

**Electoral Boundaries Commission Public Hearings
Red Deer**

7:03 p.m.

[Chairman: Chief Judge Edward R. Wachowich]

THE CHAIRMAN: Well, I guess we may as well start. I normally start with "Ladies and gentlemen," but tonight I think I'll just start with "Gentlemen." I want to welcome you and say good evening. I'd 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 Lehane of Innisfail is on my immediate right, John McCarthy of Calgary is on my far right, and Wally Worth of Edmonton is on my far left. The five people you see before you make up the commission. I want to say that we are very happy to be here to receive your comments and your criticisms and to consider your thinking with respect to the proposals that we have made in our report, released in January.

Why are we here? The commission is here to listen to your comments on the proposals made with respect to the electoral boundaries in Alberta in our first report, which I believe received very wide circulation throughout the province 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'll now call upon our first presenter, Larry Pimm.

7:13

MR. PIMM: Thank you very much. First, let me compliment the commission on what I regard to be a thorough study of a very complex issue. Given the commission's mandate, the recommendations contained in the interim report seem reasonable. Certainly as one citizen in Red Deer, the results are very acceptable.

I would like to address three issues, though, which may well be

beyond the commission's mandate. Number one, the artificial nature of the Ross Street border. Almost all issues that affect Red Deer affect both constituencies pretty well equally. For example, our new library in Red Deer-South serves the whole city; the funding for a seniors' centre in Red Deer-North is of interest to citizens throughout the city. Many people in one constituency – and this would apply both ways – may feel more comfortable discussing issues with the MLA of the neighbouring constituency. I would suggest in constituencies which merit two or more MLAs and are well-defined and compact as is Red Deer, the public would be better served by amalgamating the two constituencies and electing two members from the new, enlarged constituency. This would mirror to some extent the situation in municipal government. Constituents then would have a choice of which representative they feel would best meet their needs.

Secondly, conflicting principles in the report. I got the feeling that the commission at times was riding two horses at once, and doing it quite skillfully, I might add, but it looks dangerous. Throughout the report there appeared to be tension between the principle of equal political rights – i.e., one person, one vote – and the varying degree of difficulty MLAs have communicating with their publics due to distance, population sparsity, et cetera. It would seem to me that this problem might be eased if each MLA had a weighted vote in the legislature proportionate to the population of his or her constituency. The commission's procrustean task – and I liked that adjective – then would be simplified to establishing reasonable boundaries considering only the degree of difficulty MLAs would likely encounter in effectively servicing their various constituencies.

The third point is a worrisome one to me. In my view there is a growing cynicism and frustration with government. This attitude is in part due to the winner-take-all nature of our electoral system, which can, and does upon occasion, see parties with considerably less than 50 percent of the popular vote forming governments with a comfortable and sometimes overwhelming majority of seats. Those left out feel ignored and unrepresented. Their efforts often go into narrow or special interest activities, or they abandon the political forum altogether. I believe that this loss of support for the democratic process is a loss we can ill afford. Some means of giving these people proper representation would be most desirable, and whether that's by some kind of a weighted or balanced representation – I don't know an answer to the question, but I think the question's a real one.

Thank you very much for this opportunity to share my observations with you.

THE CHAIRMAN: Thanks, Mr. Pimm.

We'll start the questioning with Wally Worth.

MR. WORTH: Mr. Pimm, as you correctly indicated, many of these things that you've spoken with us about are outside our mandate. However, a number of the issues that underlie your comments have been raised with us by others. In particular, with respect to your final point about giving voice, if you like, to people who currently feel underrepresented, we have had submissions from representatives of the New Democratic Party and the Social Credit Party advocating reforms in the electoral process that would provide for that, either through some measure of proportional representation or some arrangement of a bicameral House, if you like, which would represent regions as well as constituencies and individuals. I really don't have any questions except to assure you that a number of people in this province appear to share your concerns. What we as

a commission will or can do about them I think is problematic.

MR. PIMM: I appreciate that.

THE CHAIRMAN: Robert Grbavac.

MR. GRBAVAC: Larry, you indicated that you had three areas of concern. I would like to focus on the primary concern, and that was your unease with the current line. I can't remember the name of the street or the avenue.

MR. PIMM: Ross Street.

MR. GRBAVAC: Ross Street. How do we fix that? You went on to suggest that maybe we ought to elect two MLAs from Red Deer at large, but that's beyond our mandate as well. I'm just wondering: from your perspective, how do we deal with the initial concern?

MR. PIMM: Within the mandate of the commission I don't think there is a solution. The line up Ross Street is as obvious as any street in Red Deer, and it splits the two constituencies, both of which I think are acceptable in terms of representation. So within the mandate of the commission I don't think there's very much that can be done. I don't know whether including, for example, Clearview in Red Deer-South or some of those subdivisions which are south of the river but in Red Deer-North – I don't think they feel very much like Red Deer-North. The river seems to be the dividing feature in our community, and for those people who find themselves in Red Deer-North but south of the river, it's a little ambiguous to them, I think.

MR. GRBAVAC: The problem with that is that the river doesn't divide the city into two equal parts, and something has to give there.

MR. PIMM: I appreciate that the growth in the city appears to be headed in Red Deer-South, which is a bit underpopulated at the moment.

THE CHAIRMAN: John?

MR. McCARTHY: Nothing further. Thanks.

THE CHAIRMAN: Joe?

MR. LEHANE: No questions, Larry. Thank you.

THE CHAIRMAN: I have nothing more to add than what has been added. Just as a matter of interest, Mr. Pimm, what do you do?

MR. PIMM: I'm a teacher in Red Deer.

THE CHAIRMAN: A teacher.

MR. PIMM: I have been on city council in the past; I'm not currently.

THE CHAIRMAN: Did you give that up, or did the voters give you up?

MR. PIMM: No, I gave it up. It was voluntary.

THE CHAIRMAN: I want to thank you for coming here and making

your viewpoints known. As Dr. Worth has said, other people have made these viewpoints known to us. Basically, what you're asking us to do is not within our mandate.

MR. PIMM: I appreciate that.

THE CHAIRMAN: Thanks for coming.

MR. PIMM: Thank you.

THE CHAIRMAN: I'm told we have another speaker added to the list, and that's Mr. Pat James of the county of Mountain View.

MR. JAMES: Thank you. County council wishes to confirm the concerns identified in its submission to the Electoral Boundaries Commission in late November. Our position has been developed from the following.

One is industry. Our region is comprised basically of small towns and a rural area with strong agricultural pursuits, an oil and gas industry, and logging.

The second one is trade. Our community strongly supports local businesses, and it is felt that an adjustment to boundaries could detract from this.

Population. The Olds-Didsbury riding is well within the recommended acceptable variance for constituencies throughout the province.

Community interests and service. The towns and rural areas within the Olds-Didsbury constituency for many years have shared in these aspects: ambulance, education, fire, recreation facilities, FCSS, and others.

7:23

Culture. Our riding has strong support of its hockey teams, local theatres, musical productions, historical societies, et cetera, and demonstrates much community spirit. We feel boundary adjustments could well negatively impact these areas.

Boundaries. Our riding largely conforms to the existing county of Mountain View boundary and extends eastward and southward into similar rural areas which are very compatible. Council is concerned that the rural representation remain as strong and effective as it has been in the past. Adjustments to existing boundaries may well have a very different direct effect on effective representation, which we consider to be paramount. Creating rural ridings that are so large as to render personal contact by MLAs with their constituents nearly impossible is unacceptable.

Again, it is our understanding that the vast majority of ridings in the province are close to being the right size, and we would urge the commission and the provincial government to channel our tax dollars where they could be used to greater advantage.

Thank you for your favourable consideration.

THE CHAIRMAN: We'll let the questioning start with Joe Lehane.

MR. LEHANE: Pat, are you familiar with the proposed changes in the preliminary report?

MR. JAMES: Yes, I am.

MR. LEHANE: Are there any of those changes in particular that you have a problem with?

MR. JAMES: In the preliminary report I guess we don't. As I understand it, some of the constituency is taken away from the south

end. We don't have a problem with that, but we have concerns that in the next round we would lose some to the west of us. Whether that's a reality or not I guess is unknown, but we would have concern with that.

MR. LEHANE: The changes essentially, I believe, would be down just north of Calgary. Would it be north of Bearspaw area or somewhere in there?

MR. JAMES: Yes.

MR. LEHANE: And you don't have any particular problem with that?

MR. JAMES: No. If any part of our area is not quite the same as the rest, that would be that area. It's more of an urban, acreage type, and I think their interests lie more with the Calgary interests than ours. But there was some concern that the Sundre area and out that way might be rearranged, and we would have real concerns with that one.

THE CHAIRMAN: John?

MR. McCARTHY: No questions. Thanks.

THE CHAIRMAN: Robert?

MR. GRBAVAC: Pat, I just want to indicate to you that this commission certainly recognizes the difficulty of representation when it comes to rural Alberta. If you notice in our report, our two changes principally focus on two areas of the province where special consideration was given, one area where the population variance was approaching 50 percent and the other where it approached 40 percent. So these are the two areas we've chosen to try and adjust primarily. Although there have been some minor changes in central Alberta, I just want you to know that for the most part the commission recognizes and accepts the thrust of your argument.

MR. JAMES: Thank you.

THE CHAIRMAN: Wally?

MR. WORTH: No questions.

THE CHAIRMAN: Well, seeing we've got time to talk, Pat, I want you to know that we got this kind of proposal from Strathcona county. They wanted us to put in three constituencies there instead of two. They've done studies until the years 2005 and 2010, I think. They said that if you put in three constituencies now, all three will have a minus 21 or 22 variance, but in the year 2005 they will all be what they thought was right on, you see. Well, our problem is that when we're dividing constituencies and having regard to the rules, we have to divide them with the information we have, and we can't go forecasting.

I appreciate that when you come here today, you say that basically you have no quarrel with the present constituency you're in, but you want to protect yourself for the next round of hearings. I'm sorry to say that we can't give you any kind of assurance for the next round of hearings. What kind of population shifts there will be if any – none or increase in overall population or decrease – we have no idea. I think you've got to accept the fact that these commissions work on what they have before them today and basically can't look towards the future too much.

MR. JAMES: If I might, I guess I'm fairly biased to the agricultural aspect of Alberta, being a farmer/rancher all my life. I see agriculture into major changes within the next short while. With the Crow rate being eliminated, I think Alberta is poised to probably be one of the best and most productive value-added agricultural places in North America. With that thinking, I think it's important that rural representation should remain strong because there's going to be huge amounts of tax dollars created in the rural areas. As we all know, tax dollar streams don't necessarily stay where they are created, and that's democracy. In that thinking, I think it's important that rural Alberta do remain strong in its electoral position.

MR. GRBAVAC: Pat, I tend to concur with what you're saying. However, it poses the next Electoral Boundaries Commission with even a further dilemma. I'm not sure what's happening in central Alberta, but certainly in southern Alberta these high grain prices are a ticket to ride for a lot of rural people to move to town. I think we're going to see an exodus from rural Alberta into maybe some of the smaller towns, which we may still call rural Alberta, but they're going to be leaving the farms. I think it's obvious that that's going to be happening, that the remaining operations are going to become significantly larger over the next number of years. That's going to create even further problems. I'm just wondering if you feel that a bicameral, or a government comprised of two Houses, is the answer. You're talking about agricultural population now, and I'm suggesting to you that that agricultural population is going to diminish now at a rate like we haven't seen in a long time.

MR. JAMES: Perhaps I can agree to a certain extent. I'm not completely familiar with the southern Alberta thing as I am where we are, but our council has probably seen a greater rural growth in the county of Mountain View than we've ever had, and we expect that to grow even more.

MR. GRBAVAC: Is that an agricultural growth?

MR. JAMES: Well, no, it's an acreage growth. The farms are definitely going to get bigger; I agree. You're going to see more value-added agriculture, such as feedlots – we have two hay plants – and diversified agriculture, which is going to create the secondary type of employment sort of thing. I think as far as the farmers as such, yes, we'll probably see less farmers because one thinks it might be a good time for those that are getting a little long in the tooth and tired of it to get out. But also the economics of it: the farms are going to have to become bigger to stay competitive. But a rural population within the county of Mountain View – I think we can expect to see some real growth.

THE CHAIRMAN: Well, I guess that's it. Thanks for coming, Pat, and expressing your views to us.

MR. JAMES: Thank you.

THE CHAIRMAN: I guess that's all of the presenters we have. But I recognize Melvin Butler, who appeared before us at our first round of hearings in November. I'm not calling upon you again, Melvin, because I think your speech was very pointed and very effective, but I want to let you know that the broadcasts from Red Deer were taped for a video on public broadcasting. I guess they were shown across Canada, because I got a phone call from Ontario wanting me to explain what I called the Melvin Butler cow theory.

MR. BUTLER: I didn't see that.

THE CHAIRMAN: Well, I just thought you should know that the Melvin Butler cow theory has been shown to everybody across Canada.

Anyway, I guess we're going to adjourn these hearings. Thanks for coming. I guess this is the shortest hearing we've had in all the hearings we've held.

[The hearing adjourned at 7:33 p.m.]

