

Electoral Boundaries Commission Public Hearings
Hanna

10:00 a.m.

[Chairman: Chief Judge Edward R. Wachowich]

THE CHAIRMAN: Ladies and gentlemen, please be seated as we would like to start these hearings. I want to welcome you and to say good morning. I would also like to make a few introductory remarks.

My name is Edward Wachowich, and I am chairman of the Alberta Electoral Boundaries Commission. I'm also the Chief Judge of the Provincial Court of Alberta. I feel certain that my other job in the court is much easier than my work with the commission. Hopefully, before this second round of hearings is concluded, I shall be able to decide which job is more difficult.

Let me introduce you to the other members of the commission. Robert Grbavac of Raymond, Alberta, is on my immediate left, Joe Lehan of Innisfail is on my immediate right, John McCarthy of Calgary is on my far right, and Wally Worth of Edmonton is on my far left. The five people you see before you make up the commission. I want to say that we are very happy to be here to receive your comments and your criticisms and to consider your thinking with respect to the proposals that we have made in our report, released in January.

Why are we here? The commission is here to listen to your comments on the proposals made with respect to the electoral boundaries in Alberta in our first report, which I believe received very wide circulation throughout the province of Alberta. The commission is charged by law to examine the areas, the boundaries, and the names of electoral divisions in Alberta and to make recommendations with respect to them.

As I have said, we made the preliminary recommendations in January. These recommendations were given wide publicity, and more than 3,000 copies of our report have been circulated throughout the province. We feel that on the second round of hearings we need only listen to your reactions, evaluate your comments and critiques, and move on to our final conclusion with respect to our mandate.

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. I want to tell you that we have reached preliminary conclusions with respect to our mandate, but I also want to tell you that our minds are not closed, nor have we reached any final conclusion. Every member of this commission has given these matters a lot of thought, and in reviewing the law, the work of previous commissions and committees which have studied boundaries in Alberta and in reviewing what the courts have said about electoral boundaries in the province of Alberta and in Canada, we've attempted to craft a preliminary proposal that will assure that all of the citizens of Alberta and all of the regions of Alberta are adequately represented in the Legislative Assembly of Alberta.

In order to put our second round of hearings in perspective, I want to present a brief summary of the electoral boundaries law. 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 a very limited time to accomplish this task. We submitted a report to the Speaker of the Legislative Assembly in late January and must now, after a second round of public hearings, submit our concluding report to the Speaker before the end of June of this year.

Three, as I have said, the commission is required to hold two sets of public hearings. The first set of hearings was completed last year in November. This second set of hearings will be completed in April of this year, and after we have considered the input from the hearings, we will craft our final report for submission to the Speaker of the Legislative Assembly.

Four, we are required to hold 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 electoral divisions that we have set out in our first report. I believe we have given reasonable notice of the times and places for this second round of hearings.

Five, the commission has the power to change its mind with respect to its preliminary proposal. When the second round of hearings is completed, we will also complete our deliberations and lay before the Speaker our final proposals with respect to electoral boundaries. The Speaker shall make the report public. It shall be published in the *Alberta Gazette*.

Six, 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, shall be the report of the commission.

Seven, 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.

Eight, then it is up to the Legislative Assembly by resolution to approve or to 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 then come into force when proclaimed before the holding of the next general election.

Population rules. Population means the most recent populations 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 province-wide census more recent than the decennial census compiled by Statistics Canada which provides the population for the proposed electoral divisions, then the commission may use this data.

Number of electoral divisions. 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.

Relevant considerations: 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 of electoral divisions. 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.

Crowsnest Pass. For our purposes the boundaries Act instructs us that the municipality of Crowsnest Pass is not a town.

This is a very general overview of the legislation, but we must also turn to the guidance that has been provided by the Supreme Court of Canada and the Supreme Court of Alberta. The commission wishes to note that many persons may not agree with our interpretation of these decisions. Be that as it may, we are certainly prepared to hear argument on the various points and to reconsider our position.

What have the Supreme Courts said? 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.

10:10

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.

Our focus. The commission clearly stated in its report that it wishes to merge a number of rural electoral divisions and to add one electoral division to Calgary and one electoral division to Edmonton. We invite you to comment on these proposals in their particulars. We have put before the people of Alberta our preliminary conclusions with respect to this matter. We have not reached any final conclusions.

The commission now wishes to hear the views of Albertans with respect to our first report and the focus I have described. Please let me assure you that our deliberations are preliminary at this point and that no final conclusions have been reached. The commission shall not move to the consideration of final proposals without the benefit of input from individuals and organizations in Alberta. Indeed, this is the whole purpose of the second round of 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 reasoning of all organizations and individuals in Alberta with respect to the area, the boundaries, and the names of the electoral divisions.

I will now call upon the first presenter, Mr. Harry Gordon. Do you wish to take a seat at the table, Mr. Gordon?

MR. GORDON: Good morning, members of the Electoral Boundaries Commission. Welcome to the town of Hanna and to this wonderful facility that we have here. We're very proud of it.

At the outset let me tell you that I recognize the enormity of the task that has been assigned to you and also that the rules and regulations under which you have been working – and you just outlined those – in my opinion make a fragmented report almost a foregone conclusion. Therefore, again in my opinion, Chinook should remain as it is now until the year 2001 census. In the meantime a new formula should be developed, a formula where at some point population equals area.

Now, time does not permit me to quote chapter and verse, but suffice it to say that if the present trend continues, there will be only one rural constituency in eastern Alberta. I fail to see why Hanna is included in Drumheller and Bassano in Chinook. This equation ignores historical trading patterns and also municipal boundaries; for example, Starland and the special areas. The people of Hanna have very little in common with Drumheller, with the possible exception of the dinosaur museum and the liquidation store. You may not know what the liquidation store is.

In my opinion this redistribution is entirely unnecessary, costly, and time consuming. It is my fervent hope that the Legislature refuses to adopt your recommendations, and I'm speaking of the ones that are in front of us. The present proposed redistribution is flawed. Rep by pop may work in Britain or some cities but not in Alberta.

Why does Calgary need 21 MLAs and only 14 aldermen? Calgary and Edmonton should have their MLA numbers cut in half and start from there. Calgary needs another MLA – and that goes for Edmonton too – like it needs another month of winter. Each MLA costs taxpayers approximately \$215,000 annually, and that's a small "c" conservative estimate, no pun intended. We are in an area of cost cutting, aren't we? Service to constituents by an MLA, your criteria, is grossly inadequate. For example, a Calgary MLA advertised a town hall meeting at 10 o'clock a.m. until 12 noon while the Legislature was in session. Surely that MLA intended to attend the session. In contrast, it takes four hours to get from Hanna to Edmonton, unless you fly.

Let me close by reiterating how badly we need another system of determining electoral boundaries in this province. What we have now simply doesn't work. I am extremely disappointed that the commission did not see fit to offer any alternatives to the present system that we have, even though it wasn't in its job description. The rural people in this province, who produce the real wealth, be it wheat or mushrooms, bacon or beef, deserve to be better represented. City people are not stakeholders in this country; they are only interested in cheap food and plenty of it. So why should the interests of rural people be governed by urbanites, which is slowly but surely happening under the present system? I am appalled at the steady erosion of effective rural representation in this province.

So let's stop fiddling and fudging figures and keep what we've got until the year 2000 when surely a better system of representation will be in place. Thank you very much.

THE CHAIRMAN: Thank you, Mr. Gordon. We want you to wait there as there may be some questions from the commission members. We'll start with Wally Worth.

MR. WORTH: Mr. Gordon, I wonder if you might just elaborate a little bit on the points you made about feelings that population equals area. That's the term you used. Are you suggesting that one should

look at population and area and that those two factors would be of equal value?

MR. GORDON: At some point, yes. You have so many people representing such an area, and they come together. Then you don't lose area and people will be in place.

MR. WORTH: Okay. Thank you.

THE CHAIRMAN: Robert?

MR. GRBAVAC: No questions, Mr. Chairman, other than a comment. I think, Mr. Gordon, that some of your concerns would be more appropriately addressed to the Members of the Legislative Assembly. They're beyond the scope of this commission.

MR. GORDON: Thank you.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions.

THE CHAIRMAN: John?

MR. McCARTHY: No questions, thanks.

THE CHAIRMAN: Well, I want to thank you for coming, Mr. Gordon, and making your point. You do a good job of making your point, but we have a problem with your point of view. It is that it doesn't fit the law of the country. To adopt your point of view, we have to change the law of the country. I would like to have those powers, but unfortunately this commission doesn't have those powers.

Thanks for coming.

MR. GORDON: If I could make a comment. I realize and at the outset I realized some of the things that you're faced with, but we have those problems. Even farmers have a problem right today with the Canadian Wheat Board, and we've got to change some of the laws there. So I think that if something doesn't fit us, we change it.

Thank you.

THE CHAIRMAN: Thank you.

The next presenter is Paul Marshall.

MR. MARSHALL: I feel like the defendant here.

THE CHAIRMAN: You haven't been accused of anything yet.

MR. MARSHALL: No. It's just the circumstance.

I'd like to thank you for making your time available, coming to Hanna to hear us out today. I'm presenting the brief on behalf of the Wild Rose Agricultural Producers. We used to be known as Unifarm. We had a name change. We're a farm organization of Alberta producers. We're producer based and producer funded. We represent producers at the grassroots level, and we're naturally interested and concerned about the electoral areas and boundaries, particularly as they affect rural Alberta.

We recognize that the decisions and proposals made by the commission have been guided by court decisions as well as the

legislative requirements of the Electoral Boundaries Commission Act. We believe that the Act and the courts have put too much emphasis on trying to achieve representation by population and that not enough allowance has been made for the difficulty in serving large geographical areas.

There is agreement that every person in the province should have the right to effective representation. The problem is achieving the proper balance in the province. There is a huge variation in the population density, ranging as you know from one to 4,000 persons per square kilometre. This results in electoral divisions which vary in size from nine square kilometres to 75,000 square kilometres. That's not even including the two large northern constituencies.

10:20

We believe it's difficult for rural MLAs to provide effective representation in these large electoral divisions. In addition to their duties at the Legislature, MLAs must represent the individuals and organizations in their constituency, deal with local governments, participate in community events scattered over a large area. The distances that they are required to travel and the number of communities, counties, municipalities, school divisions, health regions, planning commissions, Indian reserves, in some cases Métis settlements must all be given full consideration.

We acknowledge that the commission recognizes these factors and addressed the degree of difficulty in serving each electoral division by ranking 10 variables. I won't go through those. We appreciate that you did take the time, and we found your matrix study very good except in one area. We wondered – like, you did give them a designation of difficulty or whatever, but there wasn't really an explanation of how important the numbering was, if you know what I mean. Like, when you did come up with the numbers, did that mean that the higher numbers had that much more weight, consideration? That's the only concern we had there.

You've read my report, and all these facts have been presented to you. I don't want to, you know, bore you with more and more of the same thing you've read and read, but we want to state again that placing too much emphasis on population will not produce the effective representation that we're striving for. In fact, the very opposite could occur if the courts and the Legislature continue to exert pressure in the direction of representation by population only. It's a lofty principle, but strict application will make it impossible for many MLAs to carry out their responsibilities. If we intend to meet the requirements of effective representation as guaranteed by the Canadian Charter of Rights and Freedoms, then we would do well to adopt the principle that as the difficulty in serving an electoral division increases, effective representation decreases. Wild Rose Agricultural Producers supports the goal of effective representation.

We've appreciated the opportunity to express our views and respectfully request that the issues that we have raised be given your consideration.

I have a couple of little sidebars that I scribbled down, one that Harry alluded to earlier. In Calgary where there are 14 locally elected municipal reps and 20 MLAs, it seems terribly redundant, while here in Chinook – I shouldn't say here in Chinook because I'm not from Chinook; I'm just outside the border. In Chinook the one MLA has to deal with over 100 locally elected municipal representatives.

Moving the boundaries back and forth is very traumatic to us border people. I live on the edge of Drumheller now. We've been in what used to be Hanna-Oyen. We've been back and forth, and they've moved the boundary back and forth, you know, a range or so

at a time. It's very demoralizing to the people involved. They get an attitude that the province doesn't give a damn about them, that their MLA doesn't give a damn about them, because they trade them off back and forth like poorly ranked players. There's an emotional thing there. We have enough voter apathy in the country as it is. I think that by making these border people more apathetic, we're not increasing our representation; we're decreasing it.

Thank you for your time, and if you have any questions . . .

THE CHAIRMAN: Just wait a moment in case there are some questions from the members of the commission here. We'll start with John McCarthy.

MR. MCCARTHY: What area do the producers for Wild Rose Agricultural Producers . . .

MR. MARSHALL: The whole province.

MR. MCCARTHY: The whole province?

MR. MARSHALL: Yeah. We're provincewide.

MR. MCCARTHY: Thanks.

MR. LEHANE: No questions.

MR. GRBAVAC: A comment only, Paul. I would hope you recognize that we agree that rural Alberta is more difficult to represent than urban Alberta. Where we may disagree is in the degree. I hope you recognize that.

MR. MARSHALL: I realize that you guys are the messengers that are liable to get taken out for the message, and I do appreciate that your hands are limited to the scope of what you were given to do.

MR. WORTH: Just a similar comment, in a sense. You point out how important it is that we adopt the principle that as the difficulty in serving an electoral division increases, effective representation decreases. I believe that in our report we have given voice to that principle. Again, I think what we're discussing here is its application and the detail of the application.

MR. MARSHALL: The degree. Yeah. I don't envy you a bit, and I appreciate the work you've done.

MR. GRBAVAC: Just to give you a slightly different perspective. I'm sure you've heard this before, but it may be worth while to repeat it. I would think that most of the constituents in this riding speak English. I would think most of them.

MR. MARSHALL: I believe so.

MR. GRBAVAC: And they're fairly nontransient. The ranchers have probably been there two or three generations. If they survived the depression, they're probably still there. Many of the city MLAs tell us that those are the problems they're confronted with: a significant portion of the population in downtown Calgary and Edmonton are not familiar with the English language. They're bound by previous cultural perceptions in terms of government and the law and how the law enforcement officials are to be dealt with.

So there are other subjective kinds of things that make urban Alberta maybe not quite as easy to represent as it's somewhat perceived from these areas.

MR. MARSHALL: Well, it's not simple.

MR. GRBAVAC: It's not simple; I appreciate that. I'm just suggesting that there are some considerations that our matrix didn't necessarily allude to, and I'm trying to reinforce the point that we do recognize it's difficult to represent a large rural riding. We recognize that. But there are some complexities in urban Alberta as well.

MR. MARSHALL: Yeah. I don't mean to demean a city MLA at all.

Another observation I just thought of is that on your distance, the 150 kilometres or whatever from Edmonton, I think you got a little bit too hooked up on the distance from Edmonton. It seemed to me that more emphasis is placed on distance than the availability of a fast route there. Like, if you were outside Lethbridge, you're really not as far from Edmonton as you are at, say, Youngstown, because you can get to the airport faster. You know, there's some commuter link there. So I think that's something that should have maybe been considered too.

Thank you.

THE CHAIRMAN: I want you to do me a favour before you leave, Paul. Take Harry Gordon's sign and give it back to him, because I want you to know there are members in this commission that will be calling our next speaker, Mr. Burns, "Harry."

Thanks.

MR. WORTH: Which ones did you have in mind?

THE CHAIRMAN: We'd like now to call upon Mayor Pat Burns.

MR. BURNS: Good morning.

THE CHAIRMAN: Good morning.

10:30

MR. BURNS: First of all, as the mayor of the town of Hanna, I wish to express appreciation to the Electoral Boundaries Commission for the opportunity to address the proposed boundary changes affecting the Chinook constituency.

Hanna is the headquarters for the special areas' administration, which provides municipal government for a region consisting roughly of 5 million acres. In early settlement years drought was responsible for hundreds of people being forced to move out of the region, leaving huge tracks of land sparsely populated. The survival of special areas within the Chinook constituency, the town of Hanna, and other small communities may be attributed directly to the effective representation of the current MLA, the Hon. Shirley McClellan, and previous MLAs, who have shown utmost concern for an area that many view as a wasteland.

In 1913 the first town council was elected in Hanna, and efforts since that time have been relentless to overcome adverse conditions including drought, severe winters, and poverty. Climatic conditions are still such that the area requires careful land management. Despite these handicaps and small population base, Chinook constituents contribute a proportionate share of the wealth to the provincial economy.

Given that the province of Alberta has persistently lobbied the

federal government in favour of a more equal power base nationally, we find it mystifying indeed that arguments in favour of representation by population at the provincial level should be a factor for consideration, to the detriment of sparsely populated areas.

As a predominantly farming community Hanna and the special areas merit special attention from all levels of government. In the early years boundaries in such a vast area were relatively unimportant. Today they are a critical factor needed to maintain the fragile balance of economic survival. Only with a strong rural economy can the towns and villages in special areas hope to survive.

The town of Hanna feels that having three MLAs would adversely affect the delicate balance between rural and urban representation. Without the support of one local MLA economic and social benefits will be greatly demised. Residents already travel to other larger centres because of hospital and school regionalization, and when they are forced to travel to other centres to meet with an MLA, it would have even greater economic impact on local businesses in Hanna as well as other small communities in Chinook.

Urban centres are well represented, with 21 MLAs in Calgary alone, the centre where one additional MLA is proposed. At the same time, it is worthy to note that the city of Calgary operates exceedingly well with just 14 aldermen.

Under the new boundary proposals Hanna would fall into a riding with the majority of the electorate in the western region of the constituency. However, we have far more ties to the eastern portion of the present constituency of Chinook. It is in this region that a vast network of roadways, services, and one common waterline is shared.

Our fear is that with new boundaries the balance of power would surely rest within the more heavily populated areas of the riding close to the city of Calgary. The logic of the argument is inescapable. The new proposed boundaries present situations fraught with these problems, with only the slimmest possibility of fair representation.

Both the special areas and the town of Hanna have proven to be effective forms of administration, and area residents have been supportive of all local levels of government. Splitting the region through the proposed boundary changes can do nothing but weaken the economic and social ties of the community.

In addition to the written report I've given you, reference was made to the waterline. This waterline that is now servicing Hanna through to Oyen, being treated water, has the name of one MLA on it, that being the late Henry Kroeger. Having been involved with that waterline, not in the conception but definitely in the beginning – and I still am a member of the board – I wonder now, thinking: how would that have effectively worked if we would have had two or three different MLAs representing these people to make this a collective, workable identity as far as the servicing? It has tied our communities together. In my personal livelihood I do travel to the east, and there definitely is a tie between the people to the east and Hanna, and it is a joint tie generated by MLA representation. So I'm somewhat challenged by the fact. We feel as the town of Hanna that definitely it would have an adverse effect in the area that we serve having three separate representations.

That's basically all I have to say, folks.

THE CHAIRMAN: Fine.

We'll start the questioning with Wally.

MR. WORTH: No questions.

THE CHAIRMAN: Robert?

MR. GRBAVAC: No questions.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions.

THE CHAIRMAN: John.

MR. MCCARTHY: One that's not really related. Mr. Kush, in his submission, says that your town has a \$3 million surplus. Is he accurate when he says that in his submission?

MR. BURNS: Yes, there's a designated surplus. There are dollars here yet.

MR. WORTH: He asked us not to tell the Premier.

MR. BURNS: Not to tell the Premier. Oh, okay. I take it, then, that the Premier doesn't read our financial statements either.

THE CHAIRMAN: I just want to ask a question about the waterline. As I understand, the water's produced at Hanna, and it goes as far as Oyen?

MR. BURNS: Correct. In addition to that, there are now services to the west, to Delia.

THE CHAIRMAN: To Delia.

MR. BURNS: Yeah. It's now going to the west.

THE CHAIRMAN: So it goes west and east from Hanna.

MR. BURNS: Now it's going west and east; that's right.

THE CHAIRMAN: What's the overall length of the waterline then?

MR. BURNS: Well, including Delia you're probably looking at 150 miles. It comes from the river to the Sheerness plant as raw water, is brought into Hanna, treated, and then delivered as treated.

THE CHAIRMAN: So it would service places like Youngstown in between?

MR. BURNS: Yes. Youngstown, Chinook, Cereal are all on it.

THE CHAIRMAN: Does it branch off in any of the other directions?

MR. BURNS: Only to farm tie-offs. On the east line – there are nine farmers east of Hanna that are hooked on that use this service.

THE CHAIRMAN: When did this start?

MR. BURNS: There was a committee that was formed from Oyen and Youngstown before Hanna got involved. That was probably eight, nine years ago. Let's see. I've been on council for nine, so about eight years ago we got it up and running.

There again, as far as that goes, when the town of Hanna needed

a new treatment plant, which was before the concept of this water-line, the plant was designed to handle a large number of users with the anticipation that the town of Hanna would increase in population because of Alberta Power, et cetera, et cetera, which of course it didn't. Because of that, because of the foresight of I guess at that time Mr. Kroeger and everything else, this plant is very capable of servicing all of that area without any additional cost of expansion, you know. It's working extremely well, and this single representation I just really feel, when I look back, was a major contribution to that formation.

MR. GRBAVAC: I just want to comment, Mayor Burns. I come from a rural municipality where over 90 percent of the farmsteads are serviced by underground treated water, and I can tell you that we certainly appreciate the work that Mr. Kroeger did in the past with respect to bringing to the fore the issue of a lack of water, availability of water to much of rural Alberta. Unfortunately, now with these higher grain prices many of these water facilities are going to lead to abandoned farmsteads. Nonetheless, they were put there, and we appreciate very much the work that was centred around Hanna in bringing that problem to the fore. I can certainly relate to what it is that you're speaking of.

MR. BURNS: Thank you.

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

MR. BURNS: Thank you. Thank you for your time.

THE CHAIRMAN: The next presenters are Adrian Mohl and Brad Rae from the Hanna and District Chamber of Commerce.

MR. MOHL: Mr. Chairman, members of the commission, ladies and gentlemen, once again this region that we affectionately call the Big Country faces yet another challenge: the demise of the political constituency of Chinook.

The good people of this area are no strangers to the many external forces that over the years have threatened in some way or the other to alter or even remove it from the landscape. We have met and overcome the challenges that nature hurled at us during the Dirty Thirties. In the wake of that devastating period of our history, the special areas, which takes in much of the area of Chinook, grew and took shape. The government of the day saw that this unique part of the province required special care and attention if it was to recover and take its rightful place within Alberta.

Currently we are trying to meet and overcome the challenges forced upon us by the decrease in the family farm, the ever dwindling rural population, the slippage of business from towns and villages, and the exodus of our young people. These same challenges now face a good percentage of rural Alberta.

It seems that because of sparse population Chinook has now become an easy target and a quick candidate for the chopping block. With the stroke of a pen this constituency could be gone and along with it the identity of a region that has struggled long and hard to overcome insurmountable odds. If nothing stands in the way of these changes, Chinook will be divided up amongst its neighbours like spoils from a bank robbery. One could make a lot of emotional arguments in response to this very real situation, but somehow we doubt they would mean much to the government in the final

analysis. It has to deal with the numbers.

10:40

It is somewhat ironic that when you compare our situation of sparsely populated regions to larger urban and highly populated areas, the similarity of regional Canada versus central Canada, with its larger population, comes to mind. We in the west know all too well the problem this represents when it comes to the perception of fair and effective representation. Representation by population sounds good, but can we truly achieve fair and effective representation with it alone? I think not.

This is why there has been the suggestion of a triple E Senate: to help offset the inequity of rep by pop alone. Central Canada does not cozy up to this idea very well either, because it would mean a loss of power in favour of a more equitable model in which regional concerns can be heard. The province in many ways is no different, although the mechanism of a triple E Senate probably could not be used. The cities, like central Canada, may feel threatened.

Well, then, what ensures fair and effective representation as guaranteed under the Charter of Rights and Freedoms for both rural and urban populations of this province? Surely taking away two rural constituencies and giving one each to Calgary and Edmonton is not the only answer. We are not here to diminish in any way the importance of fair and effective representation of our urban counterparts, but we must make every effort to ensure that they, the commission, and the politicians understand the impact that change may have on our region.

Rural folk have a tendency to express their concerns to their MLA in person most of the time. It is not easy in a large rural constituency to just simply jump in the car or truck and slip over to the MLA's office to discuss business. Conversely, it's no picnic for an MLA to deal with the diversity of people and issues, the sometimes seemingly unworkable rural/urban split, and the vast geography.

Agriculture was and still is the driving force behind the economic thrust of this province, followed closely by the energy sector, forestry, and mining. All of these activities take place in a rural setting. An MLA that represents a rural constituency must truly understand the demographics involved. Even Madam Justice McLachlin declares that absolute voter parity is an impossibility. Effective representation must take into consideration such things as geography, community history, community interests, sparsity or density of population, et cetera.

The Chinook constituency encompasses an established, cohesive economic region with the special areas as a key player. The special areas is unique in that it was created as and to an extent remains a ward of the province. Without a single MLA who is intimately knowledgeable to represent the area, we foresee a movement to annex the special areas to its neighbours. If the boundaries are changed and the result is the eventual breakup of the special areas, resulting in a possible economic hardship to the region, would this not constitute a violation of the principle of fair and effective representation not only for individuals but also for communities, most especially the ranching community?

The special areas was set aside for protection with the knowledge that plowing up this land and letting it blow away into Saskatchewan could and has happened and will happen again if precautions are not taken. What will stop the new constituencies from pressuring government to allow this to happen if there is no clear mandate from government through the Special Areas Board? Who will provide the special areas with effective representation?

Thank you.

THE CHAIRMAN: Thank you.

MR. RAE: Actually, I just have three comments I'd like to make, as I sat here jotting notes. The first is that to my understanding Chinook as it currently stands meets the requirement of the electoral boundaries Act as one of the four extraordinary ridings, if you want to call them that.

The second is that I'd really like to question the commission on how they feel that adding two ridings to a city is going to make those city ridings any more effective. As Mr. Grbavac pointed out, when you reach urban ridings, you come into ethnic diversities, et cetera, and simply adding another body isn't going to change the manner in which those people get represented at all.

The third thing I'd like to point out, to reinforce Mr. Mohl's statement about the way we do business out here, is that in going through the commission's last report, I noticed that the number of presentations from the rural representatives were about four times greater than from the urban. We do like to do business in person, and it's important that we have access to our representative on a face-to-face basis.

Thank you.

MR. GRBAVAC: I have a comment, Mr. Chairman.

THE CHAIRMAN: Go ahead.

MR. GRBAVAC: Adrian, I think, as I said to one of the earlier presenters, that some of your concerns are certainly beyond the mandate of this commission. We have given consideration to future population dynamics and shifts, and I'll give you just a personal testimony to that.

In my rural area there were 12 auction sales this spring. Not one new family moved in. Twelve left; none came in. I mean, the older generation of farmers has been waiting now 15 years for this opportunity to move to town. Grain prices have gone up; they're gone. Young people aren't coming back; they're not staying. So we see a population dynamic. If you want to call it a quantum shift – I'm not sure whether it's a paradigm shift; I'm not sure how you would describe it. But there is an exodus in terms of really rural Alberta, particularly in the grain belt. It is just a matter of time now until we see many more schools closing, et cetera. Maybe the concept of a unicameral House is not the answer, and I'd just suggest to you that maybe we ought to be looking at a bicameral House or some other form of representation with respect to large rural areas in the province of Alberta. I just give you that as a passing comment.

I mean, we recognize the problems of rural Alberta. I'm from rural Alberta; I recognize them. We're trying to do our best to put in place a system that will withstand the scrutiny of the courts. In fact, when the Premier calls an election, the first thing that is going to happen is it's going to be challenged through the courts, and the whole thing will be held up. We don't want that to occur, but at the same time, I recognize in a much broader perspective the concerns that you're raising, and I think they're very valid.

MR. MOHL: Well, we seem to echo most of the comments made so far, and it's one that I guess kind of tends to be dear to our heart because of the area and its uniqueness. I think that's one of the only arguments that we can make for those changes. It's one that seems to be present.

THE CHAIRMAN: Wally?

MR. WORTH: No comment.

MR. LEHANE: Just to give you some idea of, I guess, the parameters in which we're working, there's a constituency in Edmonton, Edmonton-Rutherford, that has a population of over 38,000. The present Chinook constituency is just under 16,000, I believe. The court cases have clearly said that you can have a dilution in parity if you can justify it on the basis of effective representation, but I think we can assure you that that type of dilution is not one that has been accepted by the courts to date. One of the difficulties we have is that where you have a large geographical area and a sparse population, most of the justifications that have been upheld are only in the northern parts of the province. For instance, the Saskatchewan legislation specifically provides that the special areas are just the two in the north. So that's one of the difficulties that this commission is facing.

MR. MOHL: Yes. I can appreciate that.

MR. LEHANE: I think if you've read and studied our report, you'll see that we've tried to create a new methodology to justify the deviation in the populations and the dilutions in such a manner that where we feel they're necessary for effective representation, we can justify that to the courts and they won't come along and try to set aside what we've done.

THE CHAIRMAN: John?

MR. McCARTHY: No. No questions.

THE CHAIRMAN: I have no questions. Do you have something further?

MR. MOHL: No. That's fine. I appreciate that.

THE CHAIRMAN: Well, I want to thank you for coming and making your viewpoints known. I think that your presentation, when you say that it has to do with numbers, tells a lot of the problems that we're having.

MR. MOHL: Yes. Exactly. I can well appreciate that, and we'd like to thank the commission for allowing us to appear here today.

THE CHAIRMAN: Thank you, gentlemen.

I understand our next presenters are not here yet. Is that correct?
10:50

MRS. DACYSHYN: Joyce Westerlund just came in.

THE CHAIRMAN: Okay. Can we call on her, or do you want some thinking time?

MRS. DACYSHYN: Sure.

THE CHAIRMAN: I gather you're Joyce Westerlund.

MRS. J. WESTERLUND: Yes, that's right.

THE CHAIRMAN: Fine. You can start.

MRS. J. WESTERLUND: Thank you and good morning. Mr. Chairman and members of the 1995-96 Alberta Electoral Boundaries Commission, may I congratulate you on the work you have done to produce this extensive and all-encompassing book. Now may I express my opinions and beliefs, which differ greatly from yours.

I came here this morning from 12 miles west of the Saskatchewan border, an hour and a half drive at the speed limit. The matrix that you developed, in my view, is biased and destructive to the Chinook constituency and in fact to the whole of Alberta. It is easy to gather supportive data when you begin with a goal set before you've developed the matrix. You have chopped our special areas into pieces. Our government will be under three different MLAs, none of whom will have time or really care to listen to us. Effective representation will not exist.

We have very little in common with Brooks, an extensive irrigation area. Hanna is the headquarters of our municipal government. Now it's supposed to be part of Drumheller. We qualify for four out of five criteria in section 17(2) of the Electoral Boundaries Commission Act and amendments, May 17, 1995. We qualify under the factors of geography, community history, community interests, minority representation, existing road systems, areas, distances from the Legislature Building in Edmonton, coterminous boundaries with other jurisdictions, and many more.

I also picked up on your overzealous concern for the vast northern areas. We are a food producing and oil and gas and energy producing area, contributing greatly to the Alberta economy. We extend our northern boundary to Highway 13 on the northern side, to Provost and to Daysland, if you must. Out here we drive 220 miles or 240 miles to get to Calgary, Red Deer, or Edmonton. More constituencies in the urban areas? In politics urban has always gotten more attention and straight pipelines into the government.

Please go back and redo your proposals, using more common sense. We need and want and deserve effective representation.

Thank you.

THE CHAIRMAN: Fine. If you'd just wait, there may be some questions.

We'll start with Wally Worth.

MR. WORTH: Mrs. Westerlund, I was interested in one comment you made about a possible extension of the boundary for this area up to Highway 13 and across to Daysland and Provost. Without having any information in front of me, have you any idea roughly what the population of that area is?

MRS. J. WESTERLUND: No. I didn't have the time to get that info, but the map is here, and to me it seems justifiable and perhaps an alternative.

MR. WORTH: Okay. Well, thank you very much for producing that for us.

MRS. J. WESTERLUND: You're welcome.

THE CHAIRMAN: Robert?

MR. GRBAVAC: No questions.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions.

THE CHAIRMAN: John?

MR. MCCARTHY: No questions. Thank you.

THE CHAIRMAN: I just want to get something clear. I gather from your quick submission here that you're east of Oyen.

MRS. J. WESTERLUND: That's right.

THE CHAIRMAN: South or north or straight east?

MRS. J. WESTERLUND: North.

THE CHAIRMAN: As I understand your submission, rather than be in the Brooks area, you'd sooner be in the Wainwright area to the north of you. Is that what you're telling us?

MRS. J. WESTERLUND: Yes. We would sooner be in the Chinook area, extended to the Provost area.

THE CHAIRMAN: I appreciate that your first preference would just to be left alone.

MRS. J. WESTERLUND: I think you've got that.

THE CHAIRMAN: That message is coming loud and clear, and I want you to know that that message came from all over Alberta.

MRS. J. WESTERLUND: I understand that.

THE CHAIRMAN: But the courts also told us that what was done in Alberta wasn't right and that it has to be changed. We're looking at where we can make the changes.

MRS. J. WESTERLUND: But the courts did not tell you to eliminate two out of the four special areas.

THE CHAIRMAN: The courts maybe told us to eliminate four or five constituencies in Alberta. We had a constitutional representative yesterday analyze our preliminary report, and he says that unless you people take about four or five constituencies out of rural Alberta, we will not succeed with a court challenge. We only tried to take two rural constituencies out of Alberta.

I think it's obvious from reading the court decisions that we have to do something. We just can't say that that last report was fine and just leave it at that. Then we have to look at where we make the changes, and you can quite well see from our report where we've made the changes. We made the changes in Chinook and we made the changes in southwestern Alberta: in Cardston, Taber-Warner.

MRS. J. WESTERLUND: I see. But you're also destroying a society while you're doing this.

THE CHAIRMAN: We're doing what?

MRS. J. WESTERLUND: You're destroying the society of Chinook while you're doing this. Your government put in the special areas for a reason. In the '30s everyone was droughted out. This land was

in a terrible mess. It blew. The sandpiles built up along the fences that there were. The special areas were put in place by government, probably one of the best decisions government ever made, and it has revitalized this area. It is a productive area at this point. There is no other constituency which understands what has gone on in this area and how important the special areas' government is to us and to our very existence. To chop us into little pieces and spit us into the other constituencies is not going to gain anything but perhaps the same chaos we came through in the '30s. And we will get more dry years; we have had them.

I cannot see a boundaries commission destroying all that has been worked for all these years. It is not that we get more attention in Edmonton. It is not that you can't do something else to allow us to continue and to produce food and gas and oil and be governed in a proper manner.

THE CHAIRMAN: Well, I think what you're trying to tell me is that when we eliminate your constituency, you're not going to have these things, and that's not correct. Life's going to go on the same for you.

MRS. J. WESTERLUND: Life will go on, but our government will not. Soon the special areas' government will go into counties or municipalities. We will not exist under the same government as that. This country is fragile. We have one of the best ecologies ever because we have the strictest rules to live by, and we appreciate that.

THE CHAIRMAN: But those rules will still be here.

MRS. J. WESTERLUND: I have to disagree, because once you take away all our continuity within and our pride within, the constituency dies.

THE CHAIRMAN: Robert?

MR. GRBAVAC: Yes. Well, my comment was that I've spent 15 years in rural municipal government, and I've worked with many of the councillors from the special areas. I understand full well the function, roles, responsibilities, and mandate of the special areas in the province of Alberta, and I also understand the perspective from which many of your representatives in the special areas come, particularly the Alberta Association of Municipal Districts and Counties, with respect to the future governance of their area.

I view that many of your concerns are misplaced at this commission in terms of provincial representation. Many of those concerns will be and are being dealt with within the confines of municipal government. So to make the direct correlation I don't think is quite fair. We're talking about provincial representation here, and you're talking about a broader base of representation, that being the governance of special areas vis-à-vis their effectiveness relative to a county or municipal district system that may be incorporated in the future. So I think that correlation is not particularly exact, if I may say so.

11:00

MRS. J. WESTERLUND: Certainly you may say so, and then I may say that I believe that that is a wrong assumption as well, because we will have three MLAs to bargain with or to deal with, none of whom particularly cares about or understands this outback, as you may call it, and the positioning of our communities.

Also, the special areas is a direct arm of the provincial government, and to get three MLAs to agree and to take the same message

to Edmonton sometimes is impossible. One representative from an area who is involved in the area and who is within the confines of a broader Chinook will certainly attest to the majority will of the Chinook people, whereas if we're in with Brooks, you already know that the part you were going to put into Brooks will be overridden by the interests of the irrigation people and that kind of people because they have a bigger population. This is what I'm saying. The same with Drumheller; the same with wherever you put us in the north.

It is not so much to ask to extend the boundaries somewhat and to allow this one to stand under the special section in the Act. It is serious to us. It is very serious.

I am fully aware of all the political gamuts that go on in the political system. I've worked within it for years, and I know what I'm speaking about. I understand you come from Raymond?

MR. GRBAVAC: Yes, that area.

MRS. J. WESTERLUND: Well, I don't know if it's as dry or as fragile as our area or not, but imagine yourself split into three different sections and see how effective you would be in getting your needs and desires – and they're basic. We're not asking for much. We never have out here. We get along with as little as possible, but we do want effective government representation.

MR. GRBAVAC: Well, I can assure you that any MLA south of Calgary that took a contrary agricultural position would do it at their own peril and probably would not see re-election, and that includes the city ridings of Lethbridge and Medicine Hat. It's unfortunate that the irrigated farmers in Brooks don't have a greater affinity with your problems, because a lot of them left this area to go the irrigation in Brooks from what I understand. That's unfortunate.

MRS. J. WESTERLUND: That's right. And those of us who have stayed here prefer this style of life.

The other thing you could consider if you really want to make it fair: you could start with the cities and go out in pie-shaped wedges, having a rural and urban constituency, and then you could allot it to pretty near within the same number of people. Start out at Calgary and Edmonton and just wedge it out into the country, and then have the exact number of rural and urban people in it. That would in fact be your effective representation, and perhaps that would be done.

MR. GRBAVAC: To some degree that occurs now in the city of Grande Prairie, the city of Medicine Hat.

MRS. J. WESTERLUND: But the maps you have in here – there is nothing to hang onto there. I mean, it doesn't make sense.

THE CHAIRMAN: They tried that in the last electoral boundaries and ended up with five different reports.

MRS. J. WESTERLUND: That's true, and I understand you are going to make a report, period.

THE CHAIRMAN: Well, we hope to, but we don't know yet.

They tried what they call 'rurban' ridings last time around in Edmonton and Calgary, and that just blew up in everybody's face. But I want you to know that we've come to the conclusion that 'rurban' ridings are working right now in Grande Prairie and they're working right now in Medicine Hat, and we're told that they would

work in Lethbridge and they would work in Red Deer. That may be the way of the future. Whether they will work in Edmonton and Calgary, I don't know. If they don't work in Edmonton and Calgary at this point, I think it's because of the mistrust of the rural people as against the city people.

MRS. J. WESTERLUND: And the political will to have the power in those two cities.

THE CHAIRMAN: Has anybody else got any questions?
We want to thank you for coming and making your views known.

MRS. J. WESTERLUND: Thank you, and good luck in your work.

THE CHAIRMAN: Thank you.

The next presenter is Alderman Ann Wilton of the city of Drumheller. We ran into you in the last round of hearings. You're an accountant?

MRS. WILTON: That's correct, sir. Just so nobody thinks differently, when you ran into me, you didn't do this to my leg.

THE CHAIRMAN: No, I don't think we injured you.

MR. GRBAVAC: I hope that didn't happen as a result of reading our report.

MRS. WILTON: I'd better say no.

Honourable Chief Judge, distinguished members of the panel, and ladies and gentlemen, once again I have the privilege to bring to you the views of the mayor, the council, and the administration of the city of Drumheller. We have, like everyone else, received your report dated January '96 addressed to the Legislative Assembly, and we have reviewed it. We have certainly been interested in the proposals that were made therein, although I would have to say that we have also been pretty disappointed with the direction of some of the proposals.

Now, I recognize that it's not been an easy task for you. You have been receiving many, many representations all over the province from a lot of points of view, but it does seem to me that many, many, many of those representations basically said: leave it alone; if it isn't broken, don't fix it.

Now, I heard the comments, sir, that you just made to the previous presenter. I'm not here prepared to argue law with you this morning, but it is my submission, sir, that the courts have held that the present boundaries are constitutional. Although there was a lot of overturn in the decision, I believe the decision pointed to the constitutionality of the current boundaries.

We're coming very close to 2001, when we know there will be another review and change, and it's really hard for us to understand why at this time, when the government of Alberta has put so much effort into – I was going to say slash and burn. I don't think that's really true, because it would sound prejudicial, and I am actually not opposed to the majority of the changes that have been made. But it's been a time of tightening the belts, cutting down, trying to bring our fiscal policies into line, and why we should be moving into an expensive tinkering of our electoral boundaries when it is not necessary totally escapes me. I think it is really something that we should perhaps choose not to do.

The current proposals are resulting in additional representatives

for Calgary and Edmonton at the expense of the rural areas. Now, it's interesting that Calgary seems to get along just fine on a municipal level with 14 aldermen. Edmonton I believe has 12. Yet even 20 MLAs are not enough to represent the city in the Legislature? One would wonder what all these people are doing.

Now, I recognize the fact that the, quote, big-city MLA has to represent a lot more people than, for example, the constituency of Drumheller, but there is a lot of homogeneity. There is a similarity of interests that you get in the big city, and it seems to me that if 20 MLAs can't represent Calgary, I wonder if 21 are going to do a better job.

So what I think we have is a result where the interests of the rural areas and the rural-urban areas such as Drumheller and Hanna are going to be prejudiced. We have one MLA who must attempt to juggle all these competing interests at the same time, and this single MLA – and I'm not just talking about our MLA but the MLAs of rural areas – has to do this and at the same time travel very often quite vast distances to be in touch with his or her constituents.

This is already the situation in the Drumheller riding, and if these proposals are accepted, then I would submit to you that the situation will be made worse. Now, it's true we live in an age of high tech. We have E-mail and fax and phones and all sorts of things, but I don't think that any of this substitutes for personal contact.

11:10

Very briefly to address the proposed changes to the Drumheller constituency, I would just like to say that we regret the recommendation that would increase the size of our boundaries and, by adding the people of special area 2, provide additional competing perspectives for the hon. Mr. Schumacher to represent.

We'd also wish to express our concerns regarding the proposed treatment of our neighbours in Chinook. To break up the special areas, which have always been a cohesive unit, into two or three governmental divisions seems to be a negative, a backward, and a retrograde step. The people of the special areas have a similar lifestyle, interests, and needs. By moving part of them into a Drumheller-Strathmore alliance, part to the east and south, it does seem to us that to give them proper representation will be a difficult and onerous task.

So on behalf of the city of Drumheller we would entreat you to reconsider your proposals and move in a less intrusive direction at this time.

THE CHAIRMAN: Thank you.

We'll start the questioning with John McCarthy.

MR. McCARTHY: No questions, thank you.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions.

THE CHAIRMAN: Robert?

MR. GRBAVAC: No questions.

THE CHAIRMAN: Wally?

MR. WORTH: No. No questions.

THE CHAIRMAN: Well, I want to quarrel with you. You said that

the court said that the last boundaries commission met the constitutional requirements. Is that the way you . . .

MRS. WILTON: That was my understanding, yes, sir.

THE CHAIRMAN: I want you to know that I say that you're putting the Wilton spin on that interpretation. The court also said that it's got to be redone, and that's why we're here. The government listened to the court saying that if this continues, Alberta is not a democracy. So you're only telling us half of the story when you say that the court said it met the constitutional requirements, but the court did say more.

MRS. WILTON: May I ask you, sir, if the court said that the boundaries had to be redrawn or that they had to be reviewed?

MR. McCARTHY: I'll just read the conclusion without getting into the full text of the case. I'll read to you what the court concluded.

In the result, we again have decided to withhold any Charter condemnation.

So you're correct so far.

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 those were their concluding remarks.

THE CHAIRMAN: I want to thank you for coming, making your viewpoints known on behalf of the city of Drumheller.

MRS. WILTON: Thank you, sir.

THE CHAIRMAN: Thank you.

We now call on Mayor Bob Robertson of the town of Three Hills.

MR. ROBERTSON: Thank you. I brought the deputy mayor along with me to give me a little moral support, I guess you want to call it.

THE CHAIRMAN: You feel you need her help?

MR. ROBERTSON: Now, on behalf of the town of Three Hills I would first like to thank you for the opportunity of presenting our submission to your commission for consideration. The changing of electoral boundaries is an important subject which affects all Albertans to one extent or another. Our preference would be to see our current Three Hills-Airdrie riding remain intact, as it is. We believe that this boundary alignment more suits our municipality's needs and that we're the same electoral division as most of our neighbouring municipalities with whom we socialize, do business, and share recreation facilities.

We have worked very closely with our neighbouring municipalities in the provision of ambulance services through our jointly owned and operated Kneehill Ambulance Service. Many of us work together with the MD of Kneehill, our rural neighbour, in the provision of fire services. Just this month a new mutual aid agreement was agreed to which will see all of us share the provisions of disaster services. We all participate in the funding and the operation of the Kneehill Community Resource Board, which

provides much-needed counseling services to our rural community.

At the present time we share much with our neighbouring municipalities. We fund most of our joint services as a group within the common boundaries of the MD of Kneehill. The large majority of the municipalities and residents within the MD of Kneehill also share the same provincial constituency boundaries. We are happy with things the way they are. Everything seems to be working well for us at the present time, and we see no need to fix what is not broken.

We surely have nothing against the Innisfail riding or the people who live there and hope that we are not offending them by opposing the creation of the new Innisfail-Three Hills riding. Our main reason for voicing our opposition to this change is that we don't think the change will be good for the town of Three Hills or our citizens. At present we are more or less centrally located within the Three Hills-Airdrie riding and share the same provincial constituency family with our key neighbouring municipalities.

In the Innisfail-Three Hills riding we would be located at the extreme border of the riding, which will leave us isolated from the rest of the riding. We will also be isolated from our neighbours to the south, many of whom consider themselves a part of our community.

We would note that our education services are provided by the Golden Hills regional school division, and the north boundary of this north to south division is coterminous with the north boundary of the MD of Kneehill.

Our health care services are provided by regional health authority No. 5, and the north boundary of this entity lies between Three Hills and Trochu. It is our understanding that the provision of children's services will be based on the same geographic area as the regional health authority. One common factor with the service area is that they are south of the MD's north boundary and run more or less in the east to west direction. The MLA for the new riding will likely not have any commonality with the people that he or she serves in Three Hills in the areas of education, health, and children's services.

It makes sense that the Innisfail-Three Hills MLA will have more contact with the Red Deer regional health authority and corresponding children's services and the Chinook's Edge regional school division than those lying to the south. It is therefore logical for us to conclude that the placement of Three Hills in the new Innisfail-Three Hills riding will surely serve to further isolate us from the rest of our neighbours in the provision of these essential services.

To the best of our knowledge there have been no requests locally to change our riding. Three Hills-Airdrie is a strong rural riding, and we want to keep it that way. We would suggest that you look at other alternatives and do not involve changing our constituency boundaries. Surely there are other alternatives to balance things. We are led to believe that Sundre could be moved to the Rocky Mountain House riding instead of Sylvan Lake, which would result in minimal change to the Olds-Didsbury and Rocky ridings and require no change to Innisfail-Sylvan Lake or the Three Hills-Airdrie riding. This would require far less change for the residents of central Alberta than is currently being proposed by your commission.

In closing, we would like to reiterate our council's position that we would like to see the current Three Hills-Airdrie electoral division left as is. We are happy with things the way they are, and we would appreciate it if you would look elsewhere to make your changes.

On behalf of the Three Hills town council I would like to thank you for taking the time to hear our concerns and suggestions. We trust that you will take our comments into consideration when you

make your final recommendation to the provincial government.
Thank you.

THE CHAIRMAN: Thank you, Mr. Robertson.
Myrna, have you got anything you'd like to add?

MRS. BAUMAN: I just would like to reiterate what the mayor has said, that the proposed boundary change is one mile south of the town of Three Hills and that the majority of people that live in that area consider Three Hills to be their home community.

THE CHAIRMAN: Repeat that again.

MRS. BAUMAN: The proposed boundary change lies one or two miles south of the town of Three Hills. The rural area residents that live in that area, quite a distance south of that, consider Three Hills to be their hometown.

MR. GRBAVAC: Myrna, where do they stop considering Three Hills to be their hometown? How many miles?

MRS. BAUMAN: You would have to get quite a ways south because we take in the Swalwell area, which goes down almost to Carbon. They still consider Three Hills to be home.

MR. GRBAVAC: So you're saying go to Carbon. Is that what you're saying?

MRS. BAUMAN: What I'm saying is it makes more sense, if you're redrawing boundaries around Three Hills, to tend to go to the south, tend to take our boundaries farther to the south than to the north.

11:20

MR. GRBAVAC: How far south?

MRS. BAUMAN: I have no idea. With our health boundaries and education we go right to Strathmore.

MR. ROBERTSON: May I add a little bit?

THE CHAIRMAN: Go ahead.

MR. ROBERTSON: I think probably what we're trying to say here is that it's not the south boundary south of Three Hills that we're worried about. We'd like to keep it north of Three Hills so that we can stay within our school and hospital areas. This would kind of make more sense, I think, than cutting the top half off our recreation and our school and hospital areas. It's just kind of splitting the end right off the top of the constituency.

MRS. BAUMAN: We also have what you could call a good rural-urban split, when you were talking about city boundaries and rural residents. We include the city of Airdrie, but we seem to have always managed to have a fairly strong constituency and a lot of agreement in those areas.

MR. GRBAVAC: Well, your particular area garnered quite a bit of discussion internally within the commission. I think maybe Joe is going to have some comments with respect to the changes you've proposed or suggested as an alternative, because we did in fact consider those as very viable alternatives. I'd like to hear Joe's

comments with respect to his perception of why we chose the current configuration. I want to assure you that the suggestions you've come forward with were reviewed, and we saw them as very reasonable alternatives.

THE CHAIRMAN: Joe, do you want to take over the questioning?

MR. LEHANE: Yes. I'd like to begin by thanking Mayor Robertson. I'm from Innisfail, so I'm glad to hear you have nothing against us. I guess it allows me to turn the tables and not be the one on the spot for a while when we talk about that proposal.

A lot of the ties that you've discussed that are presently existing that would, from your submission, be disrupted are with the MD of Kneehill, and I haven't heard you talk much about ties with the city of Airdrie. What percentage of the Three Hills-Airdrie constituency is within the Airdrie urban area? What's your understanding of that? About half?

MR. ROBERTSON: I would think roughly half.

MR. LEHANE: So at present it represents a very significant portion of that constituency. I guess one of the thinkings of the commission was that in terms of agricultural constituencies, there's more commonality between Innisfail and Three Hills in terms of being agricultural areas than there is between Three Hills and Airdrie, and that Airdrie, being in many ways a bedroom community of Calgary, would probably have more in common with Chestermere Lake, as proposed, than they would have with Three Hills. Perhaps you could comment on that.

MR. ROBERTSON: I'm not really thinking that much of the agricultural part of it, I don't believe. I mean, it's a factor; I agree with that. But I think our factors – that is, our school, hospital, social services, recreation, and things like that – would have a tendency to have more effect by splitting it at that angle than if we were left in the Airdrie one. Right now we're all working at this basically the same way. If you cut the top off our constituency, so to speak, I think we would lose a lot of the continuity in that area.

MR. LEHANE: If I could just comment on your suggestion with respect to Sundre coming out of the Olds-Didsbury constituency and going with Rocky Mountain House. Obviously, you know, you've looked at the map. You've seen that we've had a problem with the numbers over in Rocky Mountain House. We have to deal with that somehow. They're very close. In fact, if you use today's numbers, they might not even fall within the allowable guidelines. I mean, they're way off at the end of the scale already using '91 population figures. So how do we deal with that? We looked seriously at Sundre going with Rocky Mountain House as being one way to resolve that problem. I think it's fair to say that the bulk of the submissions from those areas were that Sundre's ties are much more with Olds in terms of seniors and social services and that sort of thing than they are with Rocky Mountain House. So that was one of the problems we had with that possible solution.

MR. ROBERTSON: I probably have to agree that when I looked at it, it was geographical more than social that I was probably thinking of, thinking along that line.

MR. LEHANE: I think that's the way we approached it at first. We

looked at the map and we looked at the fact that Sundre and Rocky Mountain House run along that west corridor and that there's some commonality in terms of forestry and oil and gas activity and that sort of thing that runs up and down that line. But when we got out talking to the people, they had some different thoughts in terms of . . .

MR. ROBERTSON: Of course, we didn't do that.

MR. LEHANE: And that's what we're hearing from you as well. So thank you.

THE CHAIRMAN: John?

MR. McCARTHY: No questions, thanks.

THE CHAIRMAN: Robert?

MR. GRBAVAC: No. No questions.

MR. WORTH: Just a little question of information. Where does the current MLA live within the constituency?

MR. ROBERTSON: In Airdrie.

MR. WORTH: Thank you.

THE CHAIRMAN: I just want to speak to you along the lines that Joe has. We had a problem with Rocky Mountain House. The variance was too big, and we had to add something to Rocky Mountain House. When we looked at Rocky Mountain House, it was at either adding Sundre, as you've suggested, or adding back Sylvan Lake. The most logical thing to do for Rocky Mountain House was to give it back Sylvan Lake. It's really part of Rocky Mountain House. That's how the people come to Red Deer and whatnot.

Once we took that away, we had to then see what we could add to Innisfail. The most logical choice to add to Innisfail was the top of Three Hills, and that's the part you don't like. I'm just giving you the thinking. You're now asking us to look at adding Sundre to Rocky Mountain House and leaving the Innisfail riding with Sylvan Lake, as it was before. I think we can look at it again, but I'm just giving you what our thinking was at the time.

MR. ROBERTSON: I appreciate your comments on that. It's just that we were concerned about our health and recreation and the social services, trying to be intact under the same MLA.

THE CHAIRMAN: Well, I want to thank you for coming.

MR. ROBERTSON: Thank you for listening to us.

THE CHAIRMAN: Well, the next speaker is Bud Pals, my neighbour.

MR. PALS: Judge Wachowich and members of the commission, it's a pleasure to be invited to make a presentation. I want to say up front that I don't represent anyone other than myself. I am not a member of a municipal council or a town government. These are strictly my own views that I wish to present. I find, having listened

for more than an hour to the presenters, that I'm definitely that fish that's swimming upstream.

My purpose in coming here is to commend you, members of the commission, for the work you've done. I think you have done an excellent job of recognizing that something must be done. We cannot continue to put our heads in the sand and say: no change is necessary. That is not in the cards at this time, so it's important that we now get beyond that and look to see: if change must come, then how do we do that?

11:30

So I'm here to say that I found your methodology a very comprehensive and very effective methodology. Mind you, it could be adjusted somewhat. I felt that the 10-point ranking for the number of elected bodies that the MLA had to deal with should have had greater than a 10-point influence on the final outcome. I think it would not have been unreasonable to allow a 20-point influence on the final outcome for the MLA having to deal with a large number of elected representatives, because I think they can in fact take up a good deal of the MLA's time, and consequently the concept of effective representation becomes much more difficult. I think you should have ranked that a little higher. Nevertheless, with a little adjustment, I believe the methodology should in fact be a model for any future realignments of electoral boundaries, because it does in fact assure voters of appropriate and effective representation in the provincial Legislature. The nice thing about it is that it doesn't allow any party to compromise democracy for a political advantage. That's what I feel is important in this. This is strictly an objective view of how democracy should work.

I'm sure that you the members of this commission are aware that the next election would be challenged in the courts and probably would be found to be invalid if the recommended changes were not implemented. I want to say that democracy is indeed a fragile concept, and it can only be sustained when all the participants are satisfied that they share equally in responsibility and benefits of democracy. It has become apparent that as the population shifts more and more towards the urban centres, the ability to influence the policy of government has been distorted. I just brought along the *Edmonton Journal* of yesterday, because it says there that the regional health authority in the Capital region is under a great deal of difficulty in funding because the population they serve has grown 19,000 in two years. So we cannot ignore the fact that there is a significant shift of population, hence the reason for your existence and the reason for the need for this realignment.

The changes that you recommend go partway to correct this imbalance, but I think more importantly, the report justifies and explains why there must always be plus and minus variances from the average population figures because of the diversity of the constituencies. I think that the matrix system identifies those variances and rationalizes and justifies them.

Now, there appears to be a body of thought out there that a county should not be divided by an electoral boundary. I happen to live in the county of Paintearth, which according to the proposal will in fact be equally divided by a constituency boundary right up the centre. I want to just say that the advantage of having two MLAs is that when you have a project or a cause that both MLAs can support, then you have two voices in caucus, not one. I've noted that important decisions are not really made by the individual MLAs, other than the Premier of course, but I do see that being represented by two MLAs could in fact be an advantage. It does take some footwork on the part of the residents of that particular county or

special area or whatever, but once you get a couple of people onside, you have greater clout in the caucus where the decisions are really made.

Now, none of the remarks I make should in any way be construed to be critical of the representation of the electorate by the Chinook MLA, Shirley McClellan. She has in fact been a very effective and dedicated MLA and minister of the Crown. But I guess facts are facts and numbers are numbers and hence the redistribution has to occur. Having reviewed the report thoroughly, it does appear to me personally that the elimination of Chinook really is an inescapable conclusion when that matrix formula is applied. I guess I'm looking at it, to use an old cliché: short-term pain for longer term gain. We've got to move with the times.

One thing I would like to ask: has your commission taken the trouble to apply the matrix formula to the proposed changes to identify the difficulty of representation that each of the electorate in a constituency could expect to receive from their MLA? Has that actually been done?

THE CHAIRMAN: It hasn't been done, but we've suggested – as a matter of fact, I think we asked that it be done. It takes quite a bit of time and is fairly expensive. We're hoping that by the time we do our report, we will have this done.

MR. PALS: Good. I didn't realize it would be expensive. I know that all of this stuff is computerized, and all you really have to do is press the right buttons and the computer will tell you what the difficulty of representation might well be. You've already got the statistics in there. Probably it isn't quite as simple as that. I am very fortunate; I know nothing about computers.

So thank you for the opportunity.

THE CHAIRMAN: Fine. We'll start the questioning with John.

MR. MCCARTHY: No questions, thanks.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions, thank you.

MR. GRBAVAC: Bud, I found your comments interesting with respect to our matrix. I had some concerns, as well, about the one criteria in the matrix with respect to municipal government. Within the boundaries of the rural municipality in which I'm involved, in the smaller urban centres we have approaching 40 elected municipal officials for less than 7,000 people. You do the arithmetic; that's a lot of elected people for very few electorate. We can't even get a regional landfill off the ground, because you try and get 45 elected people to agree on anything. So I can appreciate the amount of an MLA's time that that takes. However, we've been told repeatedly that municipal governments don't elect MLAs; people do.

You know, you tend to talk about the future. Your concluding comments were about moving into the future, what have you. The reason I conceded to leaving that element of the matrix as it was is because I feel it's inevitable that we're going to have to do something about governance in rural Alberta. We can't continue to have one elected person per 50 electors or 70 electors or whatever the case may be. Something has to be done in that regard, and with the eye to that future I think the job for the MLA is going to become somewhat easier as we go to larger municipal governments. I just

wondered if you would concur with that.

MR. PALS: Oh, yeah. The only thing I can say is that in the redistribution of the electoral boundaries we have to take into consideration what occurs now. I agree with you that the trend towards larger rural governments will inevitably occur and that it will require less of the MLA's time to deal with larger bodies of local government, but I think it would not be inappropriate at this point, given that this recommendation has to move forward long before we can change those things that we see in the future – I think it's important to give a greater weight to the importance and the value of that particular segment of the matrix.

MR. GRBAVAC: But that is occurring. Many of these smaller towns and villages – well, certainly I shouldn't say many, but a number of them are already going through that metamorphosis, if you will. It seems to be that it's a matter of attrition. I mean, they're simply finding themselves without the revenue to continue. There are a number of municipalities in southern Alberta, for example, that are now asking the rural municipality if they can merge because they don't have the tax base any longer. Their municipal grants are in large part gone. The elevators are tumbling down. That's their tax base. So I want to suggest to you that that is occurring. These smaller communities are now finding themselves nonviable.

We do have to keep some eye to the future, just like we try and draw lines that project future growth to some degree. I've just tried to give you a rationale or counterargument, if you will, to yours. I think your argument has a lot of validity with respect to the amount of time it takes an MLA to visit with a hundred officials elected from a body of 7,000 people. That MLA's got 30,000 people. In my constituency there are well in excess of a hundred municipally elected people. That's nothing to say of the school boards. The regional health authorities are appointed, however; that's a little bit different scenario now. They've got over a hundred elected municipal people to deal with, and I appreciate that that does take a lot of their time. I'm just trying to put some context to that for more perspective but not to suggest that your comments won't be taken very seriously.

MR. PALS: No. All I'm really saying is that you've used a 10-point gradient for each of the 10 criteria that are part of that matrix. My argument is that not necessarily does every one of those criteria equal a value of 10 points. My contention is that the number of municipal authorities that has to be dealt with should have greater weight, more than 10 points, compared to some of the other criteria that could be evaluated at lower than 10 points. That's my point. As the local governments amalgamate, automatically the matrix will then recognize that as the numbers come down, but the weighting would still be there. So I think that is something you might well give consideration to: adjusting the value of the point system in your matrix methodology.

11:40

MR. WORTH: Well, just a comment to support your view that we ought to look at the matrix and try to refine it. We have heard now in this second series of hearings a number of suggestions from people about changing the weighting. You've given us one. Yesterday we heard some that suggested that population ought to have three times the weighting of anything else and so on. So one of the challenges for us will be to go back and refine that matrix so that we can come up with the most logical decision we can.

MR. PALS: Well, I really appreciate that, and I will look forward in fact to seeing the final report and also the use of the matrix on the proposed new boundaries.

THE CHAIRMAN: Well, Bud, I want to point out that we know there are difficulties with our matrix. We're being told that as we're going around the province. We knew that before we started from our internal discussions, but we're hoping we get suggestions as we travel around the province as to how the matrix can be improved, and you're making one suggestion here today. I want to thank you for your appreciation of what the matrix was trying to do.

The matrix was trying to justify the pluses and minuses. I would like to tell you that as much as we're trying to justify the pluses and minuses with our matrix, Saskatchewan has now passed legislation stating that the variance shall not be more than plus or minus 5 percent in that province. Alberta's legislation is plus or minus 25 percent. They have redrawn their constituencies, and I think we were told that out of – how many constituencies? – 50 constituencies, they've got 41 within 1 percent. So that may be telling you what the trend is in respect to how a constituency should be drawn.

MR. PALS: Well, I'm really glad that you commission members had a little more flexibility than a 5 percent plus or minus variance. I think you have done a very good job in justifying a broader scale, and you haven't had any of them approach the 25 percent limit in the variance. So I do commend you for the work you've done.

THE CHAIRMAN: Thanks for coming.

The next presenter is Bert McFadyen.

MR. McFADYEN: Thank you. Good morning, gentlemen. I'd like to read my brief because it is relatively short and then try to address your questions. I thank you for the opportunity to address the commission. First, I applaud your attempt to quantify representation by use of the matrix. However, I feel there is much work to be done to refine the process, more especially to define effective representation in the rural ridings.

Interesting, the term "riding." Initially a constituency was defined by the distance a man on a good horse could ride in one day, a most appropriate description in this area. Of course, I don't suggest that the definition be applied to us today, but the implicit ideals that flow from that definition apply as well today as in our forefathers' time.

The arbitrary acceptance of representation by population and its application within Canada is creating a distortion within our democratic structure which will eventually lead to the type of unreasonable reactions that we see in countries where the electorate or a segment thereof are not represented equitably. I submit to you that it is time to put aside the interests of the legal industry in this country and to allow common sense and mutual negotiation to take over. It is high time that the government of Alberta must convene a dialogue amongst ordinary Albertans to settle the question of effective representation once and for all. Representation by population has proven to be inadequate without a second House to counterbalance those inequities in jurisdictions which have large areas with small populations like ours. The people of the United States of America in their states saw fit to eventually correct that imbalance with equal, effective, and elected Senates.

I do not suggest that another House of government is needed in Alberta, only that effective representation must be negotiated by the urban and rural voters of this province. If it is not, this area now

represented by the Chinook constituency will become as alienated from the prosperous corridor of this province as the people of Alberta are disenchanted by rule from eastern Canada.

This is not a legal matter. It is a decision to be made based on a need to co-operate for the good of the entire province. I strongly recommend to the commission that you report to the government of Alberta that your findings are inconclusive until a consensus can be reached by the citizens of this province to enact effective representation in all constituencies before the next election.

I thank you for your courteous attention.

MR. WORTH: I'm interested in your comment about a kind of a citizens' assembly, I guess, that would in some way try to bring about a definition of effective representation. As you know, in our document we have talked about the functions of an MLA being basically of three sorts, although there are essentially two functions and the third one is related to the second. The first one is a legislative function: the making of policy for the entire province. The second one is the ombudsman, or advocacy, function, which relates particularly to the members of his or her constituency. I wonder, in thinking about effective representation, in your own mind how you value the two of these functions. Do you place the legislative one ahead of the advocacy, ombudsman, one, or do you consider them to be equal? Do you have any relative weighting that you would assign to those, in your thinking about effective representation?

MR. McFADYEN: Well, there are many duties of a Legislature which are more or less housekeeping or regulatory. However, when it comes to a basic decision of whether this province will be represented on the basis of representation by population, I think that should flow from the advocacy group. I think the consultation hasn't been done yet. This seems to have been a foregone conclusion. Of course, it's very easy to foist a foregone conclusion on a population which is reducing daily or yearly, and that's what's happening in rural Alberta. It's very easy for someone in the city to say that this is the way we want it. Really there's nothing we can do about it because we do not have the electoral authority to countermand that.

Also, we have the perception that to even question representation by population is not *de rigueur* at this time, to the point that some people are called racist simply because they question the basic concept. I think we've got the cart before the horse. I think we have to determine what the real opinion of the people of Alberta is and then design legislation on it, especially on this particularly critical question.

11:50

The rural areas of Alberta are very, very important to the support of the urban areas. The people that live in rural Alberta, who are supposed to look after rural Alberta, which with a dwindling population is becoming more and more difficult, must be given some recognition and authority within rural Alberta so that they can actually see rural Alberta flourish. I'm sure you realize that you can't farm and live in a city. It doesn't work that way. Calves are born in the middle of the night; they don't wait for 9 to 5. So the people who are going to be looking after rural Alberta must be given a voice, and I believe that voice must be equal to the people who live in the cities.

There are other ways of increasing population in rural Alberta. None of them have been applied or practised. Without help from our urban cousins, nothing will grow in rural Alberta. The corridors become a large vortex. It sucks everything into it. We get very little

out of it in the rural areas.

MR. WORTH: Would you comment on one other proposition? Some people have contended that a person elected as an MLA is responsible to the people of the province and has to be concerned first and foremost with the best interests of all Albertans and only secondarily with the peculiar special interests of his or her constituents. How do you react to that?

MR. McFADYEN: Well, that would say to me that we could split this province up by geographical area. Although there may have to be some method of addressing population, if each MLA is responsible for the entire province – and he should be, as far as I'm concerned; that's the oath that an MLA takes when they are installed. I would see no problem at all with that. Of course, anyone living in a large urban area would say, "Oh, no; that can't work, because my say would be too small then." Of course, that's the argument for representation by population. I'm saying that there is a balance between the two and that that balance must be negotiated. It can't be imposed from the top down.

MR. WORTH: This brings us back to the prospect of a bicameral House, which we've heard a good deal about in our hearings both in this round and in the previous round.

Thank you very much for your comments.

MR. GRBAVAC: Bert, I guess I'm one of the few members of this commission that does not have a background in the law. I'm not a lawyer, you know; I'm a rancher for the time being. I want to submit to you that I have an entirely different perspective in terms of my approach to this problem, that may be right or wrong, but I'll give you my perspective and show you how clearly it differs from yours.

We have a Constitution in this country which protects the rights of the individual citizenry of the country, and part of that is protection from the tyranny of an elected government to run roughshod over the rights of the individual. I'm a strong advocate of the rights of the individual. One of the rights of the individual is to effective representation.

Now, our Constitution has an amending formula. Whether you accept it or not, it's been put in place. It's been adopted. We can amend that Constitution, and we have the right to do so through the process that is now currently in place. The interpretation of that Constitution has been left to the courts, and the courts have defined as they see it: what are the constitutional rights of an elector? I think to simply set those aside – your terminology escapes me here for a minute, but it's something about the interests of the legal industry, if I'm not mistaken. Yeah, "Put aside the interests of the legal industry in this country." I don't think that's fair. I mean, our law, as we have constituted this country, gives the court the authority to interpret the Constitution.

The courts have said that they interpret the right to effective representation to fit within certain criteria. Now, we're trying to work within those criteria of that interpretation. You know, it's not within our mandate to have the populace in a public meeting somewhere decide what this is. I mean, we have the Constitution, we have the courts, and that's the law of the country. That's the perspective from which I come, and it's broader than just Alberta or any other province. It's a dominionwide circumstance. So I think we can't just turn a blind eye to that. We have to work within the context of that interpretation, and the interpretation gave us certain

parameters. We're trying to work within those parameters.

I don't want to be any more specific than that other than to suggest that we're caught between what it is that the grassroots people say they need in terms of representation and what the constitution says is effective representation, interpreted by the courts. I just want you to have an appreciation for that difficult situation that we find ourselves in when trying to courtproof our document, if you will, in terms of its constitutionality. We don't want to present a document that, if adopted, the first thing that happens when the Premier calls an election is that an appeal goes to the courts on a constitutional challenge and we can't even get an election off the ground in the province of Alberta after spending umpteen hundreds of thousands of dollars. What purpose is that?

So I just want to give you that perspective in terms of the difficulty of the task that we've been charged with and give you that perspective in terms of establishing what is effective representation in the context of what the courts have defined as constitutional and unconstitutional.

MR. McFADYEN: I fully appreciate the commission's position. If I have offended anyone by what I've said, it's not by design.

MR. GRBAVAC: It's not an offence. Just a difference of opinion, I suppose, is what we have.

MR. McFADYEN: Well, the difference is not that you have been charged with a specific duty. I think you've done your duty extremely well within the parameters that you've got. That's what I said at the beginning of the presentation. I commend you for that.

What I'm saying is that I think the government has missed the point. I think the government has charged you with something and given you parameters to do that something without first of all addressing the basic question. This has been an assumption that has been brought to us, that representation by population will work everywhere in North America. We know it won't. It didn't work in the United States. It doesn't work in the state of Montana. You're familiar with that; you come from close to that. Their system works well.

I'm not saying that we need that second House. I think that's a very expensive accoutrement. If it comes to that point, I guess that's what has to be done. I think that some good common sense and negotiation by the people of this province will come up with a satisfactory answer. Perhaps then we can go back to the courts and say, "No, no, you're not making the legislation; we are, and this is what we want to see." That's what I meant by that comment.

MR. LEHANE: To follow up on that, Mr. McFadyen. I do make most of my living in the legal industry as a lawyer. I also have a farm operation and breed purebred cattle. I can assure you I'm not going to quit my day job in the legal industry with the way the cattle are these days.

I have to take issue when you say that this isn't a legal matter or a matter to be dealt with by the courts. I wish you were right, but unfortunately you're not. We have in this country a Charter of Rights and Freedoms. I wish we never had it. I think we were doing fine without it. But we have it, and we have to deal with the reality of it being there. The courts have clearly interpreted what the right to vote means under that Charter. They've said that it means that everyone has

(a) the right to [vote];

- (b) the right not to have the political force [or value of the vote of an elector] unduly diluted;
- (c) the right to effective representation; and
- (d) 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.

So we work within those parameters. Working within those parameters, we've tried to quantitatively justify why there shouldn't be straight representation by population. We have to our knowledge created one of the first attempts to ever do that, because we see the court looking over our shoulder, and we feel that if we don't do that today and justify the variances in the population that exist presently or in our proposed report, the courts will not accept the variances. As indicated to you earlier, Saskatchewan has most of its constituencies within 1 or 2 percent. I don't think that can result in effective representation. I think that's forcing something into boxes that doesn't work. Unfortunately there is this legal issue. Those are the parameters we're dealing with. I would prefer that it wasn't there, but it's the reality we have to deal with.

12:00

I live in the constituency of Innisfail. If I had my personal preference, the constituency would stay the way it is. The people from Three Hills are fine people. I know lots of people over there, great people. If I had my preference, I'd keep our constituency the way it is. We have to deal with this. We have to make the adjustments or the court will do it for us. So I think there is a legal issue that has to be addressed.

MR. McCARTHY: Bert, it's interesting to note, I think, that the Social Credit Party put a submission forward requesting a provincial Senate that would reflect regional representation. I think even the NDP was talking about something a little different than what we've got as well. You know, there may be something in the future to try and look at having a certain portion of your seats as representation by population and then another portion that reflects the regions within the same legislative body. So to that extent, you know, it is a debate that maybe should be carried forward for the future.

Now, as Joe says, the problem is that even when you do that, we're still going to have to overcome the legal hurdles that he's just discussed. You're not the only one that's raised this, and it's an interesting possibility for the future.

THE CHAIRMAN: Bert, I wanted to say this: I'm not offended by your shot at the legal profession; it doesn't bother me because you grow up with that once you become a lawyer.

I want to compliment you on how effective you make your point, even though these people don't necessarily agree with you. You do a very good job. I'd like to say that you might have made a good lawyer.

MR. GRBAVAC: I'm not sure how he should take that.

MR. LEHANE: Is that an insult or a compliment?

MR. McFADYEN: I'm not sure.

THE CHAIRMAN: Thanks for coming.

Well, we're at 12 o'clock, right on schedule. Is there anybody here who wasn't listed that has something intelligent they would like to add or have anything to say this morning? Seeing that there's

nobody else who wants to say anything, we will adjourn till – what is it?

MRS. DACYSHYN: Till 1:30.

THE CHAIRMAN: We'll adjourn till 1:30. Thanks for coming.

[The hearing adjourned from 12:03 p.m. to 1:30 p.m.]

THE CHAIRMAN: Ladies and gentlemen, would you please be seated, as we would like to start these hearings. I want to welcome you and say good afternoon. I would also like to make a few introductory remarks.

My name is Edward Wachowich, and I am the chairman of the Alberta Electoral Boundaries Commission. I'm also the Chief Judge of the Provincial Court of Alberta. I feel certain that my other job in the court is much easier than my work with the commission. Hopefully before this second round of hearings is concluded, I shall be able to decide which job is more difficult.

Let me introduce you to the other members of the commission. Robert Grbavac of Raymond, Alberta, is on my immediate left, Joe Lehan of Innisfail is on my immediate right, John McCarthy of Calgary is on my far right, and Wally Worth of Edmonton is on my far left. The five people you see before you make up the commission. I want to say that we are very happy to be here to receive your comments and your criticisms and to consider your thinking with respect to the proposals that we have made in our report, released in January.

Why are we here? The commission is here to listen to your comments on the proposals made with respect to the electoral boundaries in Alberta in our first report, which I believe received very wide circulation throughout the province of Alberta. The commission is charged by law to examine the areas, the boundaries, and the names of electoral divisions in Alberta and to make recommendations with respect to them.

As I have said, we made the preliminary recommendations in January. These recommendations were given wide publicity, and more than 3,000 copies of our report have been circulated throughout the province. We feel that in the second round of hearings we need only listen to your reactions, evaluate your comments and critiques, and move on to our final conclusion with respect to our mandate.

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. I want to tell you that we have reached preliminary conclusions with respect to our mandate, but I also want to tell you that our minds are not closed, nor have we reached any final conclusion. Every member of this commission has given these matters a lot of thought, and in reviewing the law, the work of previous commissions and committees which have studied boundaries in Alberta and in reviewing what the courts have said about electoral boundaries in the province of Alberta and in Canada, we've attempted to craft a preliminary proposal that will ensure that all of the citizens of Alberta and all of the regions of Alberta are adequately represented in the Legislative Assembly of Alberta.

In order to put our second round of hearings in perspective, I want to present a brief summary of the electoral boundaries law. One, our function is to review the existing electoral boundaries and to make proposals to the Legislative Assembly about the area, the bound-

aries, and the names of the electoral divisions in Alberta.

Two, we have a very limited time to accomplish this task. We submitted a report to the Speaker of the Legislative Assembly in late January and must now, after a second round of public hearings, submit our concluding report to the Speaker by the end of June of this year.

Three, as I have said, the commission is required to hold two sets of public hearings. The first set of hearings was completed last year in November. This second set of hearings will be completed in April of this year, and after we have considered the input from the hearings, we will craft our final report for submission to the Speaker of the Legislative Assembly.

Four, we are required to hold 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 electoral divisions that we set out in our first report. I believe we have given reasonable notice of the times and places for this second round of hearings.

Five, the commission has the power to change its mind with respect to its preliminary proposal. When the second round of hearings is completed, we will also complete our deliberations and lay before the Speaker our final proposals with respect to electoral boundaries. The Speaker shall make the report public. It shall be published in the *Alberta Gazette*.

Six, 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, shall be the report of the commission.

Seven, 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.

Eight, then it is up to the Legislative Assembly by resolution to approve or to 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 then come into force when proclaimed before the holding of the next general election.

Population rules. Population means the most recent populations 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 province-wide census more recent than the decennial census compiled by Statistics Canada which provides the population for the proposed electoral divisions, then the commission may use this data.

Number of electoral divisions. 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.

Relevant considerations: 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 of electoral divisions. 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.

Crowsnest Pass. For our purposes the boundaries Act instructs us that the municipality of Crowsnest Pass is not a town.

This is a very general overview of the legislation, but we must also turn to the guidance that has been provided by the Supreme Court of Canada and the Supreme Court of Alberta. The commission wishes to note that many persons may not agree with our interpretation of these decisions. Be that as it may, we are certainly prepared to hear argument on the various points and to reconsider our position.

What have the Supreme Courts said? 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.

1:40

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.

Our focus. The commission clearly stated in its report that it wishes to merge a number of rural electoral divisions and to add one electoral division to Calgary and one electoral division to Edmonton. We invite you to comment on these proposals in their particulars. We have put before the people of Alberta our preliminary conclusions with respect to this matter. We have not reached any final conclusions.

The commission now wishes to hear the views of Albertans with respect to our first report and the focus I have described. Please let me assure you that our deliberations are preliminary at this point and that no final conclusions have been reached. The commission shall not move to the consideration of final proposals without the benefit of input from individuals and organizations in Alberta. Indeed, this is the whole purpose of the second round of 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 reasoning of all organizations and individuals in Alberta with respect to the area, the boundaries, and the names of the electoral divisions.

I'll now call upon the first presenter this afternoon, who is Roger Buxton.

MR. BUXTON: Thank you, Mr. Chairman. As you know, I made a presentation to the boundaries commission in November, a preliminary one on behalf of the Chinook Progressive Conservative Association. I thank you for accepting at least one of my requests from that presentation, and that was to have a hearing here in Hanna. As far as the rest of the presentation, it doesn't look like it carried much weight, and because of that I fired myself from presenting any more presentations on behalf of the Chinook PC Association. That presentation on behalf of the Chinook PC Association will be made following mine by Norman Storch, our first vice-president.

However, I'd like to discuss this process. First of all, I'd also like to mention that as president of the PC Association I was phoned this morning by Mrs. McClellan, the Minister of Health and our MLA, and she extends her regrets that she can't be here. She wanted to be here in the worst way, but there was some good news in her family. She had a new grandchild I believe at the beginning of the week. The bad news is that it was by C-section, so she's there helping her daughter. She hopes to show up at your hearing tomorrow.

Anyway, this presentation is made on my own behalf, and it's made on my own thoughts and my own concerns about the process, the court decision. I'd like to ask some questions about this process, and I would like to suggest how the panel could get a better grasp on our problem.

The proposed boundaries coming from the first hearing are completely unacceptable to the people I've talked to in this area. The special areas need to be represented by one MLA that has a strong grasp on what it is to be a special area. Our environmental record and our very great area under one administration has been managed very responsibly over the years. It has never run any deficits.

We've had several MLAs in the past. We were split at one time before. I believe back in the '50s we had a situation where special area 4 was represented by who was at that time the Minister of Municipal Affairs, and he made the decision that he was going to do away with the special areas at that time. I believe that if he would have had, you know, more of a vested interest in the special areas, he never would have made that dangerous decision. In the end we managed to defeat the man, but it was a very difficult time. As far as I'm concerned, if the special areas are split up as in the representation that you are proposing, it'll be very, very tough on us.

The large municipal areas are going to be probably a thing of the future. In Saskatchewan right now they're pushing for larger areas to be put together in one county and MD. We already have a working example of that here, and I think it's very, very important that we have strong representation that has a vested interest in keeping this area strong. So I just can't overemphasize the fact that we must keep the special areas together.

I know that the county of Paintearth is also tired of being a transition area and split, as you are now proposing. I would implore you, if you have to make any changes, that they be made in such a way that it is whole counties, MDs, and/or the special areas being moved or included, but also try to keep in mind that the distances one must travel to keep in touch with others in that constituency are very, very difficult.

The proposal to go Bow Valley-Chinook that you've mentioned here. While I would not be in that constituency, I had the occasion to drive to Brooks the other day. I'm not that far north of the north boundary. It took me two and a half hours to drive home from Brooks, and that was dangling. I mean, to go to Oyen, to Brooks I'm sure is a good two hours. It would be an overnight safari to have a

constituency meeting in that constituency. There are very few people in the middle of us. You've got two population bases on either side. I think it's a very poor choice.

The matrix that was discussed in your brief was probably a good idea, but I don't think it was very well thought out. I have some real concerns with it, and I also have some questions about it. First of all, I'd like to know why contiguous boundaries – you know, why it was given so much clout. I understand that's the boundaries with the areas outside the province. It doesn't seem to me that it has all that much place in there. You know, it disadvantaged Chinook. Even though Chinook is one of the hardest constituencies to represent, it still disadvantaged us quite a bit. We only had a 2 in that. Why do both population and family units get points in this type of thing, again disadvantaging Chinook?

The very question of Indian and Métis. Indian and Métis are generally governed by the federal government. If they are a problem for rural representation – of course, you know, Chinook got no points at all for Indian and Métis. Why didn't the Hutterite colonies also get included? These are nonincorporated communities that are part of the picture as well that MLAs have to represent. Also, I think that the Indian and Métis should have been included under the heading of the incorporated bodies like the towns and councils and that the Hutterites should be under the unincorporated.

The distance from the Legislature ranking in no way reflects the fact that there is no scheduled air service into Chinook, and I mentioned that in my first presentation. All of the other constituencies that are hard to govern have air service either into or right to their edge. In fact, the 279 kilometres listed will hardly get you into the constituency by road. To get to the centre of the constituency by road is probably 350 to 400 kilometres.

Now I'd like to discuss the court decision, a copy of which I got from the Progressive Conservative office in Edmonton. In the outline at the beginning of this decision they suggest that there is a reason to allow for effective representation in sparsely populated areas, but they place the onus on those who suggest that there should be a variation. The people of Chinook have been justifying and justifying over and over again the need for the said variation. Since 1990 we've been doing this. I showed you the copy of the *Hansard* from the original Bob Bogle committee when I was at my first hearing. The court when they made this decision: did they know of the justification put forward from Chinook? I'd like to know that.

Local people I have talked to tell me that they do not believe that this commission is interested in effective representation for sparsely populated areas like ours. Hundreds of rural people have made submissions. Still the message is not getting through that rural Albertans need more representation than cities. We want to have at least a little likelihood of having access to our MLAs. One lady, when I asked her if she would make a presentation, said: "Been there; done that. What is the use? They won't be listening. They've made up their minds." I ask you: "Have you made up your mind?" Now, I know you've made comments on that at the beginning, but it's really hard for people out there to believe that there's going to be a change. If you have, I'm sure the people here have something better to do, like going home and keeping our calves alive. It was very hard to believe that your group had an open mind after the first go-round with the majority of the submission, 101, calling for no change; effective representation, 98. Only 27 called for rep by pop. It would be interesting to know if the 40 submissions calling for reduction in the number of electoral divisions are urban or rural. If they were for the largest part urban, it would show that they don't

need as much representation as rural people. Can the panel answer that question?

1:50

Finally, I asked the panel: before they make the decision to either split up Chinook or make it into one huge, unmanageable constituency, would they each come out here and spend a few days walking in the same shoes as the rural people in this constituency; visit with some of the people in the south along the river, who have to drive, round trip, 150 kilometres to get parts for equipment, a hundred kilometres for groceries, or 50 kilometres for mail; see some of their children spend half their young lives on school buses, in the winter leave home before daylight and come home after dark; ride with the MLA for a weekend as she goes about the business of trying to represent her constituents. I mentioned that one to her this morning, and she said she'd be glad to take you out for a weekend to see what she has to go through.

I thank you for your attention. Try to answer some of these questions for us before we leave.

THE CHAIRMAN: Thank you, Mr. Buxton.

Well, we'll start with Wally Worth.

MR. WORTH: I'll try to answer one or two of the questions and make some observations at the same time. I think perhaps you're being a little unfair or unkind to us when you say we are not interested in effective representation. The fact that we have developed a matrix in which the majority of the factors relate to rural constituencies is an indication, in our view, that we are concerned about how we can accommodate those factors in trying to develop our boundaries.

The matrix that we developed, as you quite correctly point out, has some flaws in it, and we're in the process of trying to refine it. We're looking to submissions like yours and from other people to advise us as to where they think some of the weaknesses are, where they think some of the strengths are, how we can improve it. What we started out with basically in the matrix were the items that were mentioned in the legislation. That's why Indian and Métis settlements are there and not the Hutterite colonies, for example. We started to use that as a starting point, but we intend to move beyond that into something that we can justify even more strongly than those particular criteria. So I hope that provides some kind of answer to your question.

MR. BUXTON: What about the air service?

MR. WORTH: Now, with respect to the question of: can the panel answer the question about who made the submissions about fewer electoral divisions? We can get the information; we don't have it now. There's a reason we didn't pay a lot of attention to that. That was because it was outside our mandate. So we didn't think to do a rural/urban analysis of it, but certainly we will do that now that you've asked us the question. We thought that it being outside our mandate, perhaps we had other things that we'd better attend to than that.

Those are the questions I can answer. I think maybe our learned chairman may have to answer about what the court knows or doesn't know.

MR. GRBAVAC: Well, Roger, first of all, I want to say that we agree with you in terms of rural representation and the demands it places on the MLA. No question there. It's a harder constituency to

represent. Our matrix reflects that. Our report reflects that. I guess maybe where we disagree is in degree: how much harder is it to represent rural areas? Although, on the one hand, we've got to recognize that fact, on the other hand, we have a Charter of Rights or a Constitution in the country which has been interpreted by the courts, and certain parameters have been placed on the latitude that we can apply to the size of the constituency.

In terms of air service and arguments of that nature: those are fiscal; they're monetary. If your MLA and her colleagues were to decide that Dash 8 were to fly here three times a week, that's a monetary decision. I don't think your airport is sufficiently – it has the technology. I'm sure that the ceiling here is probably appropriate for flying that Dash 8 in and out of here on a fairly regular basis if in fact that was the chosen route to take, and maybe, for that matter, it could take a run down the east side of the province. These MLAs tell me that they each travel to Edmonton twice a week, about a hundred times a year, by car. Maybe that air service could be dealt with. That's a fiscal decision, and maybe those decisions could be left with the Legislature with respect to giving the MLAs in the outlying areas greater financial resources to deal with the obvious problems that they've got to deal with.

I think there's a difference there between what we're trying to deal with in terms of population and representation, the Charter, and the interpretation by the courts, and whether or not you qualify as a special area in terms of latitude from the electoral quotient, and factors which would make the MLA's life a lot easier. So I think we have to draw a distinction there.

We can't solve all the problems, but I want to assure you that we are attempting as best we can to recognize the complexity of representing rural Alberta. My personal opinion is that rural Alberta still has a very strong voice in the province of Alberta in the Legislature, in my view in excess of 60 percent. I honestly believe that the MLA in Lethbridge represents a rural viewpoint, and if they don't, they're not going to be the MLA for very long. The same, from what I understand, is true of Medicine Hat, Red Deer, and Grande Prairie.

So I guess where we disagree is in degree. I hope that the dialogue remains open and that you can recognize our perspective is maybe somewhat different, is forced to be different by the parameters in which we've had to work that have been outlined by the courts in their interpretation of the Charter and the right to vote.

That's a comment, I suppose, more than anything else, but I just wanted to respond to your suggestion that maybe we ignored some of your earlier comments in your presentation that we had in November. I assure you that we didn't, or we certainly tried not to.

MR. BUXTON: How do you feel about the need for keeping boundaries contiguous with county lines and then the special areas? I mean, that's probably one of the biggest problems we have with this presentation: the fact that you split the special areas three ways.

MR. GRBAVAC: Personally – and I don't want to get into an argumentative mode here – I find it hard to believe that an MLA who is charged with the responsibility of representing an area in which a special area is a component part would ignore that. In all honesty, I'm not so sure that two MLAs representing the special areas may not give you two voices as opposed to one. We heard this morning that that was not the case, that neither one would care because they weren't that large a component part of the constituency, but I think there's some room for debate on that.

MR. BUXTON: The vested interest of an MLA, though, would be probably with the component that was larger than with the rest of the constituency.

MR. GRBAVAC: Well, it depends. I find most MLAs are very, very receptive to getting re-elected.

MR. BUXTON: Well, I guess you've got to realize that we had a very bad experience with that back in the '50s, especially in our area.

MR. GRBAVAC: I would suggest that most of the people living in a special area – I would suspect that the voter turnout is very high relative to the rest of the constituency.

I'm agreeing with you, Roger. It's very difficult to represent this part of rural Alberta, and this is not an easy decision that we came to. However, we have to balance things in this province. There's no point in taking a report back to the Legislature that will simply put us back into court again.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions.

THE CHAIRMAN: John?

MR. McCARTHY: No questions.

THE CHAIRMAN: Well, Roger, you say: spend a few days in this constituency. I'm going to be spending Saturday here. I do spend a lot of days in what is this constituency if we don't change it, but it's in the county of Paintearth.

In respect to the matrix, when you say add the Hutterites, I think Wally answered this. We're aware of the fact that there are some defects in the matrix and that the matrix maybe should be changed and weighted. We had one person here today tell us that we should give more weight to the number of municipal governments and municipal people that each constituency has to deal with. We treated that as equal to a lot of other things. We had people yesterday tell us that population should make up one-third of the matrix. We're looking for comments about the matrix, and today you're suggesting maybe Hutterite colonies should be added to the matrix. That's one of the reasons we're traveling around Alberta, hoping that we can approve the matrix.

The purpose of the matrix is really for the benefit of rural constituencies, because we're trying to say that this is what effective representation is and therefore they're entitled to a variance. Well, the court cases state that voting parity is the first thing and you deviate from parity only for effective representation.

That's all I have to say.

2:00

MR. BUXTON: Thank you.

THE CHAIRMAN: The next presenter is Gordon Hittel, reeve of the MD of Acadia No. 34. Proceed.

MR. HITTEL: Mr. Chairman and commission members, our report here is short, so I want your permission to read it.

In response to the '95-96 proposed electoral division areas, boundaries, and names for Alberta report, the municipal district of Acadia No. 34 wishes to submit the following. We would request

that the status quo be maintained until after a new census is obtained. It is not practical, in our opinion, to do a boundary change without current population figures available. More consideration should be given to existing municipalities remaining in one electoral division. Several jurisdictions are split into different electoral divisions; example, the special areas. We also feel that the normal trading areas for the present constituency of Chinook are not considered in the proposed constituency of Bow Valley-Chinook.

The alienation of sparsely populated areas of Alberta will grow as the urban areas expand. We feel this would be much similar to the alienation now felt by Alberta in Canada.

We cannot understand or agree with the commission's allowance of minus 35 percent to minus 45 percent variance to some remote areas in northern Alberta while the variance in the existing constituency of Chinook is not acceptable. For some reason the permissible variance for Chinook has been pegged at minus 11 to minus 15 percent when Lesser Slave Lake and Athabasca-Wabasca are greater.

It is obvious to us that this commission's decisions regarding boundaries are based strictly on representation by population. It has never been demonstrated, to our knowledge, that this formula of representation is either equitable or effective to sparsely populated areas.

In conclusion, we feel that the status quo must be maintained. Thank you.

THE CHAIRMAN: John?

MR. McCARTHY: No questions, thank you.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions.

MR. WORTH: Just two questions of information. Where do people in Acadia Valley move to live when they retire? Do they stay there, or do they move?

MR. HITTEL: About 50-50. They stay there, some of them. Some of them move to Medicine Hat. A lot of them go to different areas.

MR. WORTH: Is Medicine Hat a far popular choice?

MR. HITTEL: I'd say yes.

MR. WORTH: Are you in the same hospital or health district as Medicine Hat?

MR. HITTEL: Medicine Hat.

MR. WORTH: That's what I thought. Well, thanks very much.

THE CHAIRMAN: In respect to your submission that we do nothing until another census is done, I want you to know that that wasn't the court instructions to us. You're not the first person that has suggested that; there was somebody this morning suggesting that. The court decision said something had to be done before the next census.

MR. HITTEL: In respect to that, though, I think our preference, the MD of Acadia's, would have been to expand to the west instead of

to the south because we have nothing in common with Brooks or Duchess or anywhere. In between that we have the British block where there's nobody. They even took the horses out; there's no horse sense left there at all. We'd much sooner go the other way, the Drumheller area. I think it would have been much more sensible to us, in our opinion.

THE CHAIRMAN: So you're telling us that you would sooner go to Medicine Hat?

MR. HITTEL: No. We'd sooner go west to Drumheller.

THE CHAIRMAN: West to Drumheller.

MR. HITTEL: And keeping the special areas intact.

THE CHAIRMAN: I see. Okay. Any further questions?
Well, thanks for coming, Gordon.

MR. HITTEL: Thank you.

THE CHAIRMAN: The next presenter I think has been changed to Terrence Schneider, the town of Coronation.

MR. SCHNEIDER: Thank you, gentlemen. I just brought in another letter that was probably given to you from the Coronation Chamber of Commerce as well as the town letter that you already have. I don't believe it's necessary to read them. You've probably touched base with them.

Just to reiterate some earlier comments about the special areas, keeping that area intact: the county of Paintearth has the same concerns, Coronation being involved with that. To say something maybe to Mr. Grbavac: having one MLA as the government and the other MLA potentially being in opposition, taxpayers within the same region may have a difficult time understanding why they're getting more favours than the other and represented by the same municipal authorities.

We would like, first and foremost in both letters, to maintain the present Chinook boundaries, but we have made some suggestions, and we would probably follow suit as with the last gentleman that maybe there needs to be some potential ideas about forming Chinook-Bow Valley to encompass the two boundaries that exist at this time and not what you have painted as a bigger picture, splitting us all up. We would like to see the county and the special areas stay together because we've had some really good working relationships, that the mayor's pointed out in his letter addressed to you, the same as the chamber.

I don't think there's any need to go any further than that. We're being suggestive as opposed to just totally opposite to your thoughts.

MR. WORTH: Something caught my eye in the submission from the Chamber of Commerce. May I ask you a question about that?

MR. SCHNEIDER: Sure. I may not be able to answer it, but . . .

MR. WORTH: Well, they indicate, as you've done, that the preference is for no change in the Chinook constituency, but then they suggest an alternative . . .

MR. SCHNEIDER: Yeah, that's right.

MR. WORTH: . . . that "the existing Chinook constituency in its entirety should be consolidated with Bow Valley to the south."

MR. SCHNEIDER: Same as with the town letter, yes.

MR. WORTH: Yeah. Now, have you considered that?

MR. SCHNEIDER: Considered some population factors there. We wouldn't have to worry about changing this for a long, long time, I think, because we'd have over 30,000 people. That's one of the main criteria, I guess, that you guys are reaching for, so that was one of the main thoughts in that. It's a big area to cover; we understand that. But it was the lesser of two evils, as opposed to splitting up the entire area and having to deal with three or four different MLAs.

MR. WORTH: This is an attempt to kind of forecast the future and take a jump into it then, is it?

MR. SCHNEIDER: Fair enough; yeah.

MR. WORTH: Okay. Thank you.

THE CHAIRMAN: Robert?

MR. GRBAVAC: No questions.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions.

THE CHAIRMAN: John?

MR. McCARTHY: No questions, thanks.

THE CHAIRMAN: No questions.

MR. SCHNEIDER: Okay, sir.

THE CHAIRMAN: Thanks for coming. You can take your sign, because we may be calling the next fellow by your name.

The next presenter is Norman Storch, Chinook PC Association.

MR. STORCH: Mr. Chairman, commissioners, thank you very much for allowing us time to present to you this afternoon. I think most of the material that is included in the brief you have in front of you has either been dealt with this morning, this afternoon, or will be dealt with later today. Some of the arguments seem to be coming around time and time again. I think that would indicate to you the depth at which those arguments are held in this area and the common purpose that is part of residing in a rural area. You become part of a larger unit very quickly, and I think that is part of what causes people the concern when they see that common area – the area of common thought, common purpose, common commerce – threatened with the possibility of some redesign as you're indicating here.

2:10

For the record, the association does not support the boundary redistribution as you have indicated in your report. The association supports strongly the concept of maintaining the integrity of municipal boundaries within the representation of an MLA. The issue of common trade areas is also one of the main reasons for the association and its members supporting the maintenance of the special areas as a unit.

Now, during the course of trying to develop some sort of position and discussing your report, it became fairly obvious to us quickly that if in fact we were going to have some sort of redistribution process, if in fact we were required as a province to add two more urban constituencies and reduce two rural constituencies, the options for the residents of the Chinook constituency are somewhat limited. If we were to subscribe to the principle that the municipal boundaries should be adhered to, then really there are only about four or five options that you can consider, if we were going to keep the special areas as a unit, and that would involve either going north to Wainwright, northwest to Stettler, southwest to Drumheller, or south to the Brooks area, as the last presenter had suggested.

If there is any value in trying to maintain the integrity of the special areas, as we believe there is, then perhaps a suggested process might have been to ask the affected areas, the special areas, to participate in a process of: if this has got to happen, which one of these options do you really prefer? Let that discussion take place in a positive way in a town hall process over the area that would allow the various options to be vented. I could certainly sympathize. I maybe wouldn't want to be part of the panel that had to deal with that, but hard issues are not ones that we should try to avoid.

So just to recap, we think that we should try to find a way to maintain the special areas as a unit, and we think there are some options that may allow that to happen. We're not sure that they perhaps have been investigated as thoroughly perhaps as they could have been.

The second issue that I want to deal with actually is dealt with on the last two pages of the brief that you were given, and it's the issue of fairness. If trend lines continue – and I would suspect they will; they are everywhere in the world – and urban populations are going to continue to increase, then how often will we meet like this? Will we meet this way between rural and urban Alberta and boundary commissions for the duration? Each time there is a boundary revision, will we see an increasing urban population and either a declining or even a stable rural population? We know that the large urban areas will continue to grow.

With all due respect to the comment about an MLA from Lethbridge having a rural perspective, largely I agree with that today. What about in five years, 10 years, 15 years? Lethbridge is going to grow, Red Deer is going to grow, and as those areas grow, they become more urban, less rural, and we will have to deal with that difference in perspective.

So what we would suggest as a constituency association is that as part of your report, we would ask you to include a recommendation to the Speaker that he initiate a process by which we could establish some guidelines or principles of effective representation. If we don't establish those guidelines and principles now, we'll just keep doing this. We'll have a commission that says: "We've got a Charter. We've got a larger urban population. We have to give them another seat. Where you do get it from? We have to take it from rural Alberta." We're right back to this same argument again.

Anytime you're trying to deal with an issue like this, one of fairness and equity, it's best to deal with it at a time when there's relative balance, and in my opinion there is relative balance in representation between rural and urban Alberta today. We would suggest that perhaps this process could take the form of some sort of constituent assembly whereby we could get the rural and urban perspectives together, make some recommendations to the Legislature, and ask those recommendations to be put in place as guidelines and principles to be used perhaps in further developing a matrix, perhaps in simply further making redistribution decisions in the future.

In the west, in Alberta, whenever federal issues are dealt with, we generally feel we are hard done by because of the weight of central Canada in the Parliament of Canada, and I think that's somewhat the feeling that rural Albertans are concerned about here. Are we simply moving that same imbalance, the imbalance that exists between central Canada and the rest of Canada, into rural and urban Alberta? Are we simply going to be weighted on the side of urban Alberta to the point where rural concerns have less than their fair hearing?

So I would be interested to know, Mr. Chairman, if it is within the purview of your commission as part of its report to ask for some sort of effective representation guideline process to be put into place.

THE CHAIRMAN: Fine.

MR. WORTH: I'm not going to answer your question right off the bat, but I'm very interested in your thoughtful presentation, particularly when you talk about this process for establishing guidelines or principles for or of effective representation. I wonder: just to give me an idea of what you have in mind as a guideline or a principle for effective representation, could you give me an illustration of one or two?

MR. STORCH: Well, I guess from our perspective, if you take the situation where we are now, where we have relative balance between rural and urban, and if you take the trend line of increasing urban population out far enough, if you go out far enough, essentially what you end up with is one rural constituency. You know, that may be ridiculous, but at some point the urban population will increase, and we may see population in Alberta from Calgary to Edmonton in more or less a continuous flow and perhaps one large constituency down the east side of the province. Is that fair? How would there be effective representation by an MLA if that extreme were to ever happen?

MR. WORTH: What's the guideline or the principle there?

MR. STORCH: I'm not sure, but what I do recognize is that if we don't have some principle in place, that eventuality may develop, and I would suggest to you that that eventuality would not be terribly workable, particularly when you spread population through that whole area. Maybe the principle is that a rural constituency will never be allowed to get bigger than so many square kilometres. You know, you asked me for a suggestion; that might be one of them.

If I may, the issue of population distribution is also an important one, whereby we do see small towns, hamlets, villages being threatened in terms of declining population. Yet, on the other hand, we have a government in place that says, you know, that really we should be able to do business from anywhere in Alberta. I think if

I were living in the city of Calgary, as Mr. McCarthy does, Youngstown might start to look pretty good: land prices, house prices, crime rates are considerably lower, you know the teacher, and so on.

At any rate, I think we're facing a situation where we will have a relatively static rural population but a considerably increasing urban population.

2:20

MR. WORTH: Would you see this process as being part of a larger process in which the people of the province debated a unicameral versus a bicameral type of legislative body or proportional representation. I mean, there are a number of interrelated issues here, and it seems to me we can't talk about one in isolation from the other. You know, I think that in a sense I support your idea of having some process put in place whereby the government can bring in legislation that does indeed change the whole political process in this province not only in terms of boundaries but in terms of how our representatives act, where they come from, and things of that sort.

MR. STORCH: Certainly. What those guidelines would develop into, what the process would flow towards would not be appropriate to presuppose. A Senate in the province? You know, maybe. Maybe that's what it takes to have effective representation, to have your MLAs elected by constituency and have a Senate too. Maybe we need that in Alberta. You know, there are always going to be the issues of cost of government and those kinds of things to be dealt with, but I think we really do have to take into account the issue of effective representation and what exactly that does mean to all Albertans, including urban Albertans. I think I as a farmer from this area recognize that my brother, who is a school teacher in High River, is not really keen on the relative power, the strength that rural voters have, and I see his point of view. I don't have much sympathy for him, but I do see his point of view.

MR. WORTH: Yeah. I suspect that the two of us might differ as to the timing of this kind of process. You probably will want it before we've made any recommendations regarding boundaries; we might prefer to have it occur as the next step, in the year 2001 or something.

MR. STORCH: Well, when you do have an opportunity to read my presentation – I apologize for not getting it to you beforehand – the workable alternative that I think is practical, with all due respect to the comments made earlier, is that if this process of effective representation guidelines was seen to be important enough, we could as a recommendation from this commission put forward your recommendations for information only, to be included in the boundary redistribution to take place after the next census. I think there are ways to make the process fit the goal, the intent, the strategy.

MR. WORTH: Okay. Thank you.

MR. GRBAVAC: Just a couple of comments. First of all, when I came here today, I was under the impression that the special areas would not take great exception to being represented by more than one MLA, and I want to tell you that your time is not wasted here and neither is Roger's and that I'm prepared to change my thinking on that. I honestly felt that if more than one MLA were to represent that area, it may give you two strong voices in the Legislature. Because of my 15 years in municipal government, I've found that the

representatives and the members of the special areas boards were very vocal in terms of their political activity and that the residents of special areas were very vocal and, for the most part, ensured that they received representation from their MLA, demanded representation. Obviously, I'm prepared to change my thinking on that. If you think it's important that all the special areas be represented by one MLA, I'm prepared to change my thinking on that. So I want to tell you: your time's not wasted there.

The other comment I wanted to make. I'm from rural Alberta, and we're trying to draw a compromise here. I said to one of the other presenters: we agree; it's just a matter of to what degree we agree. City MLAs come to me and say, "Well, you know, I talk to my rural colleagues, and all of their constituents speak English." That's a big advantage. I can knock on a door in downtown Calgary and if I don't speak Chinese or if I don't speak Spanish, I've got a problem. They've got a phone, but they won't answer it, and if they do answer it, they don't know how to use it. There may not be the same family there next week as there was this week; in all likelihood they're not. So there are some problems in urban centres. I'm suggesting that that may be an anomaly. I agree that that may not be the norm, but I'm saying that there are arguments on both sides, you know.

A self-proclaimed constitutional expert yesterday told us that we don't stand a chance before the Court of Appeal by only taking two ridings out of rural Alberta. By the variance of minus 14 percent in rural Alberta and plus 9 percent in the cities without exception – none of the cities are generally underpopulated – we're not going to pass muster with the courts. I mean, our job is not easy. Maybe you are an easier target out here because of your significant variance from the electoral quotient, and maybe that's why we're coming here to try and find a riding.

I would hope that we can keep the dialogue open, and I hope that we can find some way to resolve this problem. Again I want to tell you that I'm prepared to change my thinking with respect to special areas being represented by one MLA.

MR. STORCH: Can I respond?

THE CHAIRMAN: Go ahead.

MR. STORCH: Your comment about urban MLAs having a different set of difficulties is appropriate. I agree with that. One of the things that I believe – some sort of an orchestrated process that would deal with effective representation would also help to educate rural and urban. We tend to be growing apart. We're now a second and third generation away from the farm. Instead of perhaps taking one year or two years and then coming back to the farm, now our kids go to university, get a degree, and go work somewhere else. That is part of the way things are happening. So the understanding between the two groups is becoming less and less.

How can we find ways to facilitate that understanding? Some sort of a process to establish effective representation may be part of that, and I think that should also be an ongoing process subject to review and subject to ongoing discussion of new issues and criteria to be included.

MR. LEHANE: Norman, I appreciate very much the work that's gone into your submission today, because clearly it's been given a lot of thought. We appreciate very much, as well, the positive tone that it's been presented in, because this a very difficult task.

MR. STORCH: I appreciate that.

MR. LEHANE: Let me help put that in perspective a little bit by reading from the conclusion of the Court of Appeal in the most recent decision. They've said: "In the result, we again have decided to withhold any Charter condemnation." They haven't said that everything was okay. They said that they

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.

We see a very clear warning there in terms of what the courts are now prepared to do under the Charter of Rights, and we felt we had to deal with it.

One way that we've dealt with it is by attempting, we think probably for the first time by any commission, to create some quantitative way to measure the difficulty of being an effective representative. So we created a matrix. Our matrix is flawed; it's not perfect. It's far from perfect, but it's a diamond in the rough that needs a lot of cutting and polishing. What it is is an instrument to attempt to quantitatively measure the difficulties of being an effective representative, and the reason it's there is to attempt to bulletproof the reviews by the court in terms of justifying the variances in the population.

So we appreciate very much the comments that you have in your paper today about the matrix. The first suggestion, that we amend one of the elements of that matrix by measuring to the centre of a constituency in terms of distance from the Legislature, I think is one that we've already discussed and has a lot of merit. The other suggestions as well will certainly be reviewed by the commission.

To go on from that to your comments about creating a review of what effective representation means I think is just expanding on what we've started with the matrix, so I think there's a lot of merit in that suggestion as well.

Thank you for all of that positive input to our hearings.

MR. McCARTHY: I just want to comment. I think Bert and I discussed this at this morning's session. In our hearings in Red Deer I think the leader of the Social Credit Party suggested, if I can recall what he suggested, not a provincial Senate but the same Legislative Assembly except that something in the neighbourhood of 20 or 25 seats would be allocated based on regional representation as opposed to representation by population so that, you know, if you had 25 seats that were dedicated that way, you'd have five regional seats each in the north, central, south, Edmonton, and Calgary. That would be one way of solving that dilemma you described in terms of one big rural constituency. So it's an issue that's beginning to be debated and it's an issue that I think should be debated in the Legislature, and maybe some creative solutions can come forward. We don't have the mandate to do it, as you know, but sometime in the future I think it's going to have to be adjusted.

Now, we still have the problem that Joe has alluded to; that is, trying to make sure we are able to get that kind of a solution through the court system, approved by the courts. I think it's well worth pursuing in the future.

2:30

MR. STORCH: May I? I agree completely. A couple of points

here. I'm certainly not a jurist, but it would seem to me that if the Court of Appeal sees a jurisdiction attempting to move in a particular direction of fairness and equity, recognizing current issues, recognizing the issues of representation by population, and so on, they would be far more inclined to be forgiving, if you will, than if a recommendation or a report comes back and simply says: we're not going to change anything, just leave it as it is. I think it's critical that we begin a process to move us in some direction, not to abandon but to amend the process of representation by population, because it just isn't going to work for the whole province forever.

The other issue we have to remember is that rural issues really are urban issues and urban issues really are rural issues today. The rural issues are issues of the environment and access to public lands and Special Places 2000 and municipal waste and all of those kinds of things, and much of the impact as a result of the way rural Alberta deals with its issues will be felt in the city. So we have to find ways to continue that balance of dealing with issues while still under the umbrella of representation by population, and I don't see that possible under the current structure and the current direction we're moving in with the Charter recommendations as they are made there.

THE CHAIRMAN: Norman, in respect to a process which you mentioned when you made your presentation, I want you to know that the present legislation in Alberta calls for an Electoral Boundaries Commission after every decennial census. That's every 10 years. If that's the kind of process you're looking for, that's in place, unless you want it more often than that.

In respect to your suggesting a town hall type of meeting to try and determine these things, I want to say that you've got your town hall meeting today. We only have one year's time to do this job, and it's not an easy job, because you're getting everybody's kinds of views. I want to say that we're getting a good representation of views across Alberta. The problem is not with the views. The problem is with the law and the Charter in respect to how you divide Alberta into 83 constituencies.

Then you say: can we maybe recommend a process for effective representation? That's not within our mandate. I suppose we could make a statement in respect to this, but I want you to know that along these lines, to solve this problem the province of Ontario is in the process of passing legislation stating that for every federal riding you get two provincial ridings. They're going to eliminate the process which we have and they have. They're just abdicating the process to the federal people.

I just wanted to make those comments.

MR. STORCH: Could I ask you: would you as chairman commit to looking at the possibility of adding a recommendation to your report? I'm certainly not asking you for a commitment that you would do it but at least consider at some future date that you would add that to your report to help initiate the process.

THE CHAIRMAN: I can tell you that you'll get no commitment from me because I haven't spoken to these people. They may tell me to go to hell in respect to that kind of a commitment.

It's the same problem that we're having in respect to the number of constituencies. We have had a lot of people talk to us about the number of constituencies and that it should be reduced. We could cut all of those people off and say, "Sorry; our mandate is that we've got to divide Alberta into 83 constituencies." We are letting those people speak and talk to us and tell us why and the number of

constituencies. We have mentioned that in the report, but we haven't taken a position, and I don't think we will take a position. That's the job of the politicians, not our job. What you're asking for may also be the job of the politicians and not our job. You've made a good try to try and get us . . .

MR. STORCH: A very political answer. Thank you.

MR. GRBAVAC: Norm, before you leave, I've got one other question. We have been told repeatedly in our hearings in rural Alberta, not so much in urban Alberta but certainly in rural Alberta, that people want to do business face to face with their MLA, and I'd like you to expand on that maybe a little bit. I mean, you know, I buy calves out of your country. We do business up here. I never meet you. I never see you, yet I'm doing business back and forth all the time. It's all done over the telephone. Yet when it comes to discussing a business matter or an issue with an MLA, people are telling us time and time again that the telephone's not good enough. They want to meet with them face to face. It seems to be a phenomenon that exists more in rural Alberta. Can you give us a reason why that is?

That's one of the bases for disagreement, I suppose, because the city people say, "Well, those folks have a telephone, just like I do. Their MLA is as far as their phone, just like my MLA is no further than my phone." You know, we're looking for reasons why we have to create variances and justify them not only before the courts but in terms of our court of public opinion, in terms of what is fair. We keep hearing this time and time again: "We want to talk to our MLA face to face." I'd like you to give me your reasons why that's such a critically important thing.

MR. STORCH: Well, I wouldn't suppose to speak for all rural Albertans, but certainly from my perspective some insight would be perhaps that when an urban apartment dweller has a problem with the lock on his door, he phones his landlord. When a rural farmer has a problem with a fence, he goes over and talks to his neighbour. It's a different approach. It's a different, more personal process. I think that when most people deal with their MLA, they're dealing with him on an issue that is of some difficulty to that constituent. Generally speaking, in rural Alberta when you've got a problem, you go deal with somebody face to face. It's tradition. It's the way things get done. In the city you don't necessarily know your next-door neighbour. Out here you pretty much know everybody in your own community.

To specifically answer your question, I would say that it's a situation of tradition, and it's the way we do business out here. We do business, generally speaking, when you have difficulty, face to face, not over the phone. We don't only dial the fire department; we go and help fight the fire, if that analogy makes any difference. We don't just report the fire and forget about it; we go and help with that issue.

2:40

MR. GRBAVAC: Yeah. This may seem a bit trivial, but we're told time and time again that they can use their telephone. If you're telling me that that's a sociological issue, that that's just the way rural people do business, then that equates to someone in downtown Calgary not being able to speak English. I mean, there is an equation. You know, you can draw an analogy and say that rural Albertans require a level of representation in a different form than maybe people who make their living in the city on the end of a

telephone and don't see their MLA as any different than a supplier or a wholesaler or a customer, whatever.

MR. STORCH: We might also suggest that that's one of the expectations of effective representation. In terms of effective representation, we want to look them in the whites of the eyes, we want to get a response, and we'll be back next week to find out what you did about it. Maybe that's the effective way to deal with problems and issues.

THE CHAIRMAN: I'd like to look at politicians so I can see the whites of their eyes.

MR. STORCH: Thank you very much for your time.

THE CHAIRMAN: The next presenter is Bill Doyle from the Drumheller Progressive Conservative Association.

MR. DOYLE: Thank you, Mr. Chairman. I brought some copies with me, but unfortunately I only just brought them. Perhaps to your advantage you won't have had time to look at them.

THE CHAIRMAN: The hearing of these members is better than their eyes.

MR. DOYLE: Good.

The association wishes to register our concern with respect to the preliminary report, particularly with the proposed realignment of Drumheller and the constituency of Chinook, the removal of it in fact, and I just want to speak briefly to four issues. The first, Mr. Chairman: effective representation versus equality or parity of voters. I think we understand the foundation of the democratic principle of representation by population, and we have gone a great deal further, I think, toward that than perhaps was even necessary. That may be a bit of a radical view, but it's my opinion and the opinion of the constituency – you know, we're not dealing with the old rotten boroughs of 18th century England – when by your own calculations as a committee I think you calculated that the per capita or per legislative constituency population is 30,780. With respect to many countries in the world, that's quite a low ratio of representation. That doesn't mean that we ignore the fact that wide variances from that do exist in the province nor that it is an ideal. As Madam Justice McLachlin said, and is quoted in your report, while perfect parity is impossible to attain, it's certainly desirable, and we appreciate that.

We don't wish to shoot the messenger. The province ordered this commission, and the province gave you some parameters, one of which was to maintain 83 electoral divisions in the province and to review the situation that existed. I was interested in hearing Mr. Lehan's comments with respect to – and I suppose this is where the Drumheller constituency gets itself into hot water, Mr. Chairman. The view of the court decision we feel was very clear. What was editorial comment we generally feel was that, and we know we can't take it lightly, but we don't feel that the province was ordered to make changes prior to the next election. They certainly were strongly urged to, and the province did decide to do that. You were left with the task, I guess a Solomon-like task, of trying to maintain 83 seats and bringing some changes, as you saw fit, with respect to the problem of equity within the divisions.

It's interesting just to read what Madam Justice McLachlin said.

After she said that perfect parity was impossible, she went on to state, secondly, that

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

“The primary goal of effective representation”: I think that's the argument I would like to stress here today.

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.

I think that just can't be read too much, Mr. Chairman.

Given the unicameral system that we have in Alberta and the representation in the Legislature, we feel it must reflect effectively all regions in the province and must take into account community interests, social context, and economic history. These are qualitative factors which have a profound influence on the effectiveness of representation of a people. I think, if I may just digress from the written, that if we get into that kind of bean-counting mode where we're really overconcerned about the equity of voter power, then we get into a situation where we lose sight of those qualities which make for effective representation.

I want to speak briefly, too, about the demise of the electoral division of Chinook. Mr. Chairman, we have little argument with respect to the information and the matrix that was given. The quantitative factors that went into that were measurable, and certainly it moves forward in terms of the history of boundary review in Alberta. It moves forward in a positive direction a considerable distance the idea of trying to quantify and bring some logic to this vexing problem, but because only half the problem, as we see it, is quantitative, only half the problem can be solved that way. What concerns us is the apparent disregard of the unique social and economic history of this region.

The special areas are indeed special. They were born out of the dust and desperation of the '30s, as you probably have heard or if you didn't already know. The fact, I guess, that there are 15,800 people still living in the area, by your quote of the count of the censuses, is kind of testimony – well, they live here; they pay their taxes; they contribute economically and culturally to the region and complain little, by and large – to the grit that they have, and they got that grit the hard way, Mr. Chairman. I think you had to live here to really experience it, and I did.

I grew up on a little farm, if I may digress, just 10 miles northwest of town here at the edge of Dowling Lake, which is really a misnomer. It's a gigantic alkaline slough. I'm a Depression baby in every sense of the word. My first recollections, at about the age of four, are the winds blowing across that lake and bringing this alkali into the house and the yard, this white, salty, powdery dust, and my mother having to lay, I think, sheets of cloth over the dishes so that it didn't settle on them before we could have supper.

I was a Depression baby, and I had only one brother, Mr. Chairman. He was four years older than I was, and it was the era of hand-me-downs. Can you imagine a five-year-old guy getting a nine-year-old guy's coat? There were whole winters I never saw my hands. It'd be perfect stuff for today's teenagers. They seem to like to go around not seeing their hands. How strange it is. I would have given my eyeteeth for a new jacket that fit, and kids today, as a result of whatever socioeconomic factors exist, buy their clothes three sizes big. That's off the topic, I realize.

2:50

People of the special areas have gone through a unique experience. It's not one that some of the younger ones perhaps remember. Some of the voters that are here today are probably 18 or 20 years old, but they have it in their skin, Mr. Chairman. They have it in their skin because their parents told them about it and their parents told them about it, and I don't know how long that'll go on. I hope it goes on a long time, because it's worth remembering.

The people that remained in this area and took over that tax-recovery land and made a life for their families and contributed economically to this area are a special breed, and it's indeed unfortunate in the view of the Drumheller constituency and in my own view that this happened to be the constituency in the area that was picked to be split up. It's bad enough that they might lose their MLA in the sense that they lose the constituency, but I think it's far worse to put one special area in one constituency and another in another and another in another.

The best example – and I think I put it in my report. It kind of reminds me of the historical diaspora perpetrated, Mr. Chairman, on the ancient Palestinian Jews by the Babylonians. They conquered that country, and they couldn't deal with those Palestinians. This was a tightly knit outfit that had come through a lot of hardships, who had a special relationship with their God, who had some really strong basic values, and the Babylonians couldn't do anything with them. So they said: “We know what we'll do with them. We'll split them up, and we'll put some over here and some over here and some over there.” Now, I know that certainly is not your intention or your motivation, but the net result in our view is about the same.

The Drumheller division doesn't have a lot to say for itself, Mr. Chairman. We, I think, accommodated very nicely the 1992 revision, which was only four years ago. We're still accommodating in some respects. Some people don't remember what constituency they're in, and we'll probably accommodate again, although sadly and reluctantly, sadly because we're losing about 4,900 people on the southwest side of our constituency, some of whom we haven't had for very long, and we're gaining 4,900 roughly from special area 2, whom of course we would welcome and serve to the best of our ability no matter which party represents them, but we would have much rather seen that they had their own self-determination, as they have had. We don't think it was too much to ask.

The changes that were made to Drumheller we think, with all due respect, could have waited until after the decennial census of 2001. When we say 2001, doesn't it sound like a long time ahead out there? But really it's only four years. We've gone through more boundary commissions and reviews in the past decade, including yours, than I think in the history of the province.

THE CHAIRMAN: And if we don't do a good job, you may have more.

MR. DOYLE: We may have more.

Mr. Chairman, I'm taking up too much time here. I wanted to talk a bit about the consideration of public input. When you sent out the flyers to the households at the beginning of this long and arduous process, you asked for public input. You invited public input. We understood then that you kind of had an undertaking to review and listen to – I think that was your own terminology: would listen to the people. We don't have any evidence that you haven't carried that out, Mr. Chairman, but I only remind you that you heard by your own count 250 written submissions and over 200 presentations. These were given to you, and these figures were published in your

press release. I guess it was a press release dated 12th of March '96 in which you announced this series of hearings.

We are well aware, Mr. Chairman, as you quoted in your interim report, that the process of public hearings and submissions is not a referendum process. It would have been unconscionable for you to spend the time and money you have if you were only going to count up the number of people who wanted the status quo and say: "There, we've done our job. We'll report that to the Speaker." You have to do your work, and you have done your work.

Our understanding of the function of public input is to uncover issues, among other things, to provoke thought, to point out new directions, and sometimes to suggest solutions, but most importantly I think it is to remind us that wisdom is not the prerogative of the few, that the people who sit at these tables around the province have a great deal to say and once in a while have a kernel of brilliant truth. I think it behooves us all to pay attention to that kind of public input.

Mr. Chairman, we strongly urge you to reconsider the recommendation regarding the distribution as you have outlined it at this time, particularly with respect to Chinook. I suppose, as I sit here on behalf of the Drumheller constituency urging that with such fervour, that the people from Chinook might say, "My heaven, they don't want us." Well, that's not the truth at all. If it happens to be that in your wisdom you decide to maintain that recommendation, or one similar to it, and that the province in its wisdom decides to accept your report, then obviously the Drumheller constituency will become changed and altered and will continue, I hope no matter which party is elected, to serve the people of that constituency well and honourably.

On behalf of the association, Mr. Chairman, I want to thank you for giving me this opportunity to provide you with our thoughts, to wish you well, and to thank you and commend you for your dedication.

Thank you.

THE CHAIRMAN: John.

MR. MCCARTHY: Yes. Thanks for your remarks. Just to review the process with you. I mean, you've gone through it, and you're quite correct. First of all, this commission is a creation of the Legislature of Alberta. There were none of us, I can assure you, that as small children wanted to be on the boundaries commission. I can tell you that right now. It's been more like going to the dentist every day for the last six or eight months. In any event, once we've finished this task, I don't think any of us will ever do it again.

Certainly what we do is make recommendations to the Legislature. The Legislature has, I guess, three choices. It can either accept our recommendations, reject them, or amend them, accept them in part, I guess. Then I guess the next process after that would be the courts. Based on recent past history, I think you can anticipate that no matter what the Legislature does, this will end up in the courts. So certainly there's an opportunity for input at this level, and there will be an opportunity for public input through your member of the House and, if anyone so desires, probably at the courthouse as well. That's the way the process works, and I know you understand it, but it's far from being over at this stage.

What we're trying to avoid is having the court overturn an election based on the fact that they don't think certain segments of the population have equal voting power or relative parity of voting power.

MR. LEHANE: Well, Bill, I appreciated very much your anecdotal history lesson about the special areas, and before you go, I think I should respond by saying that if you're a child, definitely a child of the Depression, that would make me a grandchild. I guess I'm in the middle generation between yours that had the sleeves hanging over their hands and the third generation today that are repeating history with the sleeves over their hands, because ours ended at the wrist.

In the early 1900s my grandfather, who also had an Irish surname, came by rail to Stettler and by wagon from there to an area that some of you here might know as the Neutral Hills. He took out homestead grants in that area for himself and for his brothers. They homesteaded that land. He had the machinery dealership and the lumber yard in a place that used to be known as Bulwark, that I believe is hard to find these days. He was a victim of what you've described as the dust and desperation of the '30s. He had extended credit to his neighbours and his friends through the '30s in his lumber yard and machinery dealership and lost it all to taxes and the banks.

So your history lesson, I want to assure you, is one that we appreciate. We appreciate the grit of the people who have lived through those times and continue to look after a very, very difficult land out here, and we appreciate the contribution of those pioneers and their descendants. We're faced with a very difficult task, but in our deliberations I assure you that we won't overlook those considerations.

3:00

MR. GRBAVAC: Bill, the courts have basically mandated us to give reasons. Even the status quo was within our mandate to justify given the reasons. Obviously, the commission didn't feel that we had reasons in this riding nor did we have sufficient reason in the Cardston-Chief Mountain riding to give consideration to those two areas as special consideration constituencies.

We've given special consideration status to two ridings: one, Athabasca-Wabasca; the other one, Lesser Slave Lake. I have no problem with a reason for that. It's two words: vast geography. As big as your riding is, it fits in one small corner of either of those two ridings. So I can in all good conscience lay a report in front of the courts that says that those two ridings deserve special consideration because of vast geography. If we're going to dispense with our matrix with respect to consideration of Chinook riding, could you give me two words that I could put before the courts to give justification for dispensing with our reasons?

MR. DOYLE: Mr. Chairman, Robert, I don't think I can give it to you in two. I was trying to think of two, but an Irishman has a real tough time with that.

MR. GRBAVAC: Yeah, I know. I'm traveling with two of them.

MR. DOYLE: I suppose, in my getting carried away with personal anecdotes, I perhaps didn't emphasize the unique history. I mentioned social and economic. I didn't emphasize the political.

The special areas doesn't enjoy – some of the towns and villages of course do – full self-government, as you may know, Robert, compared to what is normally known in the province. Among the leading reasons that I suspect they're willing to put up with that state of affairs and maintain the status quo would be that they have always had effective representation as a common entity in the Legislature. I guess that would be my only really short answer, Robert, that here you are taking away from a people who don't enjoy the right to go out and vote for their councillor or their alderman or their reeve in

the ordinary sense and never have had the elected advisory board. Advisory to whom? Advisory to the chairman, who is appointed by the Department of Municipal Affairs to run their affairs. It just seems like – well, there's an ad out now, Robert, with the Pontiac driving under the wire and the pigeons on it. Have you seen that television ad?

MR. GRBAVAC: So you're saying: in the absence of a duly elected municipal government.

MR. DOYLE: Yes.

MR. GRBAVAC: Okay. Fair enough. That's what I'm asking for.

THE CHAIRMAN: Wally?

MR. WORTH: No questions.

THE CHAIRMAN: I want to thank you for coming, Bill, and even though the hard times of the Depression may not be very relevant to our work today, I appreciate what happened in those years, because Wally and I, I think, are the only fellows that were around in the Depression.

MR. DOYLE: That's right. We have to stick together, Mr. Chairman.

THE CHAIRMAN: That's right. These other fellows are very ignorant of what happened in the Depression, and I'm glad that you sort of told us these stories for their edification.

Thank you.

MR. DOYLE: Thank you, Mr. Chairman. I only told them to make more real what I feel is the central issue here within the special areas. As I said in my report, they are indeed special for all those reasons.

Thank you.

MR. GRBAVAC: Bill, I've got a feedlot full of feeder cattle. I wish I had a coat that was too long instead.

THE CHAIRMAN: The next presenters are Ann Berg and Diana Walker, the town of Oyen Chamber of Commerce.

MRS. WALKER: Commission members, the organization that I represent, the Oyen & District Chamber of Commerce, has 52 members, including businesspeople, professional people, farmers, both retired and active, and people interested in the development and stability of our community. It has functioned well for 40 years. The purpose of the chamber of commerce is to promote the welfare of the community.

A constituency with common interests and problems and an MLA who is familiar with these is an important factor in the welfare of a community. The proposed constituency includes a city situated in the extreme southern end, not linked by bus service, that serves a different type of agriculture than is in the special areas.

The infrastructure of our present constituency has been developed over a period of years to meet our common needs. The Hanna and District Recycling Society recently expanded to include all of the special areas. The Big Country Regional Recycling Society, the new

name, has regular shipments of newsprint, mixed paper, and cardboard taken from Oyen to Hanna to be recycled. Big Country Waste Management retrieves garbage from the whole special areas and hauls it to the Youngstown landfill.

A member of our chamber of commerce sits on the executive of the Big Country Tourist Association. Provincial court is held in Hanna. Our bus line runs east and west. Our RCMP service is called the Hanna-Oyen detachment. The treatment plant for our water in Oyen is here in Hanna. Highway 9, which stretches from the Saskatchewan border to Calgary, is our major transportation route, linking up with Highway 41 to serve the northern part of our present constituency.

The small urban centres in the special areas are all trying to develop services that will retain citizens in their retirement years and attract new businesses. Our present constituency has common interests and common problems. We have been fortunate in the past in having MLAs who were very familiar with the area, making it possible for effective representation. We feel it would be much more difficult to have this if the special areas was divided.

Thank you.

THE CHAIRMAN: Fine.

We'll start the questioning with John McCarthy.

MR. McCARTHY: No questions. Thank you.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions. Thanks.

THE CHAIRMAN: Robert?

MR. GRBAVAC: No questions.

MR. WORTH: Diane, just an observation. Obviously you're making the case that all of your links are east and west, not north and south.

MRS. WALKER: True.

MR. WORTH: I just wanted to correct something in your document here. You said that the chamber of commerce had functioned well for 40 years. It's 43, because I was a member of it 43 years ago.

MRS. WALKER: I stand corrected. Thank you. Glad to know that we're older than we think we are.

MR. WORTH: What hospital division does Oyen work in? Is it with Medicine Hat?

MRS. WALKER: Palliser.

MR. WORTH: Okay. I notice you've mentioned in your submission that you're trying to develop senior citizens' accommodations that will encourage people to retire in your area.

MRS. WALKER: Yes.

MR. WORTH: At the present time do most of them move out, and if so, to where?

MRS. WALKER: If they're moving anywhere, at this point they might go to Medicine Hat because of the other links that are happening. But we have a tremendous golf course that is coming.

In my particular instance, if we're going to talk about baby boomers and people who came through the '30s, I'm the middle generation of a three generation farm family. My father, my husband, myself, and our son all farm together. So we're not going anywhere, and I have more kids coming up that will almost be like a fourth generation. I hope we can continue to keep these people in our community. I don't see that the population is going to go down. Farms are as large as what they can possibly be, I think, and it's a lifestyle we don't want to lose, not that that is an issue here, on that particular thing.

The chamber of commerce does feel strongly that we do have more of a link going east and west than south. For someone in Oyen to go – if there was a constituency office in Brooks, there is no service between Oyen and Brooks if you go what we term the back way. There's no fuel. Jenner; sorry. In Jenner you could get fuel and food. You would probably have to go by way of Medicine Hat, but there is no bus link for many, many people who do not drive on their own.

3:10

MR. GRBAVAC: Diana, for what it's worth, in our experience and certainly the experience in the northern United States, there do not have to be farmers on the land to farm it, and I just want to forewarn you.

MRS. WALKER: Do they do that by Internet or what?

MR. GRBAVAC: No, no. Well, I'll give you an example. You know, a farm just to the south of me is 225,000 acres. No one lives on it. It's farmed with a fleet of four-wheel drives and a helicopter. I mean, that's what's coming from the south. Now, maybe this area is unique; it will require more population. I can assure you that this spring there were 12 auction sales in my immediate area, and there was not one new person come onto the land. Twelve families left; no one came back. So I'm just suggesting to you that the population may not diminish in the overall constituency because Mom and Dad will move to town, but the way that agriculture will be carried out in the future I can assure you is not going to be the way it is now, if our experience is any indication.

MRS. WALKER: We must be a special area because there are kids who have left home and are returning, those from university. We do have new families moving back.

MR. GRBAVAC: Well, I wish you luck.

MRS. WALKER: We'll take them.

MR. GRBAVAC: That's not been our experience.

MRS. WALKER: Thank you.

THE CHAIRMAN: I want to thank you for coming.

I'm a little confused. I was given the names Ann Berg and Diana Walker as a joint presentation, but I gather that it's a separate presentation.

MRS. BERG: You wouldn't want to hear both of us at the same time.

We talk too fast.

Good afternoon. I'm representing the town of Oyen, and I'd just like to present a submission on behalf of the town, the citizens of the community and surrounding area, the residents who are business people, retail personnel, professionals, farmers, ranchers, and our retired residents. We have quite a high population of retired residents. Our concerns are rural area representation and the possible changes in the variables of the matrix considering distance and area.

I know you already said that the Athabasca area is a much larger area than ours, but in consideration of the special areas, splitting the special areas, we have a concern about that.

We feel that a rural MLA has many hours of nonproductive traveling time which limits effectively representing any larger constituency, whereas an urban MLA is able to reach their voters easily due to closer proximity of the voters and is able to achieve this in less time.

Distance to the Legislature Building by car from a rural area in comparison to the distance for the urban MLA should have been considered. Also, most urban centres have access to air transportation which our rural constituents do not have, as well as a regular – well, we have Greyhound service, but it's not effective at certain times. Our routes have changed, and we've had some concern over that. With the high seniors population, it is very difficult for those people to access transportation to the larger areas, specifically to Brooks, because of road conditions in the winter particularly.

Our flow is an east-west link, as Diana mentioned. The town wishes to highlight the following services which follow an east-west connection. Our special areas: we have joint agreements with the special areas, and our working relationships and results on many projects have been very positive. Working with three MLAs could be possibly redundant, and communication between committees and representatives of the various MLAs would possibly be more complicated and time consuming.

Our Henry Kroeger water commission based out of Hanna is one joint commission, as well as the Hanna-Oyen RCMP detachment. Our waste management, which also includes all of the special areas, and, as Diana mentioned, our recycling project. Also, our court services are Hanna-Oyen. Transportation: the Greyhound bus lines, Ferguson Bus Lines, and also the east-west route supplying transportation for citizens in the community, with no transportation available to the south.

Other services and commissions with an east-west link are Palliser municipal planning services; mutual aid agreement; Acadia Foundation – Oyen, Hanna, Consort, Coronation, and Veteran; an ambulance agreement with Hanna, Oyen, and special areas; MD of Acadia and MD of Cereal; and Dryland regional communications systems.

Service clubs and organizations in our community also have an east-west link for meetings and recreation connections. Access to tourism is from the east-west, as well as being a member of the Big Country Tourist Association in Drumheller. Other considerations are the common trading patterns with the west due to road conditions, common interests, similar agricultural needs, the fact that Chinook constituency has approximately 29 hamlets and a large rural population with good working relationships for common services, common farming practices, common trading trends, many common municipal programs, joint agreements, similar infrastructure needs, a common organization and recreation committee, which have proven to work effectively and efficiently.

We respectfully request your consideration to leave the electoral

boundaries as they are. Our fears are in the declining rural voice, and please consider that wealth is sustained by primary resources working effectively and efficiently in a rural area. This can only be maintained by fair representation.

Thank you.

THE CHAIRMAN: Thank you.
John?

MR. McCARTHY: No questions. Thank you.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions. Thanks.

THE CHAIRMAN: Robert?

MR. GRBAVAC: No.

THE CHAIRMAN: Wally?

MR. WORTH: No questions.

THE CHAIRMAN: I notice that I missed Barry Davies, who was supposed to speak before these last two ladies spoke. We're going to have a five-minute break, and when we come back, we'll start with Barry Davies from the special areas.

[The committee adjourned from 3:17 p.m. to 3:25 p.m.]

THE CHAIRMAN: We would like to reconvene the hearing.
We'd like to now call Barry Davies to make his presentation.

MR. DAVIES: Good afternoon, gentlemen. Can you hear me all right?

THE CHAIRMAN: Yes.

MR. DAVIES: I'm a director of finance administration with the Special Areas Board, and I offer the apologies of Mr. Slemp, who was supposed to have made the presentation. He had to attend a family funeral today and was unable to be here. I would like to read the presentation that the Special Areas Board has offered to the commission.

We want you to know that the people and the municipalities of this area feel a bit like bowling pins. We are standing together, as we always have, but you have the ball. Our objective today is to convince you to move to another lane or even to take up another sport.

Some of you may recognize some of Mr. Slemp's humour in this.

We are not sure why the government is even looking at the boundaries now, in light of the federal census being taken in 1996. Wouldn't it make more sense to make changes with more current information?

The feedback we have received from the ratepayers in the special areas is that they do not like the boundaries as you have proposed. The following reasons in our opinion are the basis for their concerns and ours.

Number one. The proposed change splits our constituency and adds us on to the end of four neighbouring constituencies. Accord-

ing to your matrix, these constituencies are already among the most difficult to represent in the province. The MLAs from these constituencies are already working hard. Adding area to them is only going to make their job more difficult. By comparison, your proposed changes add constituencies to the areas that your matrix indicates to be the easiest to represent.

Number two. Our neighbouring constituencies are great people; however, experience tells us that politically it's always difficult to get a voice in an established group when you are the new kid on the block, particularly when your presence represents some additional sharing of limited resources, such as government funding. We would now have that problem in not just one area but four. We are left feeling that we are on the end of these constituencies with low populations and consequently low voting power. Our prospects for fair representation are not looking good in our opinion.

Number three. The Chinook constituency makes sense to the people of this area in terms of where our local boundary should be. It encompasses most of the special areas, the county of Paintearth, and the MD of Acadia. These are reasonable boundaries given the area, its history, and the existing regional partnerships. The municipalities in this area by necessity have banded together to provide services to this area. We are long past competing for where developments will occur. We are to the stage of doing things together or they are not viable at all. Many of these ventures require a partnership with the provincial government. We held a meeting of all the municipalities in the area, and we unanimously agree that the proposed change of boundaries splits the area in four directions, making our job that much more difficult. We would have to deal with several MLAs to get done what one MLA can effectively do now.

Number four. In our opinion, we do not think the matrix adequately reflects the need for retaining the Chinook constituency as a special consideration. Of particular concern are the ratings for area, population, and distance from the Legislature. In support of that, we reference the ratings for area and population on page 38 of the report to the Speaker of the Legislative Assembly. The matrix tells us, for example, that in electoral division 67, Ponoka-Rimbey, an area of 5,449 square kilometres and a population of 27,810 people is more difficult to represent than, for example, electoral division 03, Chinook, which has an area of 23,640 square kilometres and a population of 15,815. In the first instance, the 5,449 square kilometres is equivalent to an area roughly 75 kilometres squared, about 36 kilometres from centre to edge. The latter 23,640 square kilometres is roughly 154 kilometres squared, or 76 kilometres from centre to edge: over double the distance, yet the matrix indicates that the smaller one is harder to represent. This makes no sense to us whatsoever.

On the point of distance from the Legislature, no consideration is given to two factors that make rural constituencies like ours difficult to represent. Time is a critical factor when considering an MLA's ability to represent an area. We have no access to air services. Our MLA must drive three hours plus to and from Edmonton to our constituency. An MLA from Calgary, Medicine Hat, or Lethbridge has the option of flying, yet the matrix indicates that these areas are rated as being more difficult to represent due to their distance from the Legislature. This also makes no sense to us. In terms of getting to a meeting and returning, the distance factor is doubled, compounding the effect, which is not reflected in the matrix. We assume that the measurement was taken from the constituency office. Perhaps it should be taken from the farthest point from Edmonton.

In summary, we are of the opinion that the current boundaries make sense, and changing them as proposed would make the job of the neighbouring MLAs even more onerous than it already is. We are not sure why the government is even looking at boundaries now in light of a federal census being taken in 1996. The matrix does not adequately take into consideration the difficulty of representing large, sparsely populated areas. We strongly recommend that the boundaries remain unchanged.

THE CHAIRMAN: Thank you, Barry. We'll start the questioning with John.

MR. McCARTHY: No questions, thank you.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions, thanks.

THE CHAIRMAN: Robert?

MR. GRBAVAC: No questions.

THE CHAIRMAN: Wally?

MR. WORTH: Well, just an observation. I was listening to what you were saying about the matrix and the figures you quoted. They don't square with my reading of the matrix. I don't want to take up the time here to sort of argue about whose figures are right, but I would like to talk with you about it before you leave today, just so we can make sure we're talking about the same thing.

MR. DAVIES: Sure. Thank you.

THE CHAIRMAN: Fine. Thanks for coming.

MR. DAVIES: You bet.

THE CHAIRMAN: The next presenter is Charles Schmidt.

MR. SCHMIDT: My names is Charles Schmidt. I'm here on behalf of Wild Rose Agricultural Producers, district 114, which encompasses most of the special areas. I'm here to represent the farm and ranch sector of the Chinook constituency. Agriculture is by far the dominant industry in this vast constituency, with oil and gas as the next major industry. As this is the case, farmers and ranchers have probably the largest stake in dividing up the Chinook constituency. I would like to make three points as to how this will affect us in this region.

Number one, change. No other industry has changed so dramatically in the last few years as agriculture. At the present time farmers in this area from Hanna to Alsask have lost three elevators within the last year, with rumours of another three points being closed in the near future. In fact, when I drove to town, the elevator at Richdale was being knocked down, so it'll never be restored. The one at Chinook was shut down last year, and rumours are that next week it'll be knocked down. The one in Youngstown was shut down last week.

More serious than that is the talk that both the CP rail line going through Empress and Jenner and the CWR line servicing Consort and Veteran might in the future shut down. These kinds of changes

simply kill small towns along the line. As an example, when Pioneer Grain, which shut its elevator April 4, stops paying taxes to Youngstown, the town will lose \$24,000 in taxes. This is a major blow to a small town of around 400 people. In comparison this would be like Calgary or Edmonton losing \$40 million from their industrial tax base.

The downgrading of the hospital in Cereal affects all the people between Oyen and Hanna as far as medical needs go. There is now a 75-mile gap with no hospital. I feel that it would be very hard for the regions to be split up because representation from three directions would not have the same sense of the difficulties we encounter out here.

3:35

My second point: district. Right now most of the special areas plus the MD of Acadia are represented by one seat. In this regard the special areas are different from any other region in the province. During the 1930s six different municipalities went bankrupt, so the provincial government took control and formed the special areas. They are run as a form of government unlike any other in the province. This is borne out by the fact that the chairman of the board is appointed from Edmonton rather than elected locally. There is an elected board of directors instead of a system of reeves. Even the majority of the lease land is held by the special areas themselves instead of by the provincial government. This happened when a lot of homesteaders left the region and let the land go back to the municipal government for unpaid taxes.

My third point: equality. A lot has been made of the fact that the Chinook constituency MLA has a very low population to represent. This is very true, especially when compared to cities like Edmonton or Calgary, but on a representative per square mile basis we are underrepresented. This may seem like a strange way to look at things, but we only have to study what the three levels of government do for us.

The federal government. This level is concerned mostly with national and international issues. There are very few local or even regional issues that ever reach this level of debate. Agriculture is taken in the context of western Canada as a whole. Issues like rail abandonment, the Canadian Wheat Board, Crow rates are debated here. Therefore, our MP has a lot less interaction with the everyday actions of the constituency.

The provincial government. This level is much closer to the people whom they serve. Troubles with highways, social services, hospitals, and schools fall to this level of representation. Being such a huge region to represent already means that our MLA has a lot of work to keep informed on various problems that occur at any time.

The municipal government. This level of government is the closest to the people, delivering local road maintenance, administration of the land base. Because we are such a rural area, we do not receive many of the amenities that are considered essential to city life: water, sewer, paved streets, professional fire fighting. Even electrical hookups, which can cost up to \$5,000 for going less than half a kilometre, are the responsibility of the landowner. In this respect rural people miss out on much of the infrastructure that is common to the cities.

To a large degree we are represented by our MLA since a lot of our concerns are on a regional basis rather than a local situation of a few square blocks. For instance, the Henry Kroeger waterline, that stretches from Hanna to Oyen, is more than just a municipal project since it touches a large segment of this constituency, much like half of Calgary getting a new water system. This would be more

provincial in scope than just a simply local problem.

As a constituency the vastness of this region makes it hard for the MLAs to be in touch with the needs of so many small towns and hamlets. As an example, the needs of Youngstown are going to be radically changed with the closing of the elevator. This could be repeated 10 times with the proposed rail shutdown that may come. When you compare this with the 20 MLAs that Calgary already has, you see that there is a seat very close to the problem. When it comes to seeking action from government, the cities have a huge advantage over the sparsely populated rural constituency simply due to the large number of MLAs that can lobby on behalf of a large city.

I feel that the MLAs represent a region as a whole more specifically than actually individual people. As a distinct region we are entitled to representation by someone who understands the special areas as a whole and not by three MLAs who live hundreds of kilometres from the area they represent. Sure, faxes and telephones have shrunk distances considerably, but the reason for MLAs living in the constituency was so that they would know the constituency well and not be advising the government from just hearsay. Splitting up our seat three ways would mean having three long-distance MLAs trying to deal with problems unique to this district. While not impossible, it is very impractical.

In conclusion, change, district, and equality all have a bearing in the representation we deserve. Simply saying that we are underpopulated overlooks the factors that make our constituency unique. There is more to equality than simply being equal.

Thank you.

THE CHAIRMAN: Thanks, Charles. We'll start the questioning with Mr. McCarthy. John.

MR. McCARTHY: No questions, thank you.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions, thanks.

MR. GRBAVAC: I just want to say that I concur with your perspective on agriculture. I think the changes in the next 10 years will make the changes in the last 40 years pale in comparison, and there's no question that it's going to put a particularly onerous load on a representative because the pace of change is going to grow geometrically. I can appreciate what you're saying in terms of the demands that's going to put on a local representative, because that change is going to cause obvious problems for rural Alberta as we now know it as it goes through this metamorphosis. So I can appreciate what you're saying, and it fell on receptive ears.

MR. SCHMIDT: Good. Thank you.

THE CHAIRMAN: Wally?

MR. WORTH: No questions.

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

MR. SCHMIDT: Thank you.

THE CHAIRMAN: The next presenters are Dianne Westerlund and

Eric Walper of the Chinook Applied Research Association.

MR. WALPER: Good afternoon. I'm a director/producer with CARA, and this is Dianne Westerlund. She's the manager for our Chinook Applied Research Association, which is headquartered in Oyen.

MRS. D. WESTERLUND: Thanks, Eric, and thank you, Mr. Chairman. Good afternoon, commission members. CARA is an organization directed by local producers. Our role in the agricultural industry and our local economy is to evaluate new technologies for the benefit of and use by local producers.

As a group representing producers across the special areas in the MD of Acadia, we are concerned over the proposed boundary changes to the Chinook constituency. These changes will affect CARA. We rely on strong local support to operate. This local support is essential in accessing other sources of funding. The majority of our funding is done on a matching basis, so our local support is very, very important. We need stability in order to maintain our operation as well, and we fear that fragmenting the special areas will erode this local stability.

The changes will affect the area in general, and here I speak as a local resident and producer within the special areas as well as my role of representing CARA. Our rural voice will be split into smaller packages. Less and less will be heard from this area of the province. I also wonder who will represent the special areas on issues specific to the special areas and which will affect the areas as a whole.

We hope you consider the points made in our brief when making your decision. Rural Alberta makes a significant contribution to Alberta's economy and the whole of our society. We don't feel we should be penalized access to government or stability because of more miles between us than our urban friends.

Thank you.

THE CHAIRMAN: Thank you. Eric, do you wish to add anything?

MR. WALPER: No. I think that pretty well covers our concerns. The accessibility is our main concern.

MR. WORTH: Well, I believe I understand your concerns, but perhaps, Dianne or Eric, you could enlighten me just a little bit about what CARA does. Could you identify one or two of the projects you've done?

MRS. D. WESTERLUND: Okay. We do applied research and demonstration projects in many aspects of agriculture production: crop variety trials, information which goes towards a provincial variety recommendation guide, lots of work in forages, canola management, a bit of work in livestock, a lot of work with soil management and reclamation. Then part of our role is the extension end of that, getting that information out to the producers.

MR. WORTH: What's the size of your budget approximately?

MRS. D. WESTERLUND: About \$280,000.

MR. WORTH: A year?

MRS. D. WESTERLUND: Uh-huh.

MR. WORTH: Very good. Thank you.

MR. GRBAVAC: Approximately a year ago I went on-line with respect to accessing the Internet. I can leave a message with the Minister of Municipal Affairs as quickly as it takes me to turn on my computer. I'm just wondering if you have done any research with respect to educating the rural producers here as to the benefits of going on-line and to the capabilities of that technology, or if in fact they are using it, to what extent do they use it?

MRS. D. WESTERLUND: Within our board we've discussed that as one of our extension tools. It is not one we're using currently, but we're doing some long-term planning and feel that that's a method by which information is going to be shared. We're actually initiating an evaluation process to kind of see where producers stand, you know, as far as the use of the system. I think that on the whole there are not a lot of our producers at present that are on the Internet, but over the next short while I'm sure there are going to be a lot more.

MR. GRBAVAC: Is AGT providing you with a network service here?

MRS. D. WESTERLUND: It's come into the Oyen area just in the last couple of months.

MR. GRBAVAC: It has had quite an impact. I know people in my area who are now using it because it can access that information immediately. They can print it out. It used to be that you had to go to your DA to get a particular pamphlet on what type of chemical to use under what conditions. Now it's just a matter of hitting print on your Windows program, and you've the information on your printer. Those are the kinds of technologies that I think we're going to see are going to revolutionize much of rural Alberta. I'm not sure that I concur with the changes that are happening, but I think we have to recognize that those kinds of communication capabilities are there, and it has to have an impact in terms of representation and ease of communicating with our various departments of government.

3:45

MRS. D. WESTERLUND: I agree. I think it's going to improve a lot of methods of getting information back and forth, but I think the role of groups like ourselves isn't going to disappear, because we are an area that is unique in climatic and soil zones and, you know, some of those production factors that – new technologies that are tried and true elsewhere still need to be tried under our conditions here and then that information got to producers.

MR. GRBAVAC: No; I'm very interested. I've chaired a service board for probably 10 years, so I'm very interested in what you're doing here. I wasn't aware of CARA, and I congratulate you on your effort in this regard. It's something that's very much needed in rural Alberta, particularly with the loss of many of Alberta Agriculture's extension offices, et cetera. I congratulate you on your work here, and I do recognize the unique challenges that the special areas face. I'm in pretty dried-out country myself.

Thank you for your presentation.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions.

THE CHAIRMAN: John?

MR. McCARTHY: No questions, thank you.

THE CHAIRMAN: I just want to ask one question. We had a Joyce Westerlund speaking to us this morning. Are you any relation?

MRS. D. WESTERLUND: Actually, she's my mother-in-law.

THE CHAIRMAN: Your mother-in-law. I see. Thanks.

Well, the next presenters are Helen Carroll and Rose Jardine from the Big Country Agricultural Society, town of Oyen.

MRS. CARROLL: Good afternoon, members of the commission. On behalf of the Oyen and District Seniors I would like to present this brief regarding the proposed reallocation of Chinook's electoral boundaries. We would like to go on record as opposed to this commission's proposal, and our rationale is as follows. I'm sure you're going to find a great deal of repetition from what you've just heard.

Chinook's present electoral boundaries encompass the whole of the special areas. If the special areas will now be distributed throughout three electoral districts, it will force the administration of the special areas to deal with three different MLAs in the resolution of its business concerns. It is our belief that this would only hinder effective management and therefore be detrimental to the residents of Chinook.

Point 2. The extension of the proposed electoral boundary to the south to include the ID of Brooks and area would add a territory which has little in common with the hard-grass area as it now stands. The present boundaries represent a population with a homogeneous point of view which can be better served when dealing with only one MLA. To have effective representation within the new boundaries of Bow Valley-Chinook, a whole new complexity of problems would need to be addressed.

Three. Rivers have always been considered natural boundaries, so our historical connections have always had an east-west route. It is much more prudent to carry on business in this manner. Some of the examples – and you've heard many of these before – are the Henry Kroeger water management program; the Big Country waste management project; our Greyhound bus route; the jurisdiction of the Marigold library system, which runs in an east-west route; and our police protection, which has been partnered with Hanna.

The area which would extend the Chinook constituency south is demographically incompatible with the rest. It is extremely important that the serving of common problems be considered, these problems being problems of distance from schools, long bus routes, health services, such as long distances for home care for seniors, who are sometimes more than 30 miles distant.

I would like to thank Mr. Doyle, who gave the anecdote from the special areas. I am a product of the special areas and have lived all of my life right through it. I saw it start, and I certainly hope to not see it end. I think that in spite of the fact that it does not have self-government, it still has done a job that probably no other part of the province has done with a very difficult proposition, and that is with the preservation and the improvement of our environment. They need to be highly commended for that, and I would hate to see that hindered in any way.

These are some of the reasons which make the changes from Chinook's present electoral boundaries to the proposed boundaries

of Bow Valley-Chinook totally unacceptable to the seniors.

THE CHAIRMAN: Thank you.

MR. WORTH: Helen's an old friend of mine, so I can call her by her first name.

MRS. CARROLL: He was my superintendent.

MR. WORTH: Helen, you mention in point 4 that there's a demographic incompatibility between Chinook and the Brooks area. Can you elaborate a little bit more on what you mean by that? What are some of the features or factors in demography on which there is this incompatibility?

MRS. CARROLL: Well, for one thing, you're dealing with an ID, which totally has different problems than the problems that exist within our area. That's a major one, I think. That's probably the major one that I'm thinking in terms of.

MR. WORTH: I see. I thought you were perhaps suggesting there were some population characteristics that were different.

MRS. CARROLL: Oh, no. I'm not referring to that at all. No. Just because the RHA is going in a north-south direction, I don't think it's helped matters. It has made matters very difficult in our area, and I can only see these problems being compounded by sending our Chinook constituency into Bow Valley-Chinook.

MR. WORTH: Thank you.

THE CHAIRMAN: Robert?

MR. GRBAVAC: No questions.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions. Thanks.

THE CHAIRMAN: John?

MR. MCCARTHY: No questions, thank you.

THE CHAIRMAN: I wanted to ask you a question. You say Mr. Worth was your boss years ago as a school superintendent?

MRS. CARROLL: Well, I didn't consider him my boss; I considered him a friend. He was a friend.

THE CHAIRMAN: I was just wondering whether he's still welcome in Oyen.

MRS. CARROLL: Absolutely. He's very, very welcome in Oyen.

THE CHAIRMAN: I'm glad to hear that.

MRS. CARROLL: A good friend of my brother's.

THE CHAIRMAN: Next we have Rose Jardine.

MRS. JARDINE: I'm speaking on behalf of the Big Country Agricultural Society. That's a volunteer organization. It's all farm folk: some active, some retired, some the sons and daughters of farmers. Actually, in this I am trying to put together some of the conclusions we came to as we talked together before we came to this hearing. So we are taking the liberty of telling you what we thought about some of the things you're doing. Okay?

Now, we suggest that the commission should have given more attention to effective representation rather than concentrating on population parity. Wider variances should have been allowed. We believe that an MLA in a city constituency can effectively represent much more than twice the numbers of a rural, widespread community. We did not feel that some of the special considerations were well thought out. This has been mentioned before: for instance, the journey from the Legislature Building to the nearest point of the community. The same number of kilometres will put a city MLA in the centre of his constituency and would put another MLA on a farm 200 miles from the centre of the constituency.

A commission mandate was to consider municipal boundaries. Now, we did not consider that this was done when you considered carving up the special areas and dividing the county of Paintearth, which had worked together very well for many years.

Another mandate was consideration of community interests and infrastructure. We noted that the commission said that Barrhead-Westlock was not divided because of the traditional sense of community and the social and transportation structure. At that point we wondered whether the commission was familiar with Chinook and its common history, and that has been very aptly described to you today. This is a land where certain terms are very well understood: a land reclaimed, community pastures, dugouts, special areas, PFRA. Those are terms that everyone understands.

3:55

Agriculture in the short-grass country is our common base. Distances are a common problem, whether it's the roads that are going to be more of a problem as the elevators go down, and distance from schools, hospitals, business centres, and services.

Presenters have mentioned many of our east-west links. I think I have one that they may have missed in the field of agriculture. The rural development specialist, the beef and range specialists are in Hanna. The cereal specialist is in Oyen, and they work together.

It seems to me that it is indeed a time of change, and probably nobody can predict exactly what those changes will bring. I was completely amazed this week when the local paper was sent by some mysterious disks and modems and phone line away to be printed. Nobody carried it in anything. Never a question; came back printed. But I am not sure that we know what's going to happen with the population in the future with specialty crops, diversification, new technology, home-based businesses, and value-added undertakings. Is our rural population going to decrease? Perhaps not. On the other hand, it may be indeed the population in the corridor and the cities that continues to increase.

I have heard people express a fear that if the latter is true, perhaps another commission will, using the present mandates and the matrix, create a gigantic rural community all along the east side of Alberta. Now, I know that it is perhaps not your mandate to suggest this to the Legislature, but we will suggest that we consider that the present boundaries are indeed effective and fair and that the mixed review should be made after the 2001 census when there has been an opportunity to evaluate and perhaps understand the changes that are going to take place. Before that is done, mandates and the matrix

should be thoroughly reviewed.

Thank you.

THE CHAIRMAN: Thank you, Rose.

We'll let the questioning start with John.

MR. McCARTHY: No questions, thank you.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions, thank you.

THE CHAIRMAN: Robert?

MR. GRBAVAC: No questions.

MR. WORTH: I have no questions but just an observation, Rose. I thought the ideas that you and your other farm folk put together are ones that we ought to ponder very carefully. I thank you for a very articulate presentation of them.

MRS. JARDINE: Thank you.

THE CHAIRMAN: I want to thank you for the same reason, but I was just wondering whether you were a student of Wally's.

MRS. JARDINE: I am an adopted Albertan. I'm a newcomer. I've only been here 35 years.

THE CHAIRMAN: Oh. Thank you.

MR. GRBAVAC: I would have thought your parents would have been more along the lines of Wally's friends.

MRS. JARDINE: Ah, well. They were products of the Depression, and I won't start telling you any stories about that because you'd be here all night.

Thank you.

THE CHAIRMAN: The next presenter is John Klobberdanz.

I notice your presentation is signed by both you and your wife. Does she wish to participate?

MR. KLOBERDANZ: No. She's my secretary and keeps me as well informed as I can be. I give her the credit for that.

I took the liberty of putting in the back of my presentation that you have a presentation that I made to a similar group in 1990 concerning the same problems. I took the liberty of doing that because I refer to it in my submission, if that's all right with you.

THE CHAIRMAN: That's fine.

MR. KLOBERDANZ: I've been listening to some of the rather articulate presentations. Public speaking is probably not one of my strong suits.

The other thing I will point out: on the third line down the word "the" is missing. When you're typing and doing this thing at about 11 o'clock at night, I hope to be forgiven for making that small error. Other than that, I will make my presentation to you and we'll go from there.

Mr. Chairman, committee members, guests, ladies and gentlemen, on March 5, 1990, my wife and I on behalf of KAC Home and School Association of Altario presented a submission expressing the concerns of the day as concerns enlarging or eliminating more rural ridings. That submission is as valid today as it was then except that the hardships presented then are more pronounced. The most crucial issue facing Albertans is the need to stabilize the agricultural base and rural communities, which in the long run will serve as a foundation for urban prosperity while preserving Alberta's way of life.

I have deep reservations about the viability of Alberta if left to professional politicians. I listen to urban MLAs seeking to turn urban residents against rural. I question some of the arguments put forward that we need more urban MLAs. With 83 MLAs I suspect we are overgoverned now. How many petitions have our urban counterparts received from their constituents demanding more MLAs? Not very many, I'm sure.

Check back the voting patterns of past elections. Rural ridings have by far a higher percentage of voter turnout. What great benefit to society would occur should urban areas receive a greater number of ridings?

Much of the discussion maintains that in a democracy – one person, one vote – majority rules. In a democracy there must be justice for all. Does this mean justice or just us of the majority? For better or for worse, we live in this province together. Unless all residents receive a fair and equitable share of the wealth in this province, we are doomed to strife, turmoil, and poverty.

I was once told by an old farmer that some politicians would make a wonderful neighbour to a farmer with a windmill.

I would point out that primary production takes place in rural Alberta, not downtown Calgary or Edmonton. When speaking of primary production, I not only refer to agriculture, cattle, hogs, and cereal crops, but also lumbering, mining, tourism, the oil patch, just to name a few. While the major wealth of this province is produced in rural Alberta, it is consumed in the concrete canyons of our urban counterparts. Statistics put forward by people that are better informed than I show that of the total landmass of this world 2 percent of our prime land is taken up by the world's cities. These selfsame centres consume 75 percent of the world's resources. Using these stats, what is left for those of us that inhabit the other part of the 95 percent of landmass with but 25 percent of the resources at our disposal? How long can this imbalance exist? How long before the ability of the agricultural sector of society fails to maintain sufficient production to feed the world? While agricultural producers in the past have done little or nothing to bring to the attention of our urban brethren our problems, we are now starting to make contact through classrooms, fairs, et cetera. Better late than never.

Federally we Albertans bitterly complain that our western voice is not heard in central Canada. There needs to be another mechanism in order to balance the power of one person, one vote, especially when the majority are centred in a small area. An attempt was made to elect the Senate. Another proposal was that we have a system of regions of Canada that would elect an upper House that would act as a counterbalance. If this concept should apply to federal politics, then would or should not the same apply to provincial politics? Unless agriculture's voice can be heard above the constant clamour for more services and more money to pay for these services, we will all be big losers in the long run.

4:05

All primary production is facing some serious problems now and

in the future. The services required by rural residents, such as hospitals, schools, medical attention, postal, as well as the survival of the local store, are at risk due to the declining rural population. The responsibility for this decline sits on the doorstep of provincial as well as federal policies, so-called need for cutbacks. Because rural Albertans make up a bare three to four percent of the population, our voice need not be heeded.

I as a livestock producer took approximately a 50 percent cut in my income. How many of you today can afford that same cut? My costs will remain constant or will increase. There is no incentive for younger people to contemplate agriculture as a rewarding, profitable profession. The debt load required discourages any attempt, yet policies put forward by large multinational as well as national companies state boldly in large print that the company must generate a 16 percent return on investment. Incentive and tax shelters are provided by governments. Would the same be available for the rest of us penniless peasants.

It cannot be overstressed that regardless of changes made to electoral boundaries, special areas remain as a whole unit within a single constituency. To do otherwise will lead to the demise of the most unique, viable form of local government on the North American continent. Nowhere has there been a more successful form of local government suited to a specific area and its needs. The special areas has since its inception been governed by a combination of provincially appointed administrators and locally elected people dedicated to the welfare of all residents. I take my hat off to those people past and present.

Urban centres throughout the province have a uniform type of problem. While very real, regardless of the location the problems are basic: sewage, water supply, streets, garbage, flooding. At every turn a large vocal group is demanding these problems be addressed. Rural Alberta? Out of sight, out of mind. Who will speak for us?

I have a poem I shall include which is as timely now as when it was written plus a saying that is every bit as meaningful, and here I will apologize because reading poetry in public is not my strong suit. The poem I have chosen came out of a little Alberta Wheat Pool book about 1943, and it states:

The Song of the Plow

It was I who raised from famine all the hordes
and tribes of Man;
I have never ceased nor faltered since the tilth
of fields began,
Since the first poor crooked stick was drawn
across the wondering earth,
While upon the man who used it all his tribes-
men gazed in mirth.
But the wild seeds sprang in blossom more
abundant than before,
And the fool who toiled all Summer had the
wise man's Winter store.
It was I who built Chaldea and the cities on the
plain;
I was Greece and Rome and Carthage and the
opulence of Spain.
When their courtiers walked in scarlet and their
queens wore chains of gold,
And forgot 'twas I that made them, growing
godless folk and bold,
I went over them in judgment and again my
grain fields stood,

Where their empty courts bowed homage in
obsequious multitude.

For the nation that forgets me, in that hour
her doom is sealed,

By a judgment as from heaven that can never
be repealed.

The author was Harry Kemp.

Thought that is silenced is always rebellious . . . Majorities, of course, are often mistaken. This is why the silencing of minorities is necessarily dangerous. Criticism and dissent are the indispensable antidote to major delusions.

While attempting to put forward our concern, in no way should it be construed as a whining session. We are hard-nosed survivalists.

Before completing my submission, again I stress that the special areas must remain as a whole unit in a single constituency. To accept less is inconceivable. I thank you for your time and hopefully for your thoughts.

I would like to add something else.

THE CHAIRMAN: Go ahead.

MR. KLOBERDANZ: I did not have access to your little green book until I walked in the door a few minutes ago, so what I presented to you has been more or less off the top of my head. I thank you.

THE CHAIRMAN: Thank you.

We'll start the questioning with Wally.

MR. WORTH: John, in your presentation you gave a ringing endorsement to the special areas governance pattern, and a number of other people in their submissions have spoken favourably of that kind of pattern. Can I assume that that type of governance, municipal governance, is widely supported throughout the region and there aren't a lot of people clamouring for complete self-determination?

MR. KLOBERDANZ: No. I think what you'd have to realize – and this is something that is unique about our system – is that our system is set up in such a manner that the elected representation comes from a given area. It has little bearing on who or how many people live in that area. The areas set out are more or less unique – I shouldn't say nonpolitical, but it seems to be that way, that these people come in here and they sit down and discuss whatever it is that is troubling us or what needs to be done – and unique in the sense that we have evolved. When the special areas were originally put together – and I think somebody alluded to it earlier – they were bankrupt municipalities, and because of that we had to live within our means. Prior to probably the '60s you could not borrow one nickel on the value of your land. You might be able to borrow a little on your liquid assets. As a result, we built up a mind-set as well as a system whereby we paid as we went, and for this reason I would suggest that at the moment we are solvent because of, I guess, the foresight of the people that originally put together the special areas and the government of the day. I would more than give them credit for that.

MR. WORTH: Your feeling is that this form of governance is still strongly supported and is the way you want to go in the future.

MR. KLOBERDANZ: Very much so. You know, if you wanted to really find out, get a hall full of people together and decide that you are going to change this whole system that we have, but take out a

good life insurance policy, I would suggest.

MR. WORTH: I felt it important to ask that question because of the comments Mr. Doyle made earlier when talking about a unique characteristic of this area, that it might justify special consideration, and he talked about the form of municipal government that was absent.

MR. KLOBERDANZ: Well, the uniqueness, again I would state, is that we have, I guess for lack of a better word, a professional administrator that has worked his way up. You know, the gentleman that we have – he's not here today – Jay Slemple, started out in the Consort office, and he looked like an escapee from a grade 12 class at the time. I am not derogatory in that sense. He's worked his way up. He has been here 22 years, but he probably put in 20 years working his way through the system and understands the area and the people and has been elevated to the position. Then from among ourselves we elect our own area advisory councilmen, and I would say that to date they have done a remarkable job. The other thing, of course, is that they're right nice and handy. If you don't like what he's doing, you can express yourselves and, if necessary, in a language that he understands.

MR. WORTH: Thank you very much, John.

MR. GRBAVAC: John, I find your presentation refreshing. Your knowledge of the Bank Act prior to 1962 and the reasons for the Bank Act coming into existence with respect to money not being lent on land as a result of the experiences during the Great Depression is kind of music to my ears because that's my background, agricultural economics.

I don't share your optimism for stopping the steamroller of change with respect to agriculture in the future, particularly when we are now actively courting people like Tyson farms, who in fact produce more chickens than the entire Canadian production.

You know, I think we're in for some very interesting times in agriculture in the future and some very threatening times as well. With people of your knowledge and background, I hope we'll be able to work through them, and I do hope that in the future some of the agricultural production in Alberta will remain in the hands of Albertans. Maybe to that extent I hold out a little bit of optimism, but in my particular industry we have not seen that happen. In the last six months we've seen a quantum movement to vertical integration on behalf of a couple of large packing plants in the feedlot industry in southern Alberta. So I think we've got some real challenges in front of us, and I look forward to maybe some ongoing dialogue with you in the future.

4:15

MR. KLOBERDANZ: I would like to add to this that I do know something about Tyson, and I've talked to some of the victims of their . . .

MR. GRBAVAC: Their company.

MR. KLOBERDANZ: Yeah, but victims of their – I guess what I said a long time ago is that at the rate we're going, we're headed for a glorified feudal system, only the new buzzword will be vertical integration.

MR. GRBAVAC: It's here. It's here in the cattle industry. That's my

business. It's already here. The last six months has just moved it ahead at a phenomenal rate of speed, and Murphy is coming in terms of hog production.

So I think you've hit the nail on the head, and I think maybe rural people have to wake up and recognize that if something isn't done, agricultural production in this province may not be in the control of Albertans. I congratulate you on your recognition of some of the changes that are taking place, and I recognize that we do have to be cognizant of those and the representation of this area has to be aware of those kinds of changes.

I just want to make a comment. You know, I'm here as a rural representative, and I don't want to be an advocate in terms of suggesting that things have to change here. I'm trying to advocate for the least amount of change for rural Alberta as possible. However, I want to give you an idea of the dilemma that we face.

The mayor of Calgary tells us that the population in his city grows on an annual basis at about the same rate as the number of people that reside in your constituency, about 15,000 people a year, from what I understand is the growth rate of the city of Calgary. Now, the city of Edmonton is somewhat less than that, maybe 10,000 people a year. You know, as much as we would like to ignore that, we can't ignore that over time, and I think if we can't resolve the regional representation under our current unicameral house, then maybe we have to look at a different means of representation. But I don't think we can bury our heads in the sand and just ignore the fact that 25,000 people a year are moving into the cities of Edmonton and Calgary.

So I look forward to some innovative suggestions in terms of how we can alleviate that problem. It may be a bicameral house or it may be some other form of proportionate representation; I'm not sure. But I hope you would recognize that those are the kinds of problems that we're faced with as a commission.

MR. KLOBERDANZ: May I respond to that?

THE CHAIRMAN: Sure.

MR. KLOBERDANZ: I guess myself, I'm a great believer in change, but not change for the sake of change; change for the well-being of the residents of this province. I've gone to bat many times.

I'll give you another statistic that is a little scary when we're talking about global markets and everything else. Our last year's production of crops was something like about 530 million tonnes, of which the world consumes roughly 500 million, which leaves us with a surplus of 30 million. You divide 12 into 500 and it works out to about between 41 and 42 million tonnes a month, so we have a backdrop or reserve of less than a month's supply of food. This is what I'm referring to, that if we are not careful with our agricultural production, not just cereal grains but all of it – and this is what our city people are not aware of. That is our fault; we have not been talking to them enough. We've started, but it's not sufficient, and those people, as I think you'll find if you read the other part of my region's submission, will not – and I stress will not – pay any attention to us until someday breakfast does not show up or they can't afford it. Those are real. It's not imagined. I hope it never comes here, because I dislike strife and pain and all the rest that goes with it. I'm at a point in time that I probably won't have to worry too much about it. Still, I guess I'm futuristic in my outlook and probably ever will be.

Any other questions for me, gentlemen?

THE CHAIRMAN: Joe?

MR. LEHANE: No thanks.

THE CHAIRMAN: I notice you took your sign down. We might start calling you the wrong name.

MR. KLOBERDANZ: I have two of them actually. I have the one from 1990 as well.

THE CHAIRMAN: You should have brought it. It would have saved some money.

MR. KLOBERDANZ: I tried to, but they said they already had it made at the back desk. It's there.

THE CHAIRMAN: You say the area must remain as a whole unit in a single constituency, and you underline "single."

MR. KLOBERDANZ: I guess my terminology isn't clear enough. Within a constituency, that's what I was getting at, and we remain as such; we do not fragment our administration.

THE CHAIRMAN: The question I want to ask. Okay; you're making your point here about the special areas. Let's say we put the special areas all in the Wainwright constituency. What you're saying here is you want a single constituency, which is saying you want a special area.

MR. KLOBERDANZ: I guess what I was trying to clarify is to be within a constituency but to go in it, if we must, as a unit.

THE CHAIRMAN: Okay.

MR. KLOBERDANZ: I'm sorry if that's not what you read out of it. I'm trying to clarify that plan A would be great, if we stay as we are, but if we have to move, then we become part of another constituency but as a unit.

THE CHAIRMAN: Fine. I understand you. Thanks for coming.

MR. KLOBERDANZ: Thank you.

THE CHAIRMAN: And there's no point in saving the signs. They will not become collectors' items.

The next presenter is Eugene Kush, QC, from Hanna, Alberta.

MR. KUSH: Mr. Chairman, members, I've got a problem or two. First of all, my daughter put this brief together yesterday.

THE CHAIRMAN: I wouldn't blame her for that.

MR. KUSH: Oh, I think I would. Look what she did. Did she give you this picture?

THE CHAIRMAN: Yeah. It's right here, Gene, and I told the members it's very flattering.

MR. KUSH: This is the picture that should have been in there. Then I'll give you the one that was second choice, this one. So I'll let you

have a picture just in case you forget.

THE CHAIRMAN: We'll amend your report accordingly.

MR. KUSH: Amend my report and tear that out. That isn't a true likeness.

I don't represent anybody. I never have.

MR. LEHANE: Short of clients lately?

MR. KUSH: Well, some of my clients think I don't represent them either.

I'm not going to bore you with a recitation of all the arguments that you've had here today. My purpose here today is to try to give you some new ideas and ideas that have never crossed your minds before. I don't conform to modern political thought. I don't accept the politically correct. Running with the herd is not a way to do things. I must explore the alternatives. Playing as a team is nothing more than an excuse for collective imbecility.

Why did this province ignore the results of the last commission? To appease the crybabies of Calgary and Edmonton, not to mention the editorial writers for the soon to be bankrupt Southam Press, including Catherine Ford and Bill Gold. I have a feeling that our cabinet is absolutely terrified of every negative editorial that appears on CBC radio and television. One of these editorials is to try to get what they call equality of representation. Now, what does that mean?

We're not equal. We never have been equal. There are basic differences of sex, physical appearance, intellect, skills, God-given gifts for music, art, the ministry, the law, et cetera. We continue to swallow the big lie of equality where equality does not exist and never will exist. If you want to see equality, go out to a chicken ranch or a hog ranch. You'll see equality. Residents of these ranches all look alike, they eat alike at the same time, and they're all equal to one another, but what do they produce? Nothing. Most of the city people that I know of don't vote. Just look at your last election. Why, then, do we continue to strive to give them more representation? For what purpose, when they usually ignore this precious right? How many of them have written to or phoned or spoken to their MLA? One man, one vote: a silly concept. We're all created equal, but some of us are more equal than others. We're not a race of identical people; each of us is different from the other.

4:25

There is not enough time to call the next election based on the map that appears in your green book. There just isn't. This commission is in too big a hurry with that report to come out with something that's politically popular. I suspect that the depth of the study of the commission and the mathematics they have used – I have gone over them, and knowing your chairman for a long, long time, I never did think he could count that well or figure that closely. Now, what you've got to do is come back to a new concept: give power based on wealth, the creation of wealth, not inherited wealth but the creation of wealth. This is fair. He who has economic clout calls the shots.

In our town we have a village idiot. He stands opposite the hotel corner with a rock in his pocket. He's looking at the hotel because he's going to heave a rock at it. He did, and he got hauled up in front of the beak here. He was told to cross the street over to Doug Todd's corner, and that's where he stands now with a rock in his pocket. I don't know if he's going to throw it at Doug or throw it at the hotel

window. In either case, why should that fellow negative my vote? He doesn't earn anything. He's a parasite. I've got nothing against parasites. Maybe the guy is unfortunate and doesn't have a full load of marbles, but that's beside the point.

Why is the prisoner given the right to vote? Absolute stupidity. That man has broken our laws, he has caused us problems, yet our judicial system gives him the vote. Trudeau, that's who I blame. Him and his equality. A bunch of nonsense.

By the way, why have you recommended that Chinook lose its voice? Why have you emasculated our MLA? You didn't get that, did you?

THE CHAIRMAN: It wasn't lost on us.

MR. KUSH: All right. Our special areas have special needs, and a special type of person lives here. Forty years ago when my late wife and I told my dad that we were going to go to Hanna, he got so angry at us that he refused to even speak to me for four years.

THE CHAIRMAN: Is that the only reason?

MR. KUSH: Don't you tell it. I've kept that a secret. He remembered the drought, the hungry '30s, and the despair. Most of the population had fled from this district. Aberhart gave us a promise. In fact, he spoke down here at the theatre, and he said to us that we could have our land forever and ever, even though it's only leased. So there's no sense in trying to change it, because it was that promise that made these special areas. We stuck it out here. We've been three generations holding onto this land in the form of a lease.

I don't want to see any part of our special areas go over to Brooks or become a political ally of Brooks. Brooks is a different bunch of cats altogether. You go down there and have a look. Small, dinky little farms – a quarter section, 20 acres here, 30 acres there – whereas we've got hundreds and thousands of acres which belong to one ranch.

Another thing. We can't afford to lose our beloved Shirley, our farm girl who made good, who grew up in the special areas, who knows and understands this district. We cannot be adequately represented by a stranger to the special areas.

If you don't mind me suggesting it, leave us alone would be the path I would recommend to this commission. With due deference to your chairman, Ed – now, I could tell you a few stories about Ed and his uncle, but I don't think I will. I'll just blame the attempt to get rid of Chinook constituency on him, on a failure by the chairman to really understand the basic economics of the special areas. Ed controls a wee little bit of land up there a few miles north of town, and he's slowly going broke in the cow business while the rest of the ranchers around him have prospered. I told him and I told him. I said, "Eddie, get rid of that black goat you use as a herd sire," but he won't listen. It's basic economics that he doesn't understand.

What your commission should do is look at the economics of the area, not just at the population. Millions of dollars of gas, oil, coal, and agricultural products are taken out of here every year. They contribute to the provincial coffers. The gains from that are used to pay your city people who are out of work and have nothing to do. Well, you don't find that around our rural constituency. There's an awful lot of work to do. Every time I go out to the ranch, they put me there in the henhouse and I've got to clean it out. They won't let me drive the tractors, but I'm going to learn how.

We're self-reliant. We rarely go calling for money. This town has

a \$3 million surplus, but don't tell anybody. Compare our easygoing lifestyle to the crime-infested cities of Edmonton and Calgary. The cities: what an ugly place to represent. A group of self-centred people packed like rats on an endless belt of me first and to hell with everyone else.

We are special. We give more than we take out of government. We are honest, hardworking farm folk from dawn to dusk. Don't join us up with any big population centre like Drumheller or Brooks or Medicine Hat. We create more provincial wealth per resident than any city. You sit down and just think about it. You divide the amount of wealth that comes out of this constituency, out of the special areas, divide it by our population, and try and do the same thing in Edmonton. There's just no comparison. That fact alone entitles us to have representation close to our homes. Our member is one of us. She knows how we feel because we take the time and we take the interest in our provincial government, and she takes the time to know our goals and our aspirations as a people.

We are a different type of people. The same cannot be said for the populations of Edmonton and Calgary. If they fail to vote, then they should lose the right to vote. They don't deserve more members because they ignore the ones they already have. Why do you want to give them more representation? That escapes me. If you don't use it, you lose it. That should be a fair rule in voting. That should be the basis upon which this commission decides representation and not just because the district has a large number of people with a normal rectal temperature. That isn't the way to decide things.

Now, voting for an MLA and intelligence is most important, and I've got a radical proposal. I don't know. I gave you a thing here a number of years ago. Going back to our friend the village idiot, he can wipe out my vote. I can work my butt off and I can have a good program, but people like him can knock me out. Why? What earthly reason is there to allow government to be run that way?

Here's how you should do it: one vote for everybody that's over 60, an extra vote for every \$10,000 of income tax that you pay, an extra vote for every five people that you hire, an extra vote for five or more kids that you've got that you're supporting, 10 points of your IQ entitles you to one extra vote if it's above 120 and they deduct one vote for every 10 points that you're below 100, one extra vote for every 20 years that you've not been in jail and a deduction of one vote for every year that you are in jail, one extra vote for not smoking either tobacco or grass, one extra vote for being a man – [interjections] Thank you. Thank you. I knew that would wake you up – one extra vote for every trade, qualification, or degree that you have, one extra vote for every \$10,000 that you give away to charity, one extra vote for being a single parent with children under the age of 18, one extra vote for being married and never having been divorced, and such other additions and deductions as the ingenious mind of parliament can figure out. Most important of all, a hundred extra votes for having spent 10 years in this godforsaken desert that we live in now.

Now, going back to something that's really funny. You know, it was almost 40 years ago, and at this time I was just getting out of college and I was looking around for a job. My classmates were the late David McDonald, Virgil Moshansky, Bob Broda, Russ Dzenick, Andy Andrekson, and the present Chief Judge Wachowich of Alberta, well honoured and highly esteemed.

It's even funny that Virgil Moshansky and David McDonald wrote some of the judgments that we curse about this electioneering thing that we're sitting at today, and it's really unusual that I should be appearing and Ed, a classmate of mine, should be the chairman of

the commission. I've always had a suspicion about our class. Dean Bowker, who was Dean of Law, said that this class was the dumbest bunch of idiots he'd ever seen, yet if you look, out of 24 people we got six judges. That's 25 percent. We had 26 I think. Six out of 26 is about 25 percent, the way I got it.

I'm the luckiest. I live here in the special areas. Nobody's my boss. Nobody tells me what I can do. Nobody tells me when I get up, when I go to bed. I live just like a farmer. That's what the farmer loves about agriculture. He does things to help himself. He gets up when he wants to. He votes when he wants to. If he's got a complaint, he tells his MLA about it, and his MLA listens. It's a small, small world.

You can't ignore the rural element. Don't ignore them. Give us what we deserve, and that's an equal say with all of the people from the city.

Thank you very much, gentlemen.

4:35

THE CHAIRMAN: Thank you.

MR. KUSH: Any questions?

THE CHAIRMAN: Well, we'll start with Wally.

MR. WORTH: Gene, I don't have any questions. It was just an awesome performance. Congratulations.

MR. KUSH: Well, thank you.

THE CHAIRMAN: Robert.

MR. GRBAVAC: Yes. Mr. Kush, any words of wisdom for us in our deliberations with respect to court-proofing this document? I've got a feeling that you've got some observations, maybe, with respect to the Alberta Court of Appeal and what we can do to appease their concerns, and I'm interested in hearing them.

MR. KUSH: Oh, I don't want to say anything about the existing Court of Appeal or the fact that some of their appointees are intellectuals at the university and have never really practised law on the outside. I'm not going to say anything about that at all.

This Bill of Rights and the manner in which judges have been appointed in the past number of years has given the judges the right to think that they are King Tut, that they can make the law as they would like it to be, not as it is written by the Legislature. My feelings about the subject are very, very deep. I don't like to appear in front of a judge and have him take 200 years of law and throw it down the tube. That's wrong. If the law is to go down the tube, it should be done by the Legislature, not by the Alberta Court of Appeal saying, "Well now, you guys, this is what we think you should be doing."

I don't think that judgment would have been made prior to Trudeau's Bill of Rights. The Court of Appeal saw the law as it was, and they found it, but to have the judicial system now have every unusual trait that they have – for example, I read a judgment of the Supreme Court of Canada where watching bare naked women was fine, a source of entertainment. What kind of nuts are they anyway down there? Eastern Canada anyway, but I can't blame that all on them.

That's what wrong with this whole system. We've got to get back to where we were before. The Legislature makes the laws. The

judges interpret them. They don't make the laws. Then if we don't like the laws the Legislature makes, we throw them out. That's the way I feel. You should have a good look at, and that would solve this problem.

MR. GRBAVAC: You're suggesting that in their judgment they were creating social policy?

MR. KUSH: Oh, yes. You look at every judgment of the higher courts. I read one here recently where a judge said that a woman living in sin with a man has got as much right as a woman who is legally married to him and has borne his children. Now, that's got to be wrong. There's something wrong with our society when that happens. There's got to be something wrong with our society when we can't take our kid and put him over our knee and wallop the hell out of him if he smokes tobacco or something – you know, the wrong tobacco. That's what's wrong with our society. We're all a permissive society.

Let's get back to the rules the way they should be made, and instead of giving everybody the vote and everybody in the city more representation – for what purpose? Is that going to make them smarter? Is that going to make the Legislature brighter? No way. You don't attract the best of the brains of a community by voting. As I told our last town council, just because you got elected and I didn't doesn't mean to say you're smarter than me. It just means you're more popular; that's all.

MR. GRBAVAC: So are you suggesting that we ignore the decision of the Alberta Court of Appeal?

MR. KUSH: Well, don't run from it. Don't run from it. That's something that I found really interesting when I was the mayor of this town. I did things differently. Why don't you people do something differently? Maybe it'll catch fire. Maybe we'll start a change in this whole system so that people will start thinking rather than doing that which is politically correct. You can thumb your nose at the Court of Appeal, and if they don't like it, tough. We'll change the rules in the Legislature.

Why should they legislate policy? Why should they say that somebody in the city has got as much right as I have? It's wrong. I support people. I give them jobs. I do things. The people in the city, what do they do, some of them, most of them? Complain because they want to go out on strike or they ain't got a job or they're not getting enough money from the government. All wrong. We've got to get back to basics in this country.

Well, so much for preaching. That was my number 2 speech. I think the cows have come home, so I'd better get out of here. Anything else?

THE CHAIRMAN: John.

MR. MCCARTHY: Yeah. I just have a couple of things I want to talk to you about. First of all, your comment that the city people don't participate in the electoral process: they're pretty close in their percentage of participation. The highest percentage turnout, in fact, was 70 percent, and that was Edmonton-Whitemud.

MR. KUSH: You question that. Well, here's what I'd question you. In between the time when voting comes, what role do they play in communicating with their Member of the Legislative Assembly?

The same role that we out in the country do or none whatever?

MR. McCARTHY: I guess I can't answer that with any degree of certainty. I think they probably communicate differently with their MLAs, by way of written or technological type communication.

MR. KUSH: He can't even get to know them all, for heaven's sake, there are so many of them.

MR. McCARTHY: Now, let me ask you a couple of questions here. You indicated that when you were mayor, you did things differently, and I recall, of course, you got huge media. This was prior to the town fool episode that was relatively recent. Prior to that, when you were mayor, you spearheaded a bylaw which, as I understood it, banned Halloween activities.

MR. KUSH: Yeah, a pagan festival. Pagan.

MR. McCARTHY: Of course, you did things differently and you passed the bylaw, and that ultimately got quashed by a higher authority. Is that correct?

MR. KUSH: Yeah. The minister declared a national emergency. The Minister of Aggravation, agriculture, phoned me up and said, "Hey, Eugene, what are you doing down there, for God's sake?" I said, "Well, I'm just calling the army out, and they're going to shoot six feet off the ground; they'll hit all the witches and miss the kids."

MR. McCARTHY: All right. Now, if we do things differently, we're in a much higher stakes game, because based on this Court of Appeal decision, if we did something that was that far out of sync with what the Court of Appeal appears to be directing us, we would be at risk of having a general election overturned.

MR. KUSH: By whom?

MR. McCARTHY: By the Court of Appeal.

MR. KUSH: Change the rules.

MR. McCARTHY: The Court of Appeal says, and the courts – and, you know, we're at the uneasy junction between the authority of the Legislatures and the judiciary. The judiciary says that the Legislatures of all the provinces and the federal Parliament have passed a law which is the Charter of Rights, which gives them the authority to not only interpret the law but, I could say politely, develop the law. Based on that statute, I guess they may well claim that they have the right to overturn an election if there's an undue dilution of certain voters' rights.

MR. KUSH: Yeah, yeah, but you forgot one thing. There's an opting out provision for every province.

MR. McCARTHY: There is not an opting out provision for democratic rights. There's an opting out provision for certain sections but not this one.

MR. KUSH: The history of this area is: we voted Social Credit; we voted Aberhart. Aberhart was turned down by the courts time and time and time again, and he didn't let that stop him. He plowed right

ahead, and he carried on a very, very successful government for many, many years. He eventually threw Ernest Manning, and then ultimately threw Peter Lougheed. Oops, wrong guy.

THE CHAIRMAN: Harry Strom.

MR. KUSH: Harry Strom, yes.

So, you know, don't be afraid to be different.

MR. McCARTHY: Well, this is for the information of the people that are here today.

In the Court of Appeal – and I want to discuss certain passages from this decision with you – they had the Alberta Civil Liberties Association argue that there was an underrepresentation of voters in the inner-city areas of Calgary and Edmonton. They argued that that constituted systemic discrimination against members of certain disadvantaged minority groups – namely, the disabled, women, single parents, elderly, immigrants, the poor, and unemployed – who inhabit the inner-city areas in disproportionate numbers. So that was what was argued before them.

4:45

Now, the Court of Appeal said a couple of things, and I just want to read a couple of passages, and then you and I can discuss it after I read this. In the last go-round which resulted in the present boundaries that they have, they commented as follows:

The Chairman [of the last committee] added that "... the first priority would be to respect existing constituency boundaries, if possible . . .". This is, of course, a simple way to assuage the concern of some voters.

The new electoral map, which is the present one we're dealing with,

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.

Now, the court goes on to say – I just have two more brief passages to read.

As we have said, the origin of the problem before the Legisla-

ture 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.

Now, the concluding remarks of the court were as follows, and we dealt with these earlier.

MR. KUSH: Which judge was this? Which of the judges?

MR. McCARTHY: Per curiam; in other words, that was by the whole court.

MR. KUSH: All right.

MR. McCARTHY: So on this one they would've had the five-member panel, which you are fully aware is an unusual number. They would have circulated among all the sitting judges of the Court of Appeal for their approval, and this is their judgment as a whole. So this isn't just a three-person panel that you and I have . . .

MR. KUSH: Every one of them is a city guy. Every one of them has been born in the city, raised in the city, argued in the city. Not one country boy is on that Court of Appeal. Now, that's wrong.

MR. McCARTHY: Now, just a minute. Before we discuss where they live, let me finish what they've said. Okay?

Concluding remarks, and this is an important concluding remark.

In the result, we again have decided to withhold any Charter condemnation.

So they didn't overturn the results of the last election. Then they go on to say:

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. That is being done here.

Then they go on to say one final sentence that I'd like you to comment on.

We reject any suggestion that the present divisions may rest until after the 2001 census.

MR. KUSH: Well, I reject their attitude toward social engineering. That's what they're doing. They are taking unto themselves the job of being creators of legislation. They are there to pronounce whether it's right or wrong. Bang. I'm not the least bit interested in their social engineering, and that is where the Court of Appeal is wrong. Had they done their job the way they should have, they would have either rejected or accepted that judgment from British Columbia. That judgment from British Columbia was from a weak judge, a very weak judge. Had it gone up to the Supreme Court of Canada, in my view it would have been tossed out.

Now, when we start talking about equality, what I have against equality is this. When you come over to our country, you come over

and you're going to behave like we do. I don't go for this nonsense: if you're going to come over to our country, you can do what you darn well please because we don't want to be biased against a minority. That is nonsense, has always been nonsense, and will continue to be nonsense.

My dad came over. He couldn't talk English. He had to learn how to talk it. We didn't have what's going on in this country now. That is going to lead us to ruination, looking for the minorities, looking for what I call the bicycle people, the nonsexuals or monosexuals or bisexuals or trisexuals. See? That's how you destroy a country. You cater to the screwballs. Why not cater to, as Nixon said, the – what did he say now? I forget. Well, he said it.

MR. McCARTHY: Who gets to define what a screwball is, though?

MR. KUSH: Pardon?

MR. McCARTHY: Who gets to define who is a screwball?

MR. KUSH: Well, you take this business of saying we're going to destroy the family. There's a study put out by the legal research board. They're going to make common-law wives equivalent to married women. What for? Why have marriage then? They're destroying the complete foundation of our society by trying to be equal. Their excuse, of course, is, "Well, we want to kowtow to the minority of Albertans," you know. Then we kowtow to this nut and that nut and that nut, and before you know it, we've got a nutty society. We've got to stand up and be counted for certain basic things. That's what made this country.

MR. GRBAVAC: How is your interpretation of the way we should interpret the court's ruling any different than a client appearing before a judge, receiving a judgment, and saying: "Aw, the judge is all wet. I'm not going to accept his sentence"? I mean, that's what you're asking us to do.

MR. KUSH: No, I'm not asking you to do that. I'm asking you to do a little bit of social engineering on your part. If it's good enough for the Court of Appeal to do some social engineering, it's good enough for this commission to do some social engineering. Now, you don't have to be as radical as I am. Me, I'm putting on a little bit of a show for you anyway. You know, I'm not really that radical.

MR. GRBAVAC: Well, that's contrary to what our chairman has told us. He apologized profusely for helping you through law school, by the way.

MR. KUSH: He helped me through law school?

MR. GRBAVAC: Well, you take that up with him. Maybe you helped each other. That's a pretty scary thought.

MR. KUSH: Anyhow, I'm not asking you to ignore it, but I'm just asking you to not be so politically correct and not be in such a hurry to say that this thing is wrong. The Court of Appeal's judgment is wrong. It's social engineering. They have no right to say that under the law. Their going ahead and saying it doesn't make it gospel, doesn't make it right. They're wrong when they say that we can't have the next election under the old boundaries. Why not?

All of us are products of our environment. Look at them: not one

country person on that Court of Appeal. Not one. Why? Because the government does what Roosevelt did: "If you guys don't want to pass my laws, I'll put in my buddies, and then we'll pass those laws." That's exactly what's been going on. Exactly. They've been socially engineering our society to something that the majority of us can't stand. You know, violence, crime, all that nonsense.

MR. GRBAVAC: Maybe we should elect the judges.

MR. KUSH: No way. No way.

MR. LEHANE: I just want to thank you, Gene, for what we might call a provocative and entertaining presentation. There's just one aspect that I'm a little bit puzzled by, and perhaps you'd like to explain a bit of your rationale for the commission and for the members of the audience. That's the part where you get an extra vote if you're a man. I wondered if you'd like to go through that in a little more detail.

MR. KUSH: I'm going to go out the back door because there's a bunch of them laying for me out there.

Well, that was put in because I have a daughter that's a lawyer. I'm not really antifeminist, but I do like to pull their tail feathers just a little bit just to see how high they jump.

THE CHAIRMAN: You might not think John McCarthy's a friend of yours, but I want you to know, Eugene, that all through our November sittings as we traveled across Alberta, he tried to sell you voting scheme, and he didn't get one buyer.

MR. KUSH: Well, he isn't a good salesman.

THE CHAIRMAN: I didn't realize you were going to give pictures today, because I could have brought a picture of when you were playing the role of Lonesome Polecat.

MR. KUSH: Oh, oh. Let's adjourn this thing. I gotta go.

THE CHAIRMAN: I should tell the people present that Gene and I went to university together and were in – he says in the same class at university; I say in the same year. There is a subtle difference, and I think you got it.

He did invite me here to Hanna in about 1989 to make a speech at which Shirley McClellan was present. He was entertaining a law student, I think, from Ukraine at the time. I did make a speech, and I did apologize to the people of Hanna on that occasion for helping this fellow through law school. I also thanked the people of Hanna on that occasion for putting up with him since 1955. I just want to repeat that tonight.

Thanks, Gene.

4:55

MR. KUSH: Thank you, Mr. Chairman.

THE CHAIRMAN: Now, I want you know that he and I made a deal today not to bring up anything, and we shook hands on it at the back of the hall earlier, but that's what it's like making a deal with Gene Kush.

Well, we have one more presenter if you people don't mind waiting, and that's Karen Gordon.

MRS. K. GORDON: Well, I must tell you, gentlemen, that I have gained a new respect for the job you're doing, because when I came here, I had a set of conceived ideas of what you were about to do. I want you to realize that as I've listened and as I've heard you explain back, I think maybe I haven't been on the right track either, but I appreciate that you've taken the time to listen to all of us.

I came to live here 27 years ago and have come to appreciate the unique features of the special areas and know how important it is to the residents to be represented by our rural MLA, who understands the problems associated with distance, sparsity, drought, and water problems. You asked today if we like the way we are governed here, and I think we do. I think the people of the special areas have come through a lot of hard times. They've learned to live within their means, and they have never asked for more than what they can pay for. I think we've been governed very well by the people who have been governing us, and we've had good representation. I hope that if you change the boundaries, you will at least keep us as a special area.

It is my understanding that your commission was struck after the Alberta Court of Appeal ordered the government to address disparities in population. If these people are going to make these kinds of decisions, then I believe they should be elected by urban and rural voters. If courts want to make these rulings, then when we go to the polls to elect our MLAs, we should also vote for judges. I know that's not really popular, but I think that maybe in this day and age we have to change our way of thinking.

We have now reached a time in our history when urban versus rural will become a greater issue for each one of us. You've been movers and shakers with the revamping of health care and education, and most voters have agreed. In health care the downsizing of hospitals requires more rural patients going to the cities to receive care, plus the fact that we do not have social or cultural attractions required to bring doctors to rural Alberta. In education, I've been a trustee for the past nine years, and a lot of time is spent discussing with my urban colleagues distance, sparsity, and the reasons why it costs more to educate children in rural Alberta. It does cost more. There's just no doubt about it.

You've asked us to make unnatural boundaries for hospital boards and school regions, and then you're asking us to split municipalities. You know, we've got to have a little bit of cohesiveness here. We've got different hospital regions. We've got different school regions. We're addressing a lot of people, a lot of issues here, and we'd just like to have a little bit of continuity.

Your solution to mix urban and nonurban populations in electoral divisions of equal size will surely cause a real urban versus rural debate. Increasing the overall number of members in the Legislative Assembly or reducing the number of nonurban electoral divisions: both of these solutions I find unacceptable. You've been directed to provide some reasons demonstrating that principles assuring fair and effective representation have been taken into consideration for all boundaries under review. In the Charter the right to vote is not equality of voting power but the right to effective representation, meaning that I'm entitled to bring my concerns to someone living a rural way of life who understands the problems associated with distance, sparsity, agriculture, and the agricultural way of life.

Agriculture in Alberta is a billion-dollar industry that people in the cities are having an ever increasing say about. They're having a say about environmental issues, irrigation, water, and all sorts of subjects that affect rural Albertans. Rural Albertans could be drastically affected by the sway around the caucus table from the

cities' MLAs. Cities are represented by aldermen, then by a host of MLAs. This ever increasing clout by cities in provincial affairs bodes ill for rural Alberta. They have two school divisions, public and private, all with a direct line to their many representatives in government. Canada's Supreme Court says that the populations of all ridings should be within 25 percent of the provincial average. Alberta maps meet the standard, or so I was led to believe. Our rural ridings are 8.4 percent less populous than the average riding.

Albertans have always been leaders, and the boundary issues will be no exception. My hope would be that our government would recognize the importance of agriculture and the spin-off industries and their importance to rural life. The provincial government has encouraged the growth of gas, oil, mining, forestry and has just recently altered the machinery and equipment tax, encouraging industry to come to Alberta. I believe our provincial government should recognize the importance of agriculture in rural communities and not try to combine us with urban communities. We have never agreed with the way the country has been split up federally; why do we keep trying to do it provincially? Before the next census in 2001 we know that this issue will have to be resolved. There is no sure solution. Our only guide must be common sense aided by the most enlightened consciousness of the times.

I'd like to say that I think maybe rural Alberta is at fault for not telling urban people how much good we are doing out here and that we do put the food on the table. I think it's maybe our responsibility to start doing that, and I'm not sure how to go about facilitating that.

I realize that your decisions will be made on warm bodies. We are losing people here; there's no doubt about it. But I think someone has to be the steward of this region and the rural areas of Alberta, and I hope you'll take that into consideration.

THE CHAIRMAN: Thank you.

We'll start the questioning with Wally Worth.

MR. WORTH: I don't have any questions, Karen. Thank you.

THE CHAIRMAN: Robert?

MR. GRBAVAC: No questions.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions. Thanks for a very clear presentation.

MR. McCARTHY: Thanks very much.

THE CHAIRMAN: You don't get away without any . . .

MRS. K. GORDON: Thank you.

THE CHAIRMAN: Are you just representing yourself?

MRS. K. GORDON: Well, I am. I actually chair the local school board, but I came here as I feel very strongly about the special areas, and I think it has been a good system for this region. When you look at the history of why it was formed, I think that could always happen again. I don't think we're out of the woods. You made me feel very discouraged about agriculture today; I don't know why. But I feel: where's the hope? You know, we're out here making a living, being stewards of this area. We can't all live in the cities, and I think we

have to realize that. I think that you have to be movers and shakers and come up with a new way of counting bodies.

MR. GRBAVAC: My intent was not to discourage you . . .

MRS. K. GORDON: Well, you did.

MR. GRBAVAC: . . . but maybe to wake you to the reality of what's happening.

MRS. K. GORDON: Are we so out of reality out here?

MR. GRBAVAC: No.

MRS. K. GORDON: Do you get that feeling today as you listen?

MR. GRBAVAC: I think many people in agriculture in Alberta are asleep to that reality, as I think many people in agriculture in North America are asleep to that reality. There's a silent movement that is taking over agriculture as we know it, and I think more and more people have to wake up to that reality. If you take that as a discouraging comment, so be it, if that's what it takes to wake people up. One of these days we're going to wake up, and I can assure you that agricultural production in this province will not lie with Albertans if something is not done. That's all I'm suggesting. I'm not here to preach; it's far beyond the mandate of this commission. I'm just suggesting to you that I think there's a paradigm shift being undertaken and that often with these cases and when these kinds of changes take over, people look around and say, "What happened?" as opposed to "What's happening?" That's all I'm suggesting.

MRS. K. GORDON: Well, provincially you're making policies and rules that govern agriculture. If you think that this is really the case . . .

MR. GRBAVAC: Oh, I know it's the case.

MRS. K. GORDON: All right; you know it's the case. I expect you, then, to inform us. Maybe that's what you need to do: start informing us that these changes are out there. We do see it, but you apparently have a greater grasp of it, and maybe you should be informing us.

MR. GRBAVAC: Well, I think some people have fallen victim to it sooner than others; that's all.

THE CHAIRMAN: You spoke about change and a lot of change in respect to school boards, hospitals. I want you to know that as we traveled Alberta in the month of November, a lot of people brought that to our attention. We're very familiar with all the changes that have taken place, and as a result of that, I want to say this commission so far has tried to do its job with as little change as possible. If you look at the overall report that we have done, we haven't changed a lot of constituencies in this province. There are a lot of people who are telling us, "You don't have to make any changes; just leave things alone." That's the wish of a lot of people. But if you listen to what the court said and what the judgments say, we've come to the conclusion that we have to make some changes.

5:05

MRS. K. GORDON: Well, I guess I ask that you allow us to have a

say in that. When school divisions were asked to buddy up with other areas, we did it grudgingly. Maybe that's the choice you should give us: who we'd like to buddy up with. I hope you don't change, but if we have to, give us a say.

THE CHAIRMAN: Well, you've had your say today. This is the process.

MRS. K. GORDON: Thank you. I think we can have a further say though.

THE CHAIRMAN: Well, we have to do this job by the end of June. It's not June of 2001.

MRS. K. GORDON: I understand your plight.

THE CHAIRMAN: Thanks for coming. You spoke well.

Well, that is this afternoon's hearing unless there is somebody here who feels they have something important to add that we haven't heard. Otherwise, we're going to adjourn. I was told, for you people that may be interested, that two MLAs are coming to tonight's hearing, and they are the hon. Robert Fischer, MLA for Wainwright, and Dr. Lyle Oberg, the MLA for Bow Valley. They'll be speaking at roughly 7:30 and 7:40, so if you're interested in what they have to say, you're welcome to come back.

Thank you. We're adjourned.

[The hearing adjourned from 5:08 p.m. to 7:07 p.m.]

THE CHAIRMAN: Ladies and gentlemen, I'd ask that you please be seated as we would like to start this hearing. I want to welcome you and say good evening. I'd like to make introductory remarks.

My name is Edward Wachowich, and I am chairman of the Alberta Electoral Boundaries Commission. I'm also the Chief Judge of the Provincial Court of Alberta. I feel certain that my other job in the court is much easier than my work with the commission. Hopefully, before this second round of hearings is concluded, I shall be able to decide which job is more difficult.

Let me introduce you to the other members of the commission. Robert Grbavac of Raymond, Alberta, is on my immediate left, Joseph Lehané of Innisfail is on my immediate right, John McCarthy of Calgary is on my far right, and Wally Worth of Edmonton is on my far left. The five people you see before you make up the commission. I want to say that we are very happy to be here to receive your comments and your criticisms and to consider your thinking with respect to the proposals that we have made in our report, released in January.

Why are we here? The commission is here to listen to your comments on the proposals made with respect to the electoral boundaries in Alberta in our first report, which I believe received very wide circulation throughout the province of Alberta. The commission is charged by law to examine the areas, the boundaries, and the names of electoral divisions in Alberta and to make recommendations with respect to them.

As I have said, we made the preliminary recommendations in January. These recommendations were given wide publicity, and more than 3,000 copies of our report have been circulated throughout the province. We feel that on the second round of hearings we need only listen to your reactions, evaluate your comments and critiques, and move on to our final conclusion with respect to our

mandate.

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. I want to tell you that we have reached preliminary conclusions with respect to our mandate, but I also want to tell you that our minds are not closed, nor have we reached any final conclusion. Every member of this commission has given these matters a lot of thought, and in reviewing the law, the work of previous commissions and committees which have studied boundaries in Alberta and in reviewing what the courts have said about electoral boundaries in the province of Alberta and in Canada, we've attempted to craft a preliminary proposal that will assure that all of the citizens of Alberta and all of the regions of Alberta are adequately represented in the Legislative Assembly of Alberta.

In order to put our second round of hearings in perspective, I want to present a brief summary of the electoral boundaries law. 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 a very limited time to accomplish this task. We submitted a report to the Speaker of the Legislative Assembly in late January and must now, after a second round of public hearings, submit our concluding report to the Speaker before the end of June of this year.

Three, as I have said, the commission is required to hold two sets of public hearings. The first set of hearings was completed last year in November. This second set of hearings will be completed in April of this year, and after we have considered the input from the hearings, we will craft our final report for submission to the Speaker of the Legislative Assembly.

Four, we are required to hold 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 electoral divisions that we have set out in our first report. I believe we have given reasonable notice of the times and places for this second round of hearings.

Five, the commission has the power to change its mind with respect to its preliminary proposal. When the second round of hearings is completed, we will also complete our deliberations and lay before the Speaker our final proposals with respect to electoral boundaries. The Speaker shall make the report public. It shall be published in the *Alberta Gazette*.

Six, 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, shall be the report of the commission.

Seven, 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.

Eight, then it is up to the Legislative Assembly by resolution to approve or to 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 then come into force when proclaimed before the holding of the next general election.

Population rules. Population means the most recent populations 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 province-wide census more recent than the decennial census compiled by Statistics Canada which provides the population for the proposed electoral divisions, then the commission may use this data.

Number of electoral divisions. 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.

Relevant considerations: 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 of electoral divisions. 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.

Crowsnest Pass. For our purposes the boundaries Act instructs us that the municipality of Crowsnest Pass is not a town.

This is a very general overview of the legislation, but we must also turn to the guidance that has been provided by the Supreme Court of Canada and the Supreme Court of Alberta. The commission wishes to note that many persons may not agree with our interpretation of these decisions. Be that as it may, we are certainly prepared to hear argument on the various points and to reconsider our position.

What have the Supreme Courts said? 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.

Our focus. The commission clearly stated in its report that it wishes to merge a number of rural electoral divisions and to add one electoral division to Calgary and one electoral division to Edmonton.

We invite you to comment on these proposals in their particulars. We have put before the people of Alberta our preliminary conclusions with respect to this matter. We have not reached any final conclusions.

The commission now wishes to hear the views of Albertans with respect to our first report and the focus I have described. Please let me assure you that our deliberations are preliminary at this point and that no final conclusions have been reached. The commission shall not move to the consideration of final proposals without the benefit of input from individuals and organizations in Alberta. Indeed, this is the whole purpose of the second round of 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 reasoning of all organizations and individuals in Alberta with respect to the area, the boundaries, and the names of the electoral divisions.

I would like to now call upon the first presenter this evening, who is Wayne Richardson of the county of Paintearth. Mr. Richardson. 7:17

MR. RICHARDSON: Thank you.

THE CHAIRMAN: I think we last met you in Wainwright.

MR. RICHARDSON: Yes, you did.

Well, I'd like to thank the chief judge and the other members of the commission for this opportunity to present some of the views the county of Paintearth has on this issue. I guess in my last presentation I suggested that our basic premise was that we wanted to retain the status quo. We note that you have rejected that option and have chosen instead to split us in half. I would like to make several comments with regard to that and also a little bit with regard to the methodology you have used in your matrix.

I think the one point I would like to make with regards to the splitting of Paintearth – and I see that Butch Fischer is in the audience here with us – is that when you do that, the eastern half of the county of Paintearth doesn't have the county seat in it basically, which means that if he as an MLA wishes to talk to the local government representing all of his constituents in the eastern half of the county, he has to drive approximately eight miles outside of his constituency boundary to talk to the local government representing those 1,200-odd people. Now, that isn't a great deal, I guess, but I would say that based upon our previous experience when we were as a county split three ways, we did not get that sort of attention from our MLAs.

I would further suggest, I guess, that in splitting special area 4 from the rest of the special areas, you have compounded that problem even worse, because in fact the nearest portion of special area 4 to the town of Hanna, which is where their local government resides, is a 34- or 35-mile distance, and in fact it's nearly 70 miles to the town of Consort, which is the principal municipality within special area 4. Those become fairly serious considerations, I believe, in terms of the added mileage the MLA has to put on to fully represent those people. In effect, I would suggest that you have slightly disenfranchised them by doing that. These comments don't pertain only to Paintearth and special area 4, but in fact they would apply to any riding within the province where you have split a municipality in half.

The other area I would like to talk about is the matrix system, and I think perhaps I'll discuss it point by point. The first consideration you used was the area in square kilometres. Now, area of course by

itself doesn't really mean so much. It's really only important insofar as it imposes a time constraint on an MLA. The larger the area the more time he has to spend traveling. Population of course is the basic consideration that we're looking at. Population density is derived by dividing the area by the population, and as such it contains all the information that those two variables do. You have, however, used all three of them in your matrix, and I think that is mathematically not the correct approach. You should only have used any two of the three.

The number of households, of course, is related very directly to the population, but it isn't exactly the same. A household is a group of people, I guess, which can be visited directly by an MLA, as opposed to meeting just one individual at a time. So the fewer the number of households, the less time is required by an MLA to meet all his constituents.

Unincorporated hamlets: you've treated those separately from other incorporated towns and villages. I would suggest they should all be lumped into the same category in the context of the matrix. I don't really think there's any great difference between them.

The number of appointed and elected bodies. These, of course, are organizations that represent fairly large groups of people. They do have interests which are different from those of the people they are made up of. As an organization they do have interests that transcend those of the individuals they represent. So they do need some direct access to the province, and that certainly imposes a fair chunk of work, if you will, upon the MLA. The greater the number of those types of government bodies and quasi-government bodies that they have to represent, the less time they have available for representing individual constituents.

Then you have Indian reserves and Métis settlements. I again see those as being essentially no different from that of any other town or village. The only difference I do see with them is that there is some federal government involvement there. What I would suggest is that you rank each of them as being equivalent to one town or village but that because of the federal involvement, you throw in an arbitrary level of five additional points, if you will, to represent that added involvement that an MLA will at some point in time get into with the federal government. Some people might think that Hutterite colonies should also be included as a quasi-government body. I don't really have any strong opinions on that.

Primary and secondary highways in kilometres. I would suggest that to that you should add the mileage of local roads. That information is readily available through the AAMDC, as Bob knows. Basically, when an MLA is traveling in his constituency meeting people, each one of those miles of roads has to be covered at least twice, because if you go to the end of the road, you must come back of course, and some of that mileage gets covered many times.

Contiguous boundaries. I don't see that as having any great significance in itself, but it is a crude measure of distance in that the ridings that have contiguous boundaries are farther from Edmonton, but perhaps more importantly there is some interaction of those MLAs with the neighbouring provinces or the Northwest Territories or with the United States. I think those are factors that could also be accommodated by throwing in some additional points, if you will, to that category of local government. I think all of those should be lumped into one.

Distance from the Legislature in kilometres. That's essentially the same as the area and the mileage, and I would suggest you include it with the mileage but factor in the number of times an MLA has to travel to and from his riding over the course of a year.

So I guess I would summarize that by – you used a 10 by 10 matrix, and I really do think you were a little infatuated, if you will, by the symmetry of the situation. I think I indicated in my written comments there that I felt that members of Chinook probably wouldn't rate that a 10. We would perhaps rate it as a 4 in terms of its beauty, if you will. I think it could be reduced to the components of population and population density, the number of households, the number of other government and quasi-government bodies dealt with, and the total road kilometres traveled.

The last three of these are direct measurements of how an MLA's time is used. An hour spent on the road or in the air is an hour not available for meeting constituents or other government bodies. The greater the number of other government bodies, the less time available for meeting constituents. The greater the number of households, less time is spent traveling and more time is available for constituents. In fact, these last three factors are really what population density is about, and as I was writing this, I decided that population density in itself probably should be removed from the matrix. So basically I think you're left with four factors out of the 10 that you used.

7:27

In the end I would say that effective representation for any citizen in the province really boils down to the number of minutes an MLA can spend face to face with any constituent in the course of a year. It should be possible to calculate that from these four matrix components without a great deal of work actually. You just have to make a few basic assumptions and make them common for all citizens of the province.

I suggested a couple of numbers there. I started off by assuming that an MLA works 3,000 hours a year. I know there are some who work more and I'm positive there are some who work less, but it's a starting point. From that I think you want to subtract the time they spend in the Legislature each year, and that's somewhere around 500 hours, I believe, on average. Then I think you need to subtract the time it takes the MLA to get home and back once per week when the Legislature is in session, and I think you need to subtract the time it would take for him to get from one household to the next if he's on the campaign trail campaigning. In that context, too, a city street is of course a road and has to be treated in the same way. Even though the MLA will be walking rather than driving, he is still spending time when he is not meeting people.

You have to remember that a city MLA has evenings and also perhaps some noon hours available when he can meet with constituents. A rural MLA does not have that opportunity. The time that any MLA has to spend meeting with other government bodies and his travel time for meeting those bodies needs to be subtracted from the total, and perhaps you have to also subtract a certain amount of time for when MLAs have to go back to Edmonton when the Legislature is not in session. I don't know how many of those types of trips they do make.

Anyway, for each MLA you would end up with a number of hours in the course of a year when they would be available for meeting directly, one on one, with their constituents. So you just divide that number by the number of constituents in their riding. You then have a very direct means of comparing the effectiveness of representation of all MLAs in the province.

In conclusion, I would like to suggest that rural Alberta really doesn't want to be overrepresented, but I think we do have the right to be as effectively represented as our city cousins. Some may argue that modern communication lessens the need for face-to-face contact

with an MLA. I do not think it does at all. Face-to-face communication is always much more effective, and it always will be. The other thing that I think needs to be remembered is that even though we do have very good electronic communications these days, they always in the countryside lag somewhat behind what is available within the city.

The very last point I would like to make is that we in the country, I feel, do bear a little additional cost over some people in the city when it comes to having access to our democratic rights, if you will, in that if one of our MLAs, say Shirley McClellan, chooses to come to the town of Coronation to hold a public meeting, I drive 20-odd miles to get to see her. I do not have the option of just walking across the street or taking a city bus to it. It's a significant investment in both time and money to a greater extent than what has to be made in the city.

I guess that about wraps it up, and I thank you for your time.

THE CHAIRMAN: We'll start the questioning with Wally Worth.

MR. WORTH: Mr. Richardson, I find your comments about our matrix very insightful, and they're going to be very helpful to us.

MR. RICHARDSON: Thank you.

MR. WORTH: We were looking for a way to try to bring a little greater objectivity into the boundary-setting process, and that's why we tried to develop a matrix to do this. In beginning of the development of that matrix we looked around for factors that we might include in it. I think one of the reasons we got up to 10 and got into the 10 by 10 game that you mentioned is that we thought: well, initially let's start by including all the items that are listed in the Act which gave us our mandate. That's why, for example, something like contiguous boundaries is there and Indian and Métis settlements and so on. As we've moved around in our second set of hearings, we've been getting comments from people who have been analytical about the matrix, and we're finding these very, very helpful. We see it only as a beginning point, and we want to refine it and move ahead with it and bring it to the point where it will be more readily accepted, if you like, by both rural and urban constituents.

I'd like to just acquaint you with a couple of the comments that have been made about the matrix in urban settings. We have been told that the matrix as it now stands undervalues population. That's one thing we've been told.

Secondly, we have been told that it is biased in favour of the ombudsman function of the rural MLA by virtue of the fact that it includes things like locally elected bodies and unincorporated hamlets and so on and by virtue of the fact that it includes all the highways and the mileage rather than the walkways, if I can use that term.

Another point that was made in the urban setting also has been that we need to try to find some way of measuring one of the factors that increases the difficulty for representation in an urban setting, and that is the mobility and the transiency of the constituents. It's not uncommon, particularly in inner-city areas, for there to be a 50 percent turnover from one election to another, which is not something that typically you'd find in the county of Paintearth, I'm sure.

Finally, there have been concerns expressed about the cultural diversity that is more peculiar to an urban setting than a rural setting, where you have problems with language, with adjustment to a new culture, and so on.

So these are some of the things we're considering. Certainly as I listened to you talk to the matrix and your suggestions and analysis of it, I want to commend you again. I think it will be very, very helpful to us.

One of the things I think we'll have to work out – and if you have any comments about this, I'd welcome them. We may even hear from the minister about this as well. You talk about the workload of an MLA. An MLA who is also carrying a cabinet portfolio has another kind of workload. That cabinet portfolio probably – probably – impedes the ability of that person to give the same kind of representation as a noncabinet member from a rural area. We may hear something about that later.

Those are my comments, sir, and thank you.

MR. RICHARDSON: I certainly agree with a good deal of what you have said. Many of those criticisms that have come from the cities are very definitely correct. Even what I said here tends to in some ways remove some of the portions of the matrix that have perhaps overweighted some things in the rural areas. I don't know. I'm sorry; I apologize for not having had time to work through those calculations myself. I had fully intended to. I don't think it is a great deal of work to do it in the manner that I have suggested, but I have had a few other things on my plate and just wrote this in the rush of things.

MR. WORTH: Well, we have some personnel and the computers, and I think we can follow up.

7:37

THE CHAIRMAN: Robert.

MR. GRBAVAC: No questions.

THE CHAIRMAN: Joe.

MR. LEHANE: I want to thank you as well, Wayne, for your comments with respect to the matrix. It's important for people to understand that the matrix is in a lot of ways a first attempt by any commission to somehow quantify the degree of difficulty of effective representation. We feel it's important because we feel the Court of Appeal looking over our shoulder. It won't be sufficient for us to merely state that it's more difficult for a rural MLA to represent their constituency. We have to somehow justify any variance from the average population quotient. As those variances increase, our justification has to be better and it has to have some sort of more precise way to measure it than simply by stating our opinion or to repeat an opinion that we've heard.

To give you an example of why we think this is such an important process to begin: Saskatchewan has recently passed legislation where they require that the variances be within plus or minus 5 percent. That's the Legislature that passed that. That's not the courts. We can criticize the courts all we want, but you can see what's happening in this country in terms of the Charter and effective representation by population. We have to do our homework, and we have to be able to quantify and justify as best we can. We think that our matrix is a diamond in the rough that's really rough at this point in time. It needs a lot of cutting, a lot of polishing but is a very important start on this process.

Now, to tell you about the Saskatchewan situation, once they passed the legislation that only allowed a variance of plus or minus 5 percent, they then struck their boundaries, and we're told that the

vast majority, like 40-some out of 50-some boundaries, are within 1 or 2 percent. I think this commission questions whether that can really result in effective representation or whether what you're doing there is trying to force things into boxes that don't fit and losing, and in an attempt at equality you're getting further away from fairness and effective representation. So thank you for your help in the process of refining that measurement.

MR. RICHARDSON: Thank you. I wasn't aware of that Saskatchewan experience.

THE CHAIRMAN: John.

MR. McCARTHY: I'll make just a couple of points. I thought your submission the first time was good, and this one was also good.

MR. RICHARDSON: Thank you.

MR. McCARTHY: You've given us some incentive by giving us a four on 10 rank. We'll work hard to try and get a passing grade from you when we finish here. So thanks.

THE CHAIRMAN: Well, Wayne, I want to make these comments. We knew our matrix had problems in that it wasn't weighted. We've discussed between ourselves weighting and some criticisms, and we thought that by putting in the matrix we would get at these present hearings the criticisms, and we're getting them.

MR. RICHARDSON: I'm glad I haven't disappointed you.

THE CHAIRMAN: But I want to give you this kudo. It's obvious that you have read the interim report, and it's obvious that you've done a lot of work in respect to the matrix. We're only in our second day of hearings at this point, but so far you win first prize for having done the most work and the best criticisms of the matrix. Most people come here with only one or two comments about the matrix, but I want to say that you've studied it well. Thanks for your help.

MR. RICHARDSON: Thank you.

THE CHAIRMAN: The next presenter is the Hon. Robert Fischer, the MLA for Wainwright.

MR. FISCHER: Well, thank you and good evening, Your Honour and committee. It's a pleasure for me to come down. I want to say at the outset that I guess I'm going to be a little bit critical, and I don't mean that to be directed at anybody especially. If I could direct some of my criticism, I think it would be to the appeal courts and so on. However, I know that you have a very difficult job to do, and we have struggled with that for a number of years. I've been an MLA for 13 years, going on 14. I've seen the results of four different changes now that I can remember quite well, and none of them people wanted to accept. Certainly we are reluctant to change. I think that's just a normal thing.

Certainly for you people when you have the Court of Appeal to deal with, you've got the Charter of Rights to deal with, and you've got the rural and the urban and what we do in the Legislature to deal with, it's difficult to put it all together.

Before I've forgotten it, I want to say something about the Saskatchewan question that you answered. I do hope we don't look

towards Saskatchewan for leadership. We certainly have been on a path of our own for a number of years in this province, and I think we can certainly lead the way, maybe even in Canada.

I have two major concerns, and one of them – I wouldn't say it's the most major concern – of course is the expansion of the Wainwright constituency. The other one is likely the most vital concern, and that is the erosion of any form of regional representation. I know that the courts are suggesting in their ruling – and I mapped it out almost on every page, where they kept saying that we have such a problem and that we have to go closer to representation by population. I know – and you've probably heard this many times before – that we don't like what happens in the federal government because we have representation by population. Our elections are all over by the time we get to the Manitoba border. I know that we have a Senate, albeit it's not a very effective Senate the way they're allowed to operate, probably getting a little bit better as time goes on. But the fact still remains that the mass population rules Canada, and I just ask you: is that what we want to happen here in this province? Most democratic systems in the world have some form of regional representation, and we in this province since the beginning have always had a fairly substantial variance to make up for that lack of regional representation. That's been our form of regional representation.

I would like to just go back a little bit. In the Wainwright constituency in 1975 we had 7,300 voters, and in 1979 we had 8,660. In '82 we had 9,766, in '86 we had 11,000, in '89 we had 10,800, and in '93 we had 15,000. If your suggestion carries on with this, this time we will have roughly 20,000. Now, that is putting us and the Wainwright constituency down to minus 5.2, and it seems to me that's not being one bit fair to our constituents.

I know it sounds a little self-serving for an MLA to come to these meetings and say, "Yes, I have to travel too far and work too hard," and all those kinds of things. Probably – and I only say this as making a point – had our meetings been closer to Wainwright, we would have had a lot more people out. I had asked a number of people to come here today because I felt it would mean more if they made the representation, but of course it means taking a whole day off for them to come and do it. I would like afterwards if you would just kind of make a comment on my comment on the regional representation.

7:47

I guess I know that you have to justify the boundaries and you have to justify why things are the way they are. In your book here at 1.5, recent court decisions:

The Supreme Court of Canada and the Alberta Court of Appeal have agreed that the right to vote under the Charter includes:

- (a) the right to vote;
- (b) the right to have the political strength or value of the vote of an elector not unduly diluted;
- (b) the right to effective representation;
- (d) the right to have the parity of votes of others diluted, but not unduly, in order to gain effective representation as a matter of practical necessity.

It says in the Charter that we should have an equal vote. I guess I'd go back to what I said a little earlier. In the rulings it seems like that was something that was mentioned a lot, that we have to go back and we have a problem, and maybe I dispute that a little bit. I know it's not your fault, but I'd like you to take that into consideration in your deliberations here.

The big thing I want to speak about a little is the Wainwright

constituency. We do have a very large constituency now. We went from the minus 21 to minus 5. I'm not saying the minus 21 was absolutely right at the beginning, but when I think of being within minus 5 of the average in the city – Wayne had spoken about all of the differences, and I'm sure that you people have heard the differences between representing the rural and the urban many, many times. I guess I don't want to get into that so much as just to say that I don't see how you can feel that being within 5 is fair to the constituents.

The minus 5, when we connect that to the other matrix that you have in here – and I wanted to just deal with special area 4 first, because that puts a new dimension into the Wainwright constituency. It's called special areas because it's a special area. It's governed together with the other special areas, and I just can't for the life of me understand why you want to break that up. It's a governing body that has to be dealt with.

One other thing that was mentioned – it's slipped my mind. Anyway, I wanted to get into the matrix a little bit. I'm certain that the balance or the weighting of the matrix just is not fair. It just isn't fair whatsoever – it was mentioned already – when you talk about the population and you use it twice. We found the boundary away from the Leg. Building was quite unfair, because our constituency goes as far as Daysland, which is quite close to the Leg. Building, 124 kilometres according to your figure, but we do go all the way to the border and down to Oyen, which is about a four-hour drive. I think you should at least take it to the middle of the constituency if you are going to use it.

I don't know how to weight those things, but some of the things I feel are very, very important are even left out in your weighting. I tried to go through your program here and put your matrix on our new boundaries. When I got to the last two, it was quite disturbing to me because one was the contiguous boundaries, and I don't know how you could possibly weight that one the way it is.

I'm interested that you said it was legislated that you have to do that. I wasn't aware of that. Maybe I did mishear.

THE CHAIRMAN: Maybe Wally can explain that.

MR. WORTH: It is listed as a factor that ought to be taken into consideration with respect to special consideration areas, and it was just one of the items. It wasn't legislated in the sense of saying you must do it. It was identified as one that could be considered, and that's why we considered it. We thought we'd start with those mentioned in the legislation.

MR. FISCHER: Well, fair enough. Yes, I agree that it is a point, but I don't think it should weigh up there with, say, the population or the land and size.

THE CHAIRMAN: We've also had some people tell us we should throw it right out.

MR. FISCHER: Uh huh. But I want you to keep in mind what I said first, too, that right from the beginning we've had a good province and have done a fairly good job in the last almost hundred years now of governing with the system that we have in place, rather than going to representation by population. So I don't think we can underscore that point.

I had another point. I don't know where, say, the Indian reservations fit into the weighting, because there is an awful lot of federal

governing as well as provincial. I mean, is it far more troublesome to do an Indian reservation than it is a special area, for instance, or another five municipal governments? I think that needs to be thought over a lot more carefully.

The other thing: the access to services. The MLA or the minister, whoever it is out there, the government representative at the time, whenever there's a problem in the rural areas, he is the first contact point. It's interesting. We advertise what our phone numbers are and that we're there, and I think that's what we're supposed to do. We are the first contact point, and we do an awful lot of things. We solve a lot of problems, we direct a lot of traffic, and we're the facilitator for these people. Certainly we're the contact to put them over to government, to whatever services we've got or departments they need to go to or whatever it is, and we have to take into consideration that most of the government departments and services are in the big cities. I really believe that that could be weighted as heavily as any of them in here, and it's not in here. I know we have lots of district offices with things. Many times people can get help with that, but many times they can't as well. I would sure like you to have a good look at that.

7:57

One of the other things that is different and certainly more difficult that maybe could be taken into consideration is our communication and our number of newspapers and radio stations and TV, if you have one. I'm not sure, but I think you people are well aware that we seem to have to spend quite a lot of time with these people in order to get the message out properly. You do that by communicating directly with them, and sometimes even then it's hard to get it out right. But it is a job and it's a big job. The people of our constituency deserve to have the proper message from government out to them, and I would like you to have a look at that.

When I think of a minister – and you mentioned that before – your time in your constituency is very small, and that right away, I suppose, discourages a little bit the rural MLAs. In the past and in the times that I've been in the Legislature, usually they balance fairly close to a third, a third, and a third, if it's possible. When I say that – a third in Edmonton, and a third in Calgary, or sometimes we use other cities as well – I'm sure that's a bit of a guideline, and that is a fairly substantial benefit, I guess, if you like. Benefit is not the right word, but the minister does have more of an advantage than an MLA and can do more things for his constituents to help provide services. I say that mostly because of just the information base that you get. I believe that's coming together, so it might be lessening a little bit more now with our communications that we have, but I think it could be a factor there.

One thing – I don't know how you measure it. I want to use the health care issue this year as an example or our water rights issue. Anybody in rural Alberta certainly got stirred up as soon as we mentioned any kind of change to their water, and to get that message out there, one almost had to go and speak to people directly, because the right message, the proper message did not get out. This past year there was a tremendous amount of time by myself and almost all rural MLAs on that issue alone. The folks in Edmonton and Calgary don't have that kind of an issue.

The health care issue. With our new boundaries as proposed, there will be eight hospitals. It has been trying times with the health care issue, as many of you know, with all of the changes and restructuring we're doing. I daresay I've spent nearly as much time with my constituents on health care as I have in public works. We've had Sunday after Sunday meetings on that. I've gone to

many, many of the hospitals and talked with people to see if we were getting the type of health care that was intended, and when you have eight hospitals, you just don't do that on a weekend. In the cities they have three or four or five hospitals, whatever it is, and they've got 20 or 23 MLAs to go and do this.

So there are all of those types of things that I would like to see worked into our matrix. I want to say that a matrix is a good way to justify what we're trying to do, and I like the idea of it, but I think it has to be expanded a lot more yet and a lot more thought given to the weighting of it.

I would like your thoughts about the McLachlin judgment as well and the allowance of the 25 percent variance providing that you can justify. I was glad to hear that your first stab at it is a first stab at this. I don't want to knock it apart in the fact that I know that it's not easy to put together. I would like you to comment on that, and maybe it would help us understand it a little bit more too.

Thank you very much for your time.

THE CHAIRMAN: I'll call on John McCarthy first. He's the expert on the McLachlin decision.

MR. McCARTHY: Well, I don't know whether I'm an expert or not, but for what it's worth I'll give you my input on it.

The Court of Appeal was aware of two things when it came down with the decision that you've commented about. First of all, it was aware of Madame Justice McLachlin's decision before it made its decision. So the decision of the Supreme Court of Canada, through Madam Justice McLachlin, was available to the Court of Appeal of Alberta when they took a look at the boundaries as they presently are; in other words, the legislative committee of the Legislature that recommended the changes last time and were implemented and what we're faced with now.

I don't think I have to quote passages from the case, although I can if you wish. Basically the Court of Appeal said two or three things, and that was, number one, that we're not going to overturn the 1993 election, but – well, let me just read the concluding remarks maybe. Rather than paraphrase it, I will do what I just said I wasn't going to do. The concluding remarks of the Court of Appeal were as follows:

In the result, we have again 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.

Then they indicated, "We reject any suggestion that the present divisions may rest until after the 2001 census." So that was the message that the court gave in its concluding remarks.

MR. FISCHER: Well then, if I could – maybe I won't because it's not your final report yet. But I just want to suggest, then, do you think they meant taking Wainwright from 21 to minus 5? To me, if they didn't condemn the original report, then we must have been pretty close.

MR. McCARTHY: Well, they didn't get that specific. The highlight of their concern was what they felt was an undue dilution of urban voters' rights as compared to rural voters' rights.

Can I just take a minute and quote a couple of passages?

MR. FISCHER: Sure. Please do.

MR. McCARTHY: As you're aware, Mr. Bogle was the chairman of the last committee, and they were referring to his affidavit that was presented when this issue went before the court. They said as follows:

The Chairman added that "... the first priority would be to respect existing constituency boundaries, if possible ...". This is, of course, a simple 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.

8:07

I'll just read one more passage, and then I'll continue discussing this with you.

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.

They didn't get specific with respect to specific areas, but their comments were more general vis-à-vis urban and nonurban constituencies. So those are my comments with respect to that.

One other comment I wanted to make – and it's been discussed at length earlier today here in Hanna – is that the problem I don't think is going to go away. It's going to be a continuing problem. A gentleman today mentioned his concern that if the courts keep making comments like that and perhaps intervening in this issue and pushing for more and more equality of representation between urban and rural areas, eventually, you know, there may be one constituency in eastern Alberta, one big constituency.

The Social Credit Party came up with an interesting – it's something that's going to have to be debated. I mean, we have a mandate that's restrictive, as you know, but after this commission is finished, it's going to be a continuing problem. One solution that they raised was the issue of maybe a provincial Senate. I don't know whether that would work, but I started to think about it and thought – and this is further to your invitation to us to discuss regional representation.

If you had, let's say, 52 or something seats based on, let's for sake of argument say, dividing the number of federal ridings by two – so you'd have 52 or 54 based on representation by population within, let's say, a 10 percent variance – and then you had 25 regional seats and you had them divided into five areas – north, central, south, Calgary, and Edmonton – that is one possible solution to the problem of regional representation, and I think it's one that the Legislature should look at for the future, because this commission is only dealing really, the way I look at it, with a problem that finds its roots at the uneasy junction of legislative and judicial authority.

MR. FISCHER: Would your commission be prepared to make that recommendation to our Legislature?

MR. McCARTHY: Well, we've got our interim report now. I'm not sure it's within our mandate this go-around, but it certainly is something that the Legislature should take a look at in the future. There have been a number of concerns – you've expressed it, and they're legitimate concerns – from rural Alberta. That is one possible solution; there may be other solutions too. If that was ever implemented, we would still be faced with the problem of trying to get that through the courts. I don't know whether we'd be successful or not, but it might be worth a try. It would be a new approach.

MR. FISCHER: One other thing that I just didn't mention; I think I mentioned it in my written one. The land base and the industry base and everything are in the rural areas, and certainly that should be included in our matrix. There should be some weighting for that. I can't help but think that when you get into environmental issues or industry issues of any kind in the rural areas – and I use agriculture as an industry – we need to have some representation. We don't want the urban areas making the decisions for you. I'm not saying that it's all wrong, and I don't want to sound overly unfair to them, but it's a problem. I think I probably have used up my time.

THE CHAIRMAN: Well, we're not going to cut you off. There may be some more questions.

MR. LEHANE: I think, Butch, one of the things that we face – and I think it's coming out of your submission today – and something we're aware of is that this is not a problem that's going to go away. We may have to be somewhat more creative than we've been in the past in terms of assuring that there's going to be effective representation in the rural areas. I don't think in light of the Charter and in light of what's happening in some other jurisdictions that we're going to be able to convince the courts that Edmonton-Rutherford with a population of 38,000 and Chinook with a population of under 16,000 meet their requirement. So we're going to have to address this idea of regional representation perhaps in a more creative way. I'm passing that along in terms of being something outside of our mandate but something certainly that the Legislature has the ability to begin to study.

I guess, to be more specific, the second question I want to ask you

– and you may not have the information. It's certainly information we can get, but just for the sake of this evening: if special area 4 was to come out of the proposed new Wainwright constituency, how would that affect the population? Do you know off the top of your head?

MR. FISCHER: No, I don't. But it wouldn't affect the population in a big way because there are not a lot of people that live in that area. It's very sparsely populated. Wayne over there could probably tell you.

MR. RICHARDSON: Jay would answer better.

MR. SLEMP: About 1,700 people. That's in the rural. The towns would make up another 100,000 maybe.

MR. FISCHER: So it would be quite a bit.

MR. McCARTHY: That would bring it to about a 13 or 14 percent negative variance. What we've heard today is that the people out here want to at least keep the special areas together, and we're going to work at trying to do that.

MR. FISCHER: Well, certainly it's helpful. I don't want to sound like I don't want to have the special areas in the constituency. In fairness to the people, I just say that I don't know what the right variance should be, but we're getting down there awfully close to what an urban one is. They're hard to represent now, and I've come to the conclusion that it doesn't bother me one way or another very much for a little bit more or a little bit less because it's already huge.

MR. LEHANE: One of the problems of course in drawing any boundary lines is that when you draw one, you affect at least one other and maybe five others, you know. So to find that number that may be greater than five and less than 21 is not always that easy a match. That's why I asked you the question about special area 4.

8:17

MR. FISCHER: Just to comment on your other statement about the ones in the city versus the ones in the rural areas, could we convince the court if we have our proper matrix formula to justify it? Do you think that's possible?

THE CHAIRMAN: That's what we're trying to do. That's why we came up with the matrix. We're trying to justify the variances.

MR. LEHANE: You can justify to a degree, but as the variance grows, your justification had better get stronger. I think that really the issue that is often debated is: to what degree can you justify the variance?

THE CHAIRMAN: Robert?

MR. GRBAVAC: No questions.

MR. WORTH: Mr. Minister, we've only been able to find one published study which examined the activities of an elected Member of Parliament and compared the work of urban and rural MLAs or members. It wasn't a study, however, that dealt with MLAs. It was a study that dealt with MPs, and it was done Canada-wide. To our knowledge it's the only study that has been done and published

relative to what elected members do. The reason I'm referring to this is because there were two findings in that study that I'd like you to comment about in terms of their relevance on the provincial scene, because I'm trying to determine if there's a difference between the federal and the provincial.

One of the findings of this study was that there was little difference between the workload of an urban MLA versus a rural MLA, but the study also turned up the fact that the components of that workload were different. One of the findings in the study was that rural MPs tended to spend more time working with groups than did urban MPs and that urban MPs spent more time working with individual cases than did the rural MPs. I'm wondering if you would view either of those findings as being applicable on the provincial scene?

MR. FISCHER: Well, certainly we do work with groups, just by the number of councils and that type of thing. If I compare what we do with an MP in today's world, it is entirely different. Yes, they do work with individuals – I mean, Ottawa is a long ways from here – and they do get more individual cases; I'm sure of that. That could well be true.

I go back to: what are we supposed to be doing as MLAs or as elected persons? We talk all the time about representing our constituency. I've often wondered: if I could go and legislate without doing all of this other thing, would it make life an awful lot more comfortable? Now, there again you can't really legislate unless you have the input of your constituents, so it's kind of a two-edged sword. In answer to your question, I think it's probably true that they work on individual ones more than we do, but we work on a lot of individual ones too. It depends on the person too, an awful lot on the person.

I'll just describe myself a little bit. As I've been together with our people more and get to know people more, you become part of their communities when you go there. You get to know the people, the individuals as friends, and when they hurt, you hurt. It grows on you with a bit of time. Now, whether that's proper representation, I don't know. I know you can get too attached to things too. But that's what happens a lot with our MLAs. I don't see that same closeness with the MPs.

MR. GRBAVAC: I think that's an interesting point, Mr. Chairman. If I could follow up on that. You know, I'm from rural Alberta, and I've gained a whole new appreciation for just how important a role government plays, obviously in the lives of rural Albertans in particular. I mean, we've heard comments similar to yours from one end of the province to the other, and it is interesting to note the huge variance that exists across North America. For example, in the state of California there is one state legislator for every 372,000 people – that being the extreme – and in the state of New York about 119,000 people for every state legislator. In the province of Ontario there's one for every 75,000. I understand they're going to triple that; are they not? Something in that neighbourhood.

MR. FISCHER: Could I ask you what P.E.I.'s is?

MR. GRBAVAC: And it goes to that other extreme, yes. I was working my way down the list. The point I was trying to make is that I'm not sure any of us knows what it means to represent people. I could probably give you that, if you wanted me to. Maybe not. I think the lowest I have here is New Hampshire, where we have one

representative for every 2,773 people.

MR. McCARTHY: P.E.I.'s is 4,000.

MR. GRBAVAC: Four thousand. Or I could take you to my rural municipality, where we have almost as many elected officials as we have electors, if you want to go from the ridiculous to the absurd here.

The point is that it is, I suppose, a very subjective thing in terms of: what is representation, and to what degree do you fulfill the ombudsmanship role? I know there are a lot of demands placed on rural MLAs. They're expected to be at the 25th wedding anniversary, the high school graduation, and that is largely a function of the fact that you know all the people. For the most part, you know those people on a first-name basis, and that socio – I was not going to say socioeconomic structure. The sociological factor does not exist in many of our large urban centres; the MLA doesn't have a personal relationship with those people. So I can appreciate that it's much more difficult and that the rural MLA probably has a greater affinity with the individual and those individual concerns because he knows them. They're his friends and neighbours. So it's not the same thing. I think we agree. It's just maybe a matter of: to what degree do we disagree in terms of the variance in representation by population? I think what we're trying to do is find a balance, and I can appreciate that we've got some fine-tuning to do.

I really thank you for your comments with respect to the matrix and some of the concerns that you have. I think we're going to go back and do some refining. I would hope that what we're doing will stand the court challenge and that the next time the Premier calls an election, we will in fact have an election, because I suspect that on the current set of boundaries there would be a problem there. I'm not so sure that we'd get an election off the ground under the current set of boundaries. That's an interpretation of the ruling of the courts, and that's subject to individual interpretation. I, not being a member of the legal profession, probably am not very qualified to interpret that. However, it leaves a lot open to interpretation.

In any event, I just wanted to make those comments. I'm not sure that any of us really has a handle on what is in fact representation, particularly in a rural constituency.

THE CHAIRMAN: Well, Mr. Minister, I want to thank you for coming. We like listening to MLAs and especially ministers. We find that we get a very thoughtful conversation and firsthand information. So thanks for coming.

MR. FISCHER: Well, thank you very much and good luck with the rest of your job.

THE CHAIRMAN: We'll need more than luck; we may need prayers.

The next presenter is Dr. Lyle Oberg, the MLA for Bow Valley.

DR. OBERG: Thank you very much for allowing me to speak to you tonight. I want to first of all say that having been involved extensively in drawing boundaries, you have my complete sympathy and empathy with your job. It's a thankless job, and there's always going to be someone that complains and someone that says that they could have done it better. So with that, I certainly do empathize with you.

The two speakers before me have raised some very interesting issues that I would like to comment on, if I may. First of all, I think

that anyone anywhere anytime would say that one person, one vote is the best way to go. All things being equal, all things being exactly the same, there is no doubt that rep by population would be the absolute best way to go. If everyone lived in the city of Edmonton, if everyone lived in the city of Calgary, and if the demographics were essentially identical, then there's no doubt that would be the way to go.

8:27

I think the key to your task as put forward is defining what is effective representation, and as you've stated, there's only been one study that has been done that has even attempted to compare the jobs of an urban versus a rural MLA. Effective representation is one of the amorphous things that's out there in society, and how you define it is very, very difficult.

I can anecdotally tell you what I do as a rural MLA. I'm not a cabinet minister. I am probably as single-focused, though, as anyone in government when it comes to being involved in health care. What I would like to do is just give you a demonstration of what exactly it means to be a rural MLA, and to back that up, I am the chairman of the standing policy committee on health care restructuring, which means that I've been intimately involved in health care restructuring, which has been, you know, a reasonably small job in the past while.

The best way to do it is to describe what I've done this week. This week, to start off with, I traveled three and a half hours from my location in Brooks to a meeting in Edmonton by 11 o'clock Monday morning. The three and a half hour travel time includes a 35-minute flight from Calgary. So it is not driving the whole way; it is driving to Calgary and then flying up, which is actually a shorter route for me to get to the Legislature than driving.

So far this week I have dealt with issues such as deer hunting and deer hunting season. For those of you who are in urban Alberta, you may say that that's a trivial thing, but to the people in this audience, extending or decreasing the deer hunting season is probably a major concern. For the farmers living along the Red Deer River Valley, where the mule deer are quite an issue, it is something, but on the flip side of it, it is something that an urban MLA would have to know nothing about.

I also deal with the largest irrigation district in the province. They're the largest single private landholder in the province. They are the largest single water licensee in the province. They are a body that does a lot of things in the community. Without that body, without the irrigation district, without a knowledge of irrigation in my area, there would not be water in Brooks. We are essentially in a desert, as you may or may not know if you've been there, and the knowledge of how water flows, the knowledge of what an acre-foot of water is is something that the urban MLA has to know essentially nothing about.

One of the issues that I've dealt with this week, as well, is the sale of the pheasant hatchery, which is a facility that is on the outskirts of Brooks that is an employer in my community. That hatchery is presently in the state of closing down, again a diverse thing that basically urban MLAs won't have to deal with.

My constituency at the moment is the single biggest greenhouse constituency in the province. The town of Redcliff has the single highest concentration of horticultural activities in the province. We are the single largest cow/calf operation in the province in the county of Newell. Oil and gas I think is something that all of you are very familiar with. In the town of Brooks we have companies such as PanCanadian; we have Nova; we have Amoco. Essentially every oil and gas service company that there is has representation in Brooks.

The purple and white trucks that you see traveling on the highways all the time are centred in Brooks with Jo-Ann Trucking.

We also have, if I may, a company called IBP, which is centred in Brooks, has its Canadian operations in Brooks. IBP presently has annual gross sales of \$13 billion U.S. It is a major multinational company that I personally have to deal with on a day-to-day basis, because they are the largest single employer in my area. They are in the midst of an expansion. There will be 700 new jobs hired for in my constituency in the town of Brooks in June and July. This is to be followed with another 500 to 600 jobs over the next year.

We are anticipating a growth in Brooks of between 2,500 and 3,000 people within the next year to year and a half. These are issues and concerns that an urban MLA does not have to think about. One of the concerns and issues in my riding was that we did not have enough serviced lots, that we did not have enough housing to house the people. Again, this is something that is a huge issue in my constituency. It is a huge issue that an urban MLA does not have to know anything about.

In my other life, in my other job in health care, today I met with representatives from Suncor, Amoco, and the city of Edmonton to discuss employee/employer health benefits. On Thursday at lunchtime I will be meeting with a health care company out of Australia. The vice-president – the owner of the company is the same owner that owns Loomis – is coming over to meet, and presently they have \$3 billion in sales.

I guess the point I'm trying to make is that the diversity of my job as a rural MLA is much greater than the diversity of the job of an urban MLA.

The people in this area, a lot of groups have seen tax increases. A lot of groups have seen tax changes. I don't know if you know, but essentially in this area and south of here towards my constituency, the mill rate will be increased from two mills to eight mills. This is compounded by a general assessment, so to say that the people will be enamoured with that is slightly, you know, different. Again, an urban MLA does not have to deal with these changes.

Everyone thinks that the restructuring in health care and education has taken place in the urban areas, but I will put it to you that it has probably been more extensive in the rural areas. There has been more downloading onto the rural municipalities and more to deal with and more problems in the rural municipalities than there has in the urban municipalities.

The second point, if I may, which I find quite distressing – and I think you may have seen me allude to it a little bit already – is the stereotyping that has occurred in your report when it comes to rural constituencies. The assumption is made – and the assumption is made by the very virtue of the fact that in rural areas you've used the '91 census figures whereas in the urban area you've used '95 estimates – that urban areas are increasing in size and that rural areas are decreasing in size. I would put it to you that in my constituency we could very well see an increase of 3,000 to 4,000 people before the next election, and that is something that does have to be taken into consideration. There is a census being performed in May of this year, a general census, and I'm just curious as to why you would not wait until you get these accurate figures.

The other issue – and one of the gentlemen from Edmonton brought this up – is the transient population, the mobility of the population. Well, the mobility of the population in my constituency is probably as high if not higher than it is in an urban constituency. We have a workforce at IBP, which is a packing plant, that is making between \$8 and \$10 an hour, and by definition alone that is

a very transient population. We have a high population from eastern Canada who have moved into Brooks to live because they are able to get jobs there.

The other issue that you've talked about is the ethnic diversity, and I would put it to you, just a little trivial fact, that I have a Buddhist temple in my constituency, which is one of about only three or four Buddhist temples in the province, and that Buddhist temple is in a town called Rosemary. So to stereotype rural populations as being red-necked ranchers I think is wrong. I think there is a lot of diversity there. There is a lot of danger in stereotyping these populations.

The other issue is that there is a lot of growth in rural Alberta, and I think you really do have to take that into consideration.

The third point that I would like to get into is actually the matrix. I apologize if I'm critical on this, but there are some things here that I feel quite strongly about. First of all, I don't think anyone can deny the area in square kilometres. I think you have to look at that regardless. Around the province there are people living in every area of the constituencies. So I think that is quite valid. I think the population, as well, is quite valid. Going back to rep by population, I don't think you can have 5,000 people in one constituency and 45,000 in the other. That just doesn't make a lot of sense.

I do take issue with the population density on two points. First of all, the population density, by the pure mathematics of it, can be extremely skewed if you have a large population centre within a rather large jurisdiction. You could quite easily have a population that is of extremely high density for 90 percent of the population, but that is balanced out by the other 10 percent of the population being very sparse and scarce. So I would really suggest to you that you do take a look at whether or not there are population centres when it comes to the population density.

8:37

The next point is the number of households. The number of households is something that I found quite interesting because, to be perfectly honest, it's something that I've not seen used in a lot of places as justification for anything. As you may or may not know, I was in charge of the Premier's Council in Support of Alberta's Families and have done some work on United Nations documents as well on families and households. One of the issues is that there can be an argument made that when there are family issues, actually the number of households – and I'll use my constituency for an example. With 7,800 households and a population of 23,000, the average household size is between three and four. Edmonton-Centre, on the other hand, has 20,280 households for a population of 33,000, so you're looking at about one and a half. I would put it to you that in this case the fewer number of households probably has more of an effective representation value, because what you're looking at is not the working population. You're looking at family issues. You're looking much more at social issues such as education and health care when you have a fewer number of households per population.

As an MLA I must say that in my experience the unincorporated communities in my constituency really are something that are not needed to be in this matrix. The majority of the concerns that are put forward by the unincorporated communities are collectively joined in the municipalities; for example, the special areas or the counties and municipalities.

The number of appointed and elected bodies I think is very critical. I think that it's a much bigger job to have one MLA dealing with five or six RHAs, school boards, municipalities as opposed to Calgary, where you have 16 to 20 MLAs dealing collectively with

one regional health authority, with two school boards, and with one municipality. I think that is extremely important. I would caution you on one thing, and that is that to empirically put a number on appointed and elected bodies is very difficult. To compare in my constituency the workload of the MLA, the effectiveness of an MLA in representing the village of Duchess versus the RHA of Medicine Hat in that region – I think you have to be extremely careful in comparing that.

Primary and secondary highways. Again, I would question that, and you've talked about that. Contiguous boundaries: I agree with what has been said.

On the distance from the Legislature I would add one thing, and what I would add to that is actually travel time to the Legislature. For example, Grande Prairie is much further from the Legislature than Brooks is. On the other hand, there are six or seven flights per day from Grande Prairie to Edmonton. There are no connecting flights from Brooks to Edmonton. In response to Bob's question earlier, last year I made 80 trips between Edmonton and Brooks. To put that into perspective, at about four hours a trip that's 320 hours, which is eight working weeks that I spent traveling between Edmonton and Brooks. These are eight working weeks that an Edmonton MLA would not have to participate in.

I think the other key component there is that we have numerous MLAs, be they from Edmonton or Calgary, who travel back and forth in an evening for a meeting purely because they can hop on an Airbus and be in Calgary within the space of 45 minutes. They will travel for their school board meetings and back that night to Edmonton. As rural MLAs what we do is we tend to group the meetings on the weekends, when we are off.

The other issue that I would be careful of on that is that often there is more work being done in Edmonton these days out of session than there is in session. So there's a lot of travel time going back there.

I've probably spoken way too much. I would caution you on the matrix. To say that the status quo is the way it has to be I think is very difficult when you look at a lot of the issues that are out there. I would caution you. Perhaps using a bit of an analogy of my own, if I were to use some of the logic in this matrix in making my decisions, I think the patients would die. I think you really have to effectively look at it. I think these are important decisions, and I think you have to look at them and try and come up with the justification on it.

In conclusion I would like to just say one thing, basically, that is a direct quote from your book. What we in this area are asking is to be considered exactly the same as this:

Additionally, we have decided not to alter the boundaries of Barrhead-Westlock at this time. The current boundaries for Barrhead-Westlock reflect the history of the area and the traditional senses of community. The current boundaries generally reflect the municipal boundary configurations and we are satisfied that the social and transportation infrastructure is respected by the current boundaries. Thirdly, to alter the configuration of this electoral division at this time would have serious ripple effects on contiguous and neighbouring constituencies where the boundaries are, in our view, properly constituted.

The people in this area are a very strong community, and I would ask that the same consideration be given to this area of the province.

Thank you.

THE CHAIRMAN: We'll start the questioning with you, John.

MR. McCARTHY: I just had one comment. As far as I know, we used the 1991 census figures across the board.

DR. OBERG: I think what you've got in here – and please correct me if I'm wrong – for the urban areas are 1995 Stats Canada estimates.

MR. McCARTHY: No, that's not my understanding.

THE CHAIRMAN: We used the 1991 figures. We've alluded to new population in some areas, both rural and urban, but our calculations are all done on 1991.

DR. OBERG: I stand corrected then. That is a perception that is out there.

MR. LEHANE: Where you see the reference to more recent 1995 population figures for the cities – you'll note that we didn't use that in our analysis. We brought those figures in to demonstrate that we didn't think those cities were growing any faster than the rest of the province so we should get rid of that myth that everybody from the country was moving to Edmonton and Calgary. In order to minimize the reduction in rural seats: that was the only reason that we alluded to those figures. We used consistently '91 figures in terms of our analysis.

DR. OBERG: Thank you for clearing that up.

MR. GRBAVAC: Our findings, Dr. Oberg, were that there were people leaving the farms but that they weren't necessarily leaving the rural constituency.

DR. OBERG: I agree.

MR. GRBAVAC: As Joe was indicating, that's what we were trying to highlight by alluding to those 1995 figures, that rural Alberta was not losing ground relative to the two large centres if you considered the population of the entire constituency. It may be losing ground in terms of who's living on how many quarter sections per se.

THE CHAIRMAN: Wally?

MR. WORTH: No questions.

THE CHAIRMAN: I just want to make this one comment about Barrhead-Westlock. Our comment there is coming back to haunt us.

DR. OBERG: I thought it was a very good comment, so it shouldn't haunt you.

THE CHAIRMAN: Well, the reason for the comment is this. We tried to get each constituency down to a variance of 15 percent or less. We couldn't get three constituencies down to 15 percent or less. One was Drayton Valley, the other was Dunvegan, and the other one was Barrhead. We made that comment because of that. We could have made Barrhead down to 15 percent, but it would have been an illogical change. You'd have been either jumping municipal boundaries or adding an isolated group to another area. So we were justifying the fact that Barrhead was at 16 percent and not at 15 percent. Now people are coming back to us and saying,

“Treat us the same way that you treated Barrhead.” Maybe we should have expanded a little more as to why we treated Barrhead that way. We've also had people come back to us that said, “You should have got rid of that constituency too.”

DR. OBERG: If I can just make one comment in closing as well. You made a reference to the special areas and keeping them intact. I do represent part of the special areas as well, and contrary to what my colleague has just stated, I find them a delight to represent. Be cautious in keeping them together and grouping them down because they are a population of 12,000 people. To move them en masse to one constituency or the other would truly make those constituencies unwieldy in size. For my constituency to take all the special areas would put it up to probably very close to 39,000 or 40,000 when you anticipate the new growth. For Butch's or Judy's or any other area it would do very similar. So albeit they are a governing body and they are special, I just ask that you be careful when you . . .

8:47

MR. GRBAVAC: It would be 39,500 in your case. We've done the work.

DR. OBERG: Thirty-nine five, plus you haven't contemplated the anticipated growth that I was talking about.

THE CHAIRMAN: You should have been here today. Somebody was suggesting we move them all under your constituency.

DR. OBERG: I know. They just want to be in southern Alberta I guess.

MR. GRBAVAC: Everybody was suggesting that.

Before you go, Dr. Oberg, there's one comment I found a bit unsettling. You indicated that the urban MLAs didn't have to concern themselves with the variety of issues. You referred to a couple of examples, one being hunting.

DR. OBERG: Sure.

MR. GRBAVAC: My opinion is that they're not doing their job if they're not concerning themselves with those issues. First of all, that's a resource that belongs to all Albertans. I expect that you would vigorously defend the rights of the landowners and the constituents in your area. I would expect you to if you were my MLA.

DR. OBERG: Yeah. Uh-huh.

MR. GRBAVAC: However – present company excluded, Mr. Chairman – when some of those city folks leave my gates open, I wish maybe they'd talk to some of their MLAs or that some of their MLAs in the city would be talking to them, because the population of hunters in many – I don't know what proportion it is, but a very significant proportion come from the heart of those cities. They ought to be involving themselves in those issues. They ought not to leave that whole responsibility to you, and I think it's unfortunate if they're removing themselves from that debate. I'm not sure what relevance it has to this whole discussion, but I just wanted to raise that subject with you.

DR. OBERG: Sure. I think it does have relevance because, first of

all, there certainly are hunters everywhere. The reason I brought it up is that in many cases and to many people here it might seem like a trivial issue, but the percentage of people who hunt in my constituency is probably upwards of 50 to 60 percent of the adult population, male and female, whereas in the urban areas it is not nearly that high.

The other issue is actually harvesting the deer. A lot of people do not see the damage that the deer do, that the mule deer are doing in the Red Deer River Valley, for example. The point that I was bringing up is that what seems to a lot of people to be a very trivial concern is actually quite a serious matter. Simply saying, "Yes, we should extend the deer hunting season," is not as simple as it seems. There are a lot of issues that have to be dealt with within that, and they are issues that a rural MLA does have to deal with on an everyday basis.

The other issues which I neglected to talk about are the issues such as workers' compensation, social services. The reason that urban MLAs deal with them one on one is because they have more time to have contact with people one on one. When I'm back in my constituency, I talk to groups because that is the best way that I can talk to a number of people at a time. My employee in my constituency office looks after the individual concerns unless she cannot solve them. If she cannot solve them, then I become involved. I think that's a vast difference that is occurring between urban and rural MLAs.

MR. GRBAVAC: I just wanted to point that out. I had an opportunity to serve on an environmental committee, at the request of one of your colleagues actually. We found a threat to the major river systems in Alberta in terms of herbicides not coming from the rural or farming population but from the city resident who said, "Well, gee, a little bit of this 2,4-D stuff is good, so I guess a can of it must be better." They got rid of the dandelions all right, but when they watered their lawn, they got rid of a few things in the river too.

I'm just suggesting to you that I would hope they would broaden their horizons a little bit in terms of some of those considerations on a provincewide basis. But I am agreeing with you in terms of representing rural Alberta. I don't think there's any question that your job is much more difficult.

THE CHAIRMAN: I just want to clear up one thing. If you got the impression that I don't close gates from what he said, I want you to know that I'm an expert gate hugger.

DR. OBERG: I kind of got that impression, you know.

THE CHAIRMAN: I know how to close gates.
Thank you for coming.

DR. OBERG: Thank you very much.

THE CHAIRMAN: The next presenter is Judy Gordon, MLA for Lacombe-Stettler.

MRS. J. GORDON: When we come, we really come en masse; don't we? It's a pleasure to be here tonight, and I want to say that I've really learned a lot by sitting and listening. I congratulate you. You do have a big job, and I know it's not finished yet. I appreciate your coming out again to go a second go-around.

Certainly the Lacombe-Stettler constituency is going to increase,

by what you've suggested today, by 2,203 and take in the town of Castor. Certainly when you were in Red Deer, a number of my constituents made representation to you and since that time and since your report has come out. We're very pleased and can certainly take Castor into the equation. In fact, I've talked to a number of people from Castor. The first thing I want to mention to you is that a number of people have said, "Could the name be changed?" I think that would reflect that Lacombe is on the western side of the constituency, Castor being on the east and of course Stettler somewhat in the middle. If consideration could be given to calling it Lacombe-Stettler-Castor or some equivalent: that certainly has come out.

I'm not going to repeat what my colleagues Mr. Fischer and Dr. Oberg have said. With friends like Dr. Oberg when he's talking about special areas, you don't need enemies. I certainly would suggest – my past is municipal government – that if you really want to hear about special areas, ask those that represent them. Funding in governments in those special areas is very important, and they are the ones that would say whether they should go as a bloc or not.

Something I would ask you to consider and certainly part of my constituency – and I do happen to live in Lacombe. The Lacombe-Blackfalds area is along the Highway 2 corridor. Here, again, this area is growing. I would imagine that the census figures from 1991 compared to what they will be this year for particularly the town of Lacombe and the town of Blackfalds will be up considerably. People from Red Deer seem to like rural living, and we're always happy to have them in Lacombe.

Something else I do appreciate is everything that you've made mention tonight with the matrix, that it's a guide only, things will be reconsidered, more creative in the past, and a diamond in the rough. I hope that at the end of the day we have the Hope diamond.

I would like to ask Mr. Worth: what happened to the study that was done regarding the Members of Parliament? What became of it? Where did it go? Where is the study now? Is it possible that we could see it?

MR. WORTH: Well, certainly. The study was published in a journal that I can't cite for you now. The author's name is Frizzell. We can get you the citation; we'll arrange to have it sent to you.

MRS. J. GORDON: Okay. Thank you.

Judge, you asked about prayers, and I will make sure I pray for you. Thank you.

THE CHAIRMAN: Thank you.

MR. GRBAVAC: Just a comment. You seem fairly pleased with the general thrust of our report. Is that a fair assessment?

MRS. J. GORDON: My constituents, the ones that made representation to you and have contacted me, were certainly happy to take Castor into the equation. We do know some people in Castor. I've talked to the municipal officials in Castor, and it's workable.

I wouldn't want to leave you with the impression that I don't concur somewhat with what Mr. Fischer and Dr. Oberg have said. I mean, I could go into my work schedule, but I won't. I think something we have to look at is time of travel and not distance. I mean, from the Lacombe side to the Castor side is a fair distance. We talk about the number of regional health authorities, school divisions, municipal councils, and people in general. We have to

take all that into consideration, but as it stands today, we'd be very pleased to take Castor into the equation. I would just ask that consideration be given to a name change to reflect the west and east.

MR. GRBAVAC: There's one other proposition I'd like you to comment on. It was put to us a number of times, particularly in the first set of hearings – it was conceded that rural Alberta is more difficult to represent. I don't think too many people will argue with that. They suggested, however, that maybe some additional resources ought to be allocated to rural members, that there maybe ought to be a regular flight schedule to some of the more outlying airports to cut down on your travel time or maybe additional constituency offices, additional support personnel, things of that nature. Now, we're recommending taking two MLAs out of rural Alberta, per se, and putting them in the cities of Edmonton and Calgary for a variety of reasons, which you've heard alluded to here this evening. Frankly, from a personal view I wish you would have given us a little more latitude in determining maybe how many MLAs we think is appropriate for the province, but that's obviously beyond our mandate.

I would like you to comment on the proposition that additional resources ought to be allocated to Members of the Legislative Assembly from the more remote areas of the province.

MRS. J. GORDON: Okay. Well, maybe I can tell you a bit of my own experience. Certainly in the last go-around Lacombe was a separate constituency represented by an MLA, and then the Stettler area was represented by another. The joining together of the two, which any of you that are familiar with the Lacombe area – and I'm sure you heard this before. Lacombe's natural trading partners are north and south: Ponoka, Red Deer. Stettler's is more east. So back when this happened the last go-around, Lacombe and Stettler were joined together. It's taken a fair length of time and some work to bring them together, but it's certainly working and working well, and the two have blended well.

8:57

In the beginning when I was elected – and I was elected June 15 of '93, a first-time MLA – I felt it was very important, being Lacombe was on one side of the constituency and Stettler on the other, that there be two constituency offices. Well, after six months of trying to run two constituency offices, there is not enough money in our budget to do so and do so effectively. Of course you have staff and equipment. You're provided with a fax machine, photocopier, et cetera, for one office, and there's no point in having a second office if it can't be staffed. It just doesn't work out that well. Now, certainly communications today – and the fax machine is going steady all day – are better than they've ever been in the past, but that's not one-on-one discussion, sitting down and talking.

MR. GRBAVAC: So what you were saying, then, is that the allocation of additional resources is not . . .

MRS. J. GORDON: I do think in some of these larger constituencies – and if you look at the map, if you did leave mine the same as what you've recommended here, certainly it wouldn't be as large as Dr. Oberg's or Mr. Fischer's, but I do think there is a necessity in these ones of great distance to think about two constituency offices or even consider the need for them.

THE CHAIRMAN: Wally?

MR. WORTH: No questions.

THE CHAIRMAN: Joe?

MR. LEHANE: Nothing.

THE CHAIRMAN: John?

MR. McCARTHY: No questions. Thanks.

THE CHAIRMAN: I want to talk to you for a while.

MRS. J. GORDON: Okay.

THE CHAIRMAN: We had somebody from Castor here today who said that they would be happy to join Stettler. So we took a portion of the county of Paintearth out, and if that ever happens, I want you to know that I'm going to become your constituent to some extent because I have . . .

MRS. J. GORDON: Do you close gates?

THE CHAIRMAN: I close gates.

We've heard the people from Chinook today, and they're very concerned about maintaining the special areas. At this point we're mentally thinking of how we might solve their problem. A question I want to ask you: what if we gave you the rest of the county of Paintearth? How many people would that be roughly, and could you cope with that?

MRS. J. GORDON: I probably would have to turn that over to you and ask you how many people are residents in the county of Paintearth.

THE CHAIRMAN: We have that information. It's a matter of getting it out of the computer. I thought you might know. I think it goes up to about as far as Coronation somewhere; doesn't it?

MRS. J. GORDON: Yes. So what would that totally take our population to?

THE CHAIRMAN: I don't know.

MR. RICHARDSON: It would be around 4,600.

THE CHAIRMAN: How much?

MR. RICHARDSON: It would be 4,500 to 4,600.

THE CHAIRMAN: That many more?

MRS. J. GORDON: Added on to the 29,868.

THE CHAIRMAN: That's the entire county.

MR. HALL: Sorry. What area would you like?

THE CHAIRMAN: I'm talking about giving the rest of the county of Paintearth.

AN UNIDENTIFIED SPEAKER: Two thousand to 2,500.

THE CHAIRMAN: Two thousand to 2,500. It's only a thought.

MRS. J. GORDON: So add it on to the 2,033 that would come with moving it west.

THE CHAIRMAN: What would that move you to?

MRS. J. GORDON: It would be close to 32,000.

THE CHAIRMAN: Thirty-two thousand.

MR. HALL: It's 4,600.

MR. GRBAVAC: It was made abundantly clear to us all day today that the special areas want to be included as a single block.

MRS. J. GORDON: And I can understand and appreciate that.

THE CHAIRMAN: Okay. Thanks for coming.

MRS. J. GORDON: Thank you, and I wish you well.

THE CHAIRMAN: Thank you.

We have one more presenter, and that's Mr. Bob Gainer.

MR. GAINER: I'm not talking really as a resident of special areas; I'm talking more as an Albertan. I've lived here for eight years. My father's side of the family is four generations Albertan, and my mother's side was three generations Albertan. This book talks about Albertans' interest in this sort of matter.

I'm 50 years old, and for probably the last 30 years I've tried to struggle with this Alberta identity. My mother was born on the edge of the special areas here, born and raised in Delia. When I think of her, I see the scars of that Depression. Those are lasting scars, the scars of the Depression, that left more on her personality than probably anything else that happened in her life. The epicentre of the Depression is approximately 12, 13 miles east of here along the Berry Creek. This essentially is the very epicentre of the dust bowl of the Depression.

I do a little bit of reading as well, and when I think of the personality of Alberta, I think of W.O. Mitchell, Ross [inaudible], some of these people, and what they talk about is the Depression, the effects of the dust bowl, how they were neglected by eastern Canada especially. They talk about getting frozen salt cod. They didn't know what to do with it. They used it for toboggans. They'd get apples that were dumped in the east sent out here. They came frozen. They were useless. This is what Alberta did for these people in desperate straits during the '30s. These are the scars my mother still has. This is what the writers of Alberta with this Alberta personality talk about: the Depression, the dust bowl 12, 13 miles east of here, the special areas.

I was born and raised in Edmonton. I spent eight years here, and I also spent seven years up in the High Level-Fort Vermilion area. The two of them remind me of similar sorts of areas. Billions of dollars poured out of that area of the province, but the area was serviced on a per capita basis. That place is a Dogpatch up there. High Level-Fort Vermilion looks like a Dogpatch. You drive up there; it's a Dogpatch. All those billions of dollars leave that area,

and they got in return social services on a per capita basis. If those mineral rights went to that area first and those people were allowed to look after their services first before that money went to Edmonton, that place would not look like a Dogpatch and there would be a lot more people living up there. Instead of 15,000 people there'd be 50,000 or 150,000 people up there. That money is allowed to leave that area, go to Edmonton, and then go back on a per capita basis.

The same thing happens here. They talk about corporate pooling when it comes to the schools. Here it's a very expensive area to school children. The distances are long distances. It costs a lot to bus them long distances. A sixth of the province's power comes from the Sheerness power plant there. One-sixth of the province. If we want a new school bus or a new school, they say: "Sure. Take it. It's nothing." But we can't do that. That money has to be put into a pot, and it comes back to us on a per capita basis. This is an expensive place to school children. On a per capita basis they don't like that. We're not supposed to do that.

Edmonton and Calgary are very cheap on a per capita basis. We've got this happening here. We've had this happening in the north. The same thing. This Alberta personality that I've tried to identify, that I think a see a little bit of, does not like Ottawa doing that to Alberta. When Alberta needed something, what did they get? Nothing. But as soon as Alberta had something, what happens? It's a cash cow for Ottawa. What happens in the special areas? Same thing. When the people in special areas needed something, what did they get? Rotten apples and frozen salt cod. As soon as special areas have got something, what happens? Cash cow. The money goes to Edmonton. The same thing is happening here. If this money stayed here first and we were allowed to service ourselves first and then what was left over went to Edmonton, there wouldn't be 15,000 people here. There'd be 50,000 people or 150,000. We'd have irrigation. We'd have a lot of things. The way it is now, special areas laws are that we only have arteries. We do not have country roads every mile by two miles or anything like that. We just have a few arteries, just the minimum roads possible. We do not have irrigation. This is special areas. No money comes; it only goes.

Telephones. You fellas come from rural ridings. This area did not have telephones until the early '70s, barbed-wire telephones, did not have service roads, just donkey trails to all the ranches until the early '70s. That's when the oil and gas revenues started coming in, and we started getting – these people were on their own. They had barbed-wire telephones because they had to have something. They had to do it themselves. The telephones were not put in there. In the winters when the roads or the donkey trails were blocked, drifted in, and they were not maintained, they had to have airplanes on skis fly them to the hospital. This is the special areas. The money only goes; the money does not come back.

9:07

So when I'm thinking of the Alberta personality – I'm 50 years old; I've struggled with this idea of being an Albertan. I've lived in Edmonton. My father's had his alleyway paved for probably 30 years, but up in Fort Vermilion, pavement? It's mud. It's Dogpatch up there. Do you think if those people had that money, they would have dirt and mud roads? They would look after themselves the way the people in Edmonton look after themselves. To me, when we're talking about Albertans, we're not talking about a pyramid scheme where we take all the money from the regions, put it into Edmonton, and then it goes from Edmonton to Ottawa. To me, that's a pyramid scheme that you people are just servicing. This, to me, is the Alberta problem.

Now, I don't know if I've done an adequate job or any kind of job of explaining the idea, but this is the very centre of that whole idea. The epicentre of the dust bowl of the Depression is 12 miles from here at the Berry Creek. That is the exact centre of the Alberta thought, and it's represented by the special areas. The special areas are an area where there's special ownership of land because of this Depression, special use of roads, special use of everything. This special areas represents that idea of Alberta more than any other area in Alberta that I know of. I'm 50 years old, I've read, and I've traveled a little bit. I'm fourth generation on one side and third generation on the other side, so this to me is your ultimate idea of Alberta. I don't know how well I've communicated the idea, but it's there, I hope, for you people to get.

THE CHAIRMAN: Thank you.

John, any questions?

MR. McCARTHY: No. Thank you.

THE CHAIRMAN: Joe?

MR. LEHANE: No. Thank you.

THE CHAIRMAN: Robert?

MR. GRBAVAC: Well, just a comment. I'm from rural Alberta. I have irrigation. I'm getting rid of it. I can't wait to get rid of it. I'm a third-generation irrigation farmer. It doesn't pay. I'd love to give it to you if you'd like to buy it.

With respect to, you know, some of these outlying areas being disadvantaged vis-à-vis the more populated areas, I'm just afraid I can't agree with you in that respect. Maybe in the '30s. Maybe in . . .

MR. GAINER: Say again?

MR. GRBAVAC: I just can't agree with you, and let me just explain why.

MR. GAINER: On what?

MR. GRBAVAC: Well, in terms of you being disadvantaged vis-à-vis the people in the city. I mean, look at the facility here that we're in this evening. I don't know how much of it was local money; I don't know how much of it was provincial money. But I suggest that some of the provincially supported structures that have come to the rural areas, be they hospitals, community halls, skating rinks, curling clubs, are a testament to some very good representation that you had in the Legislature from your rural MLAs. I don't see too many rural communities . . .

MR. GAINER: Per capita?

MR. GRBAVAC: I'm talking about per capita. I mean, if I want to take my son or daughter to the skating rink in my little community, I have much greater access than my brothers and sisters who live in the cities of Edmonton and Calgary. They get up at 5 o'clock in the morning to find ice time. That's not a problem in the little community I'm in. We can almost open the door ourselves.

I'm just suggesting to you that I don't think it's quite fair. I

appreciate that in the past there may have been some validity to your argument. Certainly my grandparents went through the Depression; you know, I've heard the stories. I think you're being a little bit overly critical with respect to the degree to which rural Alberta has been disadvantaged. I'm not sure that I concur with that. However, I follow your premise, that we don't want to lose representation in rural Alberta and that we don't want to take any steps backwards with respect to rep by pop and being disadvantaged.

I sat on a school board for 12 years. I know there's more to the argument than you've outlined. I mean, there are offsetting grants vis-à-vis the cost of educating kids in sparsely populated areas: the busing grants, et cetera, et cetera. So I appreciate that rural Alberta has challenges, but I think you have to recognize at the same time that there are some areas in the cores of our larger urban centres that don't feel particularly advantaged either.

MR. GAINER: Well, I see money pouring into the coffers from this region and the northern part of Alberta. I do not see the mineral rights and that sort of thing pouring into the coffers from Edmonton and Calgary. All I see is a lot of people lined up to take the money. Now, if this money was used locally first to service our needs – and maybe we look good here. Go to High Level; go to La Crête; go to Fort Vermilion. In a way I'm clumsy at what I'm doing right now, but maybe you'll think it looks like Dogpatch up there too.

MR. GRBAVAC: Well, I've spent 15 years in municipal government in rural Alberta, and if there's investment there, it's assessed. If it's assessed, it's taxed, and we set the mill rate. If we choose to set a low mill rate on that assessment, that's our choice as a rural municipality. So with Paintearth – I dealt with John Glazier in Paintearth for years, and I knew what their mill rate was. If they didn't spend any money, it wasn't because they didn't have assessment. It was because they chose to set a low mill rate on that assessment. So that's not quite right either. In terms of income tax, yes. Money may flow . . .

MR. GAINER: What's not quite right? The per capita . . .

MR. GRBAVAC: I don't want to enter into a debate, but I just want to suggest to you that there are ways that you can derive revenue from that assessment. You have the latitude to set mill rates.

MR. GAINER: The point is you're milking that region the way Ottawa milks you. This is a pyramid scheme. It seems like somehow this money that's pouring into the coffers – and there's a lot of it. There's these transmission lines – pipelines, gas lines – oil and gas, coal: a sixth of the province's power. There's an enormous quantity of provincial revenue here, and we don't have any control over it. It automatically goes to the provincial Treasury. If we had control over it, there would be a lot more people here and we would look after ourselves a lot better.

The same in the north. This idea that it automatically goes on a per capita basis I don't think is serving some areas of the province properly, just like I do not think Ottawa is serving Alberta particularly well.

Now, you talk in this book here about Albertans wanting to be fair on an electoral basis. What is an Albertan's opinion? I hear you saying that, and I say, well, I'm fourth generation on one side, third generation on the other side. I'm 50 years old. I read. I do all these sorts of things. Can I think like an Albertan? Am I representative

of Alberta? Can I do a better job of saying what an Albertan would want? I am here in front of you presenting you with these ideas I have.

THE CHAIRMAN: Well, I want to thank you, Bob, for coming and making your point. I think you're the last speaker.

I want to thank you all for coming. I think this evening was quite informative and beneficial to you people and to us. We're moving on to Taber for tomorrow.

Thank you and good night.

[The hearing adjourned at 9:15 p.m.]