

Electoral Boundaries Commission Public Hearings Taber

10:00 a.m.

[Chairman: Chief Judge Edward R. Wachowich]

THE CHAIRMAN: Ladies and gentlemen, would you please be seated as we would like to start this hearing. I want to welcome you and to say good afternoon. 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 provincewide 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 this morning, Mr. Bob

Bogle. Does it feel better sitting there than here?

MR. BOGLE: Your Honour, I would like to begin by sharing with the Electoral Boundaries Commission a seemingly forgotten fact. Alberta has always had a weighted electoral map. The boundaries have always been drawn to favour rural areas. In fact, in the first two revisions, which occurred while I was an MLA – that was 1979 and 1984 – the weighted formula was seven urban voters to four rural voters. I repeat: seven urban voters equating to four rural voters. Was Alberta different from other provinces? I don't think so. The vast majority of Canadians accepted the weighted formula. If Canadians and, more specifically, Albertans accepted a variance between urban and rural riding populations, why are we here? Your Honour and members of the commission, as we all well know, we're here because of the Charter of Rights.

On pages 6, 7, and 8 of your interim report you deal with recent court decisions. I note that in the pages previously mentioned, there is no mention of the particular importance of the 25 percent variance factor. I would like to borrow from a submission made to the commission in November of 1995 by my good friend and former colleague the Speaker of the Assembly, because in that he does make reference to four court decisions, as have you in your interim report. In the British Columbia Supreme Court decision of 1989 the court suggested that a 25 percent variance would be acceptable. The Supreme Court of Canada, 1991: the Supreme Court approved the rule within the Saskatchewan Act which permitted populations within a riding to vary up to 25 percent from the average.

Again, quoting Justice McLachlin, who wrote the majority decision for the Supreme Court of Canada – I noted that the interim report made reference to Justice McLachlin – there's another reference that I think is very important and should be put on the record from Justice McLachlin regarding rural ridings:

It may be useful to mention some of the factors other than equality of voting power which figure in the analysis. One of the most important is the fact that it is more difficult to represent rural ridings than urban. The material before us suggests that not only are rural ridings harder to serve because of difficulty in transport and communications, but that rural voters make greater demands on their elected representatives . . . Thus the goal of effective representation may justify somewhat lower voter populations in rural areas.

The Alberta Court of Appeal, 1991, approved the rule within the Alberta electoral boundaries Act that permits constituencies to have a population variance of plus or minus 25 percent from the provincial average. The court also approved a population variance of 50 percent for the provincial average for special consideration divisions. The Alberta Court of Appeal, 1994, was asked whether the electoral boundaries violated the Charter. The court decided they did not.

What can we conclude from these cases? The courts, including the Supreme Court of Canada, have consistently ruled that the 25 percent variance from the provincial average is an acceptable level and that in Alberta 50 percent for special consideration ridings is allowable. Alberta's electoral boundaries have been found to comply with the Canadian Charter of Rights and Freedoms. In other words, the boundaries are legal and constitutional.

I'd like to now draw your attention to our own legislation regarding redistribution, and while I don't intend to read the points which were covered by His Honour in his opening comments, I do want to emphasize and reread the opening sentence.

The Commission is required to divide Alberta into eighty-three

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.

Then there are the eight factors listed that you earlier referred to, Your Honour. The ninth point makes reference to the 25 percent variance above or below the provincial average and then goes on to set out five criteria for special consideration ridings, which may fall up to 50 percent below the provincial average.

It's interesting to note that in the mathematical matrix developed by the commission, two of the five points listed in the legislation are not used at all and one is modified. That brings me to the mathematical matrix. I do wonder – and possibly we can discuss this later – as to why the commission felt it necessary to develop a mathematical matrix rather than to use what was in the existing legislation, criteria which had in fact been approved by the courts. In the mathematical matrix there are 10 variables which are used to measure against the average riding. In that I find two of the 10 points are modifications from what's in the existing legislation, and one point is totally new. It is not mentioned anywhere in our legislation.

In conclusion, our legislation does not violate the Charter of Rights. Effective representation includes a recognition of the difference between urban and rural ridings as enunciated by the Supreme Court of Canada. Finally I ask that the commission replace the mathematical matrix, a matrix which it developed, with the criteria contained in our existing legislation, criteria developed and passed by our elected Members of the Legislative Assembly.

Thank you.

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

MR. McCARTHY: Bob, just to follow up on your last point, I think the Act allows the commission to take into consideration any factors that we consider appropriate, and then it does indicate those certain specified ones that we should take into consideration. So we do have some leeway there, in accordance with my reading of the Act. That's one point I wanted to raise with you further to your last point.

The other thing is that you are correct in your discussion of Madam Justice McLachlin's decision. Of course, she comes from Pincher Creek, so I think she was helpful in her decision. Certainly she doesn't suggest that parity of voting is required. The only problem we're faced with is that the Alberta Court of Appeal, when it considered your select committee's report, was aware of that decision and mentioned that decision in their considerations.

10:20

While it is true that they didn't overturn the election and condemn the boundaries as they are now on the basis of a breach of the Charter, they did send some pretty strong messages. Without getting into it in any great detail, I look at their concluding remarks, and the Legislature, in my view, at this stage has properly responded to the admonitions of the court. It's just one paragraph of concluding remarks. They say:

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

Now, before I read the last sentence, I think that all of that has been done at this stage. All of those requests or admonitions by the court

have been responded to properly by the Legislature.

They then say this – and this is the one that I think has given the most problem, perhaps, to the Legislature and to this commission – "We reject any suggestion that the present divisions may rest until after the 2001 census." So I think if I had to highlight one sentence out of that decision, that's the one that's giving us the most difficulty.

MR. BOGLE: I appreciate that comment, John. I recognize that the commission has the right to consider any factors it considers appropriate. You've done that. But you must and shall take into consideration the legislation, and I'm respectfully suggesting that your matrix does not do that.

MR. McCARTHY: Okay. We've had some input. This was Joe Lehan here. I'm going to steal the phrase from him, describing our matrix as an attempt to produce a diamond in the rough that needs some refining. There's never been an attempt, I think, by any other commission to do this. We appreciate the input. We've got a lot of input and, quite frankly, a lot of constructive criticism on the matrix, so we're going to take all these points back and work on them.

MR. BOGLE: Regarding the Alberta Court of Appeal decision, the specific question asked by the government was: does the legislation conform with the Charter? It's our understanding that it does.

We do recognize as well that there were suggestions made by the court, and you've enunciated a number of the suggestions. I'm not questioning the fact that the current Legislature has chosen to go through this process. I'm merely asking that the commission, which is a product of the process, remove the matrix and go back to the legislation. If you do that, it's my contention that Cardston-Chief Mountain and Chinook both qualify as special consideration ridings. They've not been struck down by any court.

MR. McCARTHY: Or perhaps another way of – well, here's my suggestion further to your comments. If we have a matrix, make sure that the matrix is consistent with the provisions of the Act.

MR. BOGLE: The problem with a mathematical matrix is that you're taking the human element out. The matrix looks at the number of Indian reserves and, in my reading of it, gives one point per reserve. So if you have a reserve with 28 members, you get the same weighted factor in the matrix that you do if you have between 7,000 and 8,000 people, as is the case with the Blood reserve in Cardston-Chief Mountain. That, to me, is a serious flaw.

MR. McCARTHY: Do you have any other specifics on the matrix along those lines? Do you have any other specifics that you'd like to raise with us?

MR. BOGLE: Well, I don't know how much time we have, and I don't want to dominate or steal someone else's time. But in the matrix you have a new element called number of households, and I'm not sure where that came from or why. Then you've modified two. One is the number of Indian reserves and Métis settlements – I just related to that – and the final one is the contiguous boundaries with another Canadian or American jurisdiction, whereas in the legislation it refers to "the proposed electoral division has a portion of its boundary coterminous with a boundary of" an external jurisdiction. That's a small but subtle point. What we're really saying is that because Edmonton is near the geographic centre of the

province, obviously the farther you get away from the capital, the greater the difficulty in terms of transportation and communication, so there was a recognition that those boundaries which do border Alberta on any of the four borders should have that as a consideration.

MR. LEHANE: I'd like to discuss a little bit with you, Bob, your concerns about the matrix, and I'd repeat what John has said, that it's probably the first attempt to create some quantitative measurement in terms of the degree of difficulty for a representative to represent a constituency. We think it's a very, very important instrument in terms of justifying the variances in population, which clearly the court cases say have to happen. We think that to the extent that we just provide them with our opinion that a constituency is more difficult to effectively represent won't cut it. If we can develop some quantitative method to analyze the difficulty in representing a constituency, we believe we'll be more successful in justifying the variances. So I'd like to pursue that a little bit.

You've indicated that we have not included in the matrix certain of the relevant considerations required by the Act. Could you specify which considerations those are that you think are not in the matrix?

MR. BOGLE: There are 10 points in your matrix. I've identified number four as a totally new element, the number of households, and numbers eight and nine as modifications from what is in our legislation. If you look at the legislation, I think the first eight points are all covered in your matrix.

The second set of five points are all factors which relate to the special consideration ridings. Number one is not used at all.

The area . . . exceeds 20,000 square kilometres or the . . . surveyed area of the proposed electoral division exceeds 15,000 square kilometres.

I'll cite the Chinook constituency as an example there. The Chinook constituency, while certainly not the largest in the province, has more miles of primary and secondary highway than any other constituency. It's a very sparsely populated area, but there's somebody living everywhere, unlike many of the northern sparsely populated areas where you can travel a hundred miles or more between isolated communities without any permanent residents.

Joe, I understand the concern, and if there's anyone in this room who has some empathy for this commission, it's me. I know what you're going through. It's not an easy task.

I do note that on page 7 of your interim report you state:

The Court has suggested that justifications for all variances from the quotient must be established on a division by division basis.

It's interesting that the Alberta Court of Appeal made that suggestion, not, as I understand, just as a suggestion, unlike the other three court decisions that you have referred to and that I have referred to. I'm not sure why the court stated that, but they did. I think it's an error myself. I think it's very, very difficult to try to do that. I think that if you can come up with a set of criteria, and if the criteria pass the Legislature and also are not struck down by the courts as being in violation of the Charter, why change it? Why not stay with that formula?

MR. LEHANE: I probably have the same questions of the Court of Appeal, but I don't have the answers. I know what they said, and I guess in response to that I think it's incumbent upon us to really address a measurement, a degree of difficulty of representation in

terms of justifying variances.

Now, to get back to the matrix, though, we do have elements in that matrix that do deal with, for instance, 17(2)(a), which you've indicated isn't in there, in special consideration areas: "the area of the proposed electoral division exceeds 20,000 square kilometres." It may not be addressed in exactly those terms, but we have measured the square kilometres in each constituency in terms of degree of difficulty. We have another element with respect to primary and secondary highways. We have another element of sparsity and density of population. Those may not be reflective in terms of the exact wording of the Act, but, you know, there's a lot of interaction and overlap in terms of various elements when you go through that.

10:30

MR. BOGLE: If you're trying to justify a special consideration riding and that riding can be up to 50 percent below the average riding population, obviously it's sparsely populated. So one of the criteria in the legislation is that no town in the proposed electoral division have a population exceeding 4,000. I don't see any of your 10 points that relate to that in the slightest way.

MR. LEHANE: Well, one of the elements talks about, I believe, unincorporated bodies.

I'm not trying to suggest in any way that the matrix is perfect. It's far from perfect. It needs a lot of refinement not only in terms of what the elements should be but the weighting that should be given to the elements as well as in terms of delving behind the measurement, such as your suggestion that one native reserve of 7,000 is significantly different than one with a very small population or three reserves may be more difficult than one with a very small population. So it needs that refinement. We certainly thank you for your input. We encourage any input we can to try to make it a better instrument.

I'd like to move on to another area of concern, and that is that there has been an interpretation, Bob, of your affidavit in the court case that at that time the committee believed that one or two rural constituencies had to come out of southern Alberta and that the committee decided that only one constituency would come out at that time, and that that was in keeping with the direction by the court for gradual, slow, and steady change. The interpretation by many on that is that two constituencies should have come out at that time, but because that would create change too quickly, only one came out. That leads to the conclusion that at some future point in time such as the present time, in order to bring the population variances within acceptable levels, a second constituency would have to be removed from southern Alberta. I'd like you to comment on that interpretation of the history of that matter.

MR. BOGLE: Yes. The select special committee dealt with boundaries and used the 1991 federal census material. In fact the material was just available in time for usage. If you look at the population demographics across the province, we were looking at a shift of some ridings into the cities. It was obvious that the two parts of the province that had not had population growth at the provincial average were east-central and southern Alberta.

In fact two ridings did disappear, one from east-central and one from southern Alberta. One riding was added to Calgary and one to Edmonton. I was asked, as were other members of the commission, "Well, if you had transferred yet another riding, where would the next riding have been?" Again, looking at the demographics, you

can see that in all likelihood the next riding would have come out of southern Alberta. That was three and a half years ago.

The interim report that you have presented to us transfers two ridings from southern Alberta, one to Calgary and one to Edmonton. To me that's not slow and steady progress; that's very rapid. It's being done on the basis that Cardston-Chief Mountain and Chinook don't qualify as special consideration ridings, and that's why I keep going back to the mathematical matrix vis-à-vis the legislation.

The legislation allows for Cardston-Chief Mountain and Chinook. They stand the test. They qualify as two of the four special consideration ridings. Under the matrix formula they do not, which compounds the problem in southern Alberta. So we wind up under your proposal losing two seats from southern Alberta on top of the one that was lost three and half years ago.

MR. LEHANE: I guess perhaps some would interpret Chinook as an east-central Alberta constituency.

MR. BOGLE: Well, I think to my knowledge the people in the Hanna area consider themselves southern Albertans. I think that's southern Alberta.

MR. McCARTHY: I didn't hear that yesterday in Hanna.

MR. BOGLE: You didn't? Well, looking at the map, you've got Alberta divided in half, and the Chinook constituency is well within the southern half of the map.

MR. McCARTHY: That's true.

THE CHAIRMAN: Are you finished, Joe?

MR. LEHANE: Yes. Thank you, Bob.

MR. GRBAVAC: Bob, I'd like to thank you for coming forward. I think your input will provide a very valuable resource for the commission, and your obvious expertise is welcomed.

A couple of questions. I don't pretend to possess the verbal skills of maybe some of my colleagues, and excuse me if I oversimplify and maybe cut to the bottom line here. I want you to appreciate that I've been feeling the same kinds of concerns that you felt obviously when you reconfigured the boundaries with the select committee. I want to say at the outset that I think the job that you did, evidenced by the fact that we are changing, in my view, not a great deal from your work – the body of your work is largely still intact, and I think that's a testimony to the fact that we think you did a pretty good job.

The courts refer to some problems in southern Alberta. Your affidavits refer to some problems in southern Alberta, the courts being more specific than your affidavit. Nonetheless southern Alberta was pointed to from two perspectives. I want to concentrate more so on the perspective of your affidavit suggesting that one or two ridings need to come out of southern Alberta, and you opted to take one riding out.

MR. BOGLE: Excuse me. Just a fine point correction.

MR. GRBAVAC: Yes.

MR. BOGLE: I was asked the question: if an additional riding had to be transferred, where would it come from?

MR. GRBAVAC: Well, you know, article 37a of your affidavit states: population figures suggest that either one or two seats in this region might be eliminated. You know, that's, I guess, the essence of the discussion, and I can certainly appreciate why one riding was taken out.

I don't think anyone quarrels with the legality of the ridings in southern Alberta approaching 25 percent. There's been some question as to why there is a predominance of ridings in southern Alberta that approach 25 percent, but I don't think anyone's questioned the legality of those ridings approaching 25 percent. I think the problem rests largely with the definition as to what is the defining characteristic of a special consideration riding. In essence that's what our deliberations came down to. How do we define and where within the criteria outlined by the legislation that you've referred to do you give emphasis to a particular portion of the province and give it special consideration?

We looked at that, and we found 16 ridings within the province of Alberta – I stand to be corrected. Maybe my colleague Walter Worth can expand on that, but I believe we found 16 ridings that met the criteria that Cardston meets with respect to the legislation. So that left us with a deliberation as to Cardston's uniqueness vis-à-vis the other ridings that would qualify for special consideration. I might add as an adjunct to this that other constituencies in the first round of hearings did ask for special consideration status because they felt they were equally as qualified as Cardston.

So Cardston posed us with a real problem, and this gets to the bottom line of my question. It seemed apparent to me that it was the size of the indigenous or aboriginal population there that dictated its special consideration status vis-à-vis the Pincher Creek-Macleod riding and some of the other ridings where there was justification for special consideration. Is that a fair assessment, that Cardston was given special consideration based on the size of the aboriginal population?

That posed some problem with the commission in terms of a rationale in terms of how large a native population has to be before that area receives special consideration. That's something we're grappling with, because the courts made it very clear that we must give reasons, Bob. We feel that we have to expand on those reasons if that riding is going to remain intact. I'd like you to expand on that point. I repeat myself: why was Cardston given special consideration above the other ones that met the criteria, and specifically was it the native population that was the predominant determining factor there?

10:40

MR. BOGLE: First, I want to go back. As a layperson I may be treading on His Honour's legal toes, and I don't mean to.

THE CHAIRMAN: You can step on them all you like.

MR. BOGLE: As I read it, the Alberta Court of Appeal suggested – and I've already pointed out that the other three court decisions, including the Supreme Court of Canada, did not make any reference to the fact that you needed to do on a riding-by-riding basis some kind of justification. I think we'll find that by relying so heavily on a mathematical matrix, everyone will want to compare their riding with every other riding. There's a far greater likelihood of court challenges like the Lac La Biche challenge because of that. You get so entangled.

Going to your specific point, Bob, about the Cardston-Chief Mountain riding, one of the key factors of course is the Blood Indian

reserve and its size and complexity. The other is the uniqueness of the constituency from a cultural and religious point of view. If you were to go back and review the submissions made in any of the past four sets of either commission or select special committee hearings, you will see coming not only out of the communities of Cardston, Magrath, Raymond but out of neighbouring communities like Pincher Creek and Crowsnest and Fort Macleod and Milk River and Taber a feeling that Cardston-Chief Mountain is unique.

MR. GRBAVAC: So it was a combination: the size of the aboriginal population and the uniqueness of the riding. Those were the criteria.

MR. BOGLE: From cultural and religious points of view. Those are two unique factors; that's correct. Using the legislation basis for special consideration ridings, you say that other ridings fall in the same general level as Cardston-Chief Mountain. I accept that.

MR. GRBAVAC: A considerable number of them do. They asked us why Cardston received that designation.

MR. BOGLE: Now, that's based on your matrix.

MR. GRBAVAC: Pardon me, Bob?

MR. BOGLE: That's based on the matrix evaluation.

MR. GRBAVAC: Well, I'm basing it on the legislation. Let me concede your argument with respect to the matrix for the time being just for discussion purposes. I'm going to the legislation that defines the criteria for special consideration. There are five criteria – am I mistaken on that? – and Cardston meets four of them, and so do 16 other ridings meet four. My specific point is: why is Cardston unique from the other 15? We were asked that repeatedly.

Our interpretation of the Supreme Court of Alberta's ruling was that we felt we had to give reasons. We were at a loss as to why Cardston was unique in that regard, and we have been warned that you have to be careful in terms of applying a religious connotation or defining a constituency on that basis. I mean, you may find that odd in the proposed reconfiguration, but that was something that we were warned about.

So I guess this is the crux of the problem, Bob. Excuse me for oversimplifying it, but the Cardston special consideration status is the essence of the problem in southern Alberta, aside from the 25 percent variance, which we've spoken about and discussed.

MR. BOGLE: And Chinook as well, because under the matrix Chinook does not qualify.

MR. GRBAVAC: They made some unique arguments there in terms of their survival of the dust bowl, et cetera, and the fact that 80 percent of the land is in the hands of the government, et cetera, et cetera. I wanted you to focus on that special designation in Cardston vis-à-vis the other 15 constituencies and give us a reason we can put before the courts that we feel the courts can accept.

Thank you.

MR. BOGLE: Excuse me. The courts have already accepted the legislation criteria. Even the Court of Appeal did not single out Cardston-Chief Mountain. So I think that's a moot point.

MR. GRBAVAC: John, could you read that passage? They did single out southern Alberta, Bob.

MR. BOGLE: No, no. You said that Cardston-Chief Mountain is a special consideration riding.

MR. GRBAVAC: Oh, I'm sorry. Yes, that's correct.

MR. BOGLE: They did not single it out.

MR. GRBAVAC: No, they did not, but it's been singled out by other constituencies.

MR. BOGLE: Fair enough.

MR. GRBAVAC: Thank you.

THE CHAIRMAN: Wally?

MR. WORTH: No. I have no comments, no questions.

THE CHAIRMAN: Well, Bob, I appreciate the things you've said, and with respect to the matter of justification, you have pointed out clearly that it was only the Alberta Court of Appeal that suggested it and that the other courts didn't, and I think this commission has been working on the basis that justification is a necessity.

MR. BOGLE: Yeah. I sensed that from reading your report.

THE CHAIRMAN: I appreciate your difference and your comments, and I don't quarrel with your analysis, but in respect to your opening remarks where you said that at one time seven urban votes were equal to four rural votes, I didn't think the situation was that bad.

MR. McCARTHY: It's the reverse, Your Honour. Seven rural for four urban, I think.

MR. BOGLE: Did I misread it?

MR. McCARTHY: No. I'm sorry. You're right, Your Honour. I've got it wrong. You said seven urban to four?

MR. BOGLE: Yes.

THE CHAIRMAN: Seven urban to four rural.

I just want to bring to your attention the result of these court cases and what's been said. Parity of voting is becoming more important versus effective representation. Maybe that was a poor way of putting it, but in Saskatchewan they've now passed legislation that the variance is only supposed to be 5 percent, and I appreciate in Alberta we're at 25 percent. Those are our guidelines. Saskatchewan, I'm told that they have now done 41 constituencies which only have a 1 percent variance, and that's 41 out of 50. I'm just mentioning this to you, stating that this may be the trend. I appreciate that Alberta is still at 25 percent, and 25 is the figure we work with, but the purpose of the matrix, which I think you understand, is that we felt we had to justify the discrepancies. That was why we developed the matrix, to justify the fact that rural communities that have effective representation are entitled to a minus figure from the variance. We're getting a lot of heat over our

matrix from various people, and it's not consistent. But we're listening, and we're hoping we can tune it up, and I think you're telling us we should throw the damn thing out.

MR. BOGLE: Well, I'm trying to share with you my experience on two select special committees. No matter what, if you try to develop a mathematical formula that will please everyone, you'll fail. If you try to develop a mathematical formula that will justify all 83 ridings, it's almost impossible to implement. I'm saying: why not go back to the trusted, true legislation as approved by our elected members and which has not been struck down by the courts? I know that when the commission sits down to make its final deliberations, it's not going to have an easy task. You can't please everyone. You've got to make some tough choices, and then you have to justify them.

The one thing I do regret – and this may not be the forum to say it, but I'm going to say it anyway – is that when the Alberta Court of Appeal was in session, it's regrettable that the lawyers representing the government chose not to call any of the four members who had served on the select special committee. Three of the members are current sitting members of the Assembly. It would have been very easy for them to go over and give evidence. I can understand the frustration the court must have felt in trying to understand: how did they rationalize this? In the cities of Calgary and Edmonton, for instance, we followed community league boundaries, and we did that so people would have some understanding of what constituency they're in, because people do know their community leagues. That's a factor just in terms of identifying. That's the same in the rural areas with our municipal boundaries, and the reason that it's wrong to split a rural municipality, if at all possible, is because people know which side of the line they live on. They know where their kids go to school, where they shop, where their hospital is, and so on.

Thank you very much, Your Honour, for giving us the opportunity to make presentations here in Taber, and good luck on your difficult task.

10:50

THE CHAIRMAN: Well, I told them in Hanna yesterday that we not only need luck, we need prayers.

MR. BOGLE: That's true.

THE CHAIRMAN: Well, thanks for coming.

The next presenter is Eldon Fletcher.

MR. FLETCHER: Good morning, Your Honour and commission members. On behalf of the council of the MD of Taber No. 14 we would like to thank the commission for affording us this opportunity to share our concerns regarding the proposed electoral boundary changes.

As you are probably aware, we are not supportive of the proposed draft to the electoral boundaries in any way as we feel that it is a no-win situation. First, we feel strongly that the Taber-Warner riding fits well into the present electoral boundaries, and if any alterations are to be made at this time, then the Act should be reviewed and revised. We believe strongly that roundtable sessions should be held throughout the province so the people of Alberta can decide on how we want to be represented in the future.

Second, the proposed draft is solving the Cardston-Chief Mountain problem by making Taber-Warner the solution. We urge the commission to solve the problem not at the expense of the Taber-

Warner constituency. The MD of Taber has in the past been represented by three MLAs and has found it difficult to maintain a working relationship with all three and opposes going back to this type of representation. This would also leave the Taber MD very much in the position of representation by Little Bow because of the fragmentation of the MD in the Taber-Warner constituency.

Third, our interpretation of the draft is that it is based on representation by population only and does not address the many other concerns that have to be taken into consideration. Community of interest in the Taber-Warner division has not been taken into account either. With the proposed boundaries it will be fractured extensively, such as municipal boundaries, number of municipalities and other organizations, clearer and understandable boundaries, flow of business in the area and other types of businesses, communications, and the fragmentation of major lines of infrastructure, such as Highway 3 and Highway 36, to name a few.

So our position to you is that the existing Taber-Warner boundaries represent a very natural boundary with business, community, and communications. We feel this applies to all the constituencies and has to be preserved in the future. We feel that if any change of boundaries has to be made in the Taber-Warner constituency, the MD north of the Oldman River be included in this constituency. This addition would address the question of representation by population somewhat, alike business concerns, alike community concerns, and alike communications and infrastructure.

The additional area proposed also is a natural and historical boundary recognized by people of the area. We also believe not all but the majority of people in the area would look favourably to this proposal if changes at this time have to occur.

In closing we feel this proposal meets many of the redistribution rules and lastly but almost as important would give effective representation to people in this proposed area.

Thank you.

THE CHAIRMAN: Thank you, Mr. Fletcher.

We'll start the questioning this time with Wally Worth.

MR. WORTH: Mr. Fletcher, I think the discussion that we had with Mr. Bogle previously probably drew attention to the fact that we have attempted to take account of factors other than population in trying to develop our proposals. Indeed, of those 10 factors that are in the matrix, about eight of the 10 focus on factors other than population. I raise that only with respect to the third point you were making with us.

What I'd like to ask you to expand upon for me is your view that being represented by three MLAs is not as good as being represented by one, because that's the implication, it seems to me, of your second point.

MR. FLETCHER: Well, where you've got your proposed boundaries going now, that's just four miles east of town. It very much splits the MD completely in half on the south side of the river. In this area we do not really have any communications with the Cypress area, with the Medicine Hat area, as far as television or newspapers or anything, any media coverage at all. We've worked very well with our MLAs, and we do use both of our MLAs at present. We have in the past had three, and it's very difficult to get all three together and have a meeting or to get onside, and we're just going back to the past.

MR. WORTH: You haven't found, then, having three voices to be raised on your behalf in caucus or in the Legislature to be advantageous as opposed to perhaps just one voice?

MR. FLETCHER: Well, I imagine you can argue that point, but it's a lot easier to deal with a couple of people. The more people you have to get involved with – I'm not sure that three makes it better than two.

MR. WORTH: Okay. Thank you very much.

THE CHAIRMAN: Robert.

MR. GRBAVAC: No questions.

THE CHAIRMAN: Joe.

MR. LEHANE: No questions. Thank you.

THE CHAIRMAN: John.

MR. McCARTHY: No questions. Thanks.

THE CHAIRMAN: Thanks for coming, Mr. Fletcher.

MR. FLETCHER: Okay. Thank you very much.

THE CHAIRMAN: The next presenter is Betty Lodermeier.

MRS. LODERMEIER: I guess I've come as a real concerned voter and resident in the Taber-Warner constituency.

THE CHAIRMAN: That qualifies you.

MRS. LODERMEIER: Pardon?

THE CHAIRMAN: I want you to know that qualifies you.

MRS. LODERMEIER: I hope it does.

We live 18 miles east of Milk River, so that's quite a way from Medicine Hat. I strongly disapprove of the proposed electoral boundaries report and recommendations that the Taber-Warner constituency be divided into three parts and amalgamated with other constituencies. We used to be with Cypress and we found we had no effective representation whatsoever. By the early '80s, with the help of Bob, we finally got the boundaries changed to be with Taber-Warner, and we would like it to stay that way. Why? For the very same reasons then as now.

Firstly, we do all our trading, business, and doctoring in a north-south direction at Milk River, Warner, Taber, Coaldale, and Lethbridge. Never do we go east to Medicine Hat, which is 130 miles from my door, 150 miles from Milk River. On the other hand, we are 70 miles from Lethbridge and about 60 miles from Taber.

Our school division is a part of the Taber Horizon school division. Again, years ago our school used to be in the county of Forty Mile, which was Cypress, and it just didn't work. That had to be changed, so our school was put into the county of Warner.

Our health care centre, which is in Milk River, is a part of the Chinook regional, which is all to the north of us, and has nothing in common whatsoever with Medicine Hat. So if we did have

something to say, we're just not going to be represented in our area.

The primary roads in the Taber-Warner constituency connect our main communities for our business, trading, and doctoring with Highway 36 to Taber and Highway 4 north to Lethbridge.

Fifthly, Medicine Hat does not provide us with any communication whatsoever. Our TV, radio, mail, and newspaper all originate from Lethbridge, Milk River, and Raymond. I say this because when we were in Cypress before, which we still are federally, we never knew what was going on in that constituency. They do not get in contact with us. Nothing ever gets into our mail.

I know that our MLA representation at Cypress was not very effective before and have found our representation in Taber-Warner a lot more effective, probably because we know the people in Taber-Warner whereas east of us we do not know them and never see them and probably never will. We just do not communicate in that direction.

In conclusion, as I read through this green book – I want to call it a bible, but my husband said, "You'd better not."

11:00

THE CHAIRMAN: We don't want it to be called a bible.

MRS. LODERMEIER: You don't call it a bible either.

Anyhow, in conclusion, in your Proposed Electoral Division Areas, Boundaries and Names for Alberta again and again I found that it stressed the importance of taking into consideration all these above reasons when you make your electoral boundaries. So why are you changing our boundaries? We have no problems. We meet all the requirements as a constituency, and as well we've got a lot more effective representation than we had before when we were in Cypress, all of which we will lose with these new proposed boundaries. Again, I beg you: please do not change these boundaries again on us. We are also trying to get our federal ones changed so that we can be more with Taber-Warner.

I'd like to know who I'm voting for, and when we're in Taber-Warner, at least we know who we're voting for. When we were in Medicine Hat, we never got a clue. We're so far to the west of Medicine Hat. They're always going to have that MLA in that district; they'll never have anybody close to us. It was a real problem before, and we finally had those changed in the early '80s.

Thank you.

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

MR. McCARTHY: Yeah, I have a question. Does the existing boundary line to the east reflect the change of the trading patterns? In other words, east of that, in the Cypress-Medicine Hat constituency, are their trading patterns with Medicine Hat?

MRS. LODERMEIER: Oh, you've got to go, I'd say, about 20 miles east of us again yet. I'd say 10 to 20 miles east of us it's still all with Lethbridge. It's kind of a fine line in there.

MR. McCARTHY: That's what I'm trying to find out here. Where would that line be?

MRS. LODERMEIER: Where?

AN UNIDENTIFIED SPEAKER: The map behind you, Betty.

MRS. LODERMEIER: Oh. Where's Foremost? There's Bow Island.

Well, it's probably in here somewhere right now.

MR. McCARTHY: Okay.

MRS. LODERMEIER: And you're moving it away west of Milk River yet. It's getting moved. Right in there somewhere is where it's at now. It follows the county of Warner pretty well; doesn't it? It's just a fine line. Medicine Hat is away over here, and we live over here. It's just not feasible as far as I'm concerned.

MR. McCARTHY: Okay. Thank you.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions. Thank you.

MR. GRBAVAC: Betty, I'd like to just make a comment. I accept the responsibility for having some input into where that line was drawn, but I want you to appreciate that this is an interim report and not the final report.

MRS. LODERMEIER: Yeah, I realize that.

MR. GRBAVAC: One of the functions of an interim report is to draw criticism and public debate. I hear what you're saying, and it's not something that I didn't expect to hear. However, you know, there were some considerations when the school division was split up with respect to which direction people wanted to go.

MRS. LODERMEIER: That's right, and it went north and south.

MR. GRBAVAC: Yes, it did. So I want to say that I appreciate you coming. You made your point very clear.

MRS. LODERMEIER: When that school was changed, they were talking about Cypress, and we had to fight for that, too, because it just doesn't work.

THE CHAIRMAN: Don't run away.
Wally?

MR. WORTH: No questions.

THE CHAIRMAN: Well, I want to talk to you.

MRS. LODERMEIER: You do?

THE CHAIRMAN: Yeah. You probably are the first representative that comes from as far east as anybody out of the southeast corner of Alberta.

MRS. LODERMEIER: No. There's another one here; he's farther east than me.

THE CHAIRMAN: Well, so far you are. I heard the remarks of the MLA for Cypress-Medicine Hat – I'm just trying to remember his name – Lorne Taylor, stating that the people of your area deal with Lethbridge.

MRS. LODERMEIER: That's right.

THE CHAIRMAN: I accept that; that's not a part of the argument. But I always felt that the people of Foremost and Manyberries also dealt with Lethbridge. Is that correct?

MRS. LODERMEIER: Well, they're kind of on that fine line where they go maybe both ways.

THE CHAIRMAN: I see.

MRS. LODERMEIER: You get east of Foremost, yet farther. Our next hospital would be away up at Bow Island, you know. That's in the other, which is farther.

THE CHAIRMAN: Then you posed a very good question of why we're changing.

MRS. LODERMEIER: Yeah, that's right.

THE CHAIRMAN: You'd like an answer to that; wouldn't you?

MRS. LODERMEIER: I think I've probably heard it. I mean, I've heard some of it. But it also says in this book that you should take into consideration where the people are doing all their trading, going to the hospitals, where they're getting their education from. We are the voters, and we're our rural representation. We want to be able to give whoever our MLA is. Before, when we were in Cypress, who did we go to? We'd always go to Bob, who was in another one, but we got far more from him than we did from our own MLA in Cypress. We knew those people too.

THE CHAIRMAN: I want to tell you the reason why this area is of concern. When the commission met and having regard to the percentages of population, we sort of generally agreed in view of the court decision that the minimum we could do to stay within the Charter of Rights and Freedoms so that our report wouldn't be challenged by the courts was take two constituencies out of rural Alberta and move them into Edmonton and Calgary, which you see in the preliminary report. Then we had to look at rural Alberta and decide where we could most easily achieve this, and the first area we picked, which was unfortunate for you, was Taber-Warner, Cardston-Chief Mountain, because the discrepancies there were the largest basically. So that's why Taber-Warner is being changed now. This was only in our preliminary report.

MRS. LODERMEIER: Yeah. I was going to say that it's not changed yet.

THE CHAIRMAN: We haven't made a final report. We're well aware of the fact that there are a lot of people from here and your area that are unhappy with our proposal, and we will be looking at maybe making another change.

MRS. LODERMEIER: Well, my other question is: why didn't you take Cardston and do something with it? Why push it into us? Why didn't you take it and split it down the middle and put it over and over?

MR. GRBAVAC: Can I respond to that, Betty, if you don't mind?

MRS. LODERMEIER: Yeah. Well, I was just kind of curious.

MR. GRBAVAC: Why didn't you come to the first round of hearings?

MRS. LODERMEIER: I don't know. Maybe I was busy.

MR. GRBAVAC: We're not compelled to listen exclusively to the representation. This is not a popularity contest, nor is it an opinion poll. We were told repeatedly in the first round that there were significant reasons why the southwest corner of the province of Alberta ought to be considered unique in some regard, and frankly we didn't hear a lot of opinions why Taber-Warner was particularly unique. I think maybe we spoke of some of those earlier on with Mr. Bogle. You wanted a blunt answer; excuse me for the blunt response.

MRS. LODERMEIER: That's fine.

THE CHAIRMAN: Well, I want to thank you for coming. It wasn't that bad; was it?

MRS. LODERMEIER: Well, I guess not. As long as you don't get me fired up, you're okay.

THE CHAIRMAN: Okay.

Our next presenter is Roy Hummel.

MR. HUMMEL: Do any of you have a felt pen? This seems a lot easier for citizens to change. I've got a few changes here I'd like to make. It would have been a lot easier for us than it was for you.

THE CHAIRMAN: If they're good changes, we'll get you a felt pen.

MR. HUMMEL: This is the first time I've had to sit before a judge.

Your Honour and fellow Albertans, I live in Milk River and I'm not satisfied with the '95-96 Alberta Electoral Boundaries Commission's recommendations for changes to my constituency as well as the changes to the rest of the province. My community of Milk River has been moved from the previous Taber-Warner constituency to the Cypress constituency. I am sincerely fearful that effective representation of our citizens to the government will be jeopardized and the community will become very apathetic towards a government with which it feels it has no communication. We have extremely little communication, travel, media coverage, or association with the city of Medicine Hat or its people, as they are 120 miles distant compared to 50 miles to Lethbridge or Taber. All the daily information we receive about everything is received through the Lethbridge and Taber communities, with which we have a common interest.

I would suggest that the government would provide much more effective representation by putting Milk River and area back with Taber and district, as we have much more association with this area through our common school district, health authority, and general trading corridor than we have with a distant Medicine Hat.

11:10

How can you expect a rural MLA to effectively represent the same number of constituents as an urban MLA? Often the urban MLA's constituency is the same size geographically as some of our larger farms. It would be an easy task to communicate with so many people in such a small area. The rural MLA has to spend far more of his time just traveling to cover some of these larger rural ridings;

thusly, less time is available to communicate with his constituents.

Effective representation can only occur whereby each citizen has an equal exposure to his MLA. I think we have a democratic justification in having some rural constituencies with less population than their urban counterparts. By using representation by population as our electoral boundaries guidelines, we are stifling the democratic process.

Thank you.

THE CHAIRMAN: Thank you.

We'll start the questioning with Wally.

MR. WORTH: Mr. Hummel, I think your message is loud and clear to us.

A comment about representation and effective representation. We have acknowledged, I think, in our preliminary report that there are differences in the degree of difficulty that an MLA would have providing effective representation as you move from constituency to constituency throughout the province. I think our interim report demonstrates that we have accepted the notion that these differences are probably greater between urban and rural constituencies than they are within rural or within urban.

Nonetheless, we I think have to acknowledge the fact that even urban constituencies have some difficulties that are unique to them. For example, we have been hearing about the high mobility, or high transiency, within urban constituencies that makes it very, very difficult for MLAs to provide effective representation because between elections there probably is at least a 50 percent turnover in the electorate.

So while we are acknowledging that there are differences in degree of difficulty among rural constituencies in comparison with urban ones, we are also, I think, concerned that the urban people get a fair shake in some of those inner-city constituencies, and we are striving for a balance. But I think your message is loud and clear to us in terms of the position you've advocated.

THE CHAIRMAN: Robert?

MR. GRBAVAC: No.

THE CHAIRMAN: Joe?

MR. LEHANE: I take it, Roy, that essentially the message – and I believe it's a clear message – is that you feel the new boundary separates your community from its community of interests and trading patterns.

MR. HUMMEL: Right.

MR. LEHANE: Thank you.

MR. HUMMEL: And someone had previously asked Betty the question about where that community of interest extends beyond her place. I have a farm equipment dealership and travel lots to Foremost. Really I think the dividing line – if you come down from Taber and go a little bit east and then draw a line at a 45-degree angle down to about Foremost. If you go very far east of Foremost, then you're getting into where they travel to Medicine Hat more so, but really Foremost and two or three or four miles east of Foremost and south travel to Taber and Lethbridge.

THE CHAIRMAN: John?

MR. McCARTHY: No questions. Thanks.

THE CHAIRMAN: Well, I want to thank you for coming, Roy. I think the main point of your presentation is that Milk River and the surrounding area deal with Lethbridge and should be in that part of the constituency rather than with Medicine Hat.

MR. HUMMEL: Thank you.

THE CHAIRMAN: Thanks.

MR. HUMMEL: I sure hope you weren't serious when you made that little comment that Alberta may be following Saskatchewan's lead. That's disturbing to Albertans.

THE CHAIRMAN: If you got that message, that wasn't my message.

MR. HUMMEL: Good.

THE CHAIRMAN: I think the politicians in Alberta are not interested in following Saskatchewan's lead.

The county of Warner is the next presenter. Emma Hulit. They had the county of Warner, but they didn't have anybody named.

MRS. HULIT: Your Honour and commission members, I feel as though I need to come here and just say, "Ditto," after listening to all the other presentations, but if repetition is what the panel wants to hear, I guess repetition is what we have.

We appreciate the opportunity to respond to the recommendations of the commission. The right to vote and the opportunity for effective representation is indeed a privilege for all. The people of Alberta have experienced many changes in a very short time, and generally there has been support of varying degrees because of one common concern: the debt of Alberta. Restructuring has occurred, affecting all government services. However, the people of Alberta have not seen a reduction of MLAs. The latest manipulation of the numbers has still not addressed the problem but continues to plot urban against rural and vice versa. Effective representation of all the people of Alberta is far too important to have it done in this piecemeal format. This manner is not acceptable. However, the representation remains an issue, and this must be addressed.

The report states that

population means the most recent population set out in the most recent decennial census of the population of Alberta as provided by Statistics Canada.

In reviewing the submitted document a number of times, it was really difficult to establish which census was used. It was indicated in the beginning that the '91 Stats Canada would be used. However, reference was made a number of times to Municipal Affairs documentation, and then consideration was also given to population projections. The apparent lack of consistent use of the same population database for all the population leaves the people feeling that they are unjustly treated. My presentation focuses mostly on what the people are feeling with the recommendation.

Under the redistribution rules I wish to get more specific in reference to guarantee of effective representation and common community interests, the geographical features, for example, the road systems which reflect our trade routes. The recommendation

of the commission for the eastern half of the county of Warner to become part of the Cypress riding reflects total disregard for people and their opportunity for meaningful input. The trade and service patterns of our area are north and south. The road systems through that entire area are north and south. Our regional school board and our health authority are north and south. Consequently, our communities tend to run north and south. All of our media, our newspaper and television, are from either Lethbridge or Calgary. We are able to receive one Medicine Hat radio station in our area. We really do not have a communication link with Medicine Hat at all.

This recommendation is so focused on just the numbers that the effective representation was not even considered. We're not talking about representation of individual people here but a comprehensive voice capable of reflecting the issues of a primary industry, that being agriculture. Agriculture is a way of life, and rural people do have a different way of life compared to the urban population. How do we ensure that this minority sector is effectively represented in the social mosaic of Alberta?

11:20

The wishes of the rural people of the eastern half of the county of Warner as far as the eastern boundary of the county is concerned is to have the constituency lines fall along that eastern boundary of the county. They wish to have that portion follow along with wherever their school services are delivered, where Taber goes.

In closing, I'd like to make a few – I guess if we're going to talk simplistic – simplistic observations. A decision was challenged in the north and taken to court, and the court made a ruling, applying some stipulation. Our government established the Electoral Boundaries Commission with guidelines set out, and the commission appears to have taken on a life of its own. The recommendations in the view of a lot of people have become political monsters. We have spent a lot of time, wasted money, and many people lost credibility, and we still have the same problem. Somehow common sense was not factored into this formula.

We feel that the commission should take back to the government: number one, if we're truly committed to downsizing, look at the number of MLAs; number two, put forward a proposal that addresses all of Alberta, where people will feel that they have been treated fairly. The opportunity to effective representation is far more important than playing the numbers game. People would feel more confident if they were able to see the whole picture instead of whittling away at rural representation. This only divides Alberta. Let's focus our efforts on the total overall representation that will strengthen our province.

Thank you.

THE CHAIRMAN: We'll start the questioning with Wally.

MR. WORTH: Mrs. Hulit, I want to begin by apologizing for the lack of clarity in our report. You have made reference to the fact that we appear to have made use of different population statistics or figures in different sections of our report, and indeed that's true. We have used two different sets of figures. I think that what we failed to do was to make clear how we used these.

We have used the 1991 census figures throughout the report when it comes to determining our conclusions and our recommendations when calculating variances and things of that sort. Where we used 1995 data was in the latter section of our report when we were trying to demonstrate that the representation of the urban parts of the

province was appropriate, that the urban centres were not underrepresented. We moved to the use of the 1995 data to try to make the point that even with the growth that has occurred since 1991 in the cities where indeed you're getting upwards of almost 20,000 people a year moving into Calgary and about 10,000 a year moving into Edmonton, that even with that occurring in Edmonton, Calgary, and other centres, the urban population of this province was not underrepresented. This was the point we were trying to make, and that's the only occasion on which we used 1995 data. Otherwise, throughout the total report, we used 1991 data as the foundation on which we built our recommendations.

We have obviously failed to make that point clear, and when we redo our document, we certainly will make an effort to do so. I thank you for bringing that to our attention.

MR. GRBAVAC: Just a comment. You're not alone in your frustration with respect to this, with what appears to be an endless and ongoing attempt to reconfigure the boundary lines in the province of Alberta. We're attempting to put before the people of Alberta a configuration that won't be referred to by the courts – if I can use their concluding statement, that they reject the notion that the current configuration rest until the next election. We hope to eliminate that eventuality from occurring. I mean, we've heard everything from constitutional experts telling us two days ago that we don't stand a chance of passing muster with the courts unless we take more ridings out of rural Alberta. A caveat to that, of course, is that that individual is from Saskatchewan.

I want to suggest to you that you're not alone in your sense of frustration. I mean, John said yesterday that I don't think any of us as young boys ever felt that, you know, our goal in life was to sit on a boundaries commission, that that would be something we would cherish or look forward to. I don't think anyone looks forward to this kind of process taking place because it tends to be very disruptive. We're attempting through our matrix to quantify some of the considerations that are to be taken through the decision-making process to bring this thing to resolution. We may be successful; we may not.

Thanks for the presentation, well thought out and well written.

MR. LEHANE: I'd just like to make two comments, Emma. First of all, we accept your criticism, and we'll deal with it in terms of our second report. In terms of the criticism that we're dealing only with numbers, I don't think that's totally accurate. Certainly numbers are an important part. We now live in an age of the Charter of Rights, and in many ways I think that's unfortunate. However, we have to deal with it. While we can say that back in the '70s there were seven urban voters for four rural and nobody seemed to have a problem, I don't think we can say that anymore. I think that unless we can show that in Alberta we believe there are these variances that can be justified and unless we justify them, the courts in reviewing the legislation in the other provinces where the variances are 5 percent are going to say, you know, "You guys had better get in line." So I think that at this time we have to concentrate on the numbers if we want to justify why we think the other places are wrong and we're right in terms of effective representation. If you found that there was too great an emphasis on that, the other side of that coin is that it's important work if we're going to have anything other than rep by pop in the future.

I guess the second comment I'd like to make – and I'll probably get shot for doing this because we've got a busy day ahead and it's

outside of the mandate of this commission. We've heard from quite a number of people that there should be fewer MLAs in the province. I note that that's one of your recommendations in your submission. That's not something within the mandate of this commission to deal with, but I just want to throw that back at you for some more thought for a moment. In the course of our travels – and I believe we were in 17 communities on our first round of hearings – we heard that expressed on quite a few occasions, but I'm wondering how well thought out that position is. I can assure you that if there are less MLAs in this province, they're going to come out of the rural areas for the most part, and all of the problems that we've heard about the difficulty of a rural MLA to effectively represent his people are just going to balloon, and it's going to be a worse situation. So I think that's something to think about.

I've got a second point I'd like to make on that. We've heard from quite a few MLAs and a number of ex-MLAs. The impression I have in listening to what these men and women do as an MLA is that they're very, very busy people, and we get real value for the dollars that we pay them. So while it may be popular to say that we should downsize the number of MLAs because we've downsized everything else, we should think that process through and see what the ramifications of that are. So I just leave you with that.

MRS. HULIT: I guess that reflects our discussions that we had yesterday in the fact that unless the overall picture of Alberta is addressed, we really felt that we're going to continue to see the amalgamation of rural constituencies to offset this population imbalance. The point I was wishing to make was the fact that rather than do it in this piecemeal sort of manner, take a look at the entire province and let us see the entire picture. We know it's going to be continually hitting the rural area, but we cannot see an overall picture of what it's going to end up like.

MR. LEHANE: Yes, I appreciate that point. Thank you.

11:30

THE CHAIRMAN: John?

MR. McCARTHY: Just a couple of comments. That is, your two recommendations that we should take back to the government: basically, they're a function of the Legislature. The Legislature can deal with those two things. It's not within our mandate to deal with fewer MLAs because the legislation we're mandated to deal with requires us to operate on the basis that there are 83. Now, that's because the Legislature required us to do that. We're a creation of the Legislature. Our report is a recommendation to the Legislature. The Legislature can accept, amend, or reject our report. So those two points – I don't disagree with what you're saying, but it's not our function to deal with them. It's the Legislative Assembly of Alberta's function to deal with them.

THE CHAIRMAN: Don't leave, Emma. I want to talk to you. First of all, you've made the statement that the commission is taking on a life of its own. I want to assure you that this commission is dead on July 1 of 1996, and I'll even invite you to the funeral.

MR. McCARTHY: It'll be a happy event.

THE CHAIRMAN: Now, the other thing is that you said we should look at all of Alberta and we should be concerned about treating all of Alberta fairly. I'm happy to say this with Mr. Bogle here. We've

looked at all of Alberta, and we've traveled all of Alberta. We've accepted that 81, or 79 of the former ridings, were only in trouble in basically two areas, and that's Taber-Warner and Chinook and the related constituencies. That's why we're traveling here today, Lethbridge tomorrow, Medicine Hat next week, and whatnot. So I think 90 percent of Alberta is very happy with the report; 10 percent isn't.

That's all.

MRS. HULIT: Thank you.

THE CHAIRMAN: The next presenter is Casey Bydevaate. I was told that your wife, Jane, had not made it. Or is she here?

MR. BYDEVAATE: She's here.

THE CHAIRMAN: Do you wish to come up also?

MR. BYDEVAATE: No. That's fine.

Thank you, Your Honour, committee members. It's not my first time in front of a judge. The first time was voluntarily too. It was a citizenship judge, and he made me a Canadian. I came as an immigrant to this country, which has been very good to us. Thank you for the opportunity to let me express my views.

My name is Casey Bydevaate, and I also speak on behalf of my wife. We farm about seven kilometres north of Taber and mainly grow potatoes. I would like to express my concerns about the proposed boundary changes.

If the proposal is accepted, the community will be torn up. Whether you look at it from a point of view of county or MD lines, school division, irrigation district, or from an agricultural aspect, thinking of crops like beans, corn, potatoes, sugar beets, the lines lie differently than what they are drawn up as now. If I would like to make a recommendation about making changes, it's much more east-west than to the north that we have much in common. Above all, the town of Taber is obviously the economic centre of a wide area.

In the proposal the MD of Taber will be hacked up in three. From where we are living, we look one and a half miles west and see the Little Bow riding; four and a half miles east, the Cypress riding that's in that new proposal. There must be an awfully good reason to come up with such a proposal, but I have not found it yet, unless one believes strictly in representation by population.

The more I read through the report, the less sense the proposal makes to me. When you read through the rules of redistribution about effective representation, submissions made by previous hearings and which clearly favour no change at all or more effective representation, it becomes clear. If one looks at pages 36 to 38 of the report, about the matrix, the Calgary average matrix is 29, Edmonton is 22, and Taber-Warner is 48, which means that Taber-Warner is an awful lot harder to represent than the Calgary ridings and the Edmonton ridings, yet the commission proposes to give the cities each new ridings at the expense of a riding like Taber-Warner, which is two times as hard to represent.

If a city MLA stands on the highest building in his riding, he or she can overlook the whole riding. For us, it's a two-hour drive to Cardston, and that's not even the end of the riding yet.

In conclusion, I believe that the commission has been too much occupied by the numbers and not enough by fair representation. I think the proposal is just to get enough numbers in this riding. That's why Taber was kind of added onto the whole thing, and I'm

not very pleased with it.

THE CHAIRMAN: Thank you.

We'll start the questioning with Wally.

MR. WORTH: To make sure I understand where you live, sir, you live seven miles north of Taber, so you can look east and west and see two other constituencies and look south.

MR. BYDEVAATE: Right.

MR. WORTH: Okay. If you had your preference, where would you like to be?

MR. BYDEVAATE: Well, I'd like to see the whole Taber community – that's the MD of Taber – maybe together with to the north. I kind of don't want to suggest to have other MD lines cut up, but we have more towards Coaldale as part of our representative riding, and I think that's good. Even to the east, to Bow Island, that's irrigation, the same kind of farming more or less.

MR. WORTH: Okay. Thank you.

THE CHAIRMAN: Robert.

MR. GRBAVAC: I think your points are well taken, Casey. We'd like not to cut any MD or county lines. I think that's something we tried not to do. Sometimes it's not possible. Again this is an interim report, and your point's well taken. It'll be taken into consideration.

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 and making your views known. Hopefully the commission might make some changes in here that make you happy, but I'm not making any promises.

MR. BYDEVAATE: Thank you.

THE CHAIRMAN: At this point, we're going to take a five-minute break. The next presenter is going to be Mayor Cam McKay after the break.

[The hearing adjourned from 11:38 a.m. to 11:45 a.m.]

THE CHAIRMAN: We'd now like to call upon the mayor of the town of Milk River, Mayor Cam McKay. Proceed.

MR. McKAY: Good morning, Your Honour and members of your panel. I feel that quite a bit of it's already been said from our area. Something like the reverse situation of a liars' club: the first liar hasn't got a chance. I have been in municipal government arenas since '69 and have always been interested in the developments that

concern our area, and electoral boundaries of course are of great concern to me. My comments, sir, are really of a general nature to express the feelings of the area.

My brief message today is that over the past few months since the original report came out, there's not one area citizen that has come forward to agree with the boundary proposed, which decimates the Taber-Warner constituency. Further to that, the proposal to shift the town of Milk River, the village of Warner, and the village of Coutts – and that word should be east; it's a typing error, if you have it in front of you – to the east constituency is, to say the least, a complete lack of reasoning. We feel that we have been disenfranchised. We are happy as a Taber-Warner family, and it should be noted that we have no social or economic or political ties with the constituencies to the east or west, with Cypress being 125 miles and then the Cardston area 90 miles. Respectfully saying this: it is the general opinion of the area that some person or persons did some fast talking to convince the commission that Taber-Warner should become a sacrificial lamb or the commission members just did not listen or they would not have come up with the boundary as proposed.

Elected officials in our area met a few weeks ago with the Premier, who listened carefully to our concerns, and he left our meeting with considerable empathy.

The present boundaries have not been challenged in court. Why do we change them now? The old saying, I think, is apropos: if it isn't broke, don't fix it. This surely applies in our case. We sincerely hope that common sense will prevail.

I thank you.

THE CHAIRMAN: Thank you, Mayor.

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.

THE CHAIRMAN: Wally?

MR. WORTH: Just an observation. I think that if we accede to your request and have Milk River and Coutts and Warner tied in the north-south rather than east or west, we would be exhibiting common sense and some evidence of sound reasoning.

MR. McKAY: Yeah. It just takes off on a wild hook and just leaves us out.

MR. WORTH: Okay. Thank you.

THE CHAIRMAN: Well, Mayor McKay, I just wanted to say that when you say, "If it isn't broke, don't fix it," I think the Court of Appeal in the province of Alberta told us that we have to do something. I would like to follow your advice, but I don't think we have that choice.

But I do want to commend you. I would say we've had over about 300 representations now, and you've come up with the best opening

line that I've heard so far.

Thank you.

MR. McKAY: Thank you.

THE CHAIRMAN: The next presenter is Deputy Mayor Linda Erickson of the village of Coutts.

MRS. ERICKSON: Thank you. Sorry I don't have a joke. I'm racking my brain trying to think of one.

Usually when preparing a presentation, I begin by researching the answers to the questions raised. This was unfortunately not the case this time. When preparing my submission for today, this first stepping-stone proved to be quite a challenge. The commission's recommendations raise a lot of unanswered questions and issues that I quite frankly cannot begin to understand.

These issues are, in quotation marks, areas of interests, which were supposed to be considered by the commission. When you think about the existing trade routes, the highway system, the flow of information, the village of Coutts has very little shared interest with the area of Medicine Hat. Why did the commission seem to ignore this important consideration? Why were the existing county, school district, and health authority boundaries not taken into consideration? Why did the commission choose to carve up the existing Taber-Warner riding when in fact it met the plus or minus 25 percent criterion? Why did Cardston-Chief Mountain and area, which did not meet this criterion, get added population while its neighbour the county of Warner was cut up? Why was southern Alberta affected with the recommended changes and northern Alberta left alone? There is a feeling that perhaps there is a need to reduce the total number of MLAs. Why was this not done? Just a shift of two MLAs.

The existing MLA for Medicine Hat went on record a few months ago in our local paper stating that he was unsure of what kind of effective representation and time he could devote to the people from the southern portion of the county of Warner. Basically, the Medicine Hat area doesn't want us any more than we want them. Why can't we just keep things the same and retain our close ties with Taber?

I've discussed your report with many ratepayers from our village, and the overwhelming response has been negative. Putting our region into Medicine Hat has been tried federally once before, and it just didn't work. The village of Coutts would prefer to remain with the Taber-Warner riding and suggests that the commission consider the possibility of reworking the boundary to be consistent with the east side of the county of Warner line.

Thank you.

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

MR. McCARTHY: I'm just curious. You're in the federal riding now of – what?

MRS. ERICKSON: Lethbridge.

MR. McCARTHY: Okay. Where is that dividing line between the Medicine Hat federal riding and the Lethbridge one?

MRS. ERICKSON: Is it Foremost? Does anyone know? It's right

close to there. Where is that person from Foremost?

MR. HALL: Foremost could be in the Medicine Hat constituency. It follows closely along the Warner county line.

MR. McCARTHY: But not exactly.

MR. HALL: But not exactly. It's a little bit north of that.

MR. McCARTHY: Okay. Is that the new recommendation, or is that the way it is now?

MRS. ERICKSON: That's the way it is now. Several years ago we were in with the Medicine Hat riding.

MR. McCARTHY: There's a federal recommendation now for some new changes. Does that remain the same?

MRS. ERICKSON: No, no. As far as I know, we're still going to be with the Lethbridge riding.

MR. McCARTHY: Okay. Thanks.

MR. LEHANE: If there were to be some combination of the Cardston-Chief Mountain and the Taber-Warner constituencies, do you think in terms of an eastern boundary that the county line . . .

MRS. ERICKSON: In my opinion, yes.

MR. LEHANE: . . . of Warner would be an appropriate line?

MRS. ERICKSON: Yes.

MR. LEHANE: Thank you.

THE CHAIRMAN: Robert?

MR. GRBAVAC: No.

THE CHAIRMAN: Wally?

MR. WORTH: No questions.

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

The next presenter is Val Schamber, Milk River Businessmen's Association.

11:55

MRS. SCHAMBER: Good morning.

THE CHAIRMAN: Good morning.

MRS. SCHAMBER: I'd like to thank you for the opportunity to speak to your commission this morning. I've lived most of my life in the Milk River area, and I am the owner/operator of B & C Insurance. For the past four years I've been a member of the Milk River Businessmen's Association, the organization which I represent today. Numerous businesses are represented through this association, and on their behalf I would like to express dissatisfaction with the proposed electoral boundary changes.

The removal of our southern area from the Taber-Warner

constituency to the Cypress-Medicine Hat area raises a variety of concerns for all those in business. Firstly, we are very cognizant that our trade and commerce flows in a north-south direction. The route used is Highway 4, a highway designated as an export highway and one which is to be twinned through our part of the constituency in the near future. Highway 4 links Coutts, a very busy port of entry into Canada, with the rest of Alberta. Therefore, the twinning of the highway is an issue which is extremely important and relevant to all the businesses for whom I speak today. Close communication with our MLA is vital with regard to the route it will take and to its immediate and long-term impact upon the businesses in the communities through which it passes. Under your proposal it would be necessary to be represented by three MLAs, because in this short, 60-mile distance Highway 4 will pass directly through three different constituencies: Lethbridge, Cardston-Taber, and Cypress-Medicine Hat.

Businesses attempt to capitalize upon the flow of tourists along Highway 4. Our newly constructed tourist information centre located just south of Milk River on Highway 4 provides one opportunity for tourists to stop and visit our town, and once again our north-south affiliation is acknowledged by the fact that our area is designated as part of the Chinook tourist zone, which extends south from Lethbridge.

Businesses located in Milk River service a population which resides along the north-south pattern. This is true of the agricultural machine dealers, the fertilizer and fuel distributors, the banks, the grocery stores, and on and on. As well, there are numerous health services provided in Milk River that are directly linked in a similar fashion. Examples include dentists and optometrists who commute from Lethbridge as well as our physiotherapist who commutes from Taber. Another fundamental service to our town is the RCMP, whose headquarters are Lethbridge.

The business community recognizes the importance of our active treatment hospital. In addition, Milk River is fortunate to have a long-term care facility. These facilities not only provide health care services but also enhance possibilities for growth in our town. Your proposal gives responsibility for our health care facility to an MLA who has no other connection to the Chinook health authority. It is vital that our hospital remain viable and well represented within its assigned region. We feel your proposal puts our hospital in jeopardy.

As well, your proposal severs the connections our schools have with the newly formed Horizon school division. If we become part of Cypress-Medicine Hat, the MLA would have a great deal of difficulty providing effective representation for our educational concerns. From a business perspective, without adequate representation by our MLA the perception exists that our school system may not function as effectively as it has. This, too, has a ripple-down effect on the vitality of our business community.

In conclusion, all of these examples set precedents which dictate the community of interest for the town of Milk River and the businesses who reside within. We cannot understand why our area would become part of a constituency with which we have nothing in common.

Thank you.

THE CHAIRMAN: Thank you. We'll start the questioning 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: Just an observation. Thank you very much for reminding us of some of the factors that tie together the community you're from in relation to the other communities to the north of it. Thank you very much for that.

THE CHAIRMAN: I just want to say this in summary. I think your presentation is in agreement with a lot of other presentations. The point you're making is that Milk River belongs in the Lethbridge area and not in the Medicine Hat area.

MRS. SCHAMBER: Yes.

THE CHAIRMAN: Thanks for coming.

MRS. SCHAMBER: Thank you.

THE CHAIRMAN: The next presenter is Hovey Reese, Chinook regional health authority.

MR. REESE: Mr. Chairman, members of the Alberta Electoral Boundaries Commission, my name is Hovey Reese, here today to speak on behalf of the Chinook regional health authority. The CRHA is convinced that the electoral boundaries of Alberta should remain as they were prior to this commission's initial proposed changes. We are especially concerned with the changes being proposed for the Taber-Warner constituency.

We wish to bring the following concerns to your attention. Travel patterns, trade routes, education, health services, local media availability, and recreation are all important factors which should be considered when determining how well an MLA is able to represent his or her constituent. Variation of 25 percent should be maintained. Equitable representation must be conserved. Population and the size of the constituency must both be factors.

In the specific case of the Chinook regional health authority, there are 15 board members: five urban and 10 rural. These 15 individuals currently work with six different MLAs. They have as a board worked hard to establish a very close relationship with these MLAs. The CRHA has successfully relayed the public concerns about restructuring to their MLAs, and MLAs have also been able to bring government concerns to the attention of the health authority. The many changes in the delivery of the health services to the citizens of this region would be negatively influenced by further changes in their elected representatives.

To move the town of Coaldale into the Little Bow constituency will not in any way make for effective or equitable representation. The people of Coaldale travel to the west for their services. They have never historically looked to the north, for example Vulcan, for any of their services.

The proposed shift of the southwest corridor of the current Taber-Warner constituency into the Cypress constituency would result in little or no input from the Cypress MLA. That would make it almost impossible for the citizens of this area to have any kind of

meaningful access to the government of this province. It is a one-hour drive to the first town of any size between Milk River and Medicine Hat. We do not believe that it makes any sense to place Milk River, Warner, and Coutts into the Cypress constituency.

The proposal of adding the town of Taber to the Cardston constituency is unbelievable at best. We were not able to find any kind of rationale for that particular proposal at all. Again, the historic travel and trade have always been east-west and not north-south.

Members of the boundaries commission, the Chinook regional health authority thank you for giving us the opportunity to bring our concerns to you, and we trust you'll remember that there are two questions that need to be addressed. Equality is one, but we must never forget that effective representation has also been determined to be a paramount concern for the courts of the land.

Thank you.

THE CHAIRMAN: Thank you.

We'll start the questioning with Wally.

MR. WORTH: Mr. Reese, I'm a little confused by a statement that you made just near the end of your presentation when you said, "The historic travel and trade have always been east-west and not north-south." Now, I thought I had heard people telling us earlier that the historic pattern was north-south.

MR. REESE: Are we talking about the town of Taber into the Cardston constituency?

MR. WORTH: Yes.

MR. REESE: I mean, Taber has always been east-west towards Lethbridge, and the proposal is saying that maybe the travel will be north-south.

MR. WORTH: But being with Cardston, you're in a north-south corridor to some extent.

MR. REESE: Yeah, but in the constituency business end of it you are in a different pattern.

MR. WORTH: Thank you for that clarification.

THE CHAIRMAN: Robert.

MR. GRBAVAC: My question was the same as Wally's.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions. Thank you.

THE CHAIRMAN: John?

MR. McCARTHY: No questions. Thanks.

THE CHAIRMAN: Well, I want to thank you for coming. I think the point you're making has basically been made by other people here today. Thank you.

MR. REESE: Yeah, that's what I mean, but also I think we wanted

to emphasize the business of the importance of the MLA in the restructuring of health to the Chinook regional health authority board. It's very, very important. We work very closely with them, and therefore we wanted to express that viewpoint.

THE CHAIRMAN: Thanks.

The next presenter is John Voorhorst.

12:05

MR. VOORHORST: I guess we can safely say good afternoon now, eh?

Mr. Chairman and members of the 1995-96 Electoral Boundaries Commission of Alberta, my name is John Voorhorst, and I live in the town of Coaldale. I'm here today to express my family's concern with the initial report which was tabled in the Alberta Legislature earlier this year. My concern is in three areas: first, the process; second, the outcome; and third, the ability to change the initial recommendations.

First, then, my concerns with the process. As I understand it, the initial request made of this committee by the government was to determine whether the current boundaries in fact allowed for effective representation. The obvious question which immediately comes to mind is: why did this commission go so much further than its initial mandate to the point where it not only recommended some considerable changes to the current boundaries but made little or no attempt to define what actually is understood by the term "effective representation"? Does "effective representation" mean that the city of Calgary and the city of Edmonton will have access to 20 and 19 MLAs respectively while the town of Coaldale will have to share its MLA with the town of Gleichen, which is approximately 150 kilometres away, and also with the towns of Vulcan, Picture Butte, Coalhurst, and Vauxhall?

To add to this concern, I would like to quote from *Hansard* of May 12, 1977, where the late Grant Notley, the former leader of the New Democratic Party and a former MLA for a rural Alberta constituency, states the following:

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

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

End of quote of the late Mr. Notley.

I would also like to briefly quote from your initial report, a direct quotation from your report where you state the following:

Madam Justice McLachlin, writing for the Supreme Court of Canada in the Carter case, wrote:

It is my conclusion that the purpose of the right to vote enshrined in s. 3 of the Charter is not equality . . . per se, but the right to "effective representation." Ours is

a representative democracy . . .

Madam Justice McLachlin continues in another place in the Carter decision:

What are the conditions of effective representation?

The first is relative parity of voting power. . . .

In the same decision, the Justice writes:

First, absolute parity is impossible . . .

[She] continues as follows:

Secondly, 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. 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. These are but examples of considerations which may justify departure from absolute voter parity in the pursuit of more effective representation; the list is not closed.

The statement by Justice McLachlin, in my mind, is more than adequate proof that effective representation must be defined and must also be achieved for democracy to work at its optimum.

Mr. Chairman, to further outline my concerns regarding the process, I again refer to your initial report which was tabled earlier this year. On page 13 of that report I see that 266 Albertans made representation to your commission. Of that number, 199 or 75 percent indicated that either there should be no change or there should be allowance for effective representation. I was one of those Albertans whose written submission was read into your hearings, and I clearly stated that I wanted no change. However, I also stated that if the commission felt there must be a change, it should first determine what is meant by the term "effective representation." I wonder if my submission was counted among those wanting no change or among those wanting effective representation.

Mr. Chairman, the summary of major themes leaves me with a very distinct impression that the commission did not listen to Albertans. I hope my impression is wrong, and I trust that the commission is listening this time.

My second concern is with the outcome. The absolute destruction of the Taber-Warner constituency leaves me feeling like a second-class citizen. To move the town of Coaldale into the Little Bow constituency makes absolutely no sense whatsoever. The town has historically done all its traveling east and west between Taber and Lethbridge. The agricultural area around the town of Coaldale lies in a large irrigation district. To break up this east-west relationship at this time almost makes me feel that one of the objectives was to weaken the political voice of the irrigation farmers in our area. The town of Coaldale has always worked with the neighbouring town of Taber in this regard, and this initial report has successfully torn the political power of the irrigation farmer out by its roots. Gentlemen, a huge disservice in my mind is being attempted here.

Lastly, what will be the outcome of these hearings? Will the commission listen? I'm asking you: please, do not tear this area into pieces in this fashion. You will successfully take away our political voice. If you absolutely feel you have no choice but to fix the only constituency in the south which has a population well under the 25 percent disparity, please tackle that constituency. It makes much more sense to add the Cardston constituency on to the two neighbouring constituencies than this current proposal.

Gentlemen, I want to thank you for your time, and I hope you'll

find a way to help us maintain our political voice and our political strength in Edmonton.

THE CHAIRMAN: Fine. We'll start questioning with Wally.

MR. WORTH: Mr. Voorhorst, I notice in your submission that you contended that we . . . Oh, let me back up. You asked us to consider effective representation if we felt that there had to be a change in the boundaries in this area. You also assert that we haven't really addressed that question in our report. I would encourage you to read pages 10 and 11 and 26 and 27, in which we as a commission tried to deal with the question of effective representation and what our definition of that was and what components were involved in it. Then we went ahead to try to translate that into some identification of the factors that influenced effective representation and included those in the matrix, about which we heard considerable earlier today. So I just want to state that I think we feel that we are only beginning to address the question of effective representation. We haven't ignored it, and we are hoping to refine our interpretation and presentation of it in the next round.

MR. VOORHORST: Thank you.

MR. GRBAVAC: Well, John, in listening to and reading along with you with respect to your report, you made some rather strong statements, and you left little doubt as to your opinion. Did you read the report, John?

MR. VOORHORST: I sure did. Yes.

MR. GRBAVAC: Okay. When you suggest that the commission made little or no attempt to define what is actually understood by the term "effective representation," could you expand where we made little or no attempt to define that, because this strikes at the heart of our report in that we tried to put a quantitative analysis to "effective representation" and you're dismissing that. I would like you to expand on that, if you would.

MR. VOORHORST: Sure. What you've tried to do with your understanding of "effective representation" is put a population number to it. From what I understand from the matrix that you've used, it works out to a number situation. It's my opinion that effective representation also has to deal with accessibility and the commonalities of the various communities involved in the constituency. The town of Coaldale has for years been in the Taber-Warner constituency, and to put the town of Coaldale in a totally different constituency where there is no commonality, especially in relation to the agricultural issue, would suggest in my mind that we would potentially lose what I understand to be effective representation.

12:15

MR. GRBAVAC: John, you know, this is really at the heart of what we are attempting to do here. I find it unfortunate that you didn't – maybe we're missing something. Population certainly was one characteristic; geographic area, another component of our matrix; population density and sparsity; number of households; number of unincorporated communities; hamlets' population and their governance; elected and appointed bodies; number of school divisions, health divisions, municipalities, primary and secondary highways; number of Indian reservations and Métis settlements;

contiguous boundaries; and distance from the Legislature.

We've been criticized around this province for skewing our matrix towards rural Alberta and considering too many variables beyond population. That's why I find your comments interesting when you say that we gave little or no consideration to what is defined as "effective representation." If that's the kind of message we're putting out, then obviously our matrix is at fault or our communication with the public is at fault. I just have a hard time understanding how you came to that conclusion. I may have a better insight into that now.

MR. VOORHORST: Let me try to maybe elaborate on that. I was not sure how much time I would be given for my presentation, so I tried to be as brief and to the point as I possibly could.

One of my concerns is that if a citizen of the city of Edmonton or the city of Calgary has a major health concern that comes through to the regional health authority, the regional health authority makes one call and has 15 members of the Legislative Assembly at its beck and call immediately, all representing the same city, all looking out for the interests of the citizens of one place. If a citizen of the town of Coaldale has a problem with the delivery of the health system in Alberta and we bring that to the health authority and we wish to meet with the MLAs representing the regional health authority, you're going to add an MLA to that. We have to find a schedule to fit seven MLAs so that we have access to the same government in Edmonton. To make seven schedules fit – I don't know what your schedule is like, but I'm sure it's the same as the Members of the Legislative Assembly. It's got to be just about impossible to get a meeting with you people all in one place at one time. It makes it really difficult.

That's what I understood effective representation to be. That's what I understand it to be. It's how we as citizens have access to the government. A lot of people think that effective, that a large part of that is dealing with the numbers. So we have successfully with this initial document added two urban members to the government – at what cost? The urban voter loses all the time in his or her attempt to make its case with the government.

THE CHAIRMAN: You mean rural.

MR. VOORHORST: Is that not what I said?

THE CHAIRMAN: Urban.

MR. VOORHORST: You're making me nervous. I'm sorry; I meant rural.

THE CHAIRMAN: Well, despite what you said, I'm not confused.

MR. VOORHORST: All right.

MR. GRBAVAC: I have no further questions.

MR. LEHANE: I'm not confused with what you're trying to tell us either, John, but let's perhaps approach this in terms of our discussion on the basis of what we're dealing with. We have Cardston-Chief Mountain under the old boundary that has a population which is 38 and a half percent lower than the average, which runs between 30,000 and 31,000 for the province. By way of example, we have an Edmonton constituency at 38,000, which is

more than twice that population.

Cardston-Chief Mountain didn't sit there by itself with the only significant negative variance. Taber-Warner is minus 21.8. Cypress-Medicine Hat is minus 23.8. Pincher Creek-Macleod is minus 20.3. So it wasn't as if there are a lot of easy solutions in terms of trying to get the numbers right. Despite the fact that that may not be popular here, we're sitting in a particular community today that has to bear the brunt of that unfortunately in terms of certain proposals which are not yet what this commission's report is. In terms of our discussion today, I can tell you that we've heard a lot of different views from the urban centres and other areas about all those negative variances in the south. So if you assume for the purpose of discussion that you have to make some adjustment there, it's a very difficult problem.

Now, let me give you an example. If we take Cardston-Chief Mountain and Taber-Warner and assume that somehow we're going to combine those – I think that's what we've heard today as being more logical than what was seen in the first report – then you have a population of 42,000 or 43,000. It puts us approximately 12,000 or 13,000 over the provincial average. So perhaps you can suggest to us how we would arrange that to get that population variance within some acceptable level. Where would the 13,000 population come out of those two constituencies in terms of a new constituency? I mean, naturally they're going to go east-west or north.

MR. VOORHORST: Right at the end there you lost me. My understanding from the initial report was that the variance, the initial variance as you outlined, is in what's currently the Cardston constituency.

MR. LEHANE: It has the largest negative variance.

MR. VOORHORST: Is it not possible to follow some of the current health authority boundaries or the county boundaries and put the Cardston constituency together with the Taber-Warner constituency and the constituency of Crowsnest Pass, which you've changed to Macleod-Crowsnest?

MR. LEHANE: Well, that's what I'm suggesting to you, that if there was some combination of Cardston-Chief Mountain and Taber-Warner, if you took them totally together, you're going to end up with a total population of 42,000 or 43,000, which probably is too large in terms of what's acceptable because it's 12,000 or 13,000 over the provincial average. So if we want to work at creating a new constituency there, what are we going to do with this extra population? I'm just asking if you have any suggestions.

MR. VOORHORST: No, I don't.

THE CHAIRMAN: John.

MR. McCARTHY: I just have one question. Was Coaldale ever part of the Little Bow constituency in the past?

MR. VOORHORST: Not as long as I've lived in Coaldale, and I went to school there.

MR. McCARTHY: Okay. Thanks.

THE CHAIRMAN: Well, John, I want to thank you for coming. I just want to make this one remark. You sort of challenged this commission, saying that "effective representation" must be defined. We're trying to define it, and if you think you're going to get a simple dictionary meaning for "effective representation," I want to tell you that you and I will both be dead before that definition ever comes.

Thank you.

MR. VOORHORST: Thank you.

THE CHAIRMAN: Well, we're going to adjourn now for lunch, and the hearings continue at 1:30. Thank you.

[The hearing adjourned from 12:24 p.m. to 1:30 p.m.]

THE CHAIRMAN: Ladies and gentlemen, I would like to start the afternoon session of these hearings, and I want to say good afternoon to you. We're going to dispense with the reading of the opening remarks as everybody has heard them except for one person. They take about 20 minutes, and we have a long afternoon.

The first presenter that we have this afternoon is Jake Stolk.

MR. STOLK: Thank you, Your Honour and fellow commission members. It's indeed a privilege for me to be here. I don't know if I can start with any jokes or not, but I think I have one. I have never appeared before a judge. Once before in my history I had a violation.

THE CHAIRMAN: How big was the fine?

MR. STOLK: It was not big at all. Actually I was very hurt because I had prepared a presentation and was on my way to the witness stand. The judge said to me three different times, "Are you sure you want to testify?" I said, "Yes, I would, Your Honour." I started going up, and do you know what his final response was? "I think we've spent enough time on this case. Case dismissed."

THE CHAIRMAN: He was trying to tell you in a polite way that you shouldn't testify. The case would be dismissed, you see.

MR. STOLK: I didn't know that.

THE CHAIRMAN: You weren't getting the signal, but I'll be more blunt this afternoon with you.

MR. STOLK: Thank you.

I'm Jake Stolk. I'm a farmer just east of Taber here, close to the hamlet of Purple Springs. I'm here today with no political affiliation. I'm here today to explain my presentation, and I hope it's not repetitious. I guess it is to a certain extent. The only thing in my presentation that I thought would be different from the rest was that it would be more condemning than the rest of them, but the one just before the lunch break I think outdid me, Mr. Voorhorst's. When your second round of hearings is over with and this commission deliberates, I hope you will not use your political aspirations to complete your second round of hearings, leave your political aspirations aside whether you're a PCer, an NDPer, or a Liberal. I sent a copy of my presentation to several MLAs, rural MLAs because I'm from rural Alberta. I find it very ironic that I got several

responses from the governing PCs but never got one response from the Liberal MLAs, rural Liberal MLAs, and I think I sent five out.

So, Mr. Chairman, here's my presentation. I would like to voice my strong disapproval of your electoral boundaries report and your subsequent recommendations to the Speaker of the Legislative Assembly. In 1994 the Alberta Court of Appeal ruled that the province's electoral boundaries are constitutionally valid, so I question the need for another review at this time when we have had four of them in recent years.

The eastern boundary edge of our Taber-Warner constituency will have been shifted from one riding to another for the third consecutive time if your proposals are accepted. Now, some of these people on the outer edge of this riding really don't know whether they're coming or going, to say the least.

With the last review, I believe three years ago, we lost two rural ridings. With your present recommendations we stand to lose two more. Where will it end? If the present trend continues, we will definitely lose effective representation. In my opinion there are only two major urban centres in the province, namely Calgary and Edmonton. All other cities and towns throughout this province I feel are very much agriculturally based.

In November of last year when the commission toured the province, there were very few urbanites that protested their underrepresentation. Out of a total of 266 submissions only 27 wanted representation by population. That small number in fact is telling me that there is no real concern about underrepresentation. A hundred and one submissions, almost 40 percent of the total, wanted no change in the present boundaries. Another 98 asked for effective representation, and 40 asked for a reduction of electoral divisions. Now, the recommendations that your commission came up with addressed the concerns of 27 presenters. What about the concerns of the other 239, by far the vast majority? Their views were not addressed in your report.

That brings me to my next question. What really is the purpose of holding public hearings? I believe it is required by law. It's just a formality. If I may quote a piece out of your interim report, page 10, I really have a problem with this paragraph, Your Honour:

Finally, the Commission wishes to explain that the process of public hearings and submissions is not a referendum process. We are not empowered by the Legislation to base our decisions upon the number of persons who agree or disagree with any proposals we may make. Indeed, the Courts have said such considerations are inappropriate, in that they are irrelevant.

I have a real problem with the word "irrelevant." Again, why am I here?

If I may use a quote from our local newspaper: one of two rural area reps on the five-member commission doesn't see the commission altering its position or reducing the number of southern Alberta rural ridings in the Alberta Legislature. End of quote. Question: why hold another round of hearings when you're already saying to us that your mind is made up. I could use another quote. Well, no. I'll come up with that later. Really, then, it is a waste of time and money on your part and mine.

The rural electoral divisions in central and southern Alberta were affected by your report, yet northern Alberta was virtually untouched, namely Barrhead-Westlock. Now, I guess from one of the earlier presenters, Your Honour, I questioned one of the statements you made that Alberta was indeed looked at, but here's where I'm going to use my second quote from the newspaper, and it stated that the constituency of Barrhead-Westlock was lucky this

time around. They may not be so lucky the next time. So I believe this report was piecemeal. Therefore, Mr. Chairman, I question the legality of your report. If the commission has a mandate to change electoral boundaries, you should have done it provincewide.

1:40

Now I'd like to give you some food for thought. Agriculture remains the shining star on Alberta's economic horizon. The latest figures show that in 1994 Alberta's out-of-province shipments of agricultural products hit \$5.8 billion. International exports originating in Alberta reached \$3.6 billion the same year. In 1994 food and beverage processors shipped \$5.6 billion in goods and employed 16,000 people, making food and beverage production Alberta's largest manufacturing industry. The Alberta agriculture sector directly employed 97,000 people in 1994. This made agriculture the fourth biggest employer in Alberta, behind retail trade, health and social services, and other service industries. So you see why I'm concerned about losing two more rural ridings: effective representation. Farming continues to put food on our tables and money in our pockets whether we live in a rural setting or an urban one.

Please leave Taber-Warner electoral division as was. This is the only mistake I made in the report, Your Honour, "as was", because the final decision hasn't been made. Thank you for your consideration.

Your Honour, I will try to answer some of your questions, if I can. I'll do it to the best of my capabilities, but I also hope that the commission will answer some of mine.

THE CHAIRMAN: We'll try that to the best of our limited ability.

MR. STOLK: Thank you.

THE CHAIRMAN: We'll start with John.

MR. McCARTHY: Just a couple of questions and then some information. How far are you from Lethbridge, Purple Springs there?

MR. STOLK: I'm 40 kilometres east of Lethbridge.

MR. McCARTHY: Okay. So you're in the Lethbridge trading area as opposed to Medicine Hat?

MR. STOLK: Yes, I am.

MR. McCARTHY: Just a point of information. This commission doesn't have any legal authority to make changes. The only legal authority we have is to present our report to the Legislature. Then the Legislature has the legal authority to accept the report, amend the report, or reject the report and whatever flows from that as far as changes to the boundaries go. So I just want you to know that we have a reporting function to the Legislature but not a legal function as far as actually making the changes.

MR. STOLK: Okay. Thank you.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions. Thanks.

THE CHAIRMAN: Robert?

MR. GRBAVAC: No questions.

THE CHAIRMAN: Wally?

MR. WORTH: I have an observation, and I'm going to try to answer one of your questions.

MR. STOLK: Thank you.

MR. WORTH: In your statement you said, "If the commission has a mandate to change the electoral boundaries, you should have done it provincewide." I would suggest to you, if you look at our report, that we have indeed addressed the problem provincewide. We have certainly not made changes where we deemed the changes were not necessary, but we have recommended changes in 37 of the 83 constituencies in the province, which approaches 40 percent. We have attempted to justify these changes. So I think that's an answer to your question in the sense that we have indeed worked provincewide, and the evidence is to be found on pages 24 through 26 in terms of our recommendations for change. So that's my attempt to answer your question, sir.

THE CHAIRMAN: Jake, you referred to the matter of this is not a referendum. I want to deal with that in this way. I don't have the exact figures, but I think something like 80, 90 percent of the people in the province of Alberta don't know that the Electoral Boundaries Commission is sitting, don't know exactly what their constituency is or who their MLA is. That statistic may be wrong, but there's a very low public interest in this thing. When we go out to the public, we're not hearing from those people. We're hearing from the people who are affected, and the people who are affected are people like you and other people who have been here who are concerned. We're listening to those people, but if all the people came and said one thing – "Don't change anything in Alberta from the last electoral boundaries" – I don't think we could get away with that, because we're governed by the law and the statutes. Those are our guidelines. It's not the fact that 100 percent of the people said, "Just do it this way." If you don't like the way we're doing it, then you have to go to your MLA and get the law changed. So that's why this is not a referendum.

MR. STOLK: If I could comment to your latest statement here. You know, giving those figures on your first round of hearings, the figures I gave with the presenters and stuff may be irrelevant, but we're here to defend ourselves, whereas there are hordes out there that don't. Your Honour, that's exactly the case in point. When we have a general election, we may have – what? – 60 percent of the population that really democratically exercise their rights. Frankly speaking, the other 40 percent don't give a . . . So that would make those figures even higher.

THE CHAIRMAN: No quarrel.

Well, thank you for coming and making your viewpoints known.

MR. STOLK: Thank you.

THE CHAIRMAN: The next presenter is Susan Cleland.

MRS. CLELAND: Good afternoon, committee members. I do not hold a title such as mayor, reeve, council member, or even chamber of commerce member. I am Susan Cleland, mother of two, wife of a small business owner/operator, employee of the Horizon school division since 1990, and in the last four years have become more politically active, thus my being here today to share with you my opinions regarding the proposed electoral boundary changes based upon my humble background. I will only touch on two very simple yet in my mind very important points: representation and community of interest.

As mentioned, since 1990 I have been employed by the Horizon school division, formerly the Taber school division. Starting in 1991, I began teaching ECS, and here begins my political involvement. When rumours began regarding possible funding cuts to ECS, I immediately contacted our MLA. This initial contact led to several phone conversations, many meetings, a great deal of letters to Edmonton, a classroom visitation by our MLA, a generic profile of students and needs presented, as well as my own ECS program, including curriculum, evaluations, examples of student work, and an explanation of what ECS is and does. I know that by the end of the process our MLA not only knew my name but the sound of my voice and definitely understood the importance of ECS. He also must have gained a tonne of air miles in gasoline purchases as every meeting he traveled over 60 miles to see me.

This was an emotionally and physically draining process for myself but knowing that I had done everything I possibly could meant a great deal. The point I would like to bring forward is: as difficult as the process was, I always found our MLA to make time and be available. The proposed changes to our electoral area would greatly affect the representation I feel I need from my MLA. Is it possible to have effective representation when as an individual concerned about school division matters I would have to contact three separate MLAs?

1:50

To look at representation in yet another venue, when amalgamations of school divisions were proposed, the former Taber school division took a proactive role and formed alliances to the north and to the south of the boundaries that existed. The amalgamation was in line with the government representation currently in place, the move including schools currently represented by the Taber-Warner MLA to the south and the Little Bow MLA to the north. When alliances were made, the restructuring did not move towards the Cardston-Chief Mountain area. So why now? The proposed restructuring of electoral boundaries would mean that the board members of the school division would be required to deal with three separate MLAs. Where is the effective representation in this?

I have also had the opportunity to be involved with the educational roundtable discussions. The experience was one of both learning and educating. From the time I spent at these meetings I learned that the Cardston-Chief Mountain area ideals were diametrically opposed to what the Horizon school division has done and since done. Within this context there is no community of interest. Where is it?

As a parent I hold many concerns regarding community of interest and the proposed changes. The first area I would like to touch upon is schooling. As previously mentioned, amalgamation followed current lines of representation. Are we to assume that this was a mistake? Elementary schoolchildren have little or no ties with the proposed area our constituency is to join unless they have family members, but the idea of a family member being a tie is ludicrous as

that tie could take us almost anywhere. Elementary school activities such as field trips, pen pals, and program sharing rarely stretch as far as our proposed new electoral boundaries. Even the study of communities varies greatly with respect to geography, resources, agriculture, and societal practices.

Next, I would like to take a brief look at some of the sport activities our community has to offer. School sports such as volleyball and basketball take our young athletes within the realm of the school division and sometimes to closer communities. These athletes do not travel to the Cardston-Chief Mountain area unless they reach the senior high level, which also sees them traveling throughout all of Alberta, into British Columbia and Saskatchewan. The community of Taber also offers a busy soccer league as well. Most of these athletes play within a house league, and some play for the Coulee Kickers, and this sees them traveling to areas like Iron Springs, Coalhurst, and Nobleford.

I spoke with several hockey parents to see where their children's games took them. For the youngsters who envision themselves the future NHLers, they begin in a simple house league and move to traveling mostly north and south, some games to the east as far as maybe Bow Island, and the Coaldale and Picture Butte areas as far west. I was told that several of the communities in the Cardston-Chief Mountain area have very competitive hockey teams, but games at this level are very difficult to schedule as the young Taber teams generally have ice time on Sundays. Once the Cardston-Chief Mountain area hockey players reach the peewee and bantam age, they no longer play within their communities. They're usually engulfed by the Lethbridge and Coaldale teams.

Baseball in its many forms in Taber is much the same as the previously mentioned sports. The young players begin in house leagues with some competition from the Bow Island area. High school ball sees our players traveling all over the area, while the Alberta Baseball Association team moves mostly towards the north, and the Spurs, an American legion team, move south into the United States. Slow-pitch also takes form in a house league, with tournaments taking place in surrounding communities.

One group which involves a deep sense of community is the 4-H organization. I have been involved in 4-H since I was 12 years old, first as a member and now I judge speak-offs. In the beef club with which I was involved, our 4-H community included Taber, Grassy Lake, Purple Springs, Vauxhall, and Hays.

I have not given you statistics or complicated equations, but I have given you examples of what I see as a community of interest and that I expect to have effective representation. Given the different agricultural practices, trading routes, types of resources, and vast religious differences, as well as all the examples I have given you, I would ask you to question the move to join Taber-Warner constituency with that of Cardston-Chief Mountain.

THE CHAIRMAN: Thank you.

We'll start the questioning with Wally.

MR. WORTH: Mrs. Cleland, I want to commend you on your presentation. I am impressed by the obvious passion with which you hold some of these views and beliefs that you've enunciated. You must be an excellent teacher.

MRS. CLELAND: Thank you.

MR. WORTH: I would like you to try to teach me one or two things

here this afternoon if you would. One of the things you mentioned was the fact that you anticipated having difficulty in having effective representation from three MLAs. This was also mentioned this morning, and I've been pondering that since. You know, it seemed to me that it might be better to have three MLAs acting as your advocate than one, so obviously I don't understand the difficulty here. Could you explain it to me? Why do you see it as being more difficult?

MRS. CLELAND: The difficulties that I see, based purely on my own experiences, are the time, the effort that it took for me to meet with the MLA I was meeting with. You know, as I mentioned in my presentation, it was physically and emotionally draining for me. Being a mother of two, I don't know that I have the energy to hit three different MLAs and try to convince them and educate them and help them see my points of view. Hopefully it would be easier for me to get them all together at once so I could sit them down and say: "Here I am. Listen to me. This is what I have to say."

MR. WORTH: Just treat them like they were in kindergarten.

MRS. CLELAND: That's the difficulty I see on my part, having to contact three separate people. The process I've gone through in the past was difficult enough, just trying to get hold of one MLA who is very accessible to me as well as my letters to Edmonton and whatnot. It took a lot of time and a lot of effort, and I don't know if I'm going to do it with three different people.

MR. WORTH: Okay. But had you been successful in doing it with three people, I suspect then you would have three voices raised on behalf of ECS rather than just the one that you were able to ensure.

MRS. CLELAND: That is true. That is a valid point, but I do see it being very difficult for an individual such as myself to contact three separate people.

MR. WORTH: Thank you.

MRS. CLELAND: Thank you.

MR. GRBAVAC: Susan, you prefaced your remarks by indicating you were not a member of an elected council or appointed body or what have you. I don't think you have to feel any particular remorse in that regard. We've been reminded on numerous occasions that those entities or bodies don't elect MLAs; people elect MLAs. It's obvious that those municipal authorities and what have you have a real interest and to some degree a stake in who their MLA is and what area they represent. So I just wanted to make that comment.

Then I wanted to question you on one of the statements you made. I've been involved with school boards in the past, for a considerable number of years was involved with a school board, so I picked up on one of your comments with regard to the diametrical opposition of the position on early childhood services in one school division versus the position that I assume your board or you had taken in your division. Would you expand on that? I felt that most of the concerns with ECS were fairly generic.

2:00

MRS. CLELAND: In that comment that I made, it was not regarding ECS. I attended the educational roundtable discussions based upon concerns I had for the whole realm of schooling. Without going into

details and very deep details, which would take us quite a while, I found that our philosophy, goals, the movement which the Horizon school division has taken were quite different from the comments that I heard from the representatives from that area. A lot of our concerns were different, a lot of the policies we were putting in place were – we had different concerns at the time within our educational boundaries and what we were looking at as far as a whole unit, a whole school division.

MR. GRBAVAC: Could I extrapolate from that, then, that you are saying you are not of an educational community of interest or a similar community of interest, or is this an isolated specific instance? It's not in our matrix, as you can appreciate, in our report, but community of interest was a consideration. Are you suggesting there isn't a common community of interest between the two regions?

MRS. CLELAND: Well, I guess there is in that we teach the same curriculum as provided by Alberta Education, but as far as the school divisions developing goals, philosophies, the way in which they are moving – an example I guess would be evaluation of teachers. Our school division has been very, very active in a formative evaluation process, and it's just starting to spread now through many presentations of our school divisions to other areas. Our committee on this subject is traveling throughout the province to different teachers' conventions, things like that. So that's what I'm saying: it's the workings within, the workings of the people, the things we're doing. The curriculum is the same, probably some of the manners in which we teach are the same, yes, but the things that make us unique in the Horizon school division, which I take a great deal of pride being involved in, are different and the goals are different.

MR. GRBAVAC: Susan, allow me the latitude of asking a hypothetical question then. Let's assume that we were to expand the population base of the general configuration of the current Taber-Warner constituency and that community of interests was a consideration, specifically, in your instance here, school considerations.

MRS. CLELAND: Okay.

MR. GRBAVAC: Who should we include?

MRS. CLELAND: I'm not on the committee.

MR. GRBAVAC: No, but I'm asking you. I mean "if."

MRS. CLELAND: I guess if I were looking at it, I would stretch the boundaries that we have right now within Taber-Warner. As a schoolteacher, in the places which I have contact with and do things like program sharing, which I mentioned, I move towards Lethbridge, where they're obviously, you know, set within a constituency. The places I go for observations of teachers, program sharing, sharing within my class, visitations to other classrooms are Lethbridge, Coaldale. I move to the east to the Bow Island area. I'm not sure. I guess I can just see us expanding a little rather than . . .

MR. GRBAVAC: But not to the west. Excuse me for being so pointed, but not to the west? You'd prefer to go to Bow Island. Is

that what you're suggesting?

MRS. CLELAND: Well, on an educational basis? You see, you're opening up a whole can of worms here for me.

MR. GRBAVAC: This is a can of worms, Susan; trust me.

MRS. CLELAND: Because when you say do I want to move towards Lethbridge, well, obviously we have trading routes. Our trading route runs sort of east-west. I'm not well-versed on that; that's why I haven't touched upon it here. The Bow Island area has similar agricultural practices. They're an irrigation area. I'm not exactly sure. If you were to ask me that and give me some time to go back and do some research – I don't feel quite qualified to answer this question right now. I'd love to sit down again and give you a very well-thought-out, well-educated answer.

MR. GRBAVAC: You know, anytime we move one boundary, it affects others.

MRS. CLELAND: I do understand that.

MR. GRBAVAC: If we go to the east, there's a consequence of that action. Something has to be done with the Cypress constituency.

MRS. CLELAND: Uh-huh. And it is necessary to change Taber-Warner as it is now? There are no reasons that it can be left the way it is?

MR. GRBAVAC: Well, contrary to an earlier presenter, I concede or concur with the judge's opening remarks that we've not made our final decision.

MRS. CLELAND: Because if you ask me what I want without having a lot to base it on, I'd like to see Taber-Warner left the way it is. I think it's a strong constituency regardless of political affiliations. That would be my personal preference, to leave things just the way they are. It would make life easier for you too.

MR. GRBAVAC: It goes almost without saying. I'm not so sure I can regain that particular position.

THE CHAIRMAN: It might make life easier for him, but it doesn't bother me one way or another.

MR. LEHANE: When we come to some of these hearings, we often think life would be easier if we weren't here. However, that's not the way it is.

Could you help us, Susan, a little bit in terms of where the Horizon school district is, what area that takes in?

MRS. CLELAND: Horizon school division stretches down into the Milk River area: Milk River, Warner, Wrentham. Wrentham no longer has a school. The former Taber school division encompassed Grassy Lake, Taber, Vauxhall, Hays, and Enchant, and since then we've encompassed Milk River, Warner, and the Lomond area. I'm not exactly sure where the lines are drawn, but that's general.

MR. LEHANE: And Taber?

MRS. CLELAND: Yes, sir, and Taber.

MR. LEHANE: North of Taber at all?

MRS. CLELAND: Yes, north of Taber stretching into Vauxhall, Enchant, Hays, Lomond.

MR. LEHANE: How far to the east?

MRS. CLELAND: How far to the east? Grassy Lake.

MR. LEHANE: I'm sorry. To the west.

MRS. CLELAND: To the west is Barnwell, into the Cranford area.

MR. LEHANE: Thank you.

THE CHAIRMAN: John?

MR. McCARTHY: I have no questions. Thanks.

THE CHAIRMAN: Well, Susan, I'm not going to let you off that easy. You say that other area that you differ with. What is that other area?

MRS. CLELAND: I'm sorry. I'm not sure what you're referring to.

THE CHAIRMAN: You said that we have a policy, but that other area doesn't agree with our policy.

MRS. CLELAND: With regards to the educational roundtable meetings?

THE CHAIRMAN: Yes.

MRS. CLELAND: The area I was referring to were representatives from the Cardston-Raymond area. That's where their schools were situated.

THE CHAIRMAN: Okay. I think you make a good point with respect to your interest and community of interest, but there are more things to setting up a constituency than just community of interest. You make your point when you say: we don't agree with that other area, or we disagree, or we don't exactly get along.

MRS. CLELAND: I don't know if that was my comment exactly. I'm not saying that we don't get along and we disagree. It's just that there are differences.

THE CHAIRMAN: But when we go to do the constituency map for southern Alberta, I think you might find that you're going to have to learn to live with people with differences.

MRS. CLELAND: I don't disagree with you on that. I was just coming here and expressing some of the points as an individual, as a parent, especially where some of my concerns were regarding the changes that you are proposing.

THE CHAIRMAN: Fine. Thanks.

MRS. CLELAND: Thank you.

THE CHAIRMAN: The next presenter is our MLA from the Taber-Warner area, Ron Hierath.

MR. HIERATH: Chief Judge, commission members, good afternoon. I would like to begin my comments to the commission this afternoon by quoting statements from your 1996 January report. On page 21 you state:

The Commission is proposing the removal of two electoral divisions, Chinook and Cardston-Chief Mountain, from central and southern Alberta.

Also, and I'm quoting from the report: "The Commission has merged these electoral divisions into neighbouring and [adjacent] electoral divisions." These two statements may be accurate with regards to realignment of the electoral division of Chinook, but they are completely false and misleading with regards to Cardston-Chief Mountain. The electoral division of Cardston-Chief Mountain was left completely intact. A more accurate statement would be that in your report you enhanced the Cardston-Chief Mountain constituency by drawing a long narrow neck to capture Taber and area with a population of around 10,000. In truth, the constituency that you removed was Taber-Warner. Your proposal pulls our constituency into three parts and places them in neighbouring constituencies where there is no common interest.

2:10

Referring once more to the commission's report, on page 7 you state:

The Court also commented that the fact that the changes may be unpopular with rural voters was not a valid reason for failing to propose change.

And again from your document:

Finally, the Commission wishes to explain that the process of public hearings and submissions is not a referendum process. We are not empowered by the Legislation to base our decisions upon the number of persons who agree or disagree with any proposals we make. Indeed, the Courts have said such considerations are inappropriate, in that they are irrelevant.

In retrospect these are interesting statements in the report, because it appears that the commission's actions are both contradicted and supported in the proposed boundary changes. For example, I have read many of the submissions from the first round of hearings, including the numerous ones from constituents of Cardston-Chief Mountain. It appears that the commission did indeed bend to what was perceived as popular and desirable by the aforementioned individuals.

However, it is clearly indicated by the number of submissions that the vast majority of those appearing before your commission requested no change in boundaries because it was felt that effective representation was the norm in almost all the constituencies. Is the commission bowing to the wishes of one group of submissions while ignoring another group?

Again quoting from the document, on page 51 this excerpt refers to the justification for some special consideration given to Barrhead-Westlock:

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 these boundaries. Thirdly, to alter the configuration of this electoral division at this time would have serious ripple effects on contiguous and neighbouring constituencies where boundaries are, in our view, properly constituted.

This portion of your report is extremely disturbing to me because status quo is being justified in the northern constituency for reasons of sense of community, configuration of municipal boundaries, and transportation infrastructure. On the other hand, Taber-Warner is being reconfigured with no regard to any of the cited reasons. The southeastern part of our constituency has been displaced into Cypress-Medicine Hat where there is absolutely no sense of community, no configuration of municipal boundaries, no access to media communication, and no respect to trade and transportation routes.

The same list of objections can be made for the Taber area and its inclusion in the Cardston constituency. With regards to Coaldale, the people there have been a part of the constituency with Taber for more than 70 years. There is no community of interest to the north. Their commonality lies in an east-west direction, and the people of Taber-Warner desire an explanation of what appears to be blatant gerrymandering.

I have been presented with the argument that it's quite possible to represent a larger electoral district because of many advances in technology and communication. After all, the only necessity of effective representation is a constituency office, someone available to answer calls, and the effective representation is achieved. Within its boundaries Taber-Warner has seven town and village governments, which all have a host of needs, as well as two county governments and one municipal government in addition to four school districts.

Agriculturally Taber-Warner is very diverse. It varies from grazing reserves in the eastern part of Taber-Warner to the intense irrigation production in the Coaldale-Taber-Grassy Lake corridor. This corridor is the heartland of Alberta's vegetable production. There has been phenomenal growth in agri-food processing in this area within the last 10 years. As well as intensive agriculture in the Coaldale area, there exists intensive livestock production. In the energy sector the Grassy Lake-Taber-Wrentham corridor is a witness to tremendous growth in oil exploration.

As an elected representative for nearly three years, I would like you to share my travel schedule. It should give you an idea of what it is like to live the furthest distance of any MLA in the Legislature. If you would look at the map that my constituency assistant put up there, the bottom part of that circle goes through where I live, Milk River. If you follow that circle south of Cardston and south of Medicine Hat, that circle ends up far north of Fort McMurray. So from a distance of Edmonton, even though my constituency is rated at the same level as other constituencies that border Lethbridge, I have an hour to get to the city of Lethbridge from where I live. It doesn't seem like that consideration has been taken into consideration by this commission from the standpoint of some of the southern constituencies in this province. It takes me five hours to travel from my farm east of Milk River if I fly to Edmonton and six hours if I drive. This is approximately a 600-kilometre drive, or 400 miles, to get to Edmonton from my farm.

Compare those additional wasted 10 or 12 hours per week with an MLA who lives one hour from our capital, such as a member from Barrhead-Westlock or Drayton Valley-Calmar. A representative from these constituencies could easily drive home from the

Legislature on a rotational day off to meet with constituents. These MLAs are able to provide a quality of representation that can never be duplicated in constituencies in the southernmost end of our province.

If it is difficult for me mostly because of distance to provide equal accessibility to my constituents, consider how much more difficult it is for the Taber-Warner constituents to gain access to government. Elected officials and even private individuals often experience problems which require personal contact with ministers and upper department people in Edmonton. In order to do this, my constituents must travel at great expense and with great effort for at least five or six hours one way to communicate directly with government agencies in Edmonton. Compare this discrepancy to the individual who lives within easy driving distance of the capital. The fact is that I have people from nearby constituencies and from the city of Edmonton lobbying me continually. Where do we here in southern Alberta have equal access to government or government MLAs? Not at all. To state that technology is an equalizing factor in this equation is ridiculous. However, your proposal justifies leaving intact some electoral divisions with close to the same population as Taber-Warner and, at the same time, making southern ridings larger and with less representation, what seems grossly unfair to all those who reside here.

When recommending an electoral division review, the Court of Appeal of Alberta on October 24, 1994, wrote:

That review must identify communities, in every sense of the word.

It must look in depth at social history as well as demography and geography.

The electoral division known as Taber-Warner meets the intent of the Alberta electoral legislation. The boundaries reflect the history of the area. Taber has been a part of the electoral division of Coaldale since 1923. Taber and area have been with Coutts, Wrentham, Milk River, and Warner areas for over 35 years. This is because this constituency is a community.

I think most electoral divisions can make strong cases for the existence of present boundaries because of being communities. However, I do not believe there are many that can present the long history that Coaldale and Taber share. Throughout the last 35 years the remaining southern part of the constituency has developed strong economic and social ties with the northern part of this constituency.

I ask the commission members to look at what they have done to the people in this electoral division. Taber-Warner fits the legislation of 25 percent variance in population.

Thank you.

2:20

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

MR. McCARTHY: I'm not sure that it's within the mandate of this commission, but I know you've indicated I've read some of your comments in the local media. Well, first of all, it seems to me that this is a problem that hasn't gone away in the past. I mean, you look at the number of times that this has been looked at recently, and it's not going to go away in the future. Yesterday when we were in Hanna looking at the position that the courts were taking where they're pushing the Legislature to move more and more closely to representation by population, one concern somebody from Hanna expressed was that, you know, eventually if the trends continue, there's going to be one big constituency in eastern Alberta, and a lot of the rest of them are going to be in the cities. So he was urging us to take a look at a form of regional representation combined with

representation by population.

In Red Deer in the fall the Social Credit Party put forward a proposal for a provincial Senate. I'm not sure that's possible, although it's interesting that there are some scholars and some researchers that have put presentations before us, and they said that provincial Legislatures did have second Senate-type bodies, legislative councils, I guess, in Prince Edward Island and Nova Scotia and Quebec, which were the predecessors of what became U.S. state Senates.

You've kind of caused me to think, you know – like, this particular commission I think is trying to avoid, at the behest of the Legislature, a confrontation with the courts, because this whole exercise lies at the uneasy junction of the authority of the Legislature and the authority of the courts. We've had some recent experience with that on other issues, and it continues to be an issue. It's root is in the Charter of Rights and Freedoms.

Anyway, the Social Credit – it caused me to think that sometime in the future, to avoid this thing from coming back time after time again, maybe we should take a look at it in a different light, in a more creative light. One thing I took from them – even though they said that it should be a provincial Senate, you don't necessarily have to have a provincial Senate. You could have the Legislature of Alberta, and you could have, let's for the sake of argument say, two constituencies for every federal riding based pretty strictly on representation by population and then divide the province into five regions – Calgary, Edmonton, north, central, and south – and have five constituencies allocated on a regional basis. That may be something you'd still be forced to deal with based on the Charter and in the courts, but it seems to me that that would be a creative way of looking at things to solve this thing for the future and to also deal with legitimate concerns that people in the country have raised throughout these hearings. I just wanted to know what you thought of that.

MR. HIERATH: Well, John, I live within eyesight of the U.S. border, and, you know, I know how the Montana system works somewhat. They don't argue about whether they should have rep by pop or regional representation because they have two Houses that address that problem. I think we'll be debating this thing forever until we solve that problem. It doesn't seem that the Westminster model, or whatever it is, the British model, allows us to do that. I wish it would. I wish we had the will to change it.

There is a difference in representing a rural riding versus an urban riding. I know it. You know it. How much that difference is and how much of an effort it is to represent the people in a rural area is what we'll debate. I certainly have gained a lot of experience in the three years listening to my urban colleagues talk about their problems, which are different than mine, to represent people. One of the things here is that there seems to be a confrontation between the judicial and the elected people. It doesn't matter whether it's in Saskatchewan or in Alberta or in Ottawa. We'd better sort that one out too. How? I don't know. That's a bad one, because I don't have a sense that the judiciary has the answers either. I'm not exactly sure that the elected members of provincial and federal Legislatures have it either. That's the confrontational thing that's going on maybe not only in electoral boundaries, but it really hits everyone in the face on electoral boundaries.

MR. McCARTHY: And a large number of social issues too.

MR. HIERATH: Yes.

MR. LEHANE: Ron, our present review of the existing boundaries, you know, clearly makes Cardston-Chief Mountain stand out. The present boundaries have four special consideration constituencies. Cardston-Chief Mountain is one of them, and it has a negative variance from the average population of constituencies of 38 percent. If you look at it and compare it with the three other special consideration areas, it has a geographical area of 6,000 square kilometres. Chinook has a geographical area of 23,000 square kilometres. Lesser Slave Lake is 87,000 square kilometres. Athabasca-Wabasca is 123,000 square kilometres. There's no comparison in terms of the geography there. Unfortunately, Taber-Warner is sitting with constituencies that have these significant negative variances. In terms of Cardston-Chief Mountain, it doesn't even qualify unless it's a special consideration area.

When we look at the reasoning for a special consideration area in the Act, there are at least 12 other constituencies that would qualify as well. There are perhaps 20 others that, in terms of our attempt to measure a degree of difficulty to represent, would qualify as well. Can you explain to me why Cardston-Chief Mountain should be a special consideration area?

MR. HIERATH: Well, it certainly shouldn't be a special consideration area if it's based only on religion. I'm not sure that it is, but there is a sense in southern Alberta from the people that I talked to that it may be for that reason. The whole concept of special consideration areas are something, I guess, that has been accepted in the history of this province. There's no doubt, Joe, that with 6,000 square kilometres versus 80,000 in the size of things, it's very hard to defend Cardston-Chief Mountain as a special consideration area.

My feeling as a representative of the people in Taber-Warner is: why wouldn't you have fractured Little Bow, or why wouldn't you have fractured someone else? Why was it Taber-Warner?

MR. LEHANE: Thanks. No more questions.

2:30

MR. GRBAVAC: That's a very fair question, Ron, and I want to follow up on that. I think that's the obvious question, as a matter of fact, and I think it's the essence of the debate or the discussion that's before us today. Why Taber-Warner? I suppose we're dealing, you know, with hypotheses here and hypothetical questions. I specifically asked Mr. Bogle this morning to give us his rationale for the inclusion of Cardston-Chief Mountain as a special consideration riding, not within the context of our matrix, with which he had some problem, but rather within the context of the five criteria outlined by our current legislation.

In the interests of argument, I conceded to his view that we ought to use the five considerations outlined within our current legislation, pointing out to him that a considerable number of other constituencies in Alberta would qualify, comparable qualifications for special consideration. I believe I'd have to get *Hansard* to quote what he said, but if I remember correctly, it was something to the effect of the unique nature of southwestern Alberta with respect to its religion and native population. If I'm not mistaken, I think that's the essence of what he said. That almost throws a flag to the Court of Appeal, and I'm not sure we can use those reasons. That's almost inviting a challenge to the Court of Appeal with respect to the argument of religion. So we have to be careful in terms of what

reasons we use. Now, we tried to use a matrix, and obviously the matrix easily applies to areas that are, shall I say, to be given special consideration. We've drawn some correlations in that regard.

I want to ask you now a hypothetical question. In the event that the committee here is at a loss for a reason to further justify Cardston-Chief Mountain as a special consideration riding and we feel we have to reconfigure the boundaries of southern Alberta to the extent of excluding one of the current constituencies, can you give us a preferred configuration?

MR. HIERATH: Brutalize any constituency rather than Taber-Warner.

MR. GRBAVAC: Well, could you put some meat on those bones? I appreciate what you're saying, Ron. I appreciate very much what you're saying, and you have to appreciate as well that this is an interim report. One of the reasons for an interim report is to draw comment. I think it's certainly done that. Maybe some of the lines are a bit overstated in some respects, but I think that's something the commission is going to have to deliberate. I would appreciate your input with respect to communities of interest, travel patterns, justifications for putting lines in certain places. Our final report is final, and then it's up to you as a legislative member to either adopt or reject that report. We're trying to do the best job we can, and I'm relying on your expertise to help us in this regard.

MR. HIERATH: Well, you know, as an elected representative in this area and as far as having colleagues in Edmonton, I have to be a little careful of stepping on toes. I don't want to get into a turf battle with my colleagues.

MR. GRBAVAC: If you don't want to answer the question, I can understand that.

MR. HIERATH: No. But I did read a lot of the submissions and *Hansard* of November when you guys were going around in your first meetings. You did explore the 'rurban' riding concept. I think, from my observation of Cypress-Medicine Hat and the two Grande Prairie constituencies, that those constituencies work fairly well. I remember you talking to the people in Grande Prairie when you were up there, Bob.

MR. GRBAVAC: They're happy.

MR. HIERATH: Yes. I guess there's some turf protection that goes on between rural and urban: oh, no, we don't want them; let's keep things the same. I personally think that you could extract 3,000 or 4,000 people out of both east and west Lethbridge and tie them into one of the rural ridings and maybe have it work. It's about the only thing that I'm going to suggest.

MR. GRBAVAC: All right. Well, let's pursue that, because that's exactly what we deliberated on. We spent a considerable amount of time looking at 'rurban' ridings in the context of what worked in Grande Prairie, in the context of what we were told worked in the riding in Medicine Hat. As a matter of fact, the urban people expressed no remorse whatsoever at being in the minority with respect to the Cypress-Medicine Hat constituency.

THE CHAIRMAN: The rural people.

MR. GRBAVAC: No. The rural people were the majority; the urban people were the minority. I'm sorry if I confused that.

They had no problem with that. The rural people had no problem including that subdivision or that area of Medicine Hat. We looked at that. The numbers actually work out not that badly. You could put the west side of Lethbridge in with the Cardston constituency. You could include some of the eastern portion with Taber-Warner and some into Macleod. We reconfigured it, and it was given careful consideration.

One of the concerns was that, you know, Lethbridge city council would have to call in maybe four MLAs if they wanted to address a concern specific to the city, but those aren't things that can't be overcome. What is your feeling in terms of the sense of 'rurban' ridings? We've been told numerous times across the province in various submissions that if you want to break down this rural/urban divergence, or separation, whatever you want to call it, then this is the direction you should be taking. I mean, many of us argued that Lethbridge is really a rural riding and in essence anyone who takes a contrary agricultural position in the city of Lethbridge does it at the peril of not being re-elected. They suggested to us even in the cities of Calgary and Edmonton that maybe we could learn something about each other if we did pie-shape this. As a matter of fact, one representation in Calgary suggested that for the entire province and went as far as to lay out the configurations for us in great detail.

So I wanted to explore this down here. I don't want to just brush over it. I think it has some significant merit, and I'm wondering if you saw any particular segments of the city having any particular affiliation with any of the outlying areas. Have you put much thought into that? Would Coaldale, east Lethbridge, the industrial area fit with your riding? Would west Lethbridge fit with Cardston? Would north Lethbridge, for example, fit more so with Little Bow, excluding Crowsnest Pass, or should it fit with Crowsnest? I'd like your input on that.

MR. HIERATH: Well, you've raised four of five points in this general debate. I don't personally see much difference between representing people that live in Coaldale or Taber that are not directly connected to agriculture and a 'rurban' riding. I think that the people who live in Lethbridge and have jobs or businesses in the city of Lethbridge are the same as the guy that runs a grocery store in Taber. But once you get into Calgary or Edmonton, then there's a real urban – there's not a feeling of rural. I mean, I could relate to you that one of the MLAs from Calgary – when I first was elected, I was the first farmer that he'd ever talked to. He'd never talked to a farmer before and knew nothing about farming. So my sense is, yes, we do need to bridge the gap somewhat between rural and urban, but there isn't much of a gap other than in the two big cities, in my mind.

As far as configuration down here with an urban riding, Bob, I really don't want to delve into that. I think the city of Lethbridge, whether it's north, south, east, west – not much difference in the city as far as the makeup of people in the city. I wouldn't make a judgment.

MR. GRBAVAC: Fair enough. I just want to tell you that I did take to the commission a proposition that the city of Lethbridge have one MLA and that because it fits the mould of two MLAs perfectly now or almost perfectly, if we're going to lose a riding in southern Alberta, take it out of Lethbridge, split the remaining half of Lethbridge into Cardston and maybe Taber-Warner or a portion of

Little Bow. We considered that at great length: giving the city one full-time MLA and then splitting the remainder of the city, similar to Medicine Hat, with the other two. Maybe that would be the least pain for everyone concerned. Maybe I'm spending a little too much time on this, but it was an option that I put before the commission, one that we didn't put in our interim report. I still believe it's on the table. I still believe it's an option, and if it effectuates the best possible change for southern Alberta, I want to see it discussed at length again. I don't know if we'll have an option again to discuss this or if anyone else has considered it.

As you know, Ron, I've been involved as an elected official for over 15 years, and the people in the area that I represent in municipal government are largely not farmers. I could take you to my father's neighbourhood in the city of Lethbridge and find more farmers who still own land and have a direct interest in the land than I can in my own neighbourhood on the land. So what you're saying is absolutely true. I think that Lethbridge has a potential to help break down this stereotyping. However, there's a reluctance to accept 'rurban' ridings, and maybe that's one of the reasons it wasn't in the interim report. I feel it's something that more of us need to start thinking about.

2:40

MR. HIERATH: I agree.

THE CHAIRMAN: Wally?

MR. WORTH: No questions.

MR. McCARTHY: I've got one more.

THE CHAIRMAN: Go ahead.

MR. McCARTHY: Ron, you heard the submission this morning about, if I can describe it as, the community of interest on the east boundary of the proposed change and the east boundary of the current one. How far east in your view does the community of interest go for, let's say, the current boundary of Taber-Warner?

MR. HIERATH: Well, if I might digress a little bit here, you're talking about where the federal boundary lines were for Medicine Hat and Lethbridge. I live in the Medicine Hat constituency.

MR. McCARTHY: Federally.

MR. HIERATH: Federally. The town of Milk River, the village of Coutts, and those communities are in Lethbridge, and Taber is in the Medicine Hat constituency. So the boundary federally does not follow community of interests and never has. The eastern boundary of the county of Warner, that line that's drawn on that map, is really the division between southeastern Alberta and southwestern Alberta. That is it. That's the eastern boundary of the MD of Taber, and it's the eastern boundary of the county of Warner. The people from Grassy Lake that have been in both the Cypress constituency and in Taber-Warner – and I see the mayor's name from Grassy Lake on the list. They were in Cypress. I think he'll be telling you that their trading area is to the west.

MR. McCARTHY: So the current boundary, as it is now, accurately reflects in your view . . .

MR. HIERATH: Yes, it does.

MR. McCARTHY: Okay. Thanks.

THE CHAIRMAN: Ron, you've mentioned Barrhead-Westlock, and you said: what we decided for Barrhead-Westlock, just apply that to us and be consistent. I just want to give you an explanation of why Barrhead-Westlock is in the report.

After we had done all of our changes and we looked at the variances, there were three constituencies that were over 15 percent. They were Dunvegan, Drayton Valley, and Barrhead-Westlock. We then decided that we would look at those three constituencies to see if we could improve their variances. We decided we could do it, but we'd have to jump county lines, we'd have to be making ridiculous changes just for the purpose of change, and that's why we left them the way they were. We were just trying to justify why we left them at 16 percent.

I appreciate that you have an argument that we're not applying the rules of Barrhead-Westlock to Taber-Warner, but what happens with Taber-Warner – and you used the words "brutalized the constituency," which I've read in the press clippings we have got. I as chairman I guess maybe don't like the use of that word, but if I lived down here, I probably would be using it.

The problem that you have is that your neighbour is Cardston-Chief Mountain, which is a constituency that cannot be justified, is what we're saying, with the minus 38 percent variation, its area and whatnot. We tried to work your constituency and Cardston-Chief Mountain together in some way, and it's obvious from being here today that what we've tried to do has caused unhappiness with the presenters. We're listening to them, and we're going to have to look at other possible options.

You said that we changed your constituency. I guess we did, but we were really trying to change both constituencies, Cardston-Chief Mountain and yours. The trouble is that with Cardston-Chief Mountain we felt there weren't many options other than to bring it in with you people. So I just wanted to explain that. You may have some comments about that.

MR. HIERATH: Well, I guess if you've got a house beside a neighbour whose house has been condemned, you don't expect him to tear down your house, you know.

The report really said that you were eliminating two constituencies, and in the case of Chinook, if that constituency could not stand survival under the matrix that you developed, you'd fracture that constituency, but that wasn't what you did to Cardston-Chief Mountain, in my mind.

MR. McCARTHY: Mr. Chairman, could I have a supplementary?

THE CHAIRMAN: Well, Joe had one first.

MR. LEHANE: I just wanted to follow up on John's question earlier, Ron. Does the present, existing boundary between Cypress-Medicine Hat and Taber-Warner essentially follow the county line for the county of Warner?

MR. HIERATH: Yes.

MR. LEHANE: If I understand you correctly, you're saying that as you get into the existing Cypress-Medicine Hat constituency, the

trade pattern is north towards Medicine Hat.

MR. HIERATH: East and north, yes.

MR. LEHANE: Okay. And as you come to the west into the Taber-Warner constituency and the county of Warner, then the flow is towards Lethbridge.

MR. HIERATH: Yes. When the MD presents to you later – that line really is a generally accepted trading difference between southwestern and southeastern Alberta. It is.

MR. GRBAVAC: Ron, when confronted with this problem, it kind of reminded me of being handed a Rubik's cube, you know. It's not particularly entertaining for me to solve a Rubik's cube, but that's what I felt like I was doing when I sat in front of that computer screen in Edmonton hour after hour trying to reconfigure these lines. I'll give you some of the thought processes that I followed.

Given that we weren't able to adequately support special consideration for Cardston-Chief Mountain – let's for argument's sake say that we can't justify Cardston-Chief Mountain as a riding – you start to draw lines on a map. Going to the east, you can put the two ridings together in essence, but if you put them together in their entirety, it's beyond our mandate in terms of a variance on the plus side. So then you can reconfigure them the way that we have. I concede the arguments with respect to the eastern portion if it includes the county of Warner and Taber. However, you make some very strong arguments about the exclusion of Coaldale, and I think those have to be considered very carefully.

So I looked at splitting Cardston, taking a line between Raymond and Magrath or somewhere in the Raymond-Magrath area, maybe Highway 5, taking Cardston and shifting that portion of that municipality with the Blood reserve into Fort Macleod-Crowsnest. Obviously, it has the implication that you have to move Claresholm now over into Little Bow. So it really has a tendency to shuffle things around in that context.

My personal feeling was that there wasn't a great deal of community of interest between Cardston and the ranching community there and the mining community per se in Crowsnest Pass. I guess maybe when I suggested what my preference was in terms of reconfiguring this area, it was to move it east. I thought there was a greater community of interest to the east as opposed to going to the north and to the west.

However, you know, this is conceding that we're not going to have one city MLA and two 'rurban' MLAs in the city of Lethbridge. We kicked that around at length, but it was decided that the city fit so nicely for two that maybe we wouldn't do that. I'm still going to raise it in our future deliberations. I still think it's something that warrants further consideration.

That's the rationale that certainly I used when I sat there trying to reconfigure these in front of a computer screen. It seemed logical to go to the east. If that sheds any light on why we did what we did, I hope that's helpful. I don't know. I can appreciate if you don't want to comment on those areas to the west. My feeling was that to split Cardston and go to the north and to the west wasn't as good an option as coming to the east. It was the lesser of two evils, I suppose.

2:50

MR. HIERATH: Just to comment a little further. Bob, I guess you guys were following some of the things that I was saying in the

press. The thing that first hit me, my first reaction was: look here, if we're going to go to rep by pop – and I made the statement – let's amalgamate the two constituencies, 43,000 people. No, it doesn't fit your matrix. We're going to be no doubt doing this thing again in five years. The public is going to likely demand a downsizing in representatives if we are downsizing government, and I agree with that. I think that if you read the clippings, I was critical of us for not doing that and giving you guys an opportunity to make major changes in boundaries in this province.

If we're going to go closer to rep by pop, then for the sake of the people in rural areas wanting to know who their rep is, which is more important than the guys in the cities – I think everyone knows that – then let's do it here. Do the Cardston-Chief Mountain and Taber-Warner constituencies and leave us alone. Leave the people alone, I mean. The MLAs come and go, but the people need stability and to feel like they're participating in democracy. That's what these boundary changes do.

I mean, when I first moved out to the farm, Bob, I was in the Cypress constituency, and I didn't like it. I absolutely couldn't tell why the MLA couldn't communicate with me, and I lobbied my MLA at that time, Bob Bogle, to include where I lived in Taber-Warner. So I know how those things work, and that's the only reason that I really, really hate to put the people through these boundary reviews again in five years. It's just not good, and especially – I'll just add for a minute, if I can – when we did a lot of changes to school and health care things and the rural people were impacted big time. The city guys have no sense for that because they weren't impacted by boundary changes for education, health care, and all these things. Now on top of that comes electoral boundaries.

MR. GRBAVAC: I want to say that we did consider putting the two constituencies in there entirety together, with some deliberation on whether or not Waterton ought to go north or stay here. That's neither here nor there in terms of numbers. My interpretation of the legislation that created us doesn't allow us to go beyond. So in many respects you've tied our hands. I'm not going to really comment on the appropriateness of that. However, that is the problem with that. We did look at it, and that's the hurdle we came up against.

THE CHAIRMAN: John says he has one short question.

MR. McCARTHY: Ron, because this is the last time we'll be talking to you probably before you see the final results, I just want to make sure I've got it in my mind what your position is.

First of all, I understand clearly, I think, that you'd prefer no change. That would be your first preference, if you had the choice to make.

MR. HIERATH: That's right.

MR. McCARTHY: Okay. Secondly, if there is a change to be made, you would prefer that the present constituency of Taber-Warner be added to rather than carved up in some manner.

MR. HIERATH: Like Little Bow or like, you know, maybe Fort Macleod, Crowsnest.

MR. McCARTHY: In other words, the existing geography that's there remains plus an addition of some sort, if you had to.

MR. HIERATH: Right.

MR. McCARTHY: Okay. Now, within that second preference category would your preference be to add an area to the west or would your preference be to have us go into Lethbridge to add some city component to that?

MR. HIERATH: Well, that's similar to . . .

MR. McCARTHY: That's what I'm trying to get clear in my mind.

MR. HIERATH: I know, and I was being vague on purpose for the simple reason that I've got colleagues and I don't want to get into a turf war. I suggested the 'rurban' riding. I don't know. John, I really don't know. I was trying to make a point of being treated fairly for the people in Taber-Warner and using a comparison of Westlock or Dunvegan or some of these other rural ridings. We feel that we fit into the matrix of the existing population spread, and if our neighbour's house is condemned . . .

MR. McCARTHY: You see, the courts were on the verge just to use the concept of a 'rurban' constituency – it's worked in Medicine Hat, and it's worked in Grande Prairie – but there were some strong objections to that at the outset. If an addition was made to the city of Lethbridge, of course it's possible at that stage to make your geographic component virtually the same without any, you know, significant impact on your travel patterns, et cetera.

Okay. Thanks.

THE CHAIRMAN: Well, I want to thank you for coming, Ron. We've spent a little more of your time than we hoped for, but you're very helpful.

MR. HIERATH: Thank you for giving me your time.

THE CHAIRMAN: Fine.

The next presenter is Dennis Bryant.

MR. BRYANT: Good afternoon, Mr. Chairman and fellow commission members. My name is Dennis Bryant, and I'm here representing the Taber & District Chamber of Commerce. The Taber & District Chamber of Commerce on behalf of our business community membership wish to express the following concerns and comments as they relate to the proposed elimination of Taber-Warner electoral district.

Number one. Currently the business community of Taber and district enjoys a positive and close relationship with our Taber-Warner MLA. This MLA has his office located in Taber, and this is by far a very positive scenario for our business community. Accessibility to your MLA is a key factor in lobbying government.

Number two. With the elimination of rural MLAs, we the business and associated farming communities will not have fair representation. Moving more MLAs to the larger urban centres will not provide any further advantage to those urban centres as the current MLAs are tripping over one another with today's allocation.

Three. Taber and district trade routes and business liaisons are currently aligned within the Taber-Warner district and associated farming communities. To stretch this district and include communities within Cardston-Chief Mountain is unreasonable due to distance, community of interest, and business trade. Some

businesses in Taber and district do go beyond Taber-Warner; however, for the most part they are within that district.

Item four. The Taber-Warner district is home to several major industries including oil and gas, sugar beet processing, dry bean processing, vegetable processing in many areas, and other agricultural ventures that have no common link with the Cardston-Chief Mountain area. Our business trade links are with the aforementioned industries, not with industries that are in Cardston-Chief Mountain.

Item five. Specialty crop agriculture and irrigation are key to the economic survival of the farming community in our district. The business community of Taber and district has developed various business enterprises based on serving our farming community. They require strong MLA representation in order to approach our government to support both farming and business communities within Taber-Warner.

Item six. Tourism in the Taber-Warner district provides direct benefit back to our business community. Taber and district tourism is based on this area, not on an area that is a 90-minute drive from here. Local MLA representation is important for tourism in Taber and district.

Item seven. Fair representation and linkage to our provincial government is through the MLA process. If the Taber and district business community had to lobby an MLA located in Cardston and/or the area, then fair representation is lost. Furthermore, the potential of dealing with three, four, or even more MLAs in an effort to lobby potential business interest is staggering, to say the least. Our businesses for the most part are small. They haven't got the time to be stretching out and touching many MLAs.

3:00

Item eight. Business and trade should not be divided based on electoral boundaries. With the proposed change, Taber-Warner is fractioned into three different electoral districts. This will see the potential for a Taber and district business operator lobbying several different MLAs. We already have enough boundary issues to deal with: rural municipalities, town municipalities, school boundaries, health board boundaries, irrigation districts, to name a few.

Item nine. What does the Taber and district business community suggest? Status quo would be the easy route. However, we, as everyone else, must expect and accept some change in the process of government legislation. The proposed change, we fear, is negative to our business community. Without full and complete knowledge of the matrix process for the setting up of electoral boundaries, may we suggest some following changes. Allocate some area on the eastern side of Cardston and go farther east of the existing boundary; in other words, take western portions of the existing Taber-Warner, for example Stirling. Give some of the Cardston-Chief Mountain northern area to the district north of them. Potentially extend Taber-Warner boundaries to include farther north of the existing boundary here, which I understand is the Oldman River.

It is quite obvious that there are many and several different scenarios that can be proposed and debated one way or the other. The Taber & District Chamber of Commerce is not professing to know exactly how best to do this. However, our concern is that the proposed change to eliminate the Taber-Warner district will have a very strong and negative effect on our business community, which is very closely linked to our farming community.

In closing, the Taber & District Chamber of Commerce wishes to thank the Electoral Boundaries Commission for the opportunity to

make this presentation on behalf of its membership. Thank you.

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

MR. WORTH: Mr. Bryant, I don't have any questions, but I do want to thank you for providing us with some food for thought about alternative ways to perhaps add onto Taber-Warner and perhaps deal with a portion of the Cardston-Chief Mountain constituency. Those kinds of ideas will be very helpful to us.

MR. GRBAVAC: Well, Dennis, then in summary what you're saying to us is that we ought to consider potentially taking a portion of the current Cardston-Chief Mountain riding to the north, a portion of it to the west, and a portion of it to the east. Is that what you're suggesting?

MR. BRYANT: Well, an option. If Cardston-Chief Mountain is the one that's the glaring problem, maybe the complete elimination is a potential, splitting them up into the existing districts that are surrounding them.

MR. GRBAVAC: Thank you.

THE CHAIRMAN: I should tell you that in our first round of hearings, we didn't hear from the Taber-Warner people, but we did hear from the Cardston people, and a very high percentage of the representations were to leave them alone. So we were listening to those people. This time when we come around we're getting just the opposite story.

MR. McCARTHY: Just one comment further to yours, Your Honour, and that is that I think last time we heard from significantly more Cardston people. We did hear from some Taber-Warner people in the last go-around, but the Cardston people beat you in numbers. Other than that, I have no questions.

Thanks.

THE CHAIRMAN: I agree with his correction, and that's not very often.

MR. McCARTHY: It's not very often I catch him.

THE CHAIRMAN: Joe?

MR. LEHANE: I have no questions. Thank you, Dennis.

THE CHAIRMAN: Well, thanks for coming, Dennis, and making your chamber of commerce's points of view known.

MR. BRYANT: Thank you.

THE CHAIRMAN: Fine.

The next presenter is the Taber-Warner PC Association. Pardon me; I'm told that nobody will be specifically representing them.

The next is Alex Jozsa.

MR. JOZSA: Mr. Chairman and fellow commission members, I've never done this before, but the proposed changes angered me very much, so I thought I'd have to do my part in presenting my views.

So here I am. I use the word "we" just about all through this because I had talked to people in our area and they were supposed to be supporting me. I see we have one here that supports me. The rest decided they'd stay home and repair their equipment to get ready for spring work.

So I'll begin. We the voters of the Taber-Warner riding are strongly opposed to the proposed changes to our electoral boundaries. We feel that the proposed changes will further erode the already fading voice of our rural populace in the Alberta Legislature. We have the following concerns and questions regarding these changes. Now, I put them down in point form, and I'll comment as I go along.

The proposed changes will isolate us from our MLAs. Now, this seems to be a big problem with the change. I'm not sure where we lie in the Wrentham area, whether we're in the Cardston or in the Cypress-Medicine Hat area. Regardless, there is a great distance between us wherever we lie. These changes would leave Taber-Warner in a fringe area. Now, as far as the federal riding, we live in a fringe area of the Medicine Hat riding, and we have no communication with our members there. We feel that we'd have the same problem. We'd be just a voice in the wilderness if you put us into the fringe area of the Cypress-Medicine Hat area.

We feel that no consideration has been given to the historical boundaries of the Taber-Warner area. Coaldale and Taber have been together for almost 75 years, and Warner joined the riding in 1975. We feel that this riding has had very effective representation during this time. We have little in common with Cardston or the Cypress-Medicine Hat area. The only time we seem to both have anything in common with Cardston is just a trip to Waterton on our way through; that's the only thing. As far as Cypress-Medicine Hat is concerned, they're too far east of us. Our trading patterns are within the Taber-Warner area in a north-south direction, and we deal with Lethbridge also.

The primary roads in the Taber-Warner constituency connect the main communities within our riding. Highway 3 connects Coaldale, Chin, Barnwell, Taber, Fincastle, Purple Springs, and Grassy Lake. Highway 4 connects Coutts, Milk River, Warner, and New Dayton. Highway 36 connects Taber, Wrentham, and Warner and also connects with Highway 4 to the south. So with the primary highways we're all interconnected, and we have something in common that way. We have the Horizon school district also within our Taber-Warner riding.

The reduction of two rural MLAs in the southern part of Alberta is a loss for agriculture. The Taber-Warner riding has an intensive agriculture area with a considerable amount of processing of agriculture goods. We have a high potential for the creation of new employment related to processing of agriculture goods, which would stimulate our population growth. Now, we need this type of thing for the sparse areas of the riding to make a good mix. We do not want the large urban areas dictating agriculture policies to us. Now with the urban areas infringing on the agricultural areas, we have great concerns of them telling us how we are going to farm in the future. They might not like us to get up at 4 o'clock in the morning to go farming because we disturb their sleep, or they don't like the smell of our feedlots and they'll tell us that we have to move our feedlots somewhere else. These are some of the concerns we have.

3:10

We know that the present system we have is effective. Our MLA has a good working relationship with his constituency. The constituency of Taber-Warner falls into the guidelines of the

Supreme Court of Canada ruling of the 25 percent variance from the average populace.

We also question why in your report the 1995 population census was used for some areas while the 1991 census was used for some of the rural areas.

As an alternative to the proposed plan, we suggest that the northern boundaries of the MD of Taber be added to the Taber-Warner riding and the Cardston-Chief Mountain riding to the city of Lethbridge. This would take, say, 10,000 of the population of Lethbridge in the west riding and either add it to the Cardston-Chief Mountain riding or add Cardston-Chief Mountain to Lethbridge-West.

It is with these concerns and questions in mind that again we state that we want no changes to the Taber-Warner riding except for the addition of the northern boundaries of the MD of Taber.

We question the logic of cutting the Taber-Warner riding into three areas, and we question this: was it a biased and self-serving decision? Would this dissection help the rural communities assure their voice in the vast system?

We also question the makeup of this committee in the format of the proposal. Why was there no representation from either the Chinook or Warner areas?

In closing, if the proposed changes to the Taber-Warner riding are implemented, these changes will be challenged in a court of law.

THE CHAIRMAN: Thank you, Alex. We'll start the questioning with Wally.

MR. WORTH: Alex, were you here this morning?

MR. JOZSA: No, I wasn't.

MR. WORTH: Then just briefly let me refer to something I mentioned this morning in relation to one of the points you made. One of the things you identified was the fact that you were wondering why we used 1995 population in some areas and 1991 in others. Obviously in our report we have not made our use of numbers clear. We used 1991 data throughout the report as a basis on which to make our recommendations. We only turned to the 1995 data when we were trying to illustrate that the urban centres of the province were not underrepresented, and we were using the 1995 data in that case simply to show that with the projected or even with the actual increases in population that have taken place since 1991, the urban areas were still not underrepresented. So to reinforce this, let me rephrase it again. The 1991 data were used as the base for all recommendations, the 1995 data only to illustrate and reaffirm, if you like, that there was no underrepresentation of urban areas.

Now, coming back to your suggestions, you've offered us two alternatives. I think we will obviously have to look carefully at those. One of the things we'll need to do – and we don't have it before us now – is determine what your first suggestion would mean in terms of total numbers in the reconstituted Taber-Warner constituency. Similarly, we'd have to look at a reconfiguration of the Lethbridge area. But I thank you for those two suggestions.

THE CHAIRMAN: Robert.

MR. GRBAVAC: Alex, your two alternatives propose some interesting possibilities, and I want to suggest to you that we considered them, both of them, in our deliberations, particularly the

one of the 'rurban' riding with respect to the city of Lethbridge.

The possibility of adding the west side of the city of Lethbridge to the Cardston constituency was one of the first things we considered in terms of reconfiguring the map in southern Alberta. One of the problems we ran into is that that leaves us with about 20,000 people in the residual portion of the city of Lethbridge that it would be above and beyond our mandate to include in one constituency within the rest of the city. In other words, that would leave about 50,000 people in the city, and our mandate only allows us to go somewhat in excess of 30,000. So you've got about 15,000 to 20,000 people within the city of Lethbridge that would have to go somewhere else if you simply took the west side of Lethbridge and included it with Chief Mountain.

Then we looked at including that with Little Bow or, for that matter, with Taber-Warner. In our deliberations we felt that maybe that wasn't in the interest of small and incremental change. It was making a considerable change to southern Alberta by taking half of the city of Lethbridge and including it with a rural area. However, I hope and I suspect that we will be deliberating on that possibility again.

But obviously inherent in that suggestion I'm going to assume, then, that you don't feel the agricultural voice is weakened by including a portion of an urban area like Lethbridge. Or do you feel that Lethbridge is in fact not an urban area in the true sense of that word but rather a close approximation of rural people?

MR. JOZSA: Well, that's what I feel, because I think two-thirds of the people in Lethbridge right now, or the elderly people, are from an agricultural background as it is. So I don't think it would bother them at all to be part of a rural riding.

MR. GRBAVAC: Then you would have no objection or a limited objection to a portion of the city of Lethbridge potentially being included with your Taber-Warner riding?

MR. JOZSA: Not really.

MR. GRBAVAC: I guess if it's good enough for Cardston, it should be all right for you too then? Is that fair to say?

MR. JOZSA: Yes. Those numbers there were just numbers that I put in.

MR. GRBAVAC: No. I appreciate that. But if we didn't include the northern portion of the MD of Taber with Taber-Warner and in lieu of that we included a portion of the city of Lethbridge, you wouldn't have a real objection to that?

MR. JOZSA: Not really.

MR. GRBAVAC: Okay. Fair enough. Thank you.

THE CHAIRMAN: Joe?

MR. LEHANE: I have no questions, but I just would like to say to Alex that the chairman in his opening comments indicated that the deliberations of this commission would be seriously impaired unless people took the time to come out and give us their views. So I want to thank you for taking the time out of your schedule to come and give us your views today.

THE CHAIRMAN: John?

MR. McCARTHY: Thank you. No questions.

THE CHAIRMAN: Along the lines of the comments Joe has made, you posed the question: why was there no representation from either Chinook or Taber-Warner? I can't answer that question. We advertised these hearings, and it's up to the people to come out. We don't go out and invite people.

MR. McCARTHY: Sorry; I just thought of two points. The representation issue that you raised. This commission is a creation of the Legislative Assembly of Alberta, and they're the ones that created the legislation and were responsible for appointing the members of the commission. So that question may be better asked to the Legislature, through your member, on that issue.

The other issue is the 1995 census figures you raised. I think Wally has covered that. So thanks.

MR. JOZSA: That question about the committee was asked, and I thought I'd ask.

THE CHAIRMAN: Fine.

MR. JOZSA: Okay. Thank you for hearing me.

MR. GRBAVAC: For what it's worth, I tried to give a southern Alberta perspective. You may not agree with it; however, the curtain's not drawn yet. I tried to give a perspective from southern Alberta. I'll give you specifically – the legislation called for two rural reps and two urban reps to be members of this committee, so there was an attempt by the Legislature to balance the representation of the committee members.

MR. JOZSA: But they didn't make any effort to go to the different regions though.

MR. GRBAVAC: We made every effort to go to the different regions.

MR. JOZSA: No, I don't mean you. I mean the legislation.

THE CHAIRMAN: Well, Robert here comes from Raymond, Joe comes from Innisfail, and we're only allowed two rural reps. With the two city reps, John comes from Calgary and Wally comes from Edmonton. The government I think tried its best to represent all the province. Peace River and Grande Prairie maybe should be complaining that they don't have anybody here.

3:20

MR. JOZSA: Okay. Thank you very much.

THE CHAIRMAN: Well, we're going to have a washroom break here for five minutes. Then we're going to start again with I think it's Sharon Holtman of the Horizon school division after our break, because I understand Victor Haddad is not here.

[The hearing adjourned from 3:21 p.m. to 3:28 p.m.]

THE CHAIRMAN: Ladies and gentlemen, would you please be seated.

The committee would call upon Sharon Holtman from the Horizon school division.

MS HOLTMAN: Good afternoon, Mr. Chairman and members of the boundary commission. The Horizon school division is very rural, and it is my view that with overwhelming numbers of city voters, the city voters can sweep away the distinctive needs of rural Alberta.

With respect to the proposed provincial electoral divisions, the board of the Horizon school division has a number of serious concerns, the most critical of which deals with the potential negative impact on our school division. However, the board also shares the general concerns of other constituents in Taber-Warner for the proposed changes and does so for reasons common to us all.

At the present time Taber has very little communication with the Cardston-Raymond community. We do not trade in this direction, and we have very few common circumstances and interests which promote closeness, other than those shared among all communities. Cardston-Raymond is not a community of interest for Taber, and neither are we for them. The primary highways in the Taber-Warner constituency naturally connect the communities in our riding, but such would not be the case if the proposed boundaries and areas were adopted.

It does not take a very close examination of the proposed electoral divisions to realize that Taber is an add-on to what is essentially the present Cardston-Chief Mountain constituency. The nature of the boundaries of the proposed Cardston-Taber riding would be unique in the province. It is difficult to find another constituency with such unusual geographical configuration. It appears apparent that the Taber area was added for the sole purpose of augmenting the population of the Cardston-Chief Mountain area so as to make the constituency viable.

If indeed a riding must be eliminated, it makes much more sense not to do it at the expense of a more viable constituency, such as Taber-Warner. Taber has been and still is a progressive, growing community. Economic development continues to promote population increase, and the forecasts are for this trend to continue. We are confident that if our boundaries were left essentially the same, we would continue to be within the 25 percent variance as determined by the Supreme Court.

Taber is very anxious to have effective representation. We want our MLA to have a sense of this unique area. We assume that the constituents in the Cardston-Raymond area want the same. It would be much more difficult to accomplish this under the proposed changes. It is imperative that we have our views heard and understood by an MLA with a connection to all communities in the riding.

Though there are many reasons for opposing the proposed electoral divisions, the critical ones for the board of the Horizon school division focus on the effect on our own jurisdiction and the students attending our schools. At the time of the school district amalgamation, the residents of the Raymond area of the county of Warner opted to join with Cardston-Magrath to form the Westwind regional school division. This was a natural merger based on common interests. However, the remainder of the county opposed a move in this direction and instead chose to amalgamate with the Taber school division. They believe they have much more in common with the Taber area than with the communities to the west of them.

This was not a forced amalgamation. It was strictly voluntary and

was one of the first in the province. Most importantly, it serves as an indication of where the residents of the Warner-Milk River communities feel their closest affinity lies. In every respect it is an example of the principle of self-determination in action. The proposed boundary changes ignore this principle and are at variance with the obvious wishes of the people of Taber-Warner, as demonstrated by our amalgamation.

Since the amalgamation, the trustees and stakeholder groups in our division have worked hard to create a sense of identity and unity. This has been made easier by the fact that it was voluntary and that the amalgamation fit well with the present constituency boundaries. The new jurisdiction includes most of the county of Warner, the MD of Taber, and the Lomond area from the county of Vulcan. A tremendous sphere of co-operation and cohesiveness has been developed in the Horizon division. We serve as a model for the province of how smoothly amalgamation can occur and how it can work in the best interests of all stakeholder groups. We do not want to jeopardize this, because it has a positive impact on the education of the young people whom we serve.

Presently most of our jurisdiction lies within the Taber-Warner constituency. This serves to promote a togetherness in our division and does so at a critical time in education. The proposed changes have the potential to undo much of our good work and compromise our ability to maintain and enhance what we have already accomplished. Our focus is on educating the young people in the Horizon school division. We firmly believe that the present electoral divisions work in many ways to support this effort. Conversely, the proposed changes have the potential to compromise our efforts.

We understand fully the challenges faced by the commission in reviewing electoral boundaries in the province and in proposing changes based on fairness and understanding. It is doubtful that the members of the commission were aware of the potential full impact of the proposals on the many communities, agencies, and individuals in our area. Consequently, we very much appreciate the opportunity afforded us to express our views to the commission, and we trust that the members will give this serious consideration. Much more is at stake here than may be readily apparent.

I guess what I'm saying, gentlemen, is that the Horizon school division trustees really feel that we would like the status quo. Thank you.

THE CHAIRMAN: Seeing that Wally Worth was a former school inspector in his earlier life, we'll let him start the questioning.

MR. WORTH: Thanks very much, Ed. Ms Holtman, a couple of observations or questions, I guess. As I understand the burden of your submission – and you are speaking now with your school trustee hat on – it is that you've developed this co-operative arrangement within the Horizon school division that you think would be placed in jeopardy if you were forced into more of a working relationship with the people in the – what is it? – Westwind school division.

MS HOLTMAN: Yes.

MR. WORTH: Is that the burden of your position?

MS HOLTMAN: When the old county of Warner made a decision as to who they wanted to go with, those people came to us. They had already made the split, and they had one group go to the

Cardston area and the others that wanted to come this way. It wasn't us going courting them. So I think we just feel like it has worked so well.

It is a rural school division. We did look at a school closure last June, and we are looking at another one possibly this June. I'm talking as a trustee with rural schools. I know that the amalgamation made us longer and wider and that it's harder to get around and do our business right now with the amalgamation of our school boards.

MR. WORTH: Can you give me a specific illustration of how that kind of co-operation would be placed in jeopardy by our proposal?

MS HOLTMAN: Well, I guess we've just got used to working with Ron Hierath and Barry McFarland. Those are the two that the Horizon school division has now. I just believe that if we ended up going with Cardston, as I've looked at it, I think it can be done. There'd be school boards within the region, but I don't think the MLA from the Cardston area understands the needs of our rural schools in this particular school division, Horizon school division, and that's where I'm coming from.

MR. WORTH: Okay. Thank you very much.

Now, as I understand it, then, the borders of the Horizon school division are coterminous with the county of Warner, the MD of Taber, and also include something out of the Lomond area of the county of Vulcan.

MS HOLTMAN: Yes.

MR. WORTH: Okay. Thank you very much.

MS HOLTMAN: Okay.

MR. GRBAVAC: Sharon, I want to thank you for the time you've given on behalf of your school division to make your presentation. I'd like to quarrel a bit with one of your comments, and that is that it's doubtful that the members of the commission were aware of the potential full impact of the proposals on many communities, agencies, individuals in our area. I did my best to impress upon the commission the magnitude of the impact of a potential change in this area. We're faced with a challenge, and change is a real possibility here. I want to question you with respect to specifically some of the occurrences that are now taking place within the Horizon school division. How many students that now currently reside within the Horizon school division attend school in the Westwind school division?

3:38

MS HOLTMAN: None that I know of.

MR. GRBAVAC: None of the students from Wrentham go to Raymond?

MS HOLTMAN: Well, actually I don't know where the Wrentham students went, but not very many of them came to the Horizon school division. Lots of them might be in Taber, but they might be in the Roman Catholic system. We didn't get very many of those students.

MR. GRBAVAC: But are not some of those students from the Wrentham area attending schools in Stirling or in fact . . .

MS HOLTMAN: I don't know. All I know is that when we closed that school, we told the parents they could send their children where they wanted to. That's how come we haven't tracked them, because we didn't get very many.

MR. GRBAVAC: Well, I know there are some, Sharon. I was just looking for a specific situation.

MS HOLTMAN: We would have loved for them to have come our way, but that didn't happen.

MR. GRBAVAC: And maybe they will at some point. I was just looking for a little more clarification there; that's all.

Thank you. No further questions.

MR. LEHANE: Sharon, there are two maps attached to your submission, and I understand that the area highlighted in yellow sets out the Horizon school district area. Is that correct?

MS HOLTMAN: Yes. We just worked a little bit with the map so that you'd kind of see what we're talking about. We tried to do a little bit, but we're not great mapmakers.

MR. LEHANE: Well, what you have is very helpful.

MS HOLTMAN: Okay. We just thought that if that was attached, then you'd see where we were. Like I did mention, we do have Barry McFarland representing some of the Vauxhall-Lomond area people.

MR. LEHANE: So in terms of the current boundaries, the Horizon school district takes in most of the Taber-Warner constituency except for the Coaldale area. Is that fair to say?

MS HOLTMAN: That's right.

MR. LEHANE: And then it goes north into the existing Little Bow constituency.

MS HOLTMAN: That's correct.

MR. LEHANE: If the commission was to propose an extension of the current geography of the Taber-Warner constituency – in other words, the geography that is there would continue to exist, but there would be some geography added to it – I think we can agree that we can't go south.

MS HOLTMAN: That's right.

MR. LEHANE: So we could go east, west, or north.

MS HOLTMAN: Well, we didn't really look at redoing – I knew that there would be some people from Taber that actually were better at mapmaking than we were to actually come up with where the numbers would come from. So, you know, if we couldn't have status quo, of course you're going to have to take numbers from somewhere, and we'll work with it.

MR. LEHANE: Do you have any thoughts as to where that geography should come from?

MS HOLTMAN: Well, I don't have any thoughts, because we are diverse and there are seven members on our board. Because we were going into a board meeting, we didn't really have a chance to take a look at it and have the discussion. So that's how come we didn't make the presumption that I could speak on their behalf.

MR. LEHANE: That's fair. Thank you.

THE CHAIRMAN: John?

MR. McCARTHY: No questions. Thank you.

THE CHAIRMAN: And I have no questions, Sharon. Thanks for coming.

MS HOLTMAN: Okay. Thank you.

THE CHAIRMAN: The next presenter is Hans Visser.

MR. VISSER: Mr. Chairman, commission members, I'm just a rubber-boot irrigation farmer, and that's why I'm here. I have some concerns.

Ron made a comment that he doesn't want to break down the house, the building, and neither do I. I'd like to keep it in its present form. Neither do I like to repeat what has been said already. I'm sorry I wasn't able to be here this morning.

I do not have a highly researched presentation, just a common-sense argument to leave the Taber-Warner riding boundary as it is today. Our riding consists of a highly diversified irrigated agricultural area. The minister of agriculture in his business plan calls for increased diversification and value added. The Taber-Warner riding has good potential to be a major player in that, but all this activity along with our highly valued resource of water for irrigation and commercial uses takes extra-high management skills. To enhance those goals, we must have adequate representation to our government.

In the summary of the first round of submissions the people seemed to speak out clearly for no change and for effective representation. The courts concluded and argued for the right to effective representation and the right to have the parity of the votes of others diluted. The 1994 Court of Appeal suggested that justification from all variances from the quotient “must be established on a division-by-division basis.” Justice McLachlin said that the right to effective representation and absolute parity is impossible, and in the commission's own words “it shall be necessary to dilute parity in the interests of effective representation where it can be demonstrably justified.” Mr. Chairman, I would argue that this can be demonstrated in the Taber-Warner constituency within its current boundaries.

You also make reference that the smallest landmass of a riding is 9 square kilometres and that the largest is 177,000 square kilometres. It's a phenomenal difference. You are proposing to make this differential even larger, and this would become impossible for one MLA to represent his or her constituents properly.

In my opinion, number one, the recommendation to eliminate the riding of Taber-Warner would be a big mistake. It is impossible to get fair representation based only on population numbers while ignoring population density and other implications.

Two, the proposed Cardston-Taber riding is not practical. Our present riding has nothing in common with the Cardston-Chief

Mountain riding. Our present makeup of Milk River, Warner, Coaldale, Taber, and Grassy Lake has much in common: intensive irrigated agriculture with diversified specialty crop production and value-added processing.

Three, the MD of Taber would become a small minority divided by the three different constituencies of Little Bow, Cardston-Taber, and Cypress.

Four, taking an MLA away from southern Alberta's irrigated area would have a negative effect on the province's economic performance. Our irrigated specialty crop production with its value-added processing has a tremendous potential for growth. Therefore, water is our area's most important resource. To properly manage this resource is not a small matter. The main infrastructure developed to deliver water to our cities, towns, and irrigated agriculture must be properly managed. In order to do that, we need fair representation to our government. Please keep Taber-Warner intact, as it is.

To conclude, Mr. Chairman, I need some clarification on the process. I read in your papers where the commission explains that these public hearings and submissions are not a referendum process. In fact, the courts have said that they are inappropriate and irrelevant. My question is: why are we here today? Why spend taxpayers' resources if the process is irrelevant in the final outcome?

THE CHAIRMAN: I want you to know that your question was asked earlier and answered.

MR. VISSER: I'm sorry I wasn't here.

THE CHAIRMAN: We'll let Wally Worth start with questions.

MR. WORTH: I really don't have any questions. Thank you.
3:48

MR. GRBAVAC: Hans, the comment I would make is that my interpretation, if you'll allow me that latitude, of the court's comment there was consideration with respect to the numbers of presenters, and it was in that context that they spoke of irrelevance, not in terms of the specific content of your representation. I think if you dwell on the sentence in its entirety, there may be a different spin that you could apply to it. I'm not here to waste the time of either of us debating the interpretation of the court's comment, but I think maybe there might be a different way of looking at that in terms of how you define irrelevance in the context of what was said.

I want to ask you a question relative to the dilution of a voice for irrigated agriculture in Alberta. I can appreciate as an irrigation farmer – I suppose a rancher in this sense; I irrigate grasslands primarily – and I share your concern about an understanding for the complexities and the intricacies of irrigated agriculture. Would you feel that your voice would be unduly diluted if you shared a portion of your constituency with an urban element in the city of Lethbridge, for example?

MR. VISSER: Well, Bob, no. If we have to share, if you have to add to our constituency at all, then I would say go north, because we have a lot in common with those same people. They're in the same business as we are. Their concern is water management as well. Water management in the city of Lethbridge is totally different than what our needs are for agriculture with our enhanced agricultural production, with speciality crops production.

MR. GRBAVAC: I guess I asked that question from the point of view of trying to give as fair and equitable representation to the people of Alberta as possible. Many would argue that the cities are underrepresented. Some would argue – let me put it this way – that the cities are underrepresented. The rural area may be overrepresented. I'm not necessarily subscribing to that argument. I'm just suggesting to you that it's been put to us that that's the case.

From a simplistic point of view if one's over and one's under, if you blended the two, maybe you can come up with a compromise, and that is in fact what's done in Grande Prairie and in Medicine Hat. I just wondered, you know, what your feelings were with respect to that kind of a compromise being applied to this portion of southern Alberta. We've been told by other presenters that Lethbridge is a farming town, an agricultural community, and I just wondered if you felt that the voice of irrigated agriculture would be unduly compromised or affected or that your voice would be unduly diluted if you were to share it with a portion of the city of Lethbridge.

MR. VISSER: Well, on your first comment, I've talked to several city of Calgary MLAs, and I've yet to run into one that felt they were underrepresented there. That's one comment on that.

MR. GRBAVAC: We've run into a few.

MR. VISSER: Very few. In fact I have not.

The other comment I would like to make: yes, if it has to be, I suppose we would fit better with a portion of the city of Lethbridge than going south to Cardston.

MR. GRBAVAC: So you would prefer that. You'd prefer that as an option?

MR. VISSER: I'd prefer north.

MR. GRBAVAC: Oh, you prefer north. Solve it within the rural area; is that what you're saying?

MR. VISSER: Yes.

MR. GRBAVAC: That's your preference as opposed to going to the city?

MR. VISSER: Yes, it is.

MR. GRBAVAC: Okay. Then look at the city and then look at going to Cardston?

MR. VISSER: I'd prefer the status quo.

MR. GRBAVAC: No more questions.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions. Thank you.

THE CHAIRMAN: John?

MR. MCCARTHY: No questions. Thanks.

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

MR. VISSER: Thanks.

THE CHAIRMAN: The next presenter is Allan Purvis.

MR. PURVIS: Thank you, commissioners, for giving me some time and hearing my concerns. I'm here to support your initial report in its totality. I'm here to tell you that there are many people that feel that Taber can be very well served by this new drawing of our constituency map. My reasons are threefold: demographic, geographic, and economic.

Demographically under this new constituency we'd have one main centre at one end of the constituency and one main centre at the other – Cardston at one, Taber at the other – giving us a balance so that one community in the constituency doesn't override the rest of the communities.

Secondly, geographic. We are all linked by one common, very large irrigation system, the St. Mary River irrigation system, that supplies water not only for irrigation, most importantly, but also supplies water for our domestic purposes. Our town of Taber gets water from that system.

Thirdly, economic, and that's agriculturally economic. With our row crops – the sugar with the sugar factory, the potatoes with the many potato processing plants, and the hay and reconstituting this hay for the export market – I feel that one MLA would look after our needs very well. We have a commonness, and that's mainly agriculture. Just as the school division was split up and three became one, so we with Cardston can do the same.

In concluding I would like to caution the commission. Don't be swayed by partisan politics. Don't be swayed by people whose political power structure is threatened. Don't be swayed by people who resist change. Please leave your redrawn map as is and give Taber the representation it deserves.

Thank you.

THE CHAIRMAN: Thank you, Allan.

Any questions, John?

MR. McCARTHY: Yes. Where do you live?

MR. PURVIS: I live here in Taber, for 22 years now, I guess.

MR. McCARTHY: Okay. Thanks. That's all the questions I have.

MR. LEHANE: What do you do here, Allan?

MR. PURVIS: I do two things. I'm an accountant, and I also run a farrier business.

MR. McCARTHY: That's the shoeing of horses, for those of us who . . .

MR. PURVIS: That's right, a horseshoer, another term we use.

MR. GRBAVAC: Allan, actually you surprise me. I didn't think there was anybody who liked what we did anywhere. Well, actually there was a submission from Stirling. I stand corrected. I read, when it was circulated to me, that it was supportive as well.

A couple of questions. What is your view of the representations that we had this morning, the overwhelming number of representations that we had to extend the boundary to one that's

coterminous with the county of Warner?

MR. PURVIS: I wasn't here this morning.

MR. GRBAVAC: The suggestion was that the trade patterns would indicate that Taber is much more aligned with Coutts and Milk River and Warner than those three communities are aligned with Medicine Hat.

MR. PURVIS: I don't think that has a bearing. I mean, does it matter where people buy their pork and beans? We're looking for representation, for governments to make policy to allow us to grow economically and socially. I don't really think it matters whether Highway 36 goes down to Warner or there's another jiggy-jog highway up to Cardston.

MR. GRBAVAC: Well, I think you have to appreciate that there are probably two roles of an MLA: one is legislative, and the other one is that of an ombudsman. I think, if I can be allowed the latitude, they were speaking largely from the point of view of not the legislative function as opposed to the role of the MLA as an ombudsman in fielding their concerns and being able to communicate effectively with them in the absence of maybe any media and infrastructure that is centred in the area as opposed to being centred in Medicine Hat. But that's okay. We'll leave that as it was, that consideration.

The other comment I wanted to make was that I did have some private representation from people in Raymond and McGrath who did say to me: "Hallelujah. Now we can play power broker in the middle of this." I'm not so sure that that's relevant, but I just wanted to share that with you. They felt a bit disenfranchised for a long time in that Cardston had maybe an overbearing amount of influence in the Cardston constituency, so they did suggest to me that maybe they could play the role of power broker. I thought you might find that more humorous than relevant.

MR. PURVIS: Well, it's a point well taken.

THE CHAIRMAN: Wally?

MR. WORTH: No questions.

THE CHAIRMAN: Well, I want to thank you for coming, Allan, just for one reason, and that is that by you coming here and making your presentation, that just illustrates to all these people how difficult our job is.

MR. PURVIS: Well, I feel that there are quite a few people like myself who are apolitical and, although may be members of a political party, do not speak up. So I thought it was my turn.

3:58

THE CHAIRMAN: Thanks for coming.

MR. PURVIS: Thank you.

THE CHAIRMAN: Ken Miller, chairman of a school council. Go ahead.

MR. MILLER: Good afternoon, and thank you for the opportunity to be here. I think in the interest of brevity it'd be quicker if I just

dashed through with a little presentation I've got made, and we can visit after that.

The proposed Electoral Boundaries Commission division adjustments would very seriously reduce the effectiveness of representation here in the eastern part of the county of Warner, and as such we wish to register a carefully considered objection. Several of the assumptions utilized in the arithmetic matrix are questionable, and the selective application of the model's parity level indicators are unacceptable to us.

I do have to confess that I did get bogged down in the methodology of your green book and studied through it. A few of the things jumped off the page at me, so I thought I'd better bring them to your attention here.

At the outset we questioned the sensibility of the redistribution of rural seats to Calgary and Edmonton in view of the Alberta Court of Appeal upholding the validity and appropriateness of existing boundaries. It had been difficult not to conclude that the findings of the commission largely reflect the Alberta Liberal position of transferring rural seats to the urban centres, relegating the matrix to nothing more than an elaborate and arbitrary justification for that position.

The model itself contains a number of serious flaws. Allocating the 10 quantifiable variables an equal weight is questionable in my mind. To give the same weighting to the number of hamlets or appointed bodies as the total population or its density may not be reasonable.

Rescinding the special status of Cardston is of concern. Granted, its population is low but is offset by the combination of a large exterior border, distance from the Legislature, and, more significantly, the presence of Canada's largest Indian reservation, with about 8,000 people and 300,000 acres. The associated problems of poverty, unemployment, and crime that this reservation impose on the surrounding constituency received the same matrix rating as a small Métis community. Can this be reasonable?

In our view the most serious flaw in the commission's proposal to insert east Warner county into the Cypress constituency is the complete rejection of the nonquantifiable or in other words qualitative considerations of community interest, history, and municipal boundaries as well as the social and transportation infrastructure. The report cites on page 37 these specific reasons for leaving unchanged the Barrhead-Westlock constituency but completely suspended similar discretion when considering the Taber-Warner constituency.

It is useful to recall that the regionalization of Alberta's education system was both necessary and applied uniformly across the province. To their credit, our county councillors carefully assessed the educational and cultural interests of our component communities and have facilitated the inclusion of the Raymond-Stirling area into Westwind's region, and the balance of the country became part of the Horizon region. This potentially divisive situation and its successful resolution has been regarded as a model for other regions in similar circumstances.

Being chairman of the Erle Rivers high school parent advisory council and later our school council for several years allows me to report regionalization's very positive impact on the ability of the education system to deliver a high-quality product to our students. Several factors contribute to this elevation of performance, including replacement of a county council system by a board of education, the meaningful involvement of parents through a school council, equity funding, and a greater level of competence in central office

administration, but of greatest long-term importance in my view is the higher degree of cultural commonality and subsequent sense of reciprocity and mutual trust enjoyed throughout the Horizon school district. To your peril, it is these absolutely crucial but nonquantifiable characteristics that you choose to ignore or at least peripheralize in your arithmetic matrix.

The commission's recommendation to include the eastern portion of Warner county in Cypress riding contravenes our traditional sense of community. Milk River, Coutts, and Warner have nearly no association whatsoever with Medicine Hat. Our radio, television, and newspapers originate in Lethbridge. Our hospital is in the Chinook RHA, and our natural flow of business is overwhelmingly with Taber and Lethbridge. About three federal elections ago we were erroneously placed in the Medicine Hat constituency. Several years of petitions and lobbying were required to rectify the situation. In short, our community has nothing in common with the urban-dominated Cypress constituency.

In conclusion, this commission has displayed blatant disregard to the principle of effective representation for the Taber-Warner constituency. Poor assessment of and inconsideration for the history, sense of community, and existing municipal boundaries is evidence. We resent the way that Chinook and Taber-Warner were arbitrarily destroyed as political communities. A provincewide and fair rationalization of parity adjustments may be appropriate.

This proposal is totally unacceptable on the basis of its logical inconsistencies and failure to provide meaningful parity adjustments to 15 of the 23 divisions that met or exceeded the Taber-Warner and Cardston numerical matrix ranking. It took a little bit of making a list and checking it twice to arrive at that conclusion and I might be one number out, but it appears that that's the case. Reliance on the simplistic arithmetic matrix in its present form is inadequate, particularly when considering the concomitant assumption of 10 equal quantifiable characteristics. Again, the major shortfall of the model is its failure to formally recognize the need to accommodate the sense of community that is fundamental to the effectiveness of representative government. Maintaining electoral boundaries in the existing form is a far superior option than selective adjustments with a flawed and inconsistent procedure.

Thank you.

THE CHAIRMAN: 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, yes, I have a question. Obviously you don't like our matrix, and all I can suggest in that regard is that we're trying to refine it and we could certainly use your help. One of the things we're trying to do in that matrix is to give us some benchmarks or some indicators that we can use in a rather objective fashion that lend themselves to some degree of measurement,

quantification, and objectivity. I'll acknowledge that at this stage it does not include community interests or the sense of cohesiveness in a community. We could use your help and the help of many others in perhaps suggesting to us how we can identify and quantify community interest, community cohesiveness. Are there some indicators you could suggest we could find that would be consistent across the province as an indicator of communityness?

MR. MILLER: You mean a number to pick out of . . .

MR. WORTH: No, no, not a number, but how would you do it? I mean, we've measured the question of – we've looked at population. We've looked at area. We've looked at numbers of households. We look at distance from the Legislature and so on. Is there some other indicator, something else that would give you the degree of community cohesiveness? For example – and this is right off the top of my head – some people would say that you can tell something about a community's caringness by the degree of their contributions to charity. We happen to know that in this country Newfoundland's citizens give more to charity than the citizens of any other province on a per capita basis. Are there any indicators like that which could be used?

MR. MILLER: Well, certainly none of them come to mind. I can appreciate the difficult job that you have in place. I'm sure you interpreted my comments as being somewhat malicious, but in order to find the right answer, we need to explore at least some of the negative sides of things. I meant those comments to be constructive. I hope you appreciate that.

MR. WORTH: Well, I accept that, and the question I asked you is a difficult one. I don't know the answer to it. I'm not sure anybody does, but I thought I'd give it a try.

MR. MILLER: Well, I wish I could help you in that regard, but there aren't any obvious solutions to your query, I believe.

MR. WORTH: Thank you.

4:08

THE CHAIRMAN: I just want to mention one thing to you. This keeps coming up time and time again. You say:

At the outset we question the sensibility of the redistribution of rural seats to Calgary and Edmonton in view of the Alberta Court of Appeal upholding the validity and appropriateness of existing boundaries.

There is no doubt that they said that, and that's putting what I want to say is the Ken Miller spin on the decision. They also said that it's got to be redone and it's not right.

MR. MILLER: Well, I suppose I was depending on secondhand information. I didn't read the report myself, but certainly the source of my information indicated that.

THE CHAIRMAN: We're getting that interpretation of the Court of Appeal decision not only from you but from a lot of other people.

MR. MILLER: It appears that the information we had was that if it was not disagreed with, that in fact was a way of agreeing with it.

THE CHAIRMAN: John will read you the . . .

MR. McCARTHY: Maybe I'll take a minute to read some passages from the decision. You might find it somewhat informative. As you know, the chairman of the select committee last time was Mr. Bogle, whose committee resulted in the boundaries as they presently are.

The court said as follows:

Mr. Bogle, in cross-examination on his affidavit, said the elected officials had detected public support for the status quo because . . .

This is quoting Mr. Bogle.

. . . I think the fact that people were comfortable with knowing which communities were in the constituency or which, in the case – this is more so in the rural areas than in the metropolitan cities, knowing their MLA and the comfort level, whether the MLA was Opposition or Government, and just a feeling of knowing what they were dealing with. There was some fear of the unknown.

The court went on to say:

The Chairman added that . . .

Again quoting Mr. Bogle.

“. . . 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.

I'll read you two more selected passages in it.

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.

Their concluding remarks were as follows. It's a fairly lengthy decision, but I'll just give you their concluding remarks, which you might find informative.

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

So that part of your comment was correct.

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 that's for your information.

THE CHAIRMAN: Thanks, John.

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

MR. MILLER: Thank you. The short form is that we would like to be associated with the Taber district. We recognize a great deal of benefit to our educational system from that.

THE CHAIRMAN: Fine.

The next presenter is Mayor Harley Phillips of the town of Taber.

MR. PHILLIPS: Good afternoon and thank you for the opportunity to make this little presentation to you.

The first concern I would like to put forth is that of the MLA providing fair and effective representation on behalf of the citizens of Taber and that communication and liaison take place with our local government. With the redrawing of the new electoral boundaries, I do not feel that we will have effective representation considering the number of different municipal governments along with the citizens of these areas, especially when one considers the population and the distance the member of the provincial Legislature must try and cover, which will become very difficult when the Legislature is sitting.

The fact is that we in southern Alberta have not been treated with the same fairness that those in the remaining portions of the province have. One seat has already been given up in southern Alberta in the provincial Legislature, and now we again are being addressed without the remainder of the province of Alberta being addressed. Therefore, we believe that the Electoral Boundaries Commission erred in its decision not to review the complete province of Alberta. It is our belief that a complete review of the province of Alberta must be undertaken to determine whether the citizens of the province of Alberta are being effectively represented or if reductions provincewide should in fact be made.

Although I agree that population should play a role in determining electoral boundaries, total area must be considered just as important as population. Currently we have a large number of MLAs who can travel within their boundaries in a matter of a few minutes from boundary to boundary whereas in rural Alberta travel time reaches from one to one and a half hours. I would like to emphasize that the complete province of Alberta should have been reviewed, that this review should have taken place after the federal census later this year, and that much greater emphasis should have been placed on communicating with the citizens of Alberta, affording them the opportunity to address this commission in the proper manner.

The Electoral Boundaries Commission has effectively removed the community of interest and the trading areas that are long-

standing with municipalities such as Coutts, Milk River, Warner, and Coaldale. To be placed in an area where we hold no common trade areas and agricultural areas is wrong. If a conventional matrix had been utilized, it would have been to leave Taber-Warner as is and simply add the MD of Taber to the north. This would have covered the community of interest, trading areas, and population.

On behalf of the citizens of Taber and council, we request that you reconsider your position that you have taken with a new alignment of Taber-Warner to that of Taber-Cardston.

Thank you.

THE CHAIRMAN: Fine.

We'll start the questioning with Wally.

MR. WORTH: Mr. Phillips . . .

MR. PHILLIPS: Harley.

MR. WORTH: Okay. Harley, in your submission you say "a complete review of the Province of Alberta must be undertaken to determine whether the citizens of the Province . . . are being effectively represented." Earlier you referred to the fact that we as a commission did not review the complete province of Alberta. We in fact have reviewed the entire province of Alberta, and it's reflected in our interim report. In our final report we will do so as well. So I'm wondering what you mean by "a complete review of the Province of Alberta must be undertaken." What are you referring to there, something different from this process?

4:18

MR. PHILLIPS: No. But when I go through your report, there are areas in the province – Westlock is an example – where you've perhaps jumped over. I guess I have a concern with the cities, certainly the number of MLAs they have and the small areas they have to cover. When you look at the alderpersons that represent that city and how many MLAs, I'm not so sure that we're not overstaffed in MLAs in the cities.

MR. WORTH: Okay. Well, just for your information, if you look at the 83 constituencies in the province, we've recommended change in 38, or about 40 percent, of them. We've recommended some minor changes in a handful, and there are three constituencies that didn't quite meet our criteria that for very special reasons we decided not to recommend change in. So overall I'd like you just to ponder the fact that there has been a fair review here, which has resulted in a substantial number of changes throughout the 83 constituencies in the province.

MR. PHILLIPS: You may be right, except that the feel of the people is that southern Alberta has borne the brunt of the problems and that nothing that's considered central or northern Alberta has suffered anything.

MR. WORTH: That may very well be a reflection of the fact that the problems are in southern Alberta, and therefore that's where the changes have to be made.

MR. GRBAVAC: Harley, I just want to maybe support some of the comments of my colleagues. There wasn't one constituency in this province that didn't receive close scrutiny. Unfortunately for the people in southern Alberta, the commission felt the greatest

challenges were in southern Alberta, particularly southwestern Alberta. It may appear on the surface that that was an attempt to single out a region of the province. It was more, I think, a reflection of the reality that we had a number of constituencies here that were pushing the envelope in terms of the 25 percent variance and one special consideration riding at 38.5. It may appear that an undue amount of deliberation was placed on the ridings in southern Alberta, but I want to assure you again that there wasn't one riding in this province that wasn't looked at.

MR. PHILLIPS: But none of them were changed, right?

MR. GRBAVAC: About 37 were changed or proposed to be changed. You may suggest, "Well, sure, you added one more to Edmonton and Calgary, and you changed them." The reality is that, no, there was a considerable amount of change as a consequence of this, maybe not the change you like or maybe not even change I like, but the premise that this was not a provincewide process I don't think is a justifiable one. That's all I'm suggesting. We're mandated to review the 83 constituencies of the province in its entirety.

MR. LEHANE: I'd just like to respond, Harley, to your comments with respect to the fact that constituencies with larger geographical areas are more difficult to service and to have effective representation, and we don't disagree with that. So I've taken a quick look here to just run down the areas of the constituencies. There are approximately 23 constituencies that have larger geographical areas than Taber-Warner or Cardston, just to give you some idea of where you fit in. Obviously your area is going to be higher than the urban areas. Out of approximately just over 40 constituencies, there are 23 that have a larger area. The areas of Taber-Warner and Cardston are both approximately 6,000 square kilometres. By comparison, Athabasca-Wabasca is 124,000. Peace River is 75,000. Dunvegan is 38,000. Lesser Slave Lake is 87,000. Chinook is approximately four times the size with 23,000. We looked at all those. I assure you that it was not a case where we just looked at southern Alberta.

MR. PHILLIPS: I guess my concern is simply that because of this distance MLAs have to travel, you'd be very fortunate indeed on an MLA's break from the Legislature to be able to meet with him, whereas the cities are much different. Calgary is an example. From the time they leave the Legislature and could be someplace in Calgary to meet with somebody, that could be done quite easily in two hours. In our area, as an example, as you heard Ron say this morning, he's maybe five or six hours at best just to get to one location. Obviously if he's got an hour's drive to another location, you're talking seven or eight hours in comparison to two hours. So I don't feel that the representation is as good as it could be. I guess what I'm suggesting is that in some cases maybe the numbers are too high in the city and that they should have been looked at as well. Perhaps that should have been reduced or a better matrix designed in terms of the city.

Obviously I've had a real education through this process inasmuch as, as Bob has indicated at least, there would be a possibility of splitting Lethbridge. I think he's got an excellent idea, and it could be used elsewhere: in the city of Calgary, in the city of Edmonton. I can't see why some of it couldn't be both city and rural at the same time. I think it would get rid of this we/they syndrome, where the poor city MLA has no idea of what's going on in the farming communities. I think representation would be much better; no

question about it.

MR. LEHANE: Well, we've certainly recognized distance from the Legislature as being a significant factor. If you read our report, it says that in looking at the time it takes to be an effective representative, of which a lot is spent traveling by a rural MLA, particularly at the far end of the province, we have taken that into account and built it into our matrix.

Moving on to another topic, Harley. If the commission was to take a look at creating a new constituency that contained the present Taber-Warner constituency in terms of geography but adding to that geography – you've alluded to the fact that perhaps part of Lethbridge could be included in a constituency – could you tell me where you feel that geography would be best obtained, whether it would be by going west into the Cardston constituency or going to the city of Lethbridge or going north of the city of Lethbridge or going east to the Cypress constituency?

MR. PHILLIPS: Well, let me first tell you that I would prefer to see things left as they are. However, if it's the province's wish to make some changes, if we were to try and keep our riding as is and had to add north of the river, we have everything in common with the people in the remaining portion of the MD of Taber. However, if there's a larger split that must take place to meet everybody's needs, I could see a four-way split in Lethbridge, picking up MLAs and actually expanding some of the current areas that are here now; in other words, finding the centre of the population of Lethbridge and dividing it into four pieces, coming out as far as Taber-Warner now, and going north to Little Bow or whatever is necessary. I could see that working.

MR. LEHANE: So in terms of preference, you'd like to see things left alone, number one.

MR. PHILLIPS: You bet.

MR. LEHANE: Number two, if there have to be changes, you're suggesting you would prefer to see them go north into the rural area, Picture Butte, up that way, and to the Little Bow constituency.

MR. PHILLIPS: No. I would like to see us take the remaining portion, yes, north of Taber into the MD of Taber, which is actually a portion of Little Bow. That I believe would be compatible, at least in terms of all the trading, things that we have in common, irrigation of specialty crops that are here. I mean, that would be ideal. But I could also see something of a major split of Lethbridge four ways and picking up an idea such as that. I realize that you have a problem with Cardston.

MR. LEHANE: You haven't mentioned going east or west. Perhaps you could comment on that.

MR. PHILLIPS: East or west from where?

MR. LEHANE: Well, in terms of adding to the existing geography in Taber-Warner.

MR. PHILLIPS: No, I wouldn't. Taking a portion of Lethbridge and putting one MLA in a small portion of that corner to fit into Taber-Warner I could see taking place, or I could see taking a portion of

west Lethbridge to fit into the Fort Macleod-Cardston area as being a possibility. Taking the northwest portion of Lethbridge and adding that into perhaps the Crowsnest riding I could see working and the northeast portion of the city of Lethbridge going into Little Bow. I think something of that nature might work.

4:28

MR. LEHANE: Thank you.

THE CHAIRMAN: John?

MR. MCCARTHY: No questions. Thank you.

THE CHAIRMAN: Well, Harley, I somewhat resent your statement that we didn't do a complete review of the province of Alberta, because we did a complete review of the province of Alberta. We changed I think something like 43 constituencies with minor changes. I think that's somewhat of a bad accusation in respect of what this commission has been doing.

The other part: you said that this review should have taken place after the federal census of this year. Well, I want you to know that my information is that the federal census isn't completed until May of this year, and the results are not available from that census until 1997 or 1998. So that's not a practical suggestion with respect to waiting for that census.

MR. PHILLIPS: Well, I'm not sure, by doing it now and having the federal census come out later, that these boundaries aren't going to be challenged again in a few years. I mean, we've gone through it already twice. This will be the third time.

THE CHAIRMAN: We can't stop a challenge, but it has to be done after the 2001 census.

MR. PHILLIPS: I guess I don't consider additional boundary changes by taking MLAs out of southern Alberta and putting them in the cities and re-juggling the city boundaries really electoral boundary changes. I know what you're saying, but in terms of the devastation that we're going through – they are not going through that devastation.

THE CHAIRMAN: Well, I think you've been sitting here all day . . .

MR. PHILLIPS: Yes, I have.

THE CHAIRMAN: . . . so you've heard why we've got the problem here.

MR. PHILLIPS: Yes.

THE CHAIRMAN: We have decided that two constituencies have to go. We've decided at this point, unless you change our minds, that one of them has to be in the Cardston-Taber area. The second one has to be Chinook. We're coming back to both these areas. People are unhappy in both these areas with this proposal. It's a problem.

MR. PHILLIPS: I'm not quite sure whether we'll be able to change your minds. I know you have a problem, and I appreciate some of the problems you have.

Thank you.

THE CHAIRMAN: Okay. Thanks.

The next presenter is Mayor Jim Brown of the village of Grassy Lake.

MR. BROWN: Well, thank you, hon. chairperson and members. I'd like to make the following comments. Since the release of the 1995-96 Electoral Boundaries Commission report, I'd like to voice my disapproval of some of the recommendations that were made. The village of Grassy Lake is now located in the most eastern edge of the Taber-Warner constituency. With the proposed boundary changes, this area will be moved to the Cypress constituency. We just came from there not too long ago.

I feel as many others in Grassy Lake that this would not provide us with effective representation. We'd receive an MLA with no sense of this area and its needs. Grassy Lake is very different from the Medicine Hat area and has very little contact with it. We don't receive their newspapers, radio and TV stations, telephone directories, et cetera.

We're agriculturally linked with the Taber area, therefore having similar concerns with all the communities in the Taber-Warner constituency. We're part of the municipal district of Taber. Trade is most always with the centres to the west of Grassy Lake. Our school is included in the school division which also includes Taber and areas to the south with Warner and Milk River schools. We're also part of the Chinook regional health authority. Because of all these links, I feel the village of Grassy Lake should remain a part of this constituency.

I feel that the commission is not treating all constituencies the same. The southern constituencies seem to be the only ones affected by the report while the central and northern constituencies have basically remained untouched. I think this is grossly unfair to the residents of southern and rural Alberta.

MR. WORTH: Jim, I think you've heard our response to this question of the treatment of southern versus northern Alberta, so I won't go into that again. Just let me make sure I understand your message, and I think I do. It seems to me you're saying, "Look, we've tried both constituencies, and we like Taber-Warner better than we like Medicine Hat."

MR. BROWN: We like it as it is now because of all the things we do together as a community with Taber-Warner.

MR. WORTH: So please don't send us back to Cypress-Medicine Hat, eh?

MR. BROWN: Well, please leave us somewhere.

THE CHAIRMAN: You'll get left somewhere; I can assure you of that.

MR. BROWN: Thank you.

MR. GRBAVAC: Jim, could you put some rumour to rest for me. I've heard some rumblings that there may be a move with respect to Grassy Lake becoming incorporated with the MD of Taber. You know, that has some inherent implications for maybe the way we would consider your request. We are to take an eye to future development, population shifts, things of that nature. Is there any truth to that rumour that Grassy Lake may in fact become or seek

designated status as a hamlet within the MD of Taber?

MR. BROWN: The potential exists for that to happen. There will be an election on the 22nd. I think the *Taber Times* has got some very interesting reading today. So that is there.

When you talk about population, we know for a fact that our population increased by 45 percent recently, in the last five, six years. We know its growing. We know our population is growing right now. This study was done by Municipal Affairs. We didn't do it. They're the ones that told us that. We're very lucky. Our population is increasing here.

MR. GRBAVAC: So you're saying, then, that the likelihood is not that of incorporation with the MD. Is that what you're saying?

MR. BROWN: No. I didn't answer your question one way or the other, I guess. I said there was a study done for dissolution. I'm saying that there will be an election in regards to that matter on the 22nd, and at that particular time the answer will be yes or no. It is being looked at to be dissolved, to become a hamlet within the MD of Taber, yes.

MR. GRBAVAC: And that question's being put to the residents?

MR. BROWN: Yes, the electorate.

MR. GRBAVAC: Pardon me.

MR. BROWN: To the people of the village of Grassy Lake.

MR. GRBAVAC: And that's later this month, did you say?

MR. BROWN: The 22nd of this month.

MR. GRBAVAC: Next week?

MR. BROWN: Yes.

MR. GRBAVAC: So we'll know before we conclude our report.

MR. BROWN: However, we would still like to stay the way we are, whether we are residents of the village of Grassy Lake or residents of a hamlet of the MD of Taber.

MR. GRBAVAC: Yeah, and I appreciate that. The reason I asked is that then you would be a part of the municipal district of Taber and not necessarily viewed in a different context but maybe represented by a different municipality. It has an impact on our matrix, I guess. Let me be really specific. It has an impact on the way our matrix is applied, Jim.

MR. BROWN: Yeah.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions. Thanks.

THE CHAIRMAN: John?

MR. McCARTHY: No questions. Thank you.

THE CHAIRMAN: No questions from me. Thanks for coming, Jim.

MR. BROWN: Thank you, gentlemen.

THE CHAIRMAN: The next presenter is Lynn McLennan.

MS McLENNAN: Thank you for the opportunity to make a presentation to the commission this afternoon with regards to the proposed electoral boundary changes affecting Taber-Warner. I reside in the town of Coaldale and have been an elector within the Taber-Warner constituency for the past seven years. I have been very pleased with the quality of representation offered by my present and past MLAs. I'm here before you today to protest the realignment of the borders in my constituency and to request that the commission reconsider this proposal and leave the boundaries as they are at the present time.

Although I have not lived in Coaldale all my life, I do recognize the fact that Taber and Coaldale as two parts of the constituency have shared common interests since 1923. This historical linkage occurs with regard to agriculture, transportation routes, and natural geographic boundaries. In the area of agriculture the two areas share a bond with regard to production of irrigated crops such as sugar beets, potatoes, and various vegetable crops. Because Taber is the site of processing plants, these crops are transported in that direction for processing and marketing. Although I'm not directly involved in the agricultural industry, I'm cognizant of the fact that the proposed boundary changes would attempt to link us to an area with predominantly dryland farming. Not only would an important economic link be severed, but there would be no common bond between the type of agriculture in the Coaldale area and that of the Vulcan-Little Bow area.

4:38

This economic trade/processing/marketing link is but one reason for the transportation routes to develop as they have already. It is no coincidence that Highway 3 from Coaldale to Taber is in the process of being twinned. This is a natural trade and transportation route for this part of the constituency. Numerous people commute in this east-west direction for purposes of employment, recreation, and shopping. Never have I had a need to travel to the Vulcan area for any of these reasons. Therefore, it is my opinion that the proposed boundary alignment ignores the main trade transportation corridor. Do you realize that if these changes occur, Highway 3 in less than 50 miles will pass through four different constituencies starting at Lethbridge, continuing through Little Bow, Cardston-Chief Mountain, and ending at Cypress-Medicine Hat? Natural geographic boundaries with respect to the Oldman River and Highway 3 already exist. These boundaries accurately reflect and define the Taber-Warner constituency.

To reiterate, defying what is natural and common immediately creates barriers between groups forced into political entities. To destroy the historical, economic, and geographic relationship between Taber and Coaldale makes no sense to me.

As an Albertan who lives in the southern part of the province, I think it goes without saying that our access to our MLA and therefore to government in general will be reduced if your proposed changes remain. The only link between constituents and government in Edmonton is our MLA. Our representative for Taber-Warner must spend hours traveling from the constituency to Edmonton. These are hours which are taken away from the constituents which he/she represents. As a government employee I

make required trips to our capital city, and I'm well aware of the distance and time factors. If one of your concerns is to maintain effective representation, I cannot understand how representation can be anything but less effective given the proposed population increase, the important factor of distance from Edmonton, and the fact that the proposal combines areas that do not naturally link together.

As a citizen of a small Alberta town, I am very concerned with the removal of MLAs from our part of the province and the fact that additional MLAs go to the largest cities, Calgary and Edmonton. I am also very disturbed with the fact that under your proposal northern constituencies have been allowed to remain the same or undergo minor revisions. I must question why some constituencies can be left status quo while others cannot. Is the criteria within the matrix applied equally? Although I do not have any experience in the process of boundary revision, as an Albertan I am able to judge the fairness or unfairness, the equality or inequality within this process.

The proposed boundaries are not logical, and they don't make sense to those who live here. Things which are not reasonable and fair will not work. I urge you to take into account the variety of reasons for reconsidering this proposal. Although my first preference would be to have Taber-Warner constituency remain the same, if change is necessary, could Cardston-Chief Mountain possibly be realigned north and south versus east and west? Have you considered the possibility of an urban/rural riding?

In summary, I'd just like to make a few notes, I guess, about a few of the points that I made in the proposal. I guess I don't understand why Taber-Warner is being split up and separated the way it is. The historical linkage between Coaldale and Taber I think is one that's gone on for a long time. I think we're almost being penalized for living in this area by being put into different constituencies. Five years from now we may undergo the same process and be in yet another constituency.

Thank you for your time in allowing me to present my remarks.

THE CHAIRMAN: We'll let John McCarthy deal with you first.

MR. McCARTHY: No questions. Thanks.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions. Thank you.

MR. GRBAVAC: Lynn, I don't agree with you from the premise that you're being penalized for living in this part of Alberta. On the contrary, I would suggest to you that some people think that under the current configuration you're advantaged by living in this part of the area, given the pushing of the 25 percent envelope with regard to the MLAs in this area and special consideration ridings of Cardston and Chinook. I can assure you that there's no regional bias with respect to southern Alberta. It was simply an assessment of the reality as it exists and some deliberations being applied to proposing some change to southern Alberta.

You're suggesting that we realign Cardston-Chief Mountain north and south. I assume, then, that you're suggesting we put the western portion of the Cardston-Chief Mountain constituency with the area including the Crowsnest Pass and the eastern portion with Taber-Warner. Is it fair to assume that's what you're saying, or are you saying to put that part of the province in alignment with a portion of

the city of Lethbridge?

MS McLENNAN: With the city of Lethbridge.

MR. GRBAVAC: So you're suggesting that maybe we look at the west side of the city of Lethbridge and align them with Cardston-Chief Mountain.

MS McLENNAN: Yes.

MR. GRBAVAC: Okay. Thank you.

THE CHAIRMAN: Wally?

MR. WORTH: No questions.

THE CHAIRMAN: Well, Lynn, you come here and seem to want to give us the impression that southern Alberta's the hardest done by and why didn't we pick some other part of Alberta. If you look at the map of past electoral boundaries and you look at southern Alberta, the variances were 20 and 24 and 23 and 38 percent. This was the most logical place to take a constituency away from to give it to either Edmonton or Calgary, because they had variances of plus 24 and plus 23. You've got to remember what the Charter says and what the court case says. If we were going to make a correction, the most logical place to make the correction was here. I think you may have heard that before. You can disagree with it if you want, but I can tell you that if there's going to be a change made in Alberta – and the court said there's got to be a change – this is where the change has got to be.

This particular area has a little bit of a special problem – and you can hear it today, but people seem to not want to talk about it – and that's the fact that you have this constituency of Cardston. You're saying: Taber-Warner, keep it the way it was; Cardston, move it into Lethbridge. If it weren't for the particular problem, the answer would be to merge Cardston and Taber-Warner, but the people don't want that, and we have to work with that problem.

MS McLENNAN: It still seems like we are being penalized given the increased populations.

THE CHAIRMAN: Well, who in Alberta should be penalized before you? Tell me.

MS McLENNAN: Who should be?

THE CHAIRMAN: Yeah.

MS McLENNAN: Well, I think it should be applied equally throughout the province.

THE CHAIRMAN: Well, I don't think that's a good answer. You're entitled to your answer.

Thanks for coming.

MS McLENNAN: Thanks.

THE CHAIRMAN: Well, we have time for walk-ons. Is anybody sitting here who has been listening all afternoon who thinks they have something they can add to the hearings? We're prepared to

hear them, and if there's not, we're going to adjourn.

We're adjourning, then, until 7 o'clock.

[The hearing adjourned from 4:47 p.m. to 7 p.m.]

THE CHAIRMAN: Well, ladies and gentlemen, I want to welcome you and to say good evening. I would also like to make a few introductory remarks.

My name is Edward R. 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 is on my immediate left, Joe Lehane 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. 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. 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.

We have a very limited time to accomplish this work. 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.

As I've 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.

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.

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*.

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.

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

Then it is up to the Legislative Assembly by resolution to approve or 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 provincewide 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 now 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 now call upon our first presenter this evening, Christina Audet, I think from Writing Stone, Alberta. The last time I described it as Sleeping Stone or Stepping-Stone.

7:10

MRS. AUDET: It's Writing-on-Stone.

THE CHAIRMAN: Writing-on-Stone. I'm sorry.

MRS. AUDET: It's a long way from Milk River anyway.

First of all, I'd like to thank you for the opportunity to speak again. I've prepared a written submission, and I'm going to read it, all of it. If you have any questions while I'm reading, feel free to interrupt me and we can talk.

I return to your commission after reading the report on proposed changes, after rereading my November submission, and I'm somewhat confused. The suggestion of this commission on page 21 was that two special-case electoral divisions be removed, Chinook and Cardston-Chief Mountain, and be merged with their neighbouring constituencies, yet in actual fact Cardston-Chief Mountain still exists in its entirety and with the benefit of additional assorted pieces of the present Taber-Warner constituency.

According to the map enclosed with the report, it is Taber-Warner that has been merged with neighbouring divisions and which, if this proposal is passed, will no longer exist. The lack of forthrightness needlessly complicates an already difficult issue. I say, "Why are you dissolving Taber-Warner?" and the commission answers: "But, no, you misunderstand. It is Cardston-Chief Mountain which has been merged." The discussion quickly ends.

My second source of confusion resides in the summary of major themes found on page 13. Here you tally up the submissions you received in November according to their major themes. Now, I realize that you don't see this process as a referendum, but surely you can't overlook the fact that there were an overwhelming number of submissions that spoke for either no change – there were 101 – or even reducing the number of divisions; there were 40. I also suspect that most of the reports that dwelt on effective representation, of which there were 98, were also in fact arguing for no change. I know I was. So why are you changing the boundaries, not reducing electoral divisions, and, in my mind, making representation where I live essentially ineffective?

Clearly the least popular theme was representation by population – there were 27 – yet you end the report on page 56 by telling us that "the ratio of urban electoral divisions to urban population [compares] as 68% of electoral divisions to 67% of total population." That sounds like rep by pop to me.

As I see it, once again my major concern is the issue of effective representation. Here's my problem. I live 30 miles east of Milk River, which is just six miles north of a major coterminous boundary. As a result of a major restructuring in education and health recently, I've been amalgamated into a new school district, which is in Taber. I live in the Chinook RHA, which is based out of Lethbridge. Now you're suggesting that I become a member of the Cypress constituency, which, as you know, includes the city of Medicine Hat. That Greek analogy – you know, the procrustean bed – holds some merit in my case.

If you insist on making changes in my area, at least keep in mind the variations you deem important in your own matrix; namely, allow me to remain within my existing school and hospital districts. These changes have gone extremely well because they take into account my present community of interest, utilize existing road systems, and follow already existing municipal boundaries.

My community of interest is not Medicine Hat. It is Taber or Lethbridge. Your new boundaries will separate me from the Taber school division where I work. The hospital that is already 30 miles away will become the only hospital for my area in the Cypress constituency. Frankly, I'm concerned about the level of representation I can expect from a person so geographically removed from my world. These are very real issues for me because I find

myself in this situation federally. During the last federal election I was totally uninformed, and I can assure you it was not due to lack of interest.

My television does not carry a Medicine Hat station. My radio does not pick up a Medicine Hat frequency. My mailbox is understandably filled with electoral information for the Lethbridge region. Any introductory poli sci course will teach you that the cornerstone of democracy is an interested and educated voter. This simply will not be possible under the conditions that you suggest.

Now, I was very supportive of both the education and the health changes because, first of all, I felt that they were necessary, and secondly, I felt that the changes were reasonable in that they allowed for adequate representation. I'm afraid I can't say the same for this proposal.

I don't understand why you would take me out of Taber-Warner, which has a matrix difficulty score of 48, and place me in a constituency which has a more difficult level of, I believe, 55. I can only presume, since there were no figures given in the report, that the addition of the whole southeastern portion of Taber-Warner would then make this an extremely difficult constituency on your matrix.

As your report suggests, the pace of change in Alberta recently has been unusually rapid. I feel it is necessary now more than ever to ensure that the population as a whole is adequately represented. "Slow and steady progress with respect to redressing any inequities in the present configuration": I quote you on page 8. That may be politically expedient for you in these times of change, but from where I sit, it looks blatantly unfair.

I don't understand why only boundaries in the south of the province are being altered while regions in northern Alberta with similar situations are being left untouched. On page 46 you discuss extraordinary variances, and you compare these to the matrix rankings. Clearly, there were seven other regions with greater population variances than Taber-Warner, three others within 1 percent in addition to that seven, yet we were selected to be amalgamated. On what basis? Why are the new figures after redistribution not in the report? I don't understand what they're going to look like when everything's rearranged. Also, why are you placing so much emphasis on population variance when population itself is only one of 10 things discussed in the matrix?

Again I remind you that the overwhelming number of submissions indicated a concern with adequate representation, less government, and not representation by population purely. This was a viewpoint endorsed by McLachlin herself when she made her Supreme Court decision.

The difficult ridings are also the most sparsely populated. If you follow through on your redistribution plans and make them even larger to accommodate population, won't they then become even more difficult to represent?

You increased representation in Calgary and Edmonton, yet they scored the lowest on the matrix. You made them even easier to represent. You did so based solely, as far as I can see, on one aspect of the matrix, namely population.

I don't understand why you find it necessary to add seats to Calgary and Edmonton when most of the province seems to be asking for less government. Why not slowly reconfigure one northern riding, one southern riding, and not add any urban ridings? This would accomplish at least two things: two less MLAs and a perception of more equal redistribution of the rural vote.

You've gone to an enormous amount of work to provide a

framework that ensures that the population of Alberta is adequately represented, because we all agree that this is essential to our democratic principle. But at the end of the day, if I, one ordinary citizen, cannot have a voice in the deliberations of government, cannot bring grievances and concerns to the attention of my government representative simply because of where I live, then your plan has failed. I would ask you to reconsider the proposal.

Thank you.

THE CHAIRMAN: Thank you.

We'll start the questioning with John.

MRS. AUDET: Oh, you mean I have to answer questions?

THE CHAIRMAN: Yes. You can't just come here and make a lot of statements and expect to run away.

MRS. AUDET: I was kidding.

7:20

MR. McCARTHY: Just a couple of comments. First of all, the Act under which this commission was created of course was passed by the Legislative Assembly of the province of Alberta, and our mandate is 83 seats. We're only allowed to make recommendations on the basis of the number of seats that exist now. I suspect you're right. In any independent polling that was done, probably the vast majority of Albertans would want fewer across the board, but that's not within our mandate because of the legislation.

The second point is that our function – and I mentioned this in one of the earlier sessions today – is one of reporting to the Legislature with recommendations. The Legislative Assembly is the one that will be deciding what the configurations ultimately will be. They have the choice to either accept, reject, or amend our report.

Now, with that said, I just have a couple of questions. Earlier today – the themes that you've come up with are . . .

MRS. AUDET: Not new?

MR. McCARTHY: . . . not new from this morning's and this afternoon's sessions. It seems to me, from what I've heard, that if you looked at the eastern boundary of the constituency as it presently is, most people are saying that would be the most acceptable boundary as compared to the proposed change that is before you. It's much more acceptable because of the community of interest, and I know that you're right in there, down there at Writing-on-Stone park. So you're saying something that's consistent in that your community of interest is more with the Lethbridge area than the Medicine Hat area.

MRS. AUDET: Absolutely.

MR. McCARTHY: So let's assume that we left that boundary as it is, and then let's assume as well that you left the geographic component of Taber-Warner as it is but then had to add some population and some geography. Where would you suggest that we add it?

MRS. AUDET: You're asking me if we had the bottom half of Taber-Warner as it presently exists?

MR. McCARTHY: All I'm saying is let's assume that the Taber-

Warner constituency is as it is now.

MRS. AUDET: Which is just the way I like it.

MR. McCARTHY: Yes. And now if I said to you that we have to add a certain amount of geography and population to the constituency, where would you . . .

MRS. AUDET: I guess we'd go north.

MR. McCARTHY: Your preference would be north? Any reason why?

MRS. AUDET: That's my community of interest.

MR. McCARTHY: That's consistent with what we've heard earlier. There's the school division . . .

MRS. AUDET: That's where I travel to for business.

MR. McCARTHY: Okay.

MRS. AUDET: That's where I go.

MR. McCARTHY: Thank you.

MR. LEHANE: When you're suggesting that you would look north in terms of any expansion if it were necessary, are you talking about the rural area or the city of Lethbridge?

MRS. AUDET: Rural.

MR. LEHANE: What do you think about having part of the city of Lethbridge in your constituency?

MRS. AUDET: I'm not sure I'd be comfortable with that.

MR. LEHANE: Why?

MRS. AUDET: I'm not sure they have the same interests for somebody to represent both rural and urban.

MR. McCARTHY: We've heard earlier today that there's a large component of the Lethbridge population that is farm related, retired related, et cetera.

MRS. AUDET: I guess what I don't understand is why we would have to make those changes at all.

MR. McCARTHY: Well, what we're faced with – we've reviewed this again a number of times earlier today, but we're at the uneasy junction of the authority of the Legislature and the authority of the courts. It doesn't appear that the Legislature really wants to make these changes, but it's being pushed to do so as a result of court decisions.

MRS. AUDET: Specifically this area.

MR. McCARTHY: Yes. The Court of Appeal did focus on this particular area when they came down with their judgment in 1994.

Perhaps just for your own information and because there are some new people here tonight, I could just indicate to you a couple of passages from the court's decision. Or have you reviewed it? Have you seen it?

MRS. AUDET: Yeah.

MR. McCARTHY: You have? Well, I won't do it then.

MRS. AUDET: My question, as I stated in my report, is that I'm not just sure on what basis our constituency has been chosen, as it were, to be divided up. I don't understand why we can't just be left perfectly alone. I mean, we're within the 25 percent variance legally.

MR. McCARTHY: Yes, I know, but the courts have indicated that change has to occur somewhere, someplace to some extent. Remember my earlier premise: supposing that in your constituency the geography stays the same as it is but there are some things added to it. You've indicated that your preference is to the north. Now, that's on the presumption that if you had to have change, that's where you would prefer to go.

MRS. AUDET: That's right. Reluctantly.

MR. McCARTHY: Okay.

MR. LEHANE: There's I believe some concern expressed by you in terms of your thought: why are we looking at this area? Maybe I can help you a little bit with that. You have next to the Taber-Warner constituency Cardston-Chief Mountain. Cardston-Chief Mountain has minus 38.5 percent in terms of a negative population variance from the provincial quotient. It's not surrounded by constituencies that have populations that are close to the quotient or above the quotient from which you could fix that.

MRS. AUDET: Can't go north?

MR. LEHANE: Well, let me just tell you. Cardston-Chief Mountain is minus 38.5. If you go north to Little Bow, it's minus 21.5. Pincher Creek is minus 20.3; Taber-Warner, minus 21.8; and Cypress-Medicine Hat, minus 23.8. And I think we can agree that you can't go south, if we can't agree on anything else.

MRS. AUDET: Well, not legally.

MR. LEHANE: So we have that situation. It's a difficult situation to deal with.

We also have the fact that both Taber-Warner and Cardston-Chief Mountain have areas of approximately 6,000 square kilometres. Now, when we talk about other special consideration areas, on the other extreme we're talking about Athabasca-Wabasca with 124,000 square kilometres. They just don't fit in the same category in terms of special consideration.

MRS. AUDET: But we're not a special consideration; Taber-Warner isn't.

MR. LEHANE: Cardston-Chief Mountain is.

MRS. AUDET: Right.

MR. LEHANE: All the other constituencies surrounding it are pushing the envelope in terms of the population variance, so that's why we have to look at that area. I hope that helps explain.

MRS. AUDET: Uh-huh.

MR. GRBAVAC: Christina, you're repeating a theme we've heard numerous times today, and I suspect we may hear it again tomorrow. With respect to one of your questions – why wasn't the north touched? – I think the report alluded to some areas where there was a significant deviance from the population quotient. None of those ridings, specifically Drayton Valley-Calmar, Barrhead-Westlock – the third one escapes me for the moment – and Dunvegan, approach the variance that exists in southern Alberta. They were in the order of something less than 20 percent. The constituencies in southern Alberta are in the order of something in excess of 20 percent.

MRS. AUDET: Isn't Westlock quite similar to ours?

MR. GRBAVAC: It's about 16, I believe. Without checking through my figures, I believe it's about 16 or 16 and a half percent variance from the population quotient, if I'm not mistaken there. To compound the problem, we've got a constituency here that gets special consideration.

The courts have said that they reject the notion that the current configuration should rest until the next election. Now, you can interpret that in a variety of ways. As a matter of fact, we've been told by one member appearing before us to simply ignore the ruling of the Supreme Court of Alberta, the Court of Appeal. "Just ignore them. They're trying to make social policy. Ignore them." I don't feel we can do that. We have a Charter of Rights, and the Charter of Rights has been interpreted by the Supreme Court of Canada and the Court of Appeal in Alberta.

Now, in the Cardston constituency, if we can give sufficient reason as to its variance, that being 38.5, I suppose we could appease the courts and we could appease the court of public opinion and satisfy ourselves, if we had a reason that Cardston was sufficiently unique and separate and distinct from the other, I believe, 15 or 16 constituencies that lay claim to the exact same set of criteria that led to Cardston being given special consideration. Now, if you can give us a reason that . . .

7:30

MRS. AUDET: I have a whole different idea.

MR. GRBAVAC: Fair enough, and I look forward to hearing it. Unfortunately, we can't just look at Taber-Warner or Little Bow or Cypress or Crowsnest or Fort Macleod or, for that matter, Cardston in isolation. There's a ramification on the entire province, in effect, when you start to move one boundary. I guess maybe this gives a bit of a background. It's maybe a bit of a dissertation and not necessarily a question, but I'm trying to answer some of the questions you've posed to us.

MRS. AUDET: This kind of poses another question from me though. Then why not just rearrange the rural ridings and not add more to the urban centres, if that's such a big problem?

MR. GRBAVAC: It's because we have no choice on the 83.

MRS. AUDET: I know. That's what I mean. If you have no choice

on the 83, leave it at 83. Okay? You're saying that these variances are too big, so rearrange them so that the variances aren't so large and then not add any more in the cities.

MR. GRBAVAC: Yes. Fair enough. I'm trying to point that out.

What you're suggesting is that we take some population from Little Bow, Fort Macleod, Crowsnest, Cypress, or Taber-Warner and give it to Cardston to even things out. They don't have the population to give because they're all pushing the envelope. Do you see the dilemma that we're in?

MRS. AUDET: Uh-huh.

MR. GRBAVAC: All of those ridings are at the virtual maximum deviation from the electoral quotient, and there aren't enough people in them to give to Cardston to bring them up, unfortunately. That's why we looked at splitting the city of Lethbridge, because they in effect are at or slightly above the electoral quotient. That was given some consideration, taking the city of Lethbridge and dividing it. I think the notion that we paid the greatest amount of attention to was giving one riding to the city and splitting the other two with the two rural ridings around it. We chose not to put that in our interim report, feeling that the city of Lethbridge fit the model of two constituencies very well.

MRS. AUDET: The precedent last time was that people didn't like that anyway.

MR. GRBAVAC: That's right. Well, some people don't like it. Medicine Hat likes it. Grande Prairie likes it. There are some people in the province who like it, but there was a general perception that it wasn't liked.

So I'm trying to answer your questions because I think they're very valid questions, but we have a problem in southern Alberta, and we're looking for potential solutions.

MRS. AUDET: I guess I felt our riding wasn't broken, so I didn't see why we needed to fix it, that kind of attitude.

MR. GRBAVAC: Sometimes your neighbour's problems are your problems inadvertently or reluctantly.

MR. WORTH: Christina, I'd like to change the nature of the conversation a little here. As I understand your comments, they're based really on a very strong concern for effective representation.

MRS. AUDET: True.

MR. WORTH: That's one of the things we're wrestling with as a commission: how do you define that, and what are the components of effective representation? Could you just take a minute or so to say in your own words what effective representation means to you?

MRS. AUDET: I guess you said it best in your report when you said that it allows people the opportunity to speak. It allows them the opportunity to be heard. So they can go to their MLA and they know that their MLA will understand their concerns because they are in their community, they're part of the community. My concern with a big, big riding is that I'll be talking to somebody that has no idea of what I speak. So representation to me is being able to represent

every individual's needs.

MR. WORTH: Okay. Thank you.

THE CHAIRMAN: Well, Christina, you pose quite a few problems and you ask some questions. I want to say that all the questions you've posed today have been answered once, twice, and maybe three times. You weren't here this morning or this afternoon. I don't blame you for not being here, because I wouldn't want to sit here for that length of time. Rather than me go through my explanations again, I want to make this announcement. There are copies of the transcripts of today's hearings which are going to be printed. They'll be available in about two weeks' time. You can get a copy of those transcripts by getting in touch with the Chief Electoral Officer, whose address and phone number you will see. They will also be available from the constituency office of Ron Hierath.

You've done a very diligent job and have worked hard, and you're quite effective at making your presentation. I would recommend that you read what has been said here today and what will be said.

Thanks for coming.

MRS. AUDET: Thank you.

THE CHAIRMAN: The next presenter is Don Gilmore.

MR. GILMORE: Good evening. To start I'd like to thank the commission for the opportunity to address them regarding a very difficult task that was put before them. I feel it wasn't only a difficult task but, with all due respect, an impossible one.

In reviewing the submissions the commission received in 1995, of the 266 respondents, 27 wanted change. The change they wanted was representation by population. But what about the other 239 respondents? According to the commission's report, these people wanted effective representation and over a hundred wanted no change at all. The town of Taber residents who I've talked to following their reading of this report feel frustrated in that the voice of the people goes unheard.

When one reads this report, we see the terminology "effective representation" used throughout. Gentlemen, in Alberta we have effective representation. For example, we can take a riding like Taber-Warner: 6,600 square kilometres, over 24,000 residents, 18 elected or appointed boards, 500 kilometres from the Legislature, and one MLA. We can compare this to a riding like Edmonton-Whitemud: 29,000 residents, 91 square kilometres, four elected or appointed boards, and 18 other MLAs to represent or hear their concerns. It's obvious who has effective representation.

When one looks at the proposed changes put forth by the commission, it appears that the only consideration was getting the numbers right. If numbers are the primary consideration, it can be said that the commission is negligent in providing many of the rural citizens of Alberta with the opportunity to have their concerns effectively addressed by their already stretched elected representative.

The matrix the commission used also had some serious flaws. With only a limited amount of time, I will mention only a few. The special considerations given to Cardston-Chief Mountain are no longer there. Why? The Blood Indian reservation in the Cardston-Chief Mountain riding has over 7,000 residents, is one of the biggest reservations in Canada, but has the same consideration as one with much smaller numbers.

The relevant considerations, like our economic trade routes: we do more retail and commercial trade with the communities of the existing riding than we do in the proposed changes. The existing riding has strong agricultural similarities such as irrigation and specialty crops, and again it appears that these relevant considerations meant little in the making up of these proposed changes.

The most important consideration overlooked is the fact that the riding is working well. It falls into the 25 percent variance, so why change a system that is working? Just for the sake of change? I hope not.

Again I'll refer to the 266 submissions presented in 1995. The citizens of this province were given the opportunity to voice their views on these proposed changes, and the perception is that less than 10 percent of those submissions were heard.

As a resident and concerned citizen of the Taber-Warner riding, I do not believe that changing the present boundaries of our riding is in the interest of effective representation. I'd like to see them remain as is. In addition, the Cardston-Chief Mountain riding should maintain its special consideration status that it presently has. Lastly, I cannot concede that these changes are justified by providing Calgary and Edmonton with additional MLAs. Effective representation exists in these cities at the present time.

Thank you.

7:40

MR. WORTH: Two or three comments or questions, Don. You're critical of our playing the numbers game – I think that's the way you would put it – yet what we're trying to do here perhaps is not fully understood as well as we'd like it to be. What we are trying to do is provide a set of reasons that are objective and rational, which we can provide in support of our decisions so that the persons affected and involved will feel that they have been fairly treated. This is a relatively unique approach in the annals of Canadian electoral boundary establishment. Generally speaking, the reports of these commissions have tended not to file many reasons in support of their decisions and, moreover, where they have provided them, have offered very subjective opinions rather than anything that could be substantiated in any quantitative form or replicated by anyone else.

We acknowledge that what we started out with and what we have here is not perfect yet. We're looking towards a refinement of our matrix and altering some of the factors that are included in it presently. So the comments that you make about our matrix, particularly the one about the Blood Indian reservation, is something we're going to need to take a careful look at. We hope that as a result of these hearings we will get a number of suggestions about how we can improve the matrix so that our recommendations appear more rational and understandable to people.

The second comment I'd like to make is with respect to your question: why are the special considerations given to Cardston-Chief Mountain no longer there? Putting it another way, you ask: why shouldn't Cardston-Chief Mountain maintain its special consideration? We looked at using this matrix and using the factors considered in the legislation. We discovered that there were 24 constituencies in the province that could meet these conditions prescribed in the legislation. So we provided for two special consideration districts in the north. This left us then with 22 constituencies, 21 of whom met the same criteria as did Cardston-Chief Mountain for special status.

Then we started to look at Cardston-Chief Mountain and say, "Well, look, if 21 other constituencies meet these same factors, what

is so special about Cardston-Chief Mountain that they should continue to have special consideration?" Frankly, we could not identify what it would be that would justify their continuing that special consideration. If you can suggest why they should continue to have it, we would be delighted to hear it.

MR. GILMORE: Well, the basis of my submission is to leave the electoral boundaries as they are. Of those other ridings, how many fall below the 25 percent variance? When I'm looking at the numbers that were presented in this report, Cardston-Chief Mountain, Chinook, and the two northern ridings fall below that percentile.

MR. WORTH: Only two of them fall below 25 percent, Cardston-Chief Mountain and Chinook.

MR. GILMORE: That's right.

MR. WORTH: Okay.

MR. GILMORE: How about the northern ridings also, population-wise?

MR. WORTH: Yes, but we granted them special status.

MR. GILMORE: They've maintained their special consideration. So of the other ridings that would like to have special consideration, they're falling in the variance.

MR. WORTH: Well, that's true, but they also meet the other criteria. The criteria was never that they should fall below the variance. The criteria allowed for your placing them in a situation where they could qualify for a lower variance.

MR. GILMORE: Okay, but see, that's going on the premise that the commission was set out to make change regardless.

MR. WORTH: No.

MR. GILMORE: But in function that's not stated.

MR. WORTH: All you're saying to me, Don, is, "They're small, and that's the reason why they should get special consideration."

MR. GILMORE: No. They fall within the criteria set down in the Act.

MR. WORTH: So do 22 others.

MR. GILMORE: But they still have the population. They're still in that 25 percentile.

MR. WORTH: All right, but turn it around. What are you saying to me? You're really just simply saying to me: look, they've got small population; leave them that way.

MR. GILMORE: You mean the Cardston-Chief Mountain?

MR. WORTH: Yeah.

MR. GILMORE: I'm saying leave them that way because they fall into the criteria set down in the Act; right?

MR. WORTH: Yeah, but when they follow those criteria . . .

MR. GILMORE: So do the other ones, but the other ones have the population.

MR. WORTH: Well, I think we're talking past one another here, because I'm not hearing you, and I don't think you're hearing me.

MR. GILMORE: Well, okay, if I may. I'm saying that if we left the electoral boundaries as they are right now, there are four ridings that have a problem with the population that fall below the variance: Cardston-Chief Mountain, Chinook, and then the two northern ridings. If we left everything as is – right? – there's only one other riding that comes really close, and that's Rocky Mountain House.

MR. WORTH: Well, we could configure one overnight if we had to.

MR. GILMORE: Well, the thing is there's going to be another proposed change in the year 2001. I'm asking the question, and I don't know if I'm allowed to do this: could the commission go to the Legislature and say, "Look, leave the province of Alberta electoral boundaries as they are; there's going to be another change in the year 2001"? I know that you gentlemen have heard what Albertans have said, and that is: reduce the number of MLAs. That's not your mandate right now; I understand that. But could you not go to the Legislature and say, "We see that there's no reason to change"?

MR. WORTH: No.

THE CHAIRMAN: The answer to that is no. We'll deal with it.

MR. GILMORE: Well, okay.

MR. RABUSIC: The rest of us might as well go home, then, Mr. Chairman, if you can't do that.

THE CHAIRMAN: Well, if you want to go home, that's up to you. We can't do that. But it's not your turn to speak.

MR. RABUSIC: I'm sorry.

MR. GILMORE: That's not the way I read it.

MR. GRBAVAC: Don, I want to leave the discussion about whether or not any one of the other 21 ridings ought to qualify for special consideration riding based on meeting the criteria that Cardston-Chief Mountain receives. I want to dwell on the reason that you give us to put before the courts to retain the special consideration riding for Cardston-Chief Mountain. What I heard you say – I found it interesting you use the American terminology – the "Indian reservation" there is larger than any other in Canada. So what essentially you're saying to us, then, is that the size of the indigenous population is the rationale that we ought to put before the courts in terms of retaining the special consideration riding, given that even if you don't accept our matrix, if you accept the five criteria outlined by the legislation of which we have been spawned, the only difference is the size of the indigenous population. Am I

understanding you correctly on that? I mean, we asked Mr. Bogle this morning – you know, the author of the select committee report – as to his rationale for that riding, and he gave it to us. I'm asking you: is that a correct interpretation of what you're saying?

MR. GILMORE: First of all, I guess I use the terminology "Indian reservation" – I have some friends on the Blood Indian reserve and I'm just going on what they say, to clear that up.

MR. GRBAVAC: Well, some of them don't recognize the international border.

MR. GILMORE: What I'm trying to do is look at the matrix that was used. It's a large group and they were given the same consideration as much smaller. That's from reading the report. Unfortunately, I wasn't here to hear Mr. Bogle's presentation this morning, but by looking at the matrix used, the Indian reservation . . .

MR. GRBAVAC: Whatever.

MR. GILMORE: . . . whatever, in Cardston-Chief Mountain that exists there now, the Blood reservation, has the same status as a lot of smaller reservations.

MR. GRBAVAC: I want you to appreciate something. In our matrix we did not differentiate between municipalities relative to their size, and obviously we didn't differentiate between Métis settlements and Indian settlements and reserves relative to their size. You're suggesting that maybe we should? I want to press you on this point, because this is critical to us because we have to put reasons before the court.

MR. GILMORE: Okay. Now, I'm sure someone is going to get to this on the questions. What I'm presenting here is: leave the boundaries as they are. That's my presentation; okay? The reservation and Cardston-Chief Mountain – now there are two of them. They fell into special consideration before, and I'm sure one of the other members is going to get me on the legalities of it put forth by the court, and I'd like to hear those. I'm just saying in my submission: leave the boundaries as is.

7:50

THE CHAIRMAN: Thank you.

We'll ask John to deal with this matter.

MR. McCARTHY: Yeah, I think the concluding remarks of the court would be useful. The court dealt with the boundaries as they are now, and in their concluding remarks they said as follows:

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

MR. GILMORE: Well, as you can appreciate, I'm not a lawyer or a judge, but I mean, there could be appeal processes all the time. Couldn't that be challenged again?

MR. McCARTHY: Yes. Absolutely.

MR. GILMORE: Okay. So I mean this could go on and on and on.

THE CHAIRMAN: The provincial government elected not to challenge it, and they elected to do another commission. They elected to go by these instructions. I think that was a problem with the provincial government. Probably a lot of them said: "Don't have another commission. Disregard what the court said." But they have elected to go by what the court said, and the court said this should be redone by 2001. You're entitled to come here and say, "Leave them alone," but I think we as a commission have to say to you: "Sorry. We can't leave them alone in view of what the court has said."

MR. GILMORE: But it's unclear, because the court can say that, and like I said it can go on. Appeal processes can go on, but the function of the commission – it states here – is also unclear. It doesn't say anywhere that they have to be changed.

THE CHAIRMAN: Correct.

MR. GRBAVAC: Don, I concede that point. I'm asking you for a reason. It does say, if you read on, that we have to give reasons.

MR. GILMORE: Well . . .

MR. GRBAVAC: Now, let me just finish. So we applied what we considered to be a quantitative analysis, maybe the first done in North America. We attempted to construct a matrix, which essentially is a quantitative analysis of maybe something that you may suggest to us is quite subjective. However, we attempted to apply a matrix, and when we applied the matrix at this particular part of the province in that constituency, it didn't fit with the matrix. Now, we have to have a reason to put before the courts. If our matrix doesn't work, then give us a reason why special consideration ought to be given which overrides our matrix, which essentially is our reason for every constituency in the province. I'm not trying to be argumentative here, but I keep trying to come back to the principal theme that we need a reason.

MR. GILMORE: Effective representation. You're going to allow one more MLA, or representative, to Calgary and one more to Edmonton. I mean, it's so obvious. Four elected or appointed boards. They need another MLA like they need a hole in the head. They've got more MLAs in either one of those cities than aldermen. They have a Calgary caucus that meets whenever. We don't have a rural caucus. You know, rural points of view sometimes are different. So effective representation I guess is what I'm getting to. I've read through all this, and I've seen it. Chief justices and judges all refer to effective representation; the Charter of Rights refers to effective representation. So what is effective representation? We've got it, and I guess that's where the argument is. If I were on the commission – obviously I'm not – I would say we have effective representation. If that's the mandate, so be it.

MR. GRBAVAC: Again, we're going in circles, Don. Maybe we'll let this go. We are required to give reasons. We have 20 ridings that meet the criteria that Cardston meets. We need a reason why Cardston is different. Again, I guess we'll let it go.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions.

THE CHAIRMAN: Fine. I have no further questions.

MR. GILMORE: Thank you very much.

THE CHAIRMAN: The next presenter is Sharon Shockey.

MRS. SHOCKEY: Good evening, Mr. Chairman, committee members. Thank you for this opportunity for community input. To you this may appear to be a thankless job, but you are being paid, so please bear with us.

I am Sharon Shockey, and I live north of Taber on this side of the Oldman, beside the Oldman as a matter of fact. I'm an ordinary citizen, a person who cares, who is concerned but believes that people do have power and that committees such as yours do listen. You cannot possibly be all-knowing and do have to rely on other resources. Gentlemen, we are some of your resources.

I have an observation since this draft proposal came out in January. It is situations such as this that bring communities together in a common purpose. I guess you could call it a wake-up call. How often do we take time or are able to evaluate as communities or constituency our relationships or the real connection we have with one another?

This proposal hits right at the heart of Taber-Warner. It appears that Taber-Warner may be dismantled, could be – I have a word here; I'm going to use it because you are men – emasculated. The map indicates this. The constituency works well, functions in many capacities very well, and the past two years have shown this: tests in patience and sanity. There are common threads that weave this constituency together. Agriculture, irrigation, education, health care services, petroleum, safety of citizens are all a common purpose in all our areas. All those and more have made Taber-Warner what it is and what it can become.

Taber-Warner has evolved. It shows it works. There is harmony. There is progress and development with so much potential. Isn't this the dream of every constituency, province, or country? Why dismantle a successful experience? We are not a boastful constituency but gladly reach out to others by sharing our information and our experiences. Our future is at stake communitywise. May logic and common sense and a real desire for effective representation be a priority. This is a real people issue.

Having listened to the previous speakers, I must compliment them for their presentations. I had formulated the first part of my contribution three weeks ago. What I heard today reaffirmed what I believe in my mind. I'm making one exception. The gentleman who gave you full marks for the draft proposal was not speaking for the constituency.

Gentlemen, let's not fool ourselves: Taber will manage if this proposal were to be accepted. This is not a Taber issue; this is a Taber-Warner issue. All those small communities cannot be left standing alone. We are in this for the long haul and the future. Please listen and address the points or concerns made by those who participated. These are not idle concerns. They come from people in all walks of life, from people in the trenches and municipal offices.

In the different suggestions on how to improve the draft are many options. My suggestion is: bring Cardston-Chief Mountain into the fold. Please use wisdom in presenting your final draft.

8:00

THE CHAIRMAN: Fine. I want to say this. When you say, "Bring Cardston-Chief Mountain into the fold," that's what I think we want to do, but we're finding out today that that's not acceptable.

MRS. SHOCKEY: I heard you say this, that they're not wanted.

THE CHAIRMAN: I didn't say it. Well, maybe I did; I'm not sure.

MRS. SHOCKEY: Well, sort of. I thought: well, now what does he mean? There's going to be a change in five years; that is a given. I mean, this is just the way this system works.

THE CHAIRMAN: If the people here today were saying, "You can solve your problem by taking in part of Cardston-Chief Mountain or all of Cardston-Chief Mountain," our job would be a lot easier. What they're saying is: go north. They're dodging the issue of Cardston-Chief Mountain, and you're not.

MRS. SHOCKEY: No. I mean, it's an isolated area in a sense. They can't go over the mountains; they can't go across the border. You say that it won't work going north into the Crowsnest-Fort Macleod area.

THE CHAIRMAN: Well, maybe part of it could.

MRS. SHOCKEY: Yes.

THE CHAIRMAN: But you heard the words used: it's a neighbour with a condemned house.

MRS. SHOCKEY: Yes, I heard that. But when you're hurting you might lash out, and we have the feeling that we could be hurting.

Taber will manage, but my heart goes out to the surrounding communities, for instance on the east and in the Milk River area, that have been shuffled back and forth. They have found a home, and it works, the – what would you call it? – camaraderie, the understanding. I don't think there's jealousy. I mean, it works. I titled mine: if it ain't broke, why are we fixing it? That doesn't say that because of numbers and for whatever reason the courts think it's important, we cannot bring into our fold. It might be the most wonderful experience. Then in 2001 – is it? – we've got to do this all over again.

THE CHAIRMAN: After 2001.

We'll start the questioning with Wally.

MR. WORTH: First let me compliment you on your presentation and on the fervour with which you presented it.

MRS. SHOCKEY: I'm passionate.

MR. WORTH: Yeah. Okay. I thought you might object to my using that term.

I guess I want to make sure I understand what you're saying, Sharon, when you say: bring Cardston-Chief Mountain into the fold. Are you saying: "Look; if need be, you can put the areas of Coutts, Milk River, Warner back into the Taber-Warner constituency and if you need to bring your numbers up, take a piece or all of Cardston-Chief Mountain"? Are you saying that?

MRS. SHOCKEY: It isn't us that are concerned about bringing up the numbers. I mean, our numbers aren't that frightening. It's our neighbours who have low numbers, and somebody's wisdom has said that they don't qualify for that special consideration.

MR. WORTH: We had been talking earlier and you yourself acknowledge about it being so difficult to figure out what to do with those neighbours in the sense of the geography around them and the fact that there's the large Indian population in the constituency and the mountains and the border and so on. I understand that in rural Alberta people care about their neighbours, and I think you've expressed that. So I'm just asking: are you really saying that you would welcome a portion of Cardston-Chief Mountain?

MRS. SHOCKEY: Well, why not? I mean, we can only make things work better and satisfy those that have to be satisfied. Everybody seems to be satisfied but those – you know what I mean.

MR. WORTH: I applaud you for your attitude and your comments. Thank you.

MR. GRBAVAC: Sharon, can I assume, then, that that's your preferred option if there was change, to go to the west as opposed to the north? Earlier presenters said, "No, go to the north," and from that I infer they mean something coterminous with the MD of Taber boundaries to north of the Oldman River.

MRS. SHOCKEY: Oh, they're welcome. We work together all the time. I mean, that isn't even a problem. I don't think they have a problem because of the way things have been shifted around. I feel sorry for Coaldale. After 70 years you're getting a divorce, and you don't even have time to adjust to it. This business of not wanting Cardston-Chief Mountain I just never have heard in the discussions I've had with people.

I think what's really interesting is that all these people who did their presenting today – and I've been here for all of it – didn't sit down and work in concert. These are people who in their own work and in their own worlds have come out with their deliberations. I mean, you guys must be sick and tired of hearing the same thing over and over again, but I think what it indicates is that I'm not the only one that's very passionate about this. It hasn't been lightly handled. There's been a lot of soul-searching and thought and a little fear, because at the end of June the deliberation will be final. I really appreciate the input that I've heard today and the opportunity as an individual to give mine.

MR. GRBAVAC: Sharon, you didn't help me very much. I asked you: should we go west, or should we go north? That's a hypothetical question. What is your preference? If we were to give additional population to a newly configured Taber-Cardston or Taber-Warner – and I'm prepared at this point to say publicly that I'm willing to concede that the arguments presented to us are very reasonable in terms of going to the eastern boundary of the county of Warner. For that matter, they were given due deliberation prior to our release of the report. It was debatable whether or not that should be included, and now it's been reinforced that it should. I'm prepared to concede that. However, what I'm asking you is: what would you see as the more reasonable way to go in terms of adding additional population? Should we go north of the Oldman River to include the remainder of the MD of Taber and respect the integrity

of those boundaries, or should we be moving west into the currently configured constituency of Cardston-Chief Mountain?

MRS. SHOCKEY: Well, the simple one is to go north. We work together all the time; we're neighbours.

MR. GRBAVAC: All right. Thank you, Sharon.

THE CHAIRMAN: I guess I want to say that the simple one for us from drawing maps is to go west. I thought you had earlier said that that was acceptable to you.

MRS. SHOCKEY: Oh, it is very acceptable. I said the simple way. You know, it's the MD. I guess you'd have to convince the people from the west. Would they like to come our way?

THE CHAIRMAN: Joe?

MR. LEHANE: No questions. Thank you.

MR. MCCARTHY: You indicated that there's been some repetition, and that's true. After all, we are getting paid.

MRS. SHOCKEY: Exactly. Well, it's reinforcement. It isn't by design; it is by desire.

THE CHAIRMAN: I want to thank you for coming, for your presentation. I want to let the other people know that you were here all day and listened.

MRS. SHOCKEY: And I found it very interesting.

THE CHAIRMAN: Thank you.

The next presenter is Don Johnson, coalition of Taber-Warner.

MR. JOHNSON: Thank you, Your Honour and members of the commission. I'd like to at the outset express my appreciation to you fellows for the time that you've spent not only on this round of hearings but also on the previous ones. It's not an easy task to be involved in these kinds of things. You're never going to please everybody; are you? Regardless of the pay – I don't know what it is – it's not compensatory for the time and the abuse that you take sometimes in going through these kinds of things.

MR. MCCARTHY: I'm not sure we're going to please anybody, Don.
8:10

MR. JOHNSON: I appreciate the time you take in coming around and listening to us and giving us your consideration and time.

I'm speaking on behalf of a number of the municipalities within the riding of Taber-Warner. I think just as a bit of background that may be helpful to understand the position that I'm coming from here, I've spent most of my business life in the city of Calgary. I was heavily involved in the community there. I served as president of the Federation of Calgary Communities for a number of years. I served with OCO as a chairman for the Olympics. I was on the mayor's advisory committee. I worked on a number of campaigns with a number of MLAs in the city of Calgary, including Mr. Dinning, and have great fond feelings for the city of Calgary. In fact, I still retain Flames tickets and am hopeful. With that background, I don't say that with any boastful . . . [interjection] It's

2-1 going into the second.

MR. McCARTHY: For who?

MR. JOHNSON: Chicago.

I don't say that by way of any boastfulness, other than to give you an understanding that I have some appreciation for what happens in the urban setting, as well as having been raised in this area and having a farming operation here. I have some appreciation for what happens in the rural areas and can see both sides of the fence on that.

The redistribution of ridings as proposed in the January 26, 1996, Electoral Boundaries Commission interim report has raised a number of concerns with the affected ridings. The proposed changes seem to contradict the criteria set forth by the commission in its comments contained in the report and seem to be at variance with the provisions of the Electoral Boundaries Commission Act. The interim report appears to move Alberta significantly towards representation by population rather than dealing with effective representation.

I would like to deal with a number of the concerns of the residents of the riding of Taber-Warner. I will first of all refer to the rulings of the courts, deal with the legislation, comment on the use of the matrix in your deliberations, and then deal with the ridings of Taber-Warner and Cardston-Chief Mountain. Regrettably, time will not allow me to get into any great detail here. I claim no great legalistic skill but simply reflect some of the simple and heartfelt views expressed by the citizens of this area. I think with our last presenter you heard some of that today.

First of all, the courts and legislation. Both the Supreme Court of Canada and the Alberta Court of Appeal have agreed on

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.

Herein lies our dilemma. How do we determine a proper balance?

Madam Justice McLachlin of the Supreme Court of Canada stated:

It is my conclusion that the purpose of the right to vote enshrined in s. 3 of the Charter is not equality of voting power per se, but the right to "effective representation".

She goes on further to state that "absolute parity is impossible," and that

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.

On page 7 of the report it was stated that the commission was directed

to provide reasons demonstrating that principles assuring fair and effective representation have been taken into consideration for all boundaries under review.

The Alberta Court of Appeal was quoted further, stating that "it expected to see 'gradual and steady change, through a new and proper review before the next provincial election.'"

Given these comments, it would appear that we have not been treated fairly in the proposed changes outlined in the interim report. Southern Alberta lost a riding three and a half years ago with the previous review. We will lose under the proposed changes two more ridings. This would not be seen as "gradual and steady change" but rather rapid and radical change. When three rural ridings are lost and added to large urban centres, we have a net difference of six. This is a rather dramatic change in the status and not, I would

suggest, what the court was saying.

Legislation. The rules governing redistribution as outlined in section 16 of part 2 of the Act provide absolute and clear direction to the commission, stating that it "shall take into consideration . . ." and goes on to list a number of the items, including community interests and organizations, municipal boundaries, number of municipalities and other authorities, geographical features including existing road systems, and desirability of understandable and clear boundaries. These seem not to have been taken into consideration with the dismemberment of Taber-Warner.

The commission, in speaking to regional and community representation, quotes on page 11 geographer Richard Morill.

Communities are revealed through patterns of work, of residents, and of social, religious . . .

It's interesting that "religious" comes up there. That's been referred to earlier today.

. . . and political participation. At the broadest scale there is a strong historic divergence of identity between an urban core (central city), suburbs, and rural small town areas . . . because they have different needs and problems, and because they attract people with different values and preferences.

The text further quotes Professor Peter McCormick.

The more a country is possessed, not just of social diversity, but of significantly different groups that occupy different geographic areas, the more it will be necessary to operate the formal governmental structures in a fashion which acknowledges and responds to these diversities.

The text, speaking of communities of interest, refers to economic associations; food production; manufacturing; occupational associations; local government bodies, school districts, and health regions; ethnic, religious, or other distinguishing characteristics. I must presume that if the commission included these comments in the text of the report, it must consider these items to be relevant and important to the deliberation concerning redistribution. It appears, however, that these items have been ignored, particularly in light of the extensive and pervasive use of a mathematical matrix which largely ignores many of the aforementioned qualitative factors.

Referring back to the Act, part 2, section 17(1) refers to the plus or minus 25 percent variance allowable. Taber-Warner is within this guideline, to which I will refer later. Section 17(2) sets out the criteria for special consideration areas. Cardston qualifies under this legislation as a special consideration, and I will speak to this later as well.

I would suggest to you, gentlemen, that you are bound by the legislation referred to and that if you consider you are not, then we as an electorate are in difficulty and this process is for naught. We are disturbed by the comments on page 10 of the report. You've explained that it is not a referendum process, and this is true. However, you have attempted to justify this position by using the comment that "the Courts have said such considerations are inappropriate, in that they are irrelevant." I find this blatant disregard of public sentiment and input to be offensive and arrogant, and I believe that the courts have made a serious error. It would not be supported by the electorate.

We have here again a confrontation of who governs: the legislative body chosen by the people, or an appointed judiciary. Jurisprudence is an essential part of representative democracy. However, the last time that I checked, we still elect our representatives to make the laws. The judicial branch administers the laws; it does not make them. Our system of government has

perhaps given too much latitude to the courts in governing our lives. If this statement by the courts is accepted by the commission, it begs the question as to why we are even conducting hearings to garner public input.

I must note at this point that I don't get that sense or feeling from the commission as we've spoken here today and listened to your response to people. I'm taking issue with what I'm reading in the document, as outlined here.

The matrix. On page 27, paragraph 2 of your report, encompassed in the rationale for proposals you state that

in the interest of assuring "effective representation" and not simple mathematical parity, the Commission is further directed by the Act to bring into its deliberations other relevant considerations for assessment.

You refer to quantitative as well as qualitative considerations. We suggest to you, with all due respect to the effort put into developing the matrix, that it does not sufficiently address the qualitative side of the equation. Let me here share with you some concerns that we have with the matrix and the variables used.

Variable 4.4.4, number of households. The report on page 32 compares Cardston-Chief Mountain to Calgary-Buffalo. You refer to household density. No reference is made to the numbers per household. Anyone familiar with the two ridings would find this comparison difficult to accept and understand. Cardston is comprised essentially of single-family dwellings within its communities and agricultural areas. It typically has large families per dwelling. Calgary-Buffalo is at the centre of Calgary and is essentially an apartment and condo area with a great density of housing units but low-density population per dwelling, typically one or two per unit. If you add some form of weighting here, it would change the variance between the two ridings substantially. Cardston receives a ranking of 1 and Calgary-Buffalo a 10. It is difficult to rationalize this discrepancy based on the reality of the two ridings. It is hardly a valid comparison because it does not take into account the human aspect.

Number of Indian reserves. This has been mentioned a number of times here today as well. Here again a weighting is necessary to make this variable a valid contributor to the measurement. Cardston-Chief Mountain has the largest reserve in Canada, with a population of approximately 7,000. It receives a ranking of 1. A riding in northern Alberta with a number of small bands totaling less than Cardston receives a ranking of 10. This again is hardly a valid measuring tool, because you are using a measuring tool that does not measure the human aspect and the difficulty of serving the needs of such a large group of people.

8:20

There is an overemphasis of the quantitative analysis. The report states on page 45 that Cardston-Chief Mountain cannot remain a special consideration area based on "the merits of the quantitative analysis." The figures do not tell the complete story. To be considered valid, you must add a weighting to address the qualitative side. No mention is made of the qualitative side here and how it could or should be measured.

We don't understand the relevancy of contiguous boundaries in measuring the degree of difficulty. Its quantitative value would seem to be minimal, and it seems to have no qualitative value.

Taber-Warner. With its present boundaries Taber-Warner has a deviation factor of minus 21 percent and qualifies under the current legislation. The report states that Cardston-Chief Mountain is to be removed. In point of fact, it is Taber-Warner that has been removed,

and Cardston has remained virtually intact, with the addition of a narrow neck stretching up to and including Taber. If the commission wishes to move closer to the norm, the addition of that portion of the MD of Taber north of the Oldman river would bring the deviation to approximately minus 10 percent.

Having said that, we would encourage you to retain the integrity of Taber-Warner. It meets the test of current legislation. The communities of Coutts, Milk River, Warner, and Coaldale are all communities of interest. If you take into consideration the patterns of communities of interest here as you have with Barrhead-Westlock – and I appreciate, Your Worship, that you addressed Barrhead-Westlock earlier, but I'd already had this printed up. I acknowledge your point there, and it's well taken. If you factor in travel and trade routes, school and hospital jurisdictions, radio, television, and newspaper communication, you must not sever these communities from Taber and place them in Cypress-Medicine Hat. You will do great damage in terms of effective representation by so doing. To do so would contradict what the commission has stated in its comments on pages 8 and 9 with respect to its perspective and approach. It would be a gross injustice to the people of this riding.

Cardston-Chief Mountain. The commission has indicated that Cardston-Chief Mountain is the crux of the problem in southern Alberta. Cardston meets the test of the existing legislation. If the commission would add some appropriate weighting to the variables in the matrix, in particular numbers 4 and 8, Cardston would have a significantly higher ranking in degree of difficulty and, based on my analysis, would probably be one of your four areas qualifying for special consideration.

The only reason it does not now fit is a result of the overbearing mathematical nature of the matrix. This flies in the face of your statement on page 27, mentioned previously, of not using just simple mathematical parity. If, however, the commission has determined in its collective mind that Cardston-Chief Mountain just does not fit with what it feels is a justifiable special consideration area, then it would seem that the matrix was drawn up to justify the elimination of Cardston-Chief Mountain as well as Chinook. We'd recommend that the retention of Cardston's special consideration status be based on the current legislation.

Just as a comment to the previous presenters, certainly in making these suggestions there is no feeling of rejection of Cardston whatsoever in that area. I have family over there, and many of us have strong relationships there. What happens is that sometimes people who want to retain the status quo in fear of perhaps losing that will not offer you an alternative. So don't misinterpret any rejection of Cardston in the presentations that are being made, and I would just add that caveat on there.

In conclusion, we would prefer to see the report tabled by the Legislature – I appreciate that you're not allowed to do that, but I'm making that comment anyway – until following the next election and go through a more thorough and complete boundaries review as mandated in 2001. Do a complete review of the matrix, adding a weighting factor to the variables, and review the variables as to their validity, adding some new variables which speak to the qualitative or the human side.

The report does not appear to treat all of the province equally. We feel that southern Alberta is being unjustifiably penalized. We feel that Taber-Warner is being made the sacrificial lamb in the redistribution of ridings in the extreme south of the province.

Should the proposed recommendations be followed, there is a strong likelihood of further court challenges by those individuals and

communities who feel their access to effective representation has been hampered and unduly diluted. We feel that there are other more viable solutions in addressing the court's concerns over voter parity which have not been explored due to the restrictive nature of the legislation you are working under, and we would encourage the commission to make this known to the Legislature. We appreciate the restriction that you have with the legislation, but I think some of these comments are valid and need to be brought forward.

We would encourage the commission to retain the configuration of ridings as they are now in southern Alberta and not add any to the larger urban centres. If we are to lose two ridings, don't add them to the larger urban centres. This is problematic, as the legislation ties your hands here. I can tell you from comments and discussions with elected officials in both Calgary and Edmonton who sit on boards I sit on that they have indicated to me quite strongly that both councils in those large urban centres would support an overall reduction in the number of MLAs to at least that of the number of aldermen in each city. I appreciate that that then puts pressure on the rural areas. Joe, you made that comment I believe earlier today, that you need to think about that carefully, and that's a valid point.

Our point, I guess, is that if we're going to do this, let's do it fairly throughout the whole province and have a look at all of the centres and look at whether we really need 83 or less. That's not your mandate, and I appreciate that at this time.

We would encourage the commission not to bend to political expediency and dilute effective representation in rural Alberta. We implore you to use great care, wisdom, and just plain common sense, and above all to have a sense of compassion for those you serve in this process.

Thank you for your consideration of this information.

THE CHAIRMAN: Thank you, Don.

MR. WORTH: Don, thank you very much for your comments, particularly about the matrix, because they will be helpful to us. As we've indicated earlier in the day, it is very much in a developmental stage. We want to try to refine the quantitative indicators and hope to discover some qualitative measures that we can use that will make this matrix a more effective tool.

I think where we're disagreeing now, if we are disagreeing, is on the balance or the weighting to be given to a number of these variables. I think we're going to have to look at that within the commission and see if the weighting we have given is appropriate or whether we need to alter it. Your comments will be helpful in that regard.

You said that you would encourage us to follow the legislation and the sort of redistribution rules that were indicated there. That's where we got most of the variables that we included in the matrix. You mentioned that you couldn't see why contiguous boundaries were really related to effective representation, but that's one of the ones that's in the legislation, and that's why we used it. We've had a number of people point out to us that it probably isn't appropriate, and I guess we may choose to ignore it.

Our information from the cities is a little different than yours. We've had both the mayor of Edmonton and the mayor of Calgary appear before us. Both of them have asked for additional members and have not suggested to us that they would be happy to see their MLAs reduced to the same numbers as they have aldermen in those cities.

MR. JOHNSON: It's hard to ignore that when they're speaking on behalf of the cities, but I'm just telling you that the aldermen are telling me a different story in that they would support a change.

MR. WORTH: Well, we all know that municipal councils speak with many voices.

MR. JOHNSON: Yes.

MR. WORTH: I have no questions other than just those observations.

MR. GRBAVAC: Don, you were at your eloquent best again this evening. I congratulate you on the quality of your report, and in terms of your critique of our matrix, I appreciate that. You're not alone when you suggest we ought to interject some quantitative elements to the matrix as opposed to focusing on the qualitative components.

MR. WORTH: The other way around.

MR. GRBAVAC: I'm sorry; the other way around. Yeah, that's right.

People from the urban centres – when I talk about urban centres, that's Calgary and Edmonton – have suggested the same thing. Well, for the most part most rural ridings, they felt, with the exception of maybe some in northeast Alberta, speak English. They say: "What about my riding? A significant portion of my riding doesn't speak English. If they have a telephone, they're reluctant to use it, and a significant part of the population is quite transient and not acquainted with the role of government and what have you." Other MLAs in the city are suggesting to us that they have maybe upwards of 2,000 or 3,000 businesses that are located within their constituencies, and very few of those business operators live there, yet they're asking for representation from their business as well as maybe asking for representation from their home constituency. So you're not alone in asking for that qualitative component, and I want to tell you that we are considering, you know, injecting some of that into our matrix.

You know, I don't know how to state this, with the problem that we face in southern Alberta, other than maybe we agree to disagree. I mean, Joe and I are here as rural representatives. We listened to the mayor of Edmonton, we listened to the mayor of Calgary, and they say that there are two roles for an MLA. One is an ombudsman's role, and they concede that that is more difficult in the rural area, no question. They also suggest to us that the equivalent or more than the equivalent number of people move into Calgary on an annual basis than reside in either Cardston or Chinook. They say: "Now, you can't continue to ignore the fact that 15,000 to 20,000 people move into Calgary every year and 10,000 people move into Edmonton every year. We want our place at the legislative table in Edmonton."

I thought we were doing a pretty good job, because they were asking for five seats to be removed from rural Alberta and I think Joe and I were fairly effective in reducing the number down to two. I find out that maybe we were perceived as being somewhat of a failure in that regard.

I think our chairman is right. The status quo is an option that I think is beyond us, from our interpretation of the courts.

8:30

MR. JOHNSON: I understand your concern.

MR. GRBAVAC: Yeah. Again, if there's an area in Alberta that would wave a flag, as much as I hate to admit it, it's southern Alberta. Virtually every riding is pushing the envelope at 25 percent, and Cardston's sitting in the middle with 38.5. If you concede that that needs to be fixed, Don – and maybe if you don't concede that, ignore my question.

MR. JOHNSON: No. I understand the problem.

MR. GRBAVAC: Okay. How would you fix it? I mean, I've got things to do at home here, and I'd be welcome to put it in the report verbatim if you give me a good enough reason.

MR. JOHNSON: I understand your problem, and I guess you put me in an uncomfortable position of commenting, because obviously we don't want to see Taber-Warner destroyed. We feel like we're being cut up unfairly, and there's a strong compelling argument, I think, for the community of interest that's here, not only community of interest but a number of other things.

I guess you take two positions, and I've made this comment to you before and to others. You take the position that we're not prepared to accept any change, and if you take that position, then you have to lobby very hard to the Legislature to make sure that they don't vote for the proposal. In my opinion the proposal's going to go forward that we're going to lose at least one in this area, and Chinook, if you consider it southern or central, there's another one we're going to lose. If you accept that position, then I think of necessity you have to look at a combination of Taber-Warner, Cardston, and if that's going to happen, then as Mrs. Shockey indicated, we would live with that and we would make that work. I don't think you'll find people in Taber-Warner going around pouting about it. We're expressing our honest feelings, and whatever the decision is, that MLA will know who we are and hopefully will respond to us and we'll work with him in a positive way. So I'm not rejecting any amalgamation. I'm just saying that our preferred option, if there's any way possible, is let's retain it.

What I'm suggesting is that when you look at the matrix, if you add some weighting, that's going to change Cardston's position. Other than the 6,000 square kilometres to – what did you say, Joe? – 120-odd thousand with the larger one . . .

MR. LEHANE: One hundred and twenty-four thousand.

MR. JOHNSON: That's a dramatic difference, but there's also no population in there. It's spread out. There are so many other factors that come into that. So I'm not rejecting what you're saying, Bob.

MR. GRBAVAC: Is your preference to go west as opposed to north and be coterminous with the MD boundary? I ask you that as an MD councillor.

MR. JOHNSON: As an MD councillor, from that position, we would prefer to have the north included with that.

MR. LEHANE: In terms of Athabasca-Wabasca, 124,000 square kilometres, and comparing that to the special consideration district of Cardston-Chief Mountain, I'm not going to let you get away by saying that there's also no population there, because the population

is about 2,000 less than Cardston-Chief Mountain.

MR. JOHNSON: Okay. Valid point.

MR. LEHANE: There's 124,000 square kilometres to serve, so that's, in my opinion, a special consideration district.

For the sake of discussion, if we could assume for a minute that we added or took away from the variables that we have in our matrix and then we put into those variables a weighting that you found acceptable – I'm going to ask you to do something that I'd never ask my wife to do. I'm going to ask you to assume that you could be wrong in terms of your suggestion that once we've done that, it would qualify for a special consideration district. If you can assume that for the purposes of our discussion, then we have to move on and say, well, what are the changes we could make in the most positive manner to keep community of interest together and to deal with the situation?

I've heard you say that we could move north of the Oldman River in terms of the municipal boundaries as an option, and I understand from what you said that you feel that could bring the variance within minus 10 percent?

MR. JOHNSON: It's minus 10 or 11; I don't have the exact number.

MR. LEHANE: So that would certainly be an acceptable variance in terms of what we've looked at.

Now, the other options of course, as I see them, would be to perhaps add part of the city of Lethbridge or go to the west to Cardston-Chief Mountain.

MR. JOHNSON: I don't have any hang-ups on 'rurban,' if that's what you're asking.

MR. LEHANE: So there are three options.

MR. JOHNSON: I don't think a lot of people really have a lot of hang-ups on 'rurban.' I don't know that everybody understands that. You know, I'm not sure that we've gone through that process enough. I think that people, whether they're country or city, have different needs in terms of agriculture, but you still have human elements. Bob and I sit together on a board that deals with the social services aspect in preventative health care, and those things don't change whether they're in the city or whether they're in the country. I mean, we all bleed the same way. We hurt when somebody pinches us. We love our wives and our kids, hopefully. We have those same kinds of basic feelings that are common to all of us. When the red maple leaf flies, I get tingles, and when I sing *O Canada*. I'm grateful that I live in a country that allows me the opportunity to come here and express these kinds of things and sometimes even be critical of the courts without fear that somebody's going to come around looking for me.

MR. LEHANE: So do you see any of those three options unworkable?

MR. JOHNSON: No.

MR. LEHANE: Would you raise a red flag on any of those?

MR. JOHNSON: No, no. I would be willing to concede that if you

put a weighting on the matrix – and you and I might have a great discussion on what that weighting ought to be – maybe Cardston will meet those needs. All I'm saying is that if we go through that process, it makes it more acceptable to me. As an elected official in this area, it makes it more palatable for me to go and talk to my people and say, "This is what's happening here." Then I can be onside and be a positive player in support of what's happening, in support of the process.

MR. LEHANE: Thank you. I have no other questions, but I just want to add that we appreciate any input we can get in terms of developing a matrix that we think would be valid and workable in measuring the difficulty to represent a constituency, because I think that ultimately it's going to be very important to be able to continue to justify variances in this province which are significantly higher than our neighbours.

So thank you.

MR. McCARTHY: I just looked up a couple of figures here. You mentioned the Cardston constituency and the Calgary-Buffalo constituency. I looked at the number of voters there, and that may kind of highlight the problem that the courts have focused on. Calgary-Buffalo is an inner-city Calgary constituency. There were 23,439 voters in that constituency last election, and there were 9,043 on the voters' list in Cardston.

MR. JOHNSON: You're not including the Indian reserve though.

MR. McCARTHY: Those are the names of the electors on the list.

MR. JOHNSON: But you and I both know that the natives don't allow you to come out and enumerate them. They're still constituents that phone and have problems and concerns that Mr. Ady has to represent.

THE CHAIRMAN: It should be included though.

MR. McCARTHY: They're here. I've got four, five polls from the Blood reserve with the names listed, so it appears that they're on the list.

MR. JOHNSON: Okay. I appreciate that comment.

MR. McCARTHY: So, you know, what the courts are focusing in on is that there's a disparity in the weight of votes there, and they make mention of the fact – you know, when you mentioned Calgary-Buffalo, it just twigged me to look up a little passage on what the courts had said about these inner-city constituencies – that the Alberta Civil Liberties Association argued in front of the courts that under-representation of voters in the inner areas of Calgary and Edmonton constitutes systemic discrimination against members of certain disadvantaged minority groups, namely the disabled, women, single parents, the elderly, immigrants, the poor, and the unemployed who inhabit those areas in disproportionate numbers.

So the little example you used kind of highlights the disparity in the voting power of those two constituencies.

MR. JOHNSON: Well, in response to that I would give you your point there that the representative for Calgary-Buffalo has a much more difficult time representing that group of people than does Jim

Dinning in Loughheed, on the south end, because of the nature of that constituency.

8:40

MR. McCARTHY: Yeah. The other thing is that if you look at Lethbridge-West and you look at a voter on the reserve right adjacent to Lethbridge-West, there are – I won't give you the exact number – 9,000 people on that electors list and there are 20,000 people a mile or two away. So, again, there's a disparity, and I think that's why the courts have probably focused on this particular area. I guess the attempt at the matrix was to try and justify negative variances in the nonmetropolitan areas, because the matrix was an attempt to get away solely from population. The courts tend to focus on this: solely population.

MR. JOHNSON: Well, the Alberta court maybe made that comment, but I think if you go back to the Supreme Court, the tone of what they're saying seems to be at variance with what the Alberta Court of Appeal is saying.

MR. McCARTHY: Yeah. The unfortunate part is that the Alberta Court of Appeal was aware of that Supreme Court of Canada decision.

MR. JOHNSON: Whose do you accept?

MR. McCARTHY: Well, the Supreme Court of Canada didn't deal with the Alberta situation, so the highest court that's dealt with the Alberta situation is the Alberta Court of Appeal.

MR. JOHNSON: Would that, in your mind, present a problem? If this situation as presented in Alberta was taken to the Supreme Court of Canada, would that create a dilemma for the Supreme Court, given their attitude about the rest of Canada? Would it create some problems for them across the country, and would they be willing to look at that in the same light as the Alberta Court of Appeal has?

MR. McCARTHY: Well, I've long ago given up trying to figure out what judges think.

MR. JOHNSON: Careful.

MR. McCARTHY: I guess the answer is: honestly, I don't know what the Supreme Court of Canada would do. But I'm sure it's going to end up there sooner or later.

MR. JOHNSON: I'm sure.

MR. McCARTHY: There's been a suggestion today that the court approved of the boundaries as they are. The court really didn't approve of the boundaries as they are. The court said: we're not going to overturn the last election.

MR. JOHNSON: Yeah. You repeated that today, and I hear that.

MR. McCARTHY: Well, I found another passage here. They said, "We again invoke the need for judicial restraint about interference in the electoral process." That to me is a fancy way of saying: we're not going to overturn the election. They say:

We do not think the existing inadequacy is large or glaring enough to invalidate the existing legislation. To do so would be a major

disruption in the electoral process. In 1993, Alberta had a general election based on these boundaries. We do not see the democratic value in creating a political crisis.

I know what your feelings about the courts are. You've said it well, and you've said it without fear. But it is a problem. This commission, the Act resulting from this decision, the amendments to the Act, the creation of this commission, and the decision of the Legislature based on our report again, as I said earlier, lie at this uneasy junction between the legislative authority and judicial authority. When do judges stop interpreting and start legislating? That's really the question that we're dealing with, and it's a very delicate and difficult issue to deal with.

MR. JOHNSON: It presents you with a great challenge.

MR. McCARTHY: Yes.

THE CHAIRMAN: Well, Don, I want to thank you for coming, but I do have some comments to make. You did a very good presentation in respect to what you said here today, and I know that you were here all day or most of the day, so you heard what everybody else had to say.

I do have a few comments in respect to some of the things you've said. You just asked John to predict what the Supreme Court of Canada would do, and he handled that question correctly, because in this business you never predict what a court might do. The fact that you said that the court was in error doesn't bother me either, because I quite often say that the court is in error. That's how our system works. If you think the court is wrong, you go to the next court. You might even think the last court was wrong.

You also made the comment about legislation. There's no doubt judges are legislating. Nine out of 10 judges don't want to legislate and don't like legislating, and they've said that in judgments, but it ends up that the way the problems come before the courts, sometimes they're forced to legislate. They would prefer that the legislators legislate and not the judges, because the courts shouldn't be legislating. The legislation is up to the Legislature and not up to the courts, but the reality of things is that sometimes the courts do end up legislating.

MR. JOHNSON: I understand that. I have a number of friends who are judges in this province, and we've had this discussion. I appreciate their dilemma.

THE CHAIRMAN: One of the other things you mentioned was the fact of southern Alberta losing two constituencies, and you said that Chinook was south or central. I like to say that Chinook is not south. In trying to solve the problems with Chinook, we go all the way up to Wainwright, and I don't think Wainwright is part of southern Alberta. So I'll accept Chinook as being central rather than southern. And that's not an important difference.

MR. JOHNSON: No.

THE CHAIRMAN: The other thing that I want to comment on is the fact that you said to redo the matrix and then Cardston will fit, or something to that effect.

MR. JOHNSON: Perhaps.

THE CHAIRMAN: Perhaps. That reminds me of my engineering days when we took survey schooling. You'd try to cook the figures to make them fit.

MR. JOHNSON: Well, there's been some comment, in fact, that the matrix was drawn up after you decided what you were going to do to make it fit.

THE CHAIRMAN: That's not correct though.

MR. JOHNSON: I accept that.

THE CHAIRMAN: I don't want you to leave after you make your presentation, because the next person who's presenting is dealing with the inadequacies of the matrix, if I glance at his report correctly. So thanks for coming and thanks for the fine presentation.

MR. JOHNSON: Well, thank you for the opportunity to come, and I think: isn't it wonderful that we live in a country where we have the opportunity to discuss? I think discussion is healthy, it stimulates thought, and it's good for all of us. I appreciate it very much.

THE CHAIRMAN: The next presenter is Allan Wolgen.

MR. WOLGEN: I want to thank you all for seeing me, hon. members of the committee. With the recent release of the 1995-96 Alberta Electoral Boundaries Commission report, I would like to voice my strong disapproval of the report.

I am concerned with the formula used to measure the degree of difficulty for an MLA to serve his or her riding. In your formula population is considered the same degree of difficulty as the square kilometres in the riding or distance from the Legislature. I propose that the matrix ranking of scale of difficulty be changed to better address the true difficulties presented to an MLA.

I'm basically almost repeating what Don had to say. The area in square kilometres I think should be on a scale of 1 to 15, because I think it's tougher to deal with. It goes down to the number of appointed and elected bodies, 1 to 15; primary and secondary highways, 1 to 15; and then down to population, which I think is an easier problem to address, 1 to 5.

THE CHAIRMAN: Read them all.

8:50

MR. WOLGEN: Read them all? Okay. The area in square kilometres, on a scale of 1 to 15; number of appointed and elected bodies, 1 to 15; primary and secondary highways, 1 to 15; distance from Legislature, 1 to 15; population density, 1 to 10; contiguous boundaries, 1 to 10; Indian reserves, 1 to 10; population, 1 to 5; and unincorporated communities, 1 to 5.

I have eliminated the number of households column because I feel that this is directly related to population and therefore is redundant. This formula, though primitive, better reflects actual difficulties posed to an MLA.

According to this method of determining difficulty, below are some examples of acceptable variances within certain ridings. I kind of reworked it very quickly. For Edmonton-Roper, which was at the lowest ranking, I came up with a 10.5, which is with the present variance of plus 5.6 percent and the permissible variance under my formulas of plus 25 percent. Athabasca-Wabasca, with the highest ranking on your chart, has a 78 on mine, with a present variance of

minus 45.9 and a permissible variance, according to mine, of minus 25 percent. Cardston-Chief Mountain would rank 57, and their present variance is minus 38.5 percent. The permissible variance on my scale would be minus 15 percent, taking away this special status thing. Taber-Warner read a 58, which would allow it a permissible variance of minus 20 percent, and it's currently at 21.8 percent.

Effective representation requires an MLA to be accessible at the most convenience to the constituent. It is much easier to address a problem of high population than a problem of distance within a riding, therefore affecting the accessibility of our MLA. Using a more accurate model such as this – and I'm sure you're going to dispute it – may prove that we are severely diluting the representation of rural ridings by underestimating the degree of difficulty to administer its problems. Population should not be the only criterion. I propose no change at this time until this situation is fully addressed.

I'd like to note at the end that I realize I'm asking you to reject the majority of the work you have done to date, but I feel very strongly that the matrix is flawed. Clear criteria should be established first, and then the entire Alberta boundaries map should be adjusted after the census in 2001.

Thank you.

MR. McCARTHY: Just a comment on your matrix. If I understand it, your scale of 1 to 15 would mean that that would get greater weight than a 1 to 5 scale.

MR. WOLGEN: That's what I'm assuming. I'm no mathematician.

MR. McCARTHY: Okay. I just wanted to make sure I understood it. Well, I disagree with giving population a 1 to 5 as opposed to contiguous boundaries a 1 to 10 scale. I find that unacceptable. To have population on your scale as low on the scale as anything else or lower on the scale than everything else but unincorporated communities I find to be unacceptable. Those are all the comments I have. Thanks.

MR. WOLGEN: I think the point I'm trying to make is that you can change the figures any which way you like in order to make what you want become true.

MR. McCARTHY: No. In my view population should be the single-largest weighted factor. I just wanted you to understand that. I disagree completely with your scale.

MR. WOLGEN: Yeah. Well, I'm most concerned with effective representation. I guess I feel that in a city riding, say, one that is right next to the Legislature, the guy can step right out of the office, right out of the Legislature and talk to a couple of constituents, and my MLA has to come all the way down here. I'm lucky to see him once every three, four months, you know, if I need to.

MR. McCARTHY: I don't disagree with your scale in having distance from the Legislature strongly weighted on the scale. I don't have a problem with that.

MR. WOLGEN: Well, just like everybody else, I guess we can argue forever on that.

MR. McCARTHY: I don't have any more comments. Thanks.

MR. LEHANE: Just to follow up on that, Allan, we don't make any apologies for the matrix in terms of your suggestion that it's flawed. I'm sure it's far from perfect. But I think if you sat down with us and Don Johnson and half a dozen other people in this room and half a dozen people from Edmonton and half a dozen from Calgary and half a dozen from some of the other centres, we'd probably come up with about a hundred different versions. We'd have as many versions as there were people in terms of what should be in there and what weight it should be given. So we appreciate your input. We're asking for input from everybody because it's something new that's being tried.

To give you an example. I think it was on Monday when we had our hearings in Edmonton. There was a professor from the University of Saskatchewan who critiqued our matrix. He said that unless we gave population at least 30 percent of all of the weight in the matrix, it was no good. He told us that certainly what we had done in terms of our matrix in trying to justify what we had done with the variances that were there: those variances would never stand up to a court challenge. So there's the opposite side of the spectrum.

What I'm saying is: I guess it depends where you come from. A lot of these things are subjective, and hopefully we can sometime have an instrument that people will agree is a relatively good way to attempt to measure this thing. So thanks for your input.

MR. WOLGEN: Thank you.

MR. GRBAVAC: Well, I guess we could sit here all night. As one person indicated, you know, in a club of liars the first presenter is significantly disadvantaged. That's true; you could surmise all night long that we developed the matrix to support a position that we took at the outset. I'll reject that notion. What I'm suggesting to you is that we applied what we thought was a reasonable set of quantitative criteria to a mathematical model, applied it to the province, and as a result we came up with what we thought was a reasonable compromise with respect to what some of the urban centres wanted vis-à-vis what some of the rural communities were telling us. We've been told by a significant number of people that it's wrong from both perspectives. Somebody once said that if everybody tells you you're wrong, you must be near the truth.

MR. WOLGEN: No. You're wrong.

MR. GRBAVAC: There we go. At any rate, I appreciate your comments. We know it's not perfect, and we're not necessarily going to let it rest. You may see some refinements in the final report.

MR. WORTH: Allan, as has been pointed out here, one of our problems will be to try to sort out a number of different opinions and ideas about the matrix and the variables to be included in it. We'll have to set up some kind of a screen, some set of criteria that the variables might have to meet in order to be incorporated. Just off the top of my head, I think there are at least four criteria that we might use. One of these is: is it measurable or assessable in some ready way? Secondly, does it have a kind of face validity? When people look at it, do they say, "Oh, yeah, that's related to effective representation"? Does it lend itself to weighting in some fashion as well as being measurable? And finally, is it mutually exclusive? Now, what I mean by mutually exclusive of other variables is that,

for example, if you look at our variables and at yours, we have area in square kilometres and population. Then we compute population density. Now, how do you compute population density? You divide area by population. So that is not a mutually exclusive variable. You're double-counting if you use it.

That's just an illustration of some of the criteria that we'll probably have to think about in terms of trying to screen out what variables to consider in our matrix.

THE CHAIRMAN: Allan, I want you to know that we've acknowledged throughout this second round of hearings that there are problems with our matrix. Hopefully we can improve the matrix.

I want to compliment you. You're the first one who has come to us and put down in writing what you think is correct in your matrix. As you've heard from some of the people here, they want to challenge you in respect to the matrix. You've heard somebody say that population should be 30 percent; you're moving it down to five. So those are the difficulties we're having with the matrix. The one statement that you made: "Wait until we settle the matrix and then deal with redistribution." Well, you and I will be dead and hell will freeze over . . .

MR. WOLGEN: Then we'll all be happy.

THE CHAIRMAN: . . . before anybody settles what the matrix is. Thanks for coming and making your viewpoint known.

MR. WOLGEN: Thanks for listening.

THE CHAIRMAN: The next presenter is Mayor Jim Cherewick, village of Warner.

9:00

MR. CHEREWICK: I, too, would like to take this opportunity to thank this commission for all the time and effort, but as Mrs. Shockey said, you are getting paid for it. I'm really surprised at the amount of diplomacy here tonight. From the conversations I've had with different individuals, different groups, I've felt a lot of anger regarding the results of this proposal. So, Mr. Chairman and commission, I would like to start off.

As you know, my name is Jim Cherewick, and I'm currently serving as the mayor of the village of Warner. The village of Warner is located on the junctions of Highway 4 and Highway 36, approximately 66 kilometres southeast of Lethbridge. Our population is approximately 490, give or take. Not unlike many small communities in southern Alberta we share an intense desire to protect and preserve the quality of our community. When we see a neighbour on the street, we stop and visit. If we see a friend in need, we lend a hand. If we are threatened, we rally. Gentlemen, we are feeling threatened. We are being threatened with the recommended displacement of our community into an electoral division to which we do not belong and with which we share absolutely no community of interest. We are being threatened with the loss of an historically viable riding that fits the legislative requirements for population ranges and effective representation.

I've read your document and discussed it with other community leaders, councils, and concerned citizens, and this is my response on behalf of our communities. Page 21 of the report states that "the Commission is proposing the removal of . . . Cardston-Chief Mountain . . . from southern Alberta." I've just got a lot of dots in here. "The Commission has merged these electoral divisions into

neighbouring and contiguous electoral divisions." What this commission has done, in reality, is not removed the Cardston-Chief Mountain riding but attempted to totally destroy the Taber-Warner constituency. The Taber-Warner constituency has functioned as a viable riding for 32 years. The communities of Coutts, Milk River, and Warner have unfortunately seen two shifts in their boundaries over that time, placing them in the eastern electoral zone. When this has happened, the residents of our communities have been denied effective representation, and now this commission is proposing a third shift in that direction. This proposal does not provide for the principle of effective representation. It has never worked provincially or federally.

The released commission report dated January 26 states under the section headed rural results:

The Commission declined to alter the boundaries of Drayton Valley-Calmor, Barrhead-Westlock and other rural divisions in order to assure effective representation for these divisions and as a result of respect for their present communities of interest.

The statement insults the principles of effective representation for the citizens of Taber-Warner: we're not worthy of the same considerations as other citizens of this province.

The county of Warner is presently divided into two electoral divisions. The system works in that the demographics within the country are recognized as part of a unique cultural diversity of this area. The Raymond area community has strong historic ties with the town of Cardston, and the recent division of school districts within the county has enabled both north and south districts of the county of Warner to feel the security of having their elected school officials represent our communities irrespective of cultural considerations. The commission, however, proposes to disperse the county of Warner among three electoral divisions. To what end? The county government would then have three MLAs to deal with, and this again defies the concept of community of interest and fails to address cultural distinctions.

Geographically the current boundaries of the Taber-Warner riding are clear and distinct, recognizing natural boundaries such as the Milk River, Oldman River, highways, roads, and section lines. The proposed boundaries and reasons for their placement defy understanding. The town of Coaldale is effectively disadvantaged from easy access to the Little Bow riding by the location of the Oldman River. The proposed increase in the size of the Cypress riding will most certainly reduce the accessibility of the elected MLA to the citizens of that riding and reduce the effectiveness of that person in their ability to deal with the electorate.

I reiterate. This document does not consider our communities of interest. Our trade corridors are north and south, highways 4 and 36. Our media coverage is not out of Medicine Hat. Our hospital is administered through the Chinook regional health authority. Our schools are part of the Horizon school division, which is administered from Taber. Given this information, it is nonsensical to assume that we would receive effective representation from an MLA elected out of the Medicine Hat area.

It's well known that the acceptable population variances have been established under the Act of plus or minus 25 percent, notwithstanding 50 percent for special consideration ridings. The legality and necessity of this variance, which protects the right of effective representation, has withstood a court challenge of the Supreme Court of Canada. The commission has quoted Madam Justice McLachlin regarding the decision, so there is no need to elaborate any further on this issue. However, in reviewing this

document, a theme persists that the members of this commission have taken it upon themselves to redefine what should be acceptable as variance. I find it very disturbing that an appointed panel should promote ideals that are at variance with a Supreme Court decision. I refer to page 41 of the document. The first sentence reads, "But we think a margin of plus or minus 5% must be allowed." Further, on page 45: "We do acknowledge the necessity of a margin of plus or minus five percent for mathematical necessity." I'd like to remind the commission that the Taber-Warner constituency currently falls within the legal and acceptable variances, currently at 21.8 percent according to your document.

Reference is made throughout this document to 1991 census data. However, I find it confusing at times and am really unsure that the commission has used this and only this data for the purpose of this report. I quote from page 3:

The Commission has determined that a more recent province wide census is not available for purposes of reviewing the boundaries of electoral divisions within the meaning of subsection 12(2) of the Act. However, the Commission has also concluded that more recent, complete, current and accurate population data available, as well as population forecasts of increases or decreases in population from Statistics Canada, may be taken into consideration in accordance with section 16 of the Act, which gives the Commission some discretion concerning factors the Commission may consider appropriate and relevant.

What does this mean? Has the commission picked and chosen the data that would best justify this report? If this commission has used its discretion concerning the factors the commission may consider appropriate and relevant, then this report lacks a certain amount of credibility.

One more MLA for Calgary and Edmonton? That's been covered before by presenters since I've been here. Currently the city of Calgary has 14 aldermen, yet 20 MLAs represent that city. This commission advocates yet another MLA for Calgary and Edmonton? The Taber-Warner constituency is served by one MLA who has to deal with eight incorporated communities, three counties, four school divisions, God only knows how many reeves, councils, mayors, school boards, and one regional health authority, the size of the riding, and the distance to Edmonton. This commission proposes to make it even more difficult for our MLA to do his job or for our citizens to have fair and reasonable access to our MLA.

In conclusion, I cannot help but agree with the commission on one point, that the commission is very much aware that for the fourth time in recent years we are undertaking a review of electoral boundaries in Alberta. I agree that this review is unpopular and a flagrant waste of taxpayer dollars.

I don't feel it's within my mandate as an elected official of the village of Warner to offer any solutions or options. I cannot help, though, but marvel at one of your commission members, who sits as a councillor for the county of Warner but cannot recognize the importance of our close association with our communities of interest.

THE CHAIRMAN: Thank you.

We'll start the questioning with John.

MR. McCARTHY: This is a comment for your information, but it's also a follow-up to what a previous presenter and I had discussed. He was asking about that Supreme Court of Canada, and how it would react to the Alberta situation. I guess because of that I looked

up Madam Justice McLachlin's decision in Saskatchewan. The legislation does provide for a 25 percent variance, as you've stated, but the actual situation that she was dealing with at the Supreme Court of Canada in the distribution of the Saskatchewan seats as they were divided between urban and rural was as follows: the rural areas had 53 percent of the seats and 50.4 percent of the population. The urban areas had 43.9 percent of the seats and 47.6 percent of the population. So that was the situation that Madam Justice McLachlin considered, together with the legislation, when she made that decision.

The Alberta Court of Appeal, when it made its decision – the urban ridings were on average 13.4 percent above average, and the other ridings were on average 8.4 percent under. So there was a larger variance here in Alberta as compared to the fact situation, the net variance, that Madam Justice McLachlin was dealing with. You raised the question, and while you were raising it, I thought I'd respond to Don as well. So I leave that with you for your information.

The only thing I have to say is that this may be a waste of money in your opinion, but I just want you to understand that none of us sought out this commission. None of us asked to be on this commission.

9:10

MR. CHEREWICK: That's not the point I'm making.

MR. McCARTHY: It was a creation of the Legislature. So any concerns of that nature should be directed through your member to the Legislative Assembly which created us. Those comments have come forward a number of times in the past, and I feel like a three-year-old child who's getting heck for being born. So I'll just leave that with you.

MR. LEHANE: Well, neither did I grow up as a small boy on the prairies telling my mother, "Someday I hope to be on an Electoral Boundaries Commission."

Let me tell you that we did not pick and choose our data to get any results. We used 1991 population data throughout in determining the boundaries. There was a suggestion made that unless there were at least somewhere between five to nine fewer rural seats and more urban seats, we weren't doing our job and the problem would continue to get worse because people were moving out of the country into Edmonton and Calgary. The purpose of the 1995 data in that study is to show that the populations of Edmonton and Calgary are not growing any faster than the rest of the province.

MR. CHEREWICK: Okay. Well, I think there might have been some confusion generated, then, in this report, because a number of people I'd spoken to had raised that same concern regarding the calculation of the census data.

MR. LEHANE: We've heard it today.

MR. CHEREWICK: I'm sure.

MR. LEHANE: Particularly a number of times, so I hope that helps clarify the situation for you.

MR. CHEREWICK: Very good.

MR. LEHANE: Thank you.

MR. GRBAVAC: Well, Jim, I'm not sure that there's any component of this task that we've taken that we don't disagree on, and that's not necessarily bad. I accept that in the context of constructive criticism. I was hoping that the application of a matrix would result in an interpretation other than a statement that insults the principle of effective representation to the citizens of Taber-Warner. We are worthy of the same considerations as other citizens of the province. We hoped that the matrix would do that. Obviously you feel it doesn't, but I want to respond by saying that was the whole essence, and the reason for using a quantitative mathematical model was to in fact address that very concern. "The proposed boundaries and reasons for their placement defy understanding." Well, again, if the matrix is not understandable, then I suppose the proposed boundaries are equally not understandable.

MR. CHEREWICK: Well, I refer to some of the geographic boundaries that I see proposed. As I was driving up here tonight, driving through Verdigris Coulee – and I got out the map when I was preparing this.

MR. GRBAVAC: I'm getting to that, Jim; can I?

MR. CHEREWICK: Sure.

MR. GRBAVAC: The blame for that eastern boundary line lays at my doorstep. I want you to understand that. I suggested that to the commission, having gone through the debate rather fervently at times with respect to the school division allocation for the county of Warner and the strong objection of the residents in that portion of the county of Warner, defined by a line consistent with the one that is drawn, even to the extent of following Verdigris Coulee. Those people did not want to be in the Cardston school division, specifically the Westwind school division.

I suggest that this is an interim report. This is not a final report. Had it been a final report, the line may have been in a different place. I recognize all of the arguments that have been presented to us today, and I'm not in a vacuum with respect to understanding. I suggested to the commission that maybe we could figure it this way in order to solicit a response. Well, we've certainly solicited a response. I can tell you I've heard that response, and the overwhelming response has been to include the eastern component of the county of Warner, given that we have to make a change, but overriding that is that we want the status quo. I think that's a fair assessment. So I accept the responsibility for that particular boundary.

With respect to us wasting money, that's an issue you're going to have to take up with somebody else. We're a creation of the Legislature. They created us. They saw fit to concur with the rulings of the courts and that we had to address this problem.

MR. CHEREWICK: I can accept that, and I can appreciate that.

MR. GRBAVAC: I have one more question. You suggested that we picked and chose the data. Again I feel somewhat disappointed that you would feel that way. We hoped that this quantitative matrix wouldn't lead to that conclusion, but obviously it has in this instance, and I guess that's something that we have to deal with. You suggest that you do not feel it's within your mandate as an elected official of the village of Warner to offer any solutions or options to the proposal. If you'll allow me the latitude, can I ask Jim Cherewick to

propose a solution, an option, to our proposal?

MR. CHEREWICK: Well, I prefer to maintain the status quo. Now, I realize you can't take that back to the Legislature. I did hear one comment tonight that I found interesting: why not chew off a little piece of Lethbridge? They're at the borders of the riding anyway. We have enough in common with Lethbridge. Our communities work with Lethbridge, and you know as well as I do, Bob, that we've been to meetings with officials up there on various issues and work quite well together. There wouldn't be any intimidation there, and I think there's a certain amount of fuss built up between Lethbridge and the communities south. I would see it as absolutely dead wrong and just totally unpalatable to place our three communities in Cypress.

MR. GRBAVAC: I accept that, Jim.

I want to follow up your line of thinking with respect to the 'rurban' riding. This commission did discuss that at length. I think the option that we discussed at greatest length was to give the city of Lethbridge one MLA, and their constituency in its entirety would be comprised within the municipal boundaries of the city of Lethbridge. That leaves about 30,000 people that you would have to split between two or three other MLAs. You can take approximately 10,000 to 15,000, put them with Cardston and still be within the acceptable limits as defined by our matrix, if you accept our matrix. That leaves about 10,000, maybe a little bit more, to be added to Taber-Warner. That does pose a bit of a problem in that it may put us over the top in that there may be too many if we try to attach 10,000 to the current configuration of Taber-Warner. It doesn't really speak to the in excess of 21 percent variance for Little Bow and Macleod-Crowsnest. I want to assure you that that received considerable consideration. I'm sure it will be discussed and debated again.

I find it interesting that you would suggest that that doesn't dilute your vote. I'm going to take that back with me and give that a little bit more thought, because I've heard that from a number of people today who felt that that wouldn't dilute their vote. I felt that way initially all along. There are more farmers on my father's street in the city of Lethbridge than there are on my country road in the county of Warner in all honesty. That may not be any kind of a fair or quantitative assessment, but the point of the matter is: Lethbridge is in many ways an agricultural community. We have not had any representation specifically from the city of Lethbridge objecting to that. However, maybe they're not aware that we may be contemplating it. I found your comments interesting.

9:20

MR. CHEREWICK: Well, I mean Lethbridge is a rural community, a large rural community.

I had another thought here that just escaped me when I was saying that. Well, go on. The thought's gone.

THE CHAIRMAN: Wally.

MR. WORTH: No comments.

THE CHAIRMAN: Well, Jim, I just wanted to make one comment. You've heard a lot of criticism of the matrix, and we accept the criticism of the matrix. The matrix is a problem. We developed the matrix, and I don't know whether the people are realizing this. We got a lot of pressure from people in the urban areas stating that it's

voting parity and voting parity is way out of line. Then we got a lot of pressure from rural people stating that it's got to be effective representation and that's the key. We came up with the matrix to justify effective representation. We concede that it's harder to be an MLA in most cases, not in all cases, for rural Alberta. Then we said: now, we've got to justify this. That's why the matrix is there. So I just wanted you to understand why the matrix was done. It was really done to help the rural people say, "We're justified in having a minus variance for purposes of effective representation."

MR. CHEREWICK: I really didn't want to dwell on the matrix. I honestly felt that there would be enough other individuals here today that would place emphasis on that. However, I do agree that with the size of the riding, especially the proposed riding that our communities would be placed in, it would be absolutely prohibitive for one MLA to effectively represent.

THE CHAIRMAN: Well, thanks for coming.

MR. CHEREWICK: Thank you.

THE CHAIRMAN: The next speaker is Greg Wehlage.

MR. WEHLAGE: Members of the Electoral Boundaries Commission, my name is Greg Wehlage, and I live 18 miles east of Milk River. I am here today as an ordinary citizen who is very concerned about the electoral boundaries this commission has proposed. I strongly disapprove of these boundaries for the following reasons. One, community of interest. The eastern portion of the county of Warner has absolutely nothing in common with Medicine Hat. All of our transportation and communication patterns are with Taber or Lethbridge. Under the proposed boundaries the hospital in Milk River would be the only facility in the Chinook regional health authority in the new Cypress electoral division. We are in the Horizon school division, which is headquartered in Taber.

The newspapers that we receive are published either in Raymond or Lethbridge. Lethbridge TV stations carry Taber news. They carry very little Medicine Hat news. Many people in our area do not even receive a Medicine Hat TV station, nor do they listen to a Medicine Hat radio station. It is impossible for a voter to evaluate the performance of his or her MLA if they never hear any news on what that MLA is doing. Democracy does not function well with an uninformed electorate.

The particular area of the county of Warner that I live in was at one time in the Medicine Hat-Cypress constituency. Residents of this area did not feel comfortable being in that constituency at that time. We do not want to go back. Our community of interest is not Medicine Hat; it is Taber.

The redistribution rules that the commission is supposed to have followed – existing municipal boundaries, road systems, and the desirability of understandable and clear boundaries – should be considered in making new electoral boundaries. On page 16 of their report the commission states, "we have no intention of disregarding any of the considerations our mandate imposes on us."

Two, the matrix. The matrix that the commission developed seems a little flawed. I cannot understand why population is one of the variables. If the purpose of the matrix is to determine the appropriate population for electoral divisions, how can the population of that division be included as a criterion? That is like using a word to define itself.

The commission also included the number of households as a variable in the matrix. This is redundant because the number of households would be closely related to population. This has the effect of giving too much weight to population in the matrix score.

Three, effective representation. Adding part of Taber-Warner to Cypress will mean that the Cypress MLA will be dealing with six extra municipal governments, an extra school division, and an extra health authority. Also, the geographical area will be much larger, the number of households will go up, the length of primary and secondary highways will be greatly increased, the population will be much higher, and the length of contiguous boundaries will be increased. This means that Cypress, which is already a difficult constituency to represent, will be much harder.

Cypress' rating on the commission's own matrix will increase substantially, possibly to 63. This would mean that Cypress' population would be much higher than it should be because of its difficulty to represent. Cypress would have a larger population than Three Hills-Airdrie, Barrhead-Westlock, Drayton Valley-Calmar, Olds-Didsbury, or Innisfail-Sylvan Lake. All of these ridings are much smaller and closer to the Legislature than Cypress and none have any contiguous boundaries. Cypress would even have a larger population than Red Deer-South. The new Cypress probably would have a higher matrix score than Lesser Slave Lake, which the commission has said will remain a special consideration constituency.

How can the commission possibly expect residents of Cypress to receive effective representation? Even by the commission's own matrix, it simply does not make sense to increase the population of this riding by adding the eastern portion of Taber-Warner. If the commission had applied their matrix to the new electoral divisions, the discrepancies between southern ridings and central ridings would have become obvious. Why is it not acceptable for Taber-Warner to be 14 percent below its permissible population variance when it is fine for Red Deer-North to be 13 percent below and for Red Deer-South to be 26 percent below its permissible population variance?

The commission also states that 69 percent of Alberta's population is urban and that 68 percent of the electoral divisions are urban. This would appear to indicate that overall no consideration has been given to rural ridings and that effective representation received only lip service.

The commission has said that it would not alter the boundaries of Barrhead-Westlock because the current boundaries reflect the history of the area and the traditional sense of community. Also, the current boundaries generally reflect municipal boundaries and respect social and transportation infrastructures. I submit to you that that is exactly what the boundaries of the current Taber-Warner constituency do. The logical electoral division border is the eastern edge of the county of Warner. It is the division between Lethbridge dominated southwestern Alberta and Medicine Hat dominated southeastern Alberta. Following this border also means that neither the Horizon school division nor the Chinook regional health authority would be divided here. This is a crucial point.

The commission has also said that it is removing Cardston-Chief Mountain because it is a special consideration electoral division. In fact, it is leaving Cardston-Chief Mountain intact and removing Taber-Warner by merging it with three neighbouring constituencies. Taber-Warner falls into the plus or minus 25 percent population variance allowed by the Supreme Court. So why alter it?

The people of Alberta want commonsense solutions to problems. The proposed division of Taber-Warner does not make sense, nor is

it a long-term solution. People in our area will not be satisfied being represented by an MLA in Medicine Hat. Why impose new electoral divisions that create more problems than they solve?

Thank you for your time.

THE CHAIRMAN: Thank you, Greg.

We'll start the questioning with Wally.

MR. WORTH: Greg, we've heard a number of submissions today that speak to the central question of concern to you, which is the proposal to locate part of the county of Warner in the Medicine Hat constituency. I think you've heard some of my associates on the panel say: look, we accept that we made a mistake.

MR. WEHLAGE: I realize that, but I had to say it.

9:30

MR. WORTH: You had to say it, yeah. Reinforcement is always good. Particularly as we get older, we need more reinforcement.

Two things about your submission caught my attention. The first is the attention that you gave to the matrix and the question you raised about: why include population if that's what you're going to determine as a result of all this? I think the reason we felt that one had to include population was that Justice McLachlin indicated that population was a prime consideration in determining effective representation; it is not different from or separate from effective representation.

The other thing is that the matrix we've developed is really intended to show the level of difficulty of providing representation in a constituency, and for that reason I think we felt it was appropriate to include population. Obviously if you've got more people in a given and similar geographic area, it's harder to represent them than if you've got fewer.

One of the things your presentation drew to my attention was when you analyzed what would happen to Cypress-Medicine Hat and you provided us with your table here where you compare a number of the factors with the Cypress area.

MR. WEHLAGE: Those were just my best estimates.

MR. WORTH: Sure. But the point it makes for us and makes clearly is that one of the things we ought to consider seriously doing in our final report is going through and applying the matrix to the new proposals to see how they fit. That's a kind of validity test that we need to undertake. So I thank you for drawing that to our attention.

MR. GRBAVAC: Greg, I want to compliment you on the amount of work you obviously put into your presentation and thank you for it.

MR. WEHLAGE: Well, thank you.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions. Thank you.

MR. McCARTHY: I just have one point of clarification for my own purposes. You say in your submission:

Why is it not acceptable for Taber-Warner to be 14 percent below its permissible population variance when it is fine for Red Deer-North to be 13 percent below and for Red Deer-South to be 26 percent below its permissible population variance?

Is that based on the matrix? Is that what you're saying?

MR. WEHLAGE: I was basing it on your table on page 42, where you have that the present variance of Red Deer-South is minus 8.3 percent and the permissible variance is plus 16 to plus 20 percent. I just took the average of 16 and 20 as 18. So the permissible variance for Red Deer-South would be plus 18 percent. It's currently minus 8, so that's 26 percent.

MR. McCARTHY: Okay. I see how you got to it. Thanks. Those are all my questions.

THE CHAIRMAN: Fine. Greg, I don't know how long you've been here today, but you've brought up the Barrhead-Westlock constituency matter. I think we've answered it three times today.

MR. WEHLAGE: Yeah, I gathered that you had.

THE CHAIRMAN: If you're interested in that answer, my recommendation is that you get from Ron Hierath's office a copy of the transcript, which should be available in about two weeks' time. If you look at that, you'll then find out what everybody had to say. You'll be that much better informed. Thanks for coming.

MR. WEHLAGE: Thank you.

THE CHAIRMAN: The next presenter is Frank Rabusic. Go ahead.

MR. RABUSIC: Mr. Chairman, members of the commission, this must be your day of repetition. Anything that's been said this evening has to have been said before at least a dozen times, so I hope you'll bear with us for a while yet.

Relative to the expression "if it ain't broke, don't fix it," I counted that that's been used six times before. I invented that one.

THE CHAIRMAN: I'm glad to meet the inventor.

MR. RABUSIC: I was wondering if I could get some of these would-be lawyers to help me collect the royalty.

Anyway, drawing a parallel to that expression, we're trying to force change on something that doesn't need changing or doesn't even want changing. We're informed that the restructuring of our electoral boundaries will result in the loss of two of our ridings. Consequently we'll be short two MLAs. Our loss will equal the gain of Calgary and Edmonton since they will be the recipients of our loss. It doesn't take a rocket scientist to figure out that we're getting shortchanged. We are a rural electoral district, and as such we need all the representation we can get. To my mind, Edmonton and Calgary are already overrepresented. I realize that the work of this commission, their mandate, is simply to find new boundaries for the remaining constituencies, but the Legislature must still give final approval, and there lie the hopes of many in this locality.

Picture, if you will, that here you have a constituency consolidated in its ventures. We're united in our search for better roads, schools, and health schemes. We're proud of our past accomplishments, and we look forward to even greater liaison through our MLA with the province.

Now, Mr. Chairman, if there's going to be a change, if there's a change coming, I want to see a change that's going to benefit my constituency, and I see none. A change for the sake of change is

totally unacceptable. We have very few things in common with Cardston or Little Bow or Cypress. One distinguishing feature that sets us apart is irrigation combined with diversified farming. Surely we can conclude that in these times of cutbacks and restraints there must be a better way to save a buck. I'm for the status quo.

While I have the floor, gentlemen, I have to commend you for your attitude later on. Maybe it's because you're getting tired, but all I could hear before was, "No," "Sorry," and "It's not in the book." It was kind of disappointing. You disappointed me. I thought: it's a challenge to you to get this thing through. I was going to tell you that if you're looking for a real challenge and to change boundaries, why don't you try changing the 49th? But I'm not going to tell you that because you've relented.

That, gentlemen, is about all I have to say. I thank you for the opportunity of saying it.

THE CHAIRMAN: Thank you, Frank.

MR. McCARTHY: Where are you from?

MR. RABUSIC: Taber.

MR. McCARTHY: Oh, you're from here. Okay. I don't have any other questions. Thank you.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions. Thank you.

THE CHAIRMAN: Robert?

MR. GRBAVAC: No, I don't think so.

MR. WORTH: I have no questions either, but I thank you for your patience as well because you sat through a lot of this.

MR. RABUSIC: You are getting tired.

THE CHAIRMAN: Well, ladies and gentlemen, that's all the scheduled presenters. It's 20 to 10. Is there another one?

MRS. DACYSHYN: There's one left.

THE CHAIRMAN: Pardon me; I'm sorry. Henry Holst, from the town of Vauxhall. Sorry about that, Henry. We almost closed the doors on you.

MR. HOLST: I want to thank hon. members for allowing us to present our proposal: short, to the point, and if you take this one, we can all go home. We're from the town of Vauxhall. We're that portion north of the MD that it seems like everybody wants.

This is our proposal. We recently received a copy of the commission report identifying alterations to the provincial electoral boundaries. We understand that the mandate of the commission is to create divisions which will represent as equal a population as possible and to address the trend of the population transition from rural to urban. In doing this, however, we feel that perhaps the urban representation is going to adversely overweight the rural voice.

We also understand but disagree that each division should include

at least one town with a population of at least 4,000. This regulation has potential to further unbalance the urban to rural voice. As quoted in the commission report, His Worship said that the more difficulties a division has, the more diminished or curtailed is the effectiveness of the member's representation of his or her constituency. This contradicts the regulation to have at least one urban centre of at least 4,000 population in each constituency. It also provides strong argument not to split rural municipalities.

9:40

The matrix of the proposal is to whenever possible consider the existing municipal boundaries as a division guideline. How can the commission, then, rationalize splitting a rural municipality into three divisions, as they've done with the MD of Taber? As a town within the boundaries of the MD, we fear it is going to be very difficult to work on issues of mutual concern when we will have to deal with three MLAs. We understand that the current proposal has made the Little Bow constituency boundaries coterminous with both the county of Vulcan and the county of Lethbridge but only north of that portion of the MD of Taber.

It is the general consensus of the town of Vauxhall that rather than see the MD of Taber split into three constituencies, the boundary should be adjusted so that the whole of the MD of Taber be represented by one member of the Legislature in the constituency, whether it be Little Bow, Taber, or Medicine Hat.

Thank you for hearing our concerns. We hope these comments will help you in your decision.

MR. WORTH: Henry, just a correction of fact in your presentation, and I apologize if we have created that confusion. You refer to the fact that there's a regulation that at least one town with a population of 4,000 be included in a constituency. That is not the case. The reference to a town of 4,000 was in connection with a constituency that would be claiming special status, such as Cardston. The reference to 4,000 is that there must not be any town in the constituency greater than 4,000. So I just wanted to correct that.

THE CHAIRMAN: Robert?

MR. GRBAVAC: No questions.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions. Thank you.

MR. McCARTHY: I just have one. For that portion of your MD that is presently located in the Little Bow constituency, are you able to tell me approximately how many people live in that portion now?

MR. HOLST: It depends how big an area you want to take, if you want to take in the Hays and Enchant area. I wouldn't have a number.

MR. McCARTHY: Okay. We can get it off the computer. I just wanted to get a general idea. Thanks. No questions.

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

Are there any other walk-on presenters who have something intelligent to say or additional to add? It's a dangerous statement to make, but it looks like there's nobody else that's prepared to speak to

us tonight.

Well, I want to thank you people from what will be or was Taber-Warner for coming out and making your presentations.

[The hearing adjourned at 9:43 p.m.]