

**Electoral Boundaries Commission Public Hearings
Lethbridge**

2:03 p.m.

[Chairman: Chief Judge Edward R. Wachowich]

THE CHAIRMAN: Ladies and gentlemen, would you please be seated. I'd like to start the 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.

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.

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 our first presenter this afternoon, who is Wayne Hawthorne. Wayne, if you'll just wait a second.

Go ahead.

2:13

MR. HAWTHORNE: Thank you. Good afternoon, hon. judge and

gentlemen of the commission. Thank you again for allowing me to make my submission to the boundaries commission. I represent the Progressive Conservative Constituency Association of Pincher Creek-Macleod as director of communications. I'm impressed with the amount of work the commission has done in preparing the report to the Speaker dated January 1996.

However, the first message the constituency association wishes me to convey to you is that you have not listened to our pleas to not expand the boundary of the constituency of Pincher Creek-Macleod. Your report does show the vastly greater workload placed on our MLA than the workload placed on an urban MLA. Your matrix weights the degree of difficulty, or rather lack of difficulty, in representing Edmonton-Roper at 18 out of a possible 100. The Pincher Creek-Macleod constituency you have rated at a difficulty level of 52, which is not far below the most difficult constituency, Athabasca-Wabasca, at 68.

Our level of difficulty will only increase if your recommendations are followed, further increasing the inequity of your matrix picture. While I congratulate you on developing an easily understandable table that reflects the difficulty of representing the various 83 constituencies, you haven't finished your job. If you fail to give ideas or recommendations to address this obvious inequity among constituencies, you would abdicate your responsibility to Albertans.

Representation by population must be tempered with the effectiveness of that representation. We suggest that constituency administrative funds ought to be tied to the level of difficulty in representation. In other words, additional resources would allow rural constituency staff to make themselves available to a wider number of communities within their respective constituency.

As you indicate degree of difficulty in your matrix, you ought to be making recommendation that the constituency operating funds be proportionately allocated on the basis of matrix difficulty. Urban constituency offices are not open as many days or hours per week as rural constituency offices and do not receive the number or diversity of calls handled rurally. In addition, the city constituent has several offices and services within short distances of his home to deal directly with problems such as social services, workers' compensation, Blue Cross, senior citizens' information centres, advocacy for handicapped, and student loan offices, but rural MLAs and staff handle all of the concerns directly through a single MLA office.

We recognize that administrative funds are not allocated by the boundary commission but by government. Your recommendation as a boundary commission would carry considerable weight, so I implore you to make the suggestion in your next report that there are greater costs incurred in representing a rural constituency.

Southern Alberta in particular is not adequately or economically serviced by commercial airlines. This results in MLAs each driving from the southern constituencies to the provincial capital weekly or more often. While the MLA is able to conduct some constituency business en route, the time is generally nonproductive. We ask this commission to study the possibility of using one aircraft to pick up and deliver the seven southern MLAs, to compare the cost of seven automobiles making the trip with the cost of one flight. The recaptured time would help to offset the proposed increases in constituency area and population that your first report recommends. While a cost analysis comparing the two is probably not within your mandate, the potential for improving representation by spending more time in the riding would help to offset the negative impact of an increased riding size.

Your recommendations of expansion were presented to meetings throughout the constituency of Pincher Creek-Macleod. An air of disappointed resignation greeted your requirement for greater population numbers. We commend your thoughtfulness in fully incorporating the MD of Willow Creek into the proposed constituency as well as making the boundaries contiguous with the Livingstone Range school board boundaries. Your specific recommendation of expanding Pincher Creek-Macleod constituency to include all of Willow Creek municipality and the towns of Stavely and Nanton as well as all of Ranchland is disruptive. Having made our objection to this proposed expansion as I indicated in the first round of hearings, I would say that our objection stands.

However, your recommendations are the least disruptive of the possibilities. Nanton and Stavely are agriculture-based towns as are Claresholm, Granum, Fort Macleod, and Pincher Creek. So there would be fewer new issues for an MLA to be concerned with in that industry. The proposed expansion adds more constituents that would take up the MLA's time and energy.

Your selection of the name change from Pincher Creek-Macleod to Crowsnest-Macleod is not widely accepted. I realize that your intention is to mollify the submitters from the Crowsnest Pass that called in the first round of hearings for recognition as a distinct society. I point out the present federal problems created by those who want a distinct society in another part of this country. Our solution is not to create division but to encourage harmony within the constituency. Inclusion of Nanton and Stavely into the newly proposed constituency gives argument for naming the constituency Crowsnest-Pincher Creek-Fort Macleod-Claresholm-Stavely-Nanton, which is absurd. In your recommendation Stavely would be coming back into a constituency that was previously named Macleod. Nanton has been a football in the last three changes and needs some reassurances of its place and importance.

Macleod was a federal riding before Alberta became a province. The name Macleod comes from Colonel James Macleod, who headed the first troop of Royal North-West Mounted Police into southern Alberta. Colonel Macleod and his men under the guidance of half-breed scout Jerry Potts brought an end to the lawless profiteering and damage done by the whiskey traders. Jerry had personally witnessed the devastation the whiskey traders brought to his people. When Colonel James Macleod approached Jerry at Fort Benton and offered him a job as a scout, he accepted. He immediately saw the advantage of having white-man law and order and devoted the rest of his life to serving Colonel James Macleod, whose fair treatment of all and fearless determination opened the west without the bloodshed that accompanied the opening of the American west.

2:23

The Livingstone mountain range is visible from most parts of the present and proposed constituency. This imposing geographical feature lends its name to the Livingstone Range school board that services the area. Incorporation of Livingstone into the constituency is historically and geographically significant. Therefore, we submit that the name of this constituency, as you have proposed, be Livingstone-Macleod in respect for history and our heritage, something that is disappearing at an alarming rate.

In general, the rapidly increasing average size of farms and the comparative shrinking of nonurban populations in Alberta is resulting in the rural areas being deliberately disadvantaged by urban legislators. Rural Alberta is being as unfairly treated in some areas of concern as Alberta is being deliberately disadvantaged by the

federal government. While we believe that the least government is the best government, one alternative to this dilemma is bicameral government. An elected provincial Senate providing sober second thought could veto proposed injurious legislation. Changes of this nature are beyond the scope of the commission, but we must acknowledge this impending problem.

In summation, gentlemen, the constituency association of Pincher Creek-Macleod recommends that there be no changes to the present boundaries as your proposed change addresses only one issue. That issue is representation by population, and that tenet is not carved in stone. Should you choose to ignore that advice, I believe this paper has given you direction in mitigating the damage that would be done by expanding the boundaries of Pincher Creek-Macleod constituency.

Thank you.

THE CHAIRMAN: Thank you, Wayne.

We'll start the questioning with Wally Worth.

MR. WORTH: Thank you very much, Wayne, for your thoughtful presentation. The theme of it, obviously, is that you'd like us to hear your plea that you issued earlier and reiterated again today, that we make no changes. We have been hearing that proposal throughout southern Alberta, and it is one that we find difficult to deal with or to accept because we have so many constituencies in this part of the province that are, in relation to constituencies elsewhere in the province, relatively lower in population to a significant degree. We find ourselves in the situation where we have to make some adjustments for population in order to try to provide some equity throughout the province in terms of representation, rural and urban.

Nonetheless, I think your proposal and your statement here today draw attention to the fact that one of the things we need to do when we make our final proposals is subject them to the test that we subjected the current constituencies to – namely, the application of our matrix – and to see where these new proposed constituencies or electoral divisions rank relative to one another. As you pointed out in your submission, under the current scheme that we have developed, the Pincher Creek-Macleod constituency still rates relatively high in terms of degree of level of difficulty, and we do need to attend to that particular item.

I would also like to comment on your concern about administrative funds and our making a recommendation of that sort. We did touch on this on page 10 in our document, where we said that it is a factor that we would like to think the provincial Legislature might give some attention to, but your request is for us to give it a little more weight and to give it a little more attention.

I think we were pleased that at least you gave us a kind of a backhanded pat on the back when you said: well, if you're going to change this, the changes you've proposed are probably the least disruptive and the most reasonable. I think I have to say that we did indeed listen to you in that respect. We were told at the hearings in Pincher Creek that we should try to observe as best we can municipal boundaries and, if possible, other local units of governments and their boundaries, and we did that in connection with the school division.

I appreciate your comments with respect to Livingstone-Macleod as well, and thank you very much.

I really don't have any questions to ask. I'm offering primarily just some comments and observations. Thank you.

MR. GRBAVAC: Wayne, again I would like to thank you for your presentation. I think you raised some very interesting points. I am one of two rural representatives on this commission and hope to bring to the best of my ability a rural perspective to this commission. There are a couple of issues that I would like to raise with you.

We have suggested both in this round of hearings and in the previous round of hearings that a more cost-effective utilization of an MLA's time may be served by in fact running government planes to and from constituencies and grouping travel plans, and that argument has been almost universally rebuffed by the MLAs. They indicate to us that their schedules don't allow for that, that in fact the ability to get a plane in and out of their constituencies is limited by weather patterns, et cetera, and again their schedules are not consistent. I take exception to some of those things. I think they're logistical things that could be worked out, but really that is not specifically our mandate. We're dealing with representation and population.

However, I think one has to recognize or at least I hope we can agree that there are primarily two functions of an MLA. One is that of an ombudsman, to represent the people, and it has some inherent difficulties vis-à-vis an urban versus rural constituency. There are some difficulties associated with representing the rural community from an ombudsman perspective. The legislative function is something quite different, and that's where we hear the arguments from the mayor of the city of Calgary, for example, which wants its full and they feel rightful place at the legislative table when they suggest to us that their population is growing on an annual basis by a comparable amount to some of the rural constituencies, and we've attempted to address those arguments by applying our matrix.

I want to suggest to you something that I was surprised to discover, and maybe you may be as well, and that is that when we applied population statistics to an analysis of rural versus urban – and I appreciate that's not a clear distinction. I live in a rural community, and on my rural road there are fewer rural agricultural or agrarian people than there are on my father's street in Lethbridge here. So it's difficult to say what is in fact urban and what is in fact rural. Our discovery was and our finding was that rural Alberta is not shrinking relative to urban, if you will call Calgary and Edmonton urban. They may have been leaving the farms. We will concede that point. We don't have the specific data, but I will concede that point.

The constituencies in Alberta that we would see as rural are not losing their population to the degree that a lot of people think. As a matter of fact, we don't think they're losing their population vis-à-vis the growth in the cities at all. We think it's relatively consistent. Their dynamics might shift a little. So I think this continuing erosion of rural support, so-called, is not borne out by the statistics that we have in terms of populations and their dynamics.

I want to ask you a hypothetical question, if you will. Would you feel more comfortable if in fact we could accept the premise that we have to make changes, not necessarily because a Cardston-Macleod or a Crowsnest-Macleod or, if you will, a Pincher Creek-Macleod riding poses us some insurmountable problems but because some problems in a neighbouring constituency inadvertently or indirectly would have an impact on you? Given that we feel that we may have to do something with Cardston-Chief Mountain, how would you feel about accepting a portion of Cardston-Chief Mountain and having a portion of the eastern boundary of your constituency transferred to Little Bow? Would you think that would be in the interest of community interests and trade patterns?

Let me be specific. How do you feel about transferring or moving the Blood reserve into the Crowsnest-Macleod, if you will, riding and moving Claresholm, Nanton, and Stavely into Little Bow? Would you see that as a reasonable alternative if it didn't change your population dynamics or population density that much?

MR. HAWTHORNE: I think that would actually increase the difficulty of administering the constituency over your proposed one, and it's also going outside of your parameter of paying attention to existing municipal boundaries because you would be cutting up Willow Creek. They in turn would have to deal with two MLAs, whereas under your present proposal they would have to deal with one for the entire MD. As I said before, the least disruptive is your recommendation to completely encompass Willow Creek. You're also completely putting the Livingstone school division in the constituency too. So it's natural to maintain those particular boundaries if you must have an expansion. To start cutting them up would be totally disruptive.

2:33

MR. GRBAVAC: That would be a step backwards in your view. It would be a step backwards to go in that direction.

MR. HAWTHORNE: It would. Yes.

MR. GRBAVAC: Again, I want to impress upon you that in isolation it's one thing to look at a constituency, but unfortunately we have to look at the province as a whole. Part of that is looking at constituencies not in isolation but from a regional perspective.

Currently we've got some concerns, the Court of Appeal has some concerns, and we have difficulty justifying the continuance of Cardston-Chief Mountain with a minus 38.5 variance from the norm. So far, in my opinion, we haven't seen sufficient reason given to us that we can put before the courts and maybe more importantly the court of public opinion as to why Cardston ought to retain its unique status. If that is the case, then we've got problems, and inherently they become your problems. That's why I asked this hypothetical question. Thank you very much for your answer.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions. Thank you.

THE CHAIRMAN: John?

MR. McCARTHY: No questions. Thank you.

THE CHAIRMAN: Well, Wayne, I want to thank you for coming. I want to say that you made a very good, focused presentation in respect to your constituency and the problems, and you also acknowledged when you spoke that some things weren't within our mandate. Quite a few people come and ask us to do these things without telling us that they're outside our mandate.

In respect to your proposal on a name change, I'm left in this quandary. The last time we came here, people wanted a name change. We accepted their proposal with respect to the name change stating that the whole area was known as the Crowsnest and that it was a very generic, descriptive name of the area. Now you come here today and tell us to drop Crowsnest, put in Livingstone. I'd have to say that you're the only person so far. So I say to myself: what do we do about the name of this constituency? But we may

hear from other people.

MR. HAWTHORNE: I think the reason you found that there was very little concern with name last fall in your hearings is because the name Pincher Creek-Macleod, as it stood, reflected the two oldest communities within the constituency. Now you're pulling one out, and just to mollify the Crowsnest Pass, you're putting their name in it. You're completely alienating the north end of the constituency by naming it Crowsnest in the south, whereas the Livingstone range is actually the entire western boundary of your proposed and the existing constituency and a very imposing geographical location. So I think it would at least in name unite such a constituency more so than the divisive actions of Crowsnest-Macleod.

THE CHAIRMAN: Fine. You make your point. Thanks.

MR. HAWTHORNE: Thank you.

THE CHAIRMAN: The next presenter is Cleo Mowers.

MR. MOWERS: I wrote something to you.

THE CHAIRMAN: I read it, and it was very good, Mr. Mowers, I want to say.

MR. MOWERS: If I had read your report before I wrote it, it would have been different. So will you permit me to digress now?

THE CHAIRMAN: Certainly. That's what we want to hear.

MR. MOWERS: You are, of course, bound by the Act, which does not mandate underrepresentation of the cities and overrepresentation of the rest of the province. Members of the Legislative Assembly do not represent the geography or land or industries or occupations or property or distances or bridges or problems of any kind. They represent people and only people. If the people are equal in their citizenship, they should have equal influence over power in their representation. As they move from one part of Alberta to another, their voting power must go with them; otherwise democracy is compromised.

You propose that the 21 Calgary ridings average a 10 percent higher population than the average for the whole province. You propose that the 21 Edmonton ridings, including St. Paul and Sherwood Park, average a 6 percent higher population than the provincial average. You propose that the 39 other ridings, excluding Athabasca-Wabasca and Lesser Slave Lake, average 6.2 percent below the average for the whole province. If you delete from that list of 39 ridings outside of Calgary and Edmonton the eight that are essentially urban – namely the two in Lethbridge, Red Deer, Medicine Hat, Fort McMurray, Leduc, and Clover Bar-Fort Saskatchewan – we find that the remaining 31 predominantly rural ridings average 12 percent below the provincial average.

To put it another way, the two major cities are 8 percent underrepresented and rural Alberta 12 percent overrepresented. In effect, you have two quotients: one for the cities, one for the rural ridings. That is obviously a deliberate policy of the commission. You may have reduced the disparity, but in my opinion you fall far short of the principles of citizen equity reported on pages 6, 7, 8, and 9 of your interim report. There are valid reasons for small discrepancies but only on a division-by-division basis. There is no

valid reason for the continuing consistent discrimination against city voters. This may be considered only a discussion of abstract equity, but it may affect the nature of our society.

Let me explain further; I'm indulging your patience here. The values and the political policies of urban citizens may differ from those of rural citizens. A modest example is the federal issue of gun control. There is evidence that the drastic policies of the Alberta government enjoy greater rural support and its successes greater urban opposition. Those matters are decided in caucus. If the rural population is significantly overrepresented and the city population underrepresented, government policy, as confirmed by the Legislature, can be a distortion, perhaps a destructive distortion, of public opinion. That is why rural/urban equity is so important in representative democracy. It's a distortion you are perpetuating. The two-quotient policy may be responsible in part for the nature of Alberta's government, and that should not be on your conscience.

Finally, it is acknowledged that equity is always elusive, that you must make innumerable compromises, and that your final report will please almost no one.

Thank you for the opportunity to contribute to the public discussion of this important subject.

THE CHAIRMAN: Thank you.

We'll start the questioning with Wally Worth.

MR. WORTH: Mr. Mowers, your presentation strikes a responsive chord with me at the level of principle certainly. One of the concerns that has been expressed to us in a number of the urban hearings we've held has been the question of urban representation and this question of equality of citizenship translating into equality of voting power. I think that while we on this commission remain sensitive to the level of difficulty that exists in certain rural areas in terms of representation, it is important that we don't overlook this very important principle of equity of voting power when it comes to having those members of our provincial Legislature, sitting in caucus or in the House, making policy decisions that affect all Albertans.

I don't want to get on a soapbox and make a speech; I leave that to people like you. But I would like you to comment on the fact that you did seem to be saying that for just cause there could be some variations in relation to the percentage of population in rural areas versus those in urban areas. What would be some of those circumstances or conditions or causes that you would accept as being reasonable?

MR. MOWERS: A river without bridges, provincial boundaries. There are not too many. The deviation should be insignificant. There should be a deliberate effort to adhere to the provincial quota, not to a rural or an urban quota.

MR. WORTH: Okay. Thank you very much.

MR. GRBAVAC: Cleo, it's good to see you again. I appreciate your presentation. Far be it from me to lecture you on the Charter of Rights and the interpretation of such by the Supreme Court of Canada and, further to that, the Court of Appeal. However, Justice McLachlin indicated that an acceptable variance could be 25 percent, and I see you're at odds with that. I assume from what you've said that you don't accept a variance of up to 25 percent. You're more inclined to agree with the province of Saskatchewan,

whose variance is 5 percent and in reality is probably more like 1 or 2 percent.

We as a commission have rejected that notion, at least initially in our interim report. We feel that the right of one voter in the province has not been unduly diluted by allowing some constituencies to vary from the electoral quotient by 10 or 12 percent to the negative and some to vary by 8 or 9 percent to the positive. I suppose transcending that is what we feel is the degree of difficulty of representation and the Charter's interpretation in terms of the right to vote, a component of the right to vote being that of effective representation. So we're trying to draw a balance between effective representation and undue dilution. If I can say one thing, I guess across this province we've agreed with a great many people, but we may have disagreed in degree. Maybe that is the case here as well.

I'd like to follow up on what Mr. Worth has indicated. I would like you to put some sort of quantitative figure to the degree of variance that you feel is acceptable.

2:43

MR. MOWERS: First, may I respond to your reference to Madam Justice McLachlin. I don't think that in your quotes from her – and there are three of them – she mentions a 25 percent discrepancy. That, I think, comes from somewhere else.

MR. GRBAVAC: No.

THE CHAIRMAN: That's not quoted; that's all. But she did say that.

MR. MOWERS: She did say that. Okay.

You asked for a tolerable degree of discrepancy: 1 or 2 or 3 percent. This seems to be a deliberate policy of one quota for the rural people and one for the city. If there are any deviations, you tend to benefit the rural and not the city. The factors which might induce the discrepancy might be just as valid in the city as in the rural parts, but you deliberately favour the rural parts over the urban parts.

MR. GRBAVAC: Well, it lends itself to quantitative analysis through a matrix. The problems in the cities – and they've been relayed to us. We've had MLAs suggest to us: well, in the rural areas most of your constituents by and large speak English; not so in my riding. So there are some qualitative elements that we have not included in our matrix, and they're hard to define. I mean, how do you define a community within your constituency that doesn't have a command of the English language, and what degree of difficulty does that have in terms of representation?

So I can appreciate what you're saying, and I concede to you that our matrix is skewed to elements of quantitative analysis. I concede that. I guess, again, we disagree on degree. You say 1 or 2 or 3 percent, and I suppose we're saying a much greater degree. We're more in line with the ruling of Justice McLachlin when she indicated that 25 percent may be acceptable in some instances.

MR. MOWERS: You're not bound, of course, by her advice.

MR. GRBAVAC: No.

MR. MOWERS: Any legitimate difficulty in representation can be corrected by other means, not by giving that person additional power in passing the laws of Alberta.

MR. GRBAVAC: Thank you.

THE CHAIRMAN: Joe?

MR. LEHANE: Yes. Cleo, it's essentially accepted that MLAs have two roles. One is a legislative role that deals with setting policies, making laws and regulations, and your illustration with respect to gun control legislation is a good example of how an MLA might be involved in a policy or lawmaking role. But there's a whole other aspect of their job, which is known often as the ombudsman role. The ombudsman role has to do with dealing with constituent problems. They're facilitators. They're traffic directors in terms of steering their people the right way. Clearly throughout the hearings we've heard in 17 communities in our first set of hearings, we've been told that it's much more difficult for the rural MLAs to fulfill that role because of the time element that's required to do that and that time is the crucial factor. We've been told that the closer we try to push the population to being equal, the further away we'll get from being fair and assuring that what the rural people have is equality in terms of effective representation. So we see that as the issue that justifies the variances in the population.

When we developed a matrix to sort of establish a quantitative method of determining the degree of difficulty for an MLA to effectively represent their constituents, we applied that matrix across the board to all urban and all rural constituencies. We believe that demonstrates that there has to be a variance to allow for fair and effective representation.

MR. MOWERS: May I respond?

MR. LEHANE: Yes, please do.

MR. MOWERS: In the first place, those two functions of the MLA which you designate should be separated. It's not right that the one should be corrupted to enhance the other. His first duty is to make laws, not to attend to somebody's fence problems. Sure, there are a lot of problems in most rural ridings, and city ridings for that matter, but there should be other mechanisms for dealing with the rural problems. Secondly, I submit to you that the average rural MP is better acquainted with his constituents than the average city MP, that there's more rapport. He knows more of them, perhaps because they are rural and not lost in the hubbub of the city. So I object to your justifying unfairness in the one function, which is the primary function, to remedy the other problem you enunciate.

MR. LEHANE: Well, we appreciate hearing your comments this afternoon. Thank you, Cleo.

THE CHAIRMAN: John?

MR. McCARTHY: Sir, just a couple of comments. The Alberta Court of Appeal has made mention of the argument about the underrepresentation of voters in the inner-city areas of Calgary and Edmonton. They made mention of the argument that it constitutes systemic discrimination against members of certain disadvantaged minority groups, mainly the disabled, women, single parents, elderly, immigrants, the poor, and the unemployed who inhabit these inner city areas in disproportionate numbers. So the general thrust of the Court of Appeal is that there's a disparity that should be corrected, and of course this commission is trying to respond to that

but in a slow and a steady manner.

Now, your figures that you gave about the disparities were I guess close to being accurate but not totally in sync with the figures that I have. The Court of Appeal, dealing with the figures we have right now, indicated that the urban constituencies were about 13.4 percent above average population and the rural constituencies were about 8.4 percent under the average. So if we netted that difference out, I come to 21.8 percent net difference.

There's been a lot of discussion, especially yesterday, and I see we have a spy here from yesterday, so he can take this back. There was a discussion about Madam Justice McLachlin, and there was a suggestion that she approved a 25 percent variance in the rural areas. That's not exactly correct. She was dealing with legislation that was similar to Alberta's legislation that allows for an up to 25 percent variance in certain circumstances. It does not allow for an across-the-board variance in rural areas, so the court is supportive of your contention to that extent.

In the Saskatchewan case, where the Supreme Court of Canada did not invalidate the legislation which allowed variances of up to 25 percent either way, the differences in the particular case that she was dealing with were as follows. The rural areas had 53 percent of the seats and 50.4 percent of the population, and the urban areas had 43.9 percent of the seats and 47.6 percent of the population, for a net difference of 6.3 percent.

When the Alberta Court of Appeal was dealing with legislation, they were dealing with a net difference of 21.8 percent as opposed to the Supreme Court of Canada; the fact they were dealing with was a net difference of 6.3 percent. So to make the statement that Madam Justice McLachlin has said that a 25 percent difference is totally acceptable does not, in my view, stand the scrutiny of the facts in those situations.

Now, you've criticized us for continuing discrimination because we don't have equality, but the results of our figures, with the changes we've proposed, is that there's about a 9 percent net difference. We've moved it from 21 percent to about 9 to 10 percent, so we feel that we've made progress in the direction the courts wish us to make, but we haven't reached the ideal that you're suggesting.

2:53

MR. MOWERS: I took my figures from your proposed list for the constituencies.

MR. McCARTHY: I think there is a difference as to which is an urban constituency and which is not.

MR. MOWERS: As I say, I put the two, St. Paul and Sherwood Park, in with Edmonton, none in with Calgary, and then I took out the two in Lethbridge, two in Red Deer and Medicine Hat, and two more: eight in all. I found 12 percent on one side below and 8 percent on the other, averaging Calgary and Edmonton, so that would be a difference of 20 percent.

MR. McCARTHY: See, there are two in St. Albert, and they're essentially urban constituencies. There are two in Grande Prairie that are a mix, and there's one in Medicine Hat that's a mix of urban and rural.

MR. MOWERS: Did the justice in using the figure of 25 percent – that's the difference between the underrepresentation and overrepresentation? Or is it the deviation from the norm?

MR. McCARTHY: From the norm. It would be a variation either under or over of up to 25 percent in certain circumstances where it's justifiable, but that doesn't mean that the legislation permits an across-the-board variation.

MR. MOWERS: Well, thanks for your time.

THE CHAIRMAN: You haven't dealt with me yet. I want to thank you for coming, and I want to thank you for your written presentation and your verbal presentation, which I rate as being very good in respect to the point on parity of voting.

I would like to tell you this. As we travel Alberta, your kind of presentation we get one-sixth of the time versus six or maybe 10 other people stating: "Forget about parity; look at effective representation. If you're not doing that, you're not listening to us." It's too bad you weren't at yesterday's hearings, because you would have heard that a lot of times.

I do want to give you some good news in respect to your position. The province of Saskatchewan has now passed legislation that the variation should be plus or minus 5 percent. They have I think something like 50 constituencies. I think out of 41 constituencies with new electoral boundaries, their variation is only 1 to 2 percent, so they're down very close to voting parity in the province of Saskatchewan. Mr. Worth tells me that Manitoba is doing the same thing and that maybe B.C. is moving in that direction. Why I'm telling you this is so you won't leave here somewhat dissatisfied. You can say to yourself that our neighbouring provinces at least are listening to us.

MR. MOWERS: Finally, to fortify my presentation, I would remind you that for 36 years I was a full-time or part-time editorial writer in Alberta, so I'm fully experienced in telling governments and people like you how to run your business.

THE CHAIRMAN: We don't mind that.

The next presenter is James Penton.

DR. PENTON: Thank you, sir. I represent the Lethbridge-West New Democratic Party Constituency Association. I'm also acting president of a group known as Watchdog Alberta, which is deeply concerned with political ethics in our province. In many ways the previous speaker, Mr. Mowers, stole much of my thunder. I've been acquainted with him for many years. The longer I know him, the more I respect him and respect his opinions. I believe that he has covered most of the things I want to cover. However, I do want to say a few additional things.

Number one, we in this country have an incredibly skewed political system. I believe that it is at the root of many of our very serious political and constitutional problems. Let me draw to your attention the fact that in the last provincial election in the province of Quebec the Liberal Party, which is now the Official Opposition, received almost as many votes as did the Parti Québécois. Had there been a system of proportional representation or even a system in which the city of Montreal was adequately represented in comparison to rural areas in the province of Quebec, there probably would have been no referendum or it would have been very difficult to have had a referendum on secession in that province in the last year. A minority group was able to push its position, and this has happened in Canada and continues to happen over and over again. If one follows the political history in this country both provincially

and federally, very rarely have governments been elected by an absolute majority of the people.

I'm aware that this commission does not have the power to recommend proportional representation. I wish it did. I wish the province would initiate proportional representation, and I wish all the political parties would wed themselves to proportional representation. I resent very deeply the fact that when a government is elected for a four- to five-year period, it becomes a virtual dictatorship, as it does in many of our provinces in this country. Extremely radical legislation is passed by governments of various complexions without a reference to the will of the majority of the people. I think this is something which is outrageous.

However, we do have the first past the post system, which I think in itself is destructive. I know that you're not in a position to change that, but I would remind you gentlemen of several things. Rotten boroughs and pocket boroughs went out in Great Britain with the Reform Act of 1832. It is high time that rotten boroughs and pocket boroughs go out completely in the province of Alberta. Cows do not vote. Sheep do not vote. Horses, deer, buffalo, gophers do not vote. People vote. People are citizens. I feel deeply about the fact that I, as a citizen of an urban constituency, am underrepresented in comparison to other people within this province. I think this is very discriminatory.

I want to raise an issue with you without any reference negatively to any one of you on this commission. It was pointed out a few moments ago that one group which was represented very fully, much more fully in urban ridings than in rural ridings, was women. Again without any reference to any of you individually, I think it is shocking that I sit and address a commission on which there are no members of the opposite sex. The government could have done something, in appointing this commission, to create something of a gender balance. I believe that had it done so, the commission would be prepared to support a more far-reaching change in representation in this province because, gentlemen, you, like myself, are males, part of that group of society which has been dominant and domineering all too long.

3:03

Also, if we are going to permit new minority groups within this province to have their full say in the governance of this province, whether they're old Canadians such as aboriginal persons, Indians and Métis, who have moved to the cities or new immigrants from Vietnam, Korea, or wherever else – these people deserve a chance to participate fully in the governance of our province and not to be treated as second-class citizens. This is what is being perpetuated. I commend you for moving in the right direction, but, gentlemen, as Mr. Mowers said: you're not moving far enough; you're not moving fast enough; move in the direction of Saskatchewan. Again with Mr. Mowers let me say: let's not corrupt the role of Members of the Legislative Assembly. Their primary duty is as legislators, not baby-sitters for rural constituencies.

Thank you, gentlemen.

THE CHAIRMAN: Thank you.

We'll start the questioning with John.

MR. McCARTHY: First of all, on your comment about the makeup of the commission, just for your information and some others. The legislation provides for the cabinet to appoint the chair, and then the Speaker appoints the other members: two on the nomination of the Leader of the Opposition and two on the nomination of the Premier.

DR. PENTON: How retrograde of them not to include women.

MR. McCARTHY: I just wanted you to know that none of us lobbied for this position. It wasn't something that we grew up wanting to be. The other thing I wanted you to know is that I wish I could have been replaced by someone in order to correct the gender balance. So I give you that for your information.

DR. PENTON: Thank you. I appreciate that.

MR. McCARTHY: Now, the next issue. The leader of the New Democratic Party, Mr. Harvey, gave a good presentation to us in Edmonton on Monday. He gave us a written submission where he was quite a bit more specific on your idea of proportionate representation. He was quite clear and forthright in his presentation. He wants a blended system, I guess. You know, using an example, a party that gets 5 percent of the vote provincewide would be allocated four seats. Of course, that is to the advantage – and he was honest enough to admit this – of the smaller parties to try and get a foothold in the Legislature. The only problem with that, as I see it, is that first of all, as you've correctly stated, I don't think it's within our mandate, but it's an interesting proposition. It has the potential to be quite destabilizing. In other jurisdictions that have it – he mentioned for example Italy. He did mention other ones that were more stable, but Italy has a similar kind of system that results in not a stable form of democracy, I guess you could say. So there are pluses and minuses to that kind of proposition, and we had an interesting discussion with him.

The other end of the scale is the leader of the Social Credit Party who made a presentation to us in Red Deer in the fall and suggested a provincial Senate. That's been suggested by others, and there has been I guess some precedent way back for legislative councillors, which would be roughly comparable to Senators, in order to deal with the regional and geographic aspects of the representation, which notwithstanding your comments is I think a necessary component. I mean, the United States has it, and it's something that we're wrestling with. There's one compromise that may be available there too, and that is that maybe some of the seats in the Legislature as it currently stands could be allocated on a regional basis and then a very strict representation by population for the vast majority of the seats.

DR. PENTON: May I just briefly respond?

MR. McCARTHY: Certainly.

DR. PENTON: The only countries in the world who now have the first past the post system are English-speaking countries. At one time the English-speaking world was the leader in democratic reforms. The fact now is that it's very retrograde. People point to places such as Italy and Israel, where there is destabilization. They fail to point to places like Holland, Scandinavia, Germany, where governments are very stable and work much better in many ways than our own governments do.

There's one state in the United States which has a unicameral Legislature; that's Nebraska. The last province in this country which had a bicameral Legislature was Quebec. The last thing we need is more politicians, and in a fairly homogeneous society such as ours I don't see the need for a second House. Besides that, when you have a second House and you have a parliamentary system of

government, it creates real problems.

I hear Conservatives, I hear Social Crediters, I hear Reformers trying to bring in ideas which are essentially made in U.S.A. and try and graft them on our Canadian political system. I don't think these things work very well, and I don't think they're very clearly thought through. This is the problem. Keep the system as simple as we possibly can and as representative as we possibly can. That's the best way.

MR. McCARTHY: Well, I appreciate your input. You're going to cause us to do a little research here. I'd be interested to look at Nebraska, because it has about the same average population per member that we do, and I'd like to have a look at what kind of variances they have and how they've dealt with them. It's interesting to note, though, that in other jurisdictions in the United States that have similar populations to Alberta, they have a much larger number of members in their Assembly plus they have state Senates. You know, they have about twice as many politicians as we do.

Thanks for your input.

THE CHAIRMAN: Joe?

MR. LEHANE: Thank you. No questions.

THE CHAIRMAN: Robert?

MR. GRBAVAC: Professor Penton, from an ideological point of view, a purely ideological point of view, in a perfect world I think there's little to find fault with in your argument, but until we can get an on-line computer with videoconferencing capabilities into every rural household in Alberta, I'm not particularly sure that I'm prepared to move so drastically as maybe you would indicate.

We have put a significant emphasis on slow and incremental change, and I suppose you have to concede that radical change is disruptive to a society, and that has to be balanced with the degree to which you move to a utopian goal or, shall we say, a one person, one vote situation. Historically that has never been the case, and I think it takes time for us to move in that direction. I think there are reasons why we can't move rather quickly in that direction. My only comment is that I would hope you would be patient with respect to our slow and plodding change.

DR. PENTON: May I react briefly and say that if the people of Saskatchewan can do it, who are far more rural than the people of Alberta, if the people of Manitoba can do it, if the people of British Columbia are about to do it, really, despite the fact that I was born and raised in Saskatchewan, I can't believe that Albertans are that much more backward than the rest of western Canadians.

MR. GRBAVAC: We have yet to see the consequences of those actions and maybe the disruptive consequences potentially. Maybe we ought to sit back and wait and just see how that works out. I mean, maybe there is some prudence in that; maybe there isn't.

DR. PENTON: Well, they occasionally change governments; we don't.

THE CHAIRMAN: Wally?

MR. WORTH: No comments.

THE CHAIRMAN: Well, I want to comment on your gender remark. I, too, wish that there were some women appointed to this panel rather than to put up with the gentlemen I have.

DR. PENTON: They're better looking; aren't they?

THE CHAIRMAN: I want you to know that I have attended something like five courses in the last six years dealing with gender sensitivity, gender bias, gender equality, and I came from a family of six sisters, so I think I do have some gender sensitivity. Mind you, a lot of people might disagree with that. The last commission had two women on it – we had one of those women appear before us in the first round, by the name of Shirley Cripps – and that commission came out with five different reports. I would suggest that maybe you read that last commission's set of reports in respect to why they couldn't agree, and that might explain to you why there are no women on this commission.

3:13

MR. GRBAVAC: Jim, I want to indicate to you that that certainly hasn't stopped a great many women from telling us what we should do.

DR. PENTON: They never will and they never should.

THE CHAIRMAN: The next presenter is Mayor Alex Hann of the town of Coaldale.

MR. HANN: Good afternoon, gentlemen. I don't have a political agenda. I'm just going to try to tell you some common sense that comes from the town of Coaldale.

Hon. members of the boundaries commission, our Taber-Warner constituency consists of the towns of Taber, Coaldale, and Milk River; the villages of Barnwell, Warner, and Coutts; part of the municipal district of Taber; part of the county of Lethbridge; and the county of Warner. Highway 4 runs from Coutts through Milk River and Warner to Lethbridge. Highway 3 runs from Lethbridge through Coaldale, Barnwell, and Taber. Highway 36 runs from Taber to Warner.

Historically, the Taber, Barnwell, and Coaldale areas have been linked since 1913, when the Taber constituency was created. The Coutts, Milk River, Warner area was added in 1963, when parts of the Taber and Warner constituencies were amalgamated into Taber-Warner. The communities serve as service and trade centres and are well linked by the highways I've previously mentioned. So our MLA has a bit of a triangle to work his constituency, and it proves efficient access to all.

Now, when we look at the redraw that you've proposed, we would be put in the Little Bow constituency, which is to the north of us. We would be the farthest community to the south, and between us and the rest of the constituency would be the Oldman River. Now, the Oldman River and the county of Lethbridge have been a natural dividing line, dividing the county from north and south. Our fear is that that would still remain and that we would be placed on the wrong side of the river, so to speak. As mentioned earlier, our historical roots are with Taber-Warner, and we have a lot of commonality between the town of Taber and the town of Coaldale. Our trade patterns seem to run east and west. An MLA, in our view, should be very accessible to the communities he serves, and we feel that Taber-Warner presently has a nice flow to it.

As I mentioned earlier, the triangle of highways that connects us

gives us accessibility to our MLA. He can travel the constituency in efficient and reasonable fashion. He has in the past represented several hospital boards, several school boards, and nine municipal councils, all of which are unique and special in their own way. It has been a real measuring point of our MLA to see how good he or she may be, which is far different than the MLAs in the cities, where they represent one school board, one hospital board, and one part of the municipality. He can be anywhere within his constituency usually within a 10-minute time frame. My concern is that should we make the rural ridings much bigger, it's going to be very difficult for the MLA to service the constituency in a reasonable fashion.

The other concern is taking rural seats and giving them to the cities because we're using numbers as our benchmark. This puts me in direct conflict with the two speakers before.

THE CHAIRMAN: You're not alone.

MR. HANN: The number of MLAs in the cities of Calgary and Edmonton is higher than the number of aldermen. Where does it end? Where is the commonality to it? Using a matrix that uses numbers as your primary focus in my view is wrong. When you start using numbers as your primary focus and you draw boundaries and use representation by population, it's a very big concern. What if the federal government decides to do that? We in western Canada, including B.C., may end up with 13 MPs, and the rest will be from Quebec and Ontario, and you might get six or eight when you get to the Maritimes.

I have a typo in my report here; it says "Ladies and gentlemen." Sorry about that. Maybe it's wishful thinking.

I think, gentlemen, that's a real concern. That would be a country, in my view, that wouldn't work. We're not talking about a real reality. There has to be a commonsense approach.

I realize that you have an extremely difficult job. What do you do when you redraw these boundaries? Historically the matrix, in my opinion, that's been used has been a fair one. The Cardston-Chief Mountain constituency is a special place. It's tied primarily by the Mormon communities and has a large native reserve. All the ties are there. I see that you seem to have honoured that, but you've somewhat been less honourable with Taber-Warner. Do we add Taber onto Cardston, where there is no natural commonality, where there is no natural sense of community to part of the equation? There's no natural sense of community between Milk River and Medicine Hat, and I'm sure you were all made aware of that yesterday.

Our preference is to remain in Taber-Warner in some fashion. Historically that's where our roots are, and we hope you'll recognize that and that you'll make a decision based on common interests as opposed to numbers.

I'd like to add one other thing here. The town of Coaldale, if you are not to reconsider what you've done with Taber-Warner, would far rather prefer to go to the north than to be dragged into Cardston. Okay? I'll just leave that, and we'll take our chances with the river being a dividing line.

Thank you very much.

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

MR. MCCARTHY: No questions. Thanks.

MR. LEHANE: How about going to the city of Lethbridge, Mayor

Hann?

MR. HANN: It's been talked about at our council table. We would probably have some difficulty with it, but, you know, I guess there's some commonality there, and we would consider that.

MR. LEHANE: And do you believe less commonality than to the north?

MR. HANN: No, because we consider ourselves rural, and the north I would consider a rural constituency.

MR. LEHANE: So there's more commonality with you going to the north than with the city then?

MR. HANN: You're asking me a question that I can only answer out of my own thoughts.

MR. LEHANE: Yes, I appreciate that.

MR. HANN: My thought would be yes.

MR. LEHANE: Thank you.

MR. GRBAVAC: Alex, the problem that's been put before us we've largely addressed with the application of a matrix, and you indicate in your report, "Historically, the matrix that's been used . . ." Well, there has never been a matrix used in the past. That's a creation, be it good or bad, of this commission. Not to our knowledge in North America has any kind of quantitative system been applied, hence our matrix.

Where our matrix does not serve us is in special consideration ridings. We've given special consideration status to two ridings in the north, and the reason we'll put before the courts and maybe the court of public opinion, for that matter, maybe more importantly, can be summed up in two words: vast geography. We were given a number of reasons why the Chinook constituency in terms of historical development and population patterns and current residency and sparsity of population and density and that we maybe could apply some of those criteria to the special consideration designation that those people would like to retain.

The Cardston constituency poses us some unique problems, and that's really been the root of our deliberations and cause for probably considerable concern in southern Alberta. We have been at a loss to put before the courts, who mandated, in my opinion, that we do something when they suggested to us that they rejected the notion that the current boundaries could rest until the next election.

We're one good reason away from Cardston being unique, from probably acquiescing or agreeing with your concerns. You know, you indicated to us that you prefer to go north. The people yesterday indicated to us that they would prefer to go north. The people at Pincher Creek-Macleod have said that they prefer not to go south. So, you know, maybe we're left with a unique reason in the essence that everybody doesn't see a community of interest here. Maybe that's a legitimate reason. I'm not sure if it is.

I want you to understand the nature of our problem. You know, I feel a bit uncomfortable with putting down in our report that the unique nature of the Cardston constituency can be summed up in two words, as was indicated to us yesterday by some people; that is, numerous natives. I don't think that's going to stand muster with the

courts – you know? – and I think you would agree with me, Alex. Excuse my lack of sensitivity here, but I want to get to the bottom of the problem, and that's in essence the problem that we're faced with.

If we can't find a way to bring the population variance in the Cardston constituency to what we would see as an acceptable level within the application of our matrix, which means – and we deliberated on this at considerable extent – including a portion of the city of Lethbridge or including a portion of Taber-Warner or including a portion of Pincher Creek-Macleod, what the hell are we supposed to do?

UNIDENTIFIED SPEAKER: Forget about them.

MR. GRBAVAC: I don't think we're allowed that latitude. The courts have said that we can't go back and just say: do nothing. So is that the definition of a dilemma? Something has to give here, Alex. I've been hearing people talk around this issue for two days now, and I'm not getting much help.

MR. HANN: Okay. My question is: if that constituency is a problem, then why aren't you looking at just splitting it?

MR. GRBAVAC: You know, where do we split it? You prefer to go north.

MR. HANN: Well, I'd prefer to go north under this, the way you've got it redrawn. I know my friends in that riding won't be happy if I say this, but take and split that one and part of it goes north and part of it goes Taber-Warner, and we call it whatever name comes up. If that riding is the issue, then why are we dealing with other ridings? Why aren't we looking at that one and saying, "How can we . . ."? Do you understand what I'm saying? It seems to me that you've said: okay; we can't do anything with that reserve, and we don't want to do anything with that other block, the Mormon block, that's there. They don't want to split up either, nor do I blame them. But you can take the other areas, the Taber-Warner constituency, and virtually annihilate it, and I don't understand that. We're not that far off the north; they are.

3:23

MR. GRBAVAC: Well, let me try a proposition, then, on you and tell me how bad it is. I mean, people have no reluctance in telling us how badly we've done here. I'm sure you won't be . . .

MR. HANN: I'm not telling you how badly you've done. I'm saying that you've got a hell of a job, and I'm glad I'm not up there, no matter what gender I might be.

MR. GRBAVAC: Yeah. Okay. Let me try a for instance on you. What if we included in a constituency that we would call Cardston-Taber the entire boundary of the county of Warner – it's not a big population base – the entire MD of Taber; we would exclude Coaldale and the boundaries of the county of Lethbridge, include them with Little Bow; we would include the entire MD of Cardston and exclude the Blood reserve and move that to Crowsnest-Macleod and move a portion of that into Little Bow? Do you see that as a reasonable solution to this problem? Let me give you another option. Do you see moving into the city as a more preferred option?

MR. HANN: To me, you're trying to work with numbers and saying: we have to get the numbers up to make this thing work.

MR. GRBAVAC: No. We have to have a reason.

MR. HANN: Okay. To me, when you create a constituency of that size, that's an awful lot of work, in my view, for an MLA to cover. It's virtually impossible. I have a great deal of respect for my friend Mr. Mowers, and, I mean, he's a smart man; he lives in Coaldale. That's how intelligent he is. But I totally disagree that you can't get to that equal vote thing. In a province this wide it's impossible. You have MLAs in the cities now that trip over each other at functions. Okay? There has to be some recognition that, you know, when you have this much area to cover, there ought to be something different than when you have that much.

MR. GRBAVAC: But, Alex, I think you can appreciate that if we put before the courts a report that's only going to result in a successful challenge, I mean, that doesn't get us anywhere. We've been told by constitutional experts that we don't have a stand to pass muster with the courts by only taking two out. I reject that. Personally I think our matrix has a good chance of standing a court challenge. Unfortunately, our matrix doesn't service Cardston-Chief Mountain. We have to have a unique reason why we would give a minus 38.5 variance, and in the absence of that reason, we have to affect your municipality or your constituency or one of the others. That's cutting to the bottom line. I'm just asking you for preferences.

MR. HANN: If you're asking for preferences for Coaldale, I really can only speak for myself, because we haven't considered being tied to Lethbridge.

MR. GRBAVAC: All right. Well, then, what does Alex Hann think?

MR. HANN: Because I consider Coaldale a rural area, I would prefer, in my view, to go to Little Bow, if that's the choice you're giving me, Bob.

MR. GRBAVAC: Okay. Well, I'm giving you hypothetical choices.

MR. HANN: I understand that. I'm not here to fight with you today.

MR. GRBAVAC: Nor am I. I'm trying to get some help; that's all.

MR. HANN: I know what you went through yesterday, because I was part of some of those discussions before you got there. I appreciate some of the comments I heard you say on the news last night.

Yeah, I think if you're going to do it, then use the boundaries of MDs and counties. At least there's a tie there. Okay? But to use roads and to use – I don't know how the hell you came up with some of those lines. It's not there. To use the MDs, the counties, at least there's some commonality to those lines.

MR. GRBAVAC: All right. Thank you.

THE CHAIRMAN: Walter.

MR. WORTH: No questions.

THE CHAIRMAN: Well, I have no questions. I want to thank you for coming and discussing this problem with us. I think you appreciate what a difficult problem we have.

MR. HANN: I certainly do. I feel like, you know, you've heard all this yesterday, and I understand that. I appreciate your giving me a chance, because I couldn't make it there.

THE CHAIRMAN: I want you to know that a lot of people on this panel are slow learners, so we have to have this repeated for them.

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

THE CHAIRMAN: The next presenter is Walter Kudelik, Little Bow PC Association.

MR. KUDELIK: Members of the commission, ladies and gentlemen, my name is Walter Kudelik, and I'm the president of the Little Bow Progressive Conservative Association. The board of the association has vetted this presentation, but any shortcomings are directly attributable to me.

Change is often disruptive and when proposed changes have the potential of affecting large numbers of people, the concern is heightened. I can understand that the work of the commission can be difficult at times and often not appreciated. Even if the commission had the wisdom of a Solomon to guide you, it's unlikely that your recommendations would be universally endorsed.

It appears to me that the commission interpreted its mandate in such a manner that dictated changes be made in many constituency boundaries. Perhaps the Act that established the commission is at least partly to blame for the situation. It is my contention that the primary goal of effective representation does not require the kinds of changes proposed by the commission. I find it interesting that their concern focuses on "the right to have the political strength or value of the vote of an elector not unduly diluted," quoted from page 6 of your report.

The numbers used to determine this are not the number of electors in the various constituencies but rather the population figures. It seems like sleight of hand to consider these as equivalent. The following table focuses on the electors in the 83 constituencies in the 1993 general election, and you have the table there before you.

The total electors: 1,646,729 for a mean of 19,840. Calgary, had 462,819 electors, for a mean of 23,141, which is 16.6 percent above the provincial mean. Edmonton, with 392,455 electors, had a mean of 21,803, or 9.9 percent above the provincial mean. Both of these are well within the plus 25 percent range. Furthermore, Calgary had one constituency below the provincial mean and three less than 5 percent over the provincial mean. Edmonton had four constituencies below the provincial mean and three less than 5 percent over the provincial mean. I recognize that some constituencies have very low numbers of electors, which would need to be considered as special cases due to geography and the sparsity of population. Overall, on a provincial basis, I am of the opinion that a case could be made that effective representation is in effect.

3:33

With specific reference to the Little Bow constituency, I note that the western part has been deleted and that Coaldale and area have been added. Perhaps too much emphasis has been placed on political boundaries of municipalities at the expense of a community of interest. Residents of the western side of the proposed constituency boundary have trade and business patterns that do not exist to the same degree on the eastern side of the present constituency.

Residents from the east side of the MD of Willow Creek do

business more readily on the west side of the county of Lethbridge and vice versa than do residents on the west side of the Oldman River with those on the east side. The west side of the county of Lethbridge and the east part of the MD of Willow Creek are primarily involved in dryland farming and ranching. The west side of the Oldman River is primarily the irrigation of forage and other crops for the extensive feedlot industry. The east side also has irrigation but has a preponderance of specialty crops such as sugar beets, corn, potatoes, and market gardens. Due to the limited access across the river, residents of the west side do business primarily in Lethbridge. The commission has already acknowledged the importance of, quote, trading routes and historical transportation patterns, unquote. The present boundaries for Little Bow should not be altered.

The commission's choice of variables for the matrix needs some examination. The emphasis placed on contiguous boundaries is not justified since interprovincial and international relations should be conducted at a government-to-government level. The commission chose to ignore the number of kilometres of local roads, which to us is vastly more important. Basically we have north-south roads every one mile apart and east-west roads every two miles apart. Many people in the constituency live along these roads and need to be visited on occasion, not just the ones along the primary and secondary highways.

There is no indication that the matrix as a whole or parts of it have been subjected to a statistical validation. Consequently, conclusions based on the matrix may not be valid, and therefore care should be exercised not only in using it to arrive at conclusions but even more so in using data from the matrix to extrapolate.

I believe that you have enough latitude to conclude that a change of constituency boundaries is not required at this time. Neither the Act under which you were appointed nor the Court of Appeal ruling in 1994 mandate a change. In addition to the Court of Appeal ruling you quote on page 7, the court also said:

We again invoke the need for judicial restraint about interference in the electoral process. 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 1991 the Supreme Court of Canada upheld Saskatchewan legislation which is similar to Alberta's. They approved the rule which permitted populations within a riding to vary up to 25 percent from the average riding. I urge you to do the same.

THE CHAIRMAN: Fine. In view of your last part and quoting the law, I'm going to start with John McCarthy.

MR. MCCARTHY: Well, I think you heard my comments about that Saskatchewan case earlier, so I won't repeat that. I agree with the statement that you made there from the court; that's a correct quote. But I thought it might be interesting to the others in the audience to be aware of the court's concluding remarks. Perhaps that will indicate the problem really that's been created, and really maybe it's what caused the legislation which then caused the creation of this commission. The concluding remarks of the court were 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.

So those were the concluding remarks of the court in the case that you've mentioned there.

MR. KUDELIK: Thank you.

MR. LEHANE: For anyone who wasn't here earlier, I'd just like to make reference, Walter, to your reference to the Saskatchewan legislation in your presentation. Saskatchewan has now changed their legislation, as you may have heard earlier. Saskatchewan's legislation now provides for a maximum plus or minus 5 percent variance, and we're given to understand in fact that of the boundaries that were drawn after that legislation came into effect, approximately 40 out of about 50 are within 1 or 2 percent.

Now, I'm not using that in terms of trying to state that we think that's right. I'm just bringing you up to date on what has happened there, and I understand the same thing has happened in Manitoba. From my view, I think that's trying to force something into boxes that doesn't fit. I think they may well find down the road that they don't have effective representation in the rural areas any longer because of what they've tried to do. Certainly that appears to be the trend that's going on in neighbouring provinces. Just because it's happening there doesn't mean it's right; it doesn't mean we should follow it.

THE CHAIRMAN: Robert?

MR. GRBAVAC: No questions.

MR. WORTH: Just two questions – well, one question and a comment. The question is that I notice you referred to the fact that perhaps we've placed more emphasis on municipal boundaries than we should have. I want to remind you that our legislation admonished us to do this, and in our first round of hearings we were repeatedly told: use municipal or county boundaries whenever you can because those are reflective of a community of interest. So I'm a little confused here. Are you really saying that the county of Lethbridge, then, is a boundary that doesn't include a community of interest?

MR. KUDELIK: I think that when they were drawing up the boundaries, they didn't take into account that the river is a natural divider and that the boundary for the county should have been more along the river rather than where it is.

MR. WORTH: I see. Okay.

The second observation I want to make is with respect to your comments about the matrix. We certainly welcome all sorts of comments as we receive them about the matrix. We have devised it as a tool, and as one of my colleagues referred to it the other day, we recognize it's very much in the rough. We hope it's a diamond in the rough, however, and that we can refine it with the help of the suggestions we receive as we engage in this round of public hearings. Then we will be able to come forward with a series of factors relating to degree of difficulty in representation that will find widespread acceptance amongst the electorate.

One thing I would like to just offer you is a bit of information. You used the electors in various constituencies in trying to arrive at some plus and minus variations. Just in case you didn't do it, I should point out that if you use the 1991 census, 52 percent of

Alberta's population was in Calgary and Edmonton. If you use the electors that voted in 1993, 51.9 percent of Alberta electors were in Edmonton and Calgary. That shows the very close relationship, when you aggregate it, between electors and population in terms of their relative distribution across the major centres.

MR. KUDELIK: I think it's significant that in your matrix you determined that Little Bow is the fifth most difficult for an MLA to service. Please, don't complicate it any more.

MR. WORTH: Okay. Thank you, Walter.

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

The next presenter is Aileen Gibb of the Westwind regional division No. 9.

MRS. GIBB: Gentlemen, I guess I'm your token woman today.

THE CHAIRMAN: I don't think so. There's another one coming.

MRS. GIBB: I guess I'm also aware that I am representing the Mormons and the natives. We are aware of the difficult job that the commission has been wrestling with regarding electoral realignment. However, as stated in our earlier submission, the board of the Westwind regional school division No. 9 is very strong that it stay with the level it's at right now. The representation of our region should continue. The current electoral divisions of Cardston-Chief Mountain and Taber-Warner have met the criteria established by the past commissions and have served their individual constituencies in a manner approaching the level in service enjoyed by others in urban divisions.

3:43

In reviewing the proposed adjustment to the Alberta electoral boundaries, it became apparent that the commission was intent upon changing the Cardston-Chief Mountain boundary. In fact, our board is not altogether against this change. We see that some adjustment needs to be included, such inclusions as Stirling and surrounding area. Yet the adjustment presents little geographic sense as we contend it will cause confusion in the northeastern portion of the division as to which constituency represents them.

We see that in order to determine the merits for deviating from the provincial quotient of 30,780 people, the matrix that you have used is based on the different variances. One of the variances that I guess we don't agree with is the distance from Edmonton, that you give equal distance from Edmonton, that no one's allowed farther if they're there. The matrix shows that if your jurisdiction is one of the farthest away from the Legislature, you do not receive any more recognition than if you're right outside Edmonton with a large number of primary and secondary highways. From our point of view, the number of highway kilometres in your division does not equate with the time needed to represent the constituencies from hours and hours away.

The other thing we were concerned about is the kilometres that you gave on the contiguous boundaries. There doesn't seem to be the same urgency to be on a Saskatchewan or B.C. boundary to be able to represent people. In other words, you've done the same thing on the border with Vermilion-Lloydminster as you have with other municipalities that are surrounded. You'll notice that.

The other thing the commission didn't take into consideration is that the reserve is the largest size. There seems to be a little

confusion, because you gave two points. You showed it as two reserves, and it's actually one. That little portion in Mountain View is considered as still part of that one reserve. Does that make sense? But still one point was given.

After forming the matrix and using the results as a rationale for the proposal of the new divisions, we are not provided with a new matrix. We had a little problem with that. Without the new matrix, how do we know where we fit? Are we above now? Are we far below? You know, we wondered: is that not available, and is there a reason it's not available?

We would like to remind the commission once again that equal and equality are not always the same; they're two different concepts. To have effective representation is important in legislation. We continue to charge this commission with considering all the variations of the public and to retool the proposal to provide for these variations.

Thank you.

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

MR. WORTH: Aileen, perhaps I could make a couple of comments about the matrix and then provide you with some information.

When we included factors in the matrix, we looked at the source of such factors, and we decided we would start first with the factors that are in our legislation. That explains why we've included contiguous boundaries or information about geography or area, population, and so on. We recognize that some of these probably needed to be weighted differently than others, but for our initial calculations we decided that until we heard otherwise, we would weight them all equally, and then we would see what kinds of suggestions we get about appropriate changes in these weightings.

When we applied our matrix, we discovered that there were 24 constituencies that met the requirements for special consideration status as outlined in our legislation. So then we looked at these constituencies in some detail and we decided, as you know from our report, to award such special status in our initial recommendations to two of the northern constituencies. That left us with 21 other constituencies that indeed had a higher claim, if you like, on the basis of our matrix to special consideration status than did Cardston-Chief Mountain. It is for that reason, therefore, that we moved to the decision that we could not propose the continuation of that constituency without some very massive changes in the population within it and an alteration of its boundaries in the face of having no other reasons we could apply that might justify its continuing special status in relation to the other 21 contenders for that kind of status in the province.

I think your comments about the size of the Indian reservations is an interesting one for us to look at. We have not, for example, awarded a differential weighting to municipalities or counties based on their size. Once you move into trying to weight things according to size, if you do it for Indian reservations, you have to do it for counties, you have to do it for municipalities and the like.

Your suggestion that we ought to have provided a matrix for the proposed electoral divisions is a sound one, and certainly it is our hope that we'll be able to do that in our final report. We did not do it in the interim report simply because we are dealing here with proposals rather than recommendations. We did not undertake it at this time because we didn't have time to do so, but we intend to do our level best to try and provide that information in our final report.

So I thank you for your comments, and I hope perhaps my

observations have helped you get some understanding of our matrix problems.

THE CHAIRMAN: Robert?

MR. GRBAVAC: No questions.

THE CHAIRMAN: Joe?

MR. LEHANE: I just want to follow up on Mr. Worth's comments a little bit in terms of special consideration districts. In our initial proposal we proposed only two special consideration districts. Now, probably the most significant factors with respect to those two proposed special consideration districts are that they are at the extreme north end of the province and they have very, very large geographical areas. To give you an example, the geographical area of Cardston-Chief Mountain is approximately 6,000 square kilometres. The two proposed special consideration districts are Athabasca-Wabasca, which is 124,000 square kilometres, and Lesser Slave Lake, which is 87,000 square kilometres, compared to the 6,000 square kilometres in Cardston-Chief Mountain. So there's a very, very significant difference. The other special consideration district – and under our proposal it would no longer continue – is Chinook, and it's approximately four times the size of Cardston-Chief Mountain.

When we looked at that – and we had the constituency of Cardston-Chief Mountain that had a variance that was minus 38.5 percent from the provincial quotient – we felt we had a problem that we couldn't leave that way. The problem was exacerbated by the fact that it was surrounded by constituencies that also had significant negative variances in population. We've not yet heard, when we've asked at all the hearings, anything that could justify maintaining Cardston-Chief Mountain with that area and that population as a special consideration district, but I'm inviting you to give us those reasons, if you can.

MRS. GIBB: Can I be blunt and speak for myself now?

MR. LEHANE: You sure can.

MRS. GIBB: I hate to speak for the board because I haven't got permission to do so, but I would like to speak for myself. When we made the regional board, we had many problems, and what came about, regionalized as the Westwind school board, was what everyone else didn't want. That's what we have in the board. So to be blunt, why are you forcing people to go with a constituency that they don't want to? Stirling came in, so you could do Stirling and rural. I get the feeling from this hearing that there isn't anyone that really wants to come in the Cardston-Chief Mountain constituency, and that's your problem as a commission if they don't want to be here, if they don't want to join in. So if that's a problem and you're forcing them, I guess my question is back to you: why are you forcing people to go where they really don't want to if it can be worked out?

3:53

MR. LEHANE: Well, I guess to answer your question, there doesn't appear to be a solution to work it out in terms of the significant negative variance.

MRS. GIBB: If your matrix was done and you had Stirling and

Stirling rural in with the Cardston constituency, does it then become?

MR. LEHANE: I don't have the figures at hand. We could get them. But I'm sure that doesn't pick up enough population to come within an acceptable variance based on the matrix. That's the problem we have. Now, we haven't heard from everybody that they don't want to be joined with Cardston-Chief Mountain. We've had a suggestion from some people in Taber-Warner that they just don't want to be torn apart.

MRS. GIBB: Okay. My mistake. Sorry.

MR. LEHANE: No, you're quite correct that some people have made that submission. But other people have said: if you just didn't tear us apart and put us all together, we'd be better off that way than with what's proposed. Maybe you could comment on that.

MRS. GIBB: I'm sorry; I can't. I don't know how those people feel. I personally feel bad that there's a problem that can't be resolved, but I think you do need to look at maybe the school board boundaries, where we put the school board boundaries, because it seems to be a very homogeneous group that works well together and is very happy to be together.

MR. LEHANE: I'm not asking you to comment on what other people think. I was asking if you have any comment with respect to what would in fact be an amalgamation of a significant geographical area of Taber-Warner with Cardston-Chief Mountain.

MRS. GIBB: I think it might be healthier for the whole region.

MR. LEHANE: Rather than just a smaller part of Taber-Warner going into it.

MRS. GIBB: If you take a smaller part, they're going to feel overwhelmed. Let's get down to what the problem is: they're overwhelmed by the majority. If you took a larger part, maybe it would be easier. Then you're back to representation. How do you represent that big area?

MR. LEHANE: I appreciate your comments. Thank you.

THE CHAIRMAN: John?

MR. McCARTHY: I just wanted to follow up on one comment you made on the matrix, about the points given for the Indian reserve. What was that again? Could you just review that?

MRS. GIBB: You gave two points, as if there were two reservations, and I wasn't sure why you did that. Is it because it shows a little bit by Mountain View, that it's kind of got a river between it? That actually is just one reservation.

MR. McCARTHY: Yes. You're right. That's a good point. We'll make sure that's adjusted.

MRS. GIBB: Not that I really want it adjusted because . . . Well, it's okay.

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

MRS. GIBB: Thank you for your time.

THE CHAIRMAN: The next presenter is Dean Lien.

MR. LIEN: Mr. Chairman, it is actually a pleasure to be able to address the commission on what I believe is a very important issue. The basis of democracy rests upon the representative system, and while the system sometimes proves to be cumbersome, it still prevails as the optimum type of administration.

As a resident of the county of Warner for some 40 years and having served as a councillor and a reeve for that area, I understand the implications and seriousness of representation. I strongly disagree with the proposed changes to the Taber-Warner electoral boundaries. There are a few main areas of concern to me, and I would like to discuss these briefly with you.

Firstly, the efficiency of representation. The Taber-Warner constituency as presently described allows an MLA the opportunity of visiting the various jurisdictions within the division without too much difficulty. The network of highways encompasses the communities of Coutts, Milk River, Warner, Stirling, Taber, and Coaldale easier than some other rural divisions. However, included in this division are 16 appointed bodies who basically share television, radio, and social functions with others in the division. Any representative has much in common with the entire area. This will not be the case with the proposed change. The people in Warner, Milk River, and Coutts in effect have no ties with Medicine Hat. Similarly, residents of Taber have little or nothing in common with Cardston, and even more distant is the Coaldale-Bassano difference.

Representation by population. In regards to representation by population, the allowable variance can be extended, and this to me is a necessary move. For example, a Calgary MLA has only four appointed bodies within the city to communicate with, whereas in rural Alberta, like Taber-Warner, there are 16 agencies spread out over some distance. Any MLA will find that to represent such a rural area it is much more difficult because of the numbers and the distances, let alone the differences in social attitudes, economics, and developments.

Trading areas. Trade is basically agriculture and oil within the Taber-Warner division, and surprisingly most activity is within the boundaries because of the highway network. Certainly exports of fat cattle, grains, and oil leave the area, but much of the production stays within the area or nearby adjacent communities, namely Lethbridge. A strong cohesiveness of enterprise exists within the division, and a split of the division places individuals in a situation with no common ground.

Economic representation. There are certainly arguments in favour of electoral divisions based on economics in the area instead of population. When one considers the importance of natural resources and industrial development, we must recognize areas like Taber-Warner as an integral part of Alberta's wealth. In comparison to the city electoral divisions, where largely the individual problems and concerns become social and personal – the effects to the rural divisions are also social and personal. However, there are added concerns of individuals about trade, development, and exploration, to name only a few. An entrepreneurial spirit exists in rural divisions that does not exist in city divisions.

For these reasons, division by population is only a partial answer, and there are other considerations which are meaningful to effective government. We all know the problems of division by population. The Ontario-Quebec strength leaves Alberta with a limited influence, and that to me is not a practice that we should necessarily follow.

In conclusion, I look at the proposed changes and realize that the Taber-Warner electoral division basically disappears. The residents will be divided into three other divisions with electors they do not know because of the distance, they have no business with because of the trade routes, and have no feelings of belonging. The proposed electoral division would be a step toward control from the centre, a backwards step, one which no one really wants or is really conducive to good government.

Respectfully.

THE CHAIRMAN: Thank you.

We'll start the questioning with Wally Worth.

MR. WORTH: Dean, I take it that the burden of your submission is that you really want to keep the county of Warner intact – that's one key element – within whatever constituency it falls.

MR. LIEN: Well, I'm not so concerned with just the county of Warner. It's the fact that at one time when I lived in Warner – I'm now living in Coaldale, by the way, the last three months – we were in the Medicine Hat federal constituency, and from one year to the next year we never had an opportunity to really get to know our MP. I can see this happening with some of these divisions, especially where Warner, Milk River, Coutts are going with Medicine Hat. I can see a problem.

I'm looking at this map today, and I sometimes wonder: maybe we should be looking at taking Cardston, Taber-Warner, Lethbridge, and the southern parts of Little Bow and putting them in and having three MLAs instead of the four at present. That means taking Lethbridge as a city and dividing it and putting rural with it. Now, I don't know. You've probably considered this, but it just came to my mind as I was listening to the presentations earlier.

MR. WORTH: I'm going to defer now to my colleague on my right and let him talk to that particular proposal.

MR. GRBAVAC: Dean, I want to assure you that that was given considerable deliberation. Probably the proposition that was given the most deliberation was the one of giving the city of Lethbridge one MLA within the confines of the city itself and dividing the remaining population, approximately 30,000 people, between two other outlying areas. That was given some consideration. It wasn't put in the interim report. I suppose the argument that defeated it was that the population of the city just fits so nicely now within the parameters of those that would define the two ridings.

However, I'm beginning to wonder if anybody in southern Alberta has any common interest with anybody else in southern Alberta. I mean, we've heard so many people present views to us that they have nothing in common with anybody around them. It's getting very frustrating, and I'm beginning to wonder if maybe the city isn't the solution to this. I appreciate that may spring something on to the city and that they may not be forewarned in terms of a potential report that we put before the Legislature for adoption. You know, I don't think it's all that farfetched in all honesty. I know that where

my family lives in the city of Lethbridge, there are more farmers on that street than there are on my country road. I wonder if you would feel that your vote would be unduly diluted in Coaldale if part of the city of Lethbridge was included. Secondary to that, do you feel the rural voice would be unduly diluted if a portion of the city of Lethbridge was included?

4:03

MR. LIEN: Not really. Not in my case, no. I don't think so. I think I would much sooner have Warner be tied in with the city of Lethbridge than tied in with the Medicine Hat constituency.

MR. GRBAVAC: Well, Dean, I will concede that that was a mistake. I conceded that argument about two hours into the hearings yesterday in Taber. That didn't stop them from continuing to stress the point. You know, I'd like to pursue that option of taking a portion of the city of Lethbridge. I want to put it in context.

In Grande Prairie the dividing line for the two constituencies runs roughly right down the centre of the city. They say it works well. They told us: "Go away. Leave us alone. It works fine. We're within your numbers." Frankly, we did; we went away and we left them alone. For Medicine Hat we proposed some changes. However, in large part they told us it worked in Medicine Hat. They even added a caveat. They said that the city people were prepared to accept that the rural people per se could be a majority, and they had no problem with that. They had no problem with 60 percent of the people in Cypress-Medicine Hat coming from the rural area and 40 percent coming from the city. They said they're willing to accept that. The urban people were willing to accept that, and obviously the rural people had no objection. So it works in Medicine Hat; it works in Grande Prairie. Maybe we ought to give it a try in Lethbridge.

I repeat myself. You don't see a big problem with that?

MR. LIEN: Not really. I think it's something we have to look at. We have a problem now. We have to examine every alternative.

MR. GRBAVAC: Well, I think you were here when Mr. Cleo Mowers spoke and Dr. Penton spoke. You see, they make a point that the cities vary on the plus and the rural areas vary on the minus. It doesn't take much extrapolation to say, "Well, if we put them together, maybe we could compromise this." But the last time a commission went through southern Alberta and proposed that, they almost got run out of here on a rail. I'm asking you now, you know, if you're going to run us out on a rail if we propose . . .

MR. LIEN: I won't. I won't, Bob.

MR. GRBAVAC: Okay.

MR. LEHANE: What about a proposal that would see the Blood reserve come out of Cardston-Chief Mountain and Coaldale come out of Taber-Warner, just speaking in rough geographical terms, and then a combination of the geography that is left in those two constituencies to form a new constituency? Could you comment on that?

MR. LIEN: I'm not sure. I guess when I looked at it – and it's just since I came to this hearing this afternoon that I really took a look at that alternative – I can see that we're going to lose one electoral division down in this area. We have four we can draw from. Maybe

we'd take those four, revamp them, and come up with three. Now, whether it means the Blood reserve is moved north I think would depend on some numbers. I think your matrix would have to come into play and have a look at that.

MR. LEHANE: Well, our understanding is that the Blood reserve is somewhere between – it depends what figures you're using, because there may be a discrepancy between actual population and the enumerated figures, but it's probably somewhere between 4,000 and 7,000 constituents, you know. That's not very accurate, but we think it's somewhere in there. From my understanding, the Coaldale area would probably be about 6,000 as well if you included some of the peripheral area. So I suppose you're looking at roughly those types of populations coming out of the two constituencies.

MR. LIEN: I shouldn't comment about Coaldale, because I'm a rural resident in Coaldale. I'm not in Alex Hann's area, so I shouldn't be making comments to affect the town of Coaldale. It was just a thought.

MR. LEHANE: Yeah. I guess that thought comes from two sets of hearings, one set of hearings where we had a very overwhelming representation to maintain the integrity of the present geography of Cardston-Chief Mountain and yesterday in Taber where we had an overwhelming representation to maintain the integrity of the Taber-Warner geography, which is nice but close to impossible.

THE CHAIRMAN: John?

MR. McCARTHY: No questions. Thank you.

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

MR. LIEN: Thank you.

THE CHAIRMAN: The next presenter is Broyce Jacobs, MD of Cardston.

MR. JACOBS: Mr. Chairman, members of the commission, thank you very much for this opportunity. I'm going to digress from my brief today, from my notes, and sort of speak off the cuff, because many of the points that I feel need to be made have been made and will probably be made again tonight.

Incidentally, I am the reeve of the MD of Cardston, and I think I have to say on behalf of my people that the MD of Cardston is opposed to the recommendation that has been submitted by the commission to this point. A couple of general reasons why, and then I want to get into talking about a couple of the questions that have been raised today.

First of all, I think a lot has been said about effective representation. As a rural person, a third-generation cattle rancher in southern Alberta, as a person who's been on a municipal council for 12 years, and as a person who serves as a director of the Alberta Association of MDs and Counties, I definitely feel that a point needs to be made for rural Alberta. We need to preserve the representation of rural Alberta. I think it was unfortunate that the commission chose to add two urban MLAs and take two MLAs away from rural Alberta, because of the reasons that have been mentioned by my colleagues and the other presenters today, which we don't need to go

over.

I might just say, if I may take my own experience, having served as a director of the Alberta Association of MDs and Counties for a year and a half – and in that provincial association, which is the association of all MDs and counties in Alberta, I represent the 12 MDs and counties in the south. I think my other four colleagues from central and northern Alberta would agree that definitely the closer you are to Edmonton, the easier it is to represent the people. I find my colleague from northern Alberta has similar problems as I do in getting to Edmonton and attending meetings and giving the kind of representation that we would like to. It requires a great deal more effort for us than it does for our colleagues from central Alberta, who live fairly close to Edmonton and within an hour or two's drive can be in Edmonton. So definitely the farther you are away from Edmonton, the more difficult it is for an MLA to give effective representation.

Having made the comments about the uniqueness of rural Alberta, let me just make a couple of comments about the uniqueness of Cardston-Chief Mountain. It is a unique constituency. Geographically it's very unique. We have the U.S. boundary on the south. We have Waterton park and the B.C. boundary on the west. We have the Waterton River to the north and a little bit to the northeast, as well as the Blood reserve. So really the only direction you can go geographically I guess is to the east, which the commission has chosen to do. But the distance you have placed upon the representation aspect of the MLA by going east to Taber really would put the matrix – in my opinion, it would make it extremely difficult to give good representation because of distance and geography.

I think the Blood reserve probably is well served by being in the Cardston-Chief Mountain constituency. Their people trade to a large degree – not exclusively but to a large degree – in the Cardston constituency. They use the Cardston hospital. They attend the Cardston schools to a large extent. I think they're as well served there as they would be anywhere else. Therefore, I have to submit to the commission that because of the uniqueness of the Cardston constituency and because of the Blood reserve – and there is only one Blood reserve in the constituency. The question Aileen referred to earlier refers to the timber lease on the Blood reserve, which is separate from the reserve itself but which is part of the Blood reserve. So there is only one reserve.

Therefore, I submit that the geographic uniqueness of the constituency makes a good case for the commission to give it distinct status, special consideration status. I rest my case. I would be happy to entertain questions if there are any.

THE CHAIRMAN: Fine.

We'll start the questioning with John this time.

MR. McCARTHY: No questions. Thank you.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions. Thanks.

MR. GRBAVAC: I think your points were very clearly articulated, Broyce. No further questions.

MR. WORTH: No questions.

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

MR. JACOBS: Thank you.

THE CHAIRMAN: Even though there were no questions, I want you to know that we were in Lethbridge in November, we were in Taber yesterday, and we've been discussing basically what you've been saying today. Maybe that's the reason for no questions.

MR. JACOBS: Thank you.

THE CHAIRMAN: The next presenter is Marlene McCann, Palliser regional schools.

4:13

MRS. McCANN: Good afternoon, gentlemen. I wasn't a presenter last fall when you were here. The fellow from our board asked if I would do it this time. We're going to re-emphasize some of the points that were made then in light of the commission's report that's come down. We'd like to deal not with the parity but the fairness of representation as our board sees it. We represent a regionalized school jurisdiction that's situated in rural Alberta, and we're very concerned over the erosion of rural representation. You take away two rural ridings, and the seats are transferred one to Calgary and one to Edmonton. We just feel that that's a four-seat advantage to urban Alberta, and that was the echo of our board from our Tuesday meeting.

As a rural school jurisdiction we want to emphasize how much importance we put on the vitality of Alberta's economy as it relates to rural Alberta. We'd also like to question the commission as to why the north part of the province was untouched. We just want to re-emphasize our belief that the issues related to rural education are different from those in the urban centres. We've got the issue of small school survival where the transportation issues – we're busing children a long way. When schools have to close, then transportation becomes an issue.

Just the technological infrastructure that we're dealing with right now. In some of our schools it's going to take a lot to get them wired up to get them onto this Internet and all the other things that we're supposed to do to keep them up with the cities. I mean, you can just bring that in off the street in the cities. In the rural areas there are miles of cable to be laid to do that. We have schools where some of the principals have desktop computers because they can't plug it in the way they're wired right now. I mean, those are just some of the issues that we're dealing with.

We know that equal representation based on population – I shouldn't say that isn't possible, but we don't feel it's a big priority, given that the large rural areas are as sparsely populated as they are. We know that the matrix and the variance from the average population that we've discussed – and I have that in my presentation, but I think those questions have been addressed by the members of the commission and other people that have sat here at the table. Our rural MLAs have to cover a large area, and to make this even larger would leave some of our residents with less direct contact. An urban MLA can drive a short distance and can visit the school boards and all the other agencies. Our people can't do that as well.

Also when we were looking at the report, we had a comment as to why Cardston-Chief Mountain wasn't as untouched as we felt the south part. I should explain that Palliser covers – we're in the Taber-Warner constituency, and we're also in Little Bow. So the way it's set up there now, our school jurisdiction would all be in Little Bow.

I don't know if you understand where Palliser is, but it took in the old county of Lethbridge school board and the county of Vulcan school board. The way it's set up there, we would have one MLA. We don't mind dealing with two MLAs; we find that then you've got two voices. We're just concerned more about the erosion of rural representation.

Some of the other things that I have in here have been addressed. One comment I'd like to make is that sometimes I find the questions kind of leading, such as: we're going to erode the rural representation, so where would you like to be? I'd like to echo Alex Hann's sentiments that, you know, it wouldn't be bad to be with Little Bow. As far as Palliser, maybe it would be a benefit, but we just don't want to see any more erosion. We don't see equal representation. I'm a friend of Cleo Mowers, but we don't always have to agree just to be friends. We would like you to strive for equitable and effective representation so that we all have an equal opportunity to be in contact with our MLA.

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

MR. McCARTHY: No questions. Thanks.

MR. LEHANE: Marlene, thanks very much for your presentation this afternoon. I am one of the two rural representatives on the commission, and I have five children that climb onto the school bus every morning and go to school. I also act as legal counsel for a school district that is the result of a forced amalgamation of two other school districts. So I am, I think, fairly familiar with all the problems and a lot of the issues that have come about with the vast changes that have taken place recently. I think that in fairness to our urban friends I'll take my problems in terms of schools in the rural areas any day before some of the problems they have in the inner-city schools. I think we all have our own problems.

MRS. McCANN: That's a fair comment. Yes.

MR. LEHANE: I think in fairness to them, as I say, I'd rather have ours than theirs in a lot of situations.

MRS. McCANN: In response to the regionalization issue too, we actually tried to go east. We thought that would be a nice unit, but that didn't work out. You know, we knew the government had the plans for us to do this, so we found a willing partner and we went north. We go almost up to Calgary. We go to the Bow River, south of Calgary. It's a long jurisdiction, and it's working. Some things work when you're put in a situation where you have to make them work.

MR. GRBAVAC: Marlene, maybe just by way of explanation, I want to suggest to you that we don't disagree with what you're saying. I guess again I repeat myself: it's the matter of degree that we may disagree on. Our matrix, as I think you will concede, lends itself to the allowance for a negative variance in the rural area and a positive variance in the cities. I think we can agree on that.

MRS. McCANN: Yes.

MR. GRBAVAC: You suggested to us that we didn't go far enough and that in fact the status quo was acceptable and that it may not fit your matrix. You're suggesting to us, "Leave it alone," and that our

questions are leading you to accept the premise that you refuse to accept and that you don't want to entertain that kind of debate. I submit to you: is it better, then, if we make a decision in the absence of any hypothetical or speculative questions?

MRS. McCANN: No.

MR. GRBAVAC: So can I ask you a hypothetical question or a speculative question?

MRS. McCANN: Well, if you'd like to.

MR. GRBAVAC: No. Actually, I think it was the premise that you raised and the concern that you raised that I was more concerned about.

MRS. McCANN: Well, I just won't comment.

THE CHAIRMAN: Wally?

MR. WORTH: No. My colleague here has raised the question or the comment that I was going to make about the fact that we have been criticized for introducing a matrix which is biased in favour of rural Alberta.

MRS. McCANN: You know, in all fairness, I think you'll be criticized for whatever report you come down with. There'll always be those people that aren't happy with what's happening.

I have to make one more comment. I was taken aback by the comment you made that because there were two women on the panel before, you had to have seven reports. I really take exception to that.
4:23

THE CHAIRMAN: I don't blame you for taking exception to that. I was just relating the truth.

MRS. McCANN: But you didn't tell us who the other men were on that commission at that time.

THE CHAIRMAN: Oh, I can tell you.

MRS. McCANN: Thank you.

THE CHAIRMAN: No. Just a second. You're not finished. I want to deal with you. You asked a very pointed question, and nobody's answered it. The question was: why was the north part of Alberta left untouched? I think you've heard here today that the courts said that the boundaries had to be redrawn.

MRS. McCANN: Yes.

THE CHAIRMAN: We looked at the map, and in southern Alberta the variances around Lethbridge were 20 to 25 percent with a special area of 38 percent with square mileage of only 6,000. In the northern constituencies the variances were not that bad. So the most logical place, having regard to the court's direction, having regard to the law, was to come to southern Alberta. That's why northern Alberta is not being touched and why southern Alberta is being touched.

MRS. McCANN: Okay. Thank you.

THE CHAIRMAN: Fine.

The next presenter is Henry Dick.

MR. DICK: You have my résumé. Thank you for giving me this opportunity to speak. I've lived all of my life in rural Alberta, and I'm speaking for rural Alberta. I've had at least 45 years of experience working with different communities. I know Cardston quite well. I also know Taber. I know Medicine Hat.

If we're going to change the boundaries, I think it's very unfair for rural Alberta. City pressures override rural issues and concerns. Rural riding distances are a major factor. When you look at the new riding that you're trying to create, it'll take a man – well, he'd have to have a Cessna to get around. Furthermore, the city people don't care about the price of beef and other things; for example, farming prices, grain prices, ranching. All they're worried about is his or her wages.

Agriculture-based industries drive urban economic development and industry. For example, there was a hell of a trade war going on last winter with the Wheat Board and the Americans keeping out soft wheat. Being an executive of the seniors' centre, I meet hundreds of seniors. I'll bet you Clint Dunford in our area didn't get a single call from a senior citizen about the trade war. What they talked about was whether to fix up the Fritz pool or whether to expand the soccer fields. They're not interested in what we're doing in here, and they don't realize that a lot of our cities only exist because of the rural areas. If you didn't have the feedlot industry and a few other things around here, which I will mention later on, the city of Lethbridge would be only the size of Taber and Taber might not even exist.

Now, there's great distance to be traveled in a rural area and in the constituency. Concern for personal health and safety and other services vary from one centre to another. The people in Cardston have really no interest in the hospital in Taber. Why would they? By the time they got to Taber from Cardston to go to that hospital, they'd be passed into old age.

Now, a drive to the regional centre or office would mean a one-hour or two-hour drive. In the city of Calgary or Edmonton a constituency would cover eight to nine miles but in a rural area can cover hundreds of miles, as you well know. You've probably studied it; you can probably tell me exactly how many square miles there are out there. To make an emergency visit to a rural village or town would mean a drive of 30 minutes or maybe two hours. Therefore, if I was really concerned about a problem, it's not likely that my MLA would be able to see me. I've had that problem as it is, even with the way they are.

Now, we're talking about the rural area having more votes than the urban area. Well, I understand that at the last election 30 percent of the people in the cities – I don't know about the rural areas – didn't vote at all. They couldn't care less. So why are you using this formula? For example, we're 20 percent of the votes in western Canada. Do we count? Of course not. We have 52 members in there, and they're the opposition, and they can whistle for all the government cares. This is where it's a political situation.

Now, I'm talking political; I'm not talking Liberal or PC. I'm talking about cities versus rural areas. I've been on an irrigation board for a number of years and also on the gas co-op. Every time we went to Edmonton, the members in the Parliament from Edmonton and Calgary would say: you guys just want something for nothing. They're not really interested in irrigation. If you're going to reduce the rural areas' representation in Edmonton, the same thing is going to happen. The same thing. Edmonton and Calgary will

dominate the rest of the country the same as Quebec and Ontario dominate the rest of Canada.

Cities have a greater influence already, especially in industry, where they have the government's ear and attention. For example, the Pratt & Whitney plant got a heck of a big write-up. They were going to hire I don't know how many hundreds of people out of the college. I was there when they cut the ribbon. Yet we have four or five, maybe 10 times the money invested in feedlots without any government money whatsoever. In 1969 we farmers in the Hays area didn't have anyplace to grow our feed. We organized our own seed lot. We built our own feed mill without a nickel of government money. Today that thing is turning out \$15 million to \$20 million a year annually. But where are our members? If I was building that thing in Lethbridge here or in Edmonton or Calgary, I would have probably got government help.

The distance is mind boggling. To have to co-ordinate such a large area and schedule MLA visits and appointments, you would have to be a Superman. Now, there are so many different issues in the city compared to the rural area, and to get a person that would represent both, which they would have to do as the rural areas are gradually disappearing – where would you get a man that knows all the factors of farming, ranching, the meat industry, compared to what the problems are in the city?

I'm really sincere about this. I'm very concerned because it's a matter of democracy. Just because of 5 or 10 percent, when probably 15 or 20 percent probably never voted anyway, I think the rural areas would be shortchanged by the matrix formula.

Thank you.

THE CHAIRMAN: Thank you, Henry.

We'll start the questioning with Wally Worth.

MR. WORTH: Henry, I agree with you that I want to be represented, as you want to be represented, by an MLA who understands my interests and my concerns and my issues. But also I would hope you would share with me the view that your MLA and my MLA should also be conversant with your issues and my issues. In other words, an MLA has a responsibility for understanding both urban and rural issues. When my MLA is sworn in and yours is sworn in in the provincial Legislative Assembly, they are attesting to the fact that they are prepared to serve the best interests of all Albertans no matter where they reside in the province, no matter what their occupation. So I have to take issue with your statement here that only a rural MLA is required to understand both country and city concerns. I think an urban MLA is required to do so as well, and I would hope that both of them would do that.

Just to reiterate something that I mentioned earlier, our matrix formula is intended really to try to give recognition to the level of difficulty of representation from a rural area. I ask you to consider how the rural areas might look in the absence of that matrix and that emphasis. Indeed, then there might have been the loss of more seats in rural Alberta than is occasioned by our proposals now.

THE CHAIRMAN: Robert?

MR. GRBAVAC: No questions.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions. Thank you.

MR. McCARTHY: Just one comment, and that is that the highest percentage of voter turnout was in Edmonton-Whitemud. They had about 70 percent of the electors show up to vote. In 1993 the average voter turnout in Alberta was 60 percent. There doesn't seem to be a correlation between the city and the urban; there are some above, some below.

4:33

MR. DICK: Yeah. I agree with you. I haven't got these figures, and I haven't got a group of people working on this one for me. I kind of support what Dean Lien, Alex Hann, and the Cardston constituency said. I kind of agree with that line. It's tragic. Here we have a free vote. It doesn't cost you anything except to take the day off, and they can't be bothered to vote. You even get the day off if you're working somewhere, and they just don't.

I know you have a difficult task to perform, but I think to cut down on the rural MLAs is . . . When I was dealing with the gas co-op and the irrigation district – I know the Lethbridge MLAs are very concerned about irrigation, but Edmonton isn't concerned about irrigation. Over the years irrigation districts had to fight for everything they could get, and it's the irrigation districts that are making southern Alberta thrive, not discounting the dryland farmers. There is so much difference between a person worrying about the Fritz Sick pool and one worrying about the Wheat Board and the trade war across the line. Those are two different things, and it's pretty hard for one man to do all those things.

Anyway, thank you.

MR. McCARTHY: Thank you.

THE CHAIRMAN: Thanks for coming, Henry.

The next presenter is Millie Mayberry.

MS MAYBERRY: Thank you. I'm looking forward to this opportunity because it's my debut at speaking to a commission or austere members of government or any of those things. But I am looking forward to it because I am concerned for my country and also for my province and I feel politically energized at the moment. So I have all my courage with me, and here I am.

I don't have any résumé. I'm not a mayor or an alderperson or any of those things, but I feel I'm a fairly well-informed, ordinary citizen. I definitely am in a minority by gender, by age, and I have no written submission. Now I discover I'm in a minority as well by being a constituent of Cardston-Chief Mountain who endorses the direction that your commission is recommending. I endorse Mr. Cleo Mowers' position and like him would welcome greater haste in reaching more fair and just representation for urban people. However, inch by inch forward is better than inch by inch back. So I say: go for it as much as you can.

It seems to me that rural folk have very good access to their members. I've lived in rural areas for except about 10 or 15 years of my life. You always know your MLA by name and by face, and he knows most of the people. If you have 30,000 people, it's not hard to get to know them. People in rural areas feel very confident phoning their MLA. I think they have very adequate access.

School divisions, I suppose it's probably different, but I agree with – I think it was Joe or John who said that rural schools have no problems compared to urban schools. Of course, the MLAs have to be at urban school boards more than in rural ones.

You know, we're learning. We're becoming regionalized in lots of things, and we're learning to travel. I mean, we either adapt or

die. If we have to travel to see our MLA in some larger centre, it's probably not going to be more than an hour and a half for any of us. We go that far to buy a new outfit. It's the '90s, as the young people say.

I want to make one comment and ask one question. The comment is that I may be really supersensitive, but I had a feeling today that if I were a native person, I would have been first hurt and then angry as the devil at a certain innuendo about constituencies not wanting reserves as part of their riding, and it wasn't picked up. I was disappointed that somehow it wasn't picked up. As I say, I may be supersensitive.

The question I wanted to ask: I don't know if constitutionally it can happen, but is it possible for our First Nations people to have their own constituency? In the church of which I am a member, we have what's called a native conference where the natives from all the different areas form one conference rather than just the Alberta northwest conference. They have their own which covers all the west and all of northern Ontario. Is that constitutionally possible or am I blowing in the wind?

THE CHAIRMAN: Do you want me to answer that?

MS MAYBERRY: Anybody.

MR. McCARTHY: I don't think it is. I think you're discriminating on the basis of an ethnic origin, so I don't think it is, but who am I?

MS MAYBERRY: But things can change.

MR. McCARTHY: Yes, but I don't think it's constitutionally possible to do it.

MS MAYBERRY: Okay.

MR. McCARTHY: I have another question. Whereabouts in the Cardston constituency . . .

MS MAYBERRY: I live in Magrath.

MR. McCARTHY: Okay. Thanks.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions. Thanks.

THE CHAIRMAN: Robert?

MR. GRBAVAC: Just a comment, Millie. Mayors don't elect MLAs. School divisions don't elect MLAs. You elect an MLA. We've been told that repeatedly.

THE CHAIRMAN: Wally?

MR. WORTH: No questions.

THE CHAIRMAN: Well, I want to thank you for coming and for your frankness in respect to your presentation. Why I want to thank you is that I think all the people here then can appreciate the difficulty of our job in view of the fact that you give another perspective to the problem we have. Thanks for coming.

THE CHAIRMAN: The next presenter is Albert Kooy.

MR. KOORY: Thank you, Mr. Chairman and commission, for this opportunity to make the presentation on behalf of the county of Lethbridge. First of all, a personal comment. I'm Albert Kooy and I'm an ordinary farmer. I farm between the metropolises of Kipp and Monarch, a very industrious area, irrigation. May I say that our farm consists of three farms which have been in hands of the family since the turn of the century. At the present time there may be a lesson to be had here in regard to how we operate. We operate totally individually, myself and my two sons. I have not swallowed them up. We work independently but work together, and there may be something to be said here in regard to how our different government areas should work together.

As deputy reeve of the county of Lethbridge, I still consider myself an ordinary citizen of the county of Lethbridge, and I'm here to serve the county of Lethbridge. The county of Lethbridge consists of approximately 1,100 square miles and has boundaries on three sides of the city of Lethbridge. So we are unique in that way. It has a population of approximately 8,000, with agriculture being the main source of employment for itself, for its six hamlets, for its neighbouring six communities, and for the city of Lethbridge.

As you can see, your task is of critical importance for this part of rural Alberta in regard to effective representation, as it is for the vastness of other parts of Alberta. I want to stress "effective representation." I hope that our concerns and input may be regarded as all encompassing and all important for every Albertan. Whether you're urban or rural, we all have a stake in rural Alberta and therefore should be concerned with its representation. Improper and ineffective representation in rural areas could be very detrimental to urban as well as rural areas because of the spin-offs, the economic ties that exist between all Albertans, and that is especially evident in this area. I cannot express that point too much. I can say that there would not be much of an urban area if it weren't for the rural areas. There is a very great need for representation.

4:43

Most of our natural resources are in rural areas, not only in the agricultural field but in mining, oil fields, forestry, and other resources, which must be properly managed. One point that may seem insignificant is the utilization of rural Alberta by all Albertans to go out on a rural outing to enjoy our roadways, parks, lakes, and spaces. If these places are neglected due to lack of representation, it affects all Alberta. That is why effective representation for rural is so important.

May I give an example of this? The constituency of Little Bow, the MLA being Barry McFarland, takes in an area approximately 100 miles wide, whereas the constituency of Lethbridge-West is just a few miles wide. Effective representation is necessary for all. If boundary changes are made relative to population, rural Alberta could become so large that a single MLA could not do his area justice. This is already happening with the adjustment made in the boundaries a short time ago.

I will give a capsule of what this area's all about. The county and area has the most concentrated intensive livestock population in Alberta, claiming up to half a million cattle at one time, along with thousands of hogs and poultry. I am not asking for them – that is, the cattle – to have a franchise, but I am asking that there is a need for proper management representation. Due to the irrigation we have many specialty crops, which make up for more than 20 percent of agricultural production in Alberta. Also, subdivision growth is

continuing. Due to irrigation and with our agreeable climate, more and more people are looking to rural Alberta.

Boundary changes would see neglect and mismanagement because of the inability of the MLA to cover his or her area. It is like a first baseman trying to cover all the bases in a ball game. Rural ridings hold a trust and stewardship for all Alberta, and to do this, we need proper management representation. Representation by population alone is not the answer. It must be effective and good management representation.

A mix of duties for one MLA between a riding which has urban and rural concerns could result in, number one, neglect of one or the other issues of concerns and, number two, could create ineffective and poor management due to too many irons in the fire by one MLA. Urban MLAs deal more with business and people programs, whereas rural Alberta and their MLAs have sustainable agriculture, environment, and the vastness of rural ridings to manage properly, which I hope is in everybody's interest and no small undertaking.

Your definition must change in some way. Your definition must have flexibility. I think it would be wise to wait. We have just had an adjustment. Let's see how it works out.

Thank you for allowing me the opportunity to speak on behalf of rural Alberta, the county of Lethbridge, and basically all Albertans. 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.

THE CHAIRMAN: Wally?

MR. WORTH: No questions either. Thank you.

THE CHAIRMAN: I want to make a comment.

MR. KOOY: Yes.

THE CHAIRMAN: When you said the wisdom of waiting – you use the words “wise to wait.” The court has told us we can't wait. I think we have to listen to the court more than you.

MR. KOOY: I hope our country isn't ruled totally by . . .

THE CHAIRMAN: But it is ruled by law.

MR. KOOY: Okay. Thank you.

THE CHAIRMAN: Thank you.

Now, we have one more additional speaker. That's Dr. Brigham Card, whom we're going to hear next.

Some of the members have asked for a little break. We're going to have a five-minute break, and then we'll call you, Dr. Card.

[The hearing adjourned from 4:49 p.m. to 5 p.m.]

THE CHAIRMAN: I would like to ask everybody to be seated, please.

I'd like to call upon Dr. Brigham Card to make the next presentation.

DR. CARD: Gentlemen, I greatly appreciate this opportunity of saying a few words to the commission. I want to ask some questions. I had them with me in my brief that I gave on November 9. Then I've read this, mostly, and there are some things that I said in this that are not reflected in here, and I want to know why. Maybe you don't want to put it in here, but at least I want it to be in your heads. So I'm going to speak very freely, if I may.

First off, I want to commend the commission for doing what I think is a very good thing, and that's to develop your methodology. That was an outstanding piece of thinking in my judgment. I don't think it's perfect, but I think it's a start. I'd just like to ask Mr. Whelan if I could: have you ever seen this kind of matrix before for representation?

MR. WHELAN: Not for representation, sir, no. For other things.

DR. CARD: I beg your pardon?

MR. WHELAN: For other matters but not for representation.

DR. CARD: For other matters. That's right.

So I want this to go on record: there's one person in Alberta who appreciates your initiative on that methodology. I think you've made a major step forward for democracy in Canada, and I would like to urge – if you think it's good and I think it's good, can this get into the eyes and ears of people outside Alberta too? That's number one.

THE CHAIRMAN: It's already out in the eyes and ears of people outside Alberta.

DR. CARD: Okay.

The second thing: I want to talk a little bit about what you're proposing for this area. I know the people here pretty well, and I don't think you can go any place in Canada where you could introduce a reform in the boundaries of a commission where you would have a better social base to work from than right here. You've got a wonderful group of people to work with it. So whether you hold to the status quo or make your changes, I would see whatever happens being met with dignity, enthusiasm, and goodwill and a desire to put their shoulder to the wheel and make a success of it. Personal opinion, but I think I've got a lot of people who would endorse it.

You're dealing with a very choice part of the world right here, the irrigation capital of Canada, and we irrigate with water, not ethanol. A very important point. There is a moral surplus in this area. I don't know whether I mentioned it in my last brief or not. When you consider the amount of money that goes out of this area as donations for charity, it's the tops in Canada in at least three areas in this constituency, in this total area. So you've got a group of people to work with that I think will produce a success, whatever you come up with. I think this is the way it should be. Now, that's my opinion and my bias. If it doesn't work out that way, I'll take part of the responsibility, but I think it's that sense of confidence that I'd like to

instill in the commission so that you don't feel unduly repressed, that you act creatively yourselves in what you come up with for this area. Am I clear on that point?

Now, the next thing I want to talk about is the concept of the electoral division adviser, which I brought up in my brief. It wasn't mentioned in the green volume, but I think it's a very viable concept, especially for the areas where there's a great deal of traveling and it's hard to have a constituency presence all the time outside of a party office.

I know in the present system of government we do rely heavily on our political parties, and we do provide some moneys for them to run a constituency office, but I don't think that's sufficient for Alberta for the future. I think we need to take our democracy more seriously and ask the question I was trying to raise in my brief: how can we have more life in our constituencies than what we have now? This is a very serious problem. I'm proposing that we have the equivalent of a miniature Lieutenant Governor or, transfer your thought, a neutral community development worker.

As I think of the Cardston-Chief Mountain constituency and I go over the record of voting on the Blood reserve, those people – the Peigan reserve's the same and every reserve in Alberta. We don't have enough on-line, 24-hours-a-day, seven-days-a-week contact capacity to really upgrade the voting power that's in our constituencies. Our provincial government cutbacks are hitting at that very vital process because – I think Mr. Whelan can tell me this – we don't have the representatives of his office in the constituencies like we used to on a continuing basis. Is that right?

MR. WHELAN: That's right.

DR. CARD: This is a serious matter, and it should come out in your report.

I think we've got to put more bucks in the right place for a democracy, and part of that is going to be at our constituency level. I think it's a mistake to think that we can have people coming into political office through the normal political channels of party conventions and nominations and not have to have a period of at least two years for them to gain the basic experience to be a fundamental representative of their own constituency. It just takes that time. I think the concept of an EDA, which would give a little bit more continuity to constituency life, needs to be seriously considered.

Now, I don't think I should prolong my remarks too much on most things, but I want to talk to you about your final report and what comes out of it. I'm going to say this now with all due respect to one of your commissioners. I have never seen a commission's report taken care of so adroitly and adeptly and with greater participation than the commission on education in Alberta that came out in – what? – 1972. That was a gem, a gem of Alberta history.

Now, you're coming through to the end of your evaluation. You'll table a report for the Legislature. You talk about the court wanting you to do something. Can you do something beyond what the court wants you to when you end your show? Could you have a kind of – I don't know what you'd call it – Alberta gathering, a celebration, get your MLAs together and make some special show out of it? Each MLA, after they've met with you, could come back to their constituency and have a constituency meeting and have a message of goodwill, understanding, and learning from your final report to put some oomph back in at the constituency's level from all that you're doing in your hearings.

I think you've got some excellent people in your electoral division office here. When I was doing my brief, I phoned every province in the west and talked to the equivalents of Derm Whelan. There are some wonderful people working in the electoral divisions in western Canada. Maybe they could be invited to your coming-out party when your report's turned in to give you the exposure.

5:10

You know, you can have somebody blow up a building someplace, and you'll get tons and tons of media coverage. What are we doing for what's most basic for democracy? You're doing something that's important in Alberta, and you know the kind of gray area we were in in representation in Alberta before you came into office. So let's see; can we make something of it when you finish?

Now, when I get through this, I'm going to make this last statement. We need to upgrade Alberta's conception of democracy. In my brief I mentioned there was a spectrum of democracies. On a scale of one to 10, we're operating at about a two level in Alberta in many ways in our democracy. There are some spots, some organizations that are beautifully democratic, but I don't think our government democracy is up to par for what it should be in Alberta. We've got a wonderful Legislature, with the talents of only about one-half used in that Legislature. We've got a judicial system that's turning out judges for early retirement who could perform a very valuable function in the EDA capacity.

You know, let's look at our human resources and match them with the needs of a democracy. We can do that at every level, every institution. Let's think of our universities and their students as constituencies of democracy. Let's think of our schools as constituencies of democracy and every other organization that we create. Our new health authorities: constituencies of democracy. If we do that and have these provincial government constituencies operating better, we're going to have a better province. That's my message today.

Comments or questions?

THE CHAIRMAN: I find that I always direct the questions to somebody else to make my job easier, but I'm going to talk first this time.

I want to thank you, Dr. Card, for what you call your bias, but I like your positive attitude. When you bring up the suggestion of an electoral district adviser, or EDA, I like that concept. I don't think it's in our mandate to be – I think that's in the political arena, but there is just no doubt that if you had an EDA system, that would make this job of electoral boundaries a lot easier. MLAs today have, as we've heard, the legislative role and the ombudsman role, and EDAs could maybe look after a hundred percent or 90 percent of the ombudsman role. I just want to thank you for your learned comments and very confident reports off the cuff.

We'll let your hero here, Wally Worth, reply.

MR. WORTH: That's a tough comment to follow.

Brig, I just want to commend you for what I consider to be a very inspirational message of hope for Alberta in the sense of encouraging us to follow through on our report in some imaginative way. I hope we can take that suggestion and act upon it.

You don't seem to be failing at all with age. In fact, you're just getting better. That's the way I like to think about this province, that as it grows older, it's going to get better as well.

I was interested in your comment about: how are we going to end this show? I remember that years ago when you and I were working

together, we used to talk about culminating activities. This would be one grand and massive culminating activity.

DR. CARD: You've translated it correctly.

MR. WORTH: Thank you.

THE CHAIRMAN: Robert?

MR. GRBAVAC: No questions.

MR. LEHANE: Dr. Card, I'd like to thank you for the compliment that you paid us with respect to the matrix. We, too, feel that while the matrix is flawed and far from perfect at this stage, it's a very important first attempt to create a methodology where we can quantitatively measure the degree of difficulty that a representative has in a constituency. We feel, in terms of Alberta being able to keep variances in its populations and its constituencies, that we have to have an instrument of that sort which we can use in terms of reviews by the court. So you've been very helpful.

I want to return the compliment to you. Your inspirational talk about the importance of democracy reminds us all that the cornerstone of democracy is the interest and participation of all citizens. Your interest and participation in the process of this electoral boundary review has been significant in terms of the research and the paper you prepared, the presentation at the last hearing, and your presentation today. We'd like to thank you for that participation.

DR. CARD: You're welcome.

MR. McCARTHY: Dr. Card, just to review briefly our legislative mandate with you. You're talking about when we finish, we're legislatively required under the legislation to present our report to the Legislature, and then it has no force in effect. The Legislature must decide whether to accept, amend, or reject our report. I hope it will be a celebration, but to a large extent it will be up to our elected representatives to determine whether they want to celebrate or not. I can tell you that at this stage the number of elected representatives who have appeared in front of us do not appear to be in a celebration-type mood, but that remains to be seen.

THE CHAIRMAN: Well, thanks for coming.

DR. CARD: You're welcome.

Can you stand one story?

THE CHAIRMAN: Yes.

DR. CARD: All right. In 1960 I spent the summer in Lesser Slave Lake doing a study on the incidence of TB among native people, and in that study we found that there were some real underlying economic and social reasons why we were having to be in that area. We also found that there was something lacking in the Alberta government at that time. Dr. Hirabayashi, Charles Hynam, and I went to see Premier Manning. I'll never forget his reception. He said, "Gentlemen, I want to hear what you have to say." We were proposing that they develop a system of community development officers in Alberta so they could work at the grassroots level in the northern communities. Premier Manning put his head in his hands,

and then he looked up and said: "Gentlemen, I think I know the way to go in Alberta. We're going to shift the emphasis from physical resource development to human resource development." Out of that shift of emphasis came, as you know, a human resources research division, a Human Resources Development Authority, and a Human Resources Council. Now, we may be just about at that stage in Alberta, with all the changes that have gone on lately, where we need to rebuild at the grassroots level. I'd like you to think about that as we leave this meeting today.

THE CHAIRMAN: Well, my comment in respect to that is that you're sort of suggesting that maybe we go and see Ralph Klein, like you went to see Manning. Should I take Wally Worth or John McCarthy with me?

DR. CARD: Well, I think it would be a wonderful idea. You know, the chief thing about a politician is: are they willing to learn?

THE CHAIRMAN: I was hoping you might add: they need to learn. Thank you.

DR. CARD: They've got to be willing first.

Thanks.

THE CHAIRMAN: Well, in the walk-on category, Bill Arsene has asked to say a few words. Bill.

MR. ARSENE: I haven't got much to say, but first of all, I'd like to leave the areas just exactly as they are until the year 2000.

My next thing is that I'm a farmer, have been all my life. We've been feeding you people – and you're a judge, sir. I have nothing against you. We've been feeding you for nothing for the last 30 . . .

THE CHAIRMAN: I've been eating well, I want you to know.

MR. ARSENE: We've fed you for the last 30 or 40 years at cost and below cost. Isn't that right, Bob?

MR. GRBAVAC: I'm not going to argue with that.

5:20

MR. ARSENE: No. So I think there's a lot of different thinking between the cities and the rural people. I'd like to see the rural people be able to vote, and I'm not going by population. We can't do that. I've bought about 10 or 15 farms in my lifetime, so I took out 25, 30, 40 people that are not voting anymore; they're in the cities. So I just put that in, and I think in the next 10 years the half-section irrigated farmer and the two-section dryland farmer will not be there. We will lose some more the way things are going, and I would like you to look at it that way also.

In the city of Edmonton what do they have? Twelve aldermen. And what have they got? Seventeen or 18 Members of Parliament? I think that's ridiculous. I'm intervening against the city of Edmonton, and they intervene very well, those aldermen, and they don't get the money that these guys get. I think the city of Calgary – I don't know what they've got, their aldermen, but I think it's 12 or maybe 14, and you've got 20 members there. I think there are just too many there.

Now, I remember Peter Lougheed the second or third time he ran. He said: you know, I canvassed my whole constituency on a bicycle, handed lollipops and that around to the kids. He did very well.

Getty didn't do that, and he lost out the second time. Anyway, it just shows what you can do there. Now, as I told that gentleman there, I went to Vulcan last Friday, 90 kilometres from my home. I got there, we had a meeting for two or three hours, and we came back. We got caught in a snowstorm. Well, that's the last time I'm ever going 90 kilometres to a meeting at night when it looks like snow. That's finished; I'm not going there anymore. I almost got in a crack-up too.

It's just us people trying to get something done for the rural people. We're not trying to take anything from the city people. We've fed you for nothing. You look good too, except poor Bob; he's getting thinner. But there's another thing I should ask. All you fellows, you know, this money you earn here, you should give it to Bob. He sure needs the help. Bob, help me here.

MR. GRBAVAC: You're speaking my language so far.

MR. ARSENE: Well, I can't see us having 20 members in Edmonton and 20 in Calgary. No way. I think it's the same as their constituencies or their regions, eh? That's the way they should have their Members of Parliament I would think, because I don't think you need that many people all over.

First of all, you bounced me wrong. The last time I was in Macleod. You bounced me into Cardston; I raised hell. They moved me into Little Bow. Well, you know, Little Bow should've been lost the last time. Just lose it; let it go. It should have gone to Medicine Hat. About 25 people came there. Just let them go. But you put us in there. It was the lowest counted thing, you put me in there, and now we've got 150 kilometres. This is ridiculous. I think to get fair representation, that's hard. We went to a meeting, but nobody's coming. It's too far to go. I understand that we can, if we come and talk to you people and tell you what our view is, keep it till the year 2000, and if Klein sees it, he might not let it go through.

Now, I have two other comments. This gentleman here says that we get an MLA, he takes the oath, and he does as he's told. He doesn't. He's not here; he left already. That's not true, and I can give you an example if you want. If you don't, I'll just forget about it. [interjection] Okay; you don't want it.

So it's just something I'd say, that our government is not – once the MLA gets in there, they're all good men. Somebody says, "You do as I say or . . ." That's what it amounts to. The same with you guys: you do as we say or you're not there. That's exactly what it is there. We've got to change, as this man said here, Dr. Card. Some of the things he said I like.

I don't know what else to tell you, but thanks very much.

THE CHAIRMAN: Okay. Just wait. Somebody may have some comments. We're just not going to let you get away.

MR. MCCARTHY: No questions. Just one comment. We're out of business – and again I discussed this briefly with Dr. Card – as of the end of June, and we're delighted.

MR. ARSENE: I understand.

MR. LEHANE: Just one comment too, Bill. As we've traveled through the province, we've heard a lot of people saying: "The government's cut back on everything but the MLAs. They've cut back in terms of regionalizing hospital districts and school districts and laying off civil servants and this and that, but there are still as

many MLAs as there always have been." So it's a popular thought out there now for people to say that we should have less MLAs, but I think it's a very dangerous thought. I can guarantee you that if there are less MLAs, of the ones that are going to disappear, a lot of them are going to disappear out of the rural area. That meeting that was 90 miles away might be 150 miles away. So I think we have to be vigilant in terms of putting some thought to that when people make these statements that we should be cutting back on the number of MLAs. I think there's a significant danger that there won't be effective representation in the rural area if that happens.

MR. ARSENE: But we haven't got it now in Little Bow.

MR. LEHANE: Well, I'm illustrating to you how it could be worse.

MR. ARSENE: Well, I just want you to look at it. I think it could be cut up a lot differently than it was. You put in – what did you call it? – Coaldale. Coaldale might be a rural area, but it's not in my area. It's a different ball game altogether. If we get them in there, that's where our MLAs will come out of. We've got the votes coming up the other way. That's where the MLA will come out of. I think that to get a really rural representation, we've got to have somebody in the middle of there someplace, like we had in Fort Macleod. LeRoy Fjordbotten did a very good job. He did a very good job. We got the dam, and that was all hard work.

MR. GRBAVAC: Bill, I'm familiar with your farm operation; I know it's quite sizable. You said that you bought out 15 or 20 farms?

MR. ARSENE: Yes.

MR. GRBAVAC: I know you not to exaggerate in that regard. What happened to those 15 or 20 farms?

MR. ARSENE: Well, I sold some. I sold quite a few of them.

MR. GRBAVAC: No. I mean those farmers. Did they move to town?

MR. ARSENE: Well, quite a few of them had died already, so I guess they're all in heaven looking at us here right now.

MR. GRBAVAC: Bill, I challenge you to move into the city of Lethbridge, and maybe we'll bring the boundary to follow you. The point I'm trying to make is that there are a lot of agricultural people in the city of Lethbridge. I think you have to agree with that. As a matter of fact, in some instances there are more agricultural people in portions of the city than there are in the rural community. The acreage holders out there in many instances have jobs in the city and know little or nothing of the agricultural community and the economy of that community in which they live, other than the immediate concerns of raising a family and providing a home in the rural portion of the constituency.

So I get really confused when somebody talks about rural and urban; I'm not sure what they mean. I'm just wondering if we couldn't solve this problem by including in the rural area some of the retired farmers and people who've moved into the city from the rural area. Do you see that as a reasonable proposition to put forward?

MR. ARSENE: Well, Bob, I live two miles just straight south of Park Lake. If you go there Sunday morning at 9 o'clock, you can't put a car in there. I helped to build the lake; I paid for it. I have nothing against those poor people; they're the poorer class of people. They've got some kids, and they go out there. They've all got hot dogs, the kids swim, and they're there all day. I have to go to the big lake up there. You can't go to Waterton; that's out of the question. There's nothing there. Maybe in time our Oldman River dam is going to be something fantastic for us, but if you go to my own lake, for the last 15 years I haven't been able to take my grandchildren there. If we're late, if we get there for 10 o'clock, we can't go there. There's no room. City people have got it all. Now they're in on us too.

5:30

The same with our roads now. We use 100 million bushels of barley, Bob, now in county No. 26. I'm not including Coaldale yet; I'm just saying north of the river. That means around 50,000 or 60,000 a week. We've got extra stuff there; we've got a tremendous amount. You know, we're looking at \$3 billion or \$4 billion in that small area on farms. We diversified, and we paid for all the diversification. No government gave us any grants. We didn't ask for it. Did anybody give you anything for your corrals or anything?

MR. GRBAVAC: What I'm asking specifically, Bill – excuse me for interjecting. If you go to the industrial portion of the city of Lethbridge, you'll find that people that are employed there are employed in secondary agricultural industries. Don't you think there would be an advantage to having an MLA represent Burns and represent Cambra and represent Palliser Distilleries as well as represent the people who grow the products that go to those three secondary industry processing plants? I don't see a big leap there. I mean, we haul the grain to town. I'm asking you whether or not you think that would work. Do you think an MLA representing a portion of the city of Lethbridge and your farm is a reasonable alternative, or do you think it's all wet and we ought to not consider it?

MR. ARSENE: I haul all my grain now to Cargill. I tried to buy the elevator, but Cargill beat me out of it. You know, I've had some difficulty with Cargill. I met Cliff Dawson quite a few times and told him exactly: if you start to make slaves out of these farmers, I'll chase you out of Alberta, me personally. Cargill got a little worried about it. That's exactly what I mean. As long as they play ball – and the same with you people. Just play ball with us; give us a fair chance. That's all we're asking. As long as Cargill plays fair, I'll haul all my grain there. As soon as they don't, they really hear me, and we come to some agreement. That's what I'd like to be able to do with you fellows here.

Thanks very much.

THE CHAIRMAN: Two comments. You talked about buying all the farms in your area, 10 or 20, and that the people had moved out. I want you to know that in our system presently, as the law is, you can't buy their right to vote.

MR. ARSENE: Oh, no. I didn't say that. We've lost those votes in our area.

THE CHAIRMAN: I thought you were inferring that maybe you'd like to have bought their right to vote.

MR. ARSENE: I've got a wife, you know. I can't even buy her vote.

THE CHAIRMAN: You said: help out Robert Grbavac. I might give some thought to that.

MR. ARSENE: Bob, I drink good scotch, you know.

THE CHAIRMAN: Thanks for coming.

MR. ARSENE: Thanks very much.

THE CHAIRMAN: Well, I guess that's it for this afternoon. Thank you.

[The hearing adjourned from 5:34 p.m. to 7:05 p.m.]

THE CHAIRMAN: Ladies and gentlemen, we would ask that you please be seated as we would like to start these hearings. I want to welcome you and to say good evening. 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.

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.

7:15

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, who is Brian Phillips.

MR. PHILLIPS: Thank you. I represent the Cardston-Chief Mountain PC Association, and we are pleased that there is a second opportunity to put forward our views on this very important issue. Our first appearance put forth a proposal calling for the status quo, and I want to say clearly that we can find nothing in any legislation or court judgments that precludes your commission from rendering that decision at the conclusion of your review.

To conserve time I would like to refer your commission to the submission of Mr. Stanley Schumacher from Drumheller at your first round of hearings. He has articulated our position on the options available to your commission very well according to the rendering of the court order.

It appears, however, that this status quo is not an option acceptable to your commission, and if that is the case, it means Cardston-Chief Mountain cannot continue as a special consideration division. This has caused you to extend boundaries, as you have in your proposal that we have under consideration. It offers the positive aspect of uniting the village of Stirling and area with their school division and other things in the community of interest with Raymond, Magrath, and to some extent Cardston, and become part of Cardston-Chief Mountain again.

If you proceed with the direction you have proposed, we want to point to a serious flaw in that the balance of the county of Warner should also be included with Taber. This would unite their school district, their shopping patterns, and several other items of community interest.

We make our final request for your consideration, and that is that Cardston-Chief Mountain not be divided. To do so would divide the municipality and school division, to name only two of the negatives that would flow from such a decision.

In closing, I have a quote from the Supreme Court of Canada in 1991, as follows:

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, whether because of the absence of alternative resources to be found in urban centres or for other reasons. Thus the goal of effective representation may justify somewhat lower voter populations in rural areas.

I'd like to thank you for your time.

THE CHAIRMAN: Brian, just wait. There may be some questions.

I'm going to start with John McCarthy and your comments in respect to what the courts have said.

MR. MCCARTHY: I take it you're looking at the decision of Madam Justice McLachlin. As you are probably aware, she was looking at the situation in Saskatchewan at that time, and Saskatchewan had

similar legislation at the time. Now it has different legislation. It has legislated, I believe, a 5 percent variance maximum. In that decision the legislation was similar but the facts that the court was dealing with were different; in other words, the legislation, in that it said that no more than a 25 percent variance was acceptable.

In that situation the facts that the Supreme Court of Canada was dealing with were as follows. The rural areas in Saskatchewan had 53 percent of the seats, and they had 50.4 percent of the population. The urban areas in Saskatchewan had 43.9 percent of the seats and 47.6 percent of the population. So the net difference was about 6.3 percent. In other words, the rural areas had 2.6 percent more seats than population warranted, and the urban areas had 3.7 percent less than population warranted.

When the Alberta Court of Appeal, which was aware of this decision, was looking at the Alberta situation, the numbers, the discrepancy was greater in that the urban ridings were about 13.4 percent above average, and the rural ridings or constituencies were about 8.4 percent below. So the net difference that the Alberta Court of Appeal was dealing with, the facts they were dealing with – even though it was similar legislation, there was a larger variance. The net difference was 21.8 percent as opposed to a 6.3 percent difference in Saskatchewan. So perhaps that was the reason why the Alberta Court of Appeal indicated – I'm just going to try and locate them here – in the concluding remarks:

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

So when you look at Saskatchewan with a 6 percent net difference in variance and Alberta with a 21 percent net difference, the result of the changes that we've proposed cut that variance in half. It's down to around 10 percent, still larger than what the Supreme Court of Canada dealt with in the Saskatchewan situation, but lower than what the Alberta Court of Appeal dealt with. I thought I'd just give you a little more information based on your quote from that case.

MR. LEHANE: Brian, one of the problems that we're dealing with in the south is that the Cardston-Chief Mountain constituency is presently a special consideration riding, but Cardston-Chief Mountain has an area of approximately 6,000 square kilometres. In contrast to that, the two ridings that we felt deserved special consideration, Athabasca-Wabasca and Lesser Slave Lake have areas of 124,000 square kilometres and 87,000 square kilometres respectively. There's just no comparison in terms of geographical size. So that's one of the problems we've had to struggle with in terms of looking for a justification for Cardston-Chief Mountain remaining a special consideration area.

I don't know if you have some other reasons that, you know, you would like to outline for us tonight in terms of why you think it could remain a special consideration area. We'd be interested in hearing those, but I should indicate to you that if you go through what's required under the Act to be a special consideration area, there are probably another 20 constituencies that qualify. So just because you qualify under the Act doesn't mean that you can be a special consideration area. If that were the case, we'd have many of them. So I don't know if you'd want to add anything to that, but I just wanted to bring that out for you.

7:25

MR. PHILLIPS: Well, as a constituency I think we felt that going from Waterton Lakes to Taber is quite a distance for people to travel. We felt that it would be unfair to constituents having one MLA serve that area. It would be difficult for an MLA to serve the people, I guess, in the fashion that he has done with that large an area.

MR. LEHANE: But you can appreciate the significance of the size of the other geographical areas, I'm sure.

MR. PHILLIPS: Yeah, I can.

MR. GRBAVAC: Brian, you alluded to the eastern boundary of our proposed altered constituency, that being a boundary that would be coterminous with the county of Warner. I'm prepared to say that I concede that argument. We had numerous representations yesterday from the people in that area. I think they had very valid concerns, and I think we'll concede that argument. That's not to say that we've made a decision with respect to the final configuration. We've had numerous presentations made before us that would provide us with some alternatives.

I just wanted to comment that this is probably the first time in certainly North American history that any kind of quantitative analysis has been applied to this kind of a process, and our quantitative analysis works well for all the constituencies, excluding those that are now special consideration, unfortunately. So the special consideration ridings have to be dealt with on an individual basis, and the criteria used to justify those ridings have to be unique in respect of support of their retention as special consideration. So that's what we're looking for here: a reason certainly that we can put before the Alberta Court of Appeal that we think will be accepted by the courts and, maybe more importantly to you and I, before the court of public opinion as to what would make a specific riding unique. That's what we're hoping will come forward in this discussion tonight, and I want to thank you for your presentation.

MR. WORTH: Just a question of clarification. Your final request, as you pointed out, was that the Cardston-Chief Mountain constituency not be divided. Now, I interpret that to mean that if we add it to some other constituency, you would like it all to be added, not a part of it.

MR. PHILLIPS: That's a good question. I'm not sure how to answer that really. I guess what we'd really like is not to be touched, period. This is kind of speaking on my own and not as a committee. We did have discussions on taking in Stirling and Raymond and that area and stopping there, kind of staying with the school division, the way that's set up.

MR. GRBAVAC: Brian, I want to ask you a specific question. We've drawn up a proposed configuration. I'd appreciate it if maybe you had a look at it, and you may want to comment on it later this evening. That proposed configuration includes for all intents and purposes the entire Cardston-Chief Mountain constituency as it now exists with one exception, and that's the Blood reserve. I'm wondering if you would comment on that. Do you feel that the Blood reserve is an inherent and integral part of the Cardston-Chief Mountain constituency and Cardston per se? Or do you believe they're inextricably linked and that it would be a mistake to remove

the Blood reserve from the Cardston-Chief Mountain constituency and include it with the Pincher Creek-Macleod constituency?

MR. PHILLIPS: No. We believe that it should stay with Cardston.

MR. GRBAVAC: Cardston. Okay. Thank you.

THE CHAIRMAN: Brian, I just want to make two comments. You felt the interpretation of the court's decision was that it wasn't required to make a change. We feel in view of what Mr. McCarthy has read to you that we have to make a change. So that's maybe a difference between your interpretation of the courts' decisions and ours.

You also stated that in Mr. Schumacher's presentation – I want you to know that Mr. Schumacher has not appeared before the Electoral Boundaries Commission, but he may have sent a letter. [interjection] He did? Okay. Maybe that's what you're referring to, his letter. That's all. Thanks.

The next presenter is David White, Lethbridge-West PC Association.

MR. WHITE: Considering how close we're sitting, I think they could make the signs just a little bit bigger.

This presentation is pretty much reflective of the numerous, almost landslide, number of comments that have been directed towards myself and other people in our association. It's reflective of the views of Lethbridge-West, of the citizens, of the general public, and very much of the rural area. Our association, the citizens of Lethbridge-West, and the people of southern Alberta find your initial report to be totally unacceptable. We view it as an outright attack on rural southern Alberta. Increasing the size of rural ridings negatively impacts the elected official's ability to effectively serve the public interest. Surely effective representation must be a cornerstone in drawing electoral boundaries in our Alberta. Now, I know in the report it does talk about effective representation. I guess I just don't agree with the way the matrix looks at it.

MLAs from rural constituencies face unique challenges. They deal with larger geographic areas than their urban colleagues. When it takes two or three hours to drive across a rural riding, it greatly reduces the time available to effectively service the needs of the constituency. In contrast most urban ridings can be walked across in an hour. An urban MLA's time can be much more efficiently used than the time spent traveling for someone who is in a rural riding. Rural ridings generally have a larger number of elected bodies that make individual demands on the MLA's time. They are usually widely dispersed geographically. This further erodes the MLA's ability to effectively represent the public interest. Urban ridings by comparison may have many MLAs dealing with the same elected bodies in a relatively small geographic area.

There's also the problem of geographic distance to the Legislature. We do not believe the commission has adequately taken into account the simple fact of the commuting distance from Edmonton. An MLA who must travel six to seven hours to the Legislature has less time to serve the constituency. Why should the voice of rural southern Alberta be punished by the democratic process because of where we happen to live?

The report does not appear to take into consideration the natural trading areas. Actually, I believe this was just being addressed as I came in. It is easier for MLAs to deal with the concerns of a cohesive trading area. The proposed boundaries are not reflective of

this fact.

Geography and its effect on the MLA's time must be a pivotal part of the equation in drawing electoral boundaries, otherwise many Albertans, southern Albertans in particular, will be reduced to second-class citizens in their own province.

It is our firm opinion that the commission did not adequately take these facts into account when making their initial report. We look forward to the final version more accurately reflecting the principle of effective representation.

THE CHAIRMAN: Thank you.

We'll start the questioning with Wally Worth.

MR. WORTH: David, as I have heard your submission, you've said that effective representation must take into account a number of factors. One is area, and that we have done in our matrix. Another is distance from the Legislative Assembly, you said. We've included that in the matrix. Another is density or sparsity of population, and we've included that in our matrix. Another is the sort of natural boundaries and trading areas, and we've tried to accommodate that by taking a count of municipal and county boundaries and school division and health area boundaries, which we assumed were based on some sense of natural linkages within communities. Finally, you said that effective representation must take into account the number of local units of government that an MLA has to deal with, and we've put that in our matrix. So my question to you is: if we haven't included the proper factors, what else should we include?

MR. WHITE: Well, I guess I don't know how the matrix ultimately gets designed. I see the output, but I can't be accountable for how it's put in. When I look at what you're doing with, say, Cypress and Chief Mountain, what do Milk River and Warner have in common with the very southeast boundary of southern Alberta? Everybody in that area usually goes to the Medicine Hat region to shop. Their concerns are more north and south there.

7:35

MR. WORTH: Well, we've already conceded that that wasn't a particularly wise decision, but that didn't grow particularly out of our matrix. You're identifying factors we need to consider for effective representation. All I'm asking for you to do is to identify some others that we haven't considered.

MR. WHITE: Well, I'll stand by what I said, because I don't believe that if you're driving seven hours to the Legislature and if you're traveling across a constituency that stretches across half of southern Alberta and up north of Medicine Hat for instance you can provide anything close to adequate representation. Now, a person who lives in downtown Edmonton and represents an urban riding obviously has a lot more time to spend. We seem to be so hung up on population, but somewhere in the big scheme of things the ability to effectively represent your constituency and be heard by your constituency has got to play a more pivotal role, and I just don't see that.

MR. WORTH: All I'm trying to point out is that many, many people have criticized us for developing a matrix that's biased in favour of the ombudsman function of the rural MLA and that in fact we have overweighted, in terms of the perceptions of many people in urban areas and in some rural areas, the factors that we've included in our matrix that reflect the rural condition. So we're going to try to

modify our matrix on the basis of the suggestions we've received, and if you have any suggestions, we'd welcome them.

MR. WHITE: I'd just like to see a higher weighting towards the distance you are and the geographic area. I think that plays a much bigger part. I look at the size of the ridings up north, as you were mentioning – and I don't know that area, and I don't know where the population centres are, but they're huge ridings. I don't know how anyone can effectively represent a vast area. I just can't see it.

MR. WORTH: Okay.

MR. GRBAVAC: David, I welcome your presentation. You provide us with a unique opportunity for some dialogue in that you represent a constituency in what some people would term urban Alberta. I'll assume from the context of your presentation that you're assuming that you're an urban constituency, urban in the physical sense. I think there are people that would argue that there isn't a riding in Lethbridge that is purely urban from an agrarian point of view, because agricultural issues play a very vital role in southern Alberta. I think our MLAs recognize that.

I don't know if you know this or not, but I am one of two rural representatives on this commission, and I'm from southern Alberta. I want to tell you that many of the points you raise we placed in our matrix. We agree with you that rural Alberta is harder to represent. We had a couple of presenters here earlier today that refused to accept that the ombudsman role of an MLA ought to compromise the legislative role, and they simply said, "Give them more resources to deal with the ombudsman role but don't compromise their legislative function," but I'm not necessarily subscribing to that.

I want to tell you that if I felt that, in your words, there was an outright attack on southern Alberta and that southern Alberta was being punished and that we were being reduced to second-class citizens in our own province, I can assure you that we would not have a unanimous report from this commission. I want to suggest to you that I don't feel at this point that we're doing that. Again, we may disagree. More accurately, we probably agree but not in degree.

I want to put to you a proposal, a proposition. It's been put to us that if rural Alberta is more difficult to represent – and let's concede that for the purposes of argument – and conversely, of course, urban Alberta is more easily represented, then why not fix the problem by putting the two together? I can assure you that this commission has studied that possibility, simply taking a portion of the city of Lethbridge and attaching it to one of the rural areas.

I'll give you a for instance. We could have one riding in the city of Lethbridge entirely within the municipal boundaries of the city of Lethbridge, take the second constituency and divide it between two rural ridings. It would serve our numbers very well. Obviously if the MLA in the city has more time, well, then he can spend it in the rural area and that ought to tend to alleviate those concerns. We've received a fair amount of input in the last few days with respect to doing just that. It's not without precedent. It currently is in place in Medicine Hat. One riding in the city of Medicine Hat is 40 percent comprised of the area within the city of Medicine Hat, and the rest is what we know as Cypress, a rural area. Grande Prairie is split right down the middle. The MLA represents half the city and a rural area to the west, and then another MLA represents half the city and a rural area to the east. So it would seem to me that your arguments, coupled with the arguments of the complexity of representation in

rural Alberta, would be best served by marrying Lethbridge-West with either Cardston or Taber-Warner or, for that matter, Chinook-Crowsnest.

MR. WHITE: Well, certainly the commission could do that if they wanted to, but I think they'd find the outcry from that would be much louder than the outcry from this.

MR. GRBAVAC: Based on?

MR. WHITE: Based on the fact that again it would go into trading areas. People in urban Lethbridge tend to have different issues than people in the outlying areas. I also stated in here that it's better dealing with people that have more common issues at heart. That would basically be the antithesis of exactly that.

MR. GRBAVAC: So what you're saying is that if a portion of east Lethbridge were to be attached to the Taber-Warner constituency, that's not an acceptable alternative.

MR. WHITE: I just don't think the citizens would particularly like it. From what people have told me, they like the idea that rural Alberta has a voice in the Legislature. They're looking at this report and thinking that it's being eroded, and they don't like it, and that MLAs' jobs are being made tougher representing rural areas, and they don't like that either. This is across party lines. This is friends in the other major party in this province that I know and people from other ridings that have come and told me this.

MR. GRBAVAC: I don't want to belabour this point, David, but again you present us with a unique opportunity because you are from a city riding. I get a little confused on what is urban and what is rural. I hold a public office in a rural area, and I submit to you that there are fewer farmers in my specific area than there are on a given street in Lethbridge. So sometimes the line gets a bit blurred. I mean, when all the acreage holders that live in my vicinity drive to Lethbridge every morning to punch the clock and drive home, they're driving in front of houses that are owned by the people who own the land where they reside, so it gets a bit confusing.

MR. WHITE: Actually, most of them are retired.

MR. GRBAVAC: I'm not sure a farmer ever retires. But I think you get the thrust of what I'm saying, and I'm hearing you. You're saying it won't work, and that's fair enough.

Thank you.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions. Thank you.

THE CHAIRMAN: John?

MR. McCARTHY: No questions. Thanks.

THE CHAIRMAN: Well, I'm a little bit troubled by your presentation, David. You represent, as I see it, the Lethbridge-West PC Association, which basically we didn't change.

MR. WHITE: No, you didn't.

THE CHAIRMAN: We were told by a lot of people, "Don't make any changes." I think you've heard today why we feel we have to make changes.

MR. WHITE: Yes, I have.

THE CHAIRMAN: You come here, I feel, making a pitch for the rural constituencies around Lethbridge.

MR. WHITE: Yeah, because they're a part of the trading area to some extent.

THE CHAIRMAN: Well, there's nothing wrong with being friends with them, but one of the solutions that we are proposing or that people have proposed to us is to 'rurbanize' Lethbridge. As soon as we mention that, you say no.

MR. WHITE: Well, I'm saying no based on my perception of what public opinion would be if you did it.

THE CHAIRMAN: I guess all I can say is that you don't make our problem easier. Thanks for coming.

MR. WHITE: Thank you.

THE CHAIRMAN: The next presenter is Barry McFarland, MLA for Little Bow.

MR. McFARLAND: Good evening, Mr. Chairman and commission, and to everyone else that's come here as a concerned Albertan and constituent. Basically what I have done this time, commission, is give you the same brief as I did before, but I took the liberty of putting in boldface a few changes that I'd made to the original, since I had the opportunity to talk to some of our elected councils in the riding that I have the pleasure of representing.

I notice that you have made some changes, and I have to acknowledge that I don't underestimate the problems you face in arriving at a matrix. If I make any comments, I hope you don't take them as being negative. I hope I'm offering fine-tuning solutions or changes to some of the matrixes. Before I go through this, I'd just like to comment on a couple of the comments I've already heard, and I can support and understand perhaps where some of the comments are coming from.

7:45

One in particular dealt with the matrixes, and in fairness maybe I don't understand how they were arrived at either when it comes to the one on the geographic size of a riding. If I look at a city riding by the square mile with a rating of 1 and I look at a riding comparable to the one I represent, such as I think Westlock or Barrhead, in and around 12,000 to 13,000 square kilometres, I believe we have a rating of 8 and I believe a colleague of mine, where Mr. Lehane is from, has 3,600 square kilometres, yet the rating is 6. So I don't really see that there's an arithmetic progression or whatever. I don't know the rationale, but I can understand and sympathize with some of the presenters that maybe just not quite enough emphasis was put on the total geography portion of the matrix. If that makes any substantive changes or doesn't, I think if you had an opportunity to look at them again, it may help to some degree. If you have a few other suggestions along those same lines from your presenters wherever you may be, you may be able to

arrive at some of the fine-tuning.

One of the other comments I had was the difficulty – and you don't have a matrix for this one. If I were one of 21, 20, 19, or 18 MLAs in the two largest cities, I along with a number of other MLAs can go to bat for that city and try to accomplish some projects. With a lot of pride I can say that I've done this for Calgary or I've done this for Edmonton – or we have, however you want to call it – but one of the hardest things for a rural MLA is to try to maintain favour with everyone in the sense that you can't do anything for one that you wouldn't want to do for another.

If you notice, I think I have the second largest number of elected bodies and councils in the entire province. Mike Cardinal's riding I believe has the highest number, and I've got the second. I think you're out a couple, even at that, with the number of elected councils. You know, you put your life on the line if you say that you're going to do something for Nanton and you're not willing to do it for Arrowwood or Hays or Vauxhall. Or if you do something for one of the irrigation districts, you have to be prepared to do it for all of them. I'm not saying that you don't do that anyway, but it takes away any identity you have because you're from a riding and a lot of people outside of your own riding won't even know where it is.

Anyway, we did have a number of changes since that time. I don't know if the chair's preference is for me to read those to you or if you would like to just take them at your own leisure.

THE CHAIRMAN: We'd like you to read them.

MR. McFARLAND: Would you? Okay. What I've done, then, is insert them as I changed the original one. One of the things that eventually led to this was that I don't know why the Electoral Boundaries Commission issue became an issue. In our riding it just wasn't an issue at all in terms of representation until the changes were made and the proposed changes came to light. Since that time I've had the opportunity to discuss the proposed changes with many of our constituents. Several people and municipalities in Little Bow to the northwest which have been proposed to enter into the new Crowsnest-Macleod constituency are presently quite happy in Little Bow. There has been some suggestion of including the town of Claresholm and some outlying areas to better fit the agricultural and trading factors of this area. If there is to be a change to the northwest portion, the Nanton council and area feels a closer alliance to the Highwood constituency. Some have indicated that their trading patterns go north. They feel that they have very little in common with the Crowsnest-Macleod constituency and are being shuffled again. Prior to the general election in June of '93 they were in the Highwood constituency, and I believe this will be the third proposed change they've had in the past four years.

One further note. Because the city of Lethbridge has a significant potential for growth in the future, there may at some point be a need for three MLAs in this city. At this point it would be necessary to take back some of the county area that you're proposing now go into Little Bow for this increase, thereby disrupting the county of Lethbridge again or the residents in the area affected.

If I could just stop there for a minute. I think David White said basically the same thing that I might be saying from the rural perspective, that you take them out of the county of Lethbridge, put them in with the city, you create a 'rurban' riding, and then as the city grows, if you in fact need three MLAs, you end up going back and reshuffling the deck again. I think you'll see it at the end of this one. We're trying to create a long-term continuity, if any of the

suggestions that we're making at this point are taken to heart.

Anyway, if boundaries change and if rural representation is to decrease, it is that much more important to have a riding with a strong agricultural base. When we see the proposed reduction in two rural ridings that have been suggested today, the actual net effect is four, because you've taken two out of the rural and put two into the urban. So there's a significant change, far more than just reducing two in the rural. For that reason, the proposed riding in your previous report, which incorporated the town of Coaldale and the southern portion of the county of Lethbridge, has potential to change that base to a 'rurban' riding. The town of Coaldale, as the newest town in the proposed Little Bow riding, would significantly alter the makeup of the existing constituency. Its population is about two and a half times greater than any of the existing communities in Little Bow, and there do appear to be significantly different trading patterns as well as different education and health requirements, from my past association in and around this area.

Then I moved on to page 3, and I did a highlight of Little Bow as it presently exists. There are 13 towns and villages, all elected councils; numerous hamlets; three municipal districts; two counties; the Siksika Nation, an elected native nation to the far north; two regional health authorities; three regional school boards; one separate school board, parts of three others, as well as four private schools; and two elected irrigation districts.

City colleagues meet with one city council, one regional health authority, one regional school board, and one separate school board. Yes, they have a larger population, but it's much easier to meet their entire constituency in one place, one location, without incurring additional costs and countless hours of travel to accommodate all these meetings, meetings that cannot happen within a couple of weeks or months.

I left Edmonton this morning at 7:30, and I noticed an hour and a quarter north of here, 12 miles north of Vulcan, that it was 400 kilometres and I'd taken four and a half hours. I was clicking along pretty fair, 110, but I had this biological urge that stopped me maybe once or twice on the way down. I can only say that if you could put the pedal to the metal and get here as fast as possible, it would have been a minimum of six hours and I'm sure a speeding ticket. That's just from Edmonton straight down to Lethbridge.

The constituents I have spoken with have again indicated that if the solution lies around adding more population to the riding, this is more easily done by dropping the southern boundary of that portion of the Little Bow riding which presently lies in the MD of Willow Creek. In two, four, or six miles, depending on how you moved on the grid system, you could access the same net population that you've accomplished by putting the county of Lethbridge portion, which includes Coaldale, into the riding. This would, of course, then include the town of Claresholm but a much smaller geographic addition than was proposed in your first draft, which added the entire southern portion of the county of Lethbridge south of the Oldman River.

7:55

If you refer back to my original presentation, Your Honour, there were, as I recall, only three bridge crossings across the entire southwest span. For that reason – it's probably a historical thing more than anything – there wasn't a lot of natural trading pattern from north of the river to the south, with the exception of some of the specialty crops.

So thank you for your time, and I hope I didn't take up too much of it.

THE CHAIRMAN: No, but we want you to stay and deal with the questions.

MR. McCARTHY: Barry, I think I understand your point, but if I don't, tell me. First of all, you'd like the southern boundary of the Little Bow constituency to remain as it is presently, not as proposed but as it is presently.

MR. McFARLAND: As defined by the natural geographic boundary, the Oldman River.

MR. McCARTHY: Right. Okay. Then if population had to be added, you'd come south of the existing line, and that would result in Claresholm probably being included.

MR. McFARLAND: If Nanton and Stavelly were to stay in, as they presently are, our suggestion, not mine – I'm making the presentation – was that it should come down from the north side of the town of Claresholm, where it presently is, right to the very first road allowance to the north of Claresholm. You could move either two miles or four miles or six miles on that municipal district of Willow Creek side.

MR. McCARTHY: Okay. I understand that, Barry.

Now, the one I needed some clarification on is this issue about Nanton and Stavelly.

MR. McFARLAND: Oh, I merely brought that up. Again, I thought that was fair for you to hear what I had heard from their elected councils. In the case of Nanton, there seemed to be quite a bit of concern. They felt there was more natural trading that went to the north, into the High River area, which is only 15 miles north anyway. Historically they used to be in the Highwood riding. They were saying that if they were to be taken and put into another riding which might go down into the Coleman area – they weren't knocking the people in Coleman; they were just saying that they had more in common 15 miles north than a hundred and some miles, or whatever the distance is, down into the municipality of Crowsnest Pass.

MR. McCARTHY: Okay. Thanks.

MR. McFARLAND: You bet.

MR. LEHANE: Barry, I just want to thank you in terms of your comments with respect to the matrix that we developed. To give you a little bit of background on that. We feel that in order for Alberta to be able to justify variances in the future, negative variances in population, in particular in the rural areas, there's going to have to be some way to try to quantitatively measure the degree of difficulty of representation in order to protect those variances from the review of the courts. There's a trend going on out there. Saskatchewan's government has recently passed legislation that requires that all constituencies be within a plus or minus 5 percent variance. I understand Manitoba's done the same. In Saskatchewan they drew the boundaries after that legislation, and our understanding is that approximately 40 out of the 50 constituencies are within 1 or 2 percent in terms of variance. They may rue the day they did that. I'm not pointing that out as an example we should follow, but I'm pointing that out as something we should be concerned with, something we should be aware of, because if they start analyzing in

the courts the fact that we allow up to a 25 percent variance when the other neighbouring provinces are way below that, we'd better be able to justify the variances.

So we created a matrix, and we're the first ones to admit that it's not perfect. It's far from perfect. It's going to take a lot of polishing and refining and a lot of analysis as to whether or not the variables we put in there are the proper ones, whether we should delete some, add some, and in particular, with respect to your comments, what weight perhaps should be placed on each one. So we appreciate any input we can get, because we think it's a very critical process to start in place.

MR. McFARLAND: That's why I just suggested that maybe for the size of this province, compared to the size of some of the states for instance, it's far more critical in my mind to put a slightly higher weighting on the geographic size of a riding. I wasn't commenting in relation to the sparsity or any of the other factors you had but just on geographic size alone. I don't know what you're ever going to do with the north, because the geographic centre of Alberta is a couple of miles north of Edmonton.

MR. LEHANE: Quite a few miles.

MR. McFARLAND: Quite a few miles. That's a tough one, because only 10 percent of the population lives north of Edmonton, which probably answers, as I heard, Bob's comment about the 'rurban' riding. I guess that if you're in that part of the province – you've only got 10 percent of the population in the entire north anyways – a 'rurban' riding would look pretty good. What I'm suggesting is that around here, where you've got intensive agriculture and irrigation and a fairly fast growing city, 'rurban' to me means a heck of a lot different connotation than the 'rurban' would in Grande Prairie.

MR. GRBAVAC: Barry, I find myself in the unenviable position of having to defend myself in terms of my lack of support or representation on behalf of southern Alberta, but I want to put to you the problem that I've been confronted with. It's not an easy problem, and you've alluded to that. I want to point out to you and put some figures to the problem. A lot of people have said that we're taking two ridings out of southern Alberta. I think that's a bit of a stretch, to say that when you go all the way up to Wainwright, you're taking two ridings out of southern Alberta, but I'll concede that. I'll concede that that area 40, 50, 60 miles north of Calgary is still in southern Alberta. For the sake of argument, we'll concede that.

We apply a matrix: southern Alberta, a red flag comes up. You look at the map, and to any impartial observer you look at southern Alberta and you've got a problem. Barry, you've got Pincher Creek-Macleod at minus 20.3 percent. You've got your riding of Little Bow at minus 21.5. You've got Bow Valley at minus 24.4. You've got Cypress-Medicine Hat at minus 23.8. You've got Taber-Warner at minus 21.8. You've got Chinook at minus 48.6, and you've got Cardston-Chief Mountain at minus 38.5. Now, damn it, Barry, it's hard for me to defend the indefensible.

Now, the courts have a problem with it. I can appreciate why your constituents don't have a problem with it, but a lot of other people seem to have a problem with it, and here I am trying to defend it. I asked for reasons. I'll dispense with the matrix, the current configuration in Cardston, if someone would put forward a reason that I feel we could put before the courts and it would be accepted. There's no sense in putting this before the courts and

having it rejected before we can get an election off the ground or have an election overturned. That doesn't serve anyone's purposes.

I'm asking for help, Barry. I'm asking you for a reason why virtually every riding in rural southern Alberta ought to push the minus 20 percent envelope – and this is unique in Alberta, I might say – and the justification for Cardston-Chief Mountain at minus 38.5. I'm not very comfortable with this, but I want to tell you, this is what I'm faced with with the other members of my commission and the court of public opinion and the mayor of Calgary and all the rest of it. I have no problem with it, if it can be defended. I'm having a little trouble defending it without taking a riding out of southern Alberta.

When we asked for help, I haven't received a heck of a lot in the last few days. I've been told that this area has nothing in common with that area, and they're only 20 miles apart, you know. I heard that repeatedly yesterday. "We have nothing in common with those people over there." The people in Hanna said that they had nothing in common with the people north and east of Brooks. It's amazing how little we have in common with each other in this part of the country, but that still didn't help my argument. I would like to ask you if you could give me a reason, or failing a reason help me with the lines, Barry.

8:05

MR. McFARLAND: If you want Barry McFarland, non-MLA, just the guy you used to know . . .

MR. GRBAVAC: That's what I'm asking for. Don't worry about your colleagues' toes, if I can say that.

MR. McFARLAND: Okay. No, it's not that. It's Barry McFarland the farmer that says that, quite frankly, I resent somebody living on 700 square miles, relying on the wealth and the riches from the rest of the province, and maintaining that they have the very same or want to have the same representation. The fact is I don't hear that from the people; I hear that from MLAs.

We have a province where the better part of agriculture has 20 percent of the whole production coming out of 4 percent of the irrigated land, which is south of Calgary; to be more precise, in the southern half of that half south of Calgary. That's something to be proud of. It has nothing at all to do with votes, but it does differentiate somebody's point of view.

You've had the experience of going around this province now on the review, and you're going again, but a lot of people that are affected by this whole concept of changing boundaries have tunnel vision, Bob. You know, whether it's the next town to some people – some people have not been more than 100 miles from where they grew up all their lives. I know that for a fact. I've met people in the northern part of the province, up at Fairview, and a young guy that finally ended up coming down to our community is third generation. He had never been more than 100 miles from Fairview. How do you expect him to have anything in common or know anything about the rest of the province?

I'm not giving you any solutions; I can tell by the reaction I'm getting. I guess Alberta's different. If they want to set up Canada-wide rules for minus 5 percent and plus 5 percent for a federal election, go to it. Let them. But this is Alberta. I haven't heard anyone knocking the way that things were set up until we had an election and somebody lost – in Lac La Biche, I believe it was – and challenged this whole issue in the courts. One loser in a political election starts this process all over, and I think it's crazy. I think it's

a waste of time. I think people are more concerned about having effective representation than having X number of people in each of the ridings plus or minus 5 percent. This is a huge province, and 25 percent in some areas puts people on par.

That doesn't give you anything to work with, but all I could suggest to you, Bob, is what our constituency and what the people in our constituency have said. They think that the area – and it isn't a big area compared to a lot. If they're an MLA, they say that there's just too much traveling to do and 13 elected councils and all the rest that goes with it.

MR. GRBAVAC: Can I follow up on your comment with respect to the court?

MR. McFARLAND: Sure.

MR. GRBAVAC: Barry, I guess we have, for lack of a better word, the constitutional right, in our case the Charter of Rights and Freedoms. It protects the rights of the individual. I have a strong, strong position on individual rights. The courts are there to interpret the rights of the Charter of Rights and Freedoms, and if someone feels that their freedoms have been violated in an election, they have the right to challenge. They were challenged in this case.

The Supreme Court of Alberta, recognizing the ruling of the Supreme Court of Canada, came down with a ruling, and as a consequence of that, your Legislature created us to deal with this. So obviously the Legislature felt that it had to be dealt with. Some people have suggested to us: "To hell with the courts; forget about it. They're creating social policy, and they have no right to do that. They weren't appointed to the bench to create social policy, and we think they're doing that. So ignore them."

I have a hard time with that, you know, because I think they're there to defend my rights. So that poses a problem for me. In this instance the court said: do something. The obvious place to do something appears to be southern Alberta, and that's in essence the nature of the problem that confronts us, Barry. We're trying to make small and incremental change. I'm not sure what the outcome of this report will be, but I would hope that whatever it is, people will recognize that we're not trying to move drastically, that we're trying to balance the interests of the law and the interests of equal and fair representation.

MR. McFARLAND: Well, we weren't trying to stand alone, and we weren't suggesting that we stay the same. We know it has to move, but what we were suggesting was a slightly different move, and we're trying to respect natural geographic barriers that presently exist on three sides.

MR. GRBAVAC: All right. Thanks, Barry.

MR. McFARLAND: Okay.

MR. WORTH: Barry, I have no questions, but I just would like to comment that I found your suggestions about alternative boundary changes helpful.

MR. McFARLAND: It may be helpful to us, but I don't relish doing it because I know that it has a domino effect on friends and neighbours and colleagues as well.

THE CHAIRMAN: Barry, I just want to talk to you about sort of planning for the future. You know, I think everybody should plan for the future. I should tell you that Strathcona county appeared before us in Edmonton, and they had done population projections I think to the year 2000 or 2005 or 2010. There are two constituencies out there, and they want three constituencies. The three constituencies that they want all have about a minus 16 variance, but at the year 2005 they're going to be right on. That's what they want us to do for them today. They're planning for the future. Well, we had to tell them: we're sorry. Our problem of dividing the boundaries today is difficult enough for today, and we can't accommodate them for the future.

If we tried to accommodate them for the future, we'd have to take another rural riding away on the basis of voting parity. Now, a lot of people here might say, "Take another city riding away, because the city ridings are very easy to represent," which a lot of people tell us. Even city MLAs have appeared before us and told us that city ridings are easier to represent in most instances, not in all. If you do that, you're in conflict with what the courts and the Charter have said. So we're in a dilemma. I'm only telling you this just to let you know how hard our job is.

MR. McFARLAND: I appreciate that, and I don't know if the courts and the people in the two large urban areas would ever buy into this one, because it's a really long stretch. If the two large urban ones – and it isn't a put-down – bought into it themselves, if they agreed just as those two large cities that they could somehow have their own matrix for the population, would an agreement such as that allow you to maintain some of the numbers that you see in the rest of Alberta, which too often gets called rural, to in effect limit the growth in the number of MLAs for the two huge urban centres?

THE CHAIRMAN: I would say no. You should have been here today to hear some of the representations. You don't have to go to Edmonton and Calgary; you'll get representations in Lethbridge about equal representation and the rights under the Charter.

Thanks for coming.

MR. McFARLAND: You're very welcome. Thank you.

THE CHAIRMAN: The next presenter is Mayor Ruth Nalder of the town of Raymond.

MRS. NALDER: Judge and commission and ladies and gentlemen, we understand the complexities of establishing electoral boundaries for the province of Alberta. Well, maybe we don't totally understand, but we do somewhat. The responsibility of your commission is enormous, and representing the town of Raymond, I appreciate this opportunity to address this important issue. Perhaps many of the things that I have on my paper to say have been alluded to already, but I'll go ahead and give it the way I have to present it.

The Electoral Boundaries Commission Act outlines the relevant considerations and population parameters for the establishment of electoral boundaries in Alberta. We have reviewed these parameters and considerations, and based upon our review, the town of Raymond would like to submit the following for your consideration as you define the proposed electoral boundaries for our area.

8:15

Our understanding of the purpose of the commission is the need to justify the electoral boundaries before the next election. Justify

does not always mean change. To justify is to demonstrate or prove to be valid. We agree with the statement of the Alberta Court of Appeal.

We affirm again that there is no permissible variation if there is no justification. And the onus to establish justification lies with those who suggest the variation.

We ask that you re-examine your methodology and purpose and the purpose to justify.

We presently reside within the Cardston-Chief Mountain electoral division. We understand that our division is one with an extraordinary population variance. The council feels that we can provide justification for our variation. You read at the beginning sections 16 and 17 of the Electoral Boundaries Commission Act. We feel that the Act is very clear. The commission must take into consideration this Act.

I'm not going to reread any of the points that you gave previously. I realize that the population variance is not supposed to be more or less than 25 percent of the average population. Notwithstanding this, in the case of no more than four of the proposed electoral divisions, if the commission is of the opinion that at least three of the following criteria exist in a proposed electoral division, the proposed electoral division may have a population that is as much as 50 percent below the average population of all the proposed electoral divisions. Now, Cardston-Chief Mountain meets four of the five criteria that are listed here: distance from the Legislature Building in Edmonton, no town with a population exceeding 4,000 people, the division contains an Indian reservation, and the proposed electoral division has a portion of its boundary coterminous with the boundary of the province of Alberta.

Now, I know you've given some thoughts on that already tonight, but we feel that the Cardston-Chief Mountain electoral division clearly meets the "must" criteria of the Act. To justify, there must be a rule to measure. The rule is the relevant considerations and population criteria of the Act. Our boundaries clearly meet the rule. We meet the parameters of the Act, so we feel that we're justified.

Effective representation is determined not by numbers only but by common community interests, common organizations, geographic features, existing road systems, understandable and clear boundaries. We would like to see Cardston-Chief Mountain stay as it is, but we understand that there may have to be some change. Our proposal is the addition of Stirling, Warner, Milk River, Coutts, and the rest of the county of Warner. This is Raymond's proposal. We deal with the county of Warner to a great extent. We also deal west with the rest of Cardston-Chief Mountain. That's what we would like. We'd like to see it stay the same, but if not, we'd like to include that.

THE CHAIRMAN: Fine.

We'll start the questioning with Wally Worth.

MR. WORTH: Ruth, we appreciate the fact that Cardston-Chief Mountain meets four out of the five criteria for special consideration. Our dilemma is that 21 other constituencies do as well. So we have to ask ourselves, as Bob has mentioned earlier: what is there about Cardston-Chief Mountain that would make it stand out among those 21 others that would justify it continuing in its present form? Perhaps you can identify some of those characteristics for us this evening.

The second comment I want to make has to do with your indication that if change has to come, I understand that you would be supportive, then, of the notion that we would embrace the MD of

Cardston with the county of Warner and make that into a constituency. Could you comment at all on some of the special characteristics that might lead us to pick Cardston-Chief Mountain for special consideration out of all of the others?

MRS. NALDER: I was not aware that there were 21 other areas that meet those criteria. Also, I was aware from the map that there are only two that have been given special consideration. One is Lesser Slave Lake, and the other is Athabasca-Wabasca. They were – what? – a difference of 45.9 and 35.9. The Cardston one was just 38.5, so it fits right in between those two. I did not realize that there were others. Definitely this constituency does meet four out of the five points of the criteria.

MR. WORTH: No quarrel with that.

THE CHAIRMAN: Robert?

MR. GRBAVAC: No. No questions.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions.

THE CHAIRMAN: John?

MR. McCARTHY: No questions. Thank you.

THE CHAIRMAN: Well, thanks for coming, Ruth, and making your presentation.

The next presenter was supposed to be Lawrence Cherneski, who I think has advised us that he will not be able to attend. So we'll then call on Leonard Fast of the Coaldale Health Care Centre.

MR. FAST: My voice is slowly leaving me. My designated reader did not show up tonight.

MR. McCARTHY: You kind of sound like Brian Mulroney.

MR. FAST: Please.

THE CHAIRMAN: I'm more concerned that you have a designated driver.

MR. FAST: On behalf of the board and membership of the Coaldale Community Hospital Association I'd like to express my appreciation for this opportunity to address the commission respecting concerns relative to the proposed electoral boundary changes contained in your report.

Our association owns and operates the Coaldale Health Care Centre, a voluntary health care facility located in Coaldale, and we are currently part of the Taber-Warner constituency, represented by Ron Hierath. Our hospital has served and continues to serve the needs of Coaldale and the surrounding communities in all directions, operating both as a long-term care treatment facility as well as an emergency and short-term stay acute care facility. Our association comprises many citizens from all walks of life and meets annually to elect the board which operates the Coaldale Health Care Centre.

Our association has had involvement with the health care needs of our community for over 55 years, insofar as I can recall, always as

part of the Taber-Warner constituency. Our service area in large part coincides with the boundaries of the Taber-Warner constituency and the county of Lethbridge south of the Oldman River, and accordingly we have considerable concern in which constituency we will either remain or be dumped into pursuant to your methodology.

In perusing your report, I'd like to comment on some of the factors which much be taken into consideration in determining redistribution from our perspective.

Effective representation. To suggest that a citizen of a densely populated urban constituency has less effective representation than a citizen of a sparsely populated rural constituency I believe is a fallacy. Effective representation is determined, I would suggest, more by the quality of the MLA, the lobbying efforts of the citizens, the contacts of the citizens, and the actual number of citizens involved in the political process than by whether a citizen is part of a constituency comprising a larger or lesser number of constituents. Effective representation is also dictated greatly by the ability of the constituents to access their MLA, and access to the MLA is always much easier in the urban riding.

Sparsity and density of population. I believe that issue has been dealt with probably extensively this evening, so I won't get into that.

Common community interests and organizations. The Taber-Warner constituency is an example of many common community interest groups and organizations.

Municipal governments. We have Taber, Warner, Milk River, Coaldale, many villages, the county of Lethbridge, the MD of Taber, the county of Warner, and all their respective councils and administrations.

Organizations. We deal with the SMRID, the Taber irrigation district, all the various farm-related organizations, community service groups. Now, what urban riding has as many organizations and municipal governments to deal with? I daresay none.

With respect to the town of Coaldale and its citizens, I would suggest the following. The connections and ties that Coaldale has are east-west, Lethbridge to Taber, south to Highway 4, and north but only to the Oldman River and definitely not into the Little Bow constituency area. To connect only Coaldale with a little of the surrounding area with this constituency is, they believe, ridiculous. The Oldman River to the north forms a natural boundary, the city of Lethbridge a natural boundary to the west.

Coaldale is also in the heart of irrigation country. It's part of the SMRID, with no connection to the irrigation and dryland areas to the north in the Little Bow constituency.

8:25

Population of electoral districts. Taber-Warner is well within the 25 percent plus or minus rule previously established, as are I believe all of the constituencies. One very important factor here is that we always hear this common refrain: if we don't change electoral boundaries, our courts will dictate the changes in view of the Charter of Rights. I believe it is time for our legislators to make laws and decisions based upon what the population wants and not what a few unaccountable and unelected judges believe to be in the best interests of our citizens.

I refer you to some comments made by Mr. Justice John McClung of the Alberta Court of Appeal in the Delwin Vriend case. One comment:

The Order Paper of the Alberta Legislature is not to be dictated, even incidentally, by federally-appointed judges brandishing the Charter [of Rights and Freedoms.]

Secondly:

We cannot look on with indifference and allow the superior courts of this country to descend into collegial bodies that meet regularly to promulgate "desirable" legislation.

I've also listed some other comments, but I'll go to one other one.

Allowing judicial . . . proclamation of legislative change ignores our adopted British parliamentary safeguards . . . which are the practical bulkheads that protect representative government. When unelected judges choose to legislate, parliamentary checks, balances and conventions are simply shelved. Yet those cornerstones took centuries to assemble. They came at great cost. Our constitutional heritage is but a calendar of their acquisition, sometimes bloody, for both Royal and commoner. I have in mind fixed and elected terms for legislators; the Right of Petition . . . successive readings of proposed bills; prelegislation dialogue, including elected members consultation with their constituents . . . public questioning of responsible ministers . . . government green papers and private member's bills; the right to propose amendments to pending legislation . . . and the Lieutenant-Governor's power to disallow constitutionally suspect bills . . . All of these formative resources stand suspended when rights-restless judges pitchfork their courts into the uncertain waters of political debate . . . The people must have judges, but that by being made judges our prejudices cannot always be suppressed and our intelligence certainly is not increased . . . To me there is no doubt that Canada's judges honestly intend and perceive that they are only bringing their good sense and detachment to bear when they reshape legislation, but it is not always the general interest that they serve. In our cloistered head: station it is our priorities, our privileges, our experience, our spending and comfort levels, what we have been taught and our own stereotypes that shade our [efforts] to pronounce the ideal laws.

All of these comments are from Mr. Justice McClung of the Alberta Court of Appeal. I believe that the words of this eminent Justice should be taken to heart by the commission. In essence, what is important is: what does the general population want and what do the legislators want, not what will the courts do with our legislation and will it possibly contravene the Charter of Rights?

I also refer you to some of your own comments. Page 6: "The Supreme Court of Canada and the Alberta Court of Appeal have agreed that the right to vote under the Charter includes," and it lists a number of points. Now, since when do the citizens of this country elect our courts so that they can agree amongst themselves as to our right to vote? We elect our MLAs and MPs to make these decisions, not the courts.

Page 8, dealing with the comment of Madam Justice McLachlin of the Supreme Court:

In the same decision, the Justice writes:

First, absolute parity is impossible. It is impossible to draw boundary lines which guarantee exactly the same number of voters in each district. Voters die, voters move. Even with the aid of frequent censuses, voter parity is impossible.

Even Madam Justice McLachlin, who has made some very questionable decisions in her tenure as a Supreme Court judge, appears to recognize that constituency parity is not possible.

Page 10:

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 believe that this comment is irresponsible. When courts deem that what a population wants is inappropriate and irrelevant, then quite

possibly the time has come to curb the powers of the courts and require accountability on their part to the population in the form of elections.

Pages 13 and 14. Now, this is not taken as a quote. Considering the number of people and organizations in our province, the fact that there were only 252 written submissions would suggest to most people that the issue of electoral boundary changes is not uppermost in the minds of Albertans. It may be to the media, politicians, and judges, but it is definitely not to Albertans. One can surmise that as there were only 27 submissions out of the 252 which suggested representation by population and only 40 which suggested a reduction in the number of constituencies, it would seem that the general consensus of Albertans is that the status quo is acceptable. Considering the nature of these submissions, one would question why there was a need to make any changes to the electoral boundaries and especially the recommendations which were made, which fly in the face of the vast majority of the submissions which were made.

The methodology devised by yourselves appears to have been designed with the view that changes were required to the electoral boundaries, not if changes were required and what is necessarily in the best interests of Albertans. One can devise any methodology to fit any design, and accordingly one cannot assume that the methodology utilized by yourselves is more relevant than some other methodology which may suggest that the current status quo is the most desirable option. Given some time and the required expertise, one could easily establish such a methodology.

I trust that when you review your proposals, it will become abundantly clear that your proposals are out of sync with what the population wants and in many instances are impractical and unworkable, especially as they deal with southern Alberta, and that your final report will provide for no electoral boundary changes, even though such a report may be politically incorrect and may cause consternation to some unelected and unaccountable judges. Considering the refreshing decision of Mr. Justice McClung, to which I have previously alluded, it is hoped that the interventionist attitude of the courts will change and governments will again be permitted to govern and make decisions which they believe to be in the best interests of the population and not whether some court will overturn the decision based upon the Charter of Rights.

In closing, I believe that effective representation for Albertans should be the most important purpose of any electoral change, and I do not believe that your report has achieved this purpose. The previous electoral boundary's final report, as accepted by the provincial government, was fully cognizant of the importance of effective representation, and to this end it established very credible parameters which truly reflected the intent of our legislators and the wishes of Albertans. There is no reason why the same cannot be affirmed by your commission.

Thank you.

THE CHAIRMAN: Well, Mr. Fast, I don't know if you're aware of this, but John McCarthy of this panel represented the provincial government on the Vriend court case, and he was very happy with the judgment of Mr. Justice McClung. I think I'll give him the opportunity to question you first in respect to your comments.

MR. MCCARTHY: I don't have too many questions, and certainly I'm not going to disagree with the statements of Mr. Justice McClung. But just a little background on the issue that we're dealing

with; that is, this commission was created as a result of steps taken by the Legislative Assembly of Alberta. If it wasn't for the amendment of the legislation, this commission would not have come into existence. So the Legislative Assembly was acting within its jurisdiction when it decided to create this commission.

Now, our mandate as ordered by the legislation passed by the Legislative Assembly is to make a report through the Speaker to the House, and your elected representatives will have a choice at that stage to either accept, reject, or amend the report. At that stage there may or may not be a court challenge. I suspect maybe the reason why the Legislature reacted and created this commission was because of the court decision that you've alluded to, where they indicated that they did not accept the proposition that the boundaries as they are were acceptable until the 2001 census.

You're right. It's unfortunate that what we've got here is a confrontation that appears to be happening more and more often, as Mr. Justice McClung says, at the uneasy junction of the authority of the Legislature and the authority of the judiciary. It's not an easy problem, and to a certain extent this commission is almost like the ham in the sandwich, between the judiciary and the Legislature.

MR. FAST: I would agree.

MR. LEHANE: Len, you've indicated that the proposed boundaries you feel violate or don't pay attention to the logical trading patterns and communities of interest. Is that a fair summation of your concern?

MR. FAST: Correct.

8:35

THE CHAIRMAN: Was that it?

MR. LEHANE: No.

I take it that the existing Taber-Warner constituency you consider to be a natural community of interest in terms of Coaldale. Is that fair to say?

MR. FAST: Correct.

MR. LEHANE: Well, what about the city of Lethbridge?

MR. FAST: What about the city of Lethbridge?

MR. LEHANE: Okay. Is there a community of interest there with Coaldale?

MR. FAST: The city of Lethbridge as a community of interest? Coaldale has a community of interest with the surrounding area.

MR. LEHANE: But Lethbridge is in the surrounding area.

MR. FAST: But I'm suggesting that there is no particular need to incorporate Coaldale into the city of Lethbridge. Basically I'm suggesting that the current boundaries, I believe, are more than acceptable. I see no reason whatsoever for any change.

MR. LEHANE: Yes. I understand that's what you're saying. I guess what I'm trying to determine, for the sake of discussion, is that if they had to change, I understand that the proposed change is one that you think certainly doesn't fit at all.

MR. FAST: Correct.

MR. LEHANE: I'm asking if there are any other changes that might fit, such as the city of Lethbridge.

MR. FAST: No.

MR. LEHANE: Thank you.

THE CHAIRMAN: Robert?

MR. GRBAVAC: No questions.

THE CHAIRMAN: Wally?

MR. WORTH: Central to your position is a concern about effective representation. You really haven't defined it anywhere in your presentation, and I wondered if you could in 25 words or less or a few more.

MR. FAST: I believe I did refer to that in my report. Effective representation in large part is determined, as I indicated previously, by the quality of the MLA, the lobbying of citizens, people getting involved in the political process. One constituency does not have the complete answer for that. You can be just as effective in a large constituency as you can in a small one.

MR. WORTH: The components, then, of effective representation to you are: evidence of lobbying, the effect of lobbying . . .

MR. FAST: Effective lobbying is a part of the political process.

MR. WORTH: A good and honest MLA or you said the quality of your MLA?

MR. FAST: I said the quality of the MLA.

MR. WORTH: Okay. So what qualities do you look for in an MLA?

MR. FAST: Well, a good MLA will be available to the constituency on a regular basis and will respond to the constituents when they have a concern. If you look at those two points – let's face it – it's far easier for the urban MLA to be effective.

MR. WORTH: So if we were to try and get a handle on effective representation as provided by an MLA, I suppose then we ought to look at their accessibility to their constituents and how they have responded, sort of evaluate how well they've responded to their constituents' concerns; would that follow?

MR. FAST: That's a factor, yes.

MR. WORTH: Okay. Thank you.

THE CHAIRMAN: Well, I have no questions, Leonard. Thanks for coming and making your viewpoints known, and I'll tell Justice McClung that you agree with him.

MR. FAST: Please do.

THE CHAIRMAN: But you may be his only friend.

MR. FAST: I don't think so. Among the judges, maybe.

THE CHAIRMAN: The next presenter is Robert Mitchell, MD of Pincher Creek. You don't want to read that?

MR. R. MITCHELL: No, no. You'll find mine is much shorter.

Firstly, good evening. I represent the MD of Pincher Creek. I'm the reeve at the present time. What we will say has been said many times in many different ways, but we felt it was important that we come once again to reiterate our position, not that we can present anything new, but I guess we're concerned that our boundaries are going to be impacted by whatever you do. I'll read this report.

The council of the MD of Pincher Creek has had the opportunity to review the report of the Electoral Boundaries Commission, and we thank you for this opportunity to comment regarding the report. With respect to the broad implications of the report, council is aware of a submission by the president of the AAMDs and Cs, Roelof Heinen, to the commission. Rather than reiterate the various points raised by Mr. Heinen, council wishes to indicate its support for their position. We believe the points raised by the AAMDs and Cs are concerns that are shared by all municipalities in rural Alberta and that the points raised by Mr. Heinen deserve serious consideration during the commission's review of its proposal.

The MD of Pincher Creek also wishes to comment specifically concerning the commission's proposal to amalgamate the Stavely-Nanton areas into the present Pincher Creek-Macleod riding. Given the size of the proposed area, the diversity of the industry and commerce within the area, and the distinct trading patterns that exist within the region, council has serious concerns about the ability of any MLA to effectively meet with and represent the residents of this riding, should it be adopted.

We trust that in its review the commission will give greater consideration to the above factors and the impact they have in terms of effective representation, not only on residents of Pincher Creek but on all residents of southwestern Alberta. It is our hope that the Electoral Boundaries Commission will reconsider its recommendations and uphold the present electoral boundaries of the current riding.

On behalf of council and the residents of Pincher Creek, I wish to again thank you for the opportunity to present our concerns and again urge you to reconsider your recommendations with respect to the distribution of rural and urban electoral divisions.

THE CHAIRMAN: Thank you, Robert.

We'll start the questions with Wally.

MR. WORTH: Robert, I think your central message is clear, but I would very much value your opinion, as would the rest of us here, about a proposal we had this afternoon about the name of your constituency. We had a proposal this afternoon that the constituency be renamed Livingstone-Macleod. Do you have any comments on that?

MR. MITCHELL: I guess if you're going to remove Pincher Creek or remove Claresholm or all the rest, I'd suggest maybe you should find something that's completely neutral as opposed to retaining Macleod or Pincher Creek or Claresholm. I'm far more concerned with the size of the riding and the effectiveness of the representation

than I am with the name of it.

MR. WORTH: 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. McCARTHY: Thank you.

THE CHAIRMAN: The next presenter is David Coutts, MLA for Pincher Creek-Macleod.

MR. COUTTS: Thank you very much, Your Honour and gentlemen of the panel. I do apologize; I do not have a written presentation for you this evening. I came here as an observer, without any intention of saying anything, until my colleague for Little Bow was up here. A number of the questions came to him, and some of the answers that he gave spurred me to write down a few items. If that's acceptable to you, gentlemen – I hope it is. If not, if you would prefer a written presentation, I will leave the podium, and I will make a written one at a later date.

THE CHAIRMAN: No, we would prefer to hear from you. This is all being transcribed for *Hansard*, and we'll give you a copy of your report in two weeks' time.

8:45

MR. COUTTS: Thank you very much. We'll find out then whether or not I ramble, and if I do, gentlemen, please just interrupt me and tell me to get on with it. I, like you, have been on those panels and spent those many, many hours reviewing these types of things. You've had a tough three days, so I'll try to make it short.

I think you have a very, very difficult decision, a decision that may not be reconciled. I think that under the Charter of Rights, if these recommendations are approved, the chances are that even though you have kept the percentage of population within a prescribed amount, you will probably find that we will be challenged in court again. I think it is sad that we have somewhat created – when I say “we,” I'm talking society – its own demise in the process.

The court decision, from my recollection – and now I'm going to be talking from an MLA's standpoint – was upheld by the courts and said basically that a review of the boundaries should take place in the province of Alberta. It was never my anticipation that an actual changing of the boundaries would take place, but that the boundaries would be reviewed and a report would be put in. I was somewhat astounded when the report came in and I saw my constituency of Pincher Creek-Macleod, a very diverse constituency – I'm sure you have heard many times over how diverse it is, right from the mining, forestry in the Crowsnest Pass, and all that resource base to the

environmental concerns along the eastern slopes and right in the mountains themselves, the possibility of parks and those types of things, to the ranching and the agricultural component in the foothills, along with the associations of oil and gas as it fits in with the agricultural component, plus all the leased land that we have, the Crown land that is in that area. It presents a diversity of issues. Then you get out into the Peigan nation, and it presents a number of issues, particularly revolving around the Oldman dam and the diversion weir for the irrigation at the Lethbridge Northern headworks, and then of course into the grain area and some of the intensive livestock that we have out on the prairie part in and around Fort Macleod and Claresholm. So it is very, very diverse.

You've seen and heard the opposition to the fact that in the city ridings they don't have that many issues to deal with. They have a lot more MLAs, and they have a lot more government services in the city. Therefore, a city MLA has a whole different range of issues to deal with, maybe issues that do not take their time, so they can devote to maybe being in Edmonton more often and getting involved with the actual political process. Whereas on my behalf, I tend to want to be in my constituency and learn the issues within my constituency and how I can help my constituents.

We've heard that on many occasions, and I just wanted to reiterate it because now, after being elected in 1993, I have lived it. I can tell you that the workload on a rural MLA is much different than on a city MLA, and I'm not complaining. I'm ready for any challenge that comes before me. I'm prepared for that; I should be prepared for that. But I find it a little difficult when we've taken our constituency office in Fort Macleod – which we set up as a two-day office. We quickly found that because of the diversity of the area in Pincher Creek-Macleod, from the Crowsnest Pass right through to Claresholm, we immediately needed to add more days for my staff, for my one girl. So we turned it into a three-day-a-week operation. Within two months of that decision, we turned it into a five-day-a-week operation, from 8:30 in the morning till 4:30 in the afternoon, and she is busy.

We also had to take a look at my representation to the MD, town, hospital board, school board representation, and my time to spend with them. There was a period of time when I was not able to get to meet with them, and we've since had to work out a system where we go into the community. In other words, we changed our system, and all the boards and MD councils changed their way of doing business to accommodate me so their expectations could be met. I'm very fortunate because I had the co-operation of those folks, and it seems to be working very, very well, but it's taken some time. I believe that the reeve – and I don't want to put words in his mouth because he is a very qualified individual. Mr. Mitchell, who was with the MD of Pincher Creek, had the experience of having an MLA very, very close to him in the old Pincher Creek-Crowsnest riding, where the two centres were the Crowsnest Pass and Pincher Creek. He had access to his MLA pretty well on a regular basis. We expanded it to Pincher Creek-Macleod, and I wasn't able to come up with the same expectations. They had some frustration and eventually came onside, and we've really solved the problem. If we go north to Nanton and Stavely, it will take another reorganization of our constituency from a workload standpoint, adding more people on and the amount of time that it takes to serve those people.

Basically what I'm saying is that the expectations of the electorate will have to change. That's one thing that I think you will have to maybe take a look at putting into your matrix, the expectations. How does an MLA respond to a large area, particularly if it happens

to be a diverse area? Some of the expectations of an MLA are to be in Edmonton and be close to cabinet, as close as you possibly can. I've even had constituents say to me, "We'd like you to be a cabinet minister." I don't think I could do that effectively and look after the rural area that I have, a five- to five-and-a-half hour drive into my constituency every week, look after the constituency with its diversity. That's okay with me because I think that I'm there at the will of the electorate. I'm there to look after my constituency.

I applaud you on one thing: the mere fact that you took that northern boundary, made it coterminous with the school board, which is the Livingstone Range school board, and the municipal district of Willow Creek and including all the MD of Ranchland No. 66. I think you should be applauded for thinking of that and doing it. However, there's always a downside. It has, as my colleague Barry McFarland said, a domino effect on other constituencies, and you see the results of that. The other problem we have is that you have the town of Stavely that used to be in the old Macleod constituency. Now, some of those folks have settled into Little Bow. Some of them feel more at home and want to maybe come back to the Macleod constituency. Nanton, on the other hand, has never been in the Macleod constituency and has been somewhat isolated and kicked around, if I can use that word loosely, into three different constituencies if this should go through. I'm wondering how those people feel. Even though it's under the Charter of Rights, when we start playing with people's lives like that and they don't really know where they belong, I think we've got to take a look at that and put that into our matrix too.

I have one problem. In coming up with these boundaries, you're using a 1991 census in a 1996 world. I'm just wondering whether or not we should really be doing this at this time. I know you're going to say to me, "Well, it's your Legislature that did it." Yes, we did, but we did it at the will of the court. That way I feel that if it had just been a review rather than an actual, physical redrawing of the boundaries, if we'd just gone with the review, maybe we wouldn't be in this mess.

8:55

I would suggest that we leave the boundaries as they are. It will keep everybody a lot happier. I know the people in the Crowsnest Pass would be happier. I've talked to our people in Pincher Creek; they would be happier leaving the boundaries just as they are. Claresholm and Fort Macleod are also the same, as well as the small communities in between.

I would sooner see us at the 2001 census come up with a thorough review at that time, and hopefully we can keep out of the courts in the next five or six years so that a proper study can be done. What you said about looking to the future, sir, with your comments about the county of Strathcona eventually having 60,000 people in it: yes, they deserve representation too. Maybe at that time we can work on a matrix for the major urban centres, and maybe we can work on a matrix for the rural centres. So my thoughts are that if we keep the boundaries at the present positions and work on 2002 for a complete overhaul of the boundaries, we would all be a lot better off.

I've talked too long, gentlemen. We could go on and on and on about representation, particularly because I'm a new MLA, and how I see the differences between a diverse rural constituency and a city constituency, but you've heard all that, and you may have even heard a little bit about it from me tonight. So with that, those are my comments, and I welcome any questions.

Thank you.

THE CHAIRMAN: I'm sure, Dave, you're going to get quite a few. Wally.

MR. WORTH: I was interested in your statement that the workload of a rural MLA was different. The reason that piqued my interest was that your statement reaffirms the finding of the only research study we've been able to discover that studied the workload and the activities of an elected representative across Canada. This was a study that was done out of Carleton University, and it was dealing with all the Members of Parliament, not MLAs but Members of Parliament, across Canada. One of the significant findings of that study was that the work of MPs in rural areas was different from that of the MPs in urban areas, but equally important or significant was that the weight of that work was no different. The weight of that work was about the same, but the components within it were quite different.

I think there's been a perception as we've moved around the province that indeed the workload is different but it's also a lot heavier in rural areas. On the basis of the one study we've been able to locate, we're not convinced yet, I guess, that the workload is necessarily heavier but that certainly it's different. That's why I was interested in your comment, and I wondered how you would react to that finding. Do you think if we did a study of the workload of MLAs in this province, for example, we would discover that the workload is generally about the same in its intensity but it's different in terms of its components?

MR. COUTTS: First of all, I'm very, very pleased to hear you say that you did look into whether or not there was a study to get some information to see where the workload is. I'm very pleased to hear that. As an MLA I could be out there 24 hours a day and there would always be issues. When I say "out there," you go to the Crowsnest Pass and they're altogether different than they are on the Peigan reserve. You have to know something about every single one of those issues, whereas in the city they don't really have to know all those issues because you can take a city that doesn't even have a library in its constituency. It's just a mass of apartments, houses, and human beings. They work maybe in the downtown core, and there are not many services around the area that they're in.

That's the difference, because that city MLA is dealing with people problems. I may be busy with environmental problems around a creek or the weir or in forestry, some of the clear-cutting that's going on, but the people problems are easy to direct in the city. You have a social service office. The people can get on a bus and go downtown and drop into the social service office. You have seniors' storefront offices on 108th Avenue and Jasper Avenue. We don't have that in the rural area; you're dealing with the people end of it. So I think you're absolutely right.

MR. WORTH: Then the observation you made is very significant, that the urban MLA is dealing a lot with people problems. Because one of the other findings of this study was that one of the differences in the work of a rural MP and an urban MP was that the rural MP dealt more with groups, like your municipal councils, your health units, and so on, whereas the urban MP dealt with individuals and their personal problems, in many instances because of the high incidence of unemployment, poverty, non-English speaking people, and so on. So that comment was very insightful.

MR. COUTTS: Thank you. I can tell you that the 56 – I counted

them this morning – issues or files I had on my desk when I left Edmonton this morning are all of the major, what you say, groups and that type of thing. Of course, I had a flood, too, this year, but they're all in that area. The city – I asked one of my colleagues. I said: how many of those files are a big problem like, say, a park relocation or whatever or clear-cutting or that type of thing? None of them. They were all people, and your comments are bang on.

Thank you, sir.

THE CHAIRMAN: Robert.

MR. GRBAVAC: No questions.

THE CHAIRMAN: Joe.

MR. LEHANE: Dave, your legislation provides that the function of the commission

is to review the existing electoral boundaries established under the Electoral Divisions Act

and to make proposals to the Legislative Assembly about the area, the boundaries and the names of the electoral divisions in Alberta in accordance with rules set out in part two. It provides that we will submit to the Speaker of the Legislative Assembly a report which shall set out the area, boundaries, and names of the proposed electoral divisions and the reasons for the proposed boundaries of the proposed electoral divisions.

I think that, coupled with the conclusion in the Court of Appeal case, doesn't leave us a lot of latitude. If I could just read that conclusion, it says:

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.

You can see what position we're in in terms of the requirements of the legislation and the direction of the Court of Appeal.

MR. COUTTS: I understand completely the position you're in. I guess from my standpoint, if you could look back in there and say, "review and . . ."

MR. MCCARTHY: A "proper review."

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.

9:05

MR. COUTTS: That makes it very clear that a part of your mandate is to deal with the population inequities. I understand that.

MR. LEHANE: So what we've done is that in our report we've developed a matrix, because we believe that any population variances of any significance are going to have to be justified. To the extent that we can have some methodology to show there's been an attempt to quantitatively analyze the degree of difficulty of a constituency, we can then justify those variances.

So we appreciate very much your input and thoughts in terms of the proposed changes and perhaps things that we can look at before

a final report is placed before the Speaker.

MR. COUTTS: Thank you very much.

THE CHAIRMAN: John.

MR. McCARTHY: If a change had to be made – you heard Barry's suggestions tonight, which I believe were to leave Little Bow as it is but then move south into Claresholm a little bit. That would require an adjustment, an addition for your constituency. What's your reaction to moving and including the Blood reserve in your constituency?

MR. COUTTS: To be really honest with you, can I answer as Dave Coutts, restaurateur?

MR. McCARTHY: Yes.

MR. COUTTS: I'm not a betting man, but my bet with myself was that that's probably where you would go with it. I was somewhat surprised, but as I said in my presentation, the coterminous lines made sense once you did it.

Unfortunately, here's the situation that we have. We don't have any choice to go really anywhere else but north or south. We can't go west unless we take Fernie into Alberta, and that would be very nice, but . . .

MR. McCARTHY: Maybe we should revise that.

MR. COUTTS: So our options are limited; you're absolutely right. You know, I'm already dealing with one native reserve. To go south on the Blood reserve would present some problems for – what are you calling it? – the new Cardston constituency. It would present problems. Where do you go and make up the – what is it? – about 7,000 people on the reserve? Where do you go and make up that population for him?

That's the problem, that we are expanding boundaries to only, in my opinion, accommodate population. I believe that something more has to be in the equation than just expanding boundaries to get population. I have said publicly that in going north to Stavely and Nanton, I'm up for the challenge. It does make it nice because it's Highway 2 – now I'm speaking as an MLA – and I can catch people coming and going. That's not the problem. But going north immediately, as my colleague Barry McFarland said, presents a domino effect, and it affects other constituencies. I don't think it's a win-win situation. That's why I'm suggesting that we leave it alone.

MR. McCARTHY: Thank you.

MR. COUTTS: I'm sorry; very general there on that one.

THE CHAIRMAN: I'm going to come back to that, but I've got a few other comments.

MR. COUTTS: Yes, Your Honour.

THE CHAIRMAN: I should tell you that as we traveled Alberta in November, not so much now in April, many communities were blaming us for the electoral boundaries review. John has made very

many statements that we weren't to blame for it; it was as a result of legislation in the province of Alberta that we were here. I was glad to hear you say that society may have created its own demise here in respect to this, because that takes the blame off us. A lot of people are saying: "Why are you here? Why are you wasting the money? You're here for the fifth time in seven years," and whatnot. We got a little heat for that. I felt it was a little unfair that we were getting the heat, but that goes with the territory. I can appreciate that people out there don't always understand how these things have happened.

MR. COUTTS: Right.

THE CHAIRMAN: The name of the constituency is what I'd like to talk to you about. The constituency was Pincher Creek-Macleod, and at our last hearings there were recommendations. We thought that Crowsnest-Fort Macleod would be a better name because Crowsnest included a big area, versus Pincher Creek, a small area, and it was a more generic name, if we can use that expression. We had one person come here today – I can't remember who it was, this afternoon – who didn't like that name and said that you could change the name to Crowsnest-Pincher Creek-Fort Macleod-Claresholm, and five other names, and he said that that's not practical. But he then said that the Livingstone mountain range had a very important history in that constituency, and he wanted the name of Livingstone-Macleod. I want to put it this way: basically, we in the commission don't like imposing names upon people. If the majority of the people want just Crowsnest, or if the majority of the people want Fort Macleod or a combination, or if the majority of the people want Pincher Creek-Fort Macleod, which we have, we just want to adhere to the wishes of the people. Seeing you're the MLA from there, I think you're the best man to answer the question of what should be the name of this constituency.

MR. COUTTS: Well, with that you're absolutely right. We should be doing it at the wish of the people. Everybody would like to see their town or village in the naming of the constituency, but we all know that isn't practical, as the previous presenter said. As an MLA, for me to put it on the record as to what I want to see, I run the risk of alienating a whole bunch of communities here, but I'm going to do it. First of all, I'm going to give you a little bit of background. The previous presenter may have given you some background.

The original constituency of Macleod was named after Colonel James Farquharson Macleod, not after the town of Fort Macleod. It was named Macleod because Colonel Macleod was a member of the First Legislature in the province of Alberta, when we became a province in 1905, and he was there not as an elected representative but as an ex officio member, I do believe. If I'm wrong, maybe some of you learned gentlemen on the panel can correct me, but I believe that is the history for the name Macleod. It's not from Fort Macleod. It's not from the town that I was born and raised in, and that's not why I would defend the name Macleod. I'm defending it from a historical point and the fact that Colonel Macleod was a member of the First Legislature of the province of Alberta.

THE CHAIRMAN: We were given the same history this afternoon.

MR. COUTTS: Oh. Good. Thank you. That's good.

The history from Pincher Creek is almost the same. At one point in time, I believe it was in the Third Legislature, there was enough population – and here we go – for a new constituency to be made on

the west side, and the name of that constituency was called Pincher Creek. I don't know who the first representative was, but that's immaterial. I'm looking at it from a historical standpoint. The reason that Pincher Creek-Macleod constituency now is called Pincher Creek-Macleod is because of that historical background. At the last boundary review the name alienated the people from Crowsnest Pass, because they in the meantime, over the past 20 or 30 years, have had a constituency called Pincher Creek-Crowsnest. So every time we change names, we do eventually upset one or two communities.

9:15

In view of the historical significance of Macleod being a name of a constituency and the federal constituency also being called Macleod, my thoughts are that it should contain that historical significance. Trying to match that up and stay away from towns, another historically significant feature is that beautiful wall of mountains that is so very, very close to the Crowsnest Pass. Those folks can see it every day; the people from Pincher Creek can see it every day. Staying with the historical significance plus the mere fact that the Livingstone Range school board got its name from that same group of mountains – I must also say that the Livingstone Range mountains got their name from Sam Livingstone. So keeping in the historical context, Livingstone-Macleod would be a good name. I will also be polling the people of my constituency to find out what they think, because when it gets to the Legislature, I'm sure I'm going to have to stand up and defend that.

THE CHAIRMAN: If you're going to poll them before we do our final report, please give us the results.

MR. COUTTS: I will do that, Your Honour.

There's one more thing I'd like to say, and I thank you very much for the time.

THE CHAIRMAN: I haven't finished with you.

MR. COUTTS: You haven't finished with me? Okay.

THE CHAIRMAN: Go ahead.

MR. COUTTS: I was just going to say: your comment about this panel taking the heat for this review again and the dollars that we're spending and why are we doing it, et cetera – you're right. It's easy to blame, and it's easy for me as a politician now to blame the courts for us being in this position too. I've used that, by the way.

THE CHAIRMAN: This goes back to the Blood reserve. You were concerned about Cardston-Chief Mountain. We were in Taber yesterday all day, and I think you know what kind of representations we got. One of the proposed solutions to this is to leave basically Taber-Warner the same, because they want to stay the way they are. We could add Cardston-Chief Mountain to that constituency if we took out the Blood reserve and gave it to you, but we would then, I suppose, have to take out the additional area that we gave to you up Highway 2 in the north. I detected from the answer you gave to John that you might not exactly like this. Your work is pretty hard already, but it was livable. Am I correct?

MR. COUTTS: Yes. Certainly I could live with that. I guess my question is – and I don't like answering a question with a question.

If you would give Little Bow back the Stavely-Nanton portion, send Pincher Creek-Macleod south to the Blood reserve, and leave Taber-Warner and Cardston together, then my question is: what would you do with Coaldale?

THE CHAIRMAN: What happened to Coaldale?

MR. McCARTHY: Don't ask.

MR. COUTTS: Don't ask.

MR. GRBAVAC: It would then be associated with an area with which it has little in common, and that'd be Picture Butte.

MR. COUTTS: This is not question period, but I guess that's the domino effect that we play with; isn't it? I know the problem that you have, so that's why I'm saying status quo. Let's just leave it as is and put it back in the hands of the legislators maybe.

THE CHAIRMAN: David, we feel that the status quo is not an option in view of what the courts have said and the legislation. We've been told by a lot of people status quo. I think if we just left it at status quo, the next election would be just challenge and upset.

MR. McCARTHY: I've just got one comment here. I wasn't looking up the history of Colonel Macleod or anything like that, but I did look up – I see Clint is here too. This'll send shivers through your spines. In 1905 when Alberta was a province, they had 25 members of the Legislature, and in that election there were 22 Liberals and three Conservatives elected. Then in the second election there were 41 members elected, including 36 Liberals, but one that you might find more interesting is that Calgary and Edmonton had two members each out of the 41.

UNIDENTIFIED SPEAKER: We can't get back to that.

MR. McCARTHY: This is the first time I've mentioned it because I figured we'd have quite a few submissions supporting that return to . . .

MR. COUTTS: I guess we might get to the day where we might have to have 100 MLAs. [interjections] Now, just a moment. Let me qualify that. It might get to that point if our population grows. The other alternative is to do exactly what I said: examine the workload, and society will have to decide for itself what their expectations of their elected representative are, not Dave Coutts, the MLA for Pincher Creek-Macleod, but of their elected representative. That might be the question.

MR. McCARTHY: Or you could have a certain allocation of seats on a regional basis, let's say 25 seats, and have five allocated to the south, five to Calgary, five central, five Edmonton, and five north. That would go a long way to assist the geographic rural areas in maintaining a voice.

MR. COUTTS: Like a Senate type.

MR. McCARTHY: Yeah. Instead of a Senate you'd have it in the same Legislature, but you'd have certain seats allocated on a regional basis. So there are a lot of things that we should try and be creative

for in the future, but that's not within our mandate.

THE CHAIRMAN: I think so far we've had somewhere between 10 and 20 alternative proposals.

MR. COUTTS: I believe that. Well, my alternative is, gentlemen – and you've made your point – let's wait until 2001 for that next census, and then let's do it and do it right so we're not doing this forever.

THE CHAIRMAN: Thanks for coming, Dave.

MR. COUTTS: Thank you very much. I appreciate it, gentlemen.

THE CHAIRMAN: We have two more speakers, according to the list I have, and that's Rosemary Foder and then Clint Dunford. We're running a bit behind. We're going to have a five-minute break because some of these panel members feel they need a break.

[The hearing adjourned from 9:22 p.m. to 9:30 p.m.]

MR. CHAIRMAN: Ladies and gentlemen, could you please be seated.

Our next presenter is Rosemary Foder.

MRS. FODER: Thank you very much, Chief Justice Edward Wachowich. I didn't come prepared to say anything this evening. I just came to listen and to try and understand the rationale behind the commission with its published document of January 1996. First of all, I'd like to state clearly that I was most impressed with the representation of the gentleman from Coaldale. I think his approach is quite logical and coherent, and my approach will follow a little similar presentation, not coming prepared to speak but coming now at this point in time to respond to some of the comments made by your commission members.

The question was raised when Barry McFarland was here, who I think clearly has tried to state the case in a very reasonable, fair, and prudent way with respect to natural boundaries, that being the Oldman River and the justification for natural trading areas. But the question was raised during his presentation by you, Bob, or perhaps by your colleague Mr. Wally Worth, and that is: what is the definition of effective representation? So I had the opportunity to scratch my mind, and then in my reading, as I sat there, I thought, well, it's in the book; it's on page 11, if you have it. It seems really quite clear that our own University of Lethbridge professor, Dr. Peter McCormick, has tried to grapple with that, and has come up with what should constitute and compose the definition of effective representation. I'd just like to quote it for you and then I'll talk about some principles of decision-making. He says the following:

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.

Farther on the author or creator, which is you yourselves, the five of you, have stated in the paragraph that follows Dr. McCormick's statement, in trying to define it:

Other communities of interest are more widely spread throughout Alberta and are not restricted to any one geographical area. They include economic associations related to natural resource

development, food production, manufacturing and the like; occupational associations like labour unions and professional organizations; local government bodies in municipalities, school districts and health regions; workers and students in the knowledge industry; groups organized on ethnic, religious or other distinguishing characteristics; and the like.

So I just draw that to your attention because we seem to be focusing, in the short dialogue and discussion that's been happening this evening, on geographic area and parity, which is impossible to reach, as your report has suggested that Justice McLachlin – is that her name?

THE CHAIRMAN: From Pincher Creek.

MRS. FODER: All right. Yea.

I guess my plea to you is when you ask the question, what is the definition of effective representation, I think it's more important that the people have a comfort zone, that they feel they are being represented, they know who to go to, how fast to reach that person. This is the fourth time in recent years that the commission has been empowered to carry out an electoral boundaries study or review, coming with a report in the final stage, and it seems to me that the people are not really in favour of this waste of money, because you say it in your document: "The people of Alberta question the necessity of conducting another review and, even more, question the expenses involved."

I sit on the Chinook regional health authority. That may say several things to you, but don't let that block your thinking now, because it says here – and I'll get back to it:

The Commission is also aware that change generally, in recent years, has been very rapid. The infrastructure relating to health care and education, as well as local government, is evolving with great speed. And the people of Alberta, in our view, are finding it very difficult to adjust and to cope with the pace of the changes. This public attitude and response has been applied generally to the Commission's mandate.

Well, "generally" is a very general word, and I think that that is wrong to use the term "generally" when in fact you have adamantly stated in the first paragraphs on page 8 under Commission Perspective and Approach that the people are questioning the need for this, the fourth in recent years. So my plea to you is your comment back – I don't know if it was you, John; I can't recall this evening. You said that the commission is "like the ham in the sandwich," and I'm saying, that's not right. That's not right at all. I'm saying I feel that it's like: what do you want to eat today, tomorrow, and in the future? I'm saying we need to pause now before we eat this sandwich because, first of all, we're not hungry for it.

There was only one person that you have alluded to, from Lac La Biche, with his complaint who said: oh, I don't like this. It went to the Legislative Assembly, and hence, you have been created, and it's your wisdom we need. We don't need the court to say. It's your wisdom we need. I believe the status quo, as you say, is not an option, but I plead with you, as we pleaded in health care, for a period of time, let us review. Let us measure what we're doing. Let us evaluate. And the Premier who cares and listens said: okay, we've hit the wall. I'm saying we have hit the wall on this. Give us your report, but don't change anything.

Thank you.

THE CHAIRMAN: Thank you.

We'll start the questioning with Wally.

MR. WORTH: I have none.

THE CHAIRMAN: Robert?

MR. GRBAVAC: Nor do I.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions. Thank you.

MR. McCARTHY: I just was going to say that earlier when Barry said the reason why this went to the court was because of the town of Lac La Biche, the particular case that the judgment that was rendered in 1994 was brought before the Court of Appeal by the government of Alberta. So it was the government that brought the case to the courts.

When I'm talking about the ham in the sandwich, I'm talking about one piece of bread being the Legislature, the other piece of bread being the courts, and this commission being the piece of ham.

MRS. FODER: Okay. I guess the analogy . . .

MR. McCARTHY: And let me just carry forward because I don't know how many people have had a chance to read the decision, but the comment was made by Mr. Justice McClung. As far as I know, he was supportive of this decision. He was quoted with some favour earlier by the gentleman that you supported, but Mr. Justice McClung was aware because this says *par ad curiam*. Normally what they do is they have a five-man panel, which is an unusually large Court of Appeal panel, and then they circulate it to all the other judges of the Court of Appeal to make sure that they are aware of and, I believe, support the decision. Now, the Court of Appeal makes mention – I just want you to know this just so you understand what the other piece of bread is that we're dealing with. You know we're the ham. You have the other couple of members of the Legislature that created us. We're going to have a member of the Legislature come up and give us hell here in a minute. What he's going to make us feel like is what it was like when I was a kid, when I was 14 years old and was hired by the neighbour to cut the lawn. The neighbour was begging me to cut the lawn and said that he'd pay me to cut the lawn. You go over and you pull the cord on the lawnmower, and the first thing he does is he says, "What the hell do you think you're doing?"

9:40

MR. DUNFORD: Is this a pre-emptive strike, John?

MR. McCARTHY: It's a pre-emptive strike. Now, let's listen, because it'll save me from doing it with Clint now that you're here.

The Court of Appeal made mention of the fact of the Alberta Civil Liberties' argument that said this. This is what the Court of Appeal made mention of:

Under-representation of voters in the inner [city] 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.

Now, they go on to say specifically in dealing with this area – they

were dealing with Mr. Bogle's committee, which resulted in recommending to the Legislature the boundaries which were in place and then which were taken to the Court of Appeal. So when they refer to the chairman, they refer to Mr. Bogle. They say:

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

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

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

I'll read two more passages and then I'll be done.

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

They said:

We again invoke the need for judicial restraint about interference in the electoral process. We do not think the existing inadequacy is large or glaring enough to invalidate the existing legislation.

In other words, they didn't overturn the last election.

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.

Then they concluded, which you've heard us say again tonight:

In the result, we again have decided to withhold any Charter condemnation. We do, however, wish to say more precisely what we meant by "gradual and steady" change. We think that a new and

proper review is essential before the constitutional mandate of the present government expires, and, we hope, before the next general election. We reject any suggestion that the present divisions may rest until after the 2001 census.

So where we're at is that we're legislated out of business by the end of June, and I can give you an absolute assurance that we are delighted to be out of business. I can give you an absolute assurance that I will never be involved in anything like this again. But I will be delighted to see those that created us make the decision and I will be very interested to see how the courts and the Legislature deal with this pending confrontation.

Thank you.

MRS. FODER: Do you feel better now?

MR. McCARTHY: I do.

MRS. FODER: Good.

THE CHAIRMAN: I want to thank you for coming.

The next speaker is Clint Dunford, the MLA for Lethbridge-West.

MR. McCARTHY: Just wait, Clint, just wait.

MR. DUNFORD: Well, I want to begin by saying that I find myself in a rather unusual position. Since being elected in June of 1993, I've had people come before me, and I've told them that the status quo is not an option. I don't know if I've ever said that if it ain't broke, we ought to break it because we need to fix it. So here I am in front of you tonight to talk about the status quo. Be that as it may, I think we're six reasonable men here, and I think we can start perhaps putting some stuff on the table, and we'll discuss it. Noticing your process, I believe the option I have is for me to take a run at you guys, and then perhaps each in turn will wish to take a run at me, and of course I welcome that.

I guess one of the concerns I have – and I think it has as much to do with the date that we are meeting today as it has anything else. That is the fact that today in the Legislature there was legislation brought forward that represented, as accurately as I believe any other traveling committee, the views that the committee had heard in its travels throughout Alberta. Now, I'm talking about the Alberta heritage savings trust fund committee, and I had the honour of chairing that committee. We made a report to our caucus colleagues, and it has now come through in legislation. Well, it's not 100 percent – probably nothing ever is – but my bet would be that if we went through that clause by clause and if we related it to our committee report, we'd find that there would be a correlation somewhere of 80 to 90 percent. So on that basis and then this date that I'm sitting here, it actually galls me, the fact that you people, having gone around the province, would come up with a configuration such as you have when you didn't hear anybody give that to you.

Now, that says a number of things. One is that I believe you listened. I'm not accusing anybody of not doing that. But it does seem, however, that there's another agenda that's going on here, and at some point in the evening hopefully you'll see fit to discuss that with me. I guess that this part of my presentation is based on the gamble, if you will, that no one drew those lines for you. That had to have come from within your group. As such, then, I want to be on record as an urban MLA in saying that by withdrawing two seats

from rural southern Alberta, I think rural southern Alberta is getting a screwing here and I think we ought to take a look at it in that particular context.

You said earlier today, Mr. Chairman, to a person who was making a presentation to you, when they were asking for a period of time in which he felt that you should wait, and I think you quite correctly corrected him by saying the court won't let you wait, and I understand that. Now, sitting there and listening to John's preemptive strike I'm still not dissuaded from the fact, though, that the court has indicated in that language – and I'm not a linguist, but I am interested in black words on white paper. I'm not so sure that the direction you have been given, either by the statement of that judgment or by the mandate you've been given by the Legislature that I belong to to go out and change those boundaries – so I want to make the argument here tonight that status quo is an option.

9:50

I haven't listened to all the presentations that were made, but I heard one earlier today when they tried to talk about equal and equality. I think we're finding in the '90s – you know, we're practically 130 years into this country of ours – that we all have honourable motivations, I guess, toward equal and toward equality. But in my mind that translates into two very different things in terms of effectiveness. As an urban MLA I don't think my constituency is much smaller geographically than any in Calgary or Edmonton, but even in my constituency of Lethbridge-West, from my constituency office I can get to any corner of that constituency in 15 minutes. I'm fortunate in the fact that Lethbridge, being a small city, a lot of people – maybe not enough yet, if we have an election coming up – know who I am. As I walk on the street, people recognize me as the MLA, and whether they agree with me or not, at least they acknowledge me. At least if they have a concern, they'll come up and represent that. A Calgary or Edmonton MLA can walk around all day and not get recognized. So effective representation in this equal and equality standpoint: in the 1990s, given the technology that is available, I think there is room for a disparity in terms of percentages beyond what we're thinking. I don't know what the percentages would be or the numbers would be in terms of P.E.I. getting four seats based on their population, but I suggest that there's probably a model there that could be looked at.

I think, more importantly, when I look at that territory – well, you've heard from Dave Coutts tonight, and he's got a sort of a configuration there that looks rather interesting and quite geometrical on the board, but when Dave has a meeting in Coalhurst in the morning and then has to get out to Crowsnest Pass by noon, I mean, it just starts to give you some appreciation for the kinds of things that these guys have to go through. As an urban MLA I've got one regional health authority I have to concern myself with. I've got one city council I have to concern myself with. It's a lot easier for an urban MLA, in my opinion, to provide proper representation.

We could sit here all night and talk about the cuts that we've made. Some people enjoy talking about that; others don't like it. The point is that at the front end of those cuts, I would suggest to you that rural Alberta has probably taken a majority of those cuts rather than the urban situation. You've lost courthouses. You've lost provincial buildings. You have lost district agriculturalists. You've lost all kinds of people that were set in place at the time where the government was going to meet the people. Now along comes a commission such as yours, and you've got a job to do, and I'm not going to take that away from you. But now you want to decrease the opportunity for rural residents to meet that government by making

geographical constituencies in southern Alberta that are just absolutely horrendous.

I would sooner see something happen like . . . First, I don't believe I have to sit here and offer an alternative. I believe that my statement should have been fairly clear: the status quo is an alternative you do have. But I found it rather interesting earlier today when Mr. Grbavac started to indicate the opportunities of 'rurban' situations in Lethbridge. Maybe that's something to look at. I'd say that if we'd had that in place in the '93 election, given the sort of numbers that happened both urbanly in Lethbridge and rurally round there, probably as a Conservative I should be really on that damned bandwagon because I think we would have gotten Lethbridge-East. I think the boundaries that were in place in the '93 election served the people of Alberta because it gave an opposition member an opportunity to win in southern Alberta for the first time in a long time, and he won it. Now, he's an honourable man and he worked hard, but if we'd had a 'rurban' situation such as recommended this afternoon, I believe there'd have been one more Conservative sitting up on that government side.

So if the suggestion earlier today was meant to rattle us – not at all. We see excellent opportunity in there, but I do not believe that it is an alternative that is as effective as leaving the situation the way it was, because I believe it worked. Other than the Lac La Biche situation that started all of this – I agree with John, you know, that you're here working on our appeal – I don't believe there was anywhere else that this was a concern. It's not a concern here.

As we sit here we have a nomination for the Lethbridge-West Liberals going on right now. The nomination ceased on Monday and they are having their nomination meeting next Monday. So where is the opposition? It's not coming from the Liberals. They have obviously said, by their actions not their words, "We're happy with the way things were." So why are we going to do this?

I already mentioned about the legislation today and that particular report. I just want to repeat with the direct knowledge that I have, the secondhand knowledge that I have, and from reading your report, that this interim report – I'm summarizing now – is devoid of people actually giving you the opportunity to respond to what the people have said. You're going the other way. I don't believe that's a responsibility that you have. I think you ought to listen to what Albertans are saying; I think you ought to listen to what southern Albertans are saying. What southern Albertans are saying is: leave this thing alone. It was working fine. It will continue to work fine. That concludes my remarks.

MR. McCARTHY: I just looked at an example here that gives some specifics to a disparity that I don't think would pass muster when this thing goes to court again. You look at your division, which is Lethbridge-West, and then adjoining it to the south and west is Cardston. You know, the last election you had just slightly over 20,000 electors on your sheets and Cardston had 9,000 electors, so there's more than a 2 to 1 disparity there. That kind of a disparity is too large.

MR. DUNFORD: In whose mind, John? I have not had one call from anybody in Lethbridge-West saying: "Hey, I'm really upset. My vote for you only counted half of what that vote counted for Jack Ady." We don't hear those kinds of things.

10:00

THE CHAIRMAN: You should have been here all day.

MR. DUNFORD: Well, maybe; yeah. But as an MLA who's trying to be as good an MLA constituent as I can, we've got work to do as well.

THE CHAIRMAN: No, I'm not blaming you for that. I want you to know that there were representations made yesterday and today and everywhere else that that's not . . .

MR. DUNFORD: All right. A reference was made to the inner city. I mean, if the inner cities are the problem, I think you can deal with that. If you would accept the fact that there are enough MLAs in the city of Calgary and enough MLAs in the city of Edmonton, you could just simply rearrange those boundaries to look after the inner city, then, if that's what you're concerned about. I think you're using that as a vehicle to get at rural and particularly southern Alberta, and I'm here to object to that and hope to convince you in a rather blunt manner that possibly there is some consideration for this position.

MR. McCARTHY: Well, I'm not going to repeat what I said, but you've heard the focus that the courts have given. Again, I say to you that we're your creation. In the end all that we do is report back to you, and you can chuck this thing as far as you can throw it.

MR. DUNFORD: Yeah, but I'd sooner fight with you here, John, than fight later.

MR. McCARTHY: No, I'd like to see the transcript being read to the Court of Appeal.

MR. DUNFORD: Fair enough.

MR. McCARTHY: This is on *Hansard*, and your comments will end up in front of the Court of Appeal, and we'll see. I'm finished. I'm out of business here – delighted – at the end of June. It's going to be your problem after this. You've got the authority; we don't.

MR. DUNFORD: I don't think I could accept the fact of not coming forward before that final report. I'm not going to sit in the back room some damned place and grouse about what you guys have done. I mean, if I'm not happy with what you've done, I'm here to tell you that I'm not happy, and I expect you to respond.

MR. McCARTHY: Oh, absolutely. I mean, I think you have a right, as anybody does, to come and put your points forward to us. Then, of course, we put our points back to you, and you have the ultimate decision.

MR. DUNFORD: Well, that's the interesting situation any MLA has in making a presentation, of course.

MR. LEHANE: Clint, I want to read to you from the Court of Appeal and give you some information and ask you to respond. The Court of Appeal was discussing the affidavit that was filed by Mr. Bogle, who was the chairman of the select committee that set these boundaries. The Court of Appeal judgment reads – and when they use the word "Chairman," they're referring to Mr. Bogle:

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

The new electoral map clearly shows the result of that

approach. For example, it was common ground before us that the population figures indicated the need, in the absence of any special considerations, to reduce the number of divisions in southern Alberta by two. Mr. Bogle acknowledged this in his affidavit (paragraph 37a) 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.

That's the Court of Appeal.

Now, clearly we know that they were focusing their attention on the fact that they felt there should have been another constituency come out of southern Alberta. Well, we have a problem in southern Alberta, because we have Cardston-Chief Mountain that has a variance in the population quotient that is minus 38.5 percent. That means that for the status quo to continue to exist, Cardston-Chief Mountain has to be a special consideration riding. Now, why should Cardston-Chief Mountain be a special consideration riding? We've heard Dave Coutts here talk about all of the many different, diverse industries and problems that he has to deal with over in Pincher Creek-Macleod, which is 50 percent larger in geographical area and just as far from Edmonton. Why shouldn't it have special status?

You know, when we look through the qualifications for special status set out in the Act, there are 20-some constituencies in the province that qualify. Let me give you an example of the geographical area, because you've told us that you have a small geographical area in the city of Lethbridge that allows you to travel short distances to service your constituents. So we have Cardston-Chief Mountain with an area of 6,000 square kilometres. Now, here are some contrasts. We have Athabasca-Wabasca with 124,000 square kilometres. I think that's a pretty good reason to be a special consideration riding. We have Lesser Slave Lake with 87,000 square kilometres, as opposed to 6,000. I think that's a pretty good reason to be a special consideration area. We have Dunvegan with 38,000. We have Peace River with 75,000. We have Chinook, four times the size, 23,000. Cypress-Medicine Hat, down in the corner, just as far from the Legislature: 16,000. Now, we looked at that, and we can't come up with any reason why Cardston-Chief Mountain can continue to be a special consideration district. We're asking you because you're here. You're making the point for the status quo. Tell us why we can justify Cardston-Chief Mountain as a special consideration district.

MR. DUNFORD: Well, I think it would be a simple matter if you took the opportunity to expand, you know, some of the charts that you have with us. If you took that old constituency map, and instead of talking about square kilometres, if you were able to put a little pin in there just to show, I don't know, five people per kilometre or something like that, you would see then where that 6,000 were dispersed. We have farmsteads in Cardston and we have little towns. If you want to compare that and then go up north, what do you have in Athabasca? You have a tremendous land size, but if you took little pins, you would find you have very few little pins. The point I would make is that they are in clusters up north, and so an

MLA has to get on – they have to charter planes anyway, but when they do they simply go and they make 10 hops, perhaps, but Dave Coutts or Jack Ady or Barry McFarland or Ron Hierath or Lorne Taylor: they can't do that. Every road they go down, they are driving by constituents that are on farms. There's scarcity and sparsity, I agree, but the dispersal is entirely different. It is a mass of 6,000 people scattered all over that area. It's not 10 stops; it's 150 stops, and I think that deserves consideration.

I don't want to be put in a position here of now this being assumed that I'm making a recommendation that Taber-Warner ought to be still on that map, that Bow Valley and Chinook ought to still be on that map and somehow my colleague Mike Cardinal and my colleague Pearl Calahasen now have to have theirs doubled. I don't want to be led into that trap, but answering your question specifically, Joe, I think there's merit to my comment. I really do. It is a lot different.

MR. LEHANE: Well, let's follow up on your comment, Clint, and in fairness to Ron Hierath and in fairness to Dave Coutts and in fairness to Barry McFarland, why aren't they special consideration districts?

MR. DUNFORD: Well, I can't answer that question for you.

MR. LEHANE: Well, we can't either. That's our problem.

MR. DUNFORD: Well, what you can do, I think, is you say: we went out and we talked to a lot of folks in Alberta about how this legislative committee, chaired by Bogle, came up with some lines, and hey, Court of Appeal, or hey, Legislature of Alberta, we didn't find a lot of people that were upset about it. Some, sure. Okay. That's great. I'd hate to think that we're all in here talking the same way. But when you look at the history of it, you know, you had five people that ended up with five reports. That's why this can't happen again this time, because of the mandate. I mean, they were given a job, and I think most people in Alberta are telling you that they did a pretty damned good job.

So I don't know why they should be special or not special. I don't even know what that means. We've got some archaic notion here about rep by pop that came out of the mid-1800s, that was developed when people were living in clusters, just like the argument I'm trying to make about Athabasca and Lesser Slave Lake. We are a lot different today.

10:10

MR. LEHANE: Well, as John has indicated, Clint, you're going to have the last word anyway, because it's going back to the Legislature, and the Legislature will make the final decision. But let me tell you a funny little story from our hearings yesterday, because there weren't that many funny stories that came out of it. I'm trying to recall the name of the mayor of Milk River.

UNIDENTIFIED SPEAKER: Cam McKay.

MR. LEHANE: Cam McKay was either the first or one of the first speakers. He came up to the presenters' table, as you have, and he sat down at the microphone, and he said: you know, coming up here first like this could be a problem. He said: it's just like belonging to the liars' club. If you're the first liar, you know you're going to lose.

MR. DUNFORD: The inference being that I'm the last liar. I'll

accept that.

MR. GRBAVAC: Well, Clint, I want to congratulate you on your staunch defence of the status quo in southern Alberta. You make an impassioned plea, to say the least, and you've reinforced what a great many people have said to us. I don't mean this in any kind of derogatory sense, but you haven't said anything tonight, with the exception of one thing that I'll get to, that other people haven't said to us on numerous occasions. Every point that you made, I can assure you, has been made on numerous occasions as we've traveled around the province.

However, you are the first to infer from some of the things that you gleaned from our report that there was – if I can interpret you right without using your slang term – an undercurrent, and I read from that something that wasn't quite honest or was deceitful with respect to our approach to southern Alberta. Let me just finish that. You know, *Hansard* I don't think can read it back to me. There was an implication that southern Alberta didn't get treated fairly and that we selected southern Alberta and created a set of criteria to unfairly disadvantage southern Alberta. Clint, I can assure you that – I sat on this commission for I don't know how many hours, how many days, how many months – if I concurred with you on that, you would not have a unanimous report submitted to you. I'm not sure that you will get a unanimous report. I can't say that in all honesty, but if I get the same sense that you've relayed to me, you will not see a unanimous report come forward.

I just wanted to make one further comment in that regard. If in fact you still feel that that is the case upon the conclusion and filing of our final report and you can get enough colleagues to agree with you, then I think you are legitimately justified in rejecting our report when we submit it to you. But I honestly want to say to you that I disagree with that notion to date; I can't tell you that I concur with it in any way. I think we can honestly disagree, and that's fair enough. I don't want to question you any further on that, but you are the first person to suggest that in fact this commission may have been, in my interpretation, less than up front with respect to the application of our criteria.

MR. DUNFORD: Okay. I want to make sure that the record has what I thought I said, and if there's any clarification that's required, my notes indicate that what I wanted to say, and I believe I did say, was that there is another agenda.

MR. GRBAVAC: Yes, a hidden agenda.

MR. DUNFORD: Okay. Now, again, as I mentioned earlier, I'm very interested in black words on white paper, and “another agenda” to me has no meaning in terms of undercurrent, has no meaning in terms of illegitimacy or anything. We are adults here; we all know we carry around a number of agendas. The only point I was trying to make with that is in the fact that you arrived at a configuration of constituencies that you had not heard, so within that context I say then there must have been another agenda. Now, I think maybe in light of this discussion we've had, Joe may have hit upon what the other agenda was and in fact isn't another agenda. It's simply that the report said to take two out of southern Alberta. I was unaware of that statement, and I guess I'm glad you brought it up because that cleared that in my mind, that there wasn't anything else going on here except that you folks, when you sat down at your first meeting, were going to take two seats out of southern Alberta. That's what

I'm talking about. You didn't hear it from southern Albertans and you didn't hear it from Albertans to take two seats out of southern Alberta.

MR. GRBAVAC: And I'll say for the record that when we sat down at our first meeting, we didn't come to that conclusion, Clint.

MR. DUNFORD: All right.

MR. GRBAVAC: Were you here for the extent of the hearing in November in Lethbridge?

MR. DUNFORD: Well, I think I heard the first presentation, then a number of copies and then a couple of other presentations.

MR. GRBAVAC: Well, I was there for the full extent of the hearing. I could be corrected on the numbers, but I believe we had somewhere between 17 and 19 representations from Cardston-Chief Mountain speaking to us about a community of interest, a moral density, a commonality of interest, a constituency that had a historical uniqueness, and if there were to be a change, we ought to look to the east. We listened to a great many of those presentations. When we applied what we considered to be our interpretation of the court ruling and a set of lines on a map to bring back to you as an interim report, we tried to couple a lot of those representations with what we were interpreting the courts to have said and came up with a constituency that subsequently not a whole lot of people like and, I can assure you, will not survive the interim report in its current form. I'm just trying to shed some light on the fact that maybe we extended or extrapolated beyond what was suggested to us in November. I'm just trying to impress upon you that it didn't come from a vacuum. That's really all I have to say.

MR. DUNFORD: But, Bob, you're a southern Albertan like the rest of us are. What about we the people? I mean, we keep hearing about the court, the court. What about we the people? We are here pleading with you, I think, and certainly I don't mean to be obnoxious, but I mean to be forthright. Here we are pleading with you on behalf of rural southern Alberta that we see eroded, in sum just a natural evolution of how things happen, but also, with what the government has already done, we see this now as a further erosion. I come from a particular experience, I guess, that makes me want to rise up, because my little town in Saskatchewan is gone. I've lived what is trying to happen here. This is my new home, and I want to fight as hard as I can so that doesn't happen here. So we the people have to somehow get the message through to the court. We shouldn't be the tail wagging the dog on this damned thing.

That's all I can say.

MR. WORTH: Clint, I've listened to your comments and to those of my colleagues, and I have nothing further to add.

THE CHAIRMAN: Clint, I want to commend you for the very positive, forceful attitude that you show when you come up here, and that might be the last compliment I give you.

10:20

MR. DUNFORD: Fair enough.

THE CHAIRMAN: When you say “we the people,” I want you to know you're wrong, because there are a lot of people that are telling

us you're wrong. So there are people on the other side of the fence. You're saying "we the people" as if you're the only people and this is the only thing the people want. That's not right. So that deals with that point.

We had a lawyer from Hanna by the name of Eugene Kush appear before us. He told us to disregard the Court of Appeal, just pay no attention to it. Well, we could take that advice, and I think we're getting something similar from you tonight. I want to tell you this: when you say we took two seats from southern Alberta, the people in Hanna say the seat that we took from them is east-central Alberta, and it's not southern Alberta and they want no part of southern Alberta. They don't even want any part of Brooks, so I just want to point out that saying you took two seats out of southern Alberta is not exactly correct.

MR. DUNFORD: I stand corrected. I sit corrected.

THE CHAIRMAN: I think it's too bad you weren't here to hear all the presentations and that you haven't been with us all along. I'm not sure you were here for the opening remarks, but in the opening remarks when we were dealing with the law, I told the people: "The commission wishes to note that many persons may not agree with our interpretation of these decisions." And it's obvious you don't agree with them. "Be that as it may, we are certainly prepared to hear argument on the various points and to reconsider our position." You're making your arguments, and whether you're going to convince us or not, I don't know, because we have to meet afterwards. Let's say you leave here and you say, "I did a good job, and I convinced that panel, the Electoral Boundaries Commission, today to follow my advice." Ed Wachowich is telling you personally: we're in trouble. When you said that Bogle did a good job, we agree that Bogle did a good job, and we told Bogle when he appeared before us that he did a good job, because we have followed about 90 percent of what Bogle did. All we're repairing is two bad areas that we think he caused, and we're getting a lot of heat here in Lethbridge, here in Taber, and a lot in Hanna. How we will decide this, I don't know, but I just wanted to give you our point of view.

I think John has something to say.

MR. McCARTHY: Clint, this will be the last comment I make, but some guys made the point that you were making and with quite a bit of flair. Mr. Kush, QC, from Hanna: I just want to read you a couple of statements from his submission. He said:

Running with the herd is not my way of doing things. I must explore the alternatives, playing as a team is nothing more than an excuse for collective imbecility.

Why did this province ignore the results of the last commission?

To appease the "cry baby mayors" of Calgary and Edmonton, not to mention the editorial writers for the "soon to be bankrupt Southam Press," including Catherine Ford and Bill Gold.

I have a feeling that our cabinet is absolutely terrified of every negative editorial on CBC radio and television. One of these editorials is to get "equality of representation" – whatever that means. . .

Do you want to see equality – go to a commercial chicken ranch, or hog ranch. Residents of these ranches all look alike, eat at the same time, and are equal to one another.

He further mentions comments about our chairman. This will be my last comment. He said:

With due [deference] to your chairman, Ed, (Now I could tell a few stories about Ed and his uncle, and the early days, but I won't), I'll just blame his attempt to get rid of the Chinook constituency on a failure by the Chairman to understand basic economics of the special areas.

Ed controls a little bit of land a few miles north of Hanna. He is slowly going broke in the cattle business, while the rest of the ranchers surrounding him have prospered. We told him and we told him – "Ed, get rid of that black goat you use as a herd sire." But he won't listen.

MR. DUNFORD: Well, I not only sit here corrected, I sit here humbled.

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

MR. DUNFORD: All right; thanks a lot.

THE CHAIRMAN: You were very forceful in your views.

The next speaker is Mrs. Thelma Milne.

MRS. MILNE: I'm Thelma Milne, mayor of the town of Cardston. I know how tired you are and the hour, so I just want to speak for one moment. One is that as a town we did send our recommendation the first time around, and we sent a letter saying that we are of the same mind still, so we didn't feel that we should take more of your time. But when you mentioned moving the Blood reserve out of the constituency Cardston's in, I felt very upset, because we have learned, I think, to live successfully with them. We have 600 of their young people going to our public schools. They receive their mail in our community. We trade with them, and then to have them not part of our constituency I think would be a real mistake for them and for us. I would hope you would consider that after 100 years of working at this – and we're beginning to feel highly successful in our working together – you won't divide us.

Thank you.

THE CHAIRMAN: Just a second. There may be somebody that has a question.

MR. GRBAVAC: That leaves little to question, Mr. Chairman.

THE CHAIRMAN: Joe.

MR. LEHANE: No questions. Thank you, Thelma.

THE CHAIRMAN: Thanks, again.

The last presenter is Joanne Weadick. Now, you heard what they said about the liars' contest.

MRS. WEADICK: I'm the last one.

THE CHAIRMAN: You've got to win.

MRS. WEADICK: Well, I'm not a mayor or a councillor, but I am one of "we the people," so I just wanted to ask you one quick thing. When I look through the 10 points that you have in the matrix, it seems to me one of the things that should have been included was the various resources and industries that are within a particular area. I think that makes a very big difference on how an MLA can be

effective and the kind of workload they have.

In reference to the fact that we're taking two rural MLAs away and possibly increasing it with two urban MLAs, I think that particular point would give the justification that you, Robert, have asked for; okay? We're looking at MLAs that have to deal with a lot of different things compared to two MLAs in an urban area where there are already a lot of support systems in place for those people. We already have municipal government, which has been empowered to deal with more and more things. They are dealing with more and more issues that provincial governments have dealt with in the past. We already have a lot of social programs put in place by the federal government, and just basically there are more community associations; there are more churches, if you will; there are more people to help deal with the kind of issues that inner-city people have.

Also, the rural people have very little resources to get their information out. They have less media that listen to them. It's very difficult for rural MLAs to get messages out to all the people in their constituencies. They have very small papers that don't necessarily deal with the same area of land, whereas the people in Calgary and Edmonton put an ad in the *Herald* and everybody in their constituency knows there's a town hall meeting. They can bring their issues forward.

So I just wanted to make the point that I felt that in that matrix there should have been something included in there in regard to the kinds of things they have to deal with as far as resources and industry. That's the only point I wanted to make.

THE CHAIRMAN: Where are you from?

MRS. WEADICK: Lethbridge.

MR. WORTH: Joanne, I'd like to comment on your comment, if I may, please. When we set about working out the matrix, we asked ourselves, you know, where should we begin? What kind of factors should we include? We decided that one place we could start would be with the factors that were mentioned in the legislation that created us. That accounts for a goodly number of the things that are included there. As we've conducted this second round of hearings, we have had a number of suggestions about how we might improve the matrix, particularly about things we might add. People have also pointed out the fact that we're double-counting some things in our matrix too. So for that reason we welcome your comment.

Our problem is that if we're going to add and include a factor relating to number of businesses and industries, we're going to have to figure out how you measure that and how you measure it the same way in each jurisdiction in the province. So far we've been dealing with factors that we can find data on which allow us to rate them across the whole province somewhat similarly. So if you have any suggestions as to where we can get such information relating to businesses and industries and so on, we'd welcome it.

10:30

MRS. WEADICK: Okay.

THE CHAIRMAN: Robert.

MR. GRBAVAC: Joanne, I've been pleading with people in southern Alberta to give us a reason why Cardston-Chief Mountain is unique. Ten years ago, when my political allegiance was somewhat different, although I'm not a real strong advocate of political party – I'm a

stronger advocate of the individual – I ran for the Conservative nomination in the Cardston constituency. One of the unique features I found to exist in the Cardston constituency was something that you're alluding to, and nobody here has made reference to it in the six months or more that we've been in this process, and that is that within the Cardston constituency you have three towns. In all of Alberta those three towns are three of the five lowest per capita assessed communities in the province of Alberta.

I'll tell you the significance of that. As a municipally elected official for five or six terms now, that is the bottom line in terms of what I deal with. A municipality's bottom line is what is the assessment per capita. How much money do you have to serve the needs and the interests of your constituents; okay? Three of the five towns in the Cardston constituency are in the bottom five of the province of Alberta. The lowest assessed municipal district on a per capita basis, a per capita assessment, is the MD of Cardston. The second lowest assessed village in the province of Alberta is the village of Stirling.

So I find it interesting that you raised those issues. We didn't put them in our matrix. Wally, there is a quantitative way to establish that. The Cardston constituency deals from a distinctive disadvantage in terms of per capita assessment, and whether or not that's a legitimate consideration, I'm not sure. I guess we'll deliberate, and I'm glad you raised it. I find it ironic that the last presenter in Lethbridge in the second round of hearings finally alluded to it. I didn't want to be the one who raised it. You pulled it from me here tonight. That could be – and I'm not suggesting that it will be – a consideration. I just wanted to let you know that I was aware of that, and I've been aware of it for years, that that's what exists in the southwest corner of this constituency.

Coupled with that is the Blood band, the Peigan nation if you will. Many people on that reserve suggest that they don't recognize the provincial government or the jurisdiction it has over them. However, there are considerable concerns on that reserve in terms of what you would deem to be a per capita assessment if you were to

apply the same rules. So you have a situation there that is somewhat unique. No one chooses to raise it, so obviously I assumed from that that they felt it was irrelevant in terms of this overall discussion. You've raised it, and I want you to know that it wasn't wasted on me. I heard you; okay?

Thank you.

MRS. WEADICK: Okay.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions.

THE CHAIRMAN: John?

MR. McCARTHY: No more; thanks.

THE CHAIRMAN: I just wanted to add this: we're aware of the fact that the matrix has defects. Joe described it as a diamond in the rough, hoping that we could maybe make a diamond out of it, and we may never, having regard to the criticisms. Some people look at

the matrix as doing one thing and doing another thing, some say boundaries shouldn't be measured, and some people say the more highways you have, the easier it is to represent the constituency rather than the more difficult it is, giving it a reverse interpretation.

We had a fellow who was supposed to come here tonight by the name of Mr. Cherneski, who sent us his memo. He wanted to add three things to the matrix, and we've had similar suggestions from other people. One is economic diversity; I don't know how you measure it. Another is economic volume of activity; maybe that's measurable. Then he wanted to give marks in the matrix for split urban and rural ridings. So we're getting all kinds of suggestions, and I want to thank you for your suggestion.

MRS. WEADICK: Okay.

THE CHAIRMAN: Well, ladies and gentlemen, it's after 10:30. Clint's government won't pay us after 10 o'clock because of the economic, budget problems, so we're adjourning.

[The hearing adjourned at 10:35 p.m.]