large urban centres into rural centres. We've experienced it here; many communities have experienced it. There's nothing to suggest that that will not return.

MR. WORTH: Ken, I'd like to switch to the question of effective representation once again. At a couple of our previous hearings we have had the suggestion made to us that one of the things that impedes the rural MLA in attempting to provide effective representation is the relatively uniform allocation by the Legislative Assembly of resources to MLAs to undertake their representation. The proposal has been made that we ought to sort of consider our mandate broadly enough that we could make some recommendations about perhaps a differential resource allocation to rural MLAs to enable them to maintain perhaps more than one constituency office, to travel by aircraft more frequently, and things of that sort. What's your reaction to that idea?

MR. KOWALSKI: Well, I got elected in 1979, and my vocation previous to that was as the deputy minister of a department of government. When I got elected, I made up my mind that I would do what I had to do to be an effective representative. I'd had some experience because my predecessor was Dr. Hugh Horner, who taught me a lot about what it was to be an MLA. It quickly became a full-time job, and it has been since 1979. I do nothing else but serve as an MLA.

More money for aircraft, for me, would not help me much because we don't really have any airports out here. It may help others, and I wouldn't discount it. We have made some provisions under the Legislative Assembly and Members' Services to do that. The key thing that has to be recognized is that it oftentimes takes three and a half to four hours to drive from the extreme southeast corner of this constituency to the extreme northwest corner. I'm lucky as compared to, say, the representative of the constituency to the north, where in fact various parts of her constituency don't have roads leading directly, or the one where you were last night, Fort McMurray. I mean, if you want to go up to Fort Chipewyan to visit your constituents, time is what you need more than, I guess, the resources.

There are over 500 individual groups or organizations in this constituency, and if you are an MLA that, quote, attempts to be effective, if you can visit with them once in four years, you are lucky. You are lucky. So what we do is bring groups together and

have meetings that way. That's, I guess, our own form of efficiency. I don't know if money would really make the difference. I think you've got to have the time to meet with your constituents if they want to meet with you, so then size, diversity, geography, distance, transportation, infrastructure all mean something to you.

MR. WORTH: For example, we were told by the MLA in Slave Lake that she drives 200,000 kilometres a year and can only claim for 65,000.

MR. KOWALSKI: That's absolutely correct. I know for a fact she'd probably do that much, because she seems to be gone about four days a week in her vehicle. She can claim for 60,000 kilometres a year with receipts; yes, that's correct. I go about 60,000 miles a year, so I can only claim for about 60 percent of that. The rest has to come out of your own pocket.

MR. WORTH: So I take it you're not very positive towards that proposal.

MR. KOWALSKI: Well, those are just little modifications. The point is, she still has to get to where her constituency is, and if it becomes larger, I don't know how it's humanly possible. That's unique. That's why I think there has to be some variation, or I endorse the variation. I do not feel guilty, by the way. I do not feel guilty that there are some MLAs in Alberta – if I have 25,723 constituents and the neighbouring riding of Athabasca-Wabasca has only 16,000, I don't feel that I'm being cheated at all. None whatsoever. Absolutely none. I recognize that that has to be a reality.

THE CHAIRMAN: I wanted to say, Ken, that as chairman of this commission – and I'm not speaking on behalf of the other members – I wish your views had been successful in the Legislature. I'm probably speaking for all of them, but I'll let them speak for themselves.

MR. KOWALSKI: Chairman, may I say one last thing before you dismiss me?

THE CHAIRMAN: I'm not dismissing you.

MR. KOWALSKI: Oh. I'm sorry.

3:00

THE CHAIRMAN: I have a question. Wally dealt with one of the things that has come up: more funds for the MLA to be more effective. We've also been getting a lot of static in basically the urban areas that there are too many MLAs in this province and they should be reduced, and they equated to the budget cuts and the various reasons for it. As you know, this commission is concerned with trying to achieve better equality in respect to population, and there's more to this job than the population. There's also the effective representation side. But somebody has also suggested to us to add three or four constituencies to Edmonton and Calgary and leave the rural area alone. Do you have any reaction to that?

MR. KOWALSKI: Well, my understanding, first of all, is that the legislation prohibits you from doing that. You're bound by 83. You may recommend that, but I guess you'd be violating the legislation given to you. I also do know – and you know and everybody should know – the makeup of the commission is that recommendations are made from the two major political parties in the province of Alberta. So two of your members, who have to provide you with the greatest

degree of wisdom, I guess are nominated by the Progressive Conservative Party; two are nominated by the Alberta Liberal Party. The position of the Alberta Liberal Party is that there should be a reduction of 20 percent in the number of seats. I think the position of the Conservative Party thus far, as I understand, is 83, because we approved the legislation.

I think 83 is okay. If you start making recommendations to go up or down, you're going to open up a can of worms. If you think your report back to the Speaker on January 30 is going to end there, I don't think so. I think you'll be asked to go out on the road again, and the last commission that was asked to go out on the road again decided it didn't want to.

THE CHAIRMAN: Well, I just want to say we appreciate that it's not part of our mandate and that we're restricted to 83 constituencies for the province. We're not trying to change it. We just wanted to hear what might be your views. When you said that this commission is made up of Liberals and Conservatives, I as chairman want you to know that so far they're very nonpolitical.

MR. KOWALSKI: Sir, I would never suggest for a moment that they would have been.

MR. McCARTHY: Just one comment you can take back, and that is that there has been some concern about the gender imbalance on our committee. If you go back to the Legislature, you can advise them that if they want to correct that, I'd be happy to volunteer.

MR. KOWALSKI: Sometimes wonderful things happen to people who live in isolated areas of rural Alberta. In the last two days a very unique thing happened to a constituent of mine. Playing with his ham radio and his little computers, he contacted Chris Hadfield, the Canadian astronaut. His name is Scott Smith. He lives, on this map, almost in the centre in a little area near Fort Assiniboine. Just thought you'd want to know that trivia. And there are no TV cameras here today because they're all there visiting him.

THE CHAIRMAN: Well, I can tell you that Mr. Kush of Hanna, Alberta, my friend, one time got through the space coded system, which was much to the surprise of the authorities. As a result of that, they got an invitation to go down to Cape Canaveral or Houston, so maybe that might be Mr. Smith's reward.

MR. KOWALSKI: That would be tremendous.

THE CHAIRMAN: Well, I want to thank you for coming and making your views known and trying to help this commission, which needs as much help as it can get.

MR. KOWALSKI: Thank you very much, sir. These people have a tremendous pride in their quality of life and their way of life, and they're nervous.

Thank you.

THE CHAIRMAN: Now, we provide for walk-ons if anybody wants to come and say anything after they've heard all of this. Are there any walk-ons here today?

Were you just putting your finger by your glasses, sir?

UNIDENTIFIED SPEAKER: Yes, I was just shifting them up.

THE CHAIRMAN: I was going to say don't do that at an auction sale, but it's okay here.

Well, I want to thank you all for coming. The hearings at Westlock are now adjourned.

[The hearing adjourned at 3:05 p.m.]

