

## Legislative Assembly of Alberta

Title: **Monday, December 3, 1990 2:30 p.m.**

Date: 90/12/03

[Mr. Speaker in the Chair]

### Prayers

MR. SPEAKER: Let us pray.

We give thanks to God for the rich heritage of this province as found in our people.

We pray that native-born Albertans and those who have come from other places may continue to work together to preserve and enlarge the precious heritage called Alberta.

Amen.

### head: Introduction of Visitors

MR. SPEAKER: Hon. minister.

MR. WEISS: Thank you, Mr. Speaker. On behalf of the hon. Minister of Federal and Intergovernmental Affairs it is my pleasure to introduce to you and to all members of the Assembly the Canadian Ambassador of Korea, His Excellency Soo Gil Park. The ambassador was appointed in 1988, and this makes it his first official visit to Alberta, where he'll be meeting with Her Honour the Lieutenant Governor and later the Premier along with various members of the government. Accompanying the ambassador is his wife, Mrs. Park, and Mr. Ha and Mr. Kim. I would also ask that they rise along with His Excellency and receive a warm welcome from the Assembly.

### head: Presenting Petitions

MR. SPEAKER: The Member for Edmonton-Belmont.

MR. SIGURDSON: Thank you, Mr. Speaker. It's a pleasure today to present a petition signed by 4,298 people, primarily from north Edmonton, to support the redevelopment of the Royal Alexandra hospital. They hope to see the construction of the same in 1991.

### head: Introduction of Bills

MR. SPEAKER: The Member for Edmonton-Whitemud.

#### Bill 286

#### An Act to Amend the Crown Property Municipal Grants Act

MR. WICKMAN: Thank you, Mr. Speaker. I request leave to introduce Bill 286, An Act to Amend the Crown Property Municipal Grants Act.

Mr. Speaker, the purpose of the Act would be to ensure that the provincial government provides a regularly scheduled payment to municipalities in lieu of taxes for Crown land. This would prevent a situation that we saw in the present fiscal period, where they were going to take a shortfall and then they ended up with a freeze.

[Leave granted; Bill 286 read a first time]

### head: Tabling Returns and Reports

MR. SPEAKER: The Minister of Recreation and Parks, followed by the Member for Edmonton-Meadowlark.

DR. WEST: Thank you, Mr. Speaker. I rise to table four copies of two documents as required by statute, these being the audited financial statements for the Recreation, Parks and Wildlife Foundation and the audited financial statements for the Alberta Sport Council, both for the year ended March 31, 1990.

MR. MITCHELL: Mr. Speaker, I rise to table four copies of a picture sent to members of the Liberal caucus by the South Peace Environment Association. These pictures very graphically demonstrate the effect of pulp mill pollution where the Wapiti and Smoky rivers converge.

### head: Introduction of Special Guests

MR. SPEAKER: The Member for Edmonton-Beverly.

MR. EWASIUK: Thank you, Mr. Speaker. I'm pleased to introduce to you and to the Members of the Legislative Assembly today three people who were very instrumental in the organizing and collecting of the 4,298-name petition that was introduced earlier in the Legislature today, a petition signed for the redevelopment plan of the Royal Alexandra hospital. . .

MR. SPEAKER: Thank you, hon. member. Let's just have the introduction. We know; all members heard.

MR. EWASIUK: Mr. Speaker, the guests are Marion Spencer, Klaas Rodenburg, and Hamid Rahim. They're seated in the public gallery. I'd ask them to rise and receive the welcome of the Assembly.

MR. SPEAKER: The Member for Edmonton-Mill Woods, followed by the leader of the Liberal Party.

MR. GIBEAULT: Mr. Speaker, I'm pleased to introduce to you and the members of the Assembly this afternoon some 32 students from Mary Hanley school, the grade 6 class, in the constituency of Edmonton-Mill Woods. They're accompanied today by their teachers Mrs. Paproski and Mrs. Olynyk as well as parents Mrs. Ferguson and Mrs. MacNaughton. I'd ask them now to rise and receive our very warm welcome.

MR. DECORE: Mr. Speaker, I'd like to introduce 76 energetic, bright, and happy students who come from Lorelei school in my constituency. They're accompanied by their teachers Treva Rimney, Brian Luard, and Mark Haruch, along with a teacher's aide, Yoka Eisen. I'd ask that they stand and be welcomed by this Assembly.

### head: Ministerial Statements

#### Alberta Intermodal Services

MR. ELZINGA: Mr. Speaker, I'm pleased to inform the Assembly of the government's desire to seek private-sector involvement in Alberta Intermodal Services. This is in keeping with our mandate of working in partnership with the Alberta business community to improve the short- and long-term economic well-being of all Albertans.

As you know, Mr. Speaker, Alberta has a strong and diversified economy. Alberta Economic Development and Trade recognizes and supports the winning spirit of Albertans by providing programs and services to help our province's business community expand, diversify, and compete. Almost five years ago we established Alberta Intermodal Services to enhance the

competitiveness of Alberta's exporters. The company now operates a container distribution system as the largest mover of containers between Alberta and the west coast.

It was always our intention to privatize the company when its objectives were met and achieved, Mr. Speaker, and that time is now. Alberta Intermodal Services has been successful on several fronts, including negotiating for reduced rail rates. I have, therefore, instructed my officials to proceed to investigate the possibilities for its privatization. I am confident that the private sector has the expertise to successfully operate this company and to continue to provide a high level of service to Alberta's 2,000 exporters.

Mr. Speaker, our mandate is to stimulate balanced growth and further diversification of the provincial economy by providing appropriate programs and services. We do this within the framework of our strong partnership with the private sector. We will support innovation and encourage promising new ventures. We also recognize the importance of our province's free enterprise spirit. We believe that the Alberta business community is ideally positioned to seize the opportunities presented by the privatization of Alberta Intermodal Services and to capitalize on them at this time.

MS BARRETT: Well, Mr. Speaker, my understanding is that the Alberta taxpayers have pumped some \$32 million into Intermodal over the last two years alone. Given the fiasco that's happened during the last few months with respect to NovAtel, I wonder sincerely if these guys can (a) find a buyer, (b) sell it for even the amount they put into it, and (c) if they plan to use the money to support programs that Albertans really need, starting perhaps with hospitals like the Royal Alex that need expansion. I wish him luck, but I don't know.

MR. SPEAKER: Hon. members, before we go to question period. There are some very significant milestones in a person's life. I understand, by scanning the *Parliamentary Guide* – some people are a bit shy about announcing their birth date. However, I've had a phone call from a very reliable legal source in Calgary to say that today is Sheldon Chumir's 50th birthday.

## 2:40 head: Oral Question Period

### Telus Corporation

MS BARRETT: Mr. Speaker, quite coincidentally, the subject the minister of economic development just raised is also related to the question that I have to pose today, and that is related to the fiasco of NovAtel during the last few months. I think the fiasco, when you couple it with a whole bunch of others like the bailing out of GSR, Myrias, Peter Pocklington – and the list is infinite, Mr. Speaker – proves one thing, and that is this: the myth that Conservatives can manage anything, even a lemonade stand, is now finally put to rest. These are the guys that can come up with \$21 million, just like that, to bail out a phony prospectus, to cover up a phony prospectus that they authorized, but they haven't got the money to look after people in need. My question to the Minister of Technology, Research and Telecommunications is this: will the minister tell us now – we're only one month away from the end of the year – just how much the taxpayers are really going to lose in the NovAtel mess? Admit that it's a lot more than \$21 million.

MR. STEWART: Well, Mr. Speaker, the facts that were put in the amended prospectus at the time it was put forward to the investors, the subscribers to the Telus offering: those figures,

those forecasts were reviewed by two national auditing firms, by 11 different national underwriting firms, by two sets of directors. It was upon that basis that we, in fact, relied upon those figures, and those were put in the prospectus. I think it was a responsible action on our part to undertake to amend the prospectus when indeed information came that the forecast was in error. We took action immediately.

MS BARRETT: Well, Mr. Speaker, that doesn't tell us where the Securities Commission was or why the minister himself was asleep at the wheel. Will he wake up now and tell us: is NovAtel expected to lose more than \$17 million this year, and how much of that is going to be picked up by the taxpayers?

MR. STEWART: Mr. Speaker, the only relevant figure for the taxpayers is the one that will have to be paid at the end of the year after the audit is done, and that is the figure we will announce at that point in time.

MS BARRETT: Well, you know, I don't think the taxpayers are very impressed with that kind of attitude, Mr. Speaker. They see the government always willing to bail out its pet projects and never look after the main programs it's elected to conduct, like hospitals, like education, like universities.

Will the minister tell us this: will he guarantee that his government will not under any circumstances bail that company out beyond this calendar year? In other words, no deal for next year: they'll have to look after it themselves or find a buyer, which, by the way, they're not likely to do. Will he guarantee that this deal doesn't go into 1991?

MR. STEWART: Mr. Speaker, the indemnification that was spelled out in the amended prospectus covers only the last six months of the calendar year 1990.

MR. SPEAKER: Second main question, Edmonton-Highlands.

MS BARRETT: Mr. Speaker, I'd like to designate that second question to the Member for Stony Plain.

### Teachers' Retirement Fund

MR. WOLOSHTYN: Thank you, Mr. Speaker. The current pension plan of the Teachers' Retirement Fund was established in 1939 as an interim measure with a more equitable plan to be established as soon as possible. This interim measure has been in place 50 years so far, and ever since 1957 the teachers have been extremely concerned. Since then the unfunded liability has become truly staggering, and the Alberta Teachers' Association has made urgent and frequent efforts over the past six years to reach some sort of agreement with the government on a way to resolve this issue. Back in 1989 the Treasurer even assured this Legislature that this matter was being reviewed. My question, then, is to the Treasurer. Given that the present unfunded liability of the TRF is \$2.4 billion and it's projected to double within five years, when does the minister plan to get serious about stopping the growth of this liability and sit down with the Alberta Teachers' Association and resolve the crisis?

MR. JOHNSTON: Mr. Speaker, I'm assuming that the member was absent on Friday, as was I, but in looking at the *Hansard* record, this question was directed to my colleague the Minister of Education. Some of the facts which are there I won't repeat, except to say that obviously in the case of the teachers' pension

fund you can expect it to have an unfunded liability because, unlike some of the other pension plans, the employees' contributions are not matched by the government. That doesn't mean at all that there's any problem with the payment, because the General Revenue Fund handles the annual pension cost on an ongoing basis. As far as I know, as the Premier said on Friday, again quoting *Hansard*: this province, the province of Alberta, is in the best financial shape of any province in Canada and able to meet its commitments.

MR. WOLOSHTYN: I recall that last July he couldn't answer my question either. It's too bad the Minister of Education isn't here to help him.

Mr. Speaker, Alberta and Manitoba are the only provinces in the country in which the government does not match the pension contributions of its teachers. Given the serious situation that the Treasury faces with respect to the unfunded liability – and it will rapidly worsen if left unaddressed, resulting in even greater demand on the pocketbooks of Alberta taxpayers – does this minister have any plans to cap the unfunded liability at present levels, and if he does, what are these plans?

MR. JOHNSTON: Mr. Speaker, we are working now on a comprehensive review of the pension funds of this province. In part that's been a direction our cabinet has taken, along with our caucus members, to ensure that those people who are contributing now and expect to receive benefits and those people who are now receiving benefits from the plan will have the best possible set of circumstances facing them. It is obviously not just an Alberta question. This is a question which faces all governments, including the federal government, and it has demanded a lot of attention in terms of policy considerations by other governments.

As well, in terms of its disclosure in financial statements, that has been under review both by governments and by the accounting professions. We're in the process now, Mr. Speaker, of reviewing our own position with respect to both the unfunded liability and the way in which the pension contributions are calculated, reviewing the way in which the pension benefits flow and looking more fully at disclosure.

MR. WOLOSHTYN: I think I followed that, and I think it's no.

The teachers are aware that the problem is serious, and the Alberta Teachers' Association have indicated that their members are willing to increase their contributions. In view of the fact that in 1985 this government set aside a very substantial sum of money for the civil service pension fund for the approximately 140,000 civil servants, including over 100 MLAs, why don't you treat Alberta's 30,000 teachers fairly and give them a similar consideration with respect to their retirement security by setting aside a fund to address the liability?

MR. JOHNSTON: Somewhere in there, Mr. Speaker, there was something about fairness and treatment of senior citizens. Let me indicate that if the member is referring to senior citizens who are receiving pension benefits, I don't want to leave the view, as the member has, that there's anything wrong with the payments which have been made to retirees under our various pension plans. Let me give the assurance right now that those payments will be maintained. There is no doubt that those payments are safe and secure, because it's the government of Alberta that's behind it, not just the pension fund itself.

Secondly, Mr. Speaker, let me say that with respect to those pension benefits that are now flowing to beneficiaries under the

plans, we are providing a COLA adjustment, a cost of living adjustment, to those pension plans on an annual basis, and I must make the point that the people who are receiving the benefits have not paid for it. This is being done essentially by the province of Alberta without any funding within the fund itself. So that's a major benefit to the members. Let it never be said that anyone who is receiving a benefit now should have any concern about receiving payment. That is just misleading and the kind of thing you get from the opposition all the time. These funds are probably as good as any funds in Canada, and in fact the entire strength of the province of Alberta, a very strong financial position, is behind the payments and the guarantees to those pension beneficiaries.

## 2:50

## NAIT Audit Report

MR. DECORE: Mr. Speaker, most Canadians have the advantage of living in provinces that have enacted freedom of information legislation. If a deal like the Pocklington deal occurred in another province, those people in those other provinces would know the details completely and fully. Most Albertans are shocked when you tell them that there is no freedom of information legislation in our province. In fact, the Minister of Advanced Education, as a spokesman for the government, has said that it's not needed, that you can get any information you want in question period. Well, yesterday and the day before we had revelations coming out of NAIT that in addition to contract impropriety there is now expense and travel claim impropriety. My first question to the Minister of Advanced Education is this: given that the revelations on impropriety exist, is the minister prepared to give hon. members of this Assembly the details of the impropriety of the contract awarding, the thwarting of the contract policy, and the impropriety dealing with these expense and travel claims?

MR. GOGO: Mr. Speaker, I answered a question similar to this on Friday. Because of allegations I asked the hon. Auditor General to investigate various allegations, which he did. He then sent a letter called a management letter, which is perfectly normal, to the institution, and I as minister received a copy. I'm not at liberty to disclose the contents of that letter, although all members of the opposition I think are in possession of it as a result of the *Edmonton Journal*. I want to make it abundantly clear: the Auditor General stated to me in his letter that nothing illegal had occurred. I think that's very important.

Mr. Speaker, the Auditor General will table his annual report to this House in due course, through you, sir, to the members, and at that time I would expect that hon. members will be informed of the total contents of any impropriety found by the Auditor General.

MR. DECORE: This flies in the face of giving information to Albertans, and I don't understand the logic to the argument the minister is using. If the minister says that the *Edmonton Journal* can publish this information, why not members of this Assembly, Mr. Minister? When they say, as the Auditor General says in this report that's been leaked, that there is unreasonable and improper dealing with expense claims, why can't he release that information that he says is already out in the public domain? I'd like to see that information.

MR. GOGO: Mr. Speaker, I don't want to prolong. I think I've answered in principle. If a matter leaks out, I do not think it becomes an obligation for a minister of the Crown to then

publish that information. I've shared in a very goodwilled way with the leader of the Liberal Party how he can obtain the information: simply obtain a subscription to the *Edmonton Journal*.

MR. DECORE: Well, it's a laughing matter to the hon. minister and to his colleagues, but it isn't a laughing matter to citizens of this province who continually have to pump in money because of your inability to look after the affairs of this province, Mr. Minister.

My last question is to the Premier. Mr. Premier, we have legislation in almost every province of Canada dealing with freedom of information. Even the government of Saskatchewan has recently announced that they're going to put in freedom of information legislation. My question is this: what reasons does the Premier give Albertans in denying them this freedom of information legislation that all other Canadians enjoy?

MR. GETTY: Because, Mr. Speaker, Albertans are not denied information.

MR. SPEAKER: The Member for Wainwright.

MR. DECORE: What about Pocklington? What about McKay?

MR. SPEAKER: Order, hon. member. [interjection] Order, hon. Member for Westlock-Sturgeon. If the two of you have some conversation, I'm sure you know where to find the coffeepot.

MR. TAYLOR: I'm just helping them sell. . .

MR. SPEAKER: Order.

#### **Alberta Intermodal Services**

MR. FISCHER: Thank you, Mr. Speaker. My question is to the minister of economic development concerning the statement today on Intermodal Services. Intermodal was originally established to reduce container rail weights, and it was to be privatized as soon as it was profitable. What assurance can he give this House that the objective has been achieved?

MR. ELZINGA: Mr. Speaker, if one examines the record, one can see that because of the additional competition that Alberta Intermodal Services injected into the system, the rates have been very competitive. In addition to that, the railways themselves have come to the recognition that it is important that they have greater volumes rather than just greater price increases and that they can make a fair return on the basis of greater volumes. We're very encouraged with the approach they have taken to this one specific case.

MR. SPEAKER: Supplementary.

MR. FISCHER: Thank you. You mentioned it's government's desire to seek private-sector involvement. Has there been any interest at all from the private sector for involvement?

MR. ELZINGA: Mr. Speaker, we have received indications from a number of private-sector sources. What we are going to do, hopefully by the end of this year, is indicate to them that we are open for official submissions as it relates to their interest, so

that we can take those submissions back through our cabinet procedure and receive input as to the worthiness of those procedures. We are looking forward to input from those individuals who've already indicated a desire. That is part of the reason for making this announcement: so the public is aware that we are looking for greater private-sector involvement in this very important transportation company.

MR. SPEAKER: Edmonton-Highlands? Is this the next . . . There was someone down this front row for the New Democrats?

AN HON. MEMBER: Edmonton-Calder.

MR. SPEAKER: Edmonton-Calder. Thank you.

#### **Social Assistance Policy**

MS MJOLSNESS: Mr. Speaker, I have a document here from the Department of Family and Social Services that shows the government intends to privatize the job search program for social allowance recipients, resulting in a costly and very confusing duplication of services. When this program was tendered two weeks ago, there were no qualifications required of the staff in these private companies. To the Minister of Family and Social Services: given that a client's success in this program determines whether or not they will be cut off assistance, why is the minister handing out contracts to private companies instead of hiring adequate numbers of qualified social workers?

MR. OLDRING: Mr. Speaker, I am not familiar with the document the Member for Edmonton-Calder is referencing. I'd be happy to look at it, if she would be kind enough to provide me with a copy.

AN HON. MEMBER: That's your department, John.

MR. SPEAKER: Order.

MS MJOLSNESS: Mr. Speaker, I would be pleased to table the document. It comes right from the Department of Family and Social Services. It's a major initiative to privatize part of the social reform package, and I'm surprised the minister doesn't know anything about it.

Mr. Speaker, the document states that private companies will benefit from this privatization, and it's a clear move to privatize at the expense of quality services to clients. I would like to ask the minister how he can ensure that the best interests of people on social assistance will be protected when there's a profit going to be made off their backs when the services are privatized?

MR. OLDRING: Mr. Speaker, again the focus of the reforms and changes we're bringing forward is to help those individuals that are dependent at this time on social allowance. We're going to explore all the opportunities that might be available to help them get back into the mainstream again. In some instances it might very well be the private sector that is best able to respond; in other instances it'll be the initiatives of my colleague the Minister responsible for Career Development and Employment; and in some instances, yes, it'll be within our department as well. But again, we're exploring all the options that are available to us. First and foremost always are the interests of the client.

That's what we've always put first and foremost in the past, and that's what we're going to continue to do.

MR. SPEAKER: The Member for Edmonton-Whitemud.

### **Mortgage Interest Shielding Program**

MR. WICKMAN: Thank you, Mr. Speaker. My question today is directed to the Minister of Municipal Affairs, responsible for housing. Recently another \$43 million was approved by a special spending warrant for the government's interest shielding program. This government continues to hedge its bet as far as extending this program is concerned, and I would request the minister to please not even consider the possibility of squandering oil revenue windfalls on the type of madness that was employed during the last election. Will the minister tell this House that he will not extend this program and that he will ask his government colleagues to start exercising responsible fiscal management?

MR. R. SPEAKER: Mr. Speaker, the mortgage interest shielding program was based on the fact that interest rates were rising during a period of time. At the present time mortgage rates are at a more reasonable rate, and based on that, a recommendation could go forward to terminate that program as of February 28, 1991. I must indicate to the hon. member that in a democratic system you must look at all the various factors that are involved, and as public input comes about, you make that judgment during your budget process. That's being done at the present time.

MR. WICKMAN: Mr. Speaker, the minister is hedging. The minister stated that "a recommendation could go forward." Mr. Minister, would you please tell this Assembly whether you are prepared to recommend to your colleagues and your caucus that you are not prepared to see this program extended and that those dollars would instead be spent for higher priorities that people are crying for, like better health care and better education? Give us a yes or no.

MR. R. SPEAKER: Mr. Speaker, I have said on a number of occasions through the public media that my recommendation would be very clear: that under the circumstances where mortgage interest rates are as they are today, the program would terminate on February 27, 1991. That's based on today's conditions. I think that as responsible legislators we should look at conditions as times change, and we are doing that.

### **3:00 Worksite Injury Rates**

MR. PAYNE: Mr. Speaker, my question today is to the minister responsible for the Workers' Compensation Board and results from meetings held recently in Calgary by the present WCB chairman meeting with representatives of the meat packing, roofing, oil well drilling, and servicing industries. Apparently, the prediction is being made that through a new program focusing on larger employers, the WCB will achieve a 15 percent reduction in injuries by 1994, with an equivalent reduction in employer assessments. I'm wondering: can the minister advise the Assembly if these injury reduction targets aren't just pie-in-the-sky hopes, and how are they going to be achieved?

MR. TRYNCHY: Mr. Speaker, I appreciate the question, and I want to assure the member and all members of the House that

it's not pie in the sky. I'm pretty impressed with what the Workers' Compensation Board in their short term of office have accomplished and what they're planning on doing. We have, under their direction, a new proposal called Case Management: A Better Way, and I want to make sure that I have this copied to all members of the House in due course. This case management, working with a minimum of 11 internal and external resource people, will make sure that they communicate with the injured worker as soon as they get their injury report to Workers' Compensation. At the start of that they go to work, working with these 11 internal and external resource people to make sure that the injury is healed and the worker returns to work a lot sooner. In the past we have lost some of the injured workers for a number of days and sometimes weeks. In case management, where we have 11 resource people working with the injured worker from day one, with telephone calls to the injured worker, to the doctor, and to the family, we hope to bring the injury to a complete healing process and the employee back to work as soon as possible.

MR. PAYNE: Well, Mr. Speaker, can the minister assure the Assembly this afternoon that if these welcome and needed reductions in injury targets in fact are achieved, the full assessment reductions warranted will be passed along to the employers, the businessmen and businesswomen who pay the bills, and not just be rolled into increased administration budgets at the WCB?

MR. TRYNCHY: It's certainly a valid question, Mr. Speaker, and it's something I look forward to making sure happens. It's interesting that when you have large employers such as the city of Edmonton and the city of Calgary . . . I just want to set this out as an example. The city of Edmonton today has an injury rate of 5 percent, the city of Calgary has an injury rate of 63 percent, and Syncrude has a rate of .9 percent. So if we could get these large employers, be they the oil patch, cities, or whatever, reducing their accidents, reducing injuries, of course it'll reduce assessment to the employer and it'll also reduce the staff of the Workers' Compensation Board in time because we have fewer injured workers to deal with. So certainly any advantages that we have through injury reduction will be passed on through a reduction in the assessment rate to the people that pay, and that's the employer.

MR. SPEAKER: Edmonton-Jasper Place.

### **Waste Recycling**

MR. McINNIS: Thank you, Mr. Speaker. I was at a meeting 19 months ago, and the Minister of the Environment announced a comprehensive recycling strategy for the province of Alberta would be in place within two months. Since that time the blue box program has been put on hold as municipalities wait for provincial direction. In my own city of Edmonton the system has not expanded into apartments and schools, waiting for the provincial program. Some industries have been lost in the recycling area, but countless others have not been created. I wonder if the minister might clarify today: what's the problem? Is it money? Is it true that every time you go to see Dick you get dick, or what is it?

MR. SPEAKER: Thank you, hon. members. In this House we still refer to ministers of the Crown by their true title. Minister of the Environment.

MR. KLEIN: Well, thank you, Mr. Speaker. Indeed we're working on a comprehensive waste minimization and recycling program. It's a program that is in the administration now. We have approval in principle for the program, and as the hon. member well knows, it is the priority of this government to balance the budget, and this program is going to have to be brought in in accordance with the budget considerations. That's the simple fact of life, and I think that Albertans expect this government to act responsibly to address the deficit in a meaningful way and at the same time stage in an appropriate way those programs that we can reasonably do so.

MR. McINNIS: Well, Mr. Speaker, it's the same thing to ask why they don't cut back on Pocklington and Olympia & York and Principal and a few things like that.

Perhaps within the estimates of the minister's own department you could explain this to me: why the government subsidizes the Shells, the Exxons, Amoco, and the rest of them to the tune of \$8.7 million a year – the cost of processing their environmental impact assessments and all of their permits to pollute – why the taxpayers pay to that. Why don't we take that money and use it on recycling instead of subsidizing all of the large companies?

MR. KLEIN: Well, I don't think it's a matter of subsidization of these particular companies relative to our participation with industry to ensure a clean environment. In fact, the comprehensive waste minimization and recycling program doesn't involve just a massive infusion of government dollars. It calls for a sharing of resources, a sharing of programs with the private sector to spur on a program of waste minimization that would reduce the amount of waste that now goes into landfills by 50 percent by the year 2000, to stimulate various industries who might want to participate in adding value to recyclables to create in conjunction with the private sector new markets for recycled materials. This, much like the energy sector, involves not a handout to the private sector but participation with the private sector to achieve environmental protection and enhancement.

MR. SPEAKER: Edmonton-Avonmore followed by Westlock-Sturgeon.

### **Human Rights Commission**

MS M. LAING: Thank you, Mr. Speaker. My questions are to the Minister of Labour. The Human Rights Commission has indicated that almost 57 percent of unresolved employee complaints are directed against one employer, the provincial government. Perhaps the chairperson of the commission is correct in that we need more education for supervisory employees, but the fact remains that this government, an employer who should be setting a standard and an example for private employers, is held responsible for the bulk of the problem. What is the Minister of Labour going to do to establish and enforce a policy of fairness and equality in the workplace throughout Alberta, and what, in particular, is she going to do to remedy the situation for government and government-regulated employees?

MS McCOY: Mr. Speaker, the first thing I've done is ask for complete details on the cases that have been mentioned in the Human Rights Commission news release. I do not have all of the details as yet, but I can inform the House and the member opposite that, firstly, the numbers arise out of the cases that have been unsolved over the last four years. Secondly, they arise

out of employers who are not only the provincial government but also municipal governments, universities, colleges, hospitals, schools, and other such organizations. So the management of many of them is, in fact, independent from this government. In fact, of all of the cases that are mentioned, I am told that only eight of them have direct application to those managers that are under our direct employ.

Having said all of that, Mr. Speaker, I do want to emphasize that the fair treatment of employees is a matter that we all have to take into consideration and, in fact, examine daily and live daily, and if any of those cases are ones that have indicated a management fault, we will certainly act very quickly to correct it.

3:10

MS M. LAING: Thank you. Mr. Speaker, the Human Rights Commission further indicates that the proportion of complaints on the basis of gender, pregnancy, and sexual harassment has increased from 25 percent in August to 52 percent in October of this year. In spite of the fact that the minister encourages women, through the Stepping Stones program, to move into nontraditional careers, women are hindered from doing so by the kinds of discrimination indicated by these statistics. What specifically is the minister prepared to do to overcome the problems of discrimination on the basis of gender, pregnancy, and sexual harassment?

MS McCOY: Well, Mr. Speaker, there's no question that these are issues that are becoming more and more critically important in our workplaces as more and more women enter the work force. In fact, even today almost every other worker is a woman, and with that many women in the work force there is no question that different issues arise. In each case they are issues that all concerned are encouraged to understand, and that level of understanding is increasing. Certainly, I think, too, with the Supreme Court of Canada decisions that have to do with pregnancy, such as the Safeway and Brooks decision, are being now filtered into practices and procedures in the workplace. Certainly we have a board of inquiry that is looking into that very thing. We also had a board of inquiry this fall reporting on sexual harassment and, in fact, establishing a new standard in Alberta that I think employers and employees alike will look to for guidance.

Apart from all of that, Mr. Speaker, in the public service of Alberta we have various programs that we have put in place pursuant to the Plan for Action for Women, including a committee looking at employment equity questions under which gender issues arise but also other issues. We have also put into play a pilot program on mentoring women who are rising to management levels, which I think will be of great assistance to both those in management now and those who are aspiring to management. They will become familiar with these issues and, I think, will handle them gracefully over time.

MR. SPEAKER: Westlock-Sturgeon.

### **Farm Foreclosures**

MR. TAYLOR: Thank you, Mr. Speaker. Over the last few weeks the Minister of Municipal Affairs has been touring the drought-depressed areas of southern Alberta, sometimes with one, sometimes with two Agriculture ministers and has assured a number of the farmers – or has been quoted as that – that he would try to stop any foreclosures in the drought-depressed areas. Now, we know, of course, that the Provincial Treasurer

has been siccing his minions on and foreclosing right within the member's own constituency in the last few weeks, after he's made the statement that he was going to try to stop foreclosures. Could the minister tell this House whether or not he favours suspending foreclosures in drought-depressed areas?

MR. R. SPEAKER: Mr. Speaker, the question is not within my purview as Minister of Municipal Affairs, but I would like to comment on this: the matter at hand is the question of whether a statement was made within the public meetings in southern Alberta as to whether foreclosures on farms would be stopped. What the Minister of Agriculture said to the people at that time, and I also said as a minister of the Crown, was that the land sales that were proceeding through the Alberta Agricultural Development Corporation would stop, because the land sales were decreasing the price of land for other farmers and reducing the amount of equity that the farmers had at hand at the banks that were relative to their loans. We made a commitment to do that, the minister did it, and that policy is still in place. We met our commitments.

MR. TAYLOR: Mr. Speaker, that was not the question, and for the Minister of Agriculture to do a deathbed repentance now and not sell any more quarters, after he sold over 500 quarters of the 700 he had in inventory, is too damn late. You've already depressed the . . . I'd like to go back again. I want to know very simply, yes or no: do you believe farmers should be foreclosed on in the drought-depressed areas of this province? No jumping around, just yes or no.

MR. R. SPEAKER: I think the hon. member knows very clearly the various jurisdictions and the Acts that are before the Legislature and the federal legislation related to foreclosures. Foreclosures with regard to Alberta Agricultural Development Corporation loans: we can take action. But with regard to loans under other financial institutions, private institutions, that decision is made by them. With regard to the Treasury Branches of the province, they, as well, are private banking institutions at arm's length from government and make and determine that policy. As a government we don't interfere with that policy. So, Mr. Speaker, it's very clear: you must judge where the jurisdiction and the legislation lie in answer to that question.

MR. SPEAKER: Calgary-Foothills.

### Goods and Services Tax

MRS. BLACK: Thank you, Mr. Speaker. I understand the federal government will very soon be sending out GST rebate cheques to low-income families. With all the confusion as to the administration and who's in on GST and who's out, my question today is to the Minister of Family and Social Services: will this source of revenue be included as income when calculating income security benefits in the province of Alberta? [interjections]

MR. SPEAKER: Order please. The Chair would like to hear the answer. Order.

AN HON. MEMBER: Get a subscription to the *Edmonton Journal*.

MR. SPEAKER: Thank you. [interjections]  
Hon. minister.

MR. OLDRING: Mr. Speaker, I'd want to point out at the outset that, of course, our government remains steadfast in its opposition to the GST. But in the event that it does become law in January and the rebates are issued to some of our income security clients, I'm happy to inform the member that we will be passing those benefits through. We will not be calculating them into the benefits they are receiving already. I might point out that that is some \$25 million to \$27 million being passed through, on top of the pass-through on the family allowances, which amounts to approximately \$27 million, and on top of the pass-throughs on the federal child tax credits to the tune of about \$40 million: all in all \$92 million that we pass through to our new supports for independence clients.

MRS. BLACK: Thank you, Mr. Speaker. Will the minister assure us that the AISH recipients will not be affected by the GST?

MR. OLDRING: Again, Mr. Speaker, I would want to remind the member that I made a commitment to this Assembly last Tuesday that within two weeks I would be announcing some changes to the AISH program. But I'm happy to assure her in the interim that, as is always the case, we've said all along that we intend to protect those Albertans that need this kind of protection from the GST. Yes, we will be passing through those rebates in those instances as well.

MR. WICKMAN: What about the AISH . . .

MR. SPEAKER: Vegreville.

Edmonton-Whitemud has had its question. Thank you.

### Farm Credit Stability Program

MR. FOX: Thank you, Mr. Speaker. In spite of the fact that Alberta farm families are facing a very bleak winter indeed with prices and markets both being very poor and incomes, as a result, being virtually nonexistent, this government announced on Friday that they are refusing to extend further funding through the farm credit stability program, even though in their 1989 election promise they indicated that this program would be funded through to the end of June 1991. Now, in spite of the fact that the Minister of Agriculture said that putting more money into this fund will not address the problems that farmers are facing, I'd like to point out to him that there are nearly 1,000 farm families with applications pending for this program who are waiting for assistance. I'd like to ask the Provincial Treasurer when he will recognize that election time isn't the only time farm families have needs, turn this into a revolving fund, and extend the benefits of the farm credit stability program.

3:20

MR. JOHNSTON: Mr. Speaker, I know that all Albertans will be pleased with the statistics which surround the farm credit stability program, which was introduced in 1986. As the member points out, my colleague the Minister of Agriculture did in fact increase the program in 1989 so that \$2.5 billion worth of 9 percent credit is available to the farming community in Alberta, protecting them from the high interest rates which we've been through, assisting them in terms of farm input costs, and providing predictability in terms of their borrowing requirements. Now, we have to look at the statistics that surround this number. There are 30,717 active applications, including those that have been processed, running \$2,478 billion at the present time. This is a very important statistic because if that statistic, running, say,

to \$2.5 billion, is there, then the province of Alberta has probably assisted about 60 percent of the farm families in this province in taking up close to 70 percent of the total financing in this province as well, a very commendable step, because of course it does protect the farm community.

We announced this program in 1986, the Premier and the Minister of Agriculture, indicating that the province would use its own resources to provide that security of financing. It's happened. When it was reannounced in 1989, we indicated that it would go to \$2.5 billion, would end on February 28 or \$2.5 billion, whichever came first. It wasn't ended yesterday, contrary to what the member said. As I've indicated, there's still some money in the fund, and I understand that the \$2.5 billion may well be reached before the end of February, which has been the date indicated for its ending. So this is not an ending; this is just a confirmation of statistics.

MR. FOX: Mr. Speaker, the minister indicated that no further loans were given after July 6, 1990. The Treasurer had better check his facts.

I'd like to point out that it's not only a benefit to farm families; the way these guys have it structured, it's an enormous benefit to the banks: some \$40 million to \$50 million wasted in administration through their friends in the banking industry. I'd like to ask the Provincial Treasurer why he refuses to review the administration of this program so that the benefits could be provided more to the farmers and less to the banks.

MR. JOHNSTON: Well, that is about the silliest statement I've heard, certainly since the House started. Over the summer my mind numbs when you talk about the silliness in the ND Party, but that is probably the silliest statement I've ever heard. To think that Foxy Loxy across the way is saying that he is not in support of this program is absolutely . . .

#### **Speaker's Ruling Epithets**

MR. SPEAKER: Order. [interjection] Order please. I trust I did not hear "Foxy Loxy." Perhaps the minister would be good enough to retract it, and perhaps all members in the House would stop dreaming up nicknames for each other.

Hon. minister, to conclude.

MR. JOHNSTON: I take back "Foxy Loxy," even though he does protest when the sky is falling, Mr. Speaker.

#### **Farm Credit Stability Program (continued)**

MR. JOHNSTON: Mr. Speaker, that is just outrageous to have that kind of comment there. This is \$2.5 billion, one of the most unique programs ever put in place for financing the farming community in this country, let alone this province. When interest rates are running around 15 to 16 percent, you can see the size of that benefit: 6 or 7 percent per annum on fairly substantial loans, in some cases up to \$250,000, with the average loan around \$80,000. That's the kind of comfort this government promised. It put in place a unique program using the financial system and the borrowing power of this province and passed that credit on to the farmers in this community. That's why we have been very successful in maintaining stability in the farm community, that's why the foreclosures aren't as high as you see in Saskatchewan, and that's why the farmers in this province over the next 20 years will have a secure future, unlike

other provinces. Now, if these people had it over there, Mr. Speaker, it would be a mess. [interjections]

MR. SPEAKER: The Minister of Career Development and Employment with some supplementary information.

#### **Social Assistance Policy (continued)**

MR. WEISS: Thank you, Mr. Speaker. Earlier the Member for Edmonton-Calder raised a question to the Minister of Family and Social Services, and I'd like to correct what may have been a misunderstanding. [interjections]

#### **Speaker's Ruling Curtailed of Question Period**

MR. SPEAKER: Hon. minister. There are some complaints in the House. The clock is about to expire for question period, and at the discretion of the Chair, because of the noise, the Chair has directed that this procedure proceed. Thank you very much. [interjections]

Order. Order. Hon. members should listen to the tapes, which I'd be only too happy to review with you in the office immediately following.

MR. MITCHELL: Cut him off.

MR. SPEAKER: Order. Order, Edmonton-Meadowlark.

MR. TAYLOR: You've been sucked in by the Treasurer.

MR. SPEAKER: Thank you. Perhaps hon. members will be a little bit more calm with question period tomorrow, and then we won't have this kind of incident. Last week the Chair threatened to take away a considerable amount of the question period.

The Minister of Career Development and Employment, please.

#### **Social Assistance Policy (continued)**

MR. WEISS: Thank you, Mr. Speaker. As I said earlier, I wish to correct what may have been a misunderstanding by the Member for Edmonton-Calder in her question. She referred to a secretive letter and an ad placed by the minister. I would inform the Assembly that that is not quite the case. It was a term of reference letter supplied by this department and two other departments. As well, the letter is certainly not secretive. The ads were placed in the *Edmonton Journal*, November 17, 1990, and the *Edmonton Sun*, November 18, 1990. There's certainly no intent to hide anything. I might add that Employment and Immigration Canada were in joint consultation on this as well as the Department of Family and Social Services. The request does say: proposals must be in a sealed envelope marked clearly "joint initiative."

Thank you very much for allowing me to say this, Mr. Speaker.

MS MJOLSNESS: Mr. Speaker, I know there was nothing secretive about this, but I know that the track record of Career Development and Employment has been to cut millions of dollars from their budget. I would ask the minister: why the move to privatize? Why not hire qualified social workers and career development counselors?



MR. WEISS: Mr. Speaker, if the hon. member would have referred to the terms of reference and the requirements, she would have noted that there are long-term qualifications required for the individuals seeking the contract as well as long-term commitments being made to ensure that the client will have the best service available and affordable.

### Orders of the Day

MR. SPEAKER: Might we revert to the Introduction of Special Guests?

HON. MEMBERS: Agreed.

MR. SPEAKER: Opposed? Carried. Thank you.  
Red Deer-North.

### head: Introduction of Special Guests (reversion)

MR. DAY: Mr. Speaker, it's an honour for me to introduce to you today 22 of Red Deer's finest citizens. They say they're a seniors group, but they look too young to be. They are members of the mature ministries group from Woodlea Pentecostal Church in Red Deer. I'd ask them to stand and receive the warm welcome of this Assembly.

### head: Government Bills and Orders Second Reading

#### Bill 57

#### Electoral Boundaries Commission Act

[Adjourned debate November 30: Mrs. Mirosh]

MRS. MIROSH: Thank you, Mr. Speaker. I now have my voice back, and I'd just like to make a few comments, as I did on Friday, to the committee who put together the report. I commend them for the time they spent away from their families, traveling around the province of Alberta and most importantly listening to the people of Alberta. [interjections]

MR. SPEAKER: Order please, hon. members. Edmonton-Whitemud, could we have you join the rest of us, please? Thank you. Discussion in the House can take place outside.

Calgary-Glenmore, please.

MRS. MIROSH: My colleague from Calgary-Foothills certainly did outline their work most eloquently, and I commend her and the remainder of the committee for the work they've done in providing 39 public hearings in 30 different locations. That is very commendable. Indeed, receiving reports and letters from roughly 10,000 or more Albertans . . .

MR. SPEAKER: Order in the House, please.

MRS. MIROSH: When their recommendations were circulated to this House, I certainly enjoyed the background information that was provided, outlining the historical events of Alberta electoral boundaries dating back to 1905 when Alberta's Legislature opened. The electors lists at that time were not available. I think we've come a long way since that time.

This Bill certainly outlines the recommendations that the committee put forward and has outlined fairness and equitable and respectful needs and the concerns of Albertans. Much has been made by opposition members about the need for any future

electoral boundaries based on population. The notion of one person for one vote is certainly unworkable for this province. That has been indeed outlined in many cases. In fact, I don't think there's a province in Canada that has electoral boundaries based solely on population.

3:30

Also, Madam Justice McLachlin and her judgment on the Dixon case in B.C. has been brought up. The Supreme Court found section 3 of the Charter of Rights and Freedoms to necessarily imply that the numbers of the Legislative Assembly should represent proportionate populations. She did support the Fisher commission recommendation that there be a variation of minus/plus 25 percent from the average number of people per constituency. She did this because she knew that the strictest interpretation of the one person, one vote concept, where there is zero variation from the average number of people per constituency, was certainly not practical and would simply not work.

[Mr. Jonson in the Chair]

Factors other than population are taken into account when drawing electoral boundaries across the country. Manitoba, for example, allows a deviation from the population norm of plus or minus 10 percent south of the 53rd parallel and plus or minus 25 percent north of the 53rd parallel. Quebec, Ontario, Saskatchewan, and Newfoundland all follow a plus or minus 25 percent deviation. Even Canada allows for this plus or minus 25 percent variation in federal constituencies, and it is obviously quite workable.

The reasons no Legislature in Canada has constructed an electoral boundaries system based entirely on zero are twofold. The first is that Canada simply does not have the legislative structure to allow a one person, one vote concept to be followed to the letter. Unlike the United States, which has both an elected House of Representatives that represents people on the basis of population and an elected Senate that provides equal representation for every state, we in Canada have no second elected institution to safeguard regional power. For this reason we make it a priority to represent the needs of sparsely populated regions in our existing unicameral system. To do this, we have no choice but to allow some variation from the ideal of representation by population. If there were no variation, our Legislatures could be completely dominated by the regions with the largest population bases, because of course they'd have the most representatives. We in Alberta should know better than anyone the dangers of political power based on population that give the long history of disproportionate representation we have now in central Canada.

Alberta's select committee has taken the need for regional representation to heart and recommended a plus or minus 25 percent variation from the average population per constituency to be permitted throughout the province. The Select Special Committee on Electoral Boundaries also recognized essential factors such as geography, communications, transportation facilities, and population fluctuations and made a recommendation which would allow a variance of up to minus 50 percent if four out of the seven recommendations listed in section 17 of Bill 57 are endorsed.

As an urban MLA representing a constituency of a little over 31,000 people, it is a relatively small area. Of course, it's already been alluded to that those of us who have a large population in a small area can visit a large number of people at any given

time. As the MLA for Chinook pointed out, she has a very large riding and spends a lot more time traveling to appointments within her constituency, as do many others in the rural area. Also, many of them have more constituency offices that they have to be at than we in the urban areas do.

Similarly, a rural MLA who represents a constituency which has a large number of small communities will inevitably have more municipal councils, school boards, and hospital boards to deal with than I do as a Calgary MLA, and this has already been alluded to. Nor do the boards that I deal with necessarily require as much time as those in the rural areas. The city of Calgary has a population base to provide its boards with well-equipped administrative staff to research a lot of the problems, whereas my understanding is that in the rural areas the MLAs do have to research a lot of these issues for their constituents. As the Member for Calgary-Foothills pointed out, Calgary, having 14 aldermen and six MPs representing the areas of their constituency, is certainly far less than what is recommended in Bill 57. In the rural areas, where the MLA often becomes the main source of information, I believe they really have a lot more work to do and should be highly represented in that area.

Let us not forget that an electoral boundary system must provide for effective representation. I strongly believe that the committee has through its recommendations provided a mechanism through which effective representation can be achieved. The Bill has responded fully to the challenge presented by the Dixon versus Attorney General of British Columbia case: the challenge of reducing the population variation between constituencies in Alberta to a fair and responsible level. As it stands now, 18 Alberta constituencies are above the plus/minus 25 percent variance from the average population per constituency figure and 22 constituencies are below it. This means that 40 out of the 83 constituencies in the province are outside of the range prescribed by Madam Justice McLachlin in the Dixon case. The Select Special Committee on Electoral Boundaries addressed this imbalance in their report. It is because they wish to avoid compromising the rights of Albertans that they have recommended that the Electoral Boundaries Commission ensure that at least 95 percent of the 83 electoral divisions do meet that plus or minus 25 percent variation. Mr. Speaker, 95 percent means that at least 78 out of 83 constituencies will be within the guidelines of the Dixon case court ruling.

These recommendations are a substantial improvement in our electoral boundary framework, and they offer a solution which I believe we will all be proud of. Certainly the committee's recommendations, if accepted, will make some changes in the makeup of the constituencies in this province, and we as Members of the Legislative Assembly may find ourselves representing areas that are a bit different than the ones we're used to now. The difference may be in sheer numbers or in population or may be the type of interests that we will be addressing. We have been addressing in this House a number of times sustainable development and looking at diversification in industries and establishing more and more industries in the rural area, so it may be differences in the types of industries we will be promoting. Whatever the differences, however, I believe we, the MLAs and the people we represent, are equal to the challenges these differences represent. We're all capable of developing new ties and acquiring a border perspective. To do so in support of a more equally and effectively represented electorate cannot fail to promote a greater understanding and awareness of the needs and the concerns of all Albertans.

The members of the committee, I reiterate, certainly did listen to the concerns and the needs of the people of the province and

used this input in basing their report. For example, the people of Alberta spoke against any situation which would result in more members being added to the Legislative Assembly. They thought that in a time of fiscal restraint it would be good policy to do so. The committee listened and came up with the recommendation that the number of members and the number of electoral divisions be kept at 83. The people of Alberta expressed concern that representation by number of eligible voters left some of the people in the constituency without representation. Some examples brought up again and again were: the Blood Indians in Cardston, 1,800 of whom refused to be enumerated in the last election; the Hutterite colonies, who also often refuse to be enumerated; and the new immigrants and young children who are not eligible to vote. MLAs deal with the concerns of everyone in their constituency, and for these reasons many suggested that population, not the number of eligible voters in a constituency, should be the basis on which representation is based. The committee listened to these concerns – of course, every meeting they had is recorded in *Hansard* – and recommended in this report, again, the plus or minus 25 percent variance on population, not enumeration.

### 3:40

The people of Alberta spoke out against partisanship on the Electoral Boundaries Commission. They suggested a politically neutral committee. The Bill alludes to the request of the citizens who came to the hearings and in its report proposed that the Electoral Boundaries Commission have the composition that is in Bill 57. At least two of the five commission members will be from Alberta cities and at least two of the five from outside Alberta cities. Administrative support shall be provided by the senior administration of the Select Special Committee on Electoral Boundaries. These final conditions were added in order to prevent a monopoly of either rural or urban concerns in the commission. This situation occurred in Manitoba, where the three members of its provincial commission were all from Winnipeg, and, ignorant of community interests or geographic limitations in rural Manitoba, created constituencies which are almost impossible for an MLA to represent adequately. Certainly we can learn from other provinces' problems.

Finally, and to me most importantly, the people of Alberta were concerned about how the electoral boundaries issue seemed to be dividing Albertans along rural and urban lines. While people from all over the province recognized that rural and urban constituents have different concerns and expressed alarm when they thought their area might be underrepresented, very few people objected to constituencies containing both the urban and rural citizens. As long as their views were adequately represented, most people suggested that a constituency with an urban/rural mix might be a very good idea. The committee obviously agreed and responded, because the multimunicipality electoral divisions are recommended and would have such a mix.

I find the recommendation of electoral divisions established along these lines exciting, a good answer to the electoral boundaries question. Even in my own constituency of Calgary-Glenmore I'm adjacent to the Sarcee reserve and perhaps could take on a rural look in adopting the Sarcee reserve. As an urban MLA I'd certainly welcome an opportunity to deal with any rural concerns. I think it would be a sincere challenge, and certainly it would be a learning experience for both the MLA and the constituents, an experience which would foster, I believe very strongly, a spirit of co-operation in the province and provide all Albertans an opportunity to acquire a more well-rounded view of what the province is all about.

In conclusion, Mr. Speaker, I'd like to urge the Assembly to throw its support behind this report that the select special committee put together to form Bill 57. Its recommendations would safeguard regional interests and assure effective representation while at the same time provide a much greater degree of equality in representation than presently exists in Alberta. Most importantly, we should support the report of the electoral boundaries committee and Bill 57 because it addresses the needs and concerns of all Albertans who represented their views to the committee, and we are here to listen to them.

Thank you very much.

MR. ACTING DEPUTY SPEAKER: The Member for Edmonton-Jasper Place.

MR. McINNIS: Thank you, Mr. Speaker. I would like to enter a few remarks in the second reading debate on Bill 57. I think I'd like to preface my remarks with an anecdote which comes from the late Ross Thatcher, the former Premier of Saskatchewan, who was engaged by an elector discussing the question of electoral distribution or maldistribution and disparity in representation in seats in the province of Saskatchewan. He responded by observing that the points made by the electorate were legitimate concerns and in the public interest and that the minute his party was in opposition, he would champion the cause of redistribution.

Well, I think what we have in the province of Alberta is a government which probably will end up championing the cause of redistribution, fair redistribution, when it's in opposition but apparently not before, because this Bill before us today cannot be considered fair distribution, does not represent fairness in electoral distribution, and needs to be opposed by every fair-minded Albertan for that reason and for a few others.

Mr. Speaker, the problems with Bill 57 run throughout the Bill, but I would like to say that I think the evidence for my assertion that this government cares more about redistribution when it's in opposition is borne out by the established public record in the province of Alberta. I refer those members who have not already done so to look at the Conservative minority report on redistribution in the province of Alberta in April of 1969, before they assumed office, when they stated:

On principle . . . all ridings should be roughly equal in voter population, with a 25-per-cent ceiling and floor on either side of the average figure to allow for variables of sparse population, communications, and community of interests.

So spake this government when it was in opposition, and I suppose that along with former Premier Thatcher they will be taking up that cause the minute they're in opposition. All we on this side can say is, "How long, O Lord, how long?"

Now, Mr. Speaker, I'm a native-born Albertan. I grew up in this province of Alberta. I would say I love it in the way that some men say they love a woman. Growing up in this province of Alberta, I traveled the very length and breadth of it. I visited my grandparents' homestead in Bruce, Alberta. I visited the homestead of my grandparents on my maternal side in the Rocky Mountain House area. I spent many summers and many parts of winters on the farm visiting my cousins, my aunts and uncles, and it did seem to me that we had in common that we were Albertans. It wasn't so important to them that I happened to live in the city because that was where my father had his work and they lived in the country. In fact, it was a joy for us to share each other's experience. It was a joy for us urban residents to take part in the harvest when the time came, haying, or what have you. I believe it was a joy for them to assist with

things that needed to be done in the urban homestead from time to time. We didn't ask first whether we were rural Albertans or urban Albertans, and I don't think we believed in any real sense that we should be treated differently on account of the fact that we lived in a rural setting or an urban setting. I think that's very important, and that's my concept of the province of Alberta: every Albertan is an Albertan. I don't ask when somebody contacts me to assist them with an answer to a problem, "Well, are you an urban person, or are you a rural person?" I don't treat them any differently in that respect.

I think the situation is fundamentally unchanged today. I noted that CBC television did a profile on urban and rural members. One of the constituents of the Member for St. Paul was interviewed, a fellow named Carl; I didn't catch his last name. He was making the point. He said: "We don't need any more representation around here; that's not our problem. We have to try to find a way to get along, city people, country people and politicians especially." In his mind the problem was not that they needed more MLAs per capita in rural areas compared to urban areas. He didn't see that that would solve any problems at all. What he saw would solve the problems, as he saw them, was if we got together and started talking to one another and started thinking as Albertans rather than thinking about, I suppose, what we can get out of the province from our unique perspective whether we represent a larger population or a less large population.

I think that's still true today despite the efforts of this government to whip up concern over a rising tide of an urban population electing a different character of MLA who's somehow going to run roughshod over the rural life-style. I think there is no truth in that suggestion whatsoever. People don't vote that way, and as my colleague, my House leader, pointed out in this debate, nobody can name a single instance in which a vote in this Legislative Assembly was cast upon urban and rural lines. I think that's a significant point, because when it comes to the making of public policy and the laws and the tax regime of the province, this is where it's made, here in this Assembly.

For all of the talk that goes into justifying the formula and various considerations in this Bill, it all boils down to talk about the human burden of representing large, widespread rural ridings. I accept that it's a burden, and as a matter of fact, as a member of the Members' Services Committee I've been prepared to offer my personal support for whatever we can do to try to make that job manageable from the point of view of those rural members, whether it's granting them additional capability to travel, additional allowance to account for the geographic dispersion of the population within those areas. I think that's a reasonable thing for us to do. I wish sometimes that the rural members might be prepared to listen to the occasional problem that does come up in representing an urban area, but that's another matter.

3:50

I think there's a classic confusion or shifting of agendas that goes on here. The Member for Calgary-Foothills spoke at some length on this point in second reading debate on Friday. She talked about what the concept of representation is, in terms of what people were saying at the hearings.

I thought they were saying that we have to have access to our MLA — that's important — because we have to be able to see our MLA, communicate with our MLA, and give our MLA our thoughts and ideas. But then I left there and thought: that's only half the equation; the other half is that if you're going to represent people, then the MLA had better be able to access

people back home as well, the MLA had better be able to go back to the people and have consultation and advisory groups and sit down and chat with people because they have to represent those people in this Legislature.

Well, two halves to the equation, but those two halves miss another very broad area of what we do as members: we come to this Assembly and vote on legislation, we vote on taxation, and we vote on the public policy of the province of Alberta. It seems to me that if we had different representation in this Assembly, we would have a different outcome; we'd have different policies today. I don't think we would have the problems we have in health care: the miserable situation at the Royal Alex hospital, to take simply one example. I don't think we'd have the same problems in education. I don't think we'd have the same problems in the environment, especially in the issue we dealt with today: the lack of a recycling and waste minimization strategy in the province of Alberta. We certainly wouldn't have the same unfairness in the tax laws, and I daresay we wouldn't have the same quantity of funds wasted on blown business opportunities and ventures that tied in in a certain way with the provincial government. That part is every bit as important as the human element of representation, the part that the Member for Calgary-Foothills referred to, the part that the Solicitor General referred to when he talked about how the Member for Peace River has to drive such a long way to get to Peace River. Well, it doesn't matter how you cut the pie in the province of Alberta; Peace River is still going to be the same distance from Edmonton as it was beforehand. We could have 10,000 MLAs and it would still be the same number of kilometres or miles to Peace River as it is here.

There's an agenda shifting going on, and I think the confusion has perhaps resulted in some members thinking, innocently perhaps, that they were addressing the real problems of representation in creating this somewhat bizarre set of instructions, or dictates, edicts, which this Legislative Assembly wants to give to an Electoral Boundaries Commission or that the government appears to want to give in the provisions of Bill 57.

This question was dealt with in litigation before, and some members have quoted from the decision of Madam Justice McLachlin. I do believe that when you look at Madam Justice McLachlin's decision, you look at all of the jurisprudence on the Charter of Rights and Freedoms, which is what this debate is supposed to be about. It's the subject matter that was allegedly referred to this committee when it set off to hold its hearings and the rest of it. The jurisprudence is very clear that what we're talking about when we mandate a committee to make an inequality in the legislation is we're trying to remedy a problem. The problem we're trying to remedy appears in the minds of government members to be sparse population in rural areas, difficulty of representation in the personal contact sense. They're trying to suggest to us that this maldistribution is the remedy for the problem, the problem being the difficulty of representing rural areas. Well, the jurisprudence is absolutely clear that any remedy you adopt to deal with a problem like that must be carefully designed to achieve the objective in question. It must not be arbitrary, unfair, or based on irrational considerations but rather must be rationally connected to the objective. I think there is a gap here, because I think there is an interceding variable. The interceding variable is that the provincial government feels it will face an election sometime in the next four years or whatever, and they're hoping to influence the outcome.

Now, I feel the same way about redistribution of seats as I do about MLAs setting their own salaries. I think the less we have

to do with it, the better for everybody's peace of mind. The less we have to do with setting our own salaries, the better. The less we have to do with designing those electoral districts we run in, the better as well. We don't have less in this Bill; we have more. We have more and more layers of rules and dictates and edicts, and they go well beyond what is necessary to achieve the objective of making the representation of sparsely populated rural areas more acceptable.

[Mr. Speaker in the Chair]

Secondly, the means to an end, even if rationally connected to the objective, should impair as little as possible the right or freedom in question. Well, the right or freedom we're talking about is the right of citizens to be treated equally under the law. You do a little bit of arithmetic with the formulas here: if you say that urban ridings can be 25 percent above the norm and rural ridings can be as much as 50 percent below the norm, to me that works out at a factor of 3 to 1. Having 3 to 1 maldistribution severely impairs the concept of equality. It's not relative equality. It's not within a country mile of equality, if I can use that term. It goes well beyond what may be necessary to satisfy concerns of sparse population, of transportation. If the problem is how long it takes to drive to Peace River, then perhaps we should enable the Member for Peace River to fly more frequently, or perhaps we should find some way to get him some better bus service so he could relax and read or something while he's on the journey. But to try to make three members of my constituency have the same voice in government as one member of another constituency goes well beyond what is required to make that representation easier or more to the ability of a member of accommodate.

I have sympathy for the fact that rural members have to deal with a lot of different government bodies, the fact that there are a lot of school boards to talk to, a lot of hospital boards to talk to. Perhaps we can facilitate ways that they can meet. Perhaps we can give them some staff who can assist them. Perhaps we can give them other resources that they can deal with. You don't have to make an urban person's voice a third of what a rural person's voice is in government, in deciding the policy and laws of the province, in order to achieve that objective. You don't have to do it, and I think it's shallow in the extreme to present argument ignoring that side of the equation altogether, that at the end of the day votes are tallied.

Thirdly, there has to be a proportionality between the effects of measures which are responsible for limiting the Charter right or freedom and the objective which has been identified as of sufficient importance to justify the limitation. Again, the proportionality is not there, and I haven't heard anybody in the government explain to me why a 3 to 1 ratio is proportional to the extent of the problem. In fact, having identified the problems as being difficulty of travel, of having to meet with all kinds of people on a regular basis, of the difficulties of communication, nobody has come by and said why you need to have a 3 to 1 maldistribution in order to achieve that goal. It's simply not proportional. The 25 percent figure has been suggested and put forward as being a ballpark in which you can work, not that the urban areas should be automatically 25 percent larger than the rural areas, but that's the presumption that's there in the minds of the people who drafted this report. Do the arithmetic. No matter how you divide it out, the number of seats, the quota they've given to the city of Edmonton, the quota they've given to the city of Calgary works out in such a way that it absolutely

has got to make those ridings a percentage larger than every other riding in the province. There's no two ways about it.

4:00

Now, you don't have to adhere to the principle of one person, one vote to say that's wrong. What you say is that we've got this 25 percent factor that's there to deal with local circumstances, not the 50 percent that somebody dreamed up in this document. We've got the 25 percent for that. But no. They used the 25 percent to create an electoral map which is more to their liking politically, then they used the next 25 percent to deal with the questions of representation, distance and all the rest of it.

#### **Point of Order Imputing Motives**

MR. DAY: Point of order.

MR. SPEAKER: Thank you, hon. member.  
What's the point of order?

MR. DAY: I'm citing 23(i) of the Standing Orders. I ignored the imputing of false motives the first time the member did it a few minutes ago and thought it was just a slip of his tongue as he was getting carried away, but he has repeated the allegation that members of this committee have come up with a report for points of political opportunism. I find that highly offensive, Mr. Speaker, especially when I look at one of the recommendations which refers to Red Deer and it puts either MLA in a potentially disadvantageous position. That point aside, what we are hearing are allegations that members of this committee went about this tack for the point of political opportunism. I find that highly offensive.

SOME HON. MEMBERS: Aw.

MR. SPEAKER: Thank you, hon. member. Perhaps hon. members would be gracious enough to stop the moaning and groaning.

I'm certain Edmonton-Jasper Place will take into account that appropriate citation in 23(i).

#### **Debate Continued**

MR. McINNIS: Thank you, Mr. Speaker. I well believe the member doesn't like that characterization of the report. The report comes to us from a committee which consisted of partisan individuals, and it seems to me that the votes coming out of the committee broke entirely on party lines. I think it's a bit of a misreading of *Beauchesne* to suggest that somehow the suggestion of partisanship is out of order, because after all we are a partisan institution. I don't deny the government their partisan interests, I don't deny their right to pursue electoral success in the province of Alberta by any legal and legitimate means at their disposal, but I think they've gone too far with this report. That's the point I'm trying to make: they've gone too far, and they're doing it under the guise of one concept of representation, forgetting altogether about the fact that when you total up the number of seats, the party that has the majority forms the government in this province. That issue lurks underneath this debate, and it's an issue I'm raising.

I think that for a committee to say to a commission — this is a partisan committee of MLAs — that you shall have no more than 17 seats in the city of Edmonton consigns the city of Edmonton to a certain minority position in determining the government and the laws of the province, which is generally out

of whack with its contribution, if you like, to the population of the province of Alberta. It consigns to the city of Calgary 19 seats and says no more than 19 there. That's a quota system, and that's a partisan instruction. You have to describe it as partisan, because no representative of any other political party on that committee supported it; it was voted strictly on party lines.

#### **Speaker's Ruling Imputing Motives**

MR. SPEAKER: Order please. Order. There's a very subtle distinction here, hon. members. The reference now has been made three times about the Electoral Boundaries Committee giving a direction to the commission. That indeed is not the case. The committee report is to this Legislature; it's not giving a direction further on. I'm certain the member can craft his remarks dealing with the Bill before us. The committee report is to the Legislature. If the Bill passes, then that Bill is the Legislature giving direction. So I'm certain the member will now come back to the Bill, not the report.

#### **Debate Continued**

MR. McINNIS: Thank you, Mr. Speaker. I do appreciate the distinction. We are dealing with a government Bill which incorporates the recommendations of a committee. This is now a proposal of the government to this Legislative Assembly. I should perhaps make the point, then, that it's the government who wishes through this Assembly to give instructions to the committee to foretell, foreshadow, mandate, and achieve a particular outcome, and the outcome can only be described as a maldistribution in the sense that it overrepresents certain classes of individuals while it underrepresents others. These things are being justified to this Assembly by some members of the government on the basis of one problem when in fact the effect of it will be to deal with another problem.

It's interesting to me that somebody recently gave me a copy of a document, a report on a capital region policy conference on commitment to good government, September 29, 1990, which turned out to be none other than a political seminar by members of the Progressive Conservative Party on how they should go about winning back the city of Edmonton. I find it interesting because one of the guest speakers at this conference was none other than our Minister of Health in the Legislative Assembly, who addressed the wrap-up session with some warm and fuzzy platitudes, one of which was that we earn the right to govern and it's not something we deserve, words that I think members of this government would do well to think about and respond to from time to time. I wish to quote from Mrs. Betkowski's remarks to the capital region conference in September of 1990.

The boundary redistribution issues must be dealt with quickly and decisively. The fear of an urban-rural dispute is party-wide. We cannot avoid this and must get into it.

What type of words are those, Mr. Member for Red Deer-North? Why must "we," being the members of the Progressive Conservative Party, get into a rural/urban dispute? I submit that the rural/urban dispute is a dagger aimed directly at the heart of the province of Alberta. I believe this government will stop at nothing in an effort to improve their chances. Not in the last election — you know, the members attempt to justify what they're doing based on what happened in the last election. The last election is of no relevance here; it's the next election.

That member has not been Lady Macbeth very long, but perhaps she has read these words:

Is this a dagger which I see before me,

The handle toward my hand? Come let me clutch thee:  
I have thee not, and yet I see thee still.  
Art thou not, fatal vision, sensible  
To feeling as to sight? or art thou but  
A dagger of the mind, a false creation,

Proceeding from the heat-oppressed brain?

Well, this is indeed a dagger of the mind, a dagger of the mind aimed directly at the heart of Alberta.

We are not, if I can borrow a phrase from the late Rt. Hon. John George Diefenbaker, a province of hyphenated persons. We don't have rural Albertans; we don't have urban Albertans. We don't have people who need to be represented three times as much in this Assembly as others who happen to make their home in urban Alberta. You know, we all have the same interest in stopping the giveaway of our north by the Minister of Forestry, Lands and Wildlife, every one of us. Whether it's Lethbridge or Medicine Hat, when I talk to people in each of those areas, urban people and rural people, they're aghast in the same way when they look at the map and see the way forest management agreements are taking *over* control of that northern part of the province. Unfortunately, whatever motivation may be in their minds – and I don't wish to impute a motive to any given individual – the members who represent those areas have failed in their responsibility to stand up to that in this Legislative Assembly.

Somehow we as Albertans, every last one of us, have to take that problem in our hands. We have to take into our hands the problem that we need to be treated equally. Variations from the principle of equality, which is the Charter principle, need to be done with reference to the criteria I have mentioned, not with reference to the criteria or lack of criteria put forward by this government today.

Thank you.

MR. SPEAKER: Cypress-Redcliff.

MR. HYLAND: Thank you, Mr. Speaker. If I can start debate on the Bill this afternoon, Bill 57, by quoting one of the seatmates of the hon. Member for Edmonton-Jasper Place who spoke previous, his seatmate said in the House last Thursday, "I only have a few minutes . . . to respond to [the] load of claptrap given to us by the Member for Red Deer-North." I would have to say the same thing about the load that was just delivered by the Member for Edmonton-Jasper Place.

4:10

MR. McINNIS: Who said that, Al?

MR. HYLAND: Your colleague sitting right beside you.

Mr. Speaker, in responding to the Bill before us, I'd first like to just look at the size of rural constituencies. I'll take my own for an example. I think the one thing that hasn't been used in debate in the Legislature yet is the access a person in a large rural area may have to their MLA, their lack of access that's caused by distance. Many of my constituents, even if I go to the constituency office which is 45 minutes from my home, would travel two hours to get to the office or two hours to get to my home. Or if I go to one of the towns and meet them partway, it can be one or two hours that they have to travel to get there. And that's not the only constituency of that size; there are other large constituencies. We're looking at approximately 8,500 square kilometres. We're looking at Chinook about the same size, with people living in all parts of that constituency; Calgary-Shaw about 33 square kilometres.

Let's talk about the time it takes to cover the area. Let's talk about the mileage. Last year I traveled somewhere between 70,000 and 80,000 kilometres by vehicle.

MR. McINNIS: So did I.

MR. HYLAND: That's not travel by air. Seventy thousand or 80,000 kilometres takes about 20 weeks out of your schedule on five days a week, 8 hours a day, so you're short a good portion of your time out of the year. The hon. Member for Lesser Slave Lake traveled about 120,000 kilometres last year. A hundred and twenty thousand kilometres takes about 30 weeks out of your schedule, the majority of that travel time being done after business hours, at night, early in the morning either coming or going from commitments or coming to the capital. Mr. Speaker, I notice that one of the members who participated in debate the other day said we have modern conveniences; we have telephones. Indeed we do. We've had them in rural Alberta for a long time. But why should a person have to be served totally by a telephone because of distance, because of size, because of area that it takes to cover? The hon. Member for St. Albeit, when he spoke on Friday last, said it took him approximately 12 minutes, I think was the figure he used, to cross his constituency. To cross my constituency at the narrowest point is probably an hour and a half as long as there's no policemen on the road. If there's a policeman on the road, it's probably 15 or 20 minutes longer than that.

Mr. Speaker, we've heard debate related to this Bill that it should be one person, one vote. As I said, there should be fairness in there as well of access to that person. How big an area can an MLA cover, and how much time can you spend going back and forth and going around that area? We have to have a factor of access to people. We heard the Member for Calgary-North West debate that we should have a 50-50 split between urban and rural, but three minutes previous to that he debated that he didn't believe that was necessarily true, so he changed his mind. When the member was down touring my constituency, he was quoted in the local paper as saying, "I'd like to see that go to about 60-40 (60 percent urban, 40 percent rural)." Well, Mr. Speaker, it would appear he's had somewhat of a relaxation of that stand in what he said in the House the other day of getting nearer 50-50. Incidentally, he was also quoted in the local paper as being chairman of the special committee looking at redistribution, a promotion I'm sure he would have liked but that really wasn't the case. Mr. Speaker, representation and access to representation, as all members have said in the Assembly from all sides, is an important issue. It's an issue everybody has strong feelings on no matter which side of the House you sit on. It's an issue that has to be fair. It's an issue that has to be looked at by an independent group of people. I think the guidelines in the Bill that we are debating today that set out that commission will have a fair review and will have as fair lines as possible drawn, because as I remember the history of many of the electoral boundaries commissions, this will be the first one that doesn't have any MLAs sitting on the commission, so there won't be any involvement or direction by politicians in the drawing of the lines. I know there are some members of the Assembly presently sitting that served on other commissions, and in discussion with them, I know they had a tough time even drawing lines. It's not an easy job to cut a chunk out of a constituency, give it to another constituency, and then have to tell the people that they have to go against the normal places they go towards doing their business, that they have to go in another direction towards casting their vote.

Mr. Speaker, I reviewed some of the *Hansard* copies of the committee when they were going around the province in developing the guidelines that were put into the Bill. In looking at the parts, I especially read about the hearing in my area or in Medicine Hat where several of my constituents presented a brief. I read some of the others and have talked to the government members of the committee. They assure me that the majority of the people that spoke before them – the guidelines in the Bill towards the way constituencies should be drawn and the division of the constituencies were presented to them by the people. It was an opportunity for the average public person to appear before that committee, give their views as to how they see their representation should be, and now we have the 80 or 90 percent of the people that appeared before the committee and we have a Bill we are debating today that represented their desires, their suggestions. And what do we have? Before a Bill is introduced or a report is given, we have leaders saying, Take it to court. Take what to court? There's nothing out there yet. As the committee has said, let's get this passed, let's get the work on the way so these divisions can be made, so the situation doesn't get more askew than it is with representation within areas with large numbers and small numbers. Let's get some of these corrected. Let's get the committee working. Then, as the commission has suggested, let's take it to court for a challenge, or whatever the proper legal terminology is, to have the thing looked at. We're sure that with what the people have said and in reviewing the B.C. court documents, we are on the right track.

4:20

Mr. Speaker, it's amusing that for people in parties who claim to be the people who represent the common man, the minute the common man has spoken, that's not good enough; he didn't say what they wanted to hear. We represent the common man. We heard what he said, we put a Bill forward, and we're debating it in the Legislature today. But they didn't hear what the common man said. They didn't like what he said, so they said, "Let a judge decide." Mr. Speaker, we've got judges deciding too many things. This is the responsibility of legislators. Let legislators decide and pass the Act.

Mr. Speaker, I urge members to support the passage of this Bill.

MR. SPEAKER: Calgary-North West.

MR. BRUSEKER: Thank you, Mr. Speaker. I'm pleased to follow the Member for Cypress-Redcliff in an attempt to clear up some of his muddled thinking. To debate Bill 57 I think is a very important step in the procedure. As he mentioned, it needs to be debated in the Legislature, and clearly that's what we're here to do today.

Although not line by line, I would like to talk a little bit about some of the things that are mentioned in the Act, in the proposed Bill 57, the Electoral Boundaries Commission Act, because there are a number of misconceptions and, I think, partial quotes that have occurred that I would like to take the opportunity to clear up.

The Electoral Boundaries Commission Act talks about the creation of a commission. A five-member commission was finally decided upon by our committee as being a compromise situation between three-person, five-person, and seven-member commissions. I think clearly it was a compromise. In terms of the number, it was a compromise by all members on the committee.

Now, Mr. Speaker, I have been quoted on a number of different occasions, or partially quoted at least, talking about partisanship and perhaps casting aspersions against our judicial system. I just want to clear that up. One of the things I have said before – and it's recorded in *Hansard* – I just want to quote again. It's from page 2484 of *Hansard*: "The commission that is created should be and should appear to be" – that's an emphasis I want to add here – "should appear to be as nonpartisan as possible."

The commission that we have proposed in this piece of legislation today may in fact be nonpartisan, but the question I want to pose is: will it appear to be nonpartisan? I have some concerns with the Bill as proposed, because the persons that will be appointed will be appointed by political parties. Now, I know it's a different procedure from having MLAs. In the past we have had MLAs on the commission, and this is going to be a new step; there will be no MLAs. I think that's a step in the right direction, but I don't believe this particular piece of legislation goes far enough in making sure we are nonpartisan. For example, the chairman, it says, will be "appointed by the Lieutenant Governor in Council who is . . . a judge of the Court of Queen's Bench, the Court of Appeal or the Provincial Court." Now, I have the highest regard for our judiciary. Mr. Speaker, it has been suggested that I do not have that regard. In fact, I have implicit regard for our judiciary in terms of being nonpartisan, in terms of being impartial, in terms of being objective or whatever similar adjective you would care to use.

Mr. Speaker, to that end, in fact, I proposed an amendment before this report came to be passed. Rather than have the chairman be a judge appointed by the Lieutenant Governor in Council, the amendment I proposed would be that it should be the chief justice or his designate. I was so strongly in support of that that I made that amendment. I think the implication there suggests that the chief justice, who clearly is highly revered by his colleagues, to have achieved such a position clearly must be an objective individual. Here we have an individual who I believe is respected around the province in terms of his profession, and I thought that to avoid the possibility of partisanship, certainly this individual would be respected and accepted unanimously by the committee. You can imagine my amazement when in fact that didn't happen.

Some of our meetings were in camera, and unfortunately there are no *Hansards*. There was good reason to have many of the meetings in camera, but the reasons that were put forward for not accepting this individual were clearly partisan. In fact, it's shown by the fact that when that amendment was put, the vote taken on the question, the members that supported it were myself, the Member for Edmonton-Belmont, and the Member for Edmonton-Highlands. [interjections] Well, if you have the courage of your convictions, then I guess you follow through on it. Nonetheless, I proposed it as an amendment to the formal position that was put forward, and unfortunately what ended up happening was that all the members of the government caucus voted against it. They could not support the chief justice of the province or his designate. They did not feel that was an appropriate person to be making the decision. I guess they doubted his ability to be objective. So, Mr. Speaker, if there's any question that has been raised regarding the objectivity of the judiciary in this province, I would put it to you that it is not from the opposition members but, in fact, from the government members.

The next portion of the Act goes on to talk about the other persons. We have again suggested independent persons possibly

being the ones who would be appointing those individuals. I suggested during committee meetings that it might be the Ombudsman. It was decided that would not be appropriate. The concern I have – and we will be proposing amendments when we get to committee on this particular issue, Mr. Speaker – goes back to the quote I want to refer to, that it is important that the committee not only be impartial but appear to be impartial.

The next section with which I wish to take issue to refers to the length of time between the redistribution, which is a general concern under here. Again, I would briefly like to just refer section 5 that says there'll be no new commissions for at least eight years after the last commission. Presumably now we're talking about the commission that will be created to operate during basically the 1991 year. It says in section 5(2)(a) "no sooner than eight years." Well, Mr. Speaker, that brings us to 1999.

Further on there's a section here referring to population being the basis upon which the constituencies will be created. When we look at that, Mr. Speaker, the data that will be used, the most current available federal census, 1986 data, by 1999 is going to be 13 years old. Obviously, there's some rethinking that needs to go into that, and again we will be proposing some amendments that deal with that particular issue.

One of the things that is related to that, Mr. Speaker, talks about the fact that – we have some guidelines proposed in here and the redistribution rules, which of course are the essence of the report. The essence of the report talks about a plus or minus 25 percent variation. Now, the plus or minus 25 percent variation, then, is referred to in the section that says: should the new data become available under the Statistics Act – and this is in section 11 of the Bill – then what would end up happening, of course, is that "the Chief Electoral Officer shall submit a report to the Speaker." There's no indication or suggestion or recommendation that the Legislature should do anything with that report. It simply says that a report will be tabled. There's no indication that something should happen with that report. Perhaps that's implicit, but it doesn't say so here in the legislation. There's not really much point in preparing a report and then not doing anything with it. Clearly, simply saying that "the Chief Electoral Officer shall submit a report" in and of itself is not sufficient guidelines, not sufficient direction, for the Legislative Assembly should we see substantial changes.

Now, Mr. Speaker, I would also like to refer to really the heart of the issue, the redistribution rules. In dealing with the particular Bill, one of the things we need to reflect upon is the process by which the Bill came out. Of course, the committee that was struck here August 1989 held hearings around the province and ultimately created a report which was tabled in this Legislature by the Member for Taber-Warner and now has led to the production of this Bill.

#### 4:30

When we look at the redistribution rules, there are a number of interesting things that are in here. I guess the first, section 12 in here, talks about population. That means the population of Alberta as determined by Statistics Canada at the time the commission is appointed. I have said that I oppose that, and I continue to oppose that. The Member for Calgary-Foothills, my next-door neighbour, has questioned how I could possibly change my mind on such a position. Now, I think what I'd like to do, Mr. Speaker, is just take a moment and explain why it is that I have concern with that.

When you reflect back on the process – and this is recorded in the *Hansards* of the committee meetings – there were a number of different issues that were put forward, and they've been outlined in the report. We talked about possibilities for the structure of the commission, possibilities for percentage variation formulae, possibilities for how the boundaries should be created. Should it be on enumeration, as has occurred in the past, or should it be on population, as is being proposed here? One of the things that came early on, Mr. Speaker, was that we then sat down and actually did a little brainstorming and came up with these sheets and put them up on the wall and said, "Here are the options on this issue, and here are the options on this issue," and so forth, and they hung on the wall where we had our committee meetings.

Now, if you look at the report, Mr. Speaker, from the report we get section 14, which is one of the proposals and really is the very heart of the issue in here. Section 14 says, "There shall be 43 proposed single municipality electoral divisions." Further on, in section 15, it says, "There shall be 40 proposed multi-municipality electoral divisions," and it proceeds to name those wherever possible.

Now, Mr. Speaker, it's important to note that when we were talking about options, when we were discussing possible variations, the particular sections that I just referred to, sections 14 and 15 of the proposed Bill 57, did not come forward, did not come before the committee. That concept was not proposed until October 23. So from virtually out of the blue came a list of constituencies proposed, and that motion which dealt with that particular concept, which we now see before us in the form of the Bill, sections 14 and 15, came from the Member for Calgary-Foothills. That proposal saw the light of day for the first time in our committee meetings on October 23, 1990. So when you refer back to the report, you'll notice that under the percentage variations formula, the possible variations proposed, there's no mention of 43 single-municipality constituencies; there's no mention of 40 multimunicipality constituencies as even being an option. Up until that point, this motion that talked about 43-40, I could have and did support the concept of population as produced by Statistics Canada as being the appropriate way to go. We were negotiating in what I thought was good faith, was open, honest discussion. Unfortunately, from out of nowhere, introduced, discussed, and voted upon that very day was that motion that talks about 43 proposed single-municipality and 40 proposed multimunicipality constituencies.

So, Mr. Speaker, when you get someone coming in with something that's completely different, that had not been proposed, I find it difficult, then, to support the whole process of negotiation, when in fact the decision was clearly made. If you care to read through the *Hansard* of that particular meeting, you'll note that the members from the government caucus in fact supported that motion from its first utterance right through to the time it was voted upon. No amendments to that motion were allowed or accepted by the government-dominated committee, and in fact the motion was passed in a vote that went 4 to 3, the four being the government caucus members and the three being opposition party members.

So, Mr. Speaker, for me to change my stand on population – I do believe that population is the right way to go, but when I look at the motion that came in and now has led to sections 14 and 15, which talk about listing and identifying particular constituencies and which will result, generally speaking, in single-municipality constituencies being substantially larger in terms of population than the multimunicipality electoral divisions that



are proposed, then I cannot support that motion. Therefore, I raise some concerns with that.

Now, with respect to what the Liberals propose, as all hon. members here will know, the time for proposing amendments for changes is, of course, during Committee of the Whole. So when we get to that section in the next day or two, presumably sometime this week, we will, in fact, be proposing amendments that will clearly define our position. Whether or not you agree with them, of course, remains to be seen. I don't think there will be any great surprises; nonetheless, we will table them.

Mr. Speaker, the proposed redistribution rules I think raise a number of concerns. Some of those concerns I've referred to earlier on, with respect to the sizes in terms of the population, that is. Again, I'm talking of population. With respect to the sizes of the constituencies, we will see substantial differentiation between the single-municipality and the multimunicipality constituencies. Currently, using the 1986 census data, the provincial average constituency, the "nonexistent average," is 28,504 persons per constituency. An upper-end variation of that is going to be about 35,600; a lower variation is around the 21,000 mark. I believe that the redistribution rules as outlined in this Bill will create constituencies in the single-municipality constituencies that will be largely 32,000, 33,000 in number on average, and the multimunicipality constituencies, generally speaking, will probably be 10,000 persons less, somewhere in the 22,000, 23,000 person range.

Of course, the numbers are open to debate, because the proposal that we have in here talks about the most recent census data, and therein lies my concern. The concern is that if we use the 1986 numbers, we get a different size of constituency and a different average than if we use 1990 numbers. Now, we don't have 1990 numbers for the entire province yet – yet. But, for example, the city of Edmonton does do a census; the city of Calgary does do a census, as do most municipalities. If you take those numbers, which are more recent, and do the kind of number-crunching – for example, with 19 electoral divisions entirely within the city of Calgary, depending upon how many persons are taken out of the city of Calgary with respect to putting them into rural/urban combined constituencies, you could get quite a number, potentially 20,000, 30,000 persons, who currently reside within city of Calgary boundaries as members of rural constituencies. Then the 19 constituencies proposed that remain in the city of Calgary could have a membership of 34,000 or 35,000 persons if you used the real numbers, the current numbers of 1990. Therein lies my concern, and therein lies my problem with the proposal that we see before us, Mr. Speaker.

Just following along on that, Edmonton is in the same position. Seventeen constituencies are proposed for the city of Edmonton. The result here, Mr. Speaker, depending again on how the constituencies are created, could be that Edmonton constituencies are all, for example, 33,000, 34,000 persons, and some 40,000, 50,000 persons within the city of Edmonton limits could in fact be taken and added to rural constituencies. I'm not sure that I could support that concept; therefore, again we'll be proposing amendments to that particular section.

Mr. Speaker, there have been a number of speakers talk – some eloquently, some not so eloquently – about the concept of one person, one vote. Strict adherence to the concept of one person, one vote means that constituencies would all be exactly equal in terms of the numbers of persons that reside in those constituencies, exactly equal or within, you know, plus or minus a few individuals: 10, 15, less than 100 perhaps. That is one concept. One person, one vote says that all constituencies, my constituency and the ones next door to me in all directions,

should all be exactly equal. That's the concept of one person, one vote.

AN HON. MEMBER: The American concept.

MR. BRUSEKER: Yes, it is an American concept, and I don't espouse it at all. What I did espouse . . . [interjections]

MR. SPEAKER: Order. Through the Chair, please, hon. member – singular.

4:40

MR. BRUSEKER: Thank you, Mr. Speaker. When we look at the numbers with respect to the population of the city of Calgary and the city of Edmonton, together those two cities have 51 percent of the population of the province. Now, the Member for Calgary-Foothills has said that she has some problems, and I would like to take a moment to clear up those concerns that she has. I would argue, have argued, and will argue in the future that 51 percent of the population should have 51 percent of the representation. Now, does that mean I expect all constituencies in the city of Calgary to be exactly equal or even as near as possible? No, I do not. As the hon. member and anybody who has been through the outskirts of either of those cities knows, the cities of Edmonton and Calgary are both experiencing substantial growth. To create a boundary today and expect strict adherence to one person, one vote would probably be out of whack by tomorrow, because the constituency of, for example, Calgary-Foothills or my own constituency of Calgary-North West or the constituency of Calgary-Fish Creek are growing by leaps and bounds. The population of Calgary-Fish Creek, of course ably served by its member, is substantially larger now than when he first took office. If we created boundaries that were strictly one person, one vote, within a week's time at the outset, I imagine, there would be enough immigration into that particular constituency that those boundaries would no longer hold. Therefore, I do not advocate strict adherence to one person, one vote.

But we are talking, for the cities of Edmonton and Calgary, of a total of 36 constituencies being proposed under this particular piece of legislation if we look at section 14 (a) and (b), a total of 36 constituencies. Now, Mr. Speaker, 36 constituencies represents 43 percent of the total number of constituencies. It seems to me that when we are dealing with that number, that large a block of constituencies, on average they should together average out so that they are near to being 51 percent of the population and they should be near to 51 percent of the representation. Now, clearly there will be differences. There are differences now, as has been pointed out in the past. Some are higher and some are lower than the provincial average; that will continue to be the case. But in proposing the concept of representation by population, it seems that we need to move more towards a balance respecting the number of people that are living in that area, respecting the number of MLAs that they get to represent their issues. So from that standpoint of view, I do suggest that the 19 and 17 that are being proposed for Calgary and Edmonton, respectively, deserve to be larger numbers.

Now, with respect to the quotes that I was hearing from the Member for Cypress-Redcliff about 50-50, quite frankly I didn't even understand the misquote that he was quoting from someone else, and I really can't respond to some of the comments he was making. I do believe, Mr. Speaker, that what we need to look at is something that represents more equally across

the entire province the intent of the McLachlin decision. I want to speak briefly about the McLachlin decision, because she made it clear. We've had different speakers quote from different parts of the McLachlin decision, which came out of British Columbia and which, in fact, spurred the creation of this committee. One of the things that was mentioned in there is that as an MLA, as an elected representative, no matter in what capacity, whether it's a local or a national or a provincial body, we represent the people in those areas. We don't represent the fields necessarily, we don't represent the roads, although they are concerns of the people. We are there to represent the people.

We've heard the Member for Cypress-Redcliff say that he likes to see his people face-to-face. Well, so do I, Mr. Speaker, but when I've got 40,000 of those people living in my constituency right now, it's tough to get to see all of them face-to-face, and sometimes you just have to deal with the telephone. Yes, even though I'm from Calgary and we do have an airbus, there are times when I have to spend the time after session getting on the phone to those people, because I'm here and my job is to be here. I am here, but I still have constituents that want to talk to me. So, yes, you use a telephone. If everything was wonderful, you wouldn't have to worry about phoning them; you could spend all the time on a face-to-face basis. But we all know that can't happen, no matter what constituency you're in. Whether it's the smallest constituency in terms of population, whether that be Cardston right now, you can't see every person every day all the time. It doesn't matter whether you're in a little constituency in terms of people or whether you're in a large constituency in terms of people, you've got to spend time on the telephone. So that's simply a harsh reality, a fact of life.

There are a number of other issues in here. When we look at the population of the electoral divisions, section 17 talks about two concepts. That plus or minus 25 percent concept has been upheld in law and has been upheld by a number of other jurisdictions. The plus or minus 25 percent, Mr. Speaker, I quite frankly agree with. I believe section 17(1) is worded very appropriately and should remain as it is.

Mr. Speaker, I guess even section 17(2), which talks about the exceptional constituency, the constituency that is really short in terms of people or is large in terms of area or whatever, the seven things that are listed there . . . You know, when I look at that and compare that and combine that with sections 14 and 15, which talk about creating essentially large urban and essentially small rural constituencies in terms of population, I cannot support that concept in addition to the distribution that I perceive is going to come in.

One of the things I even have to wonder about when I look at it is, in fact, dealing with and creating special circumstances. It seems they even make a special allowance in section 17(3) – "For the purpose of subsection 2(e), the Municipality of Crowsnest Pass is not a town" – clearly giving, I believe, some direction to the commission as to perhaps where one of those special constituencies should be created, because they've already created one exemption, that being down in the southwest corner of the province.

[Mr. Deputy Speaker in the Chair]

Mr. Speaker, we do have a number of other concerns with respect to this proposed piece of legislation, one of them being the length of time that has been referred to. In the current Act that we now have in force, that is proposed to be replaced, there is a section that says that the commission shall after 12 months submit a report, and the new proposal talks about 9 months of

the date. There were a number of different discussions that occurred with the Chief Electoral Officer with respect to that. Again, these occur in the October 24, 1990, edition of *Hansard*. We've had some quotes by different hon. members of the government caucus, but again selective quotes that pick out the things they would like to pick out. So I will follow the same procedure and point out some of the other things which were conveniently overlooked. I'd like to quote Mr. Ledgerwood from page 949 on that day:

The commission knows the ground rules. I think you want to have as few as possible public hearings before the interim report

Further, he says:

In our '83-84 commission we didn't have any public hearings at all before the interim report was published, but what we did was publish what the commission's task was in every weekly newspaper and every daily newspaper. We received 74 written submissions, and the commission examined each one of those submissions very carefully and used much of that data . . .

used it, Mr. Speaker,

. . . to actually draw a line.

Mr. Speaker, when we look at it, there is a little more comment that I would like to quote from Mr. Ledgerwood. One of the things I expressed concern about and that has also been a concern of the Chief Electoral Officer was with respect to the time and the commission members themselves. Now, I have suggested and even Mr. Ledgerwood says that it's a concern that they be prepared to devote a great deal of time. In fact, in response to a question, from the chairman of the committee, by the way, who asked,

Can you give us advice on the time frame?

Mr. Ledgerwood replies:

I think it depends on the commission members and their availability, because it takes a great deal of time to brief the members to bring them up to speed.

Further, he says:

In the case of the '83-84 commission, they only had 11 meetings and they were able to reach consensus.

Eleven meetings, Mr. Speaker, and that quote comes from page 950 of *Hansard*.

Now, Mr. Speaker, I would argue that 11 meetings don't take nine months to complete. In fact, Mr. Ledgerwood goes on, and he speaks directly against the proposal we have before us, which the committee members that voted in favour of this ignored. This is the advice of the Chief Electoral Officer; he goes on to say

I would hope the commission would be able to complete their activity in the calendar year '91 . . .

In the calendar year '91, not into '92, as this proposal has.

. . . so the legislation can be passed very early in '92.

That's a direct quote from the Chief Electoral Officer, which the members of the committee chose to ignore.

So they talk very grandiosely about listening and about selective memories. Well, Mr. Speaker, talk about flip-flop. What we see here is an attempt – and in fact it will probably occur – to carry the process on longer than need be. The Chief Electoral Officer does refer to the need for input from members once the report is completed, and he does talk about that possibility of amending. That's the need for the six months' time frame. There are two sections of time here, and we need to differentiate between the two. One is the initial report, the interim report if you will, that will be then distributed to all Albertans, members of the Legislature and members of the public at large that have a desire to have input. The Chief Electoral Officer did not anywhere suggest that nine months would be appropriate. What he said was that if we can get an

expedient rate of action, it should be shorter so that the process can be completed in the calendar year 1991.

4:50

So, Mr. Speaker, there are a number of concerns that I and the Liberal caucus have with this particular piece of legislation. When we do get to the sections in committee, we will be proposing some amendments. I hope that at that time the members of the Legislature will look at all of those recommendations not strictly from the standpoint of which caucus they happen to belong to but, in fact, from the standpoint of where we need to go in this province and what we should be doing to best represent the concerns of all Albertans.

Mr. Speaker, I think at this point I will sum up simply by saying that in general the report is acceptable. Some of the proposals are acceptable that are in here, but we will be proposing amendments.

MR. DEPUTY SPEAKER: The hon. Member for Rocky Mountain House.

MR. LUND: Thank you, Mr. Speaker. It does give me a great deal of pleasure to speak to Bill 57. I would like to, first of all, commend the select committee that spent some considerable time and held the 39 hearings, did a tremendous job of listening to Albertans, and came forward with a report that has ended up with Bill 57.

When the committee was set up, I believe they were instructed to do a number of things. One of them, of course, was to go out and hear what Albertans had to say about how they thought the representation in the Legislature should be comprised. I find it extremely interesting to note that the leaders of the Liberal Party and of the Official Opposition attended the public forum, I guess about one hour long, and all of a sudden they came back with all the solutions. From what I've been able to read in *Hansard* and from the public hearings that I attended, Bill 57 pretty well sums up what the public was saying.

When we look at the other things that the committee was supposed to do, it was supposed to go out and assess whether, in fact, the Charter of Rights would be met with the Bill. When we look at the Charter of Rights, we see that under section 15 it states that there's to be equal protection and equal benefits under the law. Well, certainly Bill 57 does afford that to all people in the province of Alberta, whether you happen to be living in a sparsely populated area or in one of the more densely populated areas.

I think it's important, Mr. Speaker, that we do look at something more than the American system of simply one person, one vote. We must look at the regional differences that we have within the province, the necessity for all of the things that happen outside of the major urban centres to be addressed. I think we also must look at the access to the MLA. How does someone living in . . . Even in the Rocky Mountain House constituency, with an office as close to central as it can be at Rocky Mountain House, it's an hour's drive for a lot of people to get to that office. I know we've got telephones and we've got fax machines. Nevertheless, the constituents do like to have the opportunity to talk directly to their MLA, and I know the Rocky constituency certainly is not one of the big ones. There are those that have even much greater distances.

I think it's also important that we look at the MLA's ability to meet in other areas of the constituency. During the last year I spent some 450 hours driving. Now, I know when you say that fast, that doesn't sound like much, but I also hear people talking

about how we should go to nothing more than a 44-hour workweek. Well, if we were to follow that kind of a philosophy – and I know that no one in this House does that – that amounts to 10 weeks of work just driving; that's lost time.

AN HON. MEMBER: The NDP want to do that.

MR. LUND: Well, I've heard out in the workplace that that would be an acceptable time.

We've also got to look, as the Solicitor General pointed out on Friday, at the distance from the capital. How many times do those of us who are two and a half hours' drive from our constituency have an opportunity to attend anything during the week when the House is sitting? We simply cannot do that. So I think that if those constituencies were made so large as to encompass the one vote, one person concept, it would be absolutely impossible for that MLA to get out to all the communities that are in that constituency.

MR. McINNIS: What about MPs?

MR. LUND: The hon. member wants to know about the MPs. Well, they don't get out into the constituencies, and I'm not sure that's a good thing. [interjections] Well, Mr. Speaker, if they were wanting me to comment on what they're saying, I wish they'd speak up, because I can't hear what they're saying.

We've heard the member of the Liberal Party talking about I'll quote from *Hansard* from his address on November 30, on page 2561.

The issue is that somebody from this particular city representing Edmontonians deals with issues that are very different from the issues that are dealt with in rural Alberta. I think part of the strength of accountability in the democratic process is that the MLA understands those local issues, relates to those local issues, relates to the people that are concerned about those local issues, and properly represents them.

Well, Mr. Speaker, I spent a little time doing some research, and I discovered that of the 486 Acts that are on the books now, revised since 1980, 76 of those do not apply at all to the urban. And we talk about having differences? Only one Act could I find that applied strictly to urban, and that was the urban transportation Act. So if we want to follow the hon. leader of the Liberal Party and talk about differences in our issues out there, then I guess we from the rural should probably have even a lot more seats.

I think it's also interesting to note how in, like, the city of Calgary, we have 14 aldermen, and under the proposed Bill 57, there would be 19 MLAs. In the Rocky constituency we have 33 locally elected people, serving that local function, for one MLA. I find it interesting to understand how it is that for provincial representation you need that many more in the urban than you do in the rural.

MR. FOX: Do you want to get rid of some of those county councillors?

MR. LUND: I'm not sure if the hon. Member for Vegreville is saying that one rural representative can accomplish that much more than the rural councillors. I'm not sure if that's what he's saying, but I guess it's something.

5:00

I'm also concerned, Mr. Speaker, that the opposition parties have been talking so much about this rural/urban. I'm very impressed with what Bill 57 does. It talks about the one-municipality membership and the multimunicipality electoral

division. That is, I think, a very important move in order to get away from this nonsense that we have rural and urban splits. I don't believe we do have that. I know that certainly in the constituency I represent, at least 40 percent of the people live in an urban setting. So I don't know, why is it that we continue to talk about this so-called rural/urban split?

When we look at Bill 57 and the composition of the commission, I think that is a very fair way of having a committee struck that will go out and look at our representation. How better could we strike such a commission than to have a judge chairing it and the Chief Electoral Officer? I think it represents a great balance, and I trust they will come back with something that is democratic and fair.

We've heard a lot as well about using the 1986 census as opposed to some other number that some municipalities have and some don't. I don't see a great problem with that, Mr. Speaker, particularly when we read on that the Chief Electoral Officer will be making a report to the Speaker as to any major changes when the new census comes out. I know that many, many municipalities in the province do not have current statistics, so how is it that you could mix the cities' statistics with those from 1986? I think you have to go with the ones that are there now. Another thing, of course, is that the opposition parties and the people that have been proposing that we use something other than the '86 are assuming that there's not going to be any growth in those areas outside the two major metropolitan areas. Well, I guess if — if — the government ever adopted their policies, yeah, there wouldn't be. But certainly this government has every intention of diversifying and having people move out to those areas.

Mr. Speaker, I believe that this Bill 57 will accomplish a very fair and democratic redistribution of the seats. I'm totally confident that it will be able to pass any test by the courts, and I would urge all the members of the Assembly to support Bill 57.

MR. DEPUTY SPEAKER: The hon. Member for Calgary-Forest Lawn.

MR. PASHAK: Thank you, Mr. Speaker. Contrary to what the previous speaker had to say and all previous speakers on the government side, I think this Bill is the single most egregious piece of legislation to come before this Assembly since I was first elected in 1986. I mean, we've seen some bad Bills brought here before. I think of the lotteries amendment Bill, which took away the right of members of this Assembly to determine spending priorities and gave it to a cabinet minister. We've seen labour Bills brought before this Assembly that violate well-understood principles of labour justice and law, such as the principles that are recommended and supported by the International Labour Organisation. But this Bill contains within it inequity, and because it contains inequity, it's unfair.

If we're going to talk about principles of fairness and equity, Mr. Speaker, we need some tests. What would be a reasonable test of what's equitable and what's fair? A reasonable test would be if you have people who are informed and well-meaning sit down, look at an issue, and through some consensual process arrive at a decision. This didn't happen. It's pretty clear, as members have pointed out, that the committee that made the recommendations that resulted in this Bill was highly partisan in nature, and it couldn't be expected to come up with recommendations that could lead to a fair and equitable Bill.

When it comes to who those people would be who are fair and impartial, certainly we all know who they could be. They

could be church people; they could be judges of supreme courts, or whatever. Those are the people that should have been sitting down to prepare and draft this kind of legislation that's before us today. I'll tell you that if you don't think you have a problem on your hands, I would say that virtually every single Calgarian is opposed to this Bill, whether they're educated, informed, or whatever, with the exception, perhaps, of a few members who sit in your caucus who are from Calgary. You will experience the whirlwind of this legislation when you have to stand before the public during the next election. I'll bet you don't retain a single seat in the city of Calgary if this legislation goes through as proposed.

Now, I have objections to many of the provisions of this Bill and various of its parts, but my principle objections have to do with part 2, the section that deals with redistribution rules. One of the key questions, of course, is the way in which there is an obvious gerrymandering taking place, and it involves the use of concepts like multimunicipality electoral divisions and single-municipality electoral divisions. The report of the select special committee that this Bill is based on makes a very telling argument about a section of the Alberta economy that's under stress, the rural economy. It says that it would be foolish to prolong or even enhance any possibility of a conflict between rural and urban areas by talking about rural versus urban electors. I agree with that, but this is just pure double-talk. All you've done in this Bill is substitute rural versus urban with multimunicipality electoral divisions and single-municipality electoral divisions; therefore, you haven't done anything to get at the root problem that exists in this province.

As an urban MLA I have a lot of sympathy for what I understand are vast and difficult changes taking place in the rural areas, and I always welcome the opportunity to hear from rural MLAs in my own party and across the floor speak and describe these issues. This raises the key question: as MLAs who do we really represent? Do we represent our constituents, or do we represent the people of the province of Alberta as a whole? If we represent the people of the province as a whole, it doesn't matter how big your constituency is or how small it is or where it's located or anything else. If that's your primary concern — and that's my primary concern, to represent all Albertans. I feel I represent rural Albertans in every deliberation that takes place in this Assembly as much as I do my own constituents. Now, I have a duty, obviously, to speak out for my constituents and let people in this Assembly know what their situation is, and I try to do that from time to time. I talk about the high-needs areas in my riding just as you talk about problems in rural Alberta. But the point is that we have to pull together as MLAs in this Assembly and develop economic strategies and plans that benefit all Albertans equally.

There are other sections. In fact, I don't think there's a single part of part 2 that I can really support in principle. I think this Bill would be better off if we deleted all of part 2. I just would like to go through some sections of it to give you some of the reasons why I think this way.

#### 5:10

Section 17(1) for example, Mr. Speaker, says:

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

Why 25 percent? Why not 24 percent? Why not 23 percent? Certainly, as every speaker from our side has pointed out, this is a grave distortion of fundamental fairness and justice when it comes to representational power. I mean, why should a vote in

southern Alberta be worth three times the vote of an urban resident in the city of Calgary? I could accept some minor deviation there, perhaps 10 percent or whatever, because I know you can't make every single riding the same size, because it would just be impractical. It wouldn't stand the test of common sense. But 25 percent is basically unfair, and this Bill, if for no other reason, should be rejected for that particular provision. Other reasons why you might need a little flexibility: obviously, if a part of the province has gone through an exceptionally difficult economic downturn and people have left that region of the province virtually overnight, then there has to be some provision for allowing those people to have perhaps a greater say over an election or two until that situation is corrected or restored or dealt with in some significant way. So there has to be some tolerance built into the figure, but 25 percent is not tolerance; that's extreme.

The same argument, of course, would apply to the section that would allow a deviation of up to 50 percent in "no more than 5% of the proposed electoral divisions." Why should somebody in some part of the province be granted that right and not everyone else? Then the grounds for giving it: I can't believe anybody could write a document like this and just throw a bunch of factors into a Bill. Even in the background paper that was presented to support this Bill, the select committee report, there's no justification for any of these figures. Why should "the area of the proposed electoral division exceeds 20 000 square kilometres" be a factor? Why not 15,000? Why not 35,000? Why was 20,000 selected? There's no justification provided for the choice of that figure. The same applies to if "the total surveyed area of the proposed electoral division exceeds 15 000 square kilometres." Why that figure? How was it chosen?

What's the business of "the total length of primary and secondary highways within the proposed electoral division" got to do with anything? It says something about if it "exceeds 1000 kilometres," that should be a factor that should be taken into account. Well, many speakers have said that in today's modern age kilometres don't make any difference; it's how those towns are hooked up to each other. You've got different ways of communicating with people besides driving out to every individual home in the riding. The business with "the distance from the Legislature Building in Edmonton" is also irrational and irrelevant. No justification is provided for saying that if the "route is more than 150 kilometres," that should be an important consideration. And (e), that if "there is no town in the proposed electoral division that has a population exceeding 4000 people": why 4,000? Why not 2,500? Why not 2,000? Why not 10,000? What's the justification? Unless the people that drafted this Bill can give us some reason why these figures are thrown in, there's absolutely no way I could support this particular section of the Bill and, therefore, the Bill itself.

[Mr. Speaker in the Chair]

Now, I agree it's important, as I said before, that after the interests of all Albertans are taken into account, an MLA has a special duty to represent his own constituents and make sure that all members of the Assembly understand the problems of each area of the province. You may have some transportation problems trying to get to all corners of a large riding if you happen to represent one of these huge rural ridings, but in an urban area you're confronted with just as many problems that require just as much time. In the last month alone my office has had to deal with 30 individual cases who've been turned down or rejected by social workers. Each of those cases requires a lot

of work not only on the part of my constituency manager but my own time. In addition to that kind of case workload, I have to deal with a lot of workmen's compensation cases. I deal regularly with problems that are even of a federal nature, including those who have trouble with unemployment insurance or immigration problems. Just as you have to go out and deal with a number of municipalities and health boards and the rest of it, in an urban riding I have to deal with a range of community associations, a range of ethnic organizations.

Anyway, I'm just trying to make the point with respect to this Bill, Mr. Speaker, that I think every MLA in this Assembly works just as hard as every other MLA. The nature of their work might vary in some cases. It might be representing or working with individuals in particular casework; in other situations it might be driving long distances. It wouldn't matter whether you had 2,000 electors in your riding or 80,000 electors in your riding; you'd still be putting in the same number of hours each week. You'd be working hard; you'd be doing the best you could to represent those people. So that argument, I think, goes by the wayside.

The only real argument then, Mr. Speaker, is that all Albertans in this province, regardless of where they live, should be entitled to have the same voting right that every other Albertan has. The only way you can have that same voting right is if there's equity, and a vote in riding X must have the same weight as a vote in riding Y. So on the basis of that, I urge everyone in this Assembly to vote against this most one-sided and egregious piece of legislation.

MR. SPEAKER: Drayton Valley.

MR. THURBER: Thank you, Mr. Speaker. I appreciate the chance to stand up and speak in favour of Bill 57. I would like to clarify a few things or have somebody clarify them for me. We've been standing here for several hours, a lot of people saying there's an urban and a rural Alberta. I take offence at that. The two so-called large urban areas in Alberta, Calgary and Edmonton, are there expressly because there is a rural Alberta. The people that work at Gainers: are they strictly urban? Are the people that handle farm equipment strictly urban, or are they strictly rural? How do you distinguish between them? It's been said that there shouldn't have been any MLAs on this committee that went throughout the country. Are you telling me that if it had been some type of people other than MLAs on this committee, they would have heard a different story? I doubt that. It would have been the same story. It would have brought forward the very views we've expressed in this House from time to time, that anybody in favour of a triple E Senate – and those of us that are honestly in favour of it recognize that there has to be some regionalization in representation in this province.

We talk about the different duties of MLAs, both urban and rural. There is a difference. The hon. member across has expressed the view that they have all these other duties to perform. We do as rural Albertans as well. We deal with four or five county councils; we deal with several school boards; we deal with three or four hospital boards in total, not just one member from each one.

There's another area that hasn't been brought forward here, Mr. Speaker, and that's the fact that there are an awful lot of things that happen in rural Alberta that are there mainly for the benefit of the so-called urbanites. In my constituency alone I have several lakes. I have recreation facilities and multitudes of roads that are built not for my constituents predominantly;

they're built for the tourists, and most of the tourists in Alberta are urban people. They come to my constituency, I represent a lot of urban people in my constituency. We have a thing called summer villages. We have things called acreages around the lakes. These people are not rural people. They do not vote in rural Alberta. But when they have a problem, Mr. Speaker, when they want grants for their sewers, when they want tourism grants, when they want road grants, recreation grants, community facility enhancement grants, instead of us sending them back to the city and telling them to get their own money and bring it out to our constituency, we deal with these. We deal with them as people that represent Albertans. I don't care if they're rural or if they're urban or where they come from; we're all one and the same. I really take offence at people trying to put a split between them. We do need this regionalization, and I think the people of Alberta have a right to be represented on a fair basis.

Now, you're talking about a fair and equitable basis. If the person living out west of Alder Flats needs to be represented and it's two and a half hours from the city, I think I have the right to represent him, and I think he has the right to expect to be represented in this House.

5:20

So you talk about all the distances and the different things that happen between the two types of MLAs, and I take exception, Mr. Speaker, again, to them harping and harping on us being rural representatives and not able to do our job. In my view and in the view of my constituents, there are times you can hardly handle that job. Mine is not one of the larger constituencies. Some of the ones in Peace River and that should have four MLAs in there, because the people do not have access and the facilities are built there primarily for a lot of urban people. The people living in the cities tell us that we have to take care of their lakes; we have to take care of their forests. Why don't they come out in the country and have a look, see who is looking after them? They've made a lot of allegations against rural MLAs and against the representation that we take, but I would like to trade places with them sometime for a little while. If I could go across my constituency in 12 minutes, as has been stated here, I would be very happy. I could certainly represent them. It's a lot easier to represent a hundred people in one room than it is 10 people in 10 different rooms, and that's what we're looking at here.

I know in my own mind that had there not been an MLA on that committee and they'd gone to the countryside, there may have been much more drastic changes made in favour of rural Alberta, because there would have been an unbiased viewpoint there that would have said, "Look, you guys are not being represented; you don't have the capability to be represented because of the size of the constituencies."

Thank you, Mr. Speaker. I would like to say that I'm in favour of Bill 57, and I would like to see everybody here support it.

MR. SPEAKER: Thank you.  
Edmonton-Avonmore.

MS M. LAING: Thank you, Mr. Speaker. I welcome the opportunity to raise my concerns about this Bill and raise my concerns about the comments by the member opposite. I'm not sure who he thinks is creating a rural/urban split, but I think a significant number of the members on this side in this caucus in fact have rural backgrounds, and we have as much concern about our rural roots as we have about our present urban

conditions where we are living. I'm not sure where he sees the problem being created, but I think he may be incorrect as to where it is being created.

In looking at the guidelines, Mr. Speaker, we see no reference to the principle of one person, one vote, except to cast it off as an American idea. I remember that the first time I called into question in this House something the Americans did, I was called names that were not printable in *Hansard*. I'm totally amazed at the opposition to an American notion in this context. All of the considerations in this Bill are related to the sparsity and density of population and the difficulty in getting across constituencies and difficulty with transportation systems. Nowhere do we see reference to the principle of one person, one vote. We hear the Member for Calgary-Glenmore refer – I believe she said it – to the dangers of representation by population. Well, that's a new one. The Solicitor General referred to the tyranny of the majority. I am wondering if he has ever heard reference to the tyranny of the minority. I would have thought, Mr. Speaker, that the principle of one person, one vote is an ideal that will be mediated by factors such as distance and sparsity of population, but what we hear from the government members is an absolute commitment to these other factors and a failure to have any commitment to the ideal of one person, one vote.

They say that these factors founded in our history must take precedence, yet we know that history is about change. We've heard that in large constituencies MLAs need to be able to communicate and meet with their constituents. Historically that was difficult; we know that: horses and carriages, no telephones. But we have roads throughout all Alberta, paved roads indeed, and as far as I know, most Albertans are served by the telephone.

SOME HON. MEMBERS: Oh, oh.

MR. SPEAKER: Order.

MS M. LAING: Well, that was what was promised during the last election. Don't we have them yet?

Mr. Speaker, people in Alberta have telephones, if not roads. Am I correct? They don't have roads; they have telephones. We hear that it is difficult to reach farmers because they're in the fields and may not have a cellular telephone. Well, for the member opposite who suggested that this is a great difficulty, I would like to inform him that the farmers are not in the fields year-round. I learned that in my rural days. So I see the members opposite trying to create problems where they may not be and, in fact, to be out of touch with the advances in technology and transportation systems that we have. Indeed, it is very difficult for me sometimes to reach urban constituents during the day because they, too, are at work and they, too, have to be called at night. So let's quit creating false problems.

It is also suggested, Mr. Speaker, that perhaps urban MLAs cannot understand rural MLAs or the people they represent and vice versa. Well, I take great exception to that. Certainly in my time in here I have tried to understand what's happening in rural Alberta as well as what is happening in urban Alberta and recognize that all constituencies are unique. Urban constituencies are very different from one another, as are rural constituencies different from one another, and as rural and urban constituencies are different. As MLAs we should be looking to understand our province and our history as well as our constituents and constituencies. We must resist absolutely the tendency to pit the interests of the rural people against urban

people. The issues are matters of fairness and concern about the well-being of all Albertans, and we have to remember that.

We need to recognize that poverty, as was raised by the Member for Athabasca-Lac La Biche, is not only intolerable on Indian reserves, Metis settlements, or in our inner cities but also in our suburban communities. Fairness for one implies the need for fairness for all. All Albertans, urban or rural, want good education opportunities for their children, good health care, a secure future in their later years. We do not pit rural seniors against urban seniors, and I would suggest, Mr. Speaker, that when we talk about the issue of the needs of seniors, we talk about them in the context of Alberta.

Mr. Speaker, in reference to the time, I beg leave to adjourn debate.

MR. SPEAKER: Thank you.

Having heard the motion, those in favour, please say aye.

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

MR. SPEAKER: The motion carries. The House . . . The debate is adjourned. Just checking to see if you were awake.

MR. GOGO: Mr. Speaker, the business of the House tonight will be continued discussion on the Electoral Boundaries Commission Act.

[The Assembly adjourned at 5:28 p.m.]

