

Electoral Boundaries Commission Public Hearings Calgary

10:02 a.m.

[Chairman: Chief Judge Edward R. Wachowich]

THE CHAIRMAN: Good morning ladies and gentlemen. I want to welcome you to the public hearings of the Electoral Boundaries Commission. My name is Edward Wachowich, and I am the chairman of the Electoral Boundaries Commission. I am also the Chief Judge of the Provincial Court of Alberta.

I would like to introduce you to the other members of the commission. On my far right is Robert Grbavac of Raymond. On my immediate left is Joe Lehane of Innisfail. On my far left is John McCarthy of Calgary, and on my immediate right is Wally Worth of Edmonton. The five people you see before you make up the commission, and I want to say that we're 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 Calgary 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.

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 the matter a lot of thought, we have reviewed the law, we have reviewed the work of previous commissions and committees who have studied the boundaries in Alberta, and we have reviewed what the courts have said about electoral boundaries in this province and in Canada.

I would put before you for your consideration the following summary of the law of Alberta with respect to the 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 in Alberta.

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 the 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 a second set 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.

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 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.

At this point we will now proceed with the hearings, and I would like to call as the first presenter Leslie Kaluzny of the Alliance Party of Alberta.

10:12

MR. KALUZNY: Your Worship Judge Wachowich and members of the commission, thank you for providing me with the opportunity to explain in more detail the position of the Alliance Party of Alberta with respect to the electoral divisions in this province. We the Alliance Party of Alberta propose that the number of Alberta electoral divisions be reduced from 83 to 52; that is, two per federal electoral division. This is the position that was presented to this commission in writing on October 4 of this year.

By way of background information, the Alliance Party of the constituency of Innisfail-Sylvan Lake submitted a policy proposal to reduce the number of MLAs under the Alliance policy formulation process. This process allows constituencies and individual members of the Alliance Party to initiate policy for consideration at Alliance annual general meetings. This is our own internalized citizens' initiative, guaranteeing our members involvement in the governing of their own party, a bottom-up process.

Members of our party acknowledge that government is much too large. If we can cut health care and education, then surely we can cut the number of MLAs at the top of our current top-down government. The benefits in reducing the number of electoral divisions from 83 to 52 are as follows. One, the reduction in MLAs would also mean a corresponding reduction in government expenditures for their salaries and support staff. Two, the ratio of

provincial MLAs to federal MPs would be 2 to 1 rather than 3 to 1. This still provides numerical superiority; that is, MLAs would still outnumber MPs in total numbers. Three, common boundaries will lead to more efficient co-operation between the two levels of government, since an MP and two MLAs will share the same constituency. Four, the Legislature Building would not have to be expanded. Five and finally, legislators by example will gain the confidence of Albertans for their cost-cutting measures.

Reducing the number of MLAs will not affect the quality of representation in our province. The quality of top-down representation is already suspect. In this age of instantaneous communication such as electronic town halls, voice mail, E-mail, MLAs can maintain excellent communication with a greater number of their constituents. Alliance Party policy such as citizens' initiative and referenda on major issues would assure that the constituents of an electoral division shoulder the governance of this great province in partnership with their MLAs. The only effective answer to today's bigger, more expensive, and more intrusive government is this partnership between an MLA and his or her constituents: bottom-up government.

Thank you very much.

THE CHAIRMAN: Thank you, Mr. Kaluzny. We'll start the questioning today with John McCarthy.

MR. McCARTHY: No questions.

THE CHAIRMAN: Joe Lehane?

MR. LEHANE: No questions.

MR. WORTH: Mr. Kaluzny, as I listened to you cite the benefits that might accrue from fewer MLAs, it seemed to me that you were dealing primarily with cost savings in many instances as you referred to reduction in staff, not needing to expand the Legislature Building, and so on. I'd like you to expand a little more on how you see having fewer MLAs affecting effective representation. One of the things we've heard as we've moved around rural Alberta is that they desire face-to-face contact with their MLAs, that they don't think all of the electronic technologies that we have would be of great assistance in providing the kind of communication that they want. So I'd be interested in knowing what you would say to a rural Albertan who says: "Look; I want to talk to my MLA. I don't want to get him on E-mail." Many seniors say: I don't know how to use that stuff.

MR. KALUZNY: The Alliance Party of Alberta is a rural-based party. Our home constituency is Innisfail-Sylvan Lake. I'd say that a large majority of our members are rural, although that base is expanding, and we have more and more city members as the years go by. Our rural members are telling us that they would like to be more involved in the government of their own province. That's really not an issue for them. What is an issue is more involvement, and by that I mean more mechanisms by which they can be effectively involved. Face-to-face contact for our members, who are generally rural, is not really an issue.

MR. WORTH: Thank you.

THE CHAIRMAN: Robert?

MR. GRBAVAC: Yes. Mr. Kaluzny, you indicate that the number of MLAs is directly related to the size of government. I wonder if you could elaborate on that. Some people have suggested to us that the number of MLAs has little or nothing to do with the actual size of government, that it is much more far reaching than that.

MR. KALUZNY: Well, at one point the MLAs' pension plan was something that we were advised could not be touched. As you know, the MLAs' pension plan has been eliminated. Now some people are telling us that the number of MLAs is an untouchable. We dispute that. We don't think it's an untouchable. We think it definitely would send a signal to the electors of Alberta that any government that is proposing this sort of policy is serious about cutting government and getting out of the lives of private citizens in Alberta.

MR. LEHANE: Mr. Kaluzny, maybe you can tell us what process you went through to determine that the members of your party from the rural areas support your position on a reduction of members of the Legislature. We're in our last week of these hearings, and I can tell you there's been overall a pretty consistent opinion expressed to us in the rural areas that their present representatives are stretched to the limits in terms of the miles they have to travel and the distances involved in order to effectively represent their constituents. So we're hearing from you something different than we've heard from almost every rural area in the province. Perhaps you can tell us on what basis the party obtained this position for rural areas.

MR. KALUZNY: Well, if all decisions must be deferred to one individual in a constituency or a riding, then obviously those are valid concerns. If the citizens become more involved in the decision-making process, then, you know, there's a partnership involved here, and there's less of a need to confer with one individual. I mean, a democracy is supposed to involve as many as it can possibly involve. So there'll be a shift in focus there, and the members of the Alliance Party feel that that shift in focus should be decision-making more and more in the hands of individual Albertans rather than in one individual or one party leader.

THE CHAIRMAN: Mr. Kaluzny, I want to thank you for coming and making your viewpoints known. I want to bring to your attention one thing. The Act says that we shall divide Alberta into 83 constituencies, and we have no choice in this matter. What you're speaking to us about is really not part of our mandate, but we are listening to people who come before the commission to speak about this because there are quite a few people who want to talk about this. If you're concerned about too many constituencies in Alberta and about them being reduced, really I think the more appropriate place to be talking about this is with the MLAs, because you've got to convince the Legislature that this change should be made. You could convince this panel that this change could be made, but we can't do a damn thing about it.

I want to thank you for coming. I see you have a gentleman with you. Could we get his name for the purposes of our records?

MR. KALUZNY: Yeah. My apologies. This is Fred Schorning. He's the secretary of the Alliance Party.

MR. SCHORNING: I'm just taking notes to see if there are any loopholes or anything.

THE CHAIRMAN: Oh, I see. I just wanted to give you an opportunity to say something in case you felt that Leslie didn't do a very good job.

MR. SCHORNING: He did an excellent job.

You were saying that your hands are tied by the fact that you have to divide it into 83 divisions, and I know there are legal constraints of those kinds. Is there a loophole that you can have one MLA represent two of those? Does it actually say: one per constituency?

THE CHAIRMAN: No. It says: divide Alberta into 83 constituencies.

MR. SCHORNING: The other point I'd like to make: is Alberta isolated? I mean, other provinces run their governments on a much smaller number of MLAs.

THE CHAIRMAN: We've had representations. I think B.C. is down to 75 and is a bigger province. Saskatchewan is reduced to 55, I think. Those points of view have already been brought before us.

Well, we want to thank you for coming.

MR. KALUZNY: Thank you.

10:22

THE CHAIRMAN: The next presenter is Professor Michael Coulson.

DR. COULSON: Good morning. My name is Michael Coulson. I'm a professor of geography at the University of Calgary. I want to make it clear that I am not speaking in any way as a representative of the university but as an individual. I am a member of a political party, and I provide financial support and, they hope, always a vote, but I am not representing them either. I submitted a report to you and must apologize for the fact that it's a little rough, but there we go. I'm afraid that's the best I was able to do in the circumstances.

I was very pleased to hear you quote from the Supreme Court's decisions, and some of what I've got to say goes along with that. My basic premise is the equality of representation, that there be an equal number of electors per MLA. This is no more than a basic premise of democracy, and it's certainly not been found in Alberta for at least the last 50 years.

We now have a very literate population, and amidst the increasing cynicism with government there is cynicism about a democratic process that generates the kind of population inequities that we find in your – I should be very careful how I phrase this – in the flyer you produced on the status quo, having nothing to do with your deliberations. I would suggest to you that your commission represents a break with the past. You've now joined the federal kind of pattern, not the same legislation, with as apolitical a commission as possible. Maybe we can do something or see something done here to have really a good set of boundaries. I'm limiting my comments to the jurisdictions that you have, to the fact that you're limited to 83. So we're not going to worry about that.

I would suggest, therefore, that you essentially ignore the boundaries that are there at present and start afresh with particular reference to the municipalities and communities within cities as the

building blocks. The objective, I would suggest, is to present a pattern of electoral districts that is as stable as possible into the future. In other words, we need something that will work now, but both the administration of elections and also the political parties have a vested interest in not having abrupt swings of boundaries every 10 years. Since the MLAs themselves have essentially controlled this process – I suppose they still control it, looking at the detail of the Act – what we have at the present time is kind of the result of a desperate attempt to keep the boundaries stable over a long period of time, and the population inequities become greater and greater and greater and greater.

I would suggest to you – and I've kept my presentation here very general – that you recognize trends in population and work within 5 percent of the quotient, giving the growth areas a below-quotient population on the data that you're working with at present. This is of course not just a question of growth but of relative growth. In other words, I've heard in other public hearings on electoral boundaries people stand and enthusiastically proclaim how much their area is growing. Indeed it is, but if it's growing at less than the rate of Alberta as a whole, they are losing population from a point of representation. I think that's important to recognize.

Using the 18 census divisions – that is, they are clusters of municipalities, rural and urban – only three exceeded Alberta's growth rate from 1986 to '91. No. 6, which includes Calgary, grew at the rate of 12.5 percent; No. 11, which includes Edmonton, grew at the rate of 8.5 percent; and No. 15, which includes the Canmore-Banff area, grew at 16.4 percent. The ones including Calgary and Edmonton are both by far the largest population areas, so not only are they large in population but growing very rapidly.

Some quick calculations that I ran suggest that I would recommend not less than 24 seats or districts assigned to Calgary and not less than 21 districts assigned to Edmonton. That would give us approximately minus 4 from the provincial quotient that you have at the present time. By the time of the next provincial election I would suggest on average those seats will be at least at the quotient and probably above the then quotient, which of course will have gone up slightly with population growth.

Modern modes of communications – and I appreciate that Dr. Worth addressed this earlier on – have greatly reduced the communication problems. Therefore, the idea that you have to measure not by population but by area I think is largely a fallacy at this time. That doesn't mean to say that I'm anti-rural, by no means, but within my own crescent, I was just thinking this morning, I have neighbours who represent 4 or 5 distinct sectors of economic activity, very different, with often conflicting objectives, and that's just within one little area of the city. So there certainly is no homogeneity there. We can't all have our own representative; I appreciate that.

The other point, the final point I'd like to make is that in the north and in the west – that is, in the mountainous low population areas – the populations do tend to cluster, so one can hit a high percentage of a small population in a relatively small number of clusters. I would suggest that representatives in the agricultural areas have the worst time in terms of mileage because there the population tends to be spread out and they have to cover every square mile.

I'll leave it at that, then, with this urge to you that you recognize the changing population of Alberta quite apart from the actual numbers in 1991. Thank you.

THE CHAIRMAN: Fine.

We'll start the questioning with Robert.

MR. GRBAVAC: Yes. Professor Coulson, two issues, the first issue being the 5 percent deviation from the norm coupled with the projected growth rates and growth patterns of urban areas would lead me to believe that Calgary and Edmonton quickly would become the overwhelming majority in terms of representation in the Legislature. This strikes fear into the heart of rural Alberta. We've been told that repeatedly, and I don't use that word as an exaggeration. They're suggesting to us that people living in the large urban centres, who really don't have a feel for what it's like to live in High Level or Slave Lake, will in fact be determining their economic destiny and, from their perspective, their quality of life. They're fearful of losing that sense of self-determination. I can appreciate from a statistical point of view where you're coming from. Although we may disagree on the law and the history of democracy, I would tend to suggest that equal and fair representation is what our British-style democracy speaks to, as opposed to the equality of the population. I would like to hear your comments with respect to rural Alberta's fear of losing self-determination.

DR. COULSON: Well, let me respond immediately with a rather aggressive statement and say that up to this point in time the rural areas have controlled the Legislature and we have had a complete demonstration and a consistent demonstration that the rural population are not only unaware of the urban areas but they are disinterested and anti-urban in stance. So, by and large, we've had 78, 80 years of ignoring the existence of major metropolitan areas.

I'd suggest that since the major concentration of population is in the large cities they deserve to have the majority of seats. I think you would find that they would be not ignorant, certainly no less ignorant of the rural problems than has been the case in reverse. In fact, in the case of Calgary, of course, you have a fair number of people within the oil industry who travel into the rural areas and deal with the rural population on a regular basis, not to say those who have spent time out on gas plants and things like that as a regular part of their career.

I think that is a false argument in the sense that they are saying, "We have controlled the numbers, and we should always by right control the numbers." I certainly agree that there may be some problem, but it's up to their representatives to try and make the case. I don't think they would face the same degree of lack of interest that the urban areas have faced.

MR. GRBAVAC: Thank you.

10:32

THE CHAIRMAN: Wally.

MR. WORTH: First a comment and then a question, Professor Coulson. I guess I'm a bit of a naive idealist. I would like to think that in this province we could achieve a balance between urban and rural interests that would do away with the suspicion of misunderstanding and help us develop a sense of community that would be pervasive throughout the whole province. That's just a statement.

DR. COULSON: Oh, I would agree with you most entirely, yes.

MR. WORTH: A question I have for you is that in one of our submissions in Edmonton we were presented with the notion that within the cities we might establish a kind of range of tolerance with respect to population size wherein the inner-city constituencies, that are probably subject to less growth, be allowed to expand well above the quotient, those that were on the outlying districts and where growth was likely to occur being well below the quotient. How do you react to that idea? You're talking here basically of working towards an average of minus 4, I think.

DR. COULSON: Minus 4, minus 5, yes. One could make an argument for that kind of thing. However, I think it's a question of the acceptable and also the uncertainty of population change. We've had a 40- or 50-year growth pattern that says, yes, the cities are growing more quickly than the province as a whole. But to start saying, yes, they are going to grow by 10 percent says, ah, you are really developing your boundaries on the basis of a guess. It may be a very sophisticated guess, but it's still a guess. So by staying, you know, fairly close, I think one could justify the fact that, yes, there's likely to be growth and, yes, it's likely to take care of that kind of a percentage.

MR. WORTH: Thank you.

MR. LEHANE: Professor Coulson, have you had an opportunity to read Madam Justice McLachlin's decision in the Carter case from Saskatchewan?

DR. COULSON: No, I'm afraid I haven't.

MR. LEHANE: I'd recommend it to you. It's a very interesting case. It's the leading case in Canada in terms of what the right to vote means under the Charter. If you'd give your name and address to the support staff here, I'm sure they'd be pleased to send you a copy.

DR. COULSON: Thank you.

MR. LEHANE: It's clear in that decision that what the right to vote in Canada means is more than strictly one person, one vote. That's well evidenced in terms of our federal system, that has a bicameral House, that specifically acknowledges the different regions and the large areas, the vast areas, and the sparsity of population in areas. It's recognized in terms of the fact that Prince Edward Island probably has negative 200 or 300 percent in terms of their representation in the House of Commons. I think she explains well in that judgment what the right to vote in terms of democracy in Canada is understood to be, and I'd recommend it to you because I think you'll find it interesting.

DR. COULSON: Well, as I say, I haven't read that. I've read a number of other discussions of this. I think Canada as a whole has real problems in terms of representation. And I didn't say one man, one vote, by the way, because I take that as granted but rather that the representation be relatively equal. I mean, we have a patchwork of "What kind of a backroom deal can I do?" that relates to getting Prince Edward Island in and things like that. I think altogether too much has been made politically of regionalism versus representation, and that keeps coming back to haunt us. Many people are laughing at that now. Anyway I'll be happy to read that statement, yeah.

MR. McCARTHY: Just one question. You refer to rural and urban voters. I have a question on how you define those. For example, in our electoral districts we have two electoral districts in Red Deer, two in Lethbridge, one in Fort McMurray, one in Medicine Hat, one in Sherwood Park, and one in St. Albert. How do you treat those . . .

DR. COULSON: That are split between the two, that are part urban and part rural. Is that what you're saying?

MR. McCARTHY: No. I use those specifically because they appear to me to be what I would define as totally urban, but I wondered how you would regard those.

DR. COULSON: In most of what I was saying I was focusing on the metropolitan areas. But, yes, there is – I'm not disputing their urbanness in any way, shape, or form.

MR. McCARTHY: Okay. Then to carry your thoughts forward. If you don't dispute that they're urban, then the way I add up the seats, urban Alberta does have a majority of the seats in the Legislature.

DR. COULSON: You mean right at the moment?

MR. McCARTHY: Yes.

DR. COULSON: I see. Okay.

THE CHAIRMAN: Fine.

Well, I want to thank you for coming. I think you've stressed and pointed out to us the fact that we should try and divide Alberta up equally on the basis of voters. We are also hearing the other side of the coin . . .

DR. COULSON: I'm sure you are.

THE CHAIRMAN: . . . that the decisions say that it's not only voters; it's effective representation. Where this commission will draw the line between voters versus effective representation I don't know at this point.

DR. COULSON: If I could just pick that point up.

THE CHAIRMAN: Go ahead.

DR. COULSON: One of the reasons I think we've got 83 instead of the 60 or so we had in the '60s is in order to recognize the growth in the urban areas. Instead of removing rural, they've added urban. So we could keep doing that, I suppose, but I don't think it's a very progressive way.

THE CHAIRMAN: That has been suggested to us, but that runs contrary to the presentations we're getting to reduce the number.

DR. COULSON: That's right, yes.

THE CHAIRMAN: Thank you for coming.

DR. COULSON: You're welcome.

THE CHAIRMAN: The next presenter is Patrick Kelly.

MR. KELLY: Good morning. I'd like to begin by first stating, as the previous speaker did, that while I am actively involved and a contributor to a political party I do not represent one today in the remarks that I make here. My presentation is solely my own.

I also would like to apologize that my presentation may in some respects appear to be a little bit redundant, having heard the remarks of this morning's first speaker. The reason I am here is not to engage in a discussion of where boundaries should be drawn or that type of thing but rather to introduce two overriding principles that I would ask the commission to keep in mind in making their presentation to the Legislature. Number one, that the principle of representation by population be maintained and that the imbalance between constituencies that are primarily rural – that parity between those constituencies and the population of the urban constituencies be redressed.

10:42

The second principle which I would urge the commission to adopt is a philosophy of smaller, leaner, more efficient government; i.e., fewer seats. As the first speaker suggested, the number of seats that we have right now, 83, is in my opinion more than necessary and unduly burdens the province with overgovernment.

I think that if you look at the example of the city of Calgary, we have 14 aldermanic constituencies for a population of 750-odd thousand people, giving an electoral quotient of 50,000 compared to the electoral quotient for the provincial Legislature. It appears to me that if local government, which deals with issues such as traffic, land use, noise, pet control, and these types of things, very local issues that touch on people's everyday life, if the city of Calgary can function adequately with one representative per 50,000 population, surely the city of Calgary doesn't need to send 20 or more, potentially later on, members to the Legislature.

So with these two principles in mind, maintaining the principle of representative democracy and one person, one vote and the idea that we reduce the number of MLAs – and I understand the problem you have with the mandate put before you. But if we can just stick with those two principles in mind, that would be all that I have to say to you at this time.

THE CHAIRMAN: Thank you, Mr. Kelly.

We'll start the questioning with John McCarthy.

MR. McCARTHY: The only problem, which has been highlighted earlier, is that we've got a statute we have to follow that requires 83 seats. So if you wanted that changed, you should be talking to the members of the Legislature that have the authority to amend the legislation.

MR. KELLY: I've talked to a couple of them on that issue, and they are understandably not openly enthusiastic about the prospect. I think that can be understood. For many of them, for their own, I guess, personal profession – I mean their job – they have a vested interest in perhaps not just cutting a third or a quarter of the positions available there.

MR. McCARTHY: They don't want to lay themselves off.

MR. KELLY: Exactly.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions.

THE CHAIRMAN: Wally?

MR. WORTH: No questions.

MR. GRBAVAC: Well, Patrick, I don't want to leave you with the impression that your representation is totally lost with this commission. We do have the latitude to represent your point of view as an adjunct or as a comment with our report. I want to tell you that your voice is being added to what is becoming a chorus in urban Alberta.

Thank you for your presentation.

THE CHAIRMAN: I just would like to make one comment in respect to your submission; that is, that you would reduce Calgary to 18 and Edmonton to 16, which is 34 seats. I think that would be very salable to Edmonton and Calgary and would be no problem. I'm speaking of the voters now. But if you were working with us on the commission, you would find that that is not salable to the rural people. The rural people are saying and making it loud and clear that their representatives are overworked, they work too hard, they have to travel too much, their constituencies are too big, and they're not prepared to accept that the rural MLAs should be doing more work.

The other half of the coin of your proposal would be cutting five rural constituencies out of Alberta, or six or some such figure.

MR. KELLY: If I can add one more point to that, I guess. I don't dispute that our MLAs work hard and have plenty of things to do. I think, though, with the changing role of government and I guess the scaling back to the core functions of government, perhaps there should not be as much for our MLAs and our cabinet to be doing.

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

MR. KELLY: Thank you.

THE CHAIRMAN: The next presenter is Mike Dickerson. Go ahead.

MR. DICKERSON: Good morning. The commission should have received a written submission last week, and I don't propose to go through that submission word for word.

THE CHAIRMAN: We have received it.

MR. DICKERSON: Good.

What I would propose to do is briefly summarize the presentation. The presentation does focus on the constituency of Calgary-Bow, which is my primary concern, but perhaps at the end I will digress a little bit to cover some larger issues which seem to have come up repeatedly in some other submissions which I've heard this morning.

I'll summarize the presentation. The population of Calgary-Bow is well within the 25 percent margin which is set out in the Act. In terms of sparsity and density of population this is an urban

constituency with a sufficient density of population that the constituency is manageable in size. In terms of community interests and boundaries the area is relatively homogeneous. The community boundaries are not always clear, and people frequently are involved in neighbouring communities outside their community boundaries.

The geographical features of Calgary-Bow are probably the biggest item of note. The Bow River Valley gives the constituency its name and also gives it its geographic identity. Our constituency consists of communities within the river valley and on the slopes of the river valley, and our boundaries coincide with the river itself and broadly with the crests of those slopes. Our boundaries are, I think, clearer than most. They are anchored on the river itself and on major arteries.

In conclusion, I feel that the boundaries of Calgary-Bow are as logical as they can reasonably be. In addition, I feel that the city of Calgary is well represented with 20 MLAs, and I don't see a need for more. While we are an urban constituency, I think there needs to be recognition that the needs of rural constituencies are not exactly the same, that for rural residents there are additional challenges in accessing their MLA, and special consideration needs to be given to rural constituencies.

In this written presentation I quite deliberately kept within the terms of reference of the commission. I also avoided making a lot of I guess theoretical arguments about the world in general, but maybe I will digress slightly to mention a couple of things.

In my contacts with neighbours, friends, business associates I haven't heard the issue of constituency boundaries as being a major concern of most Albertans. So I don't believe there is a great problem out there that's evident to me.

I have never lived in a rural area. I did, however, for four years live in the city of Medicine Hat, and during that four years I became very conscious of just how long that highway between Medicine Hat and Calgary is, particularly when the weather's bad. I'm not sure that all residents of the major cities are aware of the additional challenges that rural residents face. I think the challenges that I faced living in Medicine Hat are a small challenge compared to someone living in a more remote area with a worse highway and with greater distances to travel in a climate in Alberta which is frequently not helpful.

Finally, maybe I'll touch on the issue of the number of constituencies. I have heard some people make some comments, which I think are outside the terms of reference, that they would like to see a different number of constituencies. I recognize that concern about the size of government, but I think that the number of MLAs is not really reflective of the size of government. The people who believe that they can save a great deal of money by reducing the number of the MLAs I think would be very disappointed by the actual results if the number of MLAs were reduced, because most of the money is not spent in the Legislature; it's spent in the various government departments and bureaucracies.

I think also that people may not be taking into consideration the human factor. It's all very well to say that you can communicate by fax, you can communicate by computer, you can do all these things with technology. I work in a business which is highly technology intensive, and I still find that the human factor is critical. In the final analysis, you need to be able to meet with people face-to-face and speak with them face-to-face, and the technology really does not take the place of that. The 83 MLAs that we have in Alberta are our best interface into government. If we really want accountable

government, we need to have those people that we can meet face-to-face who can present our concerns within government and dig out the information and the results that we need.

That's all I had.

10:52

THE CHAIRMAN: Thank you, Mike. We'll start the questioning with Robert.

MR. GRBAVAC: No questions, Your Honour.

THE CHAIRMAN: Wally?

MR. WORTH: Just a brief question. You heard a previous presenter advocate our using relative population growth as a criterion. Is Calgary-Bow an area which in relation to the rest of Calgary is a high-growth area, or is it about average?

MR. DICKERSON: I would guess – and I don't have any statistics here to back me up – that we are probably lower than average, probably a little lower than average. Broadly, the constituency is mostly within the inner city, and it is typically the areas on the fringes that are really expanding. We do have one community that is at our far boundary of the city, Valley Ridge, which is a new subdivision opening up, and there is some significant expansion there. Also, in the older areas what is happening is that you're seeing infills being put in, and the population density is gradually increasing in those older areas. But I would say that compared to the constituencies kind of on the fringe of the city, we're growing less quickly.

MR. WORTH: Thank you.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions.

MR. McCARTHY: Have you had a chance, Mike, to review the Court of Appeal decision rendered October 24, 1994, on the issue of these boundaries?

MR. DICKERSON: Not in detail, no. Perhaps you could . . .

MR. McCARTHY: Okay. I'll make sure you get a copy of it. I think I agree with you that it doesn't appear to be an issue among the general population, but the court regards it as a bit of an issue, so I'd suggest you review that in detail.

MR. DICKERSON: Sure.

THE CHAIRMAN: Well, I want to thank you for coming. In somewhat summing up one point of your submission, you tolerate the 25 percent, plus or minus, while the previous speaker said it should be down to 4 percent.

MR. DICKERSON: I think in a theoretical world we could come up with zero percent, but in the real world we have to deal with real situations. That means there always has to be some latitude for differences, and to me the 25 percent number is not an unreasonable number.

THE CHAIRMAN: Thank you.

MR. DICKERSON: Thank you.

THE CHAIRMAN: The next presenter is Mayor Al Duerr of the city of Calgary.

MR. DUERR: Thank you very much, Mr. Chairman. I have with me Elizabeth McEwen, who is senior intergovernmental consultant for the city of Calgary. Just to show how Calgary and Edmonton get together, Mrs. McEwen came from Edmonton and performed the same job for the city of Edmonton for a number of years.

Thank you for this opportunity to make a presentation. I think you've all received copies of our presentation, and we have some more copies to leave with you. I don't know if there was a graph in your presentation. It may have been missed, and in case, it would have been after page 4. We will leave copies of the presentation with you.

I'm here on behalf of Calgary city council. I personally represent a very large constituency, but I'm here on behalf of city council, and city council has approved this representation. I've personally appeared before three previous commissions dealing with electoral boundaries. In each of the three previous commissions we stressed two major points: the importance of voter equity, and the need to respect community boundaries both within and between communities. The second issue was talked about at a time when we were looking at hybrid ridings, part urban and part rural, and there was a lot of discussion in the province. Very clearly, the commission's bulletin referenced common community interests and existing community boundaries. It suggested that that was not likely going to be a recommendation of the committee – i.e., hybrid boundaries – and I really won't deal with that in my brief presentation here today.

We're going to focus primarily on the issue of voter equity, and that's primarily been the discussion by the previous speakers, from different perspectives. The importance of equity is self-evident. We believe it's important – and it can never be exact; this isn't, you know, an exact science – that as closely as possible the populations of our electoral districts be close to the provincial average in order that each citizen of the province has an approximately equal voice in the Legislature.

We've had some discussions, just as previous speakers, about service roles of politicians. I would sort of see us serving two roles. One is to serve your electorate and solve problems and be there and listen, and the other is to vote and to make policy decisions in the Legislature. More people, more politicians make the service role easier. No question. But it does distort the important policy role, which is what representation is all about ultimately, because the Legislature does make important policy decisions for the people of this province, for all the citizens of this province, and many of those decisions, whether they be health care or ramifications in the Municipal Government Act, affect all citizens equally, urban or rural. I don't see this and it should not be an urban/rural issue.

In the 1991 census approximately 28 percent of Alberta's population lived in the city of Calgary, and you heard a previous presentation where the numbers were slightly different. It would suggest, then, that you would have roughly 23 of Alberta's 83 districts within Calgary rather than 20, as is presently the case. I'm not here to dispute numbers. I think we're talking more about

principles. The important issue is where we're moving in terms of population. I realize that for consistency you have to use the 1991 census. If you looked at what happened from '81 to '91 – and the trends are increasing – the growth rates in the larger urban centres were twice the growth rates of the population of the province of Alberta excluding those urban centres. So there are trends there, and I guess my suggestion is: keep that mind. You have to use the current numbers, but if you're setting, establishing rates, recognize that the next commission probably isn't going to sit down for eight to 10 years. If you're already dealing with information that is four or five years old and we know these trends have continued, that should be taken into consideration.

We acknowledge that there should be some variation in the size of individual districts. The four special districts that have been already acknowledged are important, and we would recognize that without question. We are concerned more that there seems to be an overall pattern in the population of districts, especially in some of the large urban districts. If you look at the graph – you don't have it in front of you, but I'll just show you very briefly.

THE CHAIRMAN: We've got it now.

MR. DUERR: Okay. You will see that we have Calgary and Edmonton on one side. Certainly in the case of Calgary every district is substantially above – on average we're 15 percent above the provincial average. Six of them actually are more than 20 percent above the provincial average. There is a pattern there that I think should be very seriously looked at. The workload of MLAs: a real issue. I'm sympathetic to that issue, and I'm sympathetic to the need for people to be closer to their politicians. As a local politician I'm particularly sensitive to that.

I know those decisions are not easy. As I said at the very beginning, the policy decisions, which is why we elect people – we can solve some of the workload problems through better service and resources allocated to service, but really we elect people to represent us and vote on our behalf on major policy issues affecting the people of this province. That's where the issues of equity I think have to be addressed.

We referenced and I've been listening to some of the other discussions about some of the previous decisions, but the Alberta Court of Appeal recognized that imbalance in representation impacts significantly on the right to vote of urban Albertans. This cannot be permitted to continue if Alberta wishes to call itself a democracy.

That was fairly strong language, but I think it underscores some of the underlying sentiment that when you're dealing with votes and representation on policy issues, not the service function, there are some real concerns.

You have a very difficult task. I'm glad you're doing it. I'm glad I don't have to do it. I can make a presentation and explain to you my concerns. I know you're hearing from a lot of Albertans. I wish you all the best in your task and endeavour, and I certainly hope I don't have to do this again with you for another eight, 10 years.

THE CHAIRMAN: Well, it would probably be a different commission.

MR. DUERR: I'm sure that when this is over, you'll hope, Mr. Chairman.

Thank you.

THE CHAIRMAN: We'll start the questioning with John McCarthy from Calgary.

11:02

MR. McCARTHY: Mayor Duerr, I have a couple of questions. As you're aware, our legislation here allows for up to a 25 percent variation either way, with the exception of the special areas. I'm just curious: what criteria do you have in the city with respect to your boundaries for wards?

MR. DUERR: We have the same.

MR. McCARTHY: The same?

MR. DUERR: Yeah. We have to adjust. Prior to the last election we had to adjust our ward boundaries, facing a similar kind of problem. We see quite significant differential growth rates within the city of Calgary. Obviously some of the new areas are growing at a rapid pace, and the existing communities are in some cases losing population, and we've had to make adjustments. We do recognize that there are some differentials right within the city of Calgary.

MR. McCARTHY: What's the maximum differential in the city right now? Do you know?

MRS. McEWEN: I don't have that data with me.

MR. McCARTHY: Well, it's all right.

MR. DUERR: We can certainly get that to you. It would be in that order. We made some changes, and we're going to continue to make those changes on an ongoing basis. We recognize that.

From the city's perspective again we deal with the issue of the service role and the policy role. Most of the policy decisions affect Calgarians equally as a whole, and we're talking about certainly budgets as a whole. You get into some that are more ward specific when you're looking at a particular improvement in an area. I think you would probably argue that because it's a relatively small geographic area, it isn't quite the same problem that you have, but it's still there. It's still a problem in Calgary but not quite the same.

MR. McCARTHY: Yeah. I guess that's further to my next comment: not having the exact numbers but I would think that with geography not being a factor, the variation should be minimal; shouldn't it? Or is that not the case?

MR. DUERR: Well, we face very significant – even more so if you look at what's happening in the province, where the rates of growth are much smaller in rural areas, and again I'm talking more about true rural areas and not small urban versus large urban. Rates of growth are fastest as you go up in size in urban areas, and any population analysis will show that. In Calgary, within the city boundaries, we are now seeing some redevelopment in some of our inner-city areas, but there's been a significant decline or stable population. Dramatic growth, all of our growth is occurring on the periphery, and that primarily in a number of sections of that periphery. So we do have to adjust periodically.

MR. McCARTHY: Okay.

I've got two questions further to your comments, two more. Unfortunately we're dealing in real numbers here. We've got a quotient of about 30,700. It may not be a fair question, but I'm going to ask it anyway. What's your recollection of what the real growth numbers were in Calgary annually for the last five years? Was it 30,000? Was it 15,000?

MR. DUERR: Oh, the real growth numbers in Calgary as to population?

MR. McCARTHY: Yeah.

MR. DUERR: The last year it was, if I recall, about 12,000. Most of our increase is natural increase. Natural increase accounts for about 7,000, and then we have a net in-migration. If I recall, at the last census it was around 10,000 or 12,000.

MR. McCARTHY: So would it be fair to say roughly about 20,000 a year growth?

MR. DUERR: I would say that you'd be closer at about 15,000 a year. There are some circumstances that are changing, like the decision that we've just recently taken with CP Rail and all of the things that will be attached to a decision like that. Over one year it can significantly skew. Our city lost significant population in '82 and 1983 because of the reductions in the petroleum industry. I'll get you that information. I'd like you to have the correct information, but if I recall – and I'm just trying to think of our last census numbers – it was in the order of between 10,000 and 11,000, and about 6,000 to 7,000 of that was natural increase. The rest was net in-migration.

MR. McCARTHY: Okay. One final question. I don't know whether you'd have this information for us, but it might be helpful. Occasionally of course Calgary, if I can describe it, gobbles up land from the periphery to become part of the city. In and around the periphery there are – I guess I could call it, if I'm using court terminology here that the Court of Appeal used – nonagrarian populations: people that live on acreages, people that come into the city to work.

MR. DUERR: Absolutely.

MR. McCARTHY: Do you have any statistics or information on that around the periphery of Calgary that could be of assistance to us?

MR. DUERR: Oh, we could probably give you a good indication of that. We could probably give you both. We could tell you roughly what's there, and we could probably tell you what is being proposed. It's a constant issue around every urban centre in North America, and it certainly is an issue here in Calgary, because we do operate with a unicity government, unlike what is commonly referred to, as Edmonton, as a multiplicity of jurisdictions. Calgary is essentially, you know, 750,000 people under one political jurisdiction. We have found some substantial efficiencies in operating on that basis, and we don't want that to change. So we do periodically sort of monitor what's happening right on our boundaries: essentially urban people

living in more rural surroundings but working in and basically undertaking virtually all of their activities within the city of Calgary.

MR. McCARTHY: Yeah. We're wrestling with a definition of "rural voter." Somebody that lives on an acreage in Springbank but comes into Calgary to work: do you define that person as a rural voter? I wouldn't, but a lot of people do just because it's in a constituency outside the city of Calgary. So that kind of information would be helpful.

MR. DUERR: Well, as a former city planner and someone who was born and raised on a farm there's a big difference between growing up in a rural area and living in a rural community and development. I would suggest there is a big difference between someone living in Cochrane, Airdrie, or Strathmore and someone living on an acreage just outside the city of Calgary in a largely residential urban development that is entirely dependent on the host city. The only difference there is they pay their taxes to another jurisdiction. Their expectations are very, very different from the expectations in terms of services and lifestyle that people would choose in a small urban centre or true rural environment.

MR. McCARTHY: Thank you.

MR. LEHANE: Mayor Duerr, thank you for your presentation. I want to thank you particularly in terms of presenting your case for the city today and not making it an urban versus rural type of situation, because I think we're all Albertans and we all want what's best for all Albertans.

In terms of being able to continue to call ourselves a democracy, which is the quotation from the case that you gave us, what that means is that each Albertan has effective representation, whether that's somebody that lives in Ranchlands or Inglewood or whether that's the 300 natives living in a community up north that's only accessible part of the year, Gardiner Lakes for instance. All of these people have the same right to be effectively represented in the Legislature. So that creates a great struggle in terms of trying to balance your graph, which clearly shows that the populations in the rural constituencies are less, with a graph, for instance, that would show the geographical area of every constituency.

You'd hardly find Calgary in terms of Athabasca-Wabasca or Slave Lake or something like that. Even if we get out of the special consideration districts, we have areas that are so far from the Legislature and are so large in terms of geography that there are MLAs out there who are traveling 50,000 or 60,000 kilometres a year, and that's just to go and do whatever work they have to do. They're not basically working while they're doing that unless, you know, they're on a cellular phone for instance, but typically that's just travel back and forth to the Legislature and within their constituencies. So if you sit and figure out how much of their time they have to put in just to get there and do the job, you get some sort of idea. We've had this opportunity to go around the province and listen to these things.

So I appreciate, as I say, your not making this an urban/rural split, understanding that we do have to look at those things.

MR. DUERR: If this allows a comment, I think that the points you make are valid. The only point I would make is that the service component of representation has to respect geography. There's no

question, absolutely no question. Those issues that you've talked about are very real. The policy component: people vote and geography doesn't vote. You know, we don't vote on the basis of land area. We vote on the basis of people, and that's where I think we get into a difficulty. When these major policy decisions are being taken, we're basically saying that you shouldn't be penalized because you live in a larger urban area, in a smaller geographical area.

The issue you're talking about I think is even enhanced. I was listening to some of the other comments earlier, and I understand those comments. But I think politicians, who you're ultimately making these recommendations to, are faced with an environment right now – and I am also – where we're getting increasing pressure to be in front of our constituents on an ongoing basis. People are saying and politicians are saying that we should be going to the people on more and more and more issues. That takes time. It takes resources. Ultimately I think we're creating an expectation that will not be fulfilled unless there are an awful lot more politicians out there. Urban politicians will be able to do that far more effectively in being able to get to their constituents faster and easier.

11:12

So it's a much bigger issue, not part of your mandate at all, but it bespeaks the separation of the policy component from the service component of what is required. It bespeaks the dilemma that is facing certainly your commission and provincial MLAs and to a lesser extent even a situation within an urban area on how you distribute your boundaries.

MR. WORTH: Well, I just want to comment that I believe your submission touches on a critical issue, and that is the relationship between the legislative function and the service function of MLAs. It seems to me that one of the places we have to look to for change is in that service function, to ask ourselves: are MLAs the best people to perform this function? Are there other ways of providing the information, the service, and performing the ombudsman role? I think that's the longer term solution we have to look for.

MR. DUERR: We're asking that question, Mr. Worth, right now in Calgary city council. You know, a lot of people would love to call just the aldermen or just the mayor and have them solve their problems, and we're always hoping we will solve those problems, but is it always the best way? No, it's not. Usually when we get the call, we reference the call back to the administration who has the information and has to answer it, and then it comes back to us and we put it back out. It all looks good politically, but it isn't the most efficient form of government by a long shot. Again, that's not your mandate to look at that, but it is the essential dilemma, I think, that we've put ourselves in.

THE CHAIRMAN: Robert.

MR. GRBAVAC: Yes. Mayor Duerr, I appreciate your comments. I've spent approximately 15 years in municipal government in rural Alberta. When we did have the control of the school system under the county structure, we were largely involved with closing schools, in fact, shutting down parts of our municipality in terms of population, and the school boards that are now in place are continuing to do that. The agrarian-based technology simply does not demand the population levels that existed even five years ago.

I feel that in this position I'm being asked to put a square peg in a round hole. We're not going to fix this problem. The population growth in the two major urban centres in this province, even with a 25 percent variance from the electoral quotient, is going to simply result in what we now see at the federal level where we turn on our television sets and for all intents and purposes the federal government has been elected by the time we get to the Ontario border. I'm suggesting that we're using a system that was created for a much more homogenous environment.

So that poses the question then: what is the solution? I suppose that the creation of a bicameral House is one solution, but I want to put to you maybe another one, and that might be: would you think it would be quite as relevant as to whether the MLAs were rural or urban if the local municipality had a greater say in terms of making those policy decisions? I'm suggesting to you: do those policy decisions have to be made in the Legislature?

MR. DUERR: Well, I guess you'd have to look at the individual decision. We saw recently a situation where school taxation was assumed by the provincial Legislature. That was always a local responsibility, and people made those decisions within their municipal boundaries. Now, I don't want to get into a debate as to the merits of that, but there was a major policy decision to remove an element of local autonomy, pull it into the provincial Legislature, and make major policy decisions on something that is fundamental to Albertans. That would suggest the importance of representation.

If you look at health care, we've got a little problem here right now in Calgary and potentially a problem in the province in terms of walkouts and what's happening and some of the concern. What's interesting is that the issue is not the individual decision that was taken. That was really just a toe over the line in the sand. The issue is very big, and it's much bigger in urban centres than it is in rural centres, because if you look at the distribution of cuts and service adjustments, they're all largely occurring in the larger urban centres, not just Calgary and Edmonton but the larger urban centres, and there probably would be more under any circumstances. But there are some major concerns. You know, it's easy to make a policy decision when you're not going to be impacted directly. There's not going to be a big impact on you today, not you personally but as an individual.

I don't have an easy answer. In terms of the service component I think rural MLAs and MLAs that have these very large areas to service should have more legislative support. I really do. I think the need for them to have more staff and support to help them do that job – if that's the job people want them to do, then they should have more support. I still think that when you look at the legislative function, unless you start getting into very complex issues and adopting different forms of representation, you ultimately are going to have to look at more equity in terms of who has an opportunity to vote and therefore equity in representation.

I don't know if I answered your question.

MR. GRBAVAC: Well, I'm just suggesting to you that I think you're presented with a very real challenge. Although you come to us not from an isolated camp, rural or urban, I'm suggesting to you that in reality that's what's happening in Alberta. I think it's very unfortunate, and I think municipal government has a large role to play in hopefully dissolving that. From my experience on this commission I'm seeing that growth, and I think it's growing quickly.

Decisions like removing your ability to set the mill rate for education and taking that to Edmonton further exaggerates the problem that we have when we have a disparity between rural and urban representation. I suggest to you that the problem is getting worse, not getting better, and I think the solution lies not only with the Legislature but with municipal government.

MR. DUERR: It does, but unfortunately municipal government has tended to be the last one to be consulted. We make some good efforts here in Calgary, and our Calgary caucus is always willing to listen to us, but by and large it's usually after the fact. So when decisions are made like taking over the school rate base, interestingly enough if you look at that decision, Calgary and Edmonton largely came out unscathed. Our educational system got back roughly what we were putting in. There were some concerns about that. So what you had was an issue of distribution of resources in more rural Alberta. That was the issue; that was the problem. But to solve that problem the entire ability and that autonomy, which I think we like to pride ourselves on in Alberta, was removed, and frankly we weren't asked.

11:22

I'm as concerned as you are about the urban/rural split. I have to deal with it all the time, you know, and I can say from Calgary's perspective that we've made some genuine efforts. We have an initiative called Prosperity South. As chairman of our Economic Development Authority we started that four years ago now, and it's really quite successful. It basically has a foundation that's very simple: prosperity for all of Alberta. If Calgary's successful, it's going to be good for rural Alberta; if rural Alberta's successful, it's going to be good for Calgary. We meet and we share resources. Now it's been taken over by more rural areas, but it's been largely led by Calgary. It's an important initiative. It's totally volunteer, and it's the kind of thing we have to have more of.

I agree with you. I think municipal government has an important role to play. We just aren't asked to the table as often as we would like. If you look at economic development or some of these other things, if the resources were made available, some of the provincial resources, I think you could empower local governments. By divesting some power and giving the resources it requires to move itself forward, I think you would create a much stronger Alberta.

I hate the concept of an urban/rural split. I love rural Alberta. As I say, I was born and raised on a farm. There was an issue about Calgary's growth, and on some of those issues were people on the edge, and where we've had our biggest urban/rural splits, the city has somewhat been painted as the bad guy. They say, "Well, you want to annex, and you want all this development within the city boundaries," and I keep saying: "Sorry; I love rural Alberta, and I don't want to see little bits of urban Alberta spread all over the place. If you want to go out and locate in small urban Alberta, that's great, but let's not do around Calgary what has happened and really destroy that urban/rural interface," which I think is wonderful and is one of the real assets of this city. "Let's not destroy that." So I tend to be a tremendous advocate of rural Alberta and the beauty and pristineness of rural Alberta as something that should be protected. You know, it's strange. I keep saying: why is the mayor of Calgary having to say that we should protect what is important in and around Calgary in terms of rural Alberta? Those are the kinds of discussions we have. It's not easy.

I know we're getting way off topic, Mr. Chairman, but I guess it bespeaks part of the dilemma that you face in terms of service and how to address some of these issues. I think we need an awful lot more dialogue, but from the bottom up. I don't think you can impose any solution that's going to solve an urban/rural issue. I think that has to come from the bottom up.

MR. GRBAVAC: I don't think you're off topic, Mayor Duerr, because what you're speaking of compels you to be here in front of us today asking us for your fair representation at the policy table. So from that perspective I don't see it as being irrelevant to the discussion.

MR. DUERR: I appreciate that.

MR. GRBAVAC: I think it's at the heart of what's wrong with what we're trying to fix. So thank you very much for your presentation.

THE CHAIRMAN: Well, I want to thank you for coming. Facetiously I want to thank you for getting help from Edmonton in your office. The other remark I would like to acknowledge is the fact that you do acknowledge that we do have a very difficult job.

MR. DUERR: You're going to regret the day you took this on.

MR. McCARTHY: We already do.

THE CHAIRMAN: Thank you for coming.

MR. DUERR: Thank you.

THE CHAIRMAN: The next presenter is Brian Norford of the Calgary-Currie PC Constituency Association.

MR. NORFORD: Thank you, sir. I'll begin by stating that our report was delivered by fax yesterday and copies have been provided today which are a little more readable than the material that went out by fax yesterday. These comments come from the board of the Calgary-Currie Progressive Conservative Constituency Association, and these comments are endorsed by the board. The first few comments will be general, philosophical comments, and I'm sure you've heard them all before, similar comments on similar topics. I hate to repeat these; nevertheless, this is the opinion of our board.

First of all, Calgary-Currie would view with great concern any proposal to increase the number of constituencies in Alberta. Alberta presently has 83. There are only 75 in British Columbia. When you look at the physical size of British Columbia and the population of British Columbia, you realize that the difficulties of representing rural constituencies in British Columbia are as great as or greater than representing rural constituencies in Alberta. They have the problems of mountain chains all over the place. They have offshore islands. They have ferries, which are sometimes on time but often very crowded. We would also note that Mr. Gordon Campbell, the leader of one of the political parties in British Columbia, is making it part of his party platform that British Columbia should reduce the number of their MLAs, and I think his target figure is 60.

Now, we know that MLAs are very hardworking people and that they're doing good jobs, but we have a time now of stringent

economy. We have the necessity to provide leadership to the people of Alberta. We also have a time when there's a concerted reduction of direct government, of passing some of the responsibilities off onto other levels, onto other agencies. So the board of Calgary-Currie considers that a reduction in the number of constituencies could well be appropriate. In advance of a comment from a member of the commission, yes, we have conveyed this opinion to our MLA, and our MLA has the difficult responsibility of passing it on to her caucus.

The next comment has to do with censuses and populations and points out that there have been four years since the last federal census. The next federal census presumably is scheduled for 2001, which is far too long from the point of view of commissions such as you having to handle population data and realize that decisions you're making now midway between censuses will be in effect for the next five, 10 years. An earlier presentation in this room from a professional geographer dealt with population growth and trends where you try and second-guess what's going to happen five years ahead of time instead of relying on what was recorded five years prior to the present time.

Now, the city of Calgary, which was ably represented by Mayor Duerr in the last presentation, has abilities to produce yearly estimates. Whether they're of as high a quality as the federal census, I doubt; nevertheless, they produce yearly estimates. So there are data around that allow commissions such as yours to have some idea of population trends.

One of the problems that we've focused on within our discussion has been the real problems that so-called rural MLAs have in representing their people. We've realized that during the last 20 years there have been drastic increases and improvements in communication technology. We also realize that the Alberta highway systems are much better than they used to be. Certainly the needs for consideration of the physical size of the constituency are not as high now as they were 20 years ago. There are exceptions. When I think of Ms Calahasen in Lesser Slave Lake with her vast area and scattered population and very, very poor roads in many areas, there are special circumstances, and past commissions have recognized this.

11:32

However, we have to consider the challenges that rural MLAs have. They have these challenges, and they have difficulties. They have difficulties of time spent in road travel, difficulties of communication. Now, there are other ways of sorting out those problems. Perhaps we need to have bigger budgets, preferential budgets for rural MLAs to allow them to do their job better. Almost all MLAs now consider their jobs not only as full-time jobs but as more than full-time jobs. In our constituency we're giving our MLA criticism for the amount of time she spends driving herself up and down the highway between Calgary and Edmonton. Is there another way in which she can be driven, preferably by a volunteer, and spend that time doing other things? Cellular telephones are very effective. So I think that is something that the Legislature has to consider.

We know that rural MLAs have problems that urban MLAs do not have that have to do with the physical side of the constituency, but there are other ways of sorting that out rather than having a continuant disparity between the populations of urban areas and rural areas.

My last comments are to do with Calgary-Currie itself, and I hope this will be of use to you when you're considering electoral boundaries. Calgary-Currie has the third largest population in Alberta according to the 1993 figures. It is a city community. It has a very well-established character of single-family homes, duplexes, town houses, small apartment buildings, and seniors' residences. The city provides us with descriptions of our various communities. We have 11 communities. The 25 to 34 and 35 to 44 deciles of age represent two of the three greatest population deciles in 10 of the 11 communities. The over 65 decile – the city spreads it out once it gets to that age – is within the top three deciles in nine of the 11 communities.

So you can see we have a stable population. There are pockets of intense growth, infills and apartment buildings going up, but basically we're a stable community. We have a flourishing small business community corridor, 34th Avenue and 33rd Avenue, amongst which the Marda Loop community has been very successful in recent years in regenerating community spirit. We have very effective community associations and senior citizens' associations.

Also within the constituency we have Mount Royal College, the Alberta Children's hospital, and Currie barracks, Canadian forces base Calgary. A succession of MLAs from Calgary-Currie have developed very effective and very responsible relationships with these three centres of activity within the constituency.

I'd like to conclude by saying that one of the most successful generals in the First World War was Sir Arthur Currie at Vimy Ridge, and our constituency, like Currie barracks, is named in honour of Sir Arthur Currie.

Thank you.

THE CHAIRMAN: Thank you, Mr. Norford.

We'll start the questioning with John McCarthy.

MR. McCARTHY: Dr. Norford, could you indicate, if possible, whether or not you and your group discussed specifics as to how many seats should be allocated to the city of Calgary? I noticed you phrased your written submission in rather general terms. Do you have the courage to be specific, or did you discuss that?

MR. NORFORD: One would hesitate to take on the job of such a commission as you sit on, John.

MR. McCARTHY: Well, regretfully that's true, yes.

MR. NORFORD: We certainly would like to have the commission follow the principle of one person, one vote, but we do realize that there is a judicial judgment which allows a great deal of latitude in these matters.

MR. McCARTHY: Thank you.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions.

THE CHAIRMAN: Wally?

MR. WORTH: No questions, just an observation. Thank you for the insights about Calgary-Currie. It's helpful to an Edmontonian.

MR. NORFORD: Thank you.

MR. GRBAVAC: Dr. Norford, we've heard numerous submissions from MLAs in rural Alberta that tell us that they frequent their constituency approximately 100 times a year. Now, the logistics of that are simply beyond me. I can't understand for the life of me why that's necessary. Coming from their perspective, they tell me that they have to be at this function, they have to be at that function, but I put that in terms of when the House is sitting and when it's not sitting. I try and put those numbers together, and I couple that with one MLA telling us that she travels 200,000 kilometres a year. I put that into a time component, and it turns into six, seven months, if you're a fast driver. The MLA from Cypress-Medicine Hat told us that he spends three and a half months on the road. From a constituency perspective, can you tell me what it is that requires that level of personal representation within the constituency? Is that reliance on the MLA that great that we are putting that kind of responsibility on our MLA? Something seems to be wrong with this system from a service point of view. I'm referring back to Mayor Duerr's presentation with respect to policy versus service. You know, from a municipal perspective I just don't understand why that is required.

MR. NORFORD: Well, Mayor Duerr made certain comments, as you've mentioned. Certainly an earlier comment from a different presenter was in terms of rural people liking to meet their MLA face-to-face. It's the same in the city areas. MLAs attend every possible function within their constituency because it's an opportunity for them to be there and for people to buttonhole them and talk to them.

Certainly we have to remember that the House is not always in session. Except for MLAs with ministerial responsibilities, when the House is not in session and when they're not busy on a committee in Edmonton, they are in their constituencies. So if you are in a rural area such as Vulcan and you live in Vulcan, you are not traveling the vast distances between Edmonton and Vulcan. You're traveling within the constituency to go to the meeting of the seniors' association or the meeting of the Lions Club or the Elks, which are the normal things, which are just an opportunity for MLAs to talk to people.

I talked a little also about cellular telephones and the opportunity to actually do things when you're driving or when someone is driving you, which I think is a much more effective way of using MLAs' time. They're not necessarily the best drivers in the world, you know. We can get professional drivers to drive them. Meanwhile they can spend time doing their jobs. I can say that an urban MLA will probably have 150 activities that they're present at within a constituency each year too, a tremendous demand on their time in the evenings as well as during the day. Does that help?

MR. GRBAVAC: Well, let me put it: do you believe that we have come to have too great an expectation in terms of our provincial representation? Do we place too great a demand on these people?

MR. NORFORD: Well, I personally don't think so. The person who goes into politics wants to do that job, and that is a commitment by the politician. The person going into politics knows that his or her family life is going to be very different during that time. But certainly there are mechanisms by which their time can be made

much more effective, and constituency offices of MLAs are very helpful in that manner. So when an MLA actually makes a response to an individual inquiry, the constituency office has done the groundwork, the research to make sure that the information is at the MLA's fingertips.

MR. GRBAVAC: I don't want to protract this, but coming from a business perspective, 8,300 trips to Edmonton and back doesn't seem like an efficient way to run – and I know this isn't a business. It just boggles my mind to think that we place that kind of demand on our MLA, and thank you for commenting on it.

THE CHAIRMAN: Well, Mr. Norford, I want to thank you for coming and making a very fine presentation. I just have one question. I'd just like to know what you do for a living.

MR. NORFORD: I'm a geologist, sir.

THE CHAIRMAN: A geologist. You did a very fine job of your presentation. Thank you.

MR. NORFORD: Thank you.

THE CHAIRMAN: The next presenter is Graham Price, representing the Alberta Civil Liberties Association. While Mr. Price is coming forward, I'd just like to make an announcement that we're running behind schedule here this morning. We have quite a few presenters. We're going to work until 12:30 rather than 12. Hopefully we'll be able to get through all the presenters, but if we can't, we will also allow for presenters to come this afternoon or this evening if they want.

You can now go ahead, Mr. Price.

11:42

MR. PRICE: Thank you, Mr. Chairman. These are thorny issues. I listened to the discussion, and I can tell the committee that I've been involved in these issues on behalf of the association before the courts for the last four years. I hear a lot of rhetoric; I hear a lot of emotion. My submission to you today is to try and step beyond this rural/urban split, this rural/urban discussion and step back and try and look at what is best for Alberta as a whole.

I advocate in my brief one-page submission, backed up with the attachments I understand you have, that we should have more hybrid ridings. In other words, we should work towards minimizing these rural/urban issues. The point is most eloquently developed in attachment 3 that I put before the commission, which is the Carleton University study that was part of the material put before the royal commission on electoral reform. If you could go to page 265 of that Frizzel report – I hope you have that material there.

MR. McCARTHY: We don't have it, Graham, so you're going to have to go through it with us.

MR. PRICE: This material was all sent over a month ago to the commission, and I was told that it was before the panel. In any event, do you want me to step down now and ask that copies of this material be made available to you and I can come back this afternoon?

THE CHAIRMAN: Yeah. That'll be fine. You don't mind coming back?

MR. PRICE: No, I don't mind coming back.

THE CHAIRMAN: We have your submission, but we don't have the attachments. We're working on a two-book system. We're working on one book for the week's hearings and then an overall book. It may be in our overall book. It's too much material to carry, so I don't have my overall book.

MR. PRICE: Well, there's another way to do it, if you don't mind, Mr. Chairman. I could highlight – and I'm sensitive to timing – the points I want to make. I'll give you page references. I will then leave material with the commission staff, and they can copy it.

THE CHAIRMAN: That's fine with us.

MR. PRICE: Well, in the one-page submission you have before you, I refer to the Carleton University study done by Frizzel. What I quote from is at page 265 of the report:

Voters are more concerned, by a substantial margin, that members of Parliament reflect their views than help them with individual problems. On the other hand, members believe helping individual constituents is the most important part of their job.

Now I stop right there. We have a perception problem: we have voters thinking and expecting certain things of their representatives, and we have the representatives thinking the voters want something different. Voters believe that the main concern of members should be the constituency, while members think it should be the nation. Both urban and rural electors contact their member in about the same percentages. This means more contacts from urban voters because of the greater number per constituency. Urban voters are more likely to express an opinion in their contact with members, while rural voters are more likely to ask for assistance with particular individual problems. There are several possible reasons for this. Members from more rural areas are better known, members from rural areas are more likely personally known, and many rural areas do not have the services available from other sources as do major cities.

A sizable minority of electors and about half of the Members of Parliament believe that personal contact between voters and members is notably less important, given modern means of communication and the resources available to members, and this is a point I want to stress at page 265 of Frizzel's report.

Given these findings, there would appear to be little justification for relating "effective representation" to the geographical size of electoral districts, at least in terms of the service delivered to constituents by their members or demanded by voters.

So I come back to my opening point. If we strip away the emotion and the rhetoric, can we not step back and say that we, as people in Alberta, want our Legislature to effectively represent all of the people in Alberta? That's a point Dr. Worth picked up on in the questioning.

As part of the material I put before the Court of Appeal when they looked at this issue after the Saskatchewan reference, we put three affidavits before the court: one from a former MLA and premier in Saskatchewan, Blakeney; one from a former MLA and minister in Alberta, Mrs. Osterman; and one from a former MLA in Calgary,

Bob Hawkesworth. The essence of those affidavits, if you examine them carefully, is that both rural and urban representatives have a difficult task. They have different needs, different expectations, but at the bottom it's unfair to say that it's more difficult for rural voters and rural MLAs to do their job, because just as there are certain needs and problems for rural MLAs, there are different needs and different problems for urban MLAs. So I suggest that, at bottom, you come out with the conclusion that everybody has a tough job, and nobody disputes that. Because of time constraints, Mr. Chairman, I won't go through with that affidavit material.

The interesting point that I take from what I've heard and the material that we put before the commission is this. When we analyzed these electoral boundaries at the time of the court hearing, we found in the comparison between the inner-city ridings, the five in Calgary and five in Edmonton, and 10 rural areas that the figures came out at approximately plus 20 for the metropolitan urban inner-city ridings and minus 20 for the rural ridings. So you have a differential of 40 percent as between the two.

Now, I hear presenters this morning talking about fairness and equity. That's not fair, but I recognize that there's a good deal of pressure from the rural ridings, saying to this commission, "Well, it's very tough because of geography and other reasons to represent our constituents." To pick up on Mr. Grbavac's point, I think the demands we put on our MLAs are too onerous. The MLA drives that 200,000 kilometres yearly; I think that's too much. I think the expectations we have for our MLAs are unrealistic. The service component is more important. There are other people besides MLAs who can meet those concerns.

11:52

So I come back, then, to my original point, and that is the question of hybrid ridings. The government's position when we were before the Court of Appeal under the hybrid constituency issue was this. Now, this comes from their factum that was put before the court just before the last reference, the decision in late '94.

The issue was fully discussed in the 1991 Alberta reference. While hybrid constituencies affecting the cities of Edmonton and Calgary have been eliminated by reason of the protests voiced to the 1992 committee, they remain in place without apparent objection in such smaller urban rural configurations as Red Deer, Medicine Hat, and Grande Prairie.

That's important, because I draw the analogy between the Cochrane edge and the western part of Calgary, and I suppose the analogy in Edmonton could be the southern part of Edmonton out towards Nisku and Leduc. You come over that Cochrane hill on the old highway out towards Banff, you look at the newly developed part of Cochrane and the subdivisions there, and they're no different than the subdivisions in the west part of Calgary. So to say that there isn't a community of interest or an interface or a connection between Airdrie and Cochrane and Okotoks and Strathmore and parts of Calgary I think is wrong.

What we advocate is that you extend the boundaries out from the edges of the city to encompass what might be called the periphery of the city and out into the smaller areas surrounding the city, because there are needs and expectations and there's linkage between those communities. Similarly, in terms of Sherwood Park and Edmonton or Leduc or Nisku and Edmonton, I say this same argument. So I ask the commission to not be deterred in indeed trying to build in flexibility and equity and fairness, and try to reduce the differentials and the deviations by creating more hybrid ridings.

As I understand your mandate, you were given a wide latitude. You have a certain number of constituencies you have to have, but otherwise the drawing of the electoral map is your purview. To increase the number of hybrid constituencies might be the way to bring some equity and fairness to the map.

Those are my submissions.

THE CHAIRMAN: Thanks, Mr. Price. I'd like to make a comment in respect to what you're calling hybrid ridings. We've been referring to them as 'rurban.'

MR. PRICE: That sounds pretty good to me.

THE CHAIRMAN: One name or another name.

I would like to tell you that Grande Prairie, after the last electoral boundaries commission, was 'rurbanized' and the city was divided in half. The west half of the city then took in the rural area all the way to the B.C. border, and the east half of the city took in a considerable portion of the rural area to the east. Those constituencies I think are 55 percent people in Grande Prairie and 45 percent rural people, and those people are very happy. Of all the presentations we heard in Grande Prairie, I want to say that they were all in favour of the constituency being 'rurbanized' the way it is. Only one person showed up and said that he would like it the other way.

We have basically the same thing now in Medicine Hat, your pie-shaped theory. The Cypress constituency comes in and just takes out a corner of Medicine Hat, which makes up about 60 percent of their constituency, and those people are happy.

So what you're suggesting here today I think we can give serious consideration to and look at to see the possibility of expanding it further.

MR. PRICE: Oh, I think it's a good development. I mean, there must have been three or four electoral boundary commission reports in the last five years in Alberta, and I've read every one of them. I don't understand the objection of the Calgary-Edmonton people to that development that you've talked about. I think it's a good development.

THE CHAIRMAN: I'll let the questioning start with John.

MR. McCARTHY: Just further to what His Honour has said, Graham, I've just done some calculations here. There are 38 large urban constituencies, electoral districts, which are Calgary and Edmonton. Then I've got eight small urban districts, and those include Sherwood Park, St. Albert, two in Red Deer, two in Lethbridge, one in Fort McMurray, and one totally contained within Medicine Hat. Then Chief Judge Wachowich has referred to what you would call hybrids or 'rurbans,' and there's a fairly large number of those. I just find it interesting to note from your comment that I think it's happening by natural growth. In other words, the majority of the Cypress-Medicine Hat constituency or electoral district is within the city of Medicine Hat, about 60 percent. Similarly, over 50 percent of Grande Prairie is in Grande Prairie-Wapiti and Grande Prairie-Smoky.

Then I believe – and I don't have the data – the following ones may well be classified as hybrids just because of the natural growth around the perimeter of the cities: Clover Bar-Fort Saskatchewan,

Three Hills-Airdrie. Airdrie is now a city. Then you look at the acreages in between. You've mentioned Leduc, Stony Plain, in and around Edmonton as well as even Banff-Cochrane and Highwood here in Calgary. So these hybrids are already happening by way of natural growth.

MR. PRICE: Right. I think the commission should encourage it more.

THE CHAIRMAN: Any questions, Joe?

MR. LEHANE: No questions.

THE CHAIRMAN: Wally?

MR. GRBAVAC: Graham, from an analytical point of view, if this were a mathematical problem, I think you've come upon the solution. It's the human element that we have a problem with. I tend to agree with your analysis, and I tend to agree with some of the things you're saying. We've presented this to some rural representatives in Alberta through our tour in rural Alberta, and they said: well, yeah, it could work as long as we have 60 percent and the city has 40. So we run into that complication. I thank you for your presentation. In all honesty I have to say to you that I tend to concur with your position, and that's coming from a rural perspective. I think that if there is a solution, you've probably struck on if not the entire solution certainly a component of it.

Thank you.

MR. PRICE: I'll make those reports available.

THE CHAIRMAN: I'm told we have them. You produced all copies. It was that they were so large.

MR. PRICE: Yeah, I know. You didn't want them all at once. I didn't want to overwhelm you.

THE CHAIRMAN: I want to apologize for not bringing them with us.

MR. PRICE: Thank you.

THE CHAIRMAN: Thank you.

The next presenter is Gerry Thompson.

MR. THOMPSON: It is afternoon. Good afternoon. While I have consulted with some members of the Calgary-Foothills constituency, I speak here as a private citizen. I do not speak for Calgary-Foothills constituency.

MR. McCARTHY: Progressive Conservative or just constituency?

MR. THOMPSON: Well, okay, Progressive Conservative.

Some of what I had planned to say has already been stated today, so I'll be brief, seeing you're getting behind anyways. All Albertans have felt the impact of our government's restructuring in education, health care, and in the public services. We feel it is now time for our legislators to contribute to this restructuring, and we respectfully request of this commission, if it's within your terms of reference, that

the number of MLAs be reduced from 83 to 67, a substantial decrease.

We propose that four ridings be eliminated in Calgary, four in Edmonton, and eight in what have been termed rural ridings. Our present 83 seats – and I'm quoting from the documentation – “gives an electoral quotient of 30,780.” With a reduction to 67 seats the electoral quotient would rise to 38,130. This is not out of line with the three largest provinces of Canada – and I have a table attached to my submission – nor is it out of line with the statements made this morning by Mayor Duerr.

12:02

We realize that the reduction of eight rural ridings might impinge on the constituents' “right to effective representation.” Our recommendation would be to increase the communication budgets for these rural constituencies with increased use of public television and other media, current technology.

We acknowledge it is a difficult task to change electoral boundaries, given the need to accommodate the heavily populated urban ridings with the larger geographical but less populated rural ridings. We must ensure “that the political force of votes is not unduly diluted” – I'm reading from that court case that Mr. McCarthy referred to before – and we must preserve community lines within municipalities and allow for regional sensibilities: economic, cultural, and geographic communities.

As I say, I have been brief. We respectfully submit this proposal for your consideration.

THE CHAIRMAN: Thank you, Mr. Thompson.

We'll start the questioning with Mr. McCarthy.

MR. McCARTHY: Thanks. Gerry, I just have one question here. On your table, which is an interesting table, you've got the populations of selected provinces and the electoral quotients, and then you have percentage urban and percentage rural. For Alberta how did you come up with a 79.8 percentage urban and a 20.2 percentage rural? What's that referring to?

MR. THOMPSON: Well, Mr. McCarthy, I'm not a demographer. I took it right out of *The Canadian Global Almanac*.

MR. McCARTHY: Okay.

MR. THOMPSON: Again, I don't know what their definition of rural and urban is.

MR. McCARTHY: Is it referring to landmass or population?

MR. THOMPSON: Population, sir.

MR. McCARTHY: Okay. Thanks.

THE CHAIRMAN: Any questions, Joe?

MR. LEHANE: No questions.

THE CHAIRMAN: Wally?

MR. WORTH: No more questions.

THE CHAIRMAN: Robert?

Well, I want to thank you, Mr. Thompson, for waiting and making your viewpoints known.

MR. THOMPSON: Thank you very much.

THE CHAIRMAN: The next presenter is Gerald Meagher.

MR. MEAGHER: Good morning, Mr. Chairman, members of the committee. Seated with me today is Mr. Bill Janman. The submission that we have presented is on behalf of myself, Mr. Janman, and Mr. Ken Peake. We are constituents of Calgary-Foothills. We are affiliated with the Progressive Conservative association in that riding; however, the submissions that we are making are not on behalf of that association but, we believe, on behalf of the vast majority of constituents in Calgary-Foothills. Our submission has been filed this morning, and we would like to take the opportunity to go briefly through it and then answer any questions that you may have.

THE CHAIRMAN: Go ahead.

MR. MEAGHER: Just by way of background Calgary-Foothills is in the northwest part of this city and according to the '91 census had a population of approximately 35,000 people. We are one of the growth areas. We expect that by the time of the next census our population will exceed 50,000 people. We are not here today, however, to make a plea for increasing the number of seats for representation in the Legislature. On the contrary, we are asking that the number of seats be reduced.

So if I could start with our presentation. The problem, as you are very well aware, is that the average electoral division in Edmonton and Calgary contains 13 percent more voters than the average of other electoral divisions. I agree that this should not be a question of urban/rural and that hybrids may be an answer, but we do have to identify the facts. The facts are that there's significant numerical underrepresentation in those two large urban areas.

The Canadian Charter of Rights and Freedoms guarantees those urban voters the right not to have the political force of their votes unduly diluted, and of course the task before the commission is to balance the rights of those urban voters not to have their votes diluted against the rights of rural voters to in fact have the votes of others diluted to achieve effective representation. The challenge that this commission faces – and it is an unenviable one – is to find the compromise where there is effective representation for all Albertans.

The Alberta Court of Appeal in the 1993 reference case has set out certain guidelines for this commission to follow, and I'd just briefly like to touch on them. Firstly, the onus for establishing the justification for deviation from the average representation lies with those who suggest the variation. Secondly, the mere fact that an electoral division is in a rural area with a below average population is not of itself sufficient justification for a deviation. Thirdly, justification for deviation must be established on a division-by-division basis; that is, a riding-by-riding justification is required. Fourthly, the commission must provide reasons demonstrating that the principles of fair and effective representation have been taken into consideration for the boundaries under review. Fifthly, it's not a valid reason that the changes may be unpopular with rural voters. The constitutional rights of urban voters must be protected.

Now, to accomplish all of this may require and will require the wisdom of Solomon, but the Court of Appeal has also recognized that this delicate balancing of conflicting factors is an unenviable task and that a review in court should not interfere unless the effort is clearly wrong. I would submit that what the Court of Appeal saw as a problem was that justifications and reasons for a previous analysis of boundary revisions were not given and that provided that the principles for fair and effective representation are considered and noted by this commission, unless there is a clear error, then the courts will be reluctant to interfere.

That Court of Appeal identified three possible solutions in the 1993 decision. One was hybrid divisions, and that solution or partial solution was rejected in the past because the hybrid divisions would lack community of interest. In the discussion groups that we conducted, we thought that this matter could be revisited, that in fact with the outward growth of urban areas it may be more and more desirable to address the concept of hybrid divisions in order to solve this extremely complex and difficult task that you've undertaken. Secondly, the Court of Appeal addressed the issue of more electoral divisions. Unlike Mayor Duerr I think that I'd suggest that this solution would be absolutely unacceptable to the very vast majority of Albertans. Thirdly, a reduction in the number of rural seats. If the other two are rejected, that's the only solution. The fact that this solution may be unpopular, I repeat, the Court of Appeal has said is not a valid reason to breach the constitutional rights of urban voters.

Our recommendations are as follows. The direction, as I understand it, is that the commission should demonstrate gradual and steady change through a new and proper review before the next election, and we ask you to consider the following. Of the 83 existing electoral divisions 39 are in Calgary and Edmonton with 60 percent of the population while 44 are in the rest of the province. We recommend that by amending the legislation and redrawing certain electoral boundaries, the number of electoral divisions be reduced by six to 77. This could be accomplished by combining parts or all of several ridings in the southern area, east-central area, and west-central area of the province, including removing the special status for the electoral divisions of Chinook and Cardston-Chief Mountain.

The land area in the electoral divisions proposed to be combined is not as large as in the northern areas of the province, and the transportation and communication infrastructures are more highly developed. These electoral divisions are also bordered by more heavily populated divisions, which may facilitate realignment and again would bring into consideration the concept of the hybrid ridings.

The existing seats in Calgary and Edmonton would be left unchanged in this review with the result that the 77 electoral divisions would be balanced with 39 in the two larger urban areas and 38 in the other areas of the province. In this way a rough parity would exist between the two large urban centres and the other areas of the province, which we submit would demonstrate a gradual and steady movement towards more fair and effective representation for all Albertans. This would also represent a reduction of approximately 7 percent of the number of seats in the Legislature, and this would be consistent with government policies to reduce government spending.

12:12

We believe that with modern technologies, including the use of computers, fax machines, teleconferencing, mobile phones, that

communications within these electoral divisions could be improved. Increases in allowances for communication expenses and travel expenses could be considered for electoral divisions with proportionately larger geographical areas. As you've heard on several occasions earlier today and I'm sure at other hearings, the answer is not necessarily an increase in the number of seats and the strains attendant upon that but to provide more legislative support and to take better advantage of technology to assist our MLAs in the truly difficult task that the electorate asked them to perform.

Those are our submissions. Thank you.

THE CHAIRMAN: Thank you, Mr. Meagher.

We'll start the questioning with Joe Lehane. Joe?

MR. LEHANE: No questions.

MR. McCARTHY: I just have one note, and that is that Edmonton has 18 electoral districts, but then if you look at Sherwood Park and St. Albert, which are totally urbanized and adjacent to Edmonton, it comes to 20. Just a small point.

MR. MEAGHER: Yes. I appreciate that. They're not shown in the definition section as being in those areas, but I do appreciate that. Also the fact that earlier you mentioned that there are other smaller urban areas in the province. I agree that this should not be an urban/rural split. It's really a question of what is effective representation, an attempt to reach a compromise. We recognize that there is going to be a disparity, and there should be a disparity in dealing with certain ridings where there are geographical differences and other differences that have to be taken into account. We will point out, though, that of the smaller urban areas only Fort McMurray is on a plus side of the deviation, I believe.

MR. WORTH: Well, just a comment that I think the analysis of the problem is very insightful. I just wish that your recommendations were more closely aligned with our mandate, because we can't really amend the legislation. As a consequence, that kind of action would have to be taken by your MLA in consort with other MLAs. So we have to look at solutions that don't involve reducing the number of constituencies at this point.

MR. MEAGHER: I appreciate that that's the way the legislation is framed. However, I must say that in order to do a realignment of electoral divisions, there's going to have to be an amendment of the legislation anyway. So an amendment of the legislation to realign electoral boundaries could also include an amendment to reduce the number of seats.

MR. WORTH: Okay.

THE CHAIRMAN: Robert.

MR. GRBAVAC: Just a comment, Your Honour. I'd like to congratulate Bill and Gerry, and I hope you'd express this sentiment to Ken as well. I'm very impressed by the amount of thought you've put into this presentation and the obvious work that went into it, and I congratulate you on a very, very well-thought-out presentation.

Thank you.

MR. MEAGHER: Thank you very much.

THE CHAIRMAN: I'd like to comment. I find that your analysis of the court cases is about as good as we've got, because sometimes people read different things out of these court cases. I was saying to myself: I wonder whether he's a lawyer.

MR. MEAGHER: Yes, I am, Mr. Chairman.

THE CHAIRMAN: Well, I was going to say: if you weren't, you should have become one.

MR. MEAGHER: Thank you very much.

THE CHAIRMAN: I guess that finishes with you.

You have Bill Janman with you. I want to know whether you have anything you want to add to this presentation.

MR. JANMAN: I would just like to touch on the fact that, you know, maybe we need to visit the hybrid ridings, and maybe we need to look at some of the services that are made available to MLAs to help them better do the job.

THE CHAIRMAN: Well, that presentation has been made to us in quite a few places already. There's been the suggestion that the allowance for rural MLAs be increased as compared to that of urban MLAs.

Thank you for coming.

MR. MEAGHER: Thank you, Mr. Chairman, members of the committee.

MR. JANMAN: Thank you.

THE CHAIRMAN: Now, the next presenter is Tunde Agbi, if I'm pronouncing the name right.

MR. AGBI: Thank you, Mr. Chairman. I'd like to preface my presentation with two comments. Number one is that you received by fax my written submission. Since then it has been revised courtesy of our committee, and I have already given copies of the revised submission to your staff. The second comment is that although I represent a constituency association of the Alberta Liberal Party, I speak only on behalf of that constituency association and not for the Liberal Party in general.

Our submission more or less follows the lines of what I've heard here this morning and the comments that I've heard from Mr. Chairman. To a large extent maybe I will be revisiting the issues that have been raised, but I do so with specific reference to the Calgary-Buffalo Constituency Association. The three areas that I'd like to at least discuss with you – and I do not pretend to make any suggestions as to how you will do your job because I will pretend that my association confers the wisdom of doing the job to you. However, we want to touch on three areas, the first one being the total number of electoral divisions in Alberta. The second one will be the disparity in the electoral quotient between rural and urban electoral divisions. Finally I want to touch on specific issues that relate to Calgary-Buffalo.

A quick fact about Calgary-Buffalo is that it is one of Alberta's most intense inner-city dwellings. I believe there is no comparable constituency in Edmonton, although there are similarities. Calgary-Buffalo has the highest number of recent immigrants in the city of Calgary. A multicultural survey conducted by the Connaught community school in 1994 found 24 different languages spoken by the children in this single, small community school. It has a very large population of low-income seniors. A significant number of residents are functionally illiterate and unable to access many government services on their own, so they rely to a large extent on good representation. There is a large number of single-parent families, and many of the constituents live in low-income households. Most of these people don't have access to resources that many other Albertans take for granted. Several constituents live in rented accommodation, and there is an unusually high rate of turnover. I should just note that the most recent figures from the city of Calgary suggest that the population of Calgary-Buffalo is more like 38,000, not the 36,000 in the 1991 census figures quoted in your brochure. We also understand from the MLA for this constituency that the government courier has suggested that the Calgary-Buffalo constituency office is the busiest of the 20 constituency offices in Calgary in terms of mail in and out.

On the subject of current electoral divisions and distribution we disagree with the specific directive of section 13. I'm not a lawyer, but I think somebody just before me eloquently put the issue that if there is going to be a change, perhaps that change could include a reduction. Our association supports a reduction from 83 to 65, and we believe this reduction will not sacrifice the general principle of effective representation. So for us it's not a rural/urban contest; it's a question of effective representation. But it goes both ways. We believe that the necessary redistribution to achieve the goal of 65 electoral divisions for the province of Alberta should be in accordance with section 16 of your Act. It should also reflect the specific direction of the Supreme Court of Canada and the most recent decision of the Court of Appeal. I've read that, and I say again that I'm not a lawyer but I do understand it, and I think if you follow it, the results will likely be satisfactory to most Albertans.

In making our most recent submission, we've also presented a table that compares the four most populous provinces in Canada and the electoral quotient for those four provinces. It's interesting, as has been noted before, that Alberta seems to somehow pursue the direction of overrepresentation. British Columbia, with a population of 3.28 million, an area of about 950,000 square kilometres, and a population density of about three and a half, has 75 provincial legislators. So the electoral quotient in B.C. is about 43,700 people per MLA. Compare that with Alberta, with a population of about 2 and a half million – and I'm still using the 1991 census figures – an area of about 661,000 square kilometres, and a population density slightly higher than B.C. but an electoral quotient of 30,669, according to the information.

So there is justification to reduce the number of MLAs without shifting Alberta's relative position to the populous provinces of Canada; i.e., if you were to go to 65 electoral divisions, that would raise the number to approximately 39,000 and would still be fewer than in B.C., in which case, as with other provinces, when you factor in the Atlantic provinces, which have much, much lower electoral quotients, Alberta relative to the populous provinces will still have higher representation numerically.

12:22

I want to deal with the issue of disparity in the electoral quotient, and again I emphasize that it's not a rural/urban issue when it comes to the specific issues of contact, service, and policy input. We submit that if after these hearings your commission is obliged to adhere to the strict provisions of section 13 of the Act, then our association supports an increase in the number of electoral divisions in the city of Calgary. This will be necessary to reflect the population growth in the city, bring the electoral quotient closer to the provincial average, and ensure the principle of effective representation. So again I'm steering clear of a 5 percent variance. I think we can accept the 25 percent variance. What we would like is an increase that reflects population growth and still does not penalize so-called rural constituencies.

The current disparity in the electoral quotient between rural and urban electoral divisions is unacceptable and devalues their rights. Now, this is part of the Charter of Rights. As a group we're concerned that the variance between rural and urban constituencies promotes a certain measure of discrimination. The justification for this inequity is apparently rooted in what we consider a myth: it is more difficult to represent a rural constituency than an urban one. This myth is based on long distances between points in a geographically large constituency and consequent longer travel times by elected representatives. We are prepared to concede and acknowledge that long-distance travel times in sparsely populated rural electoral divisions represent a significant challenge. However, given the excellent transportation infrastructure available in Alberta and other modern technology and communication devices, we do not support that this challenge is any more difficult than for a representative of an inner-city area.

Our submission is not that rural MLAs do not face a major challenge representing a vast constituency, rather that it cannot accurately be described as a more pressing or important challenge than that confronting an inner-city riding such as Calgary-Buffalo. We do not agree that an effective solution to the problem of long distances and travel times between constituencies is to designate electoral divisions that have less than half the population of their urban equivalents. We support the concept of an increased communication budget – and this has already been mentioned – for those rural MLAs who represent significantly larger and sparsely populated areas after a reduction in the total number of constituencies. That seems to be an appropriate response to some of the communication issues.

Now, with specific reference to Calgary-Buffalo, the riding as it currently stands represents eight different inner-city communities. The transient nature of inner-city dwellers and the challenge of the ethnic, cultural, and religious mix makes the job description for an MLA for this constituency a rather full one. Specifically the current configuration conforms in large measure to existing community boundaries and trading patterns. The Bow River on the north and the Elbow on the east represent clearly natural boundaries to this constituency. On the western boundary 24th Street is somewhat arbitrary, but at least it is clear. The reason for this comment is because of the senior citizens who live in the constituency. There is Victoria Park to the west, which may or may not in your view represent a logical lumping into Calgary-Buffalo.

The southern boundary of the constituency, which is a result of the electoral boundary changes in 1992 or '93, appears to be completely arbitrary. It does not follow any natural or community boundaries, in contrast to the other boundaries. The southern boundary splits the

community of Mount Royal into two parts, with the northern portion in Calgary-Buffalo and the southern portion in Calgary-Currie. You've already heard a submission from Calgary-Currie, and I think to a large extent, even though there are different political philosophies, the thrust of their presentation is not too far from ours.

Many of the residents in Calgary-Buffalo are seniors, and these seniors were confused by changes that were made prior to the 1993 general election. The effect was a low voter turnout, and this is statistically available, I'm sure, to your commission.

So our specific request, or at least submission, to you is that we believe that you should seriously consider a reduction in the number of electoral divisions from 83 to 65. This will save money without sacrifice to effective representation. Eliminate, as best you can, the disparity between the electoral quotients in so-called rural and urban areas. In the event that the number of electoral divisions remains at 83, the city of Calgary should receive up to five more electoral divisions. That will reflect population growth and at least anticipate future growth in Calgary.

We recommend an increase in the communications budget and travel budget to allow MLAs in sparsely populated rural ridings to maintain more than one constituency office and therefore be able to have more contact and better contact with their electors.

Specifically with respect to Calgary-Buffalo we request that changes should be minimal at this time, because obviously the changes that were recently implemented resulted in a large measure of confusion to the citizens of the riding. We need to keep the community boundaries together to a large extent, and this is part of your job. I'm not going to suggest which way you wish to lop it off or add to it, but it would be nice to keep communities together. I happen to live in that portion of Mount Royal that is carved off from Currie, and so I get a community newspaper with a different MLA's message in it. I also work with the MLA for Calgary-Buffalo. So if you can, we'll encourage you to keep communities together. How you do it I would leave to you.

Finally, I want to stress that it is our association's belief that the name and the electoral division of Calgary-Buffalo be preserved. I do not have the history to support that for you, but I want to point out that Calgary-Buffalo has contributed a lot not only to the city of Calgary but to Alberta by way of the MLAs that it has elected provincially. I name a few here: the late Sheldon Chumir, current Senator Ghitter, and current sitting MLA Gary Dickson, who have all acquitted themselves as exemplary citizens regardless of their political affiliations. So we would strongly urge you to keep the electoral division of Calgary-Buffalo.

On behalf of our association I thank you for letting me have this presentation.

THE CHAIRMAN: Fine.

Any questions? Robert? No questions. Wally?

MR. WORTH: Just a comment to thank you for better acquainting me with Calgary-Buffalo.

MR. McCARTHY: Just one brief question. On page 2 of your updated submission, I was just curious as to where you got that data from with respect to population densities and square kilometres, et cetera, to come up with your quotients. Now, I'll tell you why. Earlier this morning Mr. Thompson gave us a submission with some more quotients in there than you've put in, but your data is a little

different. The size of the provinces in square kilometres is different. He got his from *The Canadian Global Almanac*. I just wondered where you got yours from.

MR. AGBI: The population numbers are based on Statistics Canada's 1991 population numbers. The area I got from a computer reference. I don't have it with me, but I would be glad to submit that to you. The rest of the data is basically calculated from the numbers that are available. To a large extent I think I placed some reliability on the figures with respect to area and populations on 1991 Statistics Canada centres. If you need to, I will be glad to leave a copy with you.

12:32

MR. McCARTHY: Okay. Thank you.

THE CHAIRMAN: Well, thank you for coming.

We have a bit of a problem in that it's almost 12:35. Mr. Ed Pluemacke, who is the next speaker, has agreed to make his presentation this afternoon to help us out, which we're thankful for. We're left with Sheila Embury, Art Grenville from the MD of Starland, and one walk-on by the name of Murray Buchanan. I think we can maybe hear one of you and crowd our lunch into 20 minutes. Let's deal, then, with the MD of Starland.

MR. GRENVILLE: Thank you, Mr. Chairman and board members. I believe you had our presentation previously.

THE CHAIRMAN: We do.

MR. GRENVILLE: It's about three pages long, so I'll try and read it fairly quickly.

It would be easy for smaller rural municipalities such as ours to overlook another commission traveling throughout the province gathering information on some aspect of the operation of the legislation. This would be even easier given that in the past six years no less than three politically appointed commissions have studied the boundary problem.

The MD of Starland No. 47 has previously argued that rural Alberta is different than urban Alberta. We have previously argued that vast distances, sparse populations, numerous local authorities, geographical boundaries, and effective representation point to the justification of existing electoral boundaries. Nothing has changed.

We are, however, very concerned that this commission has identified some preliminary considerations at this time, considerations which include a possible merging of a number of rural electoral divisions into contiguous or neighbouring divisions or, worse still, adding a number of urban electoral divisions to Edmonton and Calgary. We strongly oppose either of these considerations and are pleased to have this opportunity to tell you why.

Voter parity. Section 3 of the Canadian Charter notes:

Every citizen of Canada has the right to vote in an election of members of the House of Commons or of a legislative assembly and to be qualified for membership therein.

The Supreme Court of Canada, in *Carter*, expanded the right to vote contained in section 3 of the Charter to include the right to cast a ballot, the right not to have the political force of one's vote unduly diluted, the right to effective representation, and the right to have the

parity of the votes of others diluted, but not unduly, in order to gain effective representation or in the name of practical necessity.

To be fully effective, political representation must recognize factors of geography, community history, community interests, and minority representation. We believe the current boundaries reflect effective representation. For example, in our riding of Drumheller the total population is approximately 26,000, which is a 13.1 percent variation from the provincial average.

The area covers from the village of Delia in the east to the city of Calgary boundaries in the west. It is over a two-hour drive from Delia to Calgary. This distance is representative of the travel time required for a rural MLA to effectively represent this area.

Communications today are better than ever, but a rural MLA is still disadvantaged. For example, there are three different telephone exchanges in the MD of Starland alone. Internet connections or E-mail to anywhere is long distance, and almost all government offices we deal with are located in major centres.

By comparison, the average Calgary electoral division is within 15.4 percent of the provincial average population. Calgary already has more MLAs than council members. To reach the provincial average, another three MLAs would have to be added to the city of Calgary and another two to the city of Edmonton. Would either city be better served by this additional representation?

Now is definitely not the time to add to government. In fact, the trend is exactly the opposite. Regionalization of health authorities and school authorities as well as municipal amalgamations are all leading to less government. It would make little or no sense to add additional representation now. To amalgamate existing rural constituencies would only lead to a repression of the voice and opinions of rural Alberta.

The factors of uniqueness have been recognized by the Legislature and by the courts, and we encourage the commission to acknowledge these factors as well and leave the current boundaries in place.

The legal perspective. The Alberta Electoral Boundaries Commission Act, section 17(1), states:

The population of a proposed electoral division must not be more than 25% above nor more than 25% below the average population of all the proposed electoral divisions.

The current boundaries adequately reflect this provision. Moreover, in 1991 the Alberta Court of Appeal was asked the question: is the manner in which the boundaries and areas of electoral divisions are proposed and established under the Electoral Boundaries Commission Act inconsistent with the Canadian Charter of Rights and Freedoms? The answer was a simple no. The courts in Alberta have recognized that rural communities are a community interest within the meaning of the rule about effective representation, and their existence warrants departure from voting parity.

Alberta's current electoral divisions are well within the 25 percent variance levels identified in the legislation. In a 1994 Alberta Court of Appeal review of the boundaries, the court indicated that the variations in populations were approved without individual justification. The courts noted that a riding-by-riding justification of any variance was required, such that the court could then determine in any future review if any boundary was based on irrelevant considerations. Our municipality would encourage your commission to meet this challenge. We would encourage you to review the community of interest for each municipality and to justify your decisions.

We found it interesting that in the 1994 decision the courts pointed to three possible solutions to obtain a better balance of voting power. The three options were: to mix urban and nonurban populations within an electoral division, create more seats overall, or have fewer nonurban seats. At the same time, however, the courts did not say that the existing boundaries infringed on or denied rights or freedoms guaranteed by the Canadian Charter of Rights and Freedoms. The council of the MD of Starland therefore would submit that there is a fourth option the courts overlooked. The fourth option is to maintain the existing boundaries as is and to review each with a goal of identifying the community interests in each riding. We understand that the courts may have overlooked this option.

Our municipality would encourage your committee to pay particular attention to the relevant considerations contained in the Act, factors like sparsity and density of population, common community interests and community organizations, existing community and municipal boundaries, number of municipalities and other local authorities, geographical features including existing road systems, and the desirability of understandable and clear boundaries. We feel that these issues are extremely important. We know the current boundaries have passed the test of Charter review by the courts, and unless your committee hears otherwise, we feel the current boundaries have passed the test contained in section 16 of the Act.

In conclusion, we feel that the citizens have a right to an accessible MLA and that the MLA should have the opportunity to be readily available. We feel it is impractical to base the boundaries of constituencies only on population guidelines. We hope that we have sufficiently illustrated that more sparsely populated rural constituencies like Drumheller or Chinook possess an economic and viable community of interest which deserves representation equal to that of a Calgary constituency. The MD of Starland encourages the committee to maintain a relatively equal rural/urban distribution of electoral divisions and to allow for and justify regional disparities where expanded areas would become too large for fair representation.

I overlooked introducing our administrator, Ross Rawlusyk. If there are any tough questions, I'll have him answer them.

THE CHAIRMAN: He's just here for the tough ones, is he?

MR. GRENVILLE: That's right.

THE CHAIRMAN: Well, we'll start the questioning with Robert Grbavac.

MR. GRBAVAC: No questions, but a comment, Your Honour. I think you've made your point very clear, and I don't think I need to ask you to expand on any of the points that you've made.

Thank you.

MR. WORTH: In your submission you encourage us to review the boundaries with a goal to identifying the community interests in each riding. I have a question about your community of interest with the people around you. Would you say that the MD of Starland and the people residing therein have a greater community of interest with the people in county 16, including those in Strathmore, than they do with those in MD 48, which takes you into Three Hills, or with the

people in special area 2? Where do you see your affinities in your relationships?

12:42

MR. RAWLUSYK: I asked Art that question on the way in today.

MR. GRENVILLE: I think we're very similar to Wheatland and to Kneehill and even Chinook. Our trading areas of course are the city of Drumheller or Strathmore. I guess that's our similarity.

MR. WORTH: I see. So at the present time you're in the Drumheller constituency, which does not include MD 48, for example, nor does it include special area 2.

MR. GRENVILLE: I believe it includes a piece of it maybe.

MR. WORTH: A piece of it; that's true. Okay. Thank you.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions.

MR. McCARTHY: I have one comment. You've discussed at length in your submission the decision of the Court of Appeal, and if I can just take issue with one of your comments where you indicate they didn't appear to address the issue of whether or not the boundaries could remain the same. I just note from their concluding remarks – I'll just read them to you, and you guys may want to comment on whether you considered this. They said:

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.

So what that says to me is that they've rejected any consideration of the boundaries remaining the same, and I wonder if you have considered that particular part of the judgment.

MR. RAWLUSYK: I think there is probably some justification for some examination of the boundaries for sure. I think the important thing with the boundaries is not the number of people that are represented or held within a specific boundary; I think the important thing is the community of interest.

Just as an example, our riding. If you take a look at the Drumheller constituency, it goes right up and abuts the city of Calgary. If we took 4,000 people out of the community of Dover and added them to our constituency, sure, we would have a representative population that would probably be within a near quotient of the provincial average. But would those 4,000 people in Dover feel fairly represented in our constituency as opposed to the constituency that they're in already, which may have a greater population? To me, because of our situation in the Canadian situation, I think Albertans are big enough to overlook some political and voting disparity as long as they feel they are fairly represented within the system, and I think the critical thing is that the boundaries be established to recognize those community interests.

MR. McCARTHY: Okay. Just one final question, because everybody in the panel is hungry here. Is it fair to say that the growth of your MD is faster as it gets closer to Calgary or vice versa? Is that a fair comment?

MR. GRENVILLE: I would agree, yes.

MR. McCARTHY: Is it the urban sprawl, the acreage people, and the natural growth of Strathmore, et cetera? Is that a fair comment?

MR. GRENVILLE: I don't know the exact numbers, but I assume . . .

MR. McCARTHY: No. I understand you wouldn't.

MR. GRENVILLE: I assume that the acreage holdings are increasing on the fringe of Calgary.

MR. McCARTHY: Okay. Thanks.

THE CHAIRMAN: Well, I want to thank you people from the MD of Starland, first of all, for waiting this morning. We're about an hour late for your presentation. We acknowledge the fact that you've come probably the farthest of anybody here today presenting. You win the prize for that, but the prize is nothing.

Thanks for coming.

MR. GRENVILLE: Well, thank you very much.

THE CHAIRMAN: I'm told that we don't start till 1:30. I thought we restarted at 1 o'clock, like we did at other areas. So we will be able to hear Sheila Embury, who is the next presenter.

MRS. EMBURY: Right now?

THE CHAIRMAN: Yeah.

MRS. EMBURY: Oh, sorry. I thought you meant at 1:30. You were just counting on that 20-minute lunch; were you?

THE CHAIRMAN: Well, we still have a 40-minute lunch at this point.

MRS. EMBURY: Well, it's now afternoon. Mr. Chairman and members of the commission, by way of introduction, I'm a retired Calgarian. My professional background is nursing, and I was an elected Member of the Legislative Assembly for Calgary-North West from 1979 to 1986. During that time and up until 1994 I also held the position of adjunct associate professor of nursing at the University of Calgary.

I guess one might wonder why I'm here today just as a citizen. From the time we got the bulletin as a householder in the mail, which all the other citizens got, for some strange reason I kept it. I wasn't sure why, because I certainly hadn't planned to make a presentation, but it is an interesting issue. I felt that as a past member of the Legislature I might have something to add, and now I really merely represent retired people in Alberta.

My one recommendation is: please, leave the boundaries as they are until the year 2001 when they are redrawn. I know that might go

against what's written in the court order, but I still feel very strongly that there's justification for other recommendations that you can make. Frankly, to me this is a no-win situation for the citizens of Alberta. Besides being a very costly process, not only the fact of the commission but also if you choose to have the boundaries changed, I think that at this time in our life in Alberta it's something that we just don't need.

It's not only for the citizens that I think the boundaries should remain the same. I mean, we have only had one election under these boundaries, and that barely gives the average citizen a chance to know their MLA. For the elected member I think there are a lot of issues that really – basically, as far as I'm concerned, you really don't understand the whole process of an elected member in the Alberta government until approximately about your third year or so. There are all the considerations that I've listed there: how to communicate and how to learn the parliamentary procedure. It's a very time-consuming business.

I guess one of the most interesting roles for me – and I think it can influence some of the things that have been said by previous people today – is also your role in caucus, in any caucus. An example I can give: one always would struggle with the policy setting, that the mayor alluded to this morning, but just because there are 10 or 20 or 30 members from Calgary, you're certainly not all going to speak in caucus on one issue. Someone else is going to probably say the exact same thing, just like what you're hearing repetitively at these hearings. I always found, personally, that there was one Edmonton riding with a very fine MLA that would quite often speak eloquently in caucus, and I just knew right away that, well, that's the way my area would feel too, so I didn't speak. So it's not necessarily the numbers in regard to the policies that are being set, because I think it would be the same in city council where people – you know, there's a little lobbying going on between aldermen about, "If I get this, you'll get that," type of thing. Well, I certainly found that if one made a reasonable presentation, a rural MLA might support me just as much as an urban MLA would.

I don't represent any organized group, but I was interested to find out very recently that one of the Calgary constituencies' board of directors unanimously also voted that they did not want to see changes in their constituency until the year 2001. From a public point of view, I think the timing of this issue is terrible and more so if you do recommend boundary changes. I'm sorry to have to say this, but to my mind it is not a priority. In fact, if you want to put people to sleep or get a very strange look, ask them: "Well, now, how do you feel about boundary changes?" They don't even know what we're talking about.

Albertans have been through a very difficult time since the last election, and while I totally support the agenda of the government, it's been a dramatic change of direction, and Albertans are bewildered and angry and fearful of losing something they thought they had – the social programs, the health resources, the seniors' programs, et cetera. We don't need another issue which most average Albertans don't understand and really couldn't care less about.

12:52

This issue has been well studied by commissions and the court decisions, and I still think there is room there, that the boundary laws have met all legal and constitutional tests. I must admit, frankly, that I was quite pleasantly surprised when I read in the pamphlet the

population variances such as they are. I found that they are still acceptable and can remain.

I strongly support the concept that rural ridings do require special consideration for their geography. You've already had the issues of why presented to you. I know you've traveled throughout Alberta. I have lived in rural Alberta. When I was first elected, one of the things I was told, the best advice I got, was to make sure I traveled throughout this province, and I did. I think I've pretty well covered intensively most of the areas. There is a difference; there's no doubt about it.

I'm sorry to say that I do not agree with other recommendations of let's give the MLAs more money. I think there's always room for modernizing or updating whatever communication one needs. I was in the Legislature when computers were first introduced, so I think the resources are already there. To me, it's like any other job. You dedicate yourself to the job, and you put in as many hours as you want. There are lots of people that get by with not putting in so many.

I think definitely there is a discrepancy, though, between rural and urban ridings, and I think that should be taken into consideration. I do think you have a unique opportunity to present a report that would enlighten more Albertans as to why there is a discrepancy in the numbers between the rural and urban ridings. I believe very strongly that it is not only for the elected members in Alberta but also for the citizens of Alberta to understand our differences. When one remains in ignorance about what happens in rural or in urban ridings, I think that creates a tension within a person, and then they develop these narrow perspectives of what it means to have adequate representation in the Legislature.

While your terms of reference appear to be very broad and you have publicly stated that you are considering decreasing the number of rural ridings and increasing urban ones, please take into consideration my comments that people in Alberta do not want change at this time.

Thank you for the opportunity to appear before you, and I wish you well in your deliberations.

THE CHAIRMAN: Thank you. There may be some questions.

Robert? Wally?

MR. WORTH: Just an observation, I think. I would agree with you that Albertans are reeling from change, but even given that, it seems to me that we as a commission are going to have to heed the admonition of the courts and do what we think is right and fair rather than doing what we think will be popular.

MR. LEHANE: I just want to thank you, Sheila, for taking the time and bringing your experience and your perspective to us this morning. It was a fine presentation.

MRS. EMBURY: Thank you.

MR. McCARTHY: I have no questions. Thanks.

THE CHAIRMAN: Well, I wanted to just reiterate what Joe said. We like to have previous MLAs come before us and tell us of their experience because they're usually well informed about the problem that we have. So thank you for coming.

MRS. EMBURY: You're welcome.

THE CHAIRMAN: Well, I think it's 12:58. We're going to adjourn for lunch. We've looked after everybody but Ed Pluemecke and a walk-on by the name of Murray Buchanan. Is Mr. Buchanan here yet?

MR. BUCHANAN: I'm right here.

THE CHAIRMAN: Can you come this afternoon?

MR. BUCHANAN: I can't.

THE CHAIRMAN: I'll make you a deal. If you'll be brief, we'll hear you.

MR. BUCHANAN: I will be brief. It's a personal presentation.

THE CHAIRMAN: Good.

MR. BUCHANAN: Thank you very much for agreeing to allow me to present. My presentation is verbal. Just to give you some of my background quickly. I am the deputy mayor of the city of Airdrie. My professional career is that I'm a vice-president of marketing working here in the city of Calgary.

You, gentlemen, have an extremely difficult task to try and balance the idea of fair representation with the other balance of effective representation, and I guess I come before you for one reason. I appeared before the last commission on behalf of the city of Airdrie to strongly encourage you not to go with the 'rurban' ridings. I heard Mr. Price and Mr. Meagher refer to them as hybrids, and the people in the surrounding areas of the cities of Calgary and Edmonton would probably refer to them as mutant ridings, Teenage Mutant Ninja Turtle ridings comes to mind.

I will leave you with this. The city of Calgary is a fine city, as is the city of Edmonton, but there continue to be ongoing differences in regards to service presentation, annexation issues, water and sewer issues. The town of Cochrane and the city of Airdrie now have what appears to be an ongoing dispute over the sewage treatment, the town of Cochrane versus the city of Calgary providing that service. Put yourself in the position of an MLA with half of your representation from Airdrie and half of your representation from Calgary. Airdrie and Calgary have an annexation dispute. Would you like to be that MLA? I think not. That is a no-win position.

There are some differences. I have lived in the city of Calgary. People who live in the surrounding small cities and larger towns live there for a reason. They want a different lifestyle for their families, and it is different. I have lived in both. So I encourage you to consider that.

The MLAs in the rural areas don't have the social problems to deal with, but they do have the fact that there are different jurisdictions. I know that in trying to schedule a meeting between our council and our MLA, our MLA may have to be that same day meeting with the town of Beiseker or the MD of Kneehill or whatever. I don't in any way envy your task that you face to try and balance this, and I admire all of you for coming forward and agreeing to do this. But I do strongly, strongly encourage you, as I encouraged the last commission, not to take the two large urban municipalities and

throw a portion of their population in with the surrounding areas. I strongly, strongly encourage that not to be done.

That is my presentation.

THE CHAIRMAN: I want to thank you for adding to our vocabulary the word "mutant."

MR. BUCHANAN: Please use that freely.

THE CHAIRMAN: We'll start with John.

MR. McCARTHY: It's funny. I already regarded Three Hills-Airdrie as mutant or hybrid or whatever. I'm just curious about the mix there. It really is in my view a hybrid in that you have the city of Airdrie, you have a large number of acreages around the perimeter of the Calgary city borders, and then you have, as you get farther away towards Three Hills and Trochu, a more agrarian-based population. What kind of splits do you have there? Can you help me out?

MR. BUCHANAN: Absolutely. You're correct. The difference is that we tend to share a lot of facilities. Our surrounding MD – for example, we have recreation agreements. They use our rec facilities. We have the same school board. There is a community of interest. We are not represented by Calgary. So we have those similarities that tie in the MD of Rocky View with Airdrie or Cochrane, a similar type of situation around the Three Hills area as well even though we have separate school divisions. There are some different issues, but we do have a community of interest with them, more so than we would have with, say, Calgary.

1:02

MR. McCARTHY: Okay.

What's the population of Airdrie?

MR. BUCHANAN: Approximately 15,000.

MR. McCARTHY: All right.

MR. BUCHANAN: So we're a little less than half of the riding.

MR. McCARTHY: I've got 15,000 in our stats here.

MR. BUCHANAN: Oh, sorry. I've given you different years.

MR. McCARTHY: Yeah. Okay. All right.

It may be an unfair question, but what kind of acreage population is there between Airdrie and Calgary, so to speak, in the perimeter of the constituency boundaries?

MR. BUCHANAN: If you came over to the west boundary and came into the city and came down the city line, I would suspect you would pick up in the neighbourhood of a population of 1,500 to 2,000. I apologize. I didn't realize the timing. My wife must have put the householder in recycling because I didn't find out about this till just very recently. So I don't have the numbers. Last time I did all the analyses of the numbers, but that's my estimated numbers, that you would pick up approximately that population if you did combine it. So if you went to the city of Airdrie and picked up the MD coming in, you'd probably pick up 17,000, 17,500.

MR. McCARTHY: Do you have any stats on how many of those people work in the city of Calgary? I regard Airdrie as a bit of a bedroom community. Maybe that's unfair, but have you any comment on that?

MR. BUCHANAN: Yeah. You would probably be close to the last census we did. Probably close to 50 percent of the adult population, around that number, works in – I think the last number is about 54 percent, John. Yes, there's no question that the surrounding communities come to Calgary to work. There's no question about that. The people have, first of all, a little bit different view of their own communities, and secondly, they have different school boards, different governments. So I know what you're saying in terms of some of the similarities. They come to Calgary, "Nice place to visit, but we don't want to live here."

MR. McCARTHY: I don't disagree, by the way, with what you say. I tend to support what you say, but all I'm saying is that the way it is right now, there already is a community of interest. I mean, if somebody lives in one place and works in another, that in itself is a bit of a community of interest; isn't it?

MR. BUCHANAN: I understand what you're saying. There is some of that, but certainly we continue to be and we do a lot of things with the surrounding MD. We also have agreements, water and sewer, with Calgary, but there tends to be – and I presented this – this time of dispute. Not that we have a lot of disputes. You know, there have been some between the MD and Calgary, and there have been some ourselves. You look to the provincial representative to hopefully represent your opinion. We talked about people representing you, and ours is different than Calgary's on some issues. So then we would feel we have nobody to turn to, particularly if the riding was 60 percent Calgary and 40 percent rural, but even the 50-50 split is a tough job to ask an MLA to do. It really is, because they are quite different sometimes.

MR. LEHANE: When you make your recommendation, are you restricting that to the two metropolitan centres?

MR. BUCHANAN: Yes, I am. I was very involved in the last – I realize that certainly Grande Prairie works. Red Deer, in my opinion, certainly works, in talking to people there, and I heard the comments earlier about Grande Prairie. Medicine Hat, Lethbridge: a little different in terms of balance. In some cases they share school division districts, which does not happen with your other two large cities.

MR. WORTH: On the surface it would appear that the community of interest among the people in Airdrie or MD No. 44 or a part of it might be more in line with those of the people who live in the eastern or the western portion of county No. 16, from the Calgary border up to about Strathmore, rather than with Three Hills.

MR. BUCHANAN: That is a possibility. Absolutely. I think you're probably correct there, sir. It probably is true. It's a similar type of problem. I recognize that you'll be looking at boundary changes. If you had to pick the community closest to ours – community interest, same problems, sewage treatment, water services – it's probably Cochrane. So you're absolutely correct.

MR. WORTH: Yeah. Okay. Thank you.

THE CHAIRMAN: Robert?

MR. GRBAVAC: No. Joe asked my question.

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

MR. BUCHANAN: Thank you, and I apologize for not having a written submission.

THE CHAIRMAN: I want you to know that this commission is well fed, and don't feel bad about making them wait for their meal.

MR. BUCHANAN: Well, I made it quick; didn't I?
Thanks again. Sorry for no written submission.

THE CHAIRMAN: Thank you.

[The hearing adjourned from 1:06 p.m. to 1:37 p.m.]

THE CHAIRMAN: Good afternoon, ladies and gentlemen. I would like to welcome you to the public hearings of the Electoral Boundaries Commission. My name is Edward Wachowich, and I'm the chairman of the Electoral Boundaries Commission. I'm also the Chief Judge of the Provincial Court of Alberta.

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

The commission is holding public hearings here in Calgary this afternoon 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 the boundaries in Alberta, and we have reviewed what the courts have said about electoral boundaries in this province and in Canada.

I would 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 in Alberta.

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.

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's 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. 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.

Population. 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.

At this point we will proceed with this afternoon's hearing. We have one person that we weren't able to look after this morning, and that's Ed Pluemecke. Could you come forward, please.

MR. PLUEMECKE: Thank you very much, Mr. Chairman, members of the committee. I'm not really the political type of person that has a lot of time and patience for matters political. Maybe that's why I'm here, and maybe that's why I'm thankful to you, sir, for allowing me to speak to you.

From my brief here it becomes already obvious that my point of view is maybe not necessarily that of your mandate. I think that in this day and age when there are savings being proposed in every facet of life, even government should be asked to put its money where its mouth is and start saving and show some leadership in this matter. Now, leadership in this matter can be shown by reducing the number of MLAs.

I:47

I have spent some time phoning Edmonton and various departments trying to find an answer to this question: why 83? What is the reason for 83? Mr. Chairman, I have not been able to get an answer, one that for logical reasons tells me there should be 83. If that is the case, if there is no really good reason for 83, why not 23 or some other number less than 83?

I have three reasons why I think that the number of MLAs should be reduced. One is party discipline. The words "party Whip" really conjure up in my mind bad feelings. When a duly elected representative is asked or forced by the Whip to toe the party line and to neglect the wishes of those who have sent him or her there to look after their concerns, I find that alone this procedure renders the elected MLA ineffective as far as his electorate is concerned.

Now, the second reason I have for my suggestion to reduce the number of MLAs – and this is in contrast to what has been said this morning. This morning one gentleman said that he couldn't see a very substantial saving in reducing the numbers. I think I can see a substantial saving in reducing the number of MLAs, not just in terms of salaries and pensions of that MLA but also in all the ancillary facilities that are required. There are secretaries. There is office space. There is so much that could be saved.

The third reason I have for suggesting to reduce the number is that in this computer age and at a time when we all have PIN numbers, it should be possible to devise a computer program by which the electors approach a computer terminal and do their voting themselves after the subject matter has been presented to him or her by some experts. I think this has been perhaps initially introduced or tried out by the Liberal Party leadership earlier. That's not to say that I would support the Liberal Party, but what I'm saying is that it has been tried. Fine; if it was not very successful, maybe it can be tried again, and eventually there will be success in this matter.

Mr. Chairman, I'm really deeply concerned about this, and that is the reason I'm here. It's a matter of democracy. As you can tell by my heavy German accent, I have not grown up in a democratic society. I grew up in a dictatorship, and my first exposure to democracies or to the idea of a democracy was in school with reference to Plato and the Greek democracy and so on. You know all that better than I do. I think that democracy itself is very much in danger if we pursue a course by which things like party line have to be toed, by which the majority of the population gets so alienated from their politicians that they lose interest.

That to me is the biggest danger of our present time, where lack of leadership is maybe indicated in matters of fiscal restraint. It seems to me that everybody else is expected to save and to cut back and to do without a job, and I fail to see that the government goes ahead and sets an example. If I first give myself a raise of 30 percent, then generously give back 5 percent, I still have gotten a raise of 25 percent.

If I listen to the speeches of politicians come election time, the one word I hear mentioned by far with the highest frequency is power. Everybody wants to have power. The one word I don't hear at all is the word "duty." None of them wants to perform any duties; they want power. One word I hear occasionally is responsibility. Mr. Chairman, I think that's perhaps where we have to dig in and make it clear as residents of this province that we want our elected representatives not to be power mongers but rather to be those who bear responsibility for the running of this province.

I want to thank you again for hearing me out on this matter even though my suggestion of reducing the number is maybe not exactly

in your mandate. This is how I feel about it, and I just thought I'd have to make my feelings known.

Thank you.

THE CHAIRMAN: Well, thank you, Mr. Pluemecke. I notice that you come from Kathryn, Alberta, and I know where that is. I think you said that you were retired. I was wondering: what was your occupation? What did you do?

MR. PLUEMECKE: I was a schoolteacher for some 35 years, and I'm now a farmer.

THE CHAIRMAN: I see. Well, I second-guessed that you might have been a teacher.

Mr. Grbavac?

MR. GRBAVAC: No questions.

THE CHAIRMAN: Mr. Worth has dealt with teachers all of his life. I'm sure he'll have a question for you.

MR. WORTH: Well, I appreciate the passion of your presentation and the strong feeling that you have about the democratic process.

We heard earlier from a number of people who had suggested that we could apply technology to better effect in our parliamentary process by providing an opportunity for people to receive information through that process and to communicate with their MLAs and so on. Coming from out in the Kathryn area, is it realistic to think in terms of the application of technology and all that goes with that in terms of the representative function in a rural area like Kathryn?

MR. PLUEMECKE: I think so. I think people in Kathryn and, for that matter, all over Alberta would be educated enough to operate a computer terminal and to find out their PIN. They use their PIN in their banking all the time. So, yes, I think that would be possible.

Further to your reservation there, sir, this morning there was somebody here claiming that this MLA had traveled 200,000 km per year. I've taken my calculator and would suggest to you to maybe do the same and draw your own conclusions.

1:57

MR. WORTH: Thank you.

THE CHAIRMAN: We've already done that. We think it might be a little exaggeration.

MR. PLUEMECKE: But, sir, it's this sort of statement that doesn't really add credibility to the discussion.

THE CHAIRMAN: Joe, any questions?

MR. LEHANE: No questions.

MR. McCARTHY: You wanted fewer. What number did you have in mind?

MR. PLUEMECKE: Sir, I have no expertise to really try and come to grips with a number. I think I would leave that up to those who are more politically minded or more in tune with representatives,

with the number of population per area or so. But a substantial reduction, seeing that we have 26 MPs in Ottawa. To just answer your question, I don't know. I would leave that decision up to somebody else as long as there is a reduction. Even though that may not be directly in the mandate of your commission, perhaps you can convey that message to the Legislature, because I know that I'm not the only one who feels this way. Even this morning there have been suggestions made to that effect.

THE CHAIRMAN: Well, I want to thank you for coming, Mr. Pluemecke. We can't answer your question about why 83. We've never been told, so we don't have the answer. But we did get some information: that to try and give everybody an equal vote, they kept adding constituencies to the cities, and that's how it got built up to 83. You could do that again. You could add to Edmonton and Calgary, say, another seven or eight constituencies, and that would equalize Alberta, but nobody's in favour of increasing the number of constituencies. I don't think that's a solution anymore.

MR. PLUEMECKE: Yeah. Well, as to the numbers, like I said, sir, I am at a loss; I can't really say. But certainly fewer, particularly, sir, if you keep in mind that the government is downloading a whole load of responsibilities now onto other areas, onto other levels of government and so on. So there should be some savings at the top. Thank you very much.

THE CHAIRMAN: Thank you.

Our next presenter is Andrew Slater.

MR. SLATER: Good afternoon, Mr. Chairman, members of the commission. My name is Andrew Slater. I'm a resident of Calgary and have been for 21 years. I also prepared my brief before I heard the details of your mandate.

Nevertheless, I would very much like to see this commission rectify the pronounced bias which exists in the province in favour of the rural areas. This has the effect of partially disenfranchising the residents of Calgary and Edmonton and depriving them of effective representation. The bias is apparent from a glance at the population and variance chart, which reveals that all of the Calgary electoral divisions have a population above the electoral quotient as do all but two of the Edmonton divisions. Almost all of the special consideration and other divisions on the other hand show a population below the quotient, the major exceptions being Fort McMurray and some suburban areas around Edmonton.

The consequence of this bias is that the special services and provisions that the large urban centres need to deal with problems that are increased by urban conditions tend not to receive due consideration by the elected body. A few examples of such services and provisions, which include education, are those for the handicapped, the homeless, single-parent families, English as a Second Language groups, and abused women who need shelter.

While it's clearly impractical to draw the boundaries so that every division has the same population, they should be arranged so that no division has a significant variation from the quotient, say, larger than 3 percent. Each class of division – special consideration, Calgary, Edmonton, and other – should have an extremely small total variation from the quotient: no more than .3 percent. In other words, what I'm saying is that I believe the principles of democracy and one man, one vote should be universal.

The shape of the electoral divisions has clearly not kept pace with population demographics. To minimize this effect in the future, forecasted population trends should be taken into account when the divisions are redrawn. They should be based on anticipated population levels two or three years ahead and should thereafter be reviewed and revised perhaps every five years.

Thank you.

THE CHAIRMAN: Thank you.

We'll start the questioning with Mr. McCarthy.

MR. McCARTHY: No questions, Your Honour.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions.

MR. WORTH: An observation. Your proposal to try to keep constituency population variances within plus or minus 3 percent has recently been achieved in Saskatchewan.

MR. SLATER: Uh-huh. Thank you.

THE CHAIRMAN: Robert?

MR. GRBAVAC: No questions.

THE CHAIRMAN: Well, I want to thank you for making your viewpoint known and coming to talk to us today.

MR. SLATER: Thank you.

THE CHAIRMAN: The next presenter is Mayor David Jones of the town of Okotoks. Is Dick Scotnicki with you? Oh, you're Scotnicki. I see. What happened to the mayor? Did he abandon us?

MR. SCOTNICKI: Your Honour, Mayor Jones and other members of council attended in Edmonton at the annual Alberta Urban Municipalities Association convention the week previous. They're all working people. Mayor Jones extends his courtesies but his job prevails.

My name is Dick Scotnicki. I'm the municipal commissioner for the town of Okotoks, and I'm here to represent the interests of the town.

THE CHAIRMAN: I thought you were going to tell us that he didn't get over the party last week.

Go ahead.

MR. SCOTNICKI: I am here today to make representations on the preservation of the Highwood electoral division because of the strong partnerships, economic, political, and social ties that exist between the towns of Okotoks, High River, Black Diamond, Turner Valley, and the municipal district of Foothills.

Mr. Chairman, the last time around, in late 1991 and early '92, the commission put forward recommendations that would have recreated the Highwood into a so-called 'urban' constituency by including high-density, high-growth neighbourhoods from Calgary and excluding the town of High River. The proposal simply didn't make

any sense and resulted in a ground swell of opposition at the hearings in February of 1992. We would prefer not to be confronted with such a fiasco again and would ask that the commission take the following points into consideration in justification of preserving the Highwood.

Firstly, because of economic and political necessity the Foothills municipalities have entered into a wide variety of partnerships and agreements to best serve the ratepayers and constituents of the region. In some cases up to 8 municipalities are involved, but there is a common denominator throughout, that being the towns of High River and Okotoks and the MD of Foothills. These alliances include the Foothills Regional Waste Management Authority, the Foothills Regional Services Commission, the Foothills Foundation for seniors, the Highwood ambulance service, the Oilfields ambulance service – and we'll be merging those two in the near future – the Foothills regional communications centre – we've packaged that up into a venture that we're all working with – Alberta Southwest Visitors Association, and various economic development and tourism partnerships.

Secondly, the separation of High River or Okotoks from the rest of the municipalities would not only break up the core of an electoral division that has existed for 65 years, but it would also unnecessarily complicate the flow of communication between municipalities, constituents, and separate MLAs. This would result in less than effective representation because each MLA would have a much broader and diverse constituency to serve.

The commission is embarking on its mission using population obtained from the 1991 federal census, yet it is late 1995 and another federal census will take place in 1996. The commission's information circular states:

The review takes into account demographic and population changes which have occurred in Alberta using data provided by the 1991 census.

We are very concerned that the commission's research may not consider the effect of regional and metropolitan growth since 1991, which is readily available through Alberta Municipal Affairs.

2:07

At the 1992 hearings we provided strong and compelling population growth evidence that the commission acknowledged was not brought to their attention prior to formulating their proposed boundaries for the Highwood. At that time the evidence revealed that the proposed boundaries contained approximately 33,500 persons in 1991 and would contain about 48,000 persons by 1995. Based on conservative growth rates, this new information was in stark contrast to the 22,597 persons in the proposed division.

By only using and considering 1986 census data, we are fearful that the commission may fall into the same traps as the previous commission and would strongly suggest that you direct your research group to provide population growth and projection data wherever surgery to existing rural electoral divisions may be contemplated. The existing Highwood electoral division is only 6 percent, or 1,813 persons, off the 30,780 electoral quotient based on 83 seats in the 1991 census data. Utilizing 1994 municipal census data and informed estimates where a census was not conducted in 1995, we believe the Highwood currently contains about 36,000 persons.

In summation, please stay away from 'rurban' divisions, please consider growth in your deliberations, and please extend the heritage

of the Highwood electoral division by confirming its existing boundaries.

Thank you.

THE CHAIRMAN: Thank you. We'll start the questioning with Robert.

MR. GRBAVAC: No. I believe the presentation was very self-explanatory.

THE CHAIRMAN: Wally?

MR. WORTH: No questions.

THE CHAIRMAN: Well, I want you to know that this commission is not taken by surprise. We've been told on several occasions that Highwood is higher than the 1991 census, and I want to thank you for giving us what you think is the exact figure of 36,000. But our hands are somewhat tied in respect to the way the Act reads. We are required to follow the 1991 census unless there is a better census, which we're not aware of, that exists.

MR. SCOTNICKI: We very much appreciate that. The point we're making is that there should be a serious consciousness of what is taking place in particular with regard to growth or reduced growth in the formulation of your decisions. I think the system that was put in place for the commission in '91-92 was an impossible one. What they came up with was just totally unreasonable, but in many ways it was unreasonable because inadequate research was conducted. So we're just asking you to please be conscious of what is taking place.

THE CHAIRMAN: Thank you.
Joe?

MR. LEHANE: No questions.

THE CHAIRMAN: John.

MR. McCARTHY: Yes, I just have one question. I guess I tend to regard your constituency as a hybrid or 'rurban' one already because there is a large number of acreages, a large number of developments in Okotoks and High River – from what my observations are, rapid growth there – and many of the people who live in Highwood commute into Calgary to work. Do you have any statistics that would assist me if my comments are in any way accurate?

MR. SCOTNICKI: Oh, I would fully concur with your comments and observations, yes. It's a large commuter-shed area where, you know, 50 percent of the workforce moves into Calgary every day. The population is reduced accordingly.

The dilemma we were faced with in 1992 was that they took the very new growth areas of the west and southwest portions of Calgary, which by virtue of 1986 census data only contained a smattering, a few thousand people, whereas in the year in which the recommendations were made there was a 138 percent increase to the population that was being used to formulate the boundaries. Just using very conservative 3 percent estimates for new growth areas, in 1995 we would have had a constituency that was in fact close to 50,000.

We recognize that we're commuter-shed. I don't agree that we're 'rurban' to the extent of being put in a position where an MLA who represents the civic, or the city, scale of dilemmas and situations is the one that would represent our side of the fence, if in fact a fence is there. That's our concern. We feel quite confident that if the previous boundaries had been put in place, we would have had an MLA who would have resided in Calgary representing High River. We don't think that's good for our area.

MR. McCARTHY: Okay. When I define 'rurban,' I look at it as people who live there who make their living off the land or serve those who do as opposed to – I call it the bedroom; I forget what you call it – the bedroom community type where they move into Calgary during the day and work.

MR. SCOTNICKI: It's the best of both worlds, sir.

MR. McCARTHY: Yeah. Okay. Thanks.

THE CHAIRMAN: Thanks for coming, Mr. Scotnicki.

MR. SCOTNICKI: Thank you.

THE CHAIRMAN: Our next presenters are Eleanor Art and Sheila Cooper. Are you both here or just one of you?

MRS. COOPER: We're both here.

Good afternoon, gentlemen of the Alberta electoral boundaries review commission. My name is Sheila Cooper. I'm the vice-president, policy, of the Calgary-Egmont PC Constituency Association, and I represent the executive and board of directors of that association.

The electoral boundaries were redrawn by the Electoral Boundaries Commission Act of 1990, and we understand that another review will take place in the year 2001, following the next census. We have only had one provincial election since the last change of boundaries, and we do not see any cause to consider another change to the boundaries at this time. We are confident that all members of our constituency do have effective representation as called for in the Canadian Charter of Rights and Freedoms. We are aware that our Egmont constituency is a large one, but numbers prove that it falls well within the court guidelines for size and number of eligible voters. We respectfully request the commission to leave the boundaries as they are.

We do understand that the Millican-Ogden Community Association, which represents less than 10 percent of the residents of those subdivisions, has requested a change in the boundaries, but we are unable to support them in this regard. Their decision to request a change in the boundaries was made at a meeting which was only attended by 15 people out of the 4,000 households, and we do not feel that this is representative of the community as a whole. They claim that the income figures for residents in that area are below the Calgary average, but it would appear that they are not taking into account the Lynnwood Ridge area, which falls within the Millican-Ogden community.

Our MLA does not have any difficulty with the size of the constituency, and his office is situated in a central location. He is always available, and we believe he has no trouble representing the people of Calgary-Egmont. Our constituency association currently

has 42 directors, representing all of the communities in our constituency, who attend regular monthly meetings and act as resource people and advisers to our MLA.

Although our constituency has seen growth with the new subdivision of Riverbend, which now houses about 10,000 people, we are still within the court guidelines for number of eligible voters. We have been able to hold a meeting in the Riverbend community hall, ensuring that no one would have to travel too far to get to our meeting.

We are a very diverse constituency with people from many ethnic backgrounds. We have blue-collar workers; we have white-collar workers. We have old people, seniors, and we have young people. We have low-rental subsidized housing, and we have large single-family dwellings. We feel that through diversity comes strength. Our MLA is able to represent all people equally and effectively because he gets to see and hear all points of view. Our community interests are varied. There is no one special attribute to connect the people. We are not built around any one industry, nor do we have a special environment or culture.

We strongly feel that the present electoral boundaries conform to existing municipal and community boundaries and give fair and effective representation to all the residents. We have a very close relationship with our MLA, and at the present time there are no real problems in the constituency that require his special attention or a lot of his time.

Gentlemen of the commission, we the Calgary-Egmont PC Association respectfully submit that electoral boundaries should remain as presently drawn.

THE CHAIRMAN: Thank you. Eleanor, do you wish to add anything to the presentation?

MRS. ART: No, I do not, sir.

2:17

THE CHAIRMAN: Thank you. Well, then, we will start the questioning with our Calgary rep, John McCarthy.

MR. McCARTHY: Just one question. Did your association have occasion to review the court cases or to have any lawyer with your association review the court cases dealing with this issue of boundaries?

MRS. COOPER: No, it did not.

MR. McCARTHY: Okay. Well, I'll arrange to have the decisions forwarded to you for your consideration, and you'll understand the problem that we're faced with.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions.

THE CHAIRMAN: Wally?

MR. WORTH: Just a question of clarification. In your submission you refer to the fact – and I'm quoting – that your "constituency has seen tremendous growth with the new subdivision of Riverbend which houses about 10,000 people." Is that growth continuing now? Is it an ongoing thing? That's question one. Question two is: how

much of that 10,000 has come into the constituency in the last four years?

MRS. COOPER: Probably about one-third of it in the last four years. The subdivision is almost complete. There are still a few vacant lots and still some houses being built but very, very minimal, I think probably less than 50.

MR. WORTH: My reason for asking that question is probably obvious to you, but it would seem, therefore, that Calgary-Egmont is now beyond the 25 percent threshold.

MRS. COOPER: I don't believe we are, sir. I think we are still within that legal guideline. Yes.

MR. WORTH: Okay. Thank you.

MR. GRBAVAC: Just a comment, Sheila. We've heard from a great many Progressive Conservative constituency associations from one end of this province to the other, and I'm not going to question you in detail about your submission. I believe that without exception they have all sent the same message, so you're fully consistent with your colleagues.

MRS. COOPER: That's nice to know. We had no idea.

THE CHAIRMAN: Well, I want to thank you for coming and making the views of your constituency known to the commission. Thank you.

MRS. COOPER: Thank you very much, sir.

THE CHAIRMAN: The next presenter is Greg Schell. Go ahead.

MR. SCHELL: Well, I'd like to thank you for giving me the opportunity to speak before the Electoral Boundaries Commission this afternoon. I would wish to say first and foremost that I don't wish to see any changes at all to the present electoral boundaries. In my view the government of Alberta has been more than open to ensure fairness and equity in our political system. After all, this current consultation is the fourth such political commission studying this very issue in six years.

Since before the last election some fringe political groups in the province have argued that the existing boundaries were not correct because they were drawn by government Members of the Legislative Assembly. Perhaps the commission should be reminded that both opposition parties at the time were invited and given every opportunity to participate in the process but did not choose to participate. I'd like to remind the commission that the opposition in this province has had a history of inconsistent behaviour when it comes to drawing electoral boundaries. While it was not right for MLAs to draw boundaries in 1992, it was quite all right in 1984 when, you remember, the then Leader of the Opposition and MLA for Spirit River-Fairview, Grant Notley, sat as the New Democrats' member on the Alberta Electoral Boundaries Commission.

I think one of the reasons why this government is spending more than half a million dollars on this current commission is to give the opposition yet another chance to try and settle the matter just before another review in the year 2001. I would think that this \$500,000,

or whatever the end amount is going to be, could have been better spent on health care, education, or even eliminating our deficit. I mean, if you look at the newspapers and the headlines today, you know, it's another issue that's grabbing the headlines. The boundaries are legal, so why tinker while there are more pressing issues?

Some members of the opposition party in this province have charged that the present boundaries were gerrymandered. If this were in fact the case, then how can one explain that Albertans in 1993 elected the largest opposition in the province's history? Conversely, the Liberals have argued that the province's electoral boundaries were skewed because it gave the Tories more representatives in proportion to their share of the popular vote. Well, then, is it also wrong for the federal Liberals to win 98 of 99 seats in the province of Ontario when they didn't even get 50 percent of the vote?

Many groups claim that the major urban areas of this province, Calgary and Edmonton, are underrepresented in our provincial government. I, however, feel that the cities in many cases have more representation, access to government representatives, and choice of programs and services. First, both cities have large city councils. The city of Calgary, for instance, currently has 14 aldermen on its council, but no one has ever thought that, well, maybe we should increase it to 20. So why is anyone advocating that we create more MLAs in Calgary or Edmonton?

Additionally, one could say that Edmontonians have better elected representation than any other area in Alberta. The MLA for Edmonton-Centre gets the same constituency allowance as, say, the Calgary-East MLA, or any other MLA for that matter, despite the fact the Legislature is located within the constituency of Edmonton-Centre. The Edmonton-Centre MLA has a constituency office which, I might add, is a mere 10 blocks west of the Legislature Building, whereas a local Calgary MLA has to drive three hours from the Legislature to his constituency, and that's in good weather. One has to wonder what will happen once the Municipal Airport shuts down in Edmonton.

While an Edmonton MLA can meet with individuals and community groups in the constituency any day of the week, in or out of session, MLAs elsewhere are restricted when it comes to scheduling and attending meetings. In some parts of the province where there is not a local government who looks after services such as road maintenance, it is the local MLA who often serves as the local alderman.

Furthermore, I think there are many other costs and sacrifices which cannot be calculated on a financial sheet. MLAs from outside of Edmonton are separated from their spouses and children during the legislative session. Now, I do realize that MLAs were aware of this before they were elected and that they do get a living allowance to maintain a second residence, but I think that it may prevent many more good-quality, community-minded Albertans from running for the Legislature in the future. If the opposition or people elsewhere in the province are truly interested in creating more and equitable representation, then this concern, I think, should be addressed.

Both Edmonton and Calgary residents also get greater choice when it comes to provincial government supported services. They have greater access and choice when it comes to selecting health care services, social services, and schools. I think that we have to go back to the rural areas. We have to remember that a high school student from Hinton, if he or she wants to further his or her

education, will have to go to Edmonton, leave the nest, whereas a student in Calgary or Edmonton has a choice of three institutions in many cases. As well, Calgary and Edmonton both have modern transportation infrastructures, so it's easy to get from point A to point B. So where is the inequity? I really wonder: how can someone make a blanket statement saying that rural areas are overrepresented within the province of Alberta?

Finally, if you look at Alberta in the scheme of things, we're actually overrepresented when we compare ourselves to other jurisdictions in Canada and even abroad. The province of British Columbia, which has nearly a million more residents, gets by with fewer MLAs in their Legislature. Saskatchewan reduced their number of MLAs before the last election, and so has Ontario. I think that if you add up the number of MPs and members of provincial and territorial Legislatures and if you combine them together, we are overgoverned. I mean, if you add that and compare it to the 651 Members of Parliament at Westminster and consider that England has a smaller geographic base and a much higher population, I think that really puts it into view.

So I would say: don't change the boundaries. I would like to see a return to just reviewing it once every 10 years. I think that's adequate.

THE CHAIRMAN: Well, thank you, Greg. You're from Calgary, I trust?

MR. SCHELL: Yes.
2:27

THE CHAIRMAN: What do you do?

MR. SCHELL: What do I do? I'm a graduate student at the University of Calgary. I've studied electoral behaviour.

THE CHAIRMAN: What kind of behaviour?

MR. SCHELL: Electoral. Political science.

THE CHAIRMAN: Oh, electoral. I see. Well, we'll start the questioning with John McCarthy.

MR. MCCARTHY: You dwelled on the opposition. I just think you should be aware of the fact that I guess this commission feels like a child that somebody comes up to and says, "We're angry with you because you were born." You know, I think the child might have a right to say, "Speak to my parents." We were given birth by the Legislature. If it wasn't for the Legislature creating us, we wouldn't be here. An Act of the Legislature created us, so it presumably would have had to be passed by a majority vote in the Legislature. I don't know how that vote went, but I just leave that with you for your information. That's the first question, as to why we're here.

Now, the next issue that I think you should be aware of is: why did the Legislature do that? Well, I can't answer that. You'll have to ask the individual members, and I know you know some of them. But I suspect strongly it has its roots in two cases, one being a Supreme Court of Canada decision called the Carter case, which dealt with the issue of electoral boundaries in the province of Saskatchewan. I'm just going to take a minute to deal with this, just so you can have an understanding, I think, of why we're here. In that case they were dealing with legislation similar to the legislation we

were dealing with here. The Supreme Court of Canada basically said:

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.

Now, that was a 1991 Supreme Court of Canada decision. When our boundaries were redrawn in 1992 or '93 or whatever it was, the government of Alberta brought the boundaries before the Court of Appeal of Alberta. The Court of Appeal of Alberta was aware of that case and mentioned it in its decision.

Now, I think the problem that we're faced with here, Greg, and the reason why we're here and the reason why the Legislature gave birth to us is because the Court of Appeal considered the boundaries and this was its conclusion. I'm going to refer, now that we have a minute, to a couple of other paragraphs after I give you the conclusion so you'll know where they're coming from. It said:

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 prior to the 2001 census.

Now, the court in my view, having had some legal experience in the last 20 years, was rather harsh, I thought, as harsh as I've ever seen a court in its decision. Listen to some of its comments.

As we have said, the origin of the problem before the Legislature is the historic imbalance in the level of representation between agrarian and non-agrarian populations in Alberta. Each year this problem worsens, because each year urban populations increase and non-urban populations decrease. We call this a problem because it impacts significantly on the right to vote of urban Albertans. This cannot be permitted to continue if Alberta wishes to call itself a democracy. The courts, and the people, have rejected the notion of mechanical one-person, one-vote equality. That does not mean we can or should accept significant disparities without reasoned justification just because some members of the population resist change.

Let me see. There's another one here, I think. Now the other selected paragraph. I'm just trying to explain that what we've got here is a potential collision course between the Legislature and the courts. I regard this commission as the ham in the sandwich between those two. Maybe "baloney" might be a better description than the "sandwich." Nevertheless, let me read another selected paragraph just so that you can understand the problem that we're faced with.

So the courts have said they reject the notion that the boundaries remain the same. A significant number of the members of the Legislature and the public are anxious that it not change. Just look at this, one more paragraph here so that you can be fully informed here.

The Chairman . . .

This is the chairman of the last boundaries committee.

. . . added that “. . . the first priority would be to respect existing constituency boundaries, if possible . . .”. This is, of course, a . . . way to assuage the concern of some voters.

The new electoral map clearly shows the result of that approach. For example, it was common ground before us that the population figures indicated the need, in the absence of any special considerations, to reduce the number of divisions in southern Alberta by two. Mr. Bogle acknowledged this in his affidavit . . . but explained that the committee chose instead to reduce the number of divisions by one, despite the fact that a further reduction would eliminate one of the smallest divisions in the province, which, by happenstance, was that for which he was then the sitting member. One reason he gives in his affidavit for this decision was that a further reduction “would have meant a sudden and substantial reduction in the level of representation.” That is, we observe, exactly the concern of some electors. The concern, we feel constrained to add, of other electors, those in Metropolitan Alberta, was that their existing inadequate level of representation would remain reduced.

With respect, this very natural concern of an elected official for the “comfort zone” of a vocal portion of the electorate is not a valid Charter consideration. The essence of a constitutionally-entrenched right is that it permits an individual to stand against even a majority of the people. Put another way, Canadians entrenched certain traditional rights for minorities in the Constitution because they do not trust themselves, in all times and circumstances, to respect those rights. The fact, then, that a significant number of Albertans do not like the results of an equal distribution of electoral divisions is no reason to flinch from insisting that they take the burden as well as the benefit of democracy as we know it.

So those comments I give to you to explain to you the problem we have between the Legislature and the courts, and there is a very serious problem.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions.

THE CHAIRMAN: I'm sorry; maybe you wanted to comment.

MR. SCHELL: Well, first of all, I think that most Albertans I know, most voters I know, not members of the legal community, are of the opinion that they are just starting to get used to their constituencies, to who their representatives are. People are more concerned about what's going on with this government today, not projecting “What is my community going to look like in five or 10 years?” and trying to project growth. I think people are concerned about jobs; they're concerned about health care. As I see, this is the fourth such study that we've had in six years. Obviously, it is a vocal minority that is bringing this issue up, and it's coming up over and over and over again. I'm saying that, you know, I'd like to see an end to this finally. I mean, in 2001 we have to review the boundaries anyway.

THE CHAIRMAN: Do you have any questions, Wally?

MR. WORTH: No questions.

MR. GRBAVAC: Well, Greg, I'd like to thank you for your submission today. I think you've pointed out something very obvious to us, and that has been our shortcoming in terms of being able to get our message out to not only people like you, who are obviously well versed in matters of a political nature, but certainly to the average person on the street. We obviously have failed to reach you in terms of giving you the rationale as to why we exist. I don't think you're alone in that, and I would hope in our subsequent round of notification and advertising we'll try and rectify that problem.

THE CHAIRMAN: Well, I want to thank you for coming, Greg, and unloading a lot of your thoughts, which are quite interesting, on this commission.

The next speaker on my list is Jim Hornett, but I'm told that he's not here. Is that correct? So we will then call on Wayne Ericksen. 2:37

MR. ERICKSEN: Good afternoon, Your Honour and commission members. I would like to start off with the brief that you have before you on behalf of my council, that being the county of Vulcan. I am the reeve. Then if I may, when I'm finished presenting this, I also want to flip around and put on my other hat this afternoon. I have a brief that I would like to not read to you but present to you on behalf of the Little Bow constituency.

Beginning, then, with the county of Vulcan brief. As I've mentioned, my name is Wayne Ericksen. I'm the reeve of the county of Vulcan, and on behalf of my council I would like to thank the commission for the opportunity to present our views.

Mr. Chairman, to be involved in another commission studying the so-called problem with electoral boundaries, all held in the last six years, does not provide room for much change in what already exists. The population variances between urban and rural ridings in Alberta are well within acceptable limits. Voters in Calgary, Edmonton, and Red Deer are almost perfectly represented. Those ridings are only 11.6 above average population, and this is well within the limits prescribed by the courts.

However, Mr. Chairman, I would like to outline in point form, in an attempt to be brief, the concerns that we have against changing the current electoral boundaries.

Little Bow constituency is already defined by natural boundaries, and it takes the MLA from our area two and a half hours to go from one side to the other side of the constituency. That's a long drive, and to make that any larger would only deter from time with the constituents.

There's a new term being used, and that is ‘rurban.’ I would like to suggest to you that our constituency is already ‘rurban.’ Where I reside, just out of the town of Vulcan, in our recreation area we have 50 percent people who live in town and 50 percent who are in the area, so we really are basically already a ‘rurban’ riding. The Little Bow constituency is a ‘rurban’ riding when one considers that our MLA represents five rural municipalities, the Siksika Nation, and three regional boards of education, those being the Horizon school division No. 67, Palliser No. 26, and Livingstone Range school division No. 68. He also represents two regional health authorities, the Chinook health authority and Headwaters. He represents thirteen

towns and villages; two irrigation districts, Bow River and Lethbridge Northern; two catholic schools and three private schools, all within 13,000 square kilometres. That's a large area, and although he does a very good job, I'm sure there are times that I don't know when he gets any sleep.

Item 3. If the Little Bow constituency becomes any larger, the communications will become less meaningful. The natural economic areas would also be impacted to the extent that interest and concerns could substantially differ, creating more potential for conflict for the MLA to address these concerns.

Four. Representation should not be based on the criterion of population alone. Surely representation must also take into account the diversity of distance, community mix, and economic mix. Rural Albertans deserve and should receive equal and effective representation in government. In order for this to be accomplished, rural Alberta should be assured of reasonable access to its elected representatives. This access is not enhanced if the MLA is in his vehicle for in excess of five hours on a return trip just to visit some of his constituents. The physical size of the constituency already hampers access to our MLA.

These are just a few of many issues that you will hear as you carry out your hearings, but we felt it was of vital importance that we make representation to you. We can continue, and are happy to do so, with the present electoral boundaries. In our opinion, it is vital that status quo for electoral boundaries is maintained. Remember a term from down on the farm: if it ain't broke, don't fix it.

Thank you for the opportunity for me to represent to you the views of our council on this issue. Thank you.

THE CHAIRMAN: Well, we'll start the questioning with Mr. Grbavac.

MR. GRBAVAC: Wayne, I'd like to thank you for taking the time to drive to Calgary this afternoon to make your presentation. As you know, I'm supposedly a rural representative on this commission, and I do reside in southern Alberta. I want to alert you to some issues that have been raised with us by various presenters across the province.

They've taken a look at the map. They look at the six constituencies basically south of Calgary, and they tend to disagree with you when you suggest that they're well within the prescribed limits: Pincher Creek-Macleod at minus 20.3 percent; Cardston-Chief Mountain, being a special consideration riding, at minus 38.5 percent; Taber-Warner, minus 21.8 percent; Cypress-Medicine Hat, minus 23.8 percent; and Bow Valley, minus 24.4 percent. As a matter of fact, the previous Member of the Legislative Assembly who served on this commission in the past suggested to us that the problem in Alberta resides within southern Alberta, and if you were to look for change, that's where you should look first.

So I'm glad that you came up and made representation with respect to the large geographic area that exists in southern Alberta and the number of municipalities that reside there. I guess my point is: because you are in fact under the 25 percent, I hope it doesn't lull you into a false sense of security in that it is true that looking across the entire map of Alberta, there is not any other area of the province in which the constituencies almost exclusively push the envelope to 25 percent. So I appreciate your coming. I hear what you're saying, and I look forward to your next presentation.

MR. ERICKSEN: Okay. Thank you.

MR. WORTH: Pursuing Bob's point just a little further with you and focusing on the county of Vulcan per se: are the interests of the people of that county more similar to those of the people in MD 26, which includes Stavely to the west, than they are to the county of Newell?

MR. ERICKSEN: In our county we have a unique situation. I'm not that familiar with all the MDs and counties within the province, but if you go to the northwest portion of our county, the economic/social flow is to the west, to High River and to Calgary. If you take a cutoff point about Vulcan and go to the west, then there's a natural flow on the west side of the county there towards Nanton and Claresholm. When you drop south of Vulcan to Champion, for instance, pretty well the whole, I'm going to say, southern part of the county, their social and economic travel is to Lethbridge. On the east side of our county – this is particularly in division 6 – they're across the Little Bow reservoir, and their economic and social travel is towards Brooks and Bassano. So we're sitting in an awkward spot there. There's no particular spot where any one bunch of people go. Vulcan is central, and as such there's a small trading area there, but when you spread out, it goes in all directions from there. So there's no consensus as to one direction or another from the county people.

MR. WORTH: Thank you.

THE CHAIRMAN: In respect to item 5 in your submission dealing with equality and effectiveness, as you know, the Supreme Court of Canada has sort of said that you should strive for equality of voting but that the equality can be infringed upon to make the representation effective. I noticed that you've underlined the word "effective."

MR. ERICKSEN: Yes.

MR. WORTH: I want you to know that that's really our problem today: how far do we deviate from equality to try and make the representation effective? It's not a clear line; I can tell you that.

MR. ERICKSEN: No. I appreciate that, and that is why that is underlined. Our council spent some time discussing that. I guess if we looked beyond the next 10 years in rural Alberta, we have a concern in our county that if the trend continues for more population in the urban centres, the rural population is only going to be lessened. With that in mind, 20 years down the road is rural Alberta going to have a voice in provincial government? I guess that's the bottom line of our concern. I think, as I've mentioned, that it shouldn't be based on population alone. Where you live and where you sustain your living or whatever you do for a living should not deter you from proper representation in a provincial government. I have all the appreciation in the world for the populated areas who would come back and say, "Well, we are so populated we can't get at our MLA either." So you have a difficult task before you. But I do want to make the stance for rural Alberta that 20 years from now, if the population trends continue, rural Alberta is not going to have representation in provincial government. I think that's wrong.

2:47

THE CHAIRMAN: Joe?

MR. LEHANE: No questions.

THE CHAIRMAN: John?

MR. McCARTHY: No questions.

THE CHAIRMAN: Well, we want to thank you for coming, Wayne, and making the views of your area known to us. [interjection] Oh, pardon me; I forgot about your second presentation.

MR. ERICKSEN: I'm not going to take any more of your time than is necessary. However, as early as of last night I was asked to present on behalf of the Little Bow constituency. I am on the executive there as well. Meetings in rural Alberta – some people have to go 10 directions at once, but they knew I was coming, so they asked if I would present this. I'm not going to read it to you today. I would ask that you have a look at it and consider the things that are in there. They are very similar to what we put together because we're a small area in population and have the same concerns. So I would just like to submit it to you.

THE CHAIRMAN: Have you filed a copy with the lady up there?

MR. ERICKSEN: Yes, I have.

THE CHAIRMAN: Well, you can keep that one, because she'll give us that. [interjection] Did we get them already? I'm sorry; I guess they were already given to us.

MR. ERICKSEN: I would like to submit those on behalf of the constituency.

MR. GRBAVAC: Can I make a further comment?

THE CHAIRMAN: Go ahead.

MR. GRBAVAC: Wayne, it seems apparent to me as well that should population shifts continue to evolve as they have in the recent past – and there's nothing to indicate that they won't – your observation about the large urban centres – and I speak of Calgary and Edmonton, primarily. I view Grande Prairie, Medicine Hat, and Lethbridge to some degree to be rural in their perspective, not maybe even in their content, and a lot of rural people reside within the cities. In fact, what you suggested may be the case. Certainly that may not happen with this commission, but with subsequent commissions obviously even the 25 percent variance is not going to protect what it is that you're concerned about in terms of regional representation in the province.

I suggest to you that it's incumbent upon people like yourself, a reeve of a rather large municipality, to maybe look at other ways of ensuring your own self-destiny with respect to the way that we govern our affairs. Maybe that extends to decentralizing some of the power from Edmonton so that it's not quite as relevant to you, the population variances, with respect to your representation in Edmonton. So I just put that forward to you as a comment, and I've made that same comment to a number of other Reeves across the province. I look forward to some innovative solutions coming from the Alberta Association of Municipal Districts and Counties with respect to this.

MR. ERICKSEN: I think there are some things being done. I know that our county and other counties are being very active in the economic development area, and we are seeing some benefits from that, which may maintain some of the population. So what I mentioned may not happen. I hope it doesn't, but there is a great fear out there amongst the people, I know, that that will happen and that they will not be represented.

THE CHAIRMAN: Joe says that he has a question.

MR. ERICKSEN: Sure.

THE CHAIRMAN: We just woke him up.

MR. LEHANE: Wayne, you indicated that you live right near Vulcan?

MR. ERICKSEN: Yes.

MR. LEHANE: So your trading pattern to some extent would go south to Lethbridge or west?

MR. ERICKSEN: Where I live is five miles east of Vulcan. Basically, we're in a unique situation there: we're an hour and a half from Calgary and an hour and 10 minutes from Lethbridge. So we go both ways as far as my business and family business are concerned.

MR. LEHANE: Let's just for the moment consider that if changes had to be made in the south, there's the potential to create some 'rurban' ridings that include a portion of Lethbridge and a portion of its surrounding area. Can you give us your comments in terms of whether you think that type of riding would work? What considerations should be looked at by the commission if they were looking at a riding like that?

MR. ERICKSEN: I had the pleasure of sitting through your hearings in Lethbridge. I don't know whether you remember me from there or not, but I did take that in and listened with interest. Well, in my opinion Calgary and Lethbridge are truly urban centres. I think when you get centres like Lethbridge, Red Deer, Wetaskiwin, Camrose, whatever, they do have more of a mix, an economic mix with the rural people, and I think 'rurban' ridings in the situations that you just mentioned would probably work if the people, you know, agreed to that.

The problem I would have with Little Bow being extended that far south – now we're talking Siksika Nation from the Trans-Canada Highway all the way to Lethbridge. I need someone, then, to explain to me how the MLA is possibly going to represent that many people. I don't know. I don't know whether that answered your question or not. It's a large riding now with not too much population, but to extend it that distance would be very difficult for an MLA to handle, I think. The mix between Lethbridge and the rural people: no, I don't think that would be a problem because a lot of the industries and businesses in Lethbridge depend on rural people for their survival as well. So there's an economic community there that includes farming people, ranching people, irrigation people, whatever else. I think that would work. I question it in the larger centres though.

MR. McCARTHY: Did you sit through all of our hearings in total in Lethbridge?

MR. ERICKSEN: Yes, I did.

MR. McCARTHY: Who is the mayor of Carmangay?

MR. ERICKSEN: I do know the mayor of Carmangay. I'm chuckling a little bit because in Carmangay last night at their village council meeting they had a major eruption, and I think they all resigned. But I do know. I sit on committees, as a matter of fact, through county council with the mayor of Carmangay, so I do know who he is.

MR. McCARTHY: Who is he? We didn't know. We were asked, or we were yelled at about . . .

MR. ERICKSEN: Yes, yes. I know you were.

MR. GRBAVAC: More specifically, I was yelled at.

MR. ERICKSEN: His name has left me for the moment, but I do know him.

THE CHAIRMAN: But you're telling us he's no longer the mayor, so we don't have to remember his name.

MR. ERICKSEN: No, no. There'll be a new mayor. I do not know the mayor of Barons either.

MR. GRBAVAC: Wayne, before you go, though, I want to pursue this, really a purely hypothetical situation. Would it be preferable to you to have a riding which included a segment of the city of Lethbridge – appreciate that that may not necessarily mean that the Siksika Nation would still be in that Little Bow constituency because the population then may shift, and obviously that domino effect would maybe take hold. Would that be preferable to the loss of a constituency in south and southeastern Alberta?

MR. ERICKSEN: I wouldn't say that it would be preferable in Little Bow's situation anyway, Bob, because you're taking that boundary farther south from Carmangay then, and it makes it again a distance factor. If it absolutely has to be done, I do not believe – and this is my own opinion now – that the people of Little Bow would object that much to including a portion of the city of Lethbridge, for instance. But it would be a concern, I think, for the distance factor that you're creating.

I really believe that somehow when you do this, it cannot be on population alone. I think you should have a formula somehow – and I'm not smart enough to give you that – where land area ties in with population. I think if we don't maintain representation in rural Alberta, we're going to alienate the rural people of this province, and I have a real concern about that, as does my council. I think population can't be the only criterion that we look at. I think effective representation – and I know you've heard that a thousand times in the last month and a half that you've been on the road, but I think there is something to be said for that. I would hope that the courts, if it's challenged on population, would then consider – and I've heard some of the materials there as well.

I don't think Alberta's unique among some of the other prairie provinces. Nevertheless, there is a mix of people out there with different interests and different concerns, the concerns that an MLA deals with as well, and I refer to them in the brief. Our MLA, Mr. McFarland, has to deal with irrigation, specialized irrigation, dryland farming, dryland cropland. He basically goes right over to Chain Lakes where he has to deal with timber issues. I'm sure the MLA from downtown Calgary who has, basically, working people to represent doesn't have as many concerns and as many varied interests that he has to deal with.

The distance factor. Bob, if you're not rushed, I'd like to comment on that for a minute.

MR. GRBAVAC: You drove a long way to be here, and I'm very interested in what you have to say. Maybe further to this, I just want to make the comment that the constituency of Cardston-Chief Mountain has been referred to on a number of occasions around the province, and people have asked us: why is that a special consideration? I submit to you that the population variances are such in southern Alberta that if you touch anything, it all comes down like a house of cards. So it's a very sensitive thing. We're on a delicate balance there, and that's why I want to pursue this with you.

MR. ERICKSEN: Sure. I guess another concern that I have that I think would help alleviate the problem – and I'm not sure; I didn't read your material carefully enough to know whether it's within your mandate. It was raised at the Lethbridge hearing. That is the fact that our MLA has to drive five hours to get from Edmonton to his home. I believe you brought it up, Bob, and that was: "Why don't you fly? Why don't you use a government aircraft?" Those sorts of things. You were mentioning figures – and I didn't write them down; I don't have them with me – where it was cheaper for them to fly than it is to pay them mileage to use their own vehicle.

MR. GRBAVAC: I just asked the question.

MR. ERICKSEN: Yeah. That's an issue that our council talked about this morning, as a matter of fact, at a meeting that we had. For our MLA's sake, to be able to get to Lethbridge, into a vehicle, and back to his constituency would be another three hours that he could spend with the constituents. It seems to me that politically we shouldn't be looking at the perception of flying MLAs around. If we can develop a milk run to get them home Friday night and a milk run to get them back in Edmonton Monday morning or Sunday evening, then that would allow MLAs throughout the province to spend more time with their constituents. It seems to me that someone should be addressing that, and I'm wondering if that's within your mandate or not as a commission. I don't know. Someone should be addressing that, because I know the miles that our MLA puts on, dedicated miles, to get back to his constituency. I know that if I were doing it, I'm not so sure I'd be that dedicated to drive that many hours to get back for two or three town hall type meetings. I think we could do a better job in the province of distributing our MLAs back to their constituencies on Friday night and getting them back to work on Monday morning. Just a comment.

2:57

MR. GRBAVAC: You see, what they've been telling us across the province is that they travel to and from their constituency on an

average of twice a week, a hundred times a year, and that's why I bring that up. Some of the MLAs say that they're spending three and a half, four months of the year on the road. I think that it's not beyond our report to comment on something of that nature, although it's not specifically referred to within our mandate. I'm glad that your municipality has raised it.

MR. McCARTHY: Wayne, I just have one more question here. You're obviously familiar with the boundaries of Little Bow, and then it joins on to the constituency of Highwood. I'm just curious. If you go down Highway 2 south to just before Nanton and east from there, that's part of the Highwood constituency.

MR. ERICKSEN: Right.

MR. McCARTHY: I'm just wondering: do you know how many people live there and whether there's any kind of a community of interest with the Little Bow people in that area east of the highway?

MR. ERICKSEN: I think I would say yes.

MR. McCARTHY: Do you have any idea of what the population density is there?

MR. ERICKSEN: It's not very dense when you get down into that area. It's a lot of large farms down in that area. There are some large corporate farms as well. When you get on that corridor south of High River – and don't quote me on this – you run into three or four or five Hutterian brethren colonies. Of course the population there counts in the area, but they're not active or don't access MLAs as much as other people do. So, no, there's not a lot of population there. Basically, in my opinion, if you go south of High River, that's a natural area until you get into Fort Macleod, and it's all basically a ranching and farming area.

MR. McCARTHY: If you're east of Highway 2 and as you approach the city limits, I presume you get the higher density with acreages and whatnot.

MR. ERICKSEN: Yes. Exactly.

MR. McCARTHY: Thanks.

MR. ERICKSEN: Again, you're making the area larger and difficult for the MLA to access.

THE CHAIRMAN: Joe has another question.

MR. LEHANE: Just to pursue a little further the issue of a `rurban' type of riding. It's been expressed to us previously, Wayne, that if you have a riding like that – I'll give you an example. Grande Prairie's got two of those. Grande Prairie is divided in half, and there are two constituencies. They have basically close to the same rural population as they have urban population in those two. Medicine Hat-Cypress is about a 60-40 split, I understand, between urban and rural. It seems to be a better comfort level if you can keep the rural/urban split in those types of ridings fairly close in terms of population. Maybe you could comment on that.

MR. ERICKSEN: If you're looking at it today or next week, I think I could probably agree with that, Joe. The problem, again, that my council expressed when we were trying to put some things together here for today is: let's look 10 to 15 to 20 years down the road, and if the population trends continue, the farms get larger, the urban centres get larger, and let's say, for instance, that you do develop quite a few urban or `rurban' ridings within the province, I'm sure you can see, then, that as the populations move into the urban and the rural gets lesser and lesser, it's going to become very difficult for a rural person interested in being an MLA to win an election in a `rurban' riding. That's the concern that we see, not today but 15, 20 years down the road if the population trends continue, and I'm sure there are none of us who can predict that. If you do create a bunch of `rurban' ridings in this province, you could end up with no true rural MLAs.

MR. LEHANE: That's a real good point. I guess if you think about it, these ridings typically take in the peripheries of the urban centres, and if you're going to get a new subdivision that could significantly increase the population of the riding, that's where you're going to get it. That could change the mix fairly quickly.

MR. ERICKSEN: Right. I mean, if you keep doing this every six months or so, we'll be okay, but in the future we could be in a problem there again, from the rural point of view.

THE CHAIRMAN: Well, Wayne, I want to thank you for coming. Despite what your friend Robert Grbavac has said, we don't do milk runs.

MR. ERICKSEN: You don't, eh?

THE CHAIRMAN: But we may comment on them.

MR. ERICKSEN: Well, Bob and I have had some differences in the past and probably will in the future, but we enjoy each other in our visiting.

Thank you very much, commission.

THE CHAIRMAN: We have Jim Hornett, who wasn't here, who is scheduled for roughly 2 o'clock. Has he showed up yet?

Well, then we'll call on Carrol Jaques, Calgary-Varsity Liberal Constituency Association. Go ahead.

MRS. JAQUES: Okay. I'm Carrol Jaques, representing the Calgary-Varsity Liberal Constituency Association, so I'm speaking from the point of view of the constituency, not the broad provincial rural/urban discussion that we've been hearing.

As you probably know, Calgary-Varsity is a new constituency that was created in 1993 in the first attempt to balance the rural and the urban constituencies. It's a nice constituency, but it's still 20.3 percent above the average, so it does need to be trimmed down a little bit.

Our constituency recommends, in order to deal with that, that polls 1 to 10 . . . I assume that you have a copy of my submission?

THE CHAIRMAN: We have.

MRS. JAQUES: . . . and poll 12 be moved from Calgary-Varsity into either Calgary-North Hill or that they form the nucleus of a new constituency. My understanding of what may happen in Calgary is that there may be one or two new constituencies. I suppose there should be one in the north and one in the south to accommodate the increase in population. This would still satisfy the . . . Oh, maybe I should just back up and talk historically.

Calgary-North Hill indicates the North Hill area of Calgary. If you move this part of Calgary-Varsity into North Hill, it still satisfies the historic understanding of Calgary-North Hill. Reducing the size of Calgary-Varsity by 11 polls reduces it by 13.9 percent of the polls, and that satisfies three of the considerations outlined in your document: effective representation, density of population, and following community boundaries.

There are two other polls that could be moved out of Calgary-Varsity, possibly into Calgary-Foothills: polls 33 and 35, which run west of a very major thoroughfare in Calgary. I understand why those polls are in Calgary-Varsity. If we want to talk about communities, while they are part of Brentwood community, they are also part of a sports organization called Triwood, that historically has operated since these communities were first built. These two polls were the first in an area of newly built homes, and when young people were growing up, their parents wanted them involved in hockey right away, so the community of Triwood was made to include those areas.

That could be considered a community boundary, but in fact Charleswood Drive is more logical. People in those two polls, 33 and 35, are a little confused about being in Calgary-Varsity rather than in Calgary-Foothills, so that would help with that. Reducing by two more reduces Calgary-Varsity by 13 polls, or 16 percent, which still isn't 20.3 percent, but it goes a long way to satisfy smaller urban constituencies.

3:07

The Calgary-Varsity Liberal Constituency Association recommends that the Calgary-Varsity boundaries include the communities of Charleswood, Collingwood, Cambrian Heights, Rosemont, Capitol Hill, Banff Trail, University Heights, Varsity Estates, Varsity Village, and Varsity Acres. So that deals with our suggestions for keeping Calgary-Varsity smaller.

Now, you may be looking at readjusting Calgary considerably, in which case I would suggest that to keep Calgary-Varsity as a community that really does surround the university some more of the eastern areas be put into different constituencies and the community of Brentwood be included in Calgary-Varsity.

Thank you very much.

THE CHAIRMAN: Thank you. You're a different presenter. You came here with definite details as to the solution to the problem.

MRS. JAQUES: Oh, I always have solutions.

THE CHAIRMAN: We don't get many presenters like you. We'll let the questioning start with John McCarthy, who I think lives next door to your constituency.

MR. McCARTHY: Yeah. I appreciate that you've just created one solution, but you've caused 19 other problems.

MRS. JAQUES: I realize that, but you're going to create a new constituency. You could start there.

MR. McCARTHY: Okay. I appreciate what you've said.

MRS. JAQUES: Yeah, and I do realize that.

MR. McCARTHY: Thanks.

THE CHAIRMAN: Joe?

MR. LEHANE: Carrol, I'm just interested in hearing from you what process you went through to determine the specifics of polls 1 to 10 and 12 and 35 and 36, or whatever they are, that you're suggesting would logically would come out of there.

MRS. JAQUES: Right. Okay. I started with the assumption, first of all, that there would be one new constituency north of the river, at least one. I then looked at Calgary-Varsity and thought: all right, they've named it Calgary-Varsity, and it does reflect the core of the communities around the University of Calgary, and that is important. The communities around the University of Calgary: students live there, staff live there, and it does provide a very nice focal point. I didn't look at eliminating polls around the university. It seemed reasonable to look farther away. So that's the process I used.

Then, if you're wondering about my math, I actually tried to do it on a population basis but discovered that I was working with two different figures. One was the actual voters, which I got from this book, and then another one of course was the enumerators' list, which is more than just the people who are old enough to vote or who are actually citizens. I couldn't use those figures, so I decided to use the polls. I just did a percentage of polls, because I couldn't do a percentage of population.

MR. LEHANE: In terms of the process, was your association involved, then, in reviewing this paper?

MRS. JAQUES: Yes.

MR. LEHANE: I'm just wondering: for instance, were there people there from polls 1 to 10 and 12, who you're suggesting go somewhere else?

MRS. JAQUES: Actually, they understand the process. Our president is from one of those polls. He's not very happy. Someone in the audience is here; we looked at it together. It's an attempt to look at something logically rather than from a personal point of view.

MR. LEHANE: So was it the consensus, then, of the association as a group that this made sense?

MRS. JAQUES: Yeah.

MR. LEHANE: I might just add by way of comment that when we were in Edmonton, a retired English professor by the name of Dr. Mardon suggested to us that the word "varsity" was just the worst American slang and that there certainly shouldn't be any

constituency with that word in it. I think I'm more persuaded by your arguments that it makes sense.

MRS. JAQUES: Thank you.

THE CHAIRMAN: Would you go for a change in name to university rather than varsity?

MRS. JAQUES: I certainly could handle that, yes.

THE CHAIRMAN: Well, we're just trying to make this gentleman happy.

MRS. JAQUES: Yeah, right. You have to satisfy everybody.

THE CHAIRMAN: Wally.

MR. WORTH: No. Just an observation, Carrol, that, as John has commented here, once we start adding any seats to an area, we create a domino effect, and if in fact that effect comes into play, the suggestions you've made will be very helpful to us.

MRS. JAQUES: Thank you.

MR. GRBAVAC: And maybe we'll explain to the rest of the province where it all started, Carrol.

MRS. JAQUES: Right. It's all my fault.

THE CHAIRMAN: Well, I have nothing more to add. I want to thank you for coming and making your presentation.

MRS. JAQUES: Thank you.

THE CHAIRMAN: I don't think Mr. Hornett's here. I'm told that we have a walk-on by the name of Mr. Oscar Fech who would like to speak to us, so if Mr. Fech could come forward and make his presentation.

MR. FECH: Chief, colleagues, I used to be a general contractor. I've traveled to over 50 countries. I studied history for over 25 years, and I've read the Bible over 15 times. I know you're smiling, but our whole problem is that we've gone away from sensitivity, good truth, and justice. I'm studying world law also; okay? I've done it for the last few years. I've looked at the Nuremberg trials, also the O.J. Simpson trial. It seems like we're all being manipulated through the UN, the World Bank, and the New Age church for the next thousand-year Reich or reign or whatever you want to call it.

I went to a meeting where the World Bank was there, and an environmental person was there, too, from Sweden, I think. They talked about what they were going to do with Canada: create new parks. Only 20 percent of the land is owned by corporations and by individuals; 80 percent is owned by the Crown. Why are we talking about creating parks with lakes? People live around it, and the rest is wilderness.

It seems like we're heading for a new era sometime after 2000 through high tech and the Internet and everything else. It's scary what's going to happen in the next decade to 20 years. It seems like we're living like Sodom and Gomorrah and the Roman empire days.

We don't have people fighting for truth and justice, believing in the Creator, God. That's the law. We have created a monster again. We've created man's laws from the UN, the World Bank, and the world power. I'm not knocking anybody; okay? It's just that that's where we're heading. We're going to start over again in the next 20, 30, 40 years. That's my feeling.

The bureaucracy creates, through the world power, all these functions, all these forums to find out what people really want, but the laws and the rulings have been set in place anyway. It's to manipulate, and it's very scary. Like I said, I'm not knocking anybody; okay? It's just that that's what we're heading for, and it's scary. Look what's happening in Bosnia. Look what happened in Rwanda. Apparently the Canadian government spent \$375 million to create a college and a school not to educate but to train soldiers to destroy the Hutus, whatever you want to call them. It's scary what the world power is doing. We have to stand up and get rid of the evil people. This is what's happening in the world.

As far as the boundaries I think we've got too many people in the government. We have a big bureaucracy, and the politicians don't have much to say anyway. It's all run through the bureaucracy and controlled from behind the scenes. We need people to stand up. That's my feeling. Like I said, I'm not knocking anything. The boundaries should be a lot smaller, and we should have no more than about 25 or 30 MLAs, and even MPs should be cut in half too. That's my feeling.

3:17

THE CHAIRMAN: So you're suggesting we cut the number of constituencies considerably.

MR. FECH: Yes, that's my feeling.

THE CHAIRMAN: Robert, do you have any questions?

MR. GRBAVAC: No questions.

MR. WORTH: No questions.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions.

THE CHAIRMAN: John?

MR. McCARTHY: No questions. Thank you.

THE CHAIRMAN: I want to thank you for coming and making your views known. I don't know if you were here earlier. This is really not part of our mandate, but we're getting a lot of representations in respect to this, so we may add it as part of our report.

MR. FECH: Would you, please?

THE CHAIRMAN: Yeah.

MR. FECH: Okay. Thank you.

THE CHAIRMAN: Now, I think we've run out of presenters at this point. We have a Norval Horner coming, so I think what we should do is just have a 10-minute break, and then we can continue.

[The hearing adjourned from 3:19 p.m. to 3:30 p.m.]

THE CHAIRMAN: Okay. We adjourned here for 15 minutes. I understand Mr. Horner has now shown up.

I want you to know that some of us knew of a Norval Horner and we're glad to hear that you represent the good Horners. I'm just being facetious.

MR. HORNER: Sure.

THE CHAIRMAN: Go ahead and make your presentation.

MR. HORNER: Okay. Well, I appreciate you staying. I hadn't realized that I was the last speaker. I would have been over sooner had I known that, but I was planning on that 3:30 time.

I come from rural roots, but I'm an urban person now. I'm here to speak to you as the commission about a rural/urban issue. My position is that the past and current electoral boundaries in Alberta are unfair to urban voters. The urban voter is significantly disenfranchised compared to his rural counterpart. On the third page of my submission there's a figure attached there. Perhaps if you'd like to turn to that, I could explain it.

MR. McCARTHY: So far you get the award for the most artistic presentation.

MR. HORNER: That was actually my little sketch, you know, of relative strength of a rural voter versus urban.

MR. GRBAVAC: The subtlety was not lost.

THE CHAIRMAN: I notice the pitchfork.

MR. HORNER: That made it.

Anyway, the percent of the population in Calgary and Edmonton is shown in the top line there: 52 percent in 1971 and surprisingly declining to 51 percent in 1986. The percentage of MLAs, I think, rose from 38 in 1971 to either 42 or 43 proposed now. Clearly, the voters in those two urban centres are getting a smaller share of their MLAs than their percentage of population would indicate. I looked up in my Statistics Canada yearbook, and I see that the actual listed population of Edmonton and Calgary is something like 62 percent of Alberta's population in 1990. So I don't know whether the '86 figures are out of date or it's just the way the figures are arranged, but there's some doubt in my mind.

In fact, Statistics Canada shows that the disparity is even greater than the figures you're looking at that come from this 1990 report. That doesn't look so extreme. It only sounds like we're underrepresented by 10 percent, but when we're underrepresented, someone is overrepresented. Now, the lower curve shows the effective ratio, the value of a vote outside of Calgary and Edmonton to one inside, so that even now a rural vote is worth 1.38 times what a civic or urban vote is worth. I think that's quite a significant difference.

I'll go on to talk about why I think that's occurring. Let's go back into my submission, still in section 1, about the fourth point down there. I then took Calgary's top 10 ridings, of which I live in one. They average 36,900 votes each according to the 1986 census. The bottom 10 rural ridings, not counting the far north, average 22,977

votes each. I could tell you the ridings that comprise that if you want. The rural votes count for 1.6 times as much as the Calgary votes on that basis. Now, if you went to the latest Statistics Canada information, I think the ratio would be higher yet. So there's a very significant difference between how much a rural vote tends to count and how much an urban one does.

So I ask myself: why is the urban voter disenfranchised? Does he have lower educational attainment? Does he pay less provincial income tax? Does he somehow have less merit in some other manner? In fact, I suspect urban voters probably have at least equal, perhaps higher educational attainment. They may indeed pay more provincial income tax. From my relatives that are farmers I suspect that might be the case.

The excuse we have all heard is that it's harder to represent a rural riding, and I believe in 1905 it may indeed have been harder to represent a rural riding. It was a horse and buggy situation. But today we have the fax. We have telephones, radios, TVs, cars, planes. I think that's an anachronistic excuse. Anyway, I believe the urban voter has committed a much more cardinal sin, and that is that he's less likely to vote for the party in power.

Now, the Social Credit observed this, so our present skew started then. The Conservatives I think are no less astute. In fact, I've had high-ranking Conservatives tell me that they believe they can win the country seats. I think we can see that virtually all of the opposition strength comes from urban ridings.

Well, I guess, what's wrong with this? As an active person in politics, I see that the rural voter has different preferences than the urban voter in taxation. I see that, for example, income tax generally is something that is less difficult for people on a farm or rural community. It's usually not as income centred; deductions are more significant. But consumption taxes are much less popular, particularly gas taxes. For example, Alberta has for decades spent at least four times what we took in on gas taxes on road construction, a long way from a user-pay philosophy. I think you also see this unfair power of the rural voter causing the government to spend money in a variety of inappropriate ways. We remember the paving of all the rural secondary roads, the building of country hospitals with the latest equipment, airports, public buildings.

I have here a little pamphlet, which is obviously put out by the government to stand on their record, called Strengthening Rural Alberta. It depends how you read it, and, you know, many of the programs in here are obviously worth while and necessary. There are 54 programs listed in here which spend hundreds of millions of dollars to subsidize, stabilize, or control the marketing of agricultural products. Now, many of them are probably appropriate, but to me, when you get a situation when you've got one segment of your population being disenfranchised, I think it's so easy to have an unfair – I think it encourages some form of pork-barreling.

Now I see that our current government is intent on continuing this because it makes it easier to win the next election. I believe it undermines our economy and tends to continue subsidization of one lifestyle at the expense of another. I believe they've been called to task on it, and your commission has been called in to evaluate the fairness of the process. I believe you have the ability to correct this.

My suggestions are: use the latest Statistics Canada population counts when you determine the size of ridings; use an equal representation principle for all ridings except, perhaps, the far north; project population for five years. Rural populations are declining. Civic populations are increasing. There's a long lag time. It may be

another decade before we redistribute this province again. So let's not institutionalize a population that's already 10 years out of date and, in fact, even then.

The other thing I would like to avoid. I would like to see constituencies include people in a similar community situation, because I've seen situations where they try to take a part of the city and include it with a largely rural riding. I don't think those people have a common community of interest, and I would like to see you try to ensure that common community of interest.

I think you're in a position to bring justice to our elected representation. I don't think urban voters are inherently less responsible or their lifestyle is less worth while than their rural cousins, and I think the old reasons for having an unbalanced level of representation no longer exist.

THE CHAIRMAN: Thank you.

We'll let the questioning start with John McCarthy.

MR. McCARTHY: Well, the Horner name is a famous name in rural Alberta and politics. When you refer to your rural cousins, have you had a chance to discuss this particular issue?

MR. HORNER: Most of my direct rural cousins are in Saskatchewan. I'm from that branch of the family.

MR. McCARTHY: Have you had a discussion with your rural cousins in Saskatchewan with respect to this issue and had an appreciation of their feelings?

MR. HORNER: I certainly have talked with a lot of rural people about preferences on taxation. It's clear that, you know, people have a different preference on taxation depending on how different taxes hit them. I've certainly observed that rural people don't mind income tax as much as they mind some other forms of taxation.

MR. McCARTHY: Now, it's interesting, you know. You've said you've seen some constituencies. Let me give you an example. The other night we were in Grande Prairie, and a week or two before we were in Medicine Hat. There's Medicine Hat-Cypress constituency, which is about 60 percent urban in Medicine Hat and the rest is a large rural area adjacent thereto. Similarly, in Grande Prairie you have Grande Prairie-Smoky and Grande Prairie-Wapiti, which have, again, a slight majority being taken up by half of the city of Grande Prairie and the rest a larger rural area; similarly with the other constituency. Those people have expressed a high degree of satisfaction with that arrangement. You seem to indicate that that may not be the case in your experience. Can you elaborate a bit?

3:40

MR. HORNER: I spoke to several people from Red Deer who, like myself, are fairly strong – part of my sensitivity on this issue comes from having been involved with the party for a number of years. I spoke to a number of people from Red Deer who were very upset at the proposals for Red Deer where parts of Red Deer were being included in the country around. Now, I don't know whether that one went through or not, but I remember that that was a proposal at one time. That's where that comment comes from.

Also just from my observation, where an MLA is trying to represent a community of interest, I think it's got to be easier for him if his community of interest is somewhat homogeneous.

So partly logic, partly experience from Red Deer.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions.

THE CHAIRMAN: Wally?

MR. WORTH: No questions.

MR. GRBAVAC: I'd like to kind of pursue your logic here a little bit and ask you to just maybe comment on the rationale for why it is that if the rural community is so advantaged, they seem so intent on moving into the city. I'm sure you're going to tell me it has nothing to do with the political advantage.

The other comment is that I wonder why some of the people from the city move out to Okotoks or Airdrie or some 10-acre setting just outside of the city and if you would consider that rural.

MR. HORNER: Let's just deal with the first one.

MR. GRBAVAC: The first question: why do folks move into town?

MR. HORNER: You gentlemen are familiar with our economy. It's constantly undergoing restructuring, where some industries are in decline and other industries are advancing. I think part of what's been happening since Confederation is that we've seen a steady move from a rural setting to an urban setting due to mechanization of agriculture, and that's not finished. So that's the reason I see that happening. That's one of my points to you. That's not finished. If you leave the current situation in place, it just gets worse from where it is today.

The second point: why do urban people move to a rural setting? Very often they look for many of the advantages of the rural lifestyle. Many of us that work in cities don't work there by choice, but it's expensive to pursue a rural lifestyle if your work is actually in the city.

MR. GRBAVAC: I appreciate the point. I'm a bit of a devil's advocate here.

MR. HORNER: No, no. no. I am too. You know, I have to say, gentlemen, I'm surprised at how silent urban people are on this issue. I think you need to be involved in how things work to see this issue.

THE CHAIRMAN: I agree with you that the urban people are quite silent at their meetings, while the rural people are not.

MR. HORNER: The rural people see how this works. The urban people who are not involved don't see how this system is working.

THE CHAIRMAN: Norval, what do you do?

MR. HORNER: I'm an engineer. I work for a major oil company.

MR. GRBAVAC: Norval, I've spent a number of years studying rural sociology, and I'm not going to disagree with you in terms of the likelihood of rural people to accept change as readily as maybe their urban cousins. Maybe I can make a suggestion to you, or

certainly an observation, that many of the agrarian rural people obviously have a stake in much of what government does vis-à-vis their livelihood. It has international implications; it has cross-border provincial implications. They have a very real vested financial stake in policy initiatives that the province takes. I submit to you that that's probably one of the reasons rural MLAs find their workload maybe somewhat different if not greater than some of the urban MLAs, because those people simply seek them out.

MR. HORNER: I guess I would turn that argument onto you, Robert, and I'd say that part of the reason rural people are so interested is because their livelihood is so heavily supported by government programs of one kind or another. I have many people I respect that live in rural areas, but this is expensive and it delays adjustments in our economy.

MR. GRBAVAC: I've heard your argument from rural economists on more than one occasion suggesting that we are in fact hurting ourselves . . .

MR. HORNER: In the long run.

MR. GRBAVAC: . . . in the long run by not letting the natural forces of the market dictate the kind of agrarian economy that would evolve in the absence of many of the programs you speak of. Your argument is well founded in terms of some of the more, shall we say, current thinking.

THE CHAIRMAN: I was just trying, for my own satisfaction, to determine your relationship to Jack Horner and Hugh. I gather that they're your uncles.

MR. HORNER: Jack's father and my grandfather were brothers. Jack has a brother who's named after my grandfather, his uncle.

THE CHAIRMAN: So you're able to distance yourself more from them than I thought.

MR. HORNER: I don't want this to be perceived as any kind of attack on the rural side. I perceive this as inequality. I don't think it's good for our province that it continue.

MR. MCCARTHY: Well, we'll be sending your submissions to Jack and Hugh.

MR. HORNER: I'm sure he'll get a kick out of it in any event.

THE CHAIRMAN: I have a few more comments.

MR. HORNER: Certainly.

THE CHAIRMAN: In your illustration where you're illustrating the inequality between the city voter and the rural voter, I think I would only give that rural voter a three-tined fork rather than a four-tined fork.

I want to say this about your presentation. It's been different, it's been interesting, it's been challenging, and it's been more political than any presentation that we have had until now.

MR. HORNER: More political? Okay.

THE CHAIRMAN: You're saying that there was gerrymandering and that the party in power wants to keep the rural seats, and you're referring back to the Social Credit days and now the Conservative days. We haven't had anybody come before us being that political and that frank as to how the system works.

MR. HORNER: Thank you. I'll take that as a compliment.

THE CHAIRMAN: Any other questions?

Well, I want to thank you for coming.

MR. HORNER: Okay. Thank you for arranging your adjournment so you could hear me.

THE CHAIRMAN: Well, I would say that that's our last presenter for this afternoon, so the commission adjourns until – what time? – 7 o'clock tonight.

[The hearing adjourned from 3:47 p.m. to 7:02 p.m.]

THE CHAIRMAN: Good evening, ladies and gentlemen. We want to welcome you to the public hearing of the Electoral Boundaries Commission. We're absent one of the members, but my remarks take about 10 to 15 minutes, and I'm hoping that he will get here by that time. He's now heard these opening remarks about 10 times, so it's really not necessary that he hear them again.

My name is Edward Wachowich, and I am the chairman of the Electoral Boundaries Commission. I am also the Chief Judge of the Provincial Court of Alberta. I would like to introduce you to the other members of the commission. On my far right is Robert Grbavac of Raymond. On my immediate left is Joe Lehane. On my far left is supposed to be John McCarthy. On my immediate right is Wally Worth of Edmonton. The people you see before you make up the commission, and I want to say that we're delighted to be here to receive your comments and consider your thinking with regard to our duties.

The commission is holding public hearings here in Calgary 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 with you.

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 in Alberta.

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.

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.

With respect to population, 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.

At this point I would like to proceed with the hearing and also point out that we're now joined by John McCarthy of Calgary, who I told you would be here by the time I finished with my introductory remarks.

MR. McCARTHY: I purposely came late because I've heard them so many times before.

THE CHAIRMAN: The first presenter that I wish to call upon is Garth Dymond, Calgary-Fish Creek Progressive Conservative Association. Mr. Dymond.

MR. DYMOND: Thank you, sir. If I could just ask the commission to maybe move their cups and that from in front of their names in case I need names or something like that. Thank you.

Mr. Chairman, I'd like to thank you for your opening remarks. Certainly the task that this commission has is one that I think every Albertan feels is a necessary part of the democratic process in making sure that the terms and conditions of the Charter are met as far as the election process is involved. Your task is certainly an onerous one, and I certainly commend this commission in the job that it has to do. I'm sure that by the time you get through with all the representations, a good, concise report will be going forward.

For the record my name is Garth Dymond. I'm the past president of the Calgary-Fish Creek PC Association. To give you some demographics as to where Calgary-Fish Creek is located, it's in the southeast quadrant of the city of Calgary. Its geographical boundaries are as follows: Anderson Road on the north, Macleod Trail on the west, the right bank of Fish Creek on the south, and the right bank of the Bow River on the east. The geographical boundaries of this constituency are contiguous with the boundaries of a number of communities that comprise that constituency.

7:12

There are five community associations that are in the Calgary-Fish Creek constituency. Those boundaries have been well established by the city of Calgary since the early 1960s when all the communities were being developed. The total population of Calgary-Fish Creek constituency is reported to be 35,666 people, with the number of names on the voting list reported to be 22,447. According to the information that we have received, the Calgary-Fish Creek constituency is reported to have a variation from average of plus 15.9 percent. I would draw to the commission's notice that the average for the Calgary electoral division is 15.44 percent. Based on these numbers, the constituency is virtually right on the variance average for the Calgary electoral division.

With regard to geographical boundaries I'd point out that two of our boundaries are major roadways; that is, Macleod Trail on the west and Anderson Road on the north. The other two boundaries are a major river on the east, the Bow River, and on the south Fish Creek, which is bordered by Fish Creek provincial park.

It's our submission that to change any of these natural boundaries would have the following impact. One, there would be a major intrusion into one or more of the communities. Two, there would have to be a disregard for the natural geographical features such as the roads, the roadways, the rivers, and Fish Creek park. Three, the boundaries would no longer be clear and, in our submission, would no longer be understandable and thereby create a confusion in the mind of the voting public. This is really brought about by the way the communities are designed; it is not a grid system. There are a number of cul-de-sacs, crescents, boulevards, and that type of configuration within the streets, so you don't have a clear grid system to work with. Fourthly, there would be a disruption to the common community interests. The population in all of these five communities has been virtually set for the last number of years, and the likelihood of it growing or shrinking, I would suggest, is very remote to very, very limited, if at all.

Each of the communities within Fish Creek contains a good balance between residential, multiresidential, commercial, shopping centres, various churches representing different religious denominations, and based upon this composition there's been virtually no suggestion – I'm not aware of any – that there's been a

lack of fair or effective representation in our constituency. To change any of the boundaries would have a significant adverse effect on at least one or more of these community interests or those organizations.

It's therefore respectfully submitted on behalf of the Calgary-Fish Creek PC Association that the current boundaries meet each and every one of the criteria and considerations that have been set forth by this commission to deal with from time to time. Therefore, we would recommend that there be no change to the Calgary-Fish Creek electoral boundaries.

Sir, that is our submission. We will be making it in written form, but in highlight form that's virtually the position we're taking at this time.

THE CHAIRMAN: Thank you, Mr. Dymond. If you'll just wait, there may be some questions. We'll start with Mr. McCarthy.

MR. MCCARTHY: No questions.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions.

MR. WORTH: Just to confirm what I'm hearing. I think you're telling us, one, that the population is relatively stable in that constituency.

MR. DYMOND: Yes, that's right.

MR. WORTH: Secondly, the boundaries that you now have have been in force for some time.

MR. DYMOND: Both from a constituency as well as from a community configuration, that's correct.

MR. WORTH: Thank you.

THE CHAIRMAN: Robert?

MR. GRBAVAC: No questions.

THE CHAIRMAN: Well, I want to thank you for coming, Mr. Dymond, and making the views of the Calgary-Fish Creek constituency known to us from your point of view or your association's point of view.

MR. DYMOND: Thank you, sir.

THE CHAIRMAN: Thank you.

MR. DYMOND: Good luck.

THE CHAIRMAN: We'll need more than luck. We could use prayers.

The next presenter is Jim McCormick, Calgary-North West PC Association. Is Mr. McCormick not here? [interjection] Oh, apparently he's not here, so we'll stand that name down.

The next I've just been given is described as the president of the Alberta PC Association. [interjection] Pardon me; president of the Alberta Liberal Party.

MR. LOCKE: I respond to the latter, not the former.

THE CHAIRMAN: Is it Harvey Locke?

MR. LOCKE: It is Harvey Locke. With me is Mr. Bruseker. We thought we'd try to do it together, if we could.

MR. BRUSEKER: A tag team approach.

THE CHAIRMAN: Fine.

MR. LOCKE: Would that be acceptable to you?

THE CHAIRMAN: That's very good.

MR. LOCKE: At the risk of duplicating material that you already have, Mr. Chairman, I cause to be handed to you copies of the Court of Appeal's decision and also some excerpts from the Supreme Court of Canada's judgment. Has everyone got those?

MR. McCARTHY: We're quite familiar with those cases.

MR. LOCKE: I thought you might be, but I thought that rather than count on your memory, I might have them for some passages to which I might refer during the course of my comments.

I am Harvey Locke, the president of the Liberal Party of Alberta, and with me is Frank Bruseker, who is the MLA for Calgary-North West. I will share with you the Liberal Party's position, which speaks to the approach we'd urge the commission to follow, but I will not be boundary specific in my presentation. I will concentrate on the level of principle. Mr. Bruseker does wish to speak to you afterwards on the specifics of his riding, and he is also going to be a resource to me should some questions arise that I might need to draw on his knowledge, if that's all right.

The position of the Alberta Liberal Party is that the Court of Appeal's decision should be implemented. We believe that implementing that decision involves redistribution. It involves redistribution of the existing 83 seats, as you're statutorily mandated to do. We support the concept that there wouldn't be a need for a recommendation that there be new ones or a need to reduce seats but to live with what we've got. We believe also that this redistribution should happen in a way that respects the special considerations where they are demonstrably present – and we underline “demonstrably present” – based on community needs, but we would suggest that those special considerations should certainly not apply to more than four seats, such as the statutory requirement, but that they ought to be done for only good reasons.

7:22

We believe that reallocation also requires that two seats be reallocated to each of Calgary and Edmonton from areas outside of Calgary and Edmonton. This is based on our understanding of the population of the province being more than 51 percent located in those two cities. Thus of 83 seats 42 ought to be in the two centres that reflect more than the majority of the population. We are guided in this by the thoughtful judgment of the Court of Appeal, which I

handed up to you. Perhaps I might just refer you to the passages that we think are important. Early in the document, under “Reasons for Judgment of the Court,” which appears on page 1, in the second paragraph . . . I think that's the Supreme Court of Canada judgment you have there, Mr. Worth. The Court of Appeal one is the one behind it. The heavier one's the Court of Appeal one.

The passage is:

The root of the problem before us is the long history of population shifts from other parts of Alberta to Metropolitan areas, particularly Edmonton and Calgary. As a result, the average electoral division in those cities contains 13 per cent more voters than the average of other divisions. The Canadian Charter of Rights and Freedoms guarantees those urban electors the right not to have the political force of their votes unduly diluted.

On page 24 of that case the Court of Appeal reiterates this under Possible Solutions. At the foot of the page it says:

As we have said, the origin of the problem before the Legislature is the historic imbalance in the level of representation between agrarian and non-agrarian populations in Alberta. Each year this problem worsens, because each year urban populations increase and non-urban populations decrease. We call this a problem because it impacts significantly on the right to vote of urban Albertans. This cannot be permitted to continue if Alberta wishes to call itself a democracy.

Those are pretty strong words by a pretty thoughtful judgment – many of you, I know, are lawyers on the panel – from a very diverse panel, from the Court of Appeal.

The solution we propose we believe is consistent with what the Court of Appeal said at the bottom of page 25 of the judgment. They talk about the third and last solution, having rejected the first and second solutions, which are more and less. The third is the same amount reallocated. It says at the bottom of the page there:

The third, and last, is a reduction in the number of non-urban electoral divisions. But that raises the natural and understandable reluctance of voters in the less populous ridings to accept the “massive surgery” that would be needed to create equity in the absence of an increase in seats. But, if one spurns this solution, none remains.

We believe that's an important part of the judgment. It goes on to say that “the people of Alberta must understand that this . . . is the only solution unless they soften their attitude towards the other two.” Well, you are statutorily mandated to implement the only solution, and that's 83 seats. The Court of Appeal has been pretty clear in its direction. I would submit that this is the way we have to do it.

We would like, however, to reaffirm that we're not opposed to the commission maintaining for good reasons special consideration ridings. On that point we recommend you be guided by the judgment of Madam Justice McLachlin of the Supreme Court and the Attorney General of Saskatchewan and Roger Carter case, the critical passage of which I've excerpted for you there at pages 184 and 185 of her judgment, and I've numbered them 1, 2, and 3, the passages to which I'll refer, where she says:

But parity of voting power, though of prime importance, is not the only factor to be taken into account in ensuring effective representation.

I noticed that in his introductory comments Mr. Wachowich commented on that being one of the terms of reference.

Item 2 below says:

Secondly, such relative parity as may be possible of achievement may prove undesirable because it has the effect of detracting from the primary goal of 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.

Then, finally, over the page. Justice McLachlin says:

It emerges therefore that deviations from absolute voter parity [must] be justified . . .

And I point that out: they must be justified.

. . . on the grounds of practical impossibility or the provision of more effective representation. Beyond this, dilution of one citizen's vote as compared with another's should not be countenanced. I adhere to the proposition asserted in Dixon . . . that "only those deviations should be [permitted] which can be justified on the ground that they contribute to better government of the populace as a whole, giving due weight to regional issues within the populace and geographic factors within the territory governed."

We would urge you to apply that thinking when turning your mind to the special consideration ridings.

In closing, the Alberta Liberal Party urges you to do your work guided by the principles that these thoughtful judgments have enunciated and by fairness, plain fairness. We have no specific boundaries to recommend to you as a party. We will leave it in your hands to do it fairly, guided by natural boundaries, natural communities, and by a sense of fairness to all Albertans. We believe that fairness will involve your determining that two more seats need to be allocated to Calgary and two more seats need to be allocated to Edmonton.

Thank you.

THE CHAIRMAN: Thank you, Mr. Locke. I think that before we start the questions, maybe we should hear from you, Mr. Bruseker.

MR. BRUSEKER: Certainly. Thank you, Mr. Chairman. I have also circulated a map of my own constituency, that has been provided to you. It's a single photocopied page with two handwritten names on the top. The dark line that I have drawn across the map in roughly a backwards L shape is the current boundary. At the south end it goes through the Bow River, and then it proceeds north. It parallels and uses Sarcee Trail as a boundary and proceeds all the way north. City limits are the boundary on the north and to the west.

THE CHAIRMAN: That's what trail, did you say?

MR. BRUSEKER: Sarcee Trail.

THE CHAIRMAN: Sarcee. Thank you.

MR. BRUSEKER: So roughly just pointing it out on mine, if you can follow it. This is the Bow River down at the bottom, and this is Sarcee Trail, city limits at the top, and city limits on the west side. The boundaries as they were drawn I think for the purposes of the 1993 election were probably as good a set of boundaries as were likely to be created given the guidelines which are shown in section 16 of the Electoral Boundaries Commission Act, which is to try to keep communities together.

I do want to raise a concern with the commission today though. You'll note that I've written two names on there in felt pen. Those are two new communities that are coming on board. Currently, as of today the constituency of Calgary-North West is slightly above average and doesn't look that bad out of the long list of urban constituencies. I guess I'm here on behalf of those people who are not yet constituents who will be moving into Rocky Ridge community, which will rival Silver Springs in size, and those constituents who will be moving into Tuscany, that will be about equal in size to the population of Scenic Acres. They don't live there yet. The houses aren't built yet, but this is a corner of the city that is growing very rapidly.

In fact, what I would like to point out is that of the eight communities that are currently within the borders of Calgary-North West constituency only three are full from the standpoint of being completed; in other words, all of the houses are finished being built. Those communities are Silver Springs, Ranchlands, and Hawkwood. Those are the ones, if you will, on the right-hand side. The community of Citadel is still very much a young community, still in the growth stage; so is Arbour Lake. Scenic Acres I would define as probably being 75 percent complete. Tuscany is less than 5 percent complete, is just beginning. The same thing applies to Rocky Ridge. In fact, if you can locate Crowchild Trail on the map, as you go towards the left-hand side of the page you'll see the number 1A, which is Highway 1A, and directly above that you'll see sort of a gridlock representation that looks more or less like a dumbbell, and in fact in that little dumbbell-shaped area has just recently been located 300 mobile homes that have been translocated from another constituency. That's the kind of growth I see happening in this constituency. So I would urge you to consider that growth that will occur and in fact has occurred in the six years that I've had the privilege of being the representative for Calgary-North West.

7:32

To that end, you'll see that just below the community of Citadel, between Citadel and Hawkwood, along where there's Country Hills Boulevard, I have drawn a dotted line. Were you to make any adjustment to the boundary, I would suggest that it might be feasible to take the northern part of the constituency, which is the community of Citadel, still in itself quite a young community, and consider putting it into a neighbouring constituency, which at the moment is Calgary-Foothills, which would then take one of the growth areas out of my constituency and perhaps locate it in another one. In Foothills there is only the community of Hamptons which is actively undergoing tremendous growth. That would break out one of the growth areas from my constituency and put it into another one, which might provide for a little more flexibility for future growth and population increase. That's all I had to say on that point.

Thank you, Mr. Chairman.

THE CHAIRMAN: Thank you.

Before we start with the questioning, I just want to make this comment in respect to your presentation, Mr. Locke. We've been asked by quite a few people, with some degree of annoyance, why we're here after so many boundaries commissions have held hearings in the last few years, and what you read to us Mr. McCarthy has been reading to the presenters to explain to them why we're here. I'm not objecting to your presentation, but I want you to know that we're well familiar with the quotations from the cases that you have mentioned to us.

We'll start the questioning with Mr. McCarthy.

MR. McCARTHY: Well, obviously, great minds think alike.

I just wanted to ask a couple of questions to you first, Harvey, and then Frank. On this judgment that you gave us from the Court of Appeal, I noted your comments about what you thought the additions should be. I just note with interest, and I wonder if you have any comment. On the bottom of page 3 there's a chart which sets out the metropolitan seats and others. Then if you go to page 4, they make what I regard as a rather interesting comment, which is slightly different than what yours was. I just wonder if you have any comment on that.

MR. LOCKE: Yeah. You're referring to the chart and then the 41 and 38 as opposed to the 42 that my comment implied. I wonder if that might as much as anything be an issue of the sense of the demographics. Unfortunately, the Court of Appeal's judgment basically sets out that everyone can argue population to their advantage, and this is the chart that they thought was most fair based on what was in front of them, although I understand your mandate is to take what is the most current population information. It's my understanding – and this is information that I have received from Mr. Bruseker – that a very fair way to look at the population is in fact that more than 51 percent of it resides in the cities. Given that, it would be implied at least to us, based on the spirit of the overall judgment and by our sense of fairness, that that means that 50 plus 1 percent of the votes ought to lie with 50 plus 1 percent of the electors. I recognize the difficulty you raise. One would search in vain for the exact population figure in this judgment.

MR. McCARTHY: Just on the growth areas in the northwest. Whereabouts is Woolliamsburg and these places there that are growing? Is that in Foothills or is that in Nose Creek?

MR. BRUSEKER: I think that's in Nose Creek, straight up Centre Street.

MR. McCARTHY: Then in Foothills the MacEwan area is kind of a growth area as well; isn't it?

MR. BRUSEKER: MacEwan is a growth area, Beddington, yeah. Basically as you go straight up Centre Street to the north, as you go up the east side of Nose Hill park, that's where the growth area occurs. In fact, it is now getting to the point, if you've taken a drive up there, where you can now drive all the way around Nose Hill park. So they're getting close together.

MR. McCARTHY: Yeah. It's just that our problem is that all of those areas, yours in particular – but then all of your adjoining ones tend to be growth areas as well. So it's a tough call to shift growth areas among various growth areas.

MR. BRUSEKER: I guess the reason I point it out is that mine has the peculiarity, if you will, being on the corner of the city, of growing both in a northward and a westward direction. You're correct that Nose Creek has that same kind of growth area as does Foothills. I think probably the Calgary-North West constituency has the greatest proportion of growth area, if you will.

MR. McCARTHY: Okay.

Where is the westerly boundary connecting vis-à-vis the Stoney Trail?

MR. BRUSEKER: The Stoney Trail is within my constituency. In fact, if you look at the map that I've provided for you – it's not shown on the map, but it would fall directly to the west of the Scenic Acres community. Scenic Acres is right on the very west edge, and you see where I've written over Tuscany. Well, in fact, Stoney Trail is an access route that will go between those two communities, much like Shaganappi now goes up between sort of Varsity Acres and then Dalhousie on one side and Brentwood on the other.

MR. McCARTHY: Okay. So Stoney Trail would still be within your constituency. How much farther west is it, the boundary of your constituency, from Stoney Trail?

MR. BRUSEKER: Well, the western boundary is the city limit, and that's what is still called Twelve Mile Coulee road, if you know where the Bears paw golf course is.

MR. McCARTHY: So there are quite a few acreages in there then?

MR. BRUSEKER: There's a good number of acreages, but the Little Bears paw acreage development, where you have the little two- and four-acre parcels, is actually in the Banff-Cochrane constituency.

MR. McCARTHY: Okay. Thanks.

MR. LEHANE: Harvey, I think you've indicated to us – just so I can confirm it and be clear on it – that the position you're presenting today is the official position of the Liberal Party?

MR. LOCKE: Yes.

MR. LEHANE: And that official position is that four constituencies should be taken out of the rural area: two of those should be added to Edmonton and two of those should be added to Calgary?

MR. LOCKE: Yeah. Four of them should be reallocated from all the other areas, and some of the other areas include urbanized centres, as you are aware. We haven't identified specifically where we'd take them from, and we recognize that's a challenging task. The essence of it is: from the areas not in Calgary and Edmonton we'd reallocate seats.

MR. LEHANE: What are the nonmetropolitan urban areas that you refer to?

MR. LOCKE: Well, I think we all know what the other the cities are in Alberta. The nonmetropolitan areas are easier to define by "What are the other metropolitan areas?" which are basically Red Deer, Lethbridge, Medicine Hat, and Fort McMurray, which are the bigger centres.

MR. LEHANE: And you see those as being areas that are overrepresented?

MR. LOCKE: Oh, I don't think I said overrepresented. I think the challenge that exists for us all is: how do you deal fairly with changing demographics? I don't know that we perceive it as a case of overrepresentation so much as a case of fairness, in the sense that there's a need to recognize the demographic shift that's occurred in the province and the clear mandate that you have is not to create more seats to deal with that. That basically means that you have to reallocate.

MR. LEHANE: When you speak of fairness, it brings to my mind a quote of the late Grant Notley that is often referred to when there are deliberations with respect to electoral boundaries. He said:

There is no doubt in my mind that there are some very real problems in representing rural Alberta, which must lead us to the conclusion that rigid application of representation by population is not fair. It may be fair in an abstract, philosophical sense, but in my judgment it is not fair in terms of providing access by the electorate to their member of the Legislature.

This commission has spent – we're into our third week now of hearings. We've been to many rural areas as well as Edmonton, Calgary, and other urban areas, and what we're being told by rural Alberta is that they're not asking for anything special; they're just asking for fairness in terms of having what they see as the same effective representation as somebody in Edmonton or Calgary. They have given us reasons to justify the lower populations in their areas based on things like geography; the vastness of the area that the MLA has to serve; the distance he has to travel from Edmonton; the distance he has to travel within his constituency; the fact that he has to deal with a number of hospital boards, town councils, village councils, city councils, or MDs; and that sort of thing. Their sense of fairness is that you have to have these negative variances in their areas for their representative to be able to effectively represent their concerns. Perhaps I could just have you comment on that in terms of how you would respond to that.

7:42

MR. LOCKE: Sure. We have some genuine sympathy for that, and I think that reflects in our comments about the special consideration areas, which would appear to us to take into account some of those very real concerns about enormous area, small population. But on balance, at some point the demographic shifts that reflect Alberta and the way our province has evolved have to be taken into account on the plane of fairness. All the concerns you raise are very legitimate, and certainly we recognize that they're very fair comments.

At the same time, over time Alberta has shifted from predominantly a rural population to one that's become predominately urban, and that's just an issue of how our society has evolved. We prefer to not see this issue as an issue of rural versus urban but rather as Albertans together trying to achieve electoral fairness.

MR. BRUSEKER: If I might just add a comment to that. Because I once sat in more or less your position a number of years ago, I heard that argument many times as well. If you look at my constituency simply as an isolated island unto itself, certainly that argument I suppose would hold some validity. The fact is: my constituency is by and large a bedroom community and every day the folks that live there go somewhere else. If I want to find them, I have to do that traveling too, because they have cabins here and there and they have businesses outside of the community and outside

of the constituency. In fact, while my travel is perhaps not nearly as great as some of the rural members, travel is still a factor even for the urban members because we have to go to where our constituents go sometimes if we're going to talk with them about issues that are of concern to them. So we can't look at an urban constituency in isolation by itself, because the people that are involved there tend to travel out of the constituency, whereas in a rural community it's more likely that people will live and work within that community as opposed to traveling elsewhere. So we have to look at the whole picture, not just perhaps a particular viewpoint.

MR. LEHANE: How many kilometres a year would you put on, Frank, in terms of serving your constituents?

MR. BRUSEKER: Well, I know that we're allowed to book 25,000 kilometres mileage against our travel budgets, and I know I've bumped up against that number a couple of times. For example, to go from my constituency office downtown and back again is probably in the neighbourhood of a 40 kilometre round-trip.

MR. LEHANE: What is your normal, or usual, mode of travel to the Legislature?

MR. BRUSEKER: Well, until they close the Municipal Airport – when we go up for one day, I usually fly up. If we are in session and we're there for the week, then I will often drive, which is about a 650 kilometre round-trip from my home and back again.

MR. WORTH: I have two kinds of questions. The first question relates to a matter of principle, I think, with respect to the way in which we define or use population data. The Act under which we're established requires that we make use of the 1991 census data. We recognize, however, that by the time we make our recommendations and by the time the next election and the subsequent election is held there will be probably some significant population changes within a number of constituencies. If we are going to try to anticipate those as a commission, we have to deal, then, with future probabilities, and this gets to be a bit of a slippery slope. What I just want to confirm with the two of you is that you are prepared to endorse this commission using future probabilities or using projected population data with respect to growth areas in arriving at constituency boundaries; is that correct?

MR. LOCKE: I would respond to that in this way. I think you have to have some eye to trends to discharge . . .

THE CHAIRMAN: I'm sorry; I didn't hear you. You have to have . . .

MR. LOCKE: You need to have some eye to trends to have a sense of where things are going. I think that's an essential part of the Court of Appeal's message. You know, we have a problem, the root of it is the change in demographics, and you need to keep your eyes on that trend. What projections you might rely on and that sort of thing is not something I can comment on because none come to mind for me. Certainly I think you should have your eye on trends of where we're going as a province to discharge that.

MR. BRUSEKER: Wally, in response to that, what I would recommend is that particularly in the two large urban centres, Calgary and Edmonton, which probably will have the greatest growth – with the exception, of course, of Cochrane, which is a bit of an anomaly as well – I would say to certainly speak with the municipal councillors there and chat with them about what they expect to see happening and in fact what they have planned for the sizes of planned communities.

MR. WORTH: I think there's no doubt we can get a lot of that data. My question really was: do you approve of our using them when you recognize that they are projections, that they're not certainties?

MR. LOCKE: Yeah, and I think with all things you have to apply your judgment, but they'd be useful things to consider. One thing I'm aware of is that the population of the municipal district of Pincher Creek outside the town is actually growing.

MR. WORTH: The second question I have relates to this whole concept of effective representation. I think we've discovered, as we've moved around the province, something that we probably were aware was there but has become more apparent to us, and that is that there are differing perceptions about the role of a Member of the Legislative Assembly as between rural areas and urban areas. I'm wondering if in the first instance you might care to comment on what you see the role of an MLA to be in very general terms. What kind of functions do you see the MLA performing, and do you see them as differing from urban to rural areas?

MR. BRUSEKER: Sure, I'll give that a shot. The way I typically answer that question is that there are basically two parts of the job. One is during the legislative session, when our role is perhaps much more defined in terms of hours and where we are located and so on. That's a task that I think most people have a pretty clear understanding of, that we are there debating pieces of legislation and so on. The time when we are not in session, as we are now, is perhaps a little bit more difficult to define. I don't know that the role necessarily is greatly different between rural and urban, because I think in both cases we are out there trying to find out what the concerns are of the people who live in the constituency and represent those concerns in the Legislature at appropriate times.

For example, I spend a great deal of my time going around to the schools in the community, going to meet the business leaders in the community. I don't have towns and so on, but I have community associations. Those are almost like minigovernments unto themselves. I would argue that some of the communities I have are certainly larger than some of the towns we have in the province of Alberta.

So I don't think the roles are necessarily different. The difficulty really is, I think, trying to be representative of all of the views of your constituents. When you have 30,000 people living in a constituency, how do you accurately represent all of the views of all the people who live in your constituency? I'm sure each of us does surveys on whatever the issue is: health care, education, you name it. You may send out 10,000 brochures, and you might be lucky if you get a thousand back. I don't think I've ever had a thousand back. I think I've had 500, which is a 5 percent response. Well, what about the other 95 percent who chose not to respond? Therein lies the difficulty, because you really don't hear from all of your

constituents. One of the things I've often said about my own constituency is that because it's growing so rapidly, I have people who are more concerned about getting grass laid down and getting fences built than they are worried about the political system at all. So it's certainly a difficult task. I would say, though, that the larger you make the constituency in terms of the number of people, the more difficult it makes it to get around to all those people.

MR. WORTH: Earlier today we heard from Mayor Duerr of Calgary in which he referred to what he called the legislative or policy function of an MLA. He felt that this could be addressed through boundaries and through population statistics in the sense that the concept of having an equal voice for each legislator and for each of his or her constituents in the provincial Legislative Assembly was quite an appropriate concept to apply. He suggested that a second component of the MLA's role is that of performing a service function, that this might not be something you could address through boundaries or being concerned about equity and population and so on, but that we need to rethink the way in which we provide service to constituents such as information and ombudsman-like activities and so on. I just wondered what you thought of that: that in a sense the service function he was suggesting might be better performed by a bureaucracy, might be better performed by having an increased allowance for, say, rural representatives in the Assembly so they could have multiple constituency offices, hire additional staff, and do that sort of thing to perform that function and not try to deal with the service function through boundary changes. Do you have any comments on that?

7:52

MR. BRUSEKER: Well, I don't think you can deal with the service function through boundary changes. But on the other side of the coin, I'm not sure that creating another bureaucracy – for example, the Workers' Compensation Board is one of those Ombudsman activities that I have frequently occurring. To try to create another bureaucracy, quite frankly, I don't think would satisfy those people. They want to sit down and bend your ear. They don't want to have yet another layer of bureaucracy. They want to know that I as their MLA, as their representative, am going to go forth on their behalf and challenge the system on their behalf. In that regard boundaries, to a certain extent, are irrelevant. What will determine I guess the number of Workers' Compensation Board claims or UIC claims you have or social service issues is more the demographics of the constituency as opposed to the boundary itself. To try to create boundaries that create equal demographics across this province, I would suggest, would be absolutely impossible.

MR. WORTH: Okay. Thank you.

MR. GRBAVAC: Just very briefly, Harvey, could you tell me how the Alberta Liberal Party arrived at the position that you took tonight? Specifically, was that through a resolution from a general assembly or annual general meeting, or was it a position that the caucus adopted which the party subsequently adopted?

MR. LOCKE: Caucus adopted it and so did the executive committee of the party adopt it.

MR. GRBAVAC: Okay. Thank you.

MR. BRUSEKER: If I could just add one more point in response to Joe's question earlier on about mileage. As opposed to dealing with specific distances, I think the issue really is time more than anything else, because that's the limiting factor. I recognize that while my 25,000 kilometres may seem inconsequential to a rural member who may drive triple that distance, when you've got stoplights and traffic in the city, it may represent the same number of hours as someone who may drive far greater kilometres. So I think the issue really is time and availability to get across to the people.

MR. LEHANE: Yeah, I agree. Time is a problem, because typically it's not effective time, in terms of serving your constituents, other than getting to where you have to be.

MR. BRUSEKER: Getting from A to B and trying to be at both A and B at the same time.

THE CHAIRMAN: John has another.

MR. McCARTHY: I've just got one follow-up question. In your constituency, in particular the newer areas, do you notice a turnover in the population there – in other words, people move on a regular basis – or is it relatively stable?

MR. BRUSEKER: Because it's a new area, there are a good number of people who will move in, buy the home, do a bit of quick landscaping – put in some grass, put up a fence – and then sell it again. A good friend of mine, who in fact worked on my campaign in both 1989 and 1993, in those four years lived in four different residences. So there is a fair amount of turnover. Much of it stays generally within the northwest corner, but people are moving around a fair bit.

MR. McCARTHY: But not necessarily in the same constituency.

MR. BRUSEKER: But not necessarily in the same constituency. I have a number of people that I did have once upon a time on my executive that have moved over to Hamptons, for example. They wanted to be close to the golf course up there, for whatever reason. They are moving around. Quite honestly, I don't think people choose to live in a particular constituency. I think they choose rather a community within a particular quadrant.

MR. McCARTHY: Thanks.

THE CHAIRMAN: Joe says he has another question.

MR. BRUSEKER: Sure.

MR. LEHANE: What would the time be, Frank? Approximately three hours to travel from your home or your constituency office to the Legislature?

MR. BRUSEKER: Two hours and 45 minutes, assuming the car is gassed up, ready to roll, and I can jump in it and go.

MR. LEHANE: Do you sometimes wake up in Edmonton and think that your job would be a whole lot easier if you were an Edmonton MLA and you could meet with your constituents right in the city?

MR. BRUSEKER: Well, I think there's an advantage to being in Edmonton. For example, I know that Percy Wickman even during session makes a point of stopping in at his constituency office first thing in the morning and spending a half hour in his office every morning. We now only sit four days a week when we used to sit five, but quite frankly it used to be that I would leave Calgary Monday morning at 7 o'clock, 8 o'clock and I would get back at 5 o'clock Friday afternoon. Now it's more like 7 or 8 o'clock Thursday evening, but then typically I have a meeting Thursday evening back here again as well. So, you know, travel time back and forth to Edmonton certainly is a major consideration.

MR. LEHANE: I guess the other thing is that you mentioned earlier how much people want to have that face-to-face contact with their MLA. So obviously Mr. Wickman can do that during the week in Edmonton and you can't, when session is in.

MR. BRUSEKER: Yeah. Either I have to try to postpone it to out of session or I deal with it over the telephone. I would have to say that, particularly during session, much of what I do is over the telephone. Even now I would say that probably more than half of my interaction with constituents is over the telephone. So going back to I think the point that Wally made, I would certainly endorse the concept, particularly in larger rural constituencies that have a larger area, that there should be additional allocation made to those constituencies to have multiple constituency offices, with a staff person in each of those offices.

MR. LEHANE: Do you think it would be justified to have higher populations in Edmonton in terms of variance from the quotient because they're right in the city where a lot of the work is carried out?

MR. LOCKE: I think it would be our perception, anyway, that the issues you raise are sensible ones that are important and that they justify some variations but not huge variations. You know, you have to have the capital someplace. That's just inherent in the nature of choosing to have a capital in a province as big as this. Inherent in the nature of the province there are some rural constituencies that are a lot closer to Edmonton than there are cities close to Edmonton. That's just part of the way the cookie crumbles in Alberta. So I think it would be fair to say that we as a party recognize that there isn't necessarily going to be rote representation by population. We're not advocating absolute rote representation by population, but the sort of broader reality should be the focus of your deliberations.

THE CHAIRMAN: Thank you.

Frank, I just want to make one comment about your two hours and 45 minutes. I drive from Edmonton to Calgary quite a bit also, and I find that two hours and 45 minutes is 10 kilometres over the speed limit. I think you'd be wiser to say it takes you three hours.

MR. BRUSEKER: Thank you.

THE CHAIRMAN: I want to thank you both for coming and making your presentation.

MR. LOCKE: Thanks very much.

THE CHAIRMAN: The next presenter is J.R. Thomas.

MR. THOMAS: Good evening, Mr. Chairman. Good evening, gentlemen. I think you will have seen the submission I made, which was sent to you about a week back.

THE CHAIRMAN: We received it.

MR. THOMAS: I understand from my spy in your office that you have received it.

I think I'm tempted, first of all, to say: here we go again. My first contribution to something like this was back in '89 to the select special committee, which got nowhere. I made a submission then to your immediate predecessors, the commission of '91-92, which obviously ended in disarray. What happened then with the select special committee in '92 really is something which prompts me to say that I'm exceedingly annoyed by what they did. I think it was completely unjust. It was bigoted in many respects inasmuch as they stretched the rules as far as possible to satisfy perhaps a hidden agenda which the government had, and thus my feeling.

8:02

Now, in terms of the submission I have made to you, I won't deal with everything that has been written there. What I would like to do is just highlight and perhaps add a bit more depth to some of the arguments that I use.

By profession I'm a professional engineer. I've spent the latter part of my life, I guess, dealing with the statistics involved with running a project and being a consultant and advising people on how to analyze statistics and net costs and so forth. Therefore, the thrust of my presentation is where I deal with the facts as they are presented, I guess, by yourselves in the first instance, which pretty well are the same facts that were presented by the select special committee of '92.

There are some very interesting observations, I feel anyway. I guess in the first instance I take exception to the fact that again we should be faced with having to have 83 electoral divisions. In my presentation I show you in actual fact how we compare with the three larger provinces in terms of Quebec, Ontario, and British Columbia. The area of Quebec is 2.3 times greater than that of Alberta, the population is 2.7 times greater than Alberta, and the number of Legislature seats they have is just 125. That is just 50 percent more, yet we are a factor of 2.7 smaller in population. I think it's fundamentally wrong that there should be that sort of disparity. Ontario, a province which is 1.6 times the area of Alberta and has a population which is four times the population of Alberta, has the number of Legislature seats at 130, which is just 57 percent more than we have in Alberta, the 83. Then B.C., which is again 1.4 times the area of Alberta and 1.3 times the population, has fewer legislative seats than we have in Alberta. So it's 10 percent smaller in terms of representation with a larger area and a far more difficult terrain as far as going and seeing the people whom you represent.

You know, as far as I can see, the argument for any special consideration in the first instance for rural electorates, or rural divisions, is plainly just an excuse, I guess, to maintain the status quo. If you factored down the information on the three major provinces to what should prevail in Alberta by population, which is the logical thing because it's people that vote, not pieces of land, by Quebec standards the representation in Alberta would be scaled down to 46, by Ontario standards our representation would be scaled

down to 33, and by British Columbia standards we would be scaled down to 59. So you can see that from those three comparisons we could have anything between 33 and 59 representatives in the Legislature in Alberta to give us the same or better representation than would exist in those three provinces anyway.

So again I feel, you know, that the fact that the condition has been imposed upon you that you have to accept that we have 83 constituencies, or 83 divisions, is fundamentally wrong. We don't need that number of people, and we can't afford that number of people. It's as simple as that. So that's the first point I would like to sort of emphasize.

The second point I have is really in relation to effective representation. Since I sent my presentation to you, I've had a bit more time to look at some of the statistics involved. There should be five copies there. I think you'll see on the bottom of page 4 of my presentation table B, which describes the various ranges within the four divisional groups which had been identified in the basic presentation; that is, the four special divisions, the urban/rural mix of 41 divisions, Calgary with 20 divisions, and Edmonton with 18 divisions.

Now, it's interesting to note that despite the fact that you give the averages of these variances for each of these four groups, in the special group the range is from minus 49 percent roughly to minus 40 percent, which is a very close 13 or 14 points difference. In the urban/rural mix the average would indicate just minus 8.38. There isn't very much disparity there. In actual fact it has the greatest range of anyone. It goes from minus 24.5 to plus 15.6, which I guess is an horrendous sort of abuse I think of the question of representation. In Calgary we go completely on the plus side from 4.4 to 22.9, which is 18.5. In Edmonton it goes from minus 2.9 to plus 24.3. Well, I think generally what you have there is a statement which is an abuse, I guess, of the principle of equality of voting amongst people within the province.

I think that from what we see here, voting parity is a complete myth inasmuch as a variance range of 72.9 points can exist. A special rule of divisions was twice the power of Calgary or Edmonton, and I think this is fundamentally wrong. What one sees, you know, from this sort of comparison is the fact that overall between rural voters and urban voters it takes four urban voters to have the same power as three rural voters. I think that is wrong. To give the rural vote a 30 percent increase in power is as wrong as it is to take 25 percent off the urban vote. So I think that is fundamentally wrong, and that has to be corrected. It appreciates that you can't have absolute parity, but you must have sensible parity, I think, and fair parity.

If you consider the special rural divisions to urban ratios, the overall four that exist, that means that in relation to Calgary it takes two Calgary voters to have the same power as one rural voter, and that generally applies to Edmonton as well. It applies to the overall situation; that is, with the special rural divisions, those four. Okay? In those four the average population is 17,780 to compare with 35,500 in Calgary. It's wrong, you know, that that sort of disparity should be around. It's people that vote, not pieces of land, and I think that's the fundamental principle.

So in actual fact you've got an effective dilution of the relative urban electoral power of 50 percent, and you've got a resultant inflation of the special divisions by 100 percent in that instance. If you look again at these four special areas to rural areas contained in the rural/urban mix, the same disparity again exists inasmuch as it

takes three people from the mixed group to have the same power as two people in that group of four constituencies. So that is fundamentally wrong, I think.

The rural advantage is unconscionable to me, and the urban dilution is inexcusable. All it does, I think, is continue and perpetuate the party political process. I think a lot of people would agree that proportional representation is the ideal solution to exercising one's vote. We don't have that. We have the party political system, and I think with the party political system there's far more reason to ensure that there is a parity of voting than there would be in any other situation at all.

I think fundamentally those are the points I wanted to emphasize. I don't have much argument with some of the other guidelines that you've included. I think these are the prime things that concern the majority of people, and that is that we should have a relative parity which is a fair parity of voting.

8:12

THE CHAIRMAN: Thank you, Mr. Thomas.

We'll start the questioning with Mr. Grbavac.

MR. GRBAVAC: I don't believe I really have a question. I believe you very clearly articulated your position, and I don't feel that I need to further question you, but I congratulate you on a very concise articulation of your position.

MR. THOMAS: Thank you.

THE CHAIRMAN: Wally?

MR. WORTH: No questions.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions.

MR. McCARTHY: Just a note on your statistics. We had some earlier presentations today, and it seems like Alberta's sort of in the middle as far as the quotient goes of one seat per 30,780 votes.

MR. THOMAS: Are you talking generally about the provinces?

MR. McCARTHY: Yeah. If you look at New Brunswick, the quotient is 13,000.

MR. THOMAS: Yeah. If you look at Prince Edward Island, it's very much smaller.

MR. McCARTHY: Yeah. Manitoba's 19,000 and Saskatchewan's 17,000.

MR. THOMAS: My philosophy in presenting it the way I did is that we're dealing with the big league, not the minor league. We're dealing with a major league, not a minor league.

MR. McCARTHY: It's too bad the mayor wasn't here today. He's from Saskatchewan.

The other question I had is: in urban division groups as a subcategory you've got U/R mix, urban, number of divisions, eight?

MR. THOMAS: Yes. Well, what I did there was identify what were urban components within those 41. Obviously 34, I think, were essentially rural and seven, as I presented to you initially. I only looked up those that had a plus deviation as opposed to a minus deviation. The one I gave you now I've sort of changed so that there are eight urban components within the urban/rural mix as opposed to the seven that I had there before.

MR. McCARTHY: Yeah. When I added it up, I called them small urban, and they're totally urban from what I can . . .

MR. THOMAS: They're all urban as far as I'm aware, and some of them have very significant populations to compare with, you know, the divisions that we get in both Calgary and Edmonton.

MR. McCARTHY: All right. Thanks.

MR. THOMAS: Thank you.

THE CHAIRMAN: Well, Mr. Thomas, I want to acknowledge your dedication to these public hearings. You tell us you made a presentation in 1991 and then before the special committee in 1992, and in '95 you're here again trying to convince us. If we were a society or an association of some kind, I'd give you a lifetime membership.

MR. THOMAS: You're very kind. I was going to say, in actual fact, that it isn't very often we have a member of the PGA presiding over something like this. I have the same sort of affinity, but in my case PGA stands for pathetic golfing ability.

THE CHAIRMAN: What was the second word?

MR. THOMAS: Golfing.

THE CHAIRMAN: Well, I have that too, I want you to know. Well, thank you for coming.

MR. THOMAS: Thank you very much.

THE CHAIRMAN: Okay. Our next presenters are Kim Cassady and John Patrick.

MR. J. DAY: Mr. Chairman, an amendment. The name is John Patrick Day. I usually go by John, but there are several John Days in the community where I live, and we got a little tired of each other's girlfriends mixing us up.

THE CHAIRMAN: Well, I sometimes make mistakes myself. My sheet says John Patrick; they missed Day. I won't take the blame for this.

Go ahead.

MR. CASSADY: I'd just like to make some preliminary comments if I might. First of all, we have done a redistribution of the boundaries across the entire province, as you'll see from the package in front of you. We don't presume to do the commission's work for them, although we'd be honoured if you'd take our boundaries. What

we set out to do was prove that it was possible to do what we intended.

Now, what we wanted to do was to stay as close as possible to the average in each and every constituency in the province, that one person is one vote, as the previous speaker had mentioned, that pieces of land don't vote; the people do. We tried to stick to that as closely as possible. Clearly, there are areas of Alberta where it's not possible. The northwest springs to mind immediately. Having said that, we stayed within 25 percent on every constituency and in some cases, I think, improved on the current boundaries in terms of making the existing constituencies smaller geographically than they were with a larger population by adjusting the boundaries. That was our intention, and we set out deliberately to do that.

What we have done is – and I'll go through just a brief overview of the different districts – we've split the province into southern Alberta, central Alberta, northern Alberta, and the two big urban centres of Edmonton and Calgary. In southern Alberta there are almost 240,000 people, so that's about eight seats with each one being maybe 7 or 8 percent below average. In central Alberta there are 536,000 people. Seventeen constituencies makes those all slightly over average in terms of population. In northern Alberta the population is 458,000. We split it among 15 constituencies, which puts it just a couple of percent below average for the average constituency in northern Alberta. In Edmonton the average population is 30,000, 20 seats on 616,000; that's almost dead on the average. In Calgary we added three seats to make 23, and the average population is . . .

MR. J. DAY: It is 30,899.

MR. CASSADY: There we are, again just slightly over average.

What we've aimed for in each region is to get as close to the average as possible and then within those to try to keep communities together. I think it's critical that we look at common ethnocultural, common trading practices, common industry, whether it be agriculture or forestry in the rural areas, for example. So we've tried to keep those kinds of areas together. As I say, we're not trying to do the work of the commission, but we are trying to show that it is possible to do this within the framework set out.

I'll turn it over to John, then, for a little more detailed presentation.

MR. J. DAY: Okay. I'll start by saying that there are a couple of glitches, Mr. Chairman. On page 21, where you see we've given a list of populations, constituency 56, which is Calgary-Bearspaw, should be Calgary-Edgemont. A couple of pages below you will find that we failed to label one of the Calgary constituencies on this sketch map. That's Calgary-McKnight.

I'll speak basically to the principles we followed. I think obviously the one that's going to be most contentious is the population one. This has certainly been evident from the earlier presentations tonight and doubtless has been so throughout this entire process. We found that trying to use 10 percent as a normal average, we were following a practice increasingly followed by boundary commissions throughout the country. If you start taking other criteria such as natural community interest and so on, you find that the 25 percent legal limit is appropriate. We would argue that a proposal by the recent royal commission on electoral practices which the national government held, where they proposed that 15 percent be the legal limit, was probably too narrow. In fact, in our

proposal you'll see that we did in fact use the 25 percent limit. Working with the 10 percent as a working average, we felt, was closest both to the spirit of the recent court decision and the Legislative Assembly's response to it.

8:22

There has, of course, been a tradition of allowing urban constituencies to be larger as a rule than rural ones. It's not entirely an unreasonable tradition, but we did want to deal with some of the reasons involved. The most obvious one is of course travel and communication. To some extent – and one of course uses the phrase “to some extent” – it's less true than it would have been, because just simply communications are better than they were 40, 50 years ago. To some extent it might be overcome by allowing representatives of those areas extra resources. In several ways we'd save financially, but there are others that are possible. Indeed we observed in the last provincial election that the provisions of the special voting rules were used in order to avoid having actual polling stations in the most remote locations in the province.

A second reason which is often advanced and with considerable weight is that rural representatives have to respond to several local jurisdictions while urban representatives need only work with one or relatively few. There is a certain amount of truth in this, although we argue that it may not go as far as it has been argued to you. There is a certain reality in this inheritance. Until the 1940s, for instance, public works districts were organized by provincial electoral division, and provincial members actually handled every known road and bridge contract in their constituency. The extent to which that continues to be true began to break down in the 1940s with the reorganization of municipal government. We might observe that there has been, of course, a dramatic reduction in the number of school jurisdictions. There are now 57 across the province.

I think the argument we place the most weight on is not that the problems are greater or lesser in one area or another but that they're different. What is forgotten in this argument is the accessibility of local representatives to the average elector. In the city of Edmonton a Catholic school trustee – and I used to be one – has an electorate of about 20,000. In other words, that electorate is about the size of an urban MLA's. Moreover, it's not in the same tight geographic area. The area which I used to represent contains the entirety of two constituencies, half of a third, and two-thirds of a fourth. A public school trustee in Edmonton has an electorate of 40,000, an alderman an electorate of 60,000.

There are legal limits as to how large local councils or school boards can get. What you find in metropolitan areas is that provincial members are frequently much more accessible to the individual elector and to community representatives, and you'll frequently find that your provincial member is playing the same role in the metropolitan areas that the local representative is playing as intermediary between the elector and the provincial member.

A third reason advanced for this tradition is stated in two ways. The first is that a community or set of communities which has its own representative hates to lose it or share it with another set of communities. The second is that with a given form of activity – and in this province it has up to now been agriculture, which is in decline. There is the argument that it will even be more adversely affected if it loses its existing political representation. In a sense we may call this the OMBY syndrome, meaning “only in my backyard”: we may have too many politicians; we may not need

more but I need my member. In another context – indeed Quebec and Ontario come to mind – you will hear these same arguments where you have inner-city constituencies which are decaying and which will disappear on a straight proportional basis.

An extreme form again will be familiar to you. It's what we call the Day/Cassady law of political representation. First, elected members fall in love with areas which have elected them, however misshapen they may appear to outside observation. Second, whatever objective reasons might be raised about a constituency, no elected member is going to claim to have troubles representing it. The problem could be and usually is addressed by making legislative bodies larger, and I can assure you there are many larger bodies than Alberta's, at least on this continent. I think the worst cases will be found in the farm belt in the United States.

Basically the answer to the question that you will frequently have heard – why are there so many politicians? – is simply that hell hath no fury like a community which has had its representation reduced. It's a solution which the Legislative Assembly decided to foreshadow by limiting the number to 83. We can only assume that the Assembly, in light of the legal decision, decided it had to face the decidedly unpleasant music. It could have chosen to rely upon the finding that the boundaries drawn up by the legislative committee in 1993 were not in the strict sense of the word illegal or unconstitutional. It could also have chosen to enlarge the Assembly's size. We must presume that these alternatives seemed to be even more unpleasant medicine.

So we saw no grounds for giving any one large area a significantly different representation than its population would justify, although we would justify considerable ranges within those areas. So we came up with the allotments that Mr. Cassady has already described: Edmonton with 20 seats, Calgary with 23, northern Alberta with 15, central Alberta with 17, southern Alberta with eight. It is possible to argue for an 18th seat in central Alberta at Calgary's expense, but we suspect that the result may make it difficult to follow natural community lines.

I think our other principles are much less contentious, and we can go by them fairly quickly. Areas of common occupational and trading patterns should be kept together. Areas of common historical and ethnocultural association should be kept together. In this we considered previous electoral maps of Alberta dating back, we say in our brief, as far as 1891, in fact as far back as 1883.

In accordance with the present legislation we tried to use the existing municipalities as building blocks. Although we did not follow municipal boundaries exactly, we considered that the municipalities are approximations of other units, most notably provincial electoral districts of the 1913-47 period, and that the frequently convoluted boundaries and municipalities do not exactly re-create those communities. So we sort of took a look: if we had a blank map, how would we draw the line, bearing in mind municipal lines? It's why with the large set of maps we have for you, we in fact used the base map of Alberta's municipalities.

A fifth one. We threw out a number of alternative names which may involve a policy question, which the commission may wish to review. Some constituencies have been named after noteworthy public figures from Alberta's past rather than geographic features in their areas. Without offering an opinion on the matter, we did offer alternatives; for example, Edmonton-Manning or Edmonton-Belmont, Edmonton-Roper or Edmonton-The Lakes, Calgary-Cross or Calgary-Rocky View. We found a special case involving

Calgary-Lougheed. We had a proposal about Edmonton-McClung, but we will say that we hit stiff local resistance about that one.

I think we would understand, gentlemen, that we've thrown you rather a lot to absorb, so you may have questions for us later. We forgot to leave our addresses with the secretary, but we'll do that on the way out. In the interests of time and brevity I think that will conclude our oral presentation.

THE CHAIRMAN: Well, I want to thank you for cutting it short, because it's quite a lengthy presentation.

We'll start the questioning with John McCarthy.

MR. McCARTHY: Thanks. A couple of preliminary questions first. How much time did you spend putting this together?

MR. J. DAY: I could say about seven days on my behalf.

MR. CASSADY: Probably four on mine.

MR. McCARTHY: What's your discipline?

MR. J. DAY: I'm a historian.

MR. CASSADY: I'm an economist.

MR. McCARTHY: It's too bad we didn't know about you in advance. You could have applied to replace me and maybe one other.

MR. J. DAY: Well, maybe it's a recommendation you could make for the next time, Mr. McCarthy.

MR. McCARTHY: Yeah. We'll keep this in mind for sure.

MR. J. DAY: Thank you.

8:32

MR. McCARTHY: I certainly am not volunteering next time.

Anyway, I find your Calgary map here very interesting, and I have a couple of questions if you don't mind.

MR. J. DAY: Certainly.

MR. McCARTHY: I know it's a handwritten one.

MR. J. DAY: With very small printing.

MR. McCARTHY: Yes. In the northwest here you've got Beddington, McCall, and then in between them, a little lower down . . .

MR. J. DAY: Yeah. That's McKnight.

MR. McCARTHY: You'd call that McKnight. Okay.

When you said approximate boundaries, are these reflective of the city limits or no?

MR. J. DAY: Yes, they are.

MR. McCARTHY: Okay.

MR. J. DAY: It's again much clearer on the larger map.

MR. McCARTHY: Did you take into consideration the various defined communities?

MR. J. DAY: We attempted to. There are some that I think we may have found difficult to avoid splitting. I think Huntington Hills would be the obvious one in the north end.

MR. McCARTHY: You split Huntington Hills?

MR. J. DAY: It would depend whether Simon's Valley road, in that part where Centre road turns into 4th Street West, can be considered a community dividing line.

MR. McCARTHY: Okay.

MR. J. DAY: I understood Huntington Hills to be basically I think between 64th and 80th avenues north, so it's a pretty wide area. We suspect we may have got it wrong in the boundary between Regal heights and Bridgeland, for instance. That's quite possible.

MR. McCARTHY: Okay.

What about Fish Creek? How did you change Fish Creek from the way it is?

MR. J. DAY: We took its new west boundary as being Acadia Drive. It was not clear to me from the maps I had just how Lake Bonaventure and Lake Bonavista . . .

MR. McCARTHY: Oh, okay. So you've made Acadia Drive the boundary. I see.

MR. J. DAY: Yeah. So the territory between Acadia Drive and Macleod Trail would go into Egmont.

MR. McCARTHY: But that divides the community of Lake Bonavista in two; doesn't it?

MR. J. DAY: Yeah, it may well do. As I say, the boundaries of Lake Bonavista and Lake Bonaventure were just not clear from the maps that were available to me, and I could well believe that it ends up dividing the communities.

MR. CASSADY: It does in fact.

MR. J. DAY: Yeah.

MR. McCARTHY: Can you tell me, if you're able, any other instances, other than the ones you've just mentioned, that divide up existing communities, so to speak?

MR. J. DAY: I think the one I'd be fairly sure does would be the Mission district. Now, we used 4th Street West as the boundary there. My family is from Calgary, and I used to spend a lot of my youth here. In fact, 4th Street West was always a major community dividing line, whatever, you know, community league lines might be. But I think it's arguable that we've divided the Mission district.

MR. McCARTHY: Okay. That would be between what you describe as Buffalo and Bankview.

MR. J. DAY: Buffalo and Elbow.

MR. McCARTHY: Oh, all right.

MR. J. DAY: Yeah. That's 14th Street West. That's the boundary between Bankview and Buffalo. They fairly obviously have the Beltline on one side and Sunalta on the other.

MR. CASSADY: I believe there was one community on Macleod Trail South also that we divided with Macleod Trail. There's a community league that I think was in . . .

MR. J. DAY: Oh, gosh. I think it's Manchester. I don't know how many people actually live in Manchester anymore. It's pretty much industrial.

MR. CASSADY: Yeah. Calgary-Elbow.

MR. J. DAY: Yeah, between Calgary-Elbow and Calgary-Buffalo, although in these cases they have been provincial boundaries before and of long standing in some of the cases.

MR. McCARTHY: And the data that you're using is the 1991 census data?

MR. J. DAY: Yes, it is. In a number of cases we had to estimate either from previous federal censuses or subsequent municipal ones.

Incidentally, we suggest that it would not be out of place to consider the light of subsequent municipal censuses for the numbers of electors. I think you may find, for instance, that the population differential will have grown with a number of these constituencies, particularly on the edges of both cities.

MR. McCARTHY: Okay.

Just one other question. I understand the reason for all the other names except for the northeast corner, calling it Rocky View. How did you come up with the name?

MR. J. DAY: Oh. Well, the school district of Rocky View is now entirely within Calgary. It's just the name that you would have seen applied to that area up to, you know, recent urbanization.

MR. McCARTHY: Well, it's quite an impressive effort. Thanks very much.

THE CHAIRMAN: Joe.

MR. LEHANE: Yes. Gentlemen, I'd also like to acknowledge the significant effort that you've put into this. As our chairman indicated, certainly it's public input that assists us greatly in terms of having to do the job we're doing.

When I look at your data and your maps here, it appears to me that you haven't created these constituencies in terms of plus or negative variances from the provincial quotient having regard to their distance from the Legislature or the size of the area of the constituency. Is that fair to say?

MR. J. DAY: Well, after we drew them, we tried to consider whether they were reasonable geographic units. It's why, for instance, we suggested a very dramatic redrawing of the Dunvegan and Peace River constituencies, as an example. In fact, in three of the four cases where the Legislature had used the 50 percent rule in '93, we ended up with larger constituencies in population but in fact constituencies that were more compact as territorial units. In fact, in those same three cases the Legislature actually made the constituencies larger to get smaller populations. I don't say that was intended; it's what happened. The exception in that would be Cardston. You know, I would just simply note the exception. I don't know which part of the province you're from, Mr. Lehane. I do know that Mr. Grbavac is from that corner of the world.

MR. LEHANE: I'm from the Innisfail area.

But when I look at the data, for instance, when I run my finger down your list of constituencies here, 10 of them that have negative variances from the population quotient are in the city of Edmonton, which arguably a lot of people would say should have plus variances in terms of effective representation because they're on the steps of the Legislature. Then I look at other ones like Pembina with a plus 9, Vegreville with a plus 9, Drayton Valley-Ste. Anne with plus 8, and I say, well, you know, in terms of access to the Legislature, distance to travel, the size of the constituency that has to be serviced, those don't look to me like they have those concerns taken into account.

MR. J. DAY: Okay. It's interesting that you would mention Pembina as a particular problem, and in fact I would have anticipated it to be one. The consequence of doing it that way was that we heard a certain number of representations out of that area that Whitecourt, Barrhead, and Westlock made sort of a natural basis for a constituency. Then if you grouped them with the agricultural areas around them as opposed to the areas that are primarily forestry or where agriculture is beginning to tail out into forestry areas, we simply ended up with a constituency that was difficult to avoid making very large. In fact, you know, we did a first draft which would have put Westlock in with Lesser Slave Lake. We did hear some local opinion that that was decidedly a bad idea, that they preferred in fact the larger Pembina.

I don't suppose there's any way to get around the fact that there are going to be differences of opinion as to at which point we start saying that all Albertans are equal but some are more equal than others. The position I think you have to have is that the exceptions have to be exceptions rather than the rule. You know, we quite readily appreciate that you will be getting a great deal by way of representation from people that are more knowledgeable about their local situations and so on than we have done. In effect, though, we felt that it was a little unfair to burden you guys with a number of fine principles without making an attempt to show that it might be possible to meet them.

8:42

MR. WORTH: I notice that you've not elected to use the option of establishing special consideration districts except perhaps insofar as the Peace River-Dunvegan one might be. Do you have a rationale for that, John or Kim? There must have been a reason why you avoided that.

MR. J. DAY: Well, I think that if we say that in the normal course of things a 25 percent legal limit is something that you must have in order to meet natural community lines – I don't know that we felt, you know, the cases were unduly special. If you were to try to take a constituency out of the Peace River area – by population it's entitled to four and a half. You know, we felt that five was not unreasonable given that they come in under, but we didn't have to go beyond the 25 percent limit. It might be one of those cases where the commission in light of local knowledge might say, "Okay, if it's 25, 26, 27 percent, this is a case where we might have to use it." I would just remind you, of course, that the legislation says that you may draw up to four constituencies that exceed 25 percent either way, but it doesn't say that you have to.

MR. WORTH: Okay. Thank you.

THE CHAIRMAN: Exceed over 25 percent minus.

MR. J. DAY: Yes.

MR. GRBAVAC: Well, I have to tell you two gentlemen that this piece of work here is almost intimidating. I'm a third generation southern Albertan, and I may find myself referring to your document here as a reference. When you suggest that you found

obvious links of interest among the Counties of Vulcan, Lethbridge and the part of Taber Municipal District 14 lying north of the Oldman River,

You're absolutely right.

The area remaining, that part of Municipal District 14 south of the Oldman River, we have placed in with Cardston-Warner for ethno-cultural, geographical and population reasons.

That's Barnwell; you're right on there. You've placed Cranford with Little Bow; again your knowledge of the ethnocultural, geographical subtleties of southern Alberta is absolutely remarkable.

When you tell me that your map

includes 7 people living in the Municipal District of Cardston and 23 people in the County of Warner in Little Bow, but excludes 23 people residing in the County of Lethbridge due to reasons both of access and history,

I'm surprised you haven't got the age of my kids in here.

There's one thing I will draw maybe some exception to, and that's when you suggest that "there is an obvious economic and cultural connection between Warner and Cardston." I'm not sure that you can draw that conclusion. I mean, we just went through a rather difficult school division separation where Warner was quite insistent in not being included in the Westwind school division, rather that they wanted to be in the Horizon school district, which went to the north as opposed to the west.

The remainder of your observations I find very accurate, and I congratulate you. It almost begs the question: what else do you know?

THE CHAIRMAN: John McCarthy has a couple more.

MR. MCCARTHY: Yeah. I just thought of another question as we were proceeding. You've referred to local consultations. What kind of a consultation process did you go through in doing this?

MR. J. DAY: Okay. There were two means. I should explain that Kim, when not being an economist, works in the Edmonton-Glenora constituency office, so there was considerable consultation with the members of one side of the Legislature as a result. I've been a Catholic school trustee, and I did talk with a number of other local representatives that I had become familiar with.

MR. McCARTHY: Okay. Thanks.

THE CHAIRMAN: Well, I was going to ask that question, and that saves me asking that question. We did have somebody in Edmonton complain about the use of names like Roper and McClung and Manning and whatnot. They said: "Which Manning does that refer to? Ernest or Preston?" I see that in respect to McClung, you said that you met with local resistance in respect to this change, and this somewhat surprises me. What was the local resistance?

MR. J. DAY: Well, I think the local resistance would be to the third change of name for a constituency in that area in a very short period of time. It was Edmonton-Meadowlark until 1993. If you were to change it now, it will have been McClung for three years, and then it would be a third name. Of course, Meadowlark has gone elsewhere, the actual neighbourhood and area.

THE CHAIRMAN: Well, I know Justice McClung, and I was hoping you could give me some better reason for eliminating the name.

MR. J. DAY: Well, we must say that the Member for Edmonton-McClung indicated considerable reluctance to having his constituency name changed, but it wasn't a view unique to him.

MR. LEHANE: John, how many constituencies are changed by your new map?

MR. J. DAY: I think it's easier to say: how many remain the same? I would say there are approximately five that are unchanged. How large the changes are . . .

MR. LEHANE: Sir, are you interested in traveling in the second round of hearings?

MR. J. DAY: Well, if you've got the budget for it, I'll consider it. Yes.

THE CHAIRMAN: John? No more?

MR. McCARTHY: No more.

MR. CASSADY: I think that the two of us would like to wish you people well in your deliberations. Any further assistance we can offer we'd be happy to.

THE CHAIRMAN: You'll leave us the big maps?

MR. J. DAY: We will indeed, yeah.

THE CHAIRMAN: If you'll leave them with the registration desk, that would be very much appreciated.

MR. J. DAY: Okay.

THE CHAIRMAN: We want to thank you for coming, and I guess we should really compliment you on the amount of work you've done. If we were giving prizes here, up until now you'd get first prize for the amount of work done.

MR. J. DAY: Well, many thanks. We enjoyed it, and we appreciated your having us.

THE CHAIRMAN: The next presenter is Doral Johnson.

MR. JOHNSON: It's a little bit difficult to follow a performance like that. I want to thank you for allowing me to speak with you today. My comments are a little bit more general and theoretical than the last presentation, and I hope you'll bear with me. I'm not quite as experienced as some of the people who have presented before.

I'm not going to go through my whole presentation because you have, I hope, copies of it that you can look through later. I want to just hit the highlights as I see them, and then if there are any questions or comments, we can have a dialogue or that sort of thing. I'd be happy to do that.

First of all, I'm here today as a concerned citizen, not necessarily representing any group or organization but generally just because I'm concerned about the current electoral boundaries that are in existence. In particular, I'm concerned because I live in Calgary-Varsity, and in the last election Calgary-Varsity had 27,560 voters. It had more than that in terms of the census, but it had 27,560 voters. In comparison, Cardston-Chief Mountain, which we have heard about a couple of times today and where my family is originally from, had 9,043 voters, a difference of over 18,000. Thus it took three voters in Calgary-Varsity to equal one voter in Cardston-Chief Mountain. I don't think that's fair. I don't think it's right in spite of the fact that my links are in southern Alberta. I think that there are some problems there that we've got to fix.

This is not just an isolated case. There's been a systematic and systemic attempt to increase differences between the rural and urban populations, and I think we've got to mitigate those.

8:52

I want to talk a little bit about what other jurisdictions have done. I know you already have had that discussion here, but I would like to look in particular at the western provinces – British Columbia, Saskatchewan, and Manitoba – and how they've dealt with this issue. In the decision between Saskatchewan and Carter by the Supreme Court I know that they accepted the Saskatchewan boundaries as reasonable and constitutional. In that case I believe that the deviations were 8.4 percent above the mean and 5 percent below the mean, the average of the constituencies. Similarly, in British Columbia the averages were 8.9 percent above the mean and 4.4 percent below. Finally, in Manitoba they did an even better job. Their boundaries averaged only 2 percent or less in either direction. Clearly, Alberta's got some way to go in terms of once again becoming the leader in electoral fairness. Clearly, these provinces share some of the same conditions as Alberta, especially Saskatchewan and Manitoba. B.C. has a number of particular problems that are probably even more difficult to address than Alberta's. So I think there's no reason why we can't follow their examples.

In 1992 the Lortie commission suggested that the boundaries deviate by no more than 15 percent in either direction. I know that wasn't adopted by the courts, but I believe it represents a workable compromise. I think that's the direction the commission might want to go in.

So my proposal to you is that we in Alberta aim for deviations of 15 percent or less, except perhaps in a few constituencies where there are special reasons for not following those guidelines.

You have some criteria before you already in the Act. I had a look at that. I wanted to perhaps discuss some other criteria that you might consider. Some people have already discussed them previously. So I'm going to give you some that I think you may or may not be interested in using. The first that I would like to bring up is the convenience of the sitting member for the constituency. I think some MLAs would be quite happy to keep their present boundaries, and they may tell you that you should be looking elsewhere to change the electoral map. I think this is probably one criterion that you should not use in your decision-making. I don't think it's a very good criterion to use. I think you should look at all the boundaries as not being immutable and not being unchangeable and consider every boundary except where there's an indisputable community of interest other than the convenience factor.

Another criterion that I would not suggest you use – and I know some on the commission might disagree with me, but I will suggest it anyway – is size or population density as a major factor. I will tell you why I think that. First, I appreciate that there may be cases where the distance between the people living in the constituency would make it difficult for them to get to each other. However, I've traveled through this province. I've been up to Grande Prairie; I was born there. I've been so far north as to no longer be in the province. I've also been to southern Alberta numerous times. I have a number of family members that live down in southern Alberta. I feel confident in saying that there's only one region in Alberta that deserves special consideration. I believe that region is northern Alberta, and I believe that because of the problems in transportation there.

Southern Alberta, on the other hand, has generally excellent transportation and communications infrastructure and is fairly close to two major cities: Calgary and Lethbridge. I know this isn't close to Edmonton, but I can't think of any really reasonable arguments for making special considerations for the populations in southern Alberta and giving them the special consideration boundaries that you are allowed to give out.

I would now like to maybe tell you about a few criteria that I think would be good, that may not be on the list in the Act. Some people have already discussed them. Relative voter parity is the one that I think you should pay particular attention to. We can discuss that one, but I think that's the pre-eminent factor that should be considered.

A second factor that I think you should consider and which I don't recall seeing in the Act is population growth, the idea that we should perhaps factor population growth into the boundaries. I bring this up because I think that if we overrepresent rural populations at the outset when you set your boundaries, by the time the next commission gets around to setting boundaries, the differences between rural and urban will become even worse.

Community of interest has also been discussed, and I won't go into too great detail. I just want to say that I think community interests are very, very important, but I think they're not as important as

making sure that there is some sort of parity of vote. Admittedly, political parties in constituencies would like to have some continuity in riding boundaries, and I think that's a fair desire. I think that is why it is so important for this Electoral Boundaries Commission to establish some fair, clear boundaries now and restore some voter parity. Then we can go on with these constituency boundaries for some time to come, once we've established that they're very clearly fair, and we can have some sort of continuity in those new riding boundaries.

One thing that hasn't been discussed here and which I think might be something that the commission could consider is the idea of creating a separate aboriginal constituency. I know you're allowed to create 83 constituencies, and I think this is something that you might consider in terms of creating one constituency that covers the whole province and in which all aboriginals can vote and send a special aboriginal representative to deal with native issues.

What does that mean for the boundaries? Well, clearly, if we're going to deal with voter parity, we're going to be dealing with moving some seats from rural to urban, and I am proposing and a number of other people have as well that a number of seats be given to Calgary and Edmonton. I believe that three new Calgary seats and two new Edmonton seats should be created. Of course, that means that we're going to lose some in rural Alberta, but in terms of dealing with voter parity, I think it's fair. If you look to the last page of my submission, you'll notice that I have a proposal giving Calgary 23 seats, creating a variance of only 1.4 percent among all of those seats. In Edmonton – and I'm including St. Albert and Sherwood Park – they would have altogether 22 seats, with a variance of only .9 percent between all the seats within that city. So that is what I would propose you do. Of course that will mean that perhaps three seats will have to be reduced from southern Alberta and perhaps two from central and northern Alberta. I know the Carter decision allows for variance in voter parity under exceptional circumstances, but I do not believe that it mandates or even encourages such deviations.

I think that the realignment of boundaries will adequately deal with the MLA's role as a legislator, because each MLA will be able to represent very close to the same number of voters. However, I acknowledge the problems with their ombudsman role and would concur that perhaps a larger staff would be in order for those members that would need it. The only other solution, I think, is to just open up the door for more ridings in Calgary and give the Legislature more seats, but I don't think that is really a good idea and is one that you can't deal with in your mandate anyway.

I'd just like to close out by saying that Alberta used to be the leader among the provinces in terms of equitable representation, but we have the dubious distinction over the last 50 years of becoming less and less equitable. I think you have the option to change that, and I hope you will avail yourselves of that opportunity.

With that, I'm finished my comments.

9:02

THE CHAIRMAN: Thank you, Doral.

MR. JOHNSON: Thank you.

THE CHAIRMAN: You said that you were concerned about following the last group. I think you did a very good job and put a lot of work into your presentation.

MR. JOHNSON: Thank you.

THE CHAIRMAN: We'll let the questioning start with John McCarthy.

MR. McCARTHY: No questions. Thanks. I was pretty clear on your position.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions.

MR. WORTH: Doral, I was interested in something in your submission that caught my eye that you didn't actually comment on in your oral presentation. When you were talking about the fact that one should not use physical distance as a criterion in terms of adjusting boundaries, you say that what is more significant than physical distance is what you refer to as the intellectual and cultural distance of the MLA from his or her constituents. Could you elaborate a little more on what you mean by that?

MR. JOHNSON: Well, it has to deal with some of the problems that urban MLAs have in terms of representing people from different ethnic backgrounds, different lifestyles. I don't want to overemphasize this because it's not really true in a specific sense, but there seems to be a greater community of interest in rural ridings than there is in urban. So the MLA in an urban riding is forced to deal with so many different cultural and intellectual groups that his work as ombudsman is just as onerous as that of a rural MLA, I think.

I have to admit that my father helped me with that when I was trying to get a way to explain the differences between rural and urban ombudsmen roles. He came up with that, and I wish I could explain it as well as he did when we finally came to that conclusion, but that was what I was trying to get at.

MR. WORTH: Well, I think you've done a very good job here, and I think the notion of cultural distance is something we haven't heard very much about. It came up in another way earlier today here when we were talking about the fact that in one constituency in Calgary the children come to school speaking 21 different languages in the homes, which you'd never find in rural Alberta. So I think it's very significant.

Just as an aside, I thought when you were talking about intellectual distance you might imply that the MLA had to be at least as bright as his or her constituents.

THE CHAIRMAN: That's asking quite a bit, isn't it? I was just being facetious with that statement. I don't want anybody to take that seriously.

MR. GRBAVAC: Just a comment. I now have a new appreciation for cultural and intellectual distance, and in Lethbridge I gained an appreciation for moral density. So I'm telling you, I'm learning something in this process.

THE CHAIRMAN: You did make one suggestion which we haven't heard before, and that is a native constituency. I sit back here and

say, you know, that would be nice if we could do it, but how can we do it? Do you have any comments?

MR. JOHNSON: Well, I think if you defined one constituency as the whole province of Alberta and had all aboriginals vote in that constituency of Alberta, that might be one way to do it. I sort of am new to this. I discovered this only in the last six months or so, this whole area of electoral redistribution. I haven't had a chance to get into too much detail, but that was one idea that I had as I was thinking about how you could deal with an aboriginal representative.

THE CHAIRMAN: Fine.

Any other questions?

MR. WORTH: Doral, are you a graduate student in political science?

MR. JOHNSON: No, I'm not. Maybe I should be. Is that what you're saying?

THE CHAIRMAN: What do you do?

MR. JOHNSON: I work for Coca-Cola.

THE CHAIRMAN: I'm glad to hear you say that you work for Coca-Cola rather than that you are employed by them.

MR. JOHNSON: Yeah.

THE CHAIRMAN: I want to thank you for coming.

MR. JOHNSON: Thank you very much.

THE CHAIRMAN: Okay. The next presenter is Mayor Keith Schneider, town of Strathmore.

MR. SCHNEIDER: Given the lateness of the hour, you could just say Keith. Everybody else does.

My presentation to you, gentlemen, this evening is brief. I know I'm brief because I know, having to sit up there, that we're a bit overtime as it is. I was booked for 8 o'clock, so I know where you're at.

The presentation I've got for you stems from a rural municipality. I'm presenting this to the panel on behalf of the citizens of Strathmore. We are part of the Drumheller riding, and I know when you were in Drumheller, if you look back on your calendar, on the 8th of November during the afternoon, you were in Medicine Hat that evening, just so you can tell where you are in Belgium right now. So you know the size of the area that we're talking about and that as a constituent we're in. The reason for our concern stems from the last time that we had to make a presentation. We were sitting in Drumheller, looking at a map which would drastically change the way we would deal with our MLA and our provincial government. The changes proposed then were not in the best interests of the citizens of Strathmore, nor would similar changes now be in our best interests. The changes that were alluded to at that time were that the region around Strathmore and Strathmore would become part of an urban riding centred in Calgary. When you're talking about distances, we are farther away than Cochrane, which was mentioned,

and Airdrie. We're farther away than those centres. So it just didn't seem to make sense to us that that would be something that was feasible.

Strathmore is the centre of a large agricultural area and has many of the values and concerns expressed by rural voting populations in dealing with their MLA and the government. We recognize that the size and sparse population makes it difficult for us to see our MLA often, but at the same time we know that the MLA has the same types of values and concerns and appreciates the sense of community which develops in rural areas, not discounting that urbans do the same. We have enjoyed the fact that electing a local community member to represent us provincially did not first involve educating someone on the values and concerns of rural Alberta, nor do we believe that voters in large urban centres wish to have the urban fringe decide on issues which are of more concern to them. So we recognize that there are differences. We recognize that sometimes these differences are quite substantial.

I would use the word "gerrymandering," and if you go back in history, you know when that all came up. It was setting up ridings for political reasons. We appreciate that that's not the job of the commission, but there was a sense when we saw the old map that when they took that crayon out, that was part of the issue. So we don't think that would be in the best interests of the province or the electorate of the province.

The present boundaries, which were established before the last provincial election, have been shown to be adequate in our estimation. We have not seen nor heard of any public outcry about unfairness or deliberate wrongdoing. So we ask the question: why pay the expense of working through this situation when we know that there will be a review and that that review will be in the year 2001? It was already written in, and at that time the boundaries may be redrawn because of population shifts. That's recognized.

At present we have 44 urban ridings and 39 rural ridings representing the people of Alberta at the provincial level. In our estimation this distribution is one of protective democratic guarantees, which allows for effective representation of concerns and values.

We've also had to listen to the comment that at the federal level the government of Canada is decided in the east because of the population base, when the western vote may only help to decide who is in opposition. Our provincial government is one that is not happy with this type of disparity, yet this same provincial government instructed its commission to do the same thing provincially with which they disagree on a national level.

For those of us who at this time would like to say that the electoral system is wrong according to population rules – and this has been cited before – the Alberta Court of Appeal in '91 and '94 upheld the electoral boundaries in that they comply with the right to vote contained in the Charter. This just reflects back on those.

Strathmore council has based its ability to address the needs of the people it serves on the ability to make representation to provincial levels of government because it has the same concerns and values. We believe that a great disservice would be done to the people of Alberta if this system would not be upheld. To adhere to the one premise that one person means one vote and that constituencies shall be formally decided primarily on the number of people in a geographic area does not recognize the fundamental right of individuals to be different and to have those differences recognized.

9:12

This commission was given a task which would drastically change the fabric of our province, not by mending a perceived small tear but by using a computer to cut and paste the provincial structure and say, "I'm sorry; that's what the computer tells us to do." So as you can see that I'm not in favour of statistics. We do not believe that this is the intent of this commission. We are ready for change that may occur in the year 2001 as part of a natural change, not another commission in another year or two because someone came up with another program to make things better on paper.

The comment was made at the beginning that the commission is looking at ways that this all can be resolved. I'm hoping that part of that is a sense that there is a formula that can be used and that even when we get to 2001, we already will have the reasons for why we're going to make some changes. So that's why the conclusion that I have listed here.

In conclusion, I'd like to make it clear that change is the only constant in our society. The best change is that which is part of a recognized need for change and not one that has been forced. This commission is set to force change. We would hope that the commission instead recognizes that change will probably occur in 2001. That the present system has only been in effect for one provincial election and has not proven to be faulty is reason enough to leave it alone.

I would ask the commission in its final report to inform the government that the present system is adequate and a fair representation of the values and concerns of both urban and rural constituents. Finally, I would ask the commission to recommend that the date of any other review of electoral boundaries would in fact result from the census of 2001.

Thank you.

THE CHAIRMAN: Well, thank you, Keith.

We'll let the questioning start with Robert Grbavac.

MR. GRBAVAC: Well, Keith, I think you appreciate the legal considerations that we're obliged to follow, and really I think enough said about that.

I did want to pick up on one comment you made, that as far as a rational argument goes, there certainly would be some merit with respect to using a formula so that people have an understanding of what change is all about. I think that's a very good point, and I'd like to follow up on that.

You know, I'm a firm believer that incremental change is much healthier, much easier for a political system and for people, for that matter, to adapt to as opposed to radical change on a periodic basis. I want to inform you that the commission is currently trying to develop a matrix that speaks specifically to your term "formula." I hope we're successful in establishing or creating that matrix, and I hope you will take an interest in it if we're successful in doing it. We'll ensure that the support staff gives you a copy.

I just want to again highlight the fact that we are – and I'll certainly speak for myself – in full agreement with what you're saying about a formula. I think it gives the people of Alberta some kind of an idea of where the next change is coming from.

MR. SCHNEIDER: I appreciate that. The reason I made reference to the last time was that we got the map in the information package. It would have been interesting to see the one these gentlemen drew this evening to see if the map changes our point of view. That's why

the formula becomes important, because it allows you to change things. When we looked at that last map, it would overnight change the whole economic structure, everything that we as a growing community looked at as to what our support mechanisms were, what the MLA would be responsible for in our estimation, how we would operate with that MLA. There was a huge change, right down to cultural avenues, if you like.

When we talk about value system and concerns and the idea of the formula, everybody recognizes that populations are shifting. If we want to use that as an example, the rural community around us lost 5 percent population two years ago and we picked up 5 percent. So that doesn't mean they're necessarily moving to the city. They want to be still close to home, if you like. That's where the values and concerns came in. If you use the population base strictly and don't allow for the variances, you may be creating things that don't work, in my estimation, in a true democracy, where we have our views and are able to say those views.

Thank you.

MR. WORTH: Keith, you were indicating that the only constant in our society is change, and I had the impression from something I saw recently that the nature of the Strathmore area and the area between Strathmore and Calgary is changing markedly. If that's the case, would you still feel as strongly and do you think your associates would feel as strongly now as they did a few years back about being involved in a constituency other than the Drumheller one? This afternoon I asked a representative from Airdrie what their reaction would be to a constituency that sort of took in the north and the east of Calgary that would involve Airdrie and the Strathmore area. They thought it wouldn't be a bad marriage. How do you feel about it?

MR. SCHNEIDER: The reason we don't think that is because we are not considered part of the Highway 2 corridor. We're part of the Highway 1 corridor. When they were drawing that, we would have agreed to a map that would have followed Highway 9 rather than 21, which is what they chose. So that's why we refer back to that system, that there no doubt may be a line that is drawn when they redraw this structure. There may be merit in having Chestermere – and I'm not speaking for Chestermere – inside a constituency that incorporates Calgary. Right now our constituency goes to the boundaries of Calgary.

It's when they're looking at where these boundaries come in, and that's why, again, I'd be interested to see where the lines are drawn. I'd appreciate it if they were that significant in the south and that sensitive to cultural changes. Since we have Siksika reserve just south of us by the river, I'd be interested to see where that map was drawn on that line, to see how it affected us.

There are changes that we know we would live with. We know where the urban populations are moving to. We also know that in our area the majority of the urban people still live and work in that community or in the surrounding rural. They do not travel to Calgary, whereas in Airdrie they do.

MR. WORTH: Okay. Thank you.

THE CHAIRMAN: I just wanted to say that in the map you would like to look at – you can ask the registration desk to show you – just from a glance, I want you to know that the Drumheller constituency

gets changed considerably. You get half of Chinook, and they kick you out of the Calgary area.

MR. SCHNEIDER: If I could have that, it would be interesting to take back this evening. Thank you.

THE CHAIRMAN: Joe, go ahead.

MR. LEHANE: No questions.

MR. McCARTHY: How many people live in Strathmore?

MR. SCHNEIDER: Right now 5,000.

MR. McCARTHY: And it's your indication that most of them live and work in Strathmore and don't commute to Calgary?

MR. SCHNEIDER: We do a yearly census, and it's all broken down. When this was done last year, 53 percent of the population still lived and worked in that area, in the rural area, which was significantly different than the other communities like Airdrie, Cochrane, High River, Okotoks. Again that's why it comes down to the Highway 2 corridor. There are some significant differences between the way we operate as others do because of the highway system.

MR. McCARTHY: Now, do you have any knowledge of the area in the Drumheller constituency between Calgary and Strathmore? Is that a significant bedroom community or no?

MR. SCHNEIDER: That's why we said, when we looked at the previous map, that we'd have probably drawn the line around Highway 9. At the same time that Highway 9, when it runs north and south through Langdon, Beiseker, and up along that area, was the line that we'd have drawn, the vice-president of the Big Country Tourist Association, when they were redrawing some of the lines for some of the areas, had placed Beiseker and Irricana and those people in with the Calgary tourism zone. They've really raised a lot of Cain, if you like. They wanted to stay in the area they're in because they recognize that that's an area they felt they would have more say in. Because they are a very small community, they'd be lost in the shuffle, if you like, of a larger community. So there was that sense.

So it comes down to, you know, where 9,000 people make the same decision as 17,000 people. You five are going to make a decision based on how many people you've heard here in the public giving you opinions, and we're going to value that and respect that. I don't think that that respect is lost between the rural and urban situation. I would hope that it's not.

9:22

MR. McCARTHY: Thank you.

THE CHAIRMAN: Any further questions?

Well, I want to thank you, Keith, for coming and making the views of Strathmore known to us.

MR. SCHNEIDER: Thank you very much.

THE CHAIRMAN: The next presenter is Mr. Jim Hornett, who we were looking for this afternoon. I'm told that he was told he was presenting tonight, so we're sorry for that.

MR. HORNETT: There was a mix-up apparently. I was given a verbal time this evening, but apparently somehow I came up on the list.

THE CHAIRMAN: Well, we're able to look after you.

MR. HORNETT: I appreciate that, and I thank you for the chance to address the commission. I'll be brief. I really just want to reiterate my written submission in person and maybe elaborate slightly on it.

I would like to see the number of voters in each electoral division within 1 percent of the electoral quotient.

THE CHAIRMAN: Of voters?

MR. HORNETT: Sorry. Yes. The number of constituents, the number of inhabitants.

THE CHAIRMAN: Population and voters are different.

MR. HORNETT: Did I use the wrong word? I'm sorry.

THE CHAIRMAN: Well, you said "voters."

MR. HORNETT: I'm sorry.

THE CHAIRMAN: Okay. That's fine.

MR. HORNETT: The number of people. By my calculations, this would give three extra seats to Calgary and two extra seats to Edmonton. Given the improvements in transportation and communication, there is simply no reason anymore to have different numbers of people in urban and rural ridings.

My final point is that I feel the two critical points in democracy are that we are all equal under the law and that our votes should all be equal. I feel that this principle is being violated, and I would like to see it adhered to.

I feel a lot of mischief has resulted from having this disproportionate weight given to rural voters. My belief is chiefly that a lot of money has been thrown at rural Alberta to try and stem the depopulation of rural Alberta in vain. We have thrown a lot of money away, and to me, all attempts by rural Alberta to hold onto extra seats are simply attempts to hold onto this extra money that they are drawing out of the cities. I would like to see this ended.

That's all I have to say.

THE CHAIRMAN: We'll start the questioning with you, Robert.

MR. GRBAVAC: I have no questions, Your Honour.

MR. WORTH: No questions. I think the message is clear.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions.

THE CHAIRMAN: John?

MR. McCARTHY: No questions. Thanks.

THE CHAIRMAN: Well, Jim, I want to thank you for finally making it here and for your presentation and making your views known.

MR. HORNETT: Thank you for your time.

THE CHAIRMAN: Okay. We've dealt with all the scheduled presenters. We do allow for walk-ons. If there's anybody in the crowd who would like to say something further or add something or enlighten this commission further, we are glad to hear from them. I guess there's nobody else.

We're going to, then, adjourn the hearings for the city of Calgary. Thanks for coming.

[The hearing adjourned at 9:26 p.m.]