

## Legislative Assembly of Alberta

Title: **Thursday, December 13, 1990, 8:00 p.m.**

Date: 90/12/13

### head: **Government Bills and Orders** **Committee of the Whole**

[Mr. Jonson in the Chair]

MR. DEPUTY CHAIRMAN: Good evening. I'd like to ask the committee to come to order, please.

### **Bill 57** **Electoral Boundaries Commission Act**

MR. DEPUTY CHAIRMAN: We're dealing with an amendment by the Member for Vegreville; adjourned debate, Mr. Fox. The Member for Edmonton-Highlands.

MS BARRETT: Mr. Chairman, thank you. It would appear that pretty soon we'll be able to go to the vote on this particular amendment. I rise just to clarify something that was raised yesterday, and that was that the Official Opposition New Democrats on the special select committee initially supported the time line of nine and five respectively with respect to delivery of the interim and final reports of the commission. That is true. As I pointed out, that agreement was concluded prior to, at least to my knowledge, all the final recommendations that would be coming forth as a result of split votes. The Member for Calgary-Foothills correctly raised yesterday in debate that I also sponsored the motion of nine and five after the context was known. That's true, too, but I felt that it was important to sponsor that motion given that I had given prior agreement to it and needed to absorb the implications of all the other recommendations for which my side of the vote lost.

Ultimately, we've had time to consider the time lines and the cost savings implications for the government and have been very realistic, I believe, in assessing the ability of the Chief Electoral Officer and the Electoral Boundaries Commission which shall be struck as a result of this Bill to conduct their business in six months for the interim report and four months for the final report.

In closing, I would urge members to reconsider their vote and cast their ballot affirmative on this amendment.

MR. DEPUTY CHAIRMAN: Is the committee ready for the question?

HON. MEMBERS: Question.

[Motion on amendment lost]

MR. DEPUTY CHAIRMAN: Next we have a government amendment. The hon. Deputy Government House Leader.

MR. STEWART: Mr. Chairman, on behalf of the Attorney General I'd like to put forward a government amendment to Bill 57 as follows. Section 16 is amended by renumbering clause (a) as (a.1) and by adding the following before clause (a.1):

(a) the Charter of Rights and Freedoms.

Copies of this amendment, I believe, have been circulated to all members.

I would move the amendment.

MR. DEPUTY CHAIRMAN: Speakers on the amendment?

The Member for Edmonton-Highlands.

MS BARRETT: Thank you, Mr. Chairman. I just wonder about the implications of this. The amendment says that the commission shall take into account the Charter of Rights and Freedoms. I mean, is that not already implicit in the Bill itself? Was not the reason that the committee was struck to rewrite the rules governing electoral boundaries on the basis of consideration of the Charter of Rights and Freedoms?

What I'm really asking is: is this little clause going to be used by the Attorney General in his reference to the Court of Appeal as justification for the remainder of the contents of the Bill? If the latter is the case, I suggest that it would not work. If the former is the case, I'd like a further explanation.

MR. DEPUTY CHAIRMAN: Well, perhaps we could hear the Member for Edmonton-Belmont.

MR. SIGURDSON: That, Mr. Chairman, is my point exactly. The point the hon. Member for Edmonton-Highlands made is one that I think all members of the Assembly should be concerned about. The government is now adding after section 16 a new subsection, that the Charter of Rights be taken into consideration.

In determining the area to be included in and in fixing the boundaries of the proposed electoral divisions, the Commission, subject to section 17, may take into consideration any factors it considers appropriate, but shall take into consideration certain matters. Now, if the first one is the Charter of Rights – that was the exercise of the committee. We spent months on the road listening to I don't know how many hundreds of Albertans about what we should do with the Charter or without the Charter.

So I would hope that we would be able to have some kind of explanation from the government about why this particular subsection is being added at this point. I don't know if the chairman of the committee could respond to that concern or if we have to wait for the mover of the Bill or the Government House Leader at this time, but I hope we do have a response.

MR. DEPUTY CHAIRMAN: The Member for Taber-Warner.

MR. BOGLE: Thank you, Mr. Chairman. Members of the Assembly will recall, as was pointed out by the Member for Edmonton-Highlands, that one of the specific points in the terms of reference given to the all-party committee by this Assembly was to consider the implications of the Charter of Rights and Freedoms. While the report which was prepared and tabled in this House addressed constitutional concerns as well as the various issues raised with committee members by Albertans across the province, there was no explicit reference to building into the legislation that the Charter of Rights and Freedoms should in fact be one of the factors that would be considered by an Electoral Boundaries Commission. The legislation that was introduced also had that omission. It was something that was discussed some days ago, and the sponsor of the Bill, the Attorney General for the province, believed that in fact it should be brought forward. That's why the amendment is here today, Mr. Chairman.

MR. DEPUTY CHAIRMAN: The Member for Edmonton-Kingsway.

MR. McEACHERN: Thank you, Mr. Chairman. I'd like to just add a few thoughts to this amendment. It does seem to me a rather circular argument in some ways, but perhaps it could be looked at another way. If I understand what the committee did, they reported back, and now the government has taken their report and brought forward a Bill that if it isn't against the Charter of Rights and Freedoms, it's certainly against the spirit of the McLachlin decision about the leeway that you allow from the one person, one vote sort of ideal. Having done that, you then turned around and put into the Bill this statement, which is rather meaningless if the rest of the Bill is to be taken seriously. Well, it may be possible, I suppose, to argue that you could meet the leeway conditions of the McLachlin report in a technical sort of sense, saying that 25 percent leeway for large numbers of ridings – any one of them fits the 25 percent leeway the McLachlin decision allowed. But if the majority of the seats move toward the 25 percent leeway, I don't see that that embodies the spirit of what McLachlin was trying to say.

Putting this statement in is nothing more than a bit of window dressing. It in fact in a way contradicts exactly what this government is imposing on the commission it's going to set up to do the electoral boundaries. So it's a rather odd and very weird sort of addition that the commission is going to have. You know, if they took this point seriously, they would throw out the rest of the Bill and start from scratch and try to have just a couple of basic and fundamental principles: one, try to have one person, one vote or the same weight for each person's vote; and two, make some allowances for distance of travel from the centre. The rest of the Bill would be thrown out the window.

So I guess I hope you pass this. I hope the commission takes this point really seriously and disregards half of the instructions in the Bill.

MR. DEPUTY CHAIRMAN: Are you ready for the question?

HON. MEMBERS: Question.

[Motion on amendment carried]

8:10

MR. DEPUTY CHAIRMAN: The Member for Calgary-North West.

MR. BRUSEKER: Thank you, Mr. Chairman. I, too, have some amendments which I would like to introduce at this moment, and I'll just pause for a moment while they are coming to you.

The amendments are a series which has been reviewed by Parliamentary Counsel. For the purposes of expediency I have put them all on one page, but I would like if possible to deal with them one at a time, with the exception, if I could mention it at the outset, of amendments F and G, which are so inextricably interlinked that they should be dealt with together. Otherwise, I would like to deal with them individually.

So I would like, if I could, Mr. Chairman, at this point to deal with amendment A, if that would be acceptable.

MR. DEPUTY CHAIRMAN: I'm sorry. Order in the committee please.

I'm sorry. With the activity here – hon. member, could you just review the procedure you would like? Would you like them grouped or separated?

MR. BRUSEKER: I would like them separated, if I could please, Mr. Chairman.

MR. DEPUTY CHAIRMAN: Okay. Please proceed, dealing with section A.

MR. BRUSEKER: Thank you, Mr. Chairman. The amendment is coming around to hon. members.

Section A deals with the makeup of the commission and is an amendment dealing with section 2 of the proposed Bill 57, Electoral Boundaries Commission Act. The amendment is really twofold. It deals with two different parts of section 2(1). It says in clause A that we will strike out "chairman appointed by the Lieutenant Governor in Council" and substitute instead "chairman who shall be the Chief Justice of Alberta or his designate." Then sections (b) and (c) are both struck out. The new clause (b) would say instead "three persons appointed by the Chief Justice of Alberta."

Mr. Chairman, the intent behind this amendment, as I've mentioned before, deals with my concern, with the concept that the commission should not only be impartial but also to the general public at large should have the appearance of impartiality. For different reasons I think during committee stage I did make a suggestion that the Ombudsman might be an individual who could be considered an impartial individual who could perhaps make the selection, and for a variety of reasons in committee I was persuaded that that might not be the best individual. But because of the nature of the position which those individuals hold they must by the very nature of the position be very objective, very impartial, and who more so than the person who is elevated to the head of his peers, that being the Chief Justice of Alberta?

So, Mr. Chairman, lest hon. members think that I am casting aspersions upon the judiciary, that is absolutely the opposite of my intent here. My intent with this particular amendment is that the commission that is created would remain a five-member commission.

Section (d), of course, is left alone. The Chief Electoral Officer under this proposed amendment would remain as a member of the Electoral Boundaries Commission. We would have a judge, either the Chief Justice or his designate, which is similar to what's in the proposed Bill, but sections (b) and (d), who are individuals who are appointed clearly through partisan appointments, would be appointed through a nonpartisan basis. Therefore, Mr. Chairman, I think I will cease my comments there.

MR. DEPUTY CHAIRMAN: Any speakers? Are you ready for the question?

SOME HON. MEMBERS: Question.

MR. DEPUTY CHAIRMAN: The Member for Edmonton-Belmont.

MR. SIGURDSON: Just very briefly, Mr. Chairman. It is the position of the New Democrat Official Opposition that we will not be supporting the amendment in its entirety. We wish that the proposed amendment A would have been split down a little further. We would have supported probably subsection (a), but because you've got three persons being appointed by the Chief Justice of Alberta, it doesn't recognize the fact that a lot of people on the bench, if those are the people the Chief Justice might designate, may not have any experience with what goes

on in this House. They may not have any experience of the needs of constituents or the needs of the political reality for that matter. That's why in committee we had proposed that there would be appointments made by the Premier through the Speaker, made by the Leader of the Official Opposition, again through the Speaker. So there is some problem with sub (b).

For that reason we have some difficulty in supporting amendment A as it stands, and we will not be supporting it.

MR. DEPUTY CHAIRMAN: Are you ready for the question?

HON. MEMBERS: Question.

[Motion on amendment A lost]

MR. DEPUTY CHAIRMAN: Order please.  
Please proceed to item B.

MR. BRUSEKER: Yes, thank you, Mr. Chairman. Item B deals with section 2(2) of the Electoral Boundaries Commission Act. Much comment has been made about the work of our committee during the course of our 39 hearings, which spanned quite a span of time and quite a span of mileage. We had quite a number of hearings, the majority of which were in smaller centres around the province. One of the things we heard about the smaller centres almost universally, I think, was that they were unique, that they were different substantially, essentially different from the larger metropolitan areas, those being primarily Edmonton and Calgary.

Mr. Chairman, I think probably one of the most clearly put messages we received when we were on the road with our committee was from the Member for Wetaskiwin-Leduc, who of course is also the Minister of Tourism. He came to the committee hearings, and he said that in his particular constituency there are two cities: the city of Wetaskiwin, with about 10,000 or 11,000 persons, and the city of Leduc, with about 12,000 or 13,000. But even though they are cities, the people that live in those cities are essentially rural people; they have a rural background. Many of the people in those cities have come there from the rural areas or have a link to the rural area. They were either on the farm and retired to the city or their sons, daughters, whatever, live on the farm and they feel a very strong tie to it.

For that reason, Mr. Chairman, when our committee sat down and started to discuss it, we felt it was important – in fact, it was imperative – that the commission that would be created to create new boundaries, wherever those boundaries may ultimately be, have representation from the cities and from rural Alberta. Because of the nature of those comments that came, as I said, from the Member for Wetaskiwin-Leduc but also from other members – I believe we heard when we were in the city of Grande Prairie that although the city of Grande Prairie is a metropolitan area, it is a metropolitan area with a different substance, a more rural substance. It's a smaller city, about 25,000 persons, and substantially different in nature from the two metropolitan areas of Edmonton and Calgary.

Now, Mr. Chairman, when you look at the total population of the entire province, right now we have a population of about 2.4 million persons, and I think it was the Member for Calgary-Foothills who first raised the idea that Edmonton and Calgary hold 51 percent of the population of the province. That has been the case in the past and continues to be the case now. So when we look at the makeup of this particular commission . . .

MR. DEPUTY CHAIRMAN: Order. Pardon me, hon. member.

Order over on my right, please. It's a little difficult to hear the speaker.

Please proceed, hon. member.

MR. BRUSEKER: Thank you, Mr. Chairman. When we look at the makeup of the commission, the commission is going to be a five-member commission. The concept as proposed was: let's get some rural voice and let's get some voice on the commission from city areas. Now, my interpretation – perhaps I misunderstood – as I listened to that is that there's a real dichotomy, a real difference between the city of Edmonton and the city of Calgary versus all the other 14 cities. There are 16 cities in total in the province.

So we have 2.4 million persons in the province in total. Fifty-one percent of that population resides in the city of Edmonton and Calgary. If you take all of the 14 other cities and combine their total population, add it to the sum total of Edmonton and Calgary, you get about 65 percent of the population. That's leaves out all the little villages and towns and hamlets, et cetera, just looking at the 16 cities.

8:20

The intent of this motion is to provide more flexibility because the commission is going to be structured by appointments from particular groups: one person from the opposition parties, two persons by the Premier. Mr. Chairman, if we leave section 2(2) as it stands right now, the net effect will be that it will restrict or limit by approximately 400,000 persons the choices that a person or persons could make in selecting members for the commission.

Let me explain what I mean, because I see some furrowed brows of puzzlement. Let's suppose that someone from Edmonton is selected and someone from Calgary is selected. The Chief Electoral Officer is already a given, and he is from the city of Edmonton. So two more individuals must be selected from outside of the cities of Edmonton and Calgary. Let's, for argument's sake, assume that three persons are appointed from the cities of Edmonton and Calgary. That means those other two persons must be selected from those towns and hamlets and so on. But because we heard many, many times the people in St. Albert, the people in Lethbridge, the people in Red Deer, Grande Prairie, Wetaskiwin, Leduc, Airdrie say, "We are essentially rural people," those 400,000 people that live in those cities could not be possible choices in terms of selection for membership on the commission. So instead of restricting it to a city, the amendment suggests we strike out "a city" wherever it occurs, and I believe it occurs in two locations. We say instead: Edmonton and Calgary. That provides more flexibility, more leeway for the members to be selected for this commission.

So, Mr. Chairman, I hope that all members will look at that and consider that what we really want is for the commission to have the greatest representation and the greatest flexibility of representation from across this province, and that's the intent behind this motion.

MR. DEPUTY CHAIRMAN: The Member for Edmonton-Belmont.

MR. SIGURDSON: Thank you, Mr. Chairman. I again have some difficulty with the amendment that's been proposed by the hon. Member for Calgary-North West. I don't think it's necessary to have further designation for the makeup of the

commission. My goodness, if we were to take this to the extreme, we could have one member from Edmonton, one member from Calgary, one member from Manyberries, one member from Woking, and another member from somewhere else.

I think the intent of the committee, from my recollection, was: let's find five Albertans that are prepared to commit a period of time to the work that's so very important and get on with the work of the commission regardless of where they happen to reside, but let's make sure that there is some balance in there. The question I had during the committee stage was: what constitutes an urban resident? If we were to have, for example, a person that was recently appointed to the bench who came from an address in, say, Milk River but now suddenly found himself or herself residing in Calgary as of a few hours or a few days or a few weeks ago, given the appointment, would that person necessarily be constituted an urban individual? Well, I wasn't sure.

The amendment that we have before the Committee of the Whole tonight is one that was certainly discussed in the select special committee, and I'm satisfied enough with what we came to as a compromise, which *is* what appears in the legislation, in Bill 57. I don't think we have to further define it to what the hon. member proposes, so again we will not be supporting the amendment.

MR. DEPUTY CHAIRMAN: The Member for Calgary-Forest Lawn.

MR. PASHAK: Very quickly, Calgary-North West. This amendment is driven, obviously, by another section in this Act that is totally ridiculous and nonsensical. I mean, the original Act itself says that two members of the commission must be resident in a city. Well, what's that got to do with anything, with electing fair-minded people to sit on an Electoral Boundaries Commission? When is a person a resident of a city and not a resident of a city? If a person lives outside the geographical boundaries of the city of Calgary and lives on an acreage and comes into the city of Calgary to work, is he a resident of the city of Calgary or is he not?

My only point is that if the Act had been better drafted in a more careful, thoughtful way, then we wouldn't have to deal with the kind of amendment that's being proposed by the Member for Calgary-North West.

MR. DEPUTY CHAIRMAN: Are you ready for the question?

HON. MEMBERS: Question.

[Motion on amendment B lost]

MR. DEPUTY CHAIRMAN: The Member for Calgary-North West.

AN HON. MEMBER: Why don't you put them all together?

MR. BRUSEKER: I have a right to do it this way, and if you don't care for that, that's your problem.

Section 6(1), I believe, Mr. Chairman, is the next amendment, amendment C. We had a similar amendment proposed recently by the Member for Vegreville, I believe. This one proposes a slightly different number. This proposal suggests that section 6 be amended. You'll notice that there is no amendment to section 8. Section 8 talks about the length of time for revisions

to an interim report. Section 6, as it's written right now, talks about the length of time proposed, that being nine months, to produce an interim report. As I understand the way the process has occurred in the past, the interim report is then distributed to interested parties, the report is reviewed, some amendments are perhaps proposed in different areas, and then a final report is ultimately produced. The commission is going to have to move fairly expeditiously, I believe, in order to complete its task before the next general election.

During the course of our committee hearings we had the opportunity of having the Chief Electoral Officer come on October 24 and make some comments, generally speaking, about the length of time required in order to complete the process. I have already referred to section 8 as not requiring amendment because of the time that the Chief Electoral Officer felt was required to amend that interim report, but the proposal of nine months in section 6 right now I believe is too long a period of time. I believe that the Chief Electoral Officer in his comments suggested, in fact, that the entire process could be expedited and could be completed in a shorter time than is currently being proposed in Bill 57. In *Hansard* of October 24 the Chief Electoral Officer made a number of different comments which I think are fairly interesting. On page 949 he says:

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

Further he goes on to say:

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 to actually draw a line.

So, Mr. Chairman, what the Chief Electoral Officer . . .

MR. DEPUTY CHAIRMAN: Order, hon. member. My apologies.

Members of the committee, the Member for Calgary-North West should have the opportunity to present his amendments so at least the Chair can hear what he's saying, so please come to order.

The Member for Calgary-North West.

MR. BRUSEKER: Thank you, Mr. Chairman. What the Chief Electoral Officer has suggested is that the process can be expedited and, in fact, shortened down. I think one of the strongest arguments that he makes is further on. He says:

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

And further on, and I think the strongest point, he says:

I would hope the commission would be able to complete their activity in the calendar year '91 so the legislation can be passed very early in '92.

Well, Mr. Chairman, the Bill that we have before us right now will in fact take the commission process well into 1992, which is against the advice of our Chief Electoral Officer.

8:30

Mr. Chairman, one of the things our committee did in fact agree upon unanimously was that the Chief Electoral Officer should be on the commission because of his expertise in this area, yet this Bill does not reflect what the Chief Electoral Officer told us. Now, he did say that in the '83-84 commission there was not as much change going on. I think the comments that have been made by the Member for Vegreville that the commission members should be prepared to dedicate themselves

on a full-time or as nearly a full-time basis as possible are exactly correct. This commission is going to have a job to be done expeditiously, and we should give them a tighter time line so that the entire process can be completed well before the 1992 spring session. Not only do we have to get an interim report produced, then have the interim report analyzed by different interest groups and then revised and amendments made, but once the report is tabled in the Legislature, we have to pass another Bill to actually allow the process to go ahead. All of that takes time.

Now, the proposal that I have before the committee in amendment C, which says that the "9" will be reduced to "4," combined with the other part, the six months in section 8, would give a total time span of 10 months. That total time span, Mr. Chairman, coincides with what the Chief Electoral Officer said with respect to completing the task in the calendar year 1991. That would then allow the commission to complete its task, new boundaries to be created, and enumeration to be done before we hit that typical three and a half year stride that we have seen as the historical background of this particular government. Every three and half years they go back to the polls. Three and a half years takes us until 1992. Yet if we adopt the Bill as it's written, with a total of 15 months being presented here, what will end up happening is that 15 months takes us into the spring of 1992. Then we get a report tabled. The Legislature may or may not be sitting. We don't know what's going to be happening in 1992; that's a year and a half away. So we may in fact not get the process completed in time.

One of the arguments of course is: well, gee, these nine months that are proposed in section 6 are the maximum amount of time they can take. Well, Mr. Chairman, I would ask you and anyone else in this committee to simply reflect back upon their university or high school days. You know, we were always given deadlines, and son of a gun, we always worked right to that deadline. I think it's not the nature of the human species to do something. If they have nine months, I expect they're going to take nine months. I don't expect them to produce a report in four months or five months. If we give them a nine-month time frame, they'll probably take the nine-month time frame.

My suggestion is: let's give them a four-month time frame. Let's make sure that we get commission members on there that are prepared to dedicate themselves full-time to this task. Let's give them the same kind of guidelines they had in the 1983-84 commission and say: "We want you to advertise far and wide. We want you to get all kinds of written submissions from the people. We want you to sit down and hold some meetings, and we want you to produce that interim report. Then when that interim report is produced, we want you to distribute that far and wide, to everyone who wrote to you, to everyone who came to one of our committee meetings, however many hundreds of people came to our committee meetings. Get a copy out to every person around in the Legislative Assembly. Get a copy out to the different political parties so they can see what's going on." Then, Mr. Chairman, when you've got a report in your hands and you can see where the lines are being proposed to be drawn in whatever constituency, you can say, well, gee, that boundary maybe should be moved over this way or that. The rest of the legislation that we have before us gives the commission sufficient guidelines as to how to create the boundaries, the 25 percent that is mentioned further on and so forth.

So the commission has the guidelines. They know what it is they've got to do. The Chief Electoral Officer has in fact acknowledged that he now knows what those guidelines are and what they will have to be. So let's make sure that we get that

process completed in time. Let's make sure that people have enough time to respond to it, the six months a little further on, but let's make sure we can get this process completed so that we can go to the next election and have new boundaries that make as much sense as they can under this Bill.

MR. DEPUTY CHAIRMAN: The Member for Edmonton-Belmont.

MR. SIGURDSON: Thank you, Mr. Chairman. I'm somewhat sympathetic to the amendment the member has put forward. Indeed, we moved an amendment that we voted on this evening that in section 6(1) we would strike the number "9" and substitute "6" and in section 8 strike the number "6" and substitute "4." The reason for that, as I'm sure most members here are aware, is that when you initiate anything, usually the most difficult period of time is the start-up period. I know that if you enter almost any series of negotiations, whether it's from a labour perspective or a management perspective, if you start up a business, it's the start-up time that you've really got to plan. What this member proposes with the amendment is to reduce the start-up time from six months to four months and then to allow the period of six months in section 8 to continue on so that you can have feedback. Well, I'm not convinced, quite frankly, that you can have all of the work completed fully, thoughtfully, and successfully in a period of four months.

Now, the reason I say that, quite frankly, is that in 1983-84, the time of the last commission, I had assigned to me as a researcher for the late Grant Notley the role of doing the research for electoral boundaries. I know full well by going through the communities of Edmonton and Calgary, by listening to folk from around the province that we needed start-up time to get our proposals together in order to present those to the commission. That took a long period of time. The member says that we should go back to the 1983-84 commission and look at their time frame. In fact, their legislative time frame was 12 months to deliver an interim report and six months to consider any amendments thereafter. I don't want to go back to that.

I would have hoped, quite frankly, that the government would have adopted the amendment that we proposed. It didn't happen. But to go to the other extreme – while the total number of months between the proposal from my hon. colleague and our proposal is the same, I think he's put the cart before the horse in this instance and not given the commission enough time to really prepare for the important work that it will undertake. I would much rather have had support for the amendment that was lost earlier this evening. It didn't happen, but I'm afraid that with respect to amendment C, that's just been moved by the Member for Calgary-North West, we can't support it.

MR. BRUSEKER: Well, Mr. Chairman, just in responding to the hon. Member for Edmonton-Belmont, his comments are appropriate except for one factor. That is that we have undertaken something that has never occurred in this province before, and that was the creation of our Electoral Boundaries Committee, which in fact did travel around the province. In responding to his concern that the start-up time would be a problem, I draw to his attention the amended section 19(2), which is a government amendment that was added on. It was amending the original 18(3):

The Speaker shall take into account the unanimous recommendation of the Select Special Committee on Electoral Boundaries that the administrative support be provided by the Senior Administrator of the Select Special Committee.

Mr. Chairman, the commission, therefore, will have a substantial advantage that no other commission has ever had before in that a good amount of the material has already been collected. I know that members of the committee have this, and I know that the office of the select special committee in fact has not only the information that each of the committee members has but also substantial additional information, including a computer data base in which much of this information is located.

So although the member's comments are appropriate were this a typical situation, what we have this time round is in fact an atypical situation. We've never had a Select Special Committee on Electoral Boundaries before. We now have computer support that is going to be provided into which we have had the opportunity of having input and to which the commission is going to have access when they are ultimately created and then start looking at creating boundaries. So with respect, Mr. Chairman, I think the concerns raised by the hon. Member for Edmonton-Belmont have in fact been addressed.

8:40

MR. SIGURDSON: I just wanted to get in and make the one point, Mr. Chairman, that indeed while there has been a great amount of information amassed over the last 14 months by the administrative support staff of the committee and that's going to lend itself to the commission, there is the fact that it's going to be a brand-new commission that is going to have to absorb all of that information. Now, we as a committee had a long period of time to absorb that in bits and pieces, and I think there are probably bits and pieces that are still yet to be fully absorbed. I'm not sure that a commission member, however able they might be, would be able to come in from a position of the unknown or the unknown and just jump right into the commission's work without having a decent period of time to absorb all of the information that's there. So again, while I appreciate the argument from the member, I fear that it's just not enough time. It should have been reversed.

MR. DEPUTY CHAIRMAN: Ready for the question on the item C amendment?

HON. MEMBERS: Question.

[Motion on amendment C lost]

MR. DEPUTY CHAIRMAN: The Member for Calgary-North West.

MR. BRUSEKER: Thank you, Mr. Chairman. Moving along swimmingly here, I'm batting a thousand so far.

Amendment D: in section 11 by adding "or the results of a province wide municipal census or provincial census" after "Statistics Act (Canada)." Mr. Chairman, in reflecting back on the deliberations that our committee held over the course of 14, 15 months talking about where we should go down the road, the Member for Edmonton-Belmont introduced the concept of population being a more appropriate means of creating electoral boundaries. I believe that that concept, generally speaking, was in fact accepted by all members of the committee, but there is a concern that I have raised, and I believe others have raised as well, that under the guidelines we have right now, the result will be that the commission is going to be using data that is going to be five years old by the time they actually start to draw lines on maps and so forth. In fact, that data will continue to be in force for an additional eight years after that based upon what we see

in other sections of the particular piece of legislation. Now, one of the concerns I raised was that that's simply too long a span of time. I suggested that we need to find an alternative.

Currently in the province most of the municipalities do in fact conduct their own census. Now, there are areas of the province which do not conduct a census on a regular basis, and the argument that was made in the committee was: well, we have to have something that is uniformly equal – "consistent" is the word I think was used – right across the province. I think that makes sense, so what I am proposing here is an alternative, something that is new that would be consistent across the province. The federal government carries on a census every five years. That occurred in 1985; the data came out in 1986. We'll have a census this year; the data will come out in 1991 and so on. So there is a bit of a time lag. If we have something that is a little closer to home, something that is provincially generated . . . Already the cities carry on their own census; most of the municipal districts carry on their own census. In fact, there are very few areas around the province that do not conduct an annual census or at least a biennial census.

I believe it is important that the commission work with data that is as current as feasibly possible. Now, obviously we can't have everyone running around the province doing a census and the next day the have commission come up with new lines. What I am proposing in fact, Mr. Chairman, is the creation of a new means of getting the population across the province. As I've alluded to and as I'm sure most hon. members are aware, the census is already done, probably, for 90 percent of the province. So instead of each of the municipalities doing their own census, what would happen instead would be that the province, under this particular amendment, would do the census instead of the municipalities.

Now, I would argue that there are a couple of good reasons for that. Number one, obviously, under this particular Act and this proposed amendment is to deal with electoral boundaries. But I would argue, secondly, that it is prudent on behalf of the government to do the census simply from the standpoint of view of transfer payments from the provincial government to the municipalities. Many of those provincial government transfers are based upon census data; they're per capita grants. So what is happening under the current regime is that a municipality goes out, they do their own census, they come to the province, they give the province a number, whatever that number may be, and say, "We have X number of people in our municipality." That number is accepted by the appropriate department, and funds are therefore disbursed.

Well, Mr. Chairman, it seems to me that if we have a government that is in the business of disbursing funds as part of their function, then it is incumbent upon them to know how many members are living in that area and what the population is before they give out the funds to that particular area. So by creating a provincially driven census that covers all of the area – urban, rural, single municipal, or multimunicipal, whatever you want to call it – and by doing that census on a provincewide basis, we get accurate information for the purposes of electoral boundaries, we get accurate information for the purposes of funds distribution, we get current information for the purposes of health care, education, and a variety of different social services which we deliver, and which are the largest mandate of the budget of this province. By creating a provincial census, what we can do, in fact, is help to streamline our services.

Probably there will be a slight increase in costs. I don't know what it would cost, to be honest. There would be a slight increase in costs because there would be a slightly larger area of

the province over which a census would be taken under this proposal than currently occurs. But on the other side of the coin there would not be a need for those municipalities to do the census, so in fact there can be a tax saving there. So although there would be a cost in creating a new provincewide census, we can eliminate a whole pile of other censuses occurring on a small, regional basis. Therefore, by creating something new that hasn't happened before – we've been talking about creating an Alberta solution; Mr. Chairman, this is it.

MR. DEPUTY CHAIRMAN: The Member for Edmonton-Belmont.

MR. SIGURDSON: Thank you, Mr. Chairman. I'm just wondering if you would call me to order if I were to point out that I feel sorry for the hon. Member for Calgary-North West, who has to be the lone representative of his caucus here tonight, because I think there are a number of amendments that he's moved that I know there's no support for from his caucus.

MR. DEPUTY CHAIRMAN: I might call you to order, hon. member. If you'd like to debate the amendment . . . [interjections]

MR. SIGURDSON: Well, no. I appreciate that, but I want to say that the amendments that have been presented here I think quite frankly deserve to be debated. I know that we debated a number of our amendments. I just want it known that I as a New Democrat in the Official Opposition appreciate the fact that I had the support of my colleagues. I appreciate the fact that the hon. Member for Calgary-North West is here representing his caucus and is presenting those amendments alone.

We stood up for the first three amendments and have not supported the hon. Member for Calgary-North West. On this one, though, I'm sorry to ruin your batting average, but we'll take you down to 750 or up to 250 depending on how you look at it. This is an amendment that my colleague from Edmonton-Highlands had supported during the committee's work. We had some concern about the consistency of gathering information throughout the province. However, we still think it's a worthwhile objective to try and have a provincewide or municipal census that is somewhat more up to date than the 1986 census. We do appreciate the fact that the 1986 census, going into a year where the commission is going to be doing the work, is terribly dated. It's unfortunate that they will not have an updated report from Stats Canada to truly bring the figures more into line. However, that's the fact.

Regardless of that, the mover of the motion, the hon. Member for Calgary-North West, does make a good point for having a provincewide or a municipal census. We thought that it could be conducted through the enumeration process that we have on a very regular basis, that we could move from just strictly voters per household to total households and try and gather that information in. It was worth the effort, and because it is indeed worth that effort, we'll be supporting the amendment.

8:50

MR. BOGLE: Briefly, Mr. Chairman, as was stated by the hon. Member for Edmonton-Belmont, this matter was considered by the committee. The recommendation very specifically was that we use the most recent federal census statistics available. The question of going out and doing a special provincial census was looked at, but to justify that kind of expenditure when we have a federal census scheduled to take place in 1991 – you'd have

two censuses going on at almost the same time. It would in the process slow up the commission doing its work in establishing the boundaries.

We've heard a lot of concern expressed by various members in this Assembly that the commission should get on with its job. In the event that there is an election prior to the end of the five-year mandate, the concern is that the commission should have finished its work in ample time. To now set about a provincial census – not only the expense involved, the millions of dollars, but also the delay that it would cause for the commission itself.

I conclude by saying that the committee made one other recommendation which is reflected in the legislation, and that is that the Chief Electoral Officer shall report back to the Assembly after the results of the federal census are available, after the new boundaries have been drawn. The Chief Electoral Officer in his annual report shall report to the Assembly and identify constituencies which fall outside of the plus/minus 25 percent range.

MR. DEPUTY CHAIRMAN: The Member for Calgary-North West.

MR. BRUSEKER: Thank you, Mr. Chairman. The chairman of the Special Select Committee on Electoral Boundaries does in fact raise a valid point with respect to another section, which is related further on, that "the Chief Electoral Officer shall submit a report to the Speaker." Well, although that section has been included, and it does say that he will indicate the "electoral divisions that no longer comply" and the degree of noncompliance, there's no commitment there that anything should then actually happen with that report. If section 11 had included "and new boundaries shall be created if, for example, more than 10 percent were outside of the guidelines," then I would be far more content with section 11 as it currently stands. But that was not included in section 11, and for that reason I have proposed the amendment as it stands in section D.

MR. DEPUTY CHAIRMAN: Are you ready for the question on the amendment?

SOME HON. MEMBERS: Question.

[Motion on amendment D lost]

MR. DEPUTY CHAIRMAN: Item E, hon. member.

MR. BRUSEKER: Actually, Mr. Chairman, items E, F, and G are all very closely linked together. If it is the will of the committee, I would like to deal with all three of those as one.

HON. MEMBERS: Agreed.

MR. BRUSEKER: Mr. Chairman, amendment E that I have to section 13 says: by striking out subsection (2). As I understand it, the purpose of subsection (2) really allows for the removal of parts of the cities of Edmonton and Calgary into the outlying rural areas.

Actually, this one is substantially different. I should have left this one separate. Perhaps I should deal with section E just by itself, if I could, Mr. Chairman.

The concern I have with section 13(2) is the potential for different parts of rural constituencies to come in and scoop out, figuratively speaking that is, pieces of the city, take pieces of the cities of Edmonton and Calgary and in fact any of the cities

that are listed in section 14. That could include a section of the city of Lethbridge, a section of Medicine Hat, Red Deer, St. Albert, Fort McMurray, and also includes a reference in section 14(h) regarding Sherwood Park. I am very concerned, because that particular section really doesn't give much guideline. It simply says: well, pieces of that can go out. It gives no guideline as to how big a piece or the nature of the piece.

If one reflects upon the city of Calgary or the city of Edmonton, as the city naturally grows, around the perimeter there are those areas which appear to be more of a rural nature than an urban nature, at least in terms of the typical planning and development and road plans and so forth of those particular areas. Mr. Chairman, if those were just the areas to go out, well, that could possibly work. But there's nothing in this particular section 13(2) as it's written that would prevent the commission from coming in and taking out half of the community and adding it to another constituency in a rural area, because it's wide open.

Now, one of the complaints that I heard before with respect to British Columbia legislation is that it's so wide open you could drive a truck through it. Well, Mr. Chairman, this you could drive a convoy through, because you could put anything anywhere under this particular section 13(2). So I am deeply opposed to 13(2). I think it should be removed completely, because I think what we heard when we were on the road is that there's a substantial difference between urban and rural. There's a substantial difference between the city of Edmonton and the city of Calgary and the rest of the province, and many, many, many people said that they were opposed to the concept of a combined rural/urban constituency, which is what this proposes.

So, Mr. Chairman, what I would like to do is move amendment E, that section 13(2) be struck out.

MR. DEPUTY CHAIRMAN: The Chair would just like to clarify: it was the Chair's understanding we were going to be dealing with E, F, and G, but now you would like to go back to E just separately?

MR. BRUSEKER: If I could, Mr. Chairman. I erred in combining this one. I would like to combine the two; F and G do fit together, but this one is different.

MR. DEPUTY CHAIRMAN: We're dealing with item E.  
The Member for Calgary-Foothills.

MRS. BLACK: Thank you, Mr. Chairman. In looking at section 13(2), I think it's important to keep in mind again what people told us on the road: that is was difficult to have the distinction between urban and rural Alberta. In trying to get away from that, I think it's important to make some logical and practical combinations, and when I think of the city of Calgary, as an example, there are several areas that have been annexed into the city of late, like acreages . . .

MR. TANNAS: What about farms?

MRS. BLACK: Farms; all right.

. . . and farms that may in fact wish to be coupled with something outside the structured city areas. I think they should have the option to have that flexibility within the commission and the communities make presentations to the commission to have that option available. So I think this gives that option to the commission, and I think it's important to keep that in mind: that the commission may not do that, but they also have the

option, if the people so wish, that they can do that. That's why I think that's important to have that in there.

It also gets us into the idea of being able to combine interests, of getting away from the definite split between urban and rural and being able to combine some natural, like communities that are better suited. I think that was something people said time and time again: that they felt there was a tremendous animosity between the two terms "urban" and "rural." That's why we went to the overall single-municipality and multimunicipality electoral division.

Thank you.

MR. DEPUTY CHAIRMAN: The Member for Edmonton-Belmont.

MR. SIGURDSON: Thank you, Mr. Chairman. I appreciate the mover of the amendment taking away the combination of E, F, and G, because I think E has some merit for consideration. I support his amendment E, and I believe that section 2 ought to be struck. I think, quite frankly, that not only should subsection (2) of section 13 be struck, but I believe that 14 and 15 ought to be struck as well. I know that when we get into his amendments on 14 and 15, I'll have the opportunity to speak to that.

I guess the reason why I'm supporting amendment E that's on the paper before me is that it's a tiny step, but it still leaves the commission – and I'll have to read into the record:

The Commission shall divide Alberta into 83 proposed single municipality electoral divisions and multi-municipality electoral divisions in accordance with this Part.

Now, I would have much preferred, quite frankly, if 13(1) had been amended to only say, "The commission shall divide Alberta into 83 proposed electoral divisions." Period. The end. C'est tout.

9:00

AN HON. MEMBER: Fini.

MR. SIGURDSON: Fini. Oui.  
Because that is . . .

MRS. BLACK: C'est bon.

MR. SIGURDSON: The Member for Calgary-Foothills says, "C'est bon." Maybe we have some concurrence.

The reason for that, quite frankly, is that then you allow the commission to go out and find that which they believe to be fair. They have then the opportunity to go out and listen to all Albertans in all corners of the province and have submissions put. It doesn't matter whether there are some people that say: "Well, you know, I lived on an acreage. I was enjoying the life of a gentleperson farmer, and then suddenly the city of Edmonton – or the city of Calgary – came along and annexed me into their boundaries, and I'm now a urbane urbanite. I would much prefer to still be a member of the Westlock-Sturgeon constituency or the Redwater-Andrew constituency," if they're in north Edmonton. The commission would then have the opportunity to say, "Well, fine. Let's take that subdivision of acreages, and let's put them into that rural constituency if that is indeed the will of the people. Let's not have to worry about multimunicipality constituencies and single-municipality constituencies." That would be sufficient provision for the commission to go out and create 83 constituencies without having to be bound by the guidelines that follow in subsection (2) or sections 14 or 15.



Mr. Chairman, obviously we had, I believe, at one point proposed that, and that was struck down. This is, I suppose, a last-ditch attempt to support the rational, mindful, thoughtful presentations that were put forward at any number of committee hearings but didn't last their way into the legislation. I do on the whole support the intent of the amendment that's been put forward by the hon. Member for Calgary-North West. We will indeed support the amendment as it stands. Again, we wish that those areas that deal with single-municipality and multimunicipality electoral divisions had been struck as well, but they're not, so we'll take a tiny step instead of taking the big one.

MR. DEPUTY CHAIRMAN: Ready for the question?

SOME HON. MEMBERS: Question.

MR. DEPUTY CHAIRMAN: All those in favour of item E, please say aye.

SOME HON. MEMBERS: Aye.

MR. DEPUTY CHAIRMAN: All those opposed, please say no.

SOME HON. MEMBERS: No.

[Several members rose calling for a division. The division bell was rung]

[Eight minutes having elapsed, the Assembly divided]

9:10

For the motion:

Barrett	Gibeault	Pashak
Bruseker	Hawkesworth	Sigurdson
Doyle	McEachern	Woloshyn
Fox		

Against the motion:

Ady	Elliott	Orman
Anderson	Evans	Osterman
Black	Fjordbotten	Paszkowski
Bogle	Hyland	Severtson
Bradley	Klein	Shrake
Brassard	Laing, B.	Stewart
Calahasen	Main	Tannas
Cardinal	Mirosh	Thurber
Cherry	Moore	Weiss
Clegg	Nelson	Zarusk
Drobot		

Totals:	Ayes – 10	Noes – 31
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[Motion on amendment E lost]

MR. DEPUTY CHAIRMAN: The Member for Calgary-North West.

MR. BRUSEKER: Thank you, Mr. Chairman. Amendments F and G do fit together, and I would like to discuss them both, because they deal with the total number of 83. The proposed amendment deals with sections 14 and 15 and in essence strikes out the ones that are there and rewrites them completely. What I'd like to do is go through the rationale behind each of those,

if I may, and explain why it is that I'm proposing these amendments.

The concept of single- and multi-municipality constituencies, as they are in the Bill and as I've proposed in here, is one with which the liberal caucus can find agreement. The terms "urban" and "rural" we feel have created some problems in the past, and we should try and work to eliminate those kinds of problems. So the terms, from wherever they came, I think are terms that are in fact quite workable, and therefore the concept of single- and multi-municipality constituencies is agreeable.

But, Mr. Chairman, during the course of our committee deliberations we heard that it was important that the committee give clear directions so that legislation can be created and in turn the commission that is created can have very clear, concise direction as to how to create constituencies. Therefore, in the Bill that we have before us and in the amendment that I have proposed, Mr. Chairman, it does in fact give that direction.

Now, we did earlier look at the British Columbia legislation that deals with their electoral divisions. Mr. Chairman, one of the concerns that was heard with respect to Bill 87 – this is in British Columbia – was that the section in their Bill deals simply with the statement:

The Legislative Assembly consists of 75 members elected in the manner provided for by the Election Act.

It doesn't give any more guidelines than that. The committee members, certain committee members at least, felt that that was too wide, it was too broad, it didn't give enough direction. So I've heard those comments and felt, "Well, let's make sure we provide some direction then."

In the current Bill the seats proposed, the way they're distributed, would provide for a total of 36 seats for the cities of Edmonton and Calgary. That represents 43 percent of the 83 seats that are proposed for the Legislature after the electoral boundary redistribution. Yet, Mr. Chairman, in the province those two cities occupy 51 percent of the population. The concept that has been proposed by some is that it is important to have strict one person, one vote. I do not subscribe to that, but I do subscribe to the concept that if 51 percent of the population is located in those two centres, then those two centres should have 51 percent of the representation in this Legislature. That's the concept of representation by population. Now, that does not mean, for example, that within the city of Calgary – with which I must admit I have an interest because I represent one of those constituencies – I am suggesting that all 22 of those constituencies that I am proposing in subsection (h) of my amended section 14 all be the same. They cannot.

I could for a moment refer to my constituency and the neighbouring constituency of Calgary-Foothills. Now, Mr. Chairman, we share three communities. I don't understand to this day why the last boundaries commission did that, split those three communities, because I think that it has created problems for the member who represents Calgary-Foothills and myself, but more importantly, far more importantly, it has created problems for the people in those communities. I think one of the far wiser things they could have done would have been to give all of, for example, the community of Edgemont to the Member for Calgary-Foothills and given me all of the community of Dalhousie instead of taking half-and-half. It would have made more sense. Then if people said, "I live in Dalhousie," I could have said, "Oh, you're a member of Calgary-North West." But now we have this funny dividing line right down the middle. I have in my constituency of Calgary-North West approximately 95 percent of the community of Varsity. The Member for Calgary-

Foothills has a little tiny piece of it. It creates problems for that area.

I'm not advocating that those 22 constituencies be all exactly equal in size. What I'm saying, Mr. Chairman, is that in those 22, because there is a population within the city of Calgary to warrant that number of constituencies, the communities can then be divided on a logical basis. Maybe it won't result in exactly equal constituencies, and that's all right. I don't think it's absolutely imperative that all constituencies be exactly the same. But I think it would be far more logical to look at a community like Dalhousie and make sure that all of the community of Dalhousie is in one constituency or the other. I don't think it really matters to those people which constituency they're in, to tell you the truth. They know they're in the city of Calgary, and they know they're going to belong to one or the other. They will probably get good representation, at least I certainly hope they do, regardless of where they are. So, Mr. Chairman, 22 and 20 respectively for Calgary and Edmonton represents 42 total, represents 51 percent of the constituencies in this province, and represents 51 percent of the population. It stands to reason.

Currently within the city of Lethbridge we have two constituencies. There is sufficient population to justify two constituencies within the city of Lethbridge, and so that's what I am proposing. The city of St. Albert currently has, I believe, the fourth largest population within the province, and I am advocating that there be one constituency within the city of St. Albert wholly contained within the city of St. Albert.

9:20

The city of Fort McMurray is quite a large city with respect to the upper end of this proposed range of sizes, 35,000. I think Fort McMurray is actually getting very close to that upper end. So what I'm proposing is that the city of Fort McMurray be created as one single-municipality constituency.

Mr. Chairman, under the amendment I am proposing, the city of Grande Prairie would be created as a single-municipality electoral division. That was the recommendation we heard from the people within the city council of Grande Prairie. When we were there, city council made a representation to our Electoral Boundaries Committee and asked to be made into a single urban – as the legislation said at that time; now we're saying "single-municipality" – constituency. They did not ask to be split in half, as the current proposal in Bill 57 suggests, where we're going to take half of it and put it in one constituency and half in another constituency someplace. Under section 15(d) the city of Grande Prairie is proposed to be split into two electoral divisions. Now, that's going to create difficulties for those constituents, because they're going to have to decide whether they're in one or the other constituency. Clearly there's going to have to be some education happening on behalf of those constituents, presumably by the two new MLAs or two MLAs that are going to be looking after them. Again, you're going to be seeing a multimunicipality constituency. I don't believe that's what the residents of the city of Grande Prairie wanted. I don't think section 15 that we see before us in Bill 57 really deals with that.

I think the proposal I have under section 14(c), which says the city of Grande Prairie is going to be one single-municipality electoral division, really is what those people asked for. If they asked for it and if it can be delivered, why not? Currently, as I understand it, the city of Grande Prairie has a population of some 26,000 persons. That's pretty close to the average being proposed, so that falls within the guidelines. The city of Grande Prairie boundaries are already well marked, well delineated, and

I'm sure the residents know what the boundaries of that city are. So in fact that would make sense; that would fit in very nicely.

When the last redistribution occurred, the city of Red Deer as a municipal entity by itself did not have sufficient population to justify two different constituencies. So the commission at that time came up with a new concept, and it's worked reasonably well from what we've heard from the two members that currently represent Red Deer-North and Red Deer-South. They have a piece of acreage land around the outside. I believe the boundaries are coterminous with the county of Red Deer. Well, Mr. Chairman, that was six years ago. In six years' time the city of Red Deer has grown, and now there is sufficient population to justify wholly within the city of Red Deer city limits two MLAs. My proposed amendment suggests that since that works and since there is sufficient population in the city of Red Deer, about 52,000 or 53,000 persons, again that would fall within the guidelines. You have two constituencies that are approximately 26,000, 27,000 persons each, pretty close to the provincial average that is outlined and that we have determined using 1986 figures of about 28,500. That would give two constituencies that would fit wholly within the city of Red Deer, clearly defined, clearly demarked by the city boundaries.

The city of Red Deer and the city of St. Albert, Mr. Chairman, are in fact two that are a little bit difficult because they are in that difficult stage of being too big for one yet too small for two entirely within those corporate limits. So in section 14(a) I deal with the city of Medicine Hat as one single-municipality electoral division, but then also in section 15(a) I propose that a piece of the city of Medicine Hat must – simply because it would be too large a constituency and probably it would be too difficult for the member to represent all those people adequately, and the city of Medicine Hat is also growing – in fact be combined as one of those multimunicipality electoral divisions.

Similarly, in 14(e) I've suggested that as much as possible the city of St. Albert be considered one single-municipality electoral division. Conversely, down in section 15(b) St. Albert is just too large to have two wholly within those corporate limits, so a piece of St. Albert should be added to a different part of another constituency. Mr. Chairman, I haven't given the guidelines here; that's the job of the commission, as to where the lines should go. They should go and get submissions from the residents of those two cities, from the city of Medicine Hat, and say: "Okay, you're too big for one and you're too small for two. Where do you think we can best do it?" The residents of the city of Medicine Hat are probably best able to provide that information. Similarly, residents in St. Albert should be asked: "Well, we need to take a piece off. Where can we do that?" That's the intent of this amendment, to deal specifically with those two cities.

I've dealt with my amendment F. The concept here is simply this. Because the cities are unique entities and substantially different, and we heard that many times, from the surrounding area, I've identified that wherever possible – and I've made two exceptions, Medicine Hat and St. Albert – those constituencies be wholly contained within those cities so that in fact you avoid the concern we heard from many, many people making presentations to this Electoral Boundaries Committee, that we should not have rural/urban split constituencies. Mr. Chairman, that's the intent of amendment F to section 14. What this amendment really does is listen to what Albertans told us. What Albertans told us was, "We don't want to have split constituencies; we want to retain our uniqueness." They all told us, bar none – city, town, village, hamlet, everyone – "We are unique."

Mr. Chairman, then when we look at the total constituencies under the proposed section 14, it says there shall be "50 single-municipality electoral divisions." I've identified in section 15 two others that will have to be a piece of those single-municipality electoral divisions for the reasons I've already stated. That brings our total up to 52. That leaves 31 others, 31 multi-municipality electoral divisions. What I've suggested is that the 31 simply be created from the balance of all the other different kinds of things we've got, whether it's a municipal district, an improvement district, a special area, towns, hamlets, et cetera. Because in all the rest of the province, we're dealing with smaller towns and smaller villages and some of the smaller cities like Airdrie, Lloydminster, Fort Saskatchewan, Spruce Grove, a variety of smaller cities that by themselves at this point in time don't have sufficient population to warrant an MLA uniquely for that smaller city.

So section 15(c) leaves those 31 electoral divisions to be created at the discretion of the Electoral Boundaries Commission which is going to be created under this Act, and they can still keep in mind all the things that are mentioned in other sections. In section 16, talking about sparsity and density of population, talking about history, municipalities, and so forth — all those other factors can still come into play. All those factors in section 16 that are referred to can still be applied to section 15, as I'm proposing here. The commission can look at the history, can look at the development, can pull out that book that tells us what's happened since the inception of the province in 1905, can look at the creation of our boundaries and say, "Well, we need to keep this in mind and we need to keep that factor in mind; there's a river here, and we don't want to start splitting communities."

Mr. Chairman, the intent of this motion is to provide wherever possible constituencies that are more or less equal in size. There's going to have to be some problems. I think the Member for Edmonton-Belmont talked about how foolish and how silly it would be to create a constituency — maybe Edmonton-Centre might be half on the north side and half on the south side of the river. Well, that's simply illogical, it doesn't make a lot of sense, yet it's probably going to happen. But if we have the kind of flexibility this amendment proposes, amendments F and G together, the commission can create boundaries that make sense, that the people will understand, and support the concept of representation by population.

MR. DEPUTY CHAIRMAN: The Member for Edmonton-Belmont.

9:30

MR. SIGURDSON: Thank you, Mr. Chairman. I very much appreciate the remarks that the Member for Calgary-North West has just presented to the Assembly. I especially appreciate his noting in his summation that part of the reason I as the Member for Edmonton-Belmont had pointed out the problem with the government's proposal of 19 electoral divisions in the city of Calgary and 17 electoral divisions in the city of Edmonton is because we do indeed have a river running through the city of Edmonton that's quite large and one constituency may very well have to cross over in order to try and find some equality in the population in terms of total population per constituency. But again, that problem is still contained in the hon. member's proposal.

What we've got now is a proposal in the amendment to move from 17 constituencies, as outlined in the Act, for the city of Edmonton to 20 constituencies for the city of Edmonton. Well,

I still think what we'll find is that there very well may be constituencies that cross over natural geographic boundaries. That's not being eliminated here. In fact, when we were working in committee, we had some information put before the committee that shows that Edmonton is divided into 135 distinct community leagues. Again, if what we're doing is taking an arbitrary number of 20, as the hon. member has — he said, "Well, we're going to have 20 Members of the Legislative Assembly for the city of Edmonton because it's a little more equitable." Indeed it is. If you do the division, with 51 percent of the population between the city of Calgary and Edmonton, according to this proposal we would end up with 50.6 percent of the representation according to the amendment. But we still have all these communities that are wholly contained within the city, and there's no consideration for those communities, at least not as far as I understand the amendment. There isn't sufficient consideration given to those communities. Those communities have a variety of population.

In my constituency of Edmonton-Belmont I have seven community leagues inside the boundaries. Well, pardon me; I stand corrected. I'll correct myself: I have eight community leagues inside my constituency and two that are growing and will soon become whole community leagues unto themselves in due course. Now, whether or not Edmonton-Belmont will find them inside that constituency boundary, goodness knows, because we don't know what Edmonton-Belmont will look like following redistribution. But the consideration should be given to the community leagues. We don't want to divide up the communities whether they're in the country or whether they're wholly contained inside city areas. To say that we want to have representation that is solely based in its total on rep by pop even though there's a provision in all of that for a variance, I think what we're doing is not giving due regard for the community league concept in Edmonton or the federation of communities in Calgary that has 122 members. That's why I think it's important to get away from trying to designate certain numbers of constituencies to certain cities and get away from the concept of multimunicipal and single-municipal constituencies.

That's why I and my colleague from Edmonton-Highlands propose in this Assembly that we have 83 constituencies, that the commission go out and find 83 constituencies. Go out and find them. It doesn't matter whether there is that rural/urban mix. It doesn't matter if there's that complete urban makeup, and it doesn't matter if it's completely rural. But for goodness' sake, don't divide the communities for the sake of simply having a seat here or a seat there. Get 83 constituencies as close as possible to the mean. If that means that in Edmonton there are 19 or 20, that's fine. If that means that in Calgary there are 21 or 22, that's fine. But for goodness' sake, don't go out and divide up the communities that are wholly contained inside the city. Pay attention to the natural geographic boundaries and other distinct boundaries such as railway tracks or large urban highway corridors or rural highway corridors, for that matter. Pay attention to that which is natural or man-made but most definitely there. Don't impose an arbitrary number for the sake of having total voter equality. We've always talked about relative equality between constituencies whether they're wholly contained inside an urban boundary or sharing a number of municipalities out in rural Alberta. Try and find it as equitable as possible, boundaries that will fulfill the needs of those Albertans that live inside those boundaries.

To say that we should have X number of constituencies created in Edmonton, in Lethbridge, or in Calgary, to carve out from the city of Medicine Hat a nice number on the average of

28,500, I don't think gives due regard to the remaining people in the community of Medicine Hat. That's the problem with both proposals. It doesn't address the carving up of some of the smaller yet still rather large cities, if you can have that oxymoron. To just create geographical blocks is not the intent. It's not the intent. We shouldn't be doing that. That's the problem with the legislation and that's the problem with the amendment.

I believe what we ought to be doing is getting back to what Albertans want, what Albertans need, and that is to have 83 constituencies, each one with a member of the Legislature, each one as close to the average as possible without dividing up any communities regardless of where that community is. Believe it or not, Mr. Chairman, for the sake of those who may read *Hansard*, I'm getting support from the Conservative benches on this. As they tend to agree with my proposal, perhaps I should go on and see if I can garner more support.

But, Mr. Chairman, that's the problem with the amendment to the legislation: that we've just changed some numbers around. We haven't fixed the problem. I believe we should be trying to fix the problem to make it better, not just to make it different.

MR. DEPUTY CHAIRMAN: The Member for Calgary-North West.

MR. BRUSEKER: Got to speak to it; sorry.

Mr. Chairman, when I listened – and I did listen very carefully – to the hon. Member for Edmonton-Belmont, I think that he and I essentially are saying the same things, except perhaps with slightly different words. The Member for Edmonton-Belmont said that he didn't want to divide up communities, and I agree wholeheartedly with that. Having had the experience of working with communities that have been divided, I would certainly advocate that that not happen again anywhere, wherever possible.

Now, the Member for Edmonton-Belmont expressed concern about the numbers proposed – for example, for the city of Edmonton, 20 single-municipality electoral divisions. Yet, Mr. Chairman, in another flawed piece of this Bill it says that we are going to be creating boundaries using the most recent population census data, which for the purposes of this particular commission is going to be the 1986 data. When we look at the 1986 census data for the city of Edmonton, that figure is 571,000 persons. Now, the Member for Edmonton-Belmont has suggested that constituencies wherever possible should be near the average of 28,500. In fact, Mr. Chairman, if you take the total for the city of Edmonton as of 1986 – 571,000 – and divide it by the average of 28,500, then you do get a total of 20.4 MLAs. So, with respect, the number 20 is not arbitrarily obtained at all, and the number for the city of Calgary is obtained in exactly the same way. I can understand the member here thinking there are some MLAs that are perhaps only .4, but we cannot, unfortunately, elect .4 of an MLA. We have to elect either one or not. But the number 20 does, in fact, come from a calculation that deals with the concept of representation by population.

9:40

I would agree, as I said earlier, that communities should not be split up arbitrarily, that boundaries should be logical, sensible boundaries. Within cities that could be roads, or in the city of Edmonton we've got, of course, the North Saskatchewan River. In Calgary we've got two rivers that can be used for boundaries. Highways, river valleys, roads, et cetera, that have been used in

the past could in fact be used for boundaries. So while this does not give carte blanche to the commission to create constituencies as they see fit, it does give them direction, and that direction clearly is the support of the concept of representation by population.

Now, the cities of Medicine Hat and St. Albert: I just want to briefly comment about those two again. They are anomalies, Mr. Chairman. They are in a difficult position, and it is those cities that should decide which part of the city might best fit in somewhere else. Because it's very possible, for example, that the commission that would be created might not have a representative from the city of Medicine Hat or might not have a representative from St. Albert, I suggested that the commission should go to those cities and say to the residents, to the city councils, to the school boards, to interested persons, "How do you think it should be done?" The commission then should take the input from those areas and apply as best as possible boundaries that make sense, again using things like rivers or highways to create constituencies that make sense. But the intent behind this particular amendment is supporting strongly a concept which I believe in, and that is representation by population.

MR. SIGURDSON: I was wondering if I can get back in just to clarify, perhaps, one point, Mr. Chairman. Have I been recognized?

AN HON. MEMBER: No.

MR. DEPUTY CHAIRMAN: Order in the committee please. I'll decide.

Edmonton-Belmont.

MR. SIGURDSON: Thank you, Mr. Chairman. I appreciate again the comments, the remarks that have been made by the Member for Calgary-North West. I appreciate full well that if you take the number of Edmontonians living within the city and divide it by the absolute average, you may very well end up with 20.4 MLAs. But the problem, I think, is that the commission should be given the guidelines to say, "Well, once we start moving boundaries around and try and contain wholly community leagues that have been working well for a long period of time, we may find that they may need 19 constituencies in the city, they may need 21." But, you see, that should be left up to the commission.

Now, I think where both the legislation and the proposed amendment especially become a problem are in those areas of St. Albert, Red Deer, Medicine Hat, all those constituencies that have become too large for one member of the Legislature to represent. Who is going to determine which 28,504, plus or minus whatever, live in that single-municipal constituency? And who, then, is going to determine, in the case of Medicine Hat, which 8,000 people will fall into the constituency that surrounds the city?

MR. BRUSEKER: The residents.

MR. SIGURDSON: The hon. Member for Calgary-North West says that the residents will. Well, we've had, quite frankly, a variety of opinions that have been offered to the Select Special Committee on Electoral Boundaries from the citizens, and the committee couldn't come to consensus on every point. You see, there's the problem, that again we're going to have a commission that will go out and entertain representations from the citizens, and they will then have to sit down and draw some boundaries.

Some citizens are going to be happy with the decision, and some citizens are going to be very upset that they're no longer in the constituency of Medicine Hat proper. They happen to now be in Medicine Hat-Redcliff or Medicine Hat-Cypress or Cypress-Medicine Hat or whatever the name of the new constituency may end up being. You see, that's the problem, and that's why this is too confining. That's the problem with the legislation; that's the problem with the amendment.

We should have allowed the commission to go out and just create 83 electoral divisions without being told, Thou shalt create 17 or 20 constituencies in the city of Edmonton; thou shalt create 19 or 22 constituencies in the city of Calgary, thou shalt create one or more constituencies somewhere else." Go out and find that which represents the needs of the folk in the area, and don't worry about a single-municipality constituency. Don't worry about a multimunicipality constituency. Divide it as is necessary and as one sees fit, and come back with 83 constituencies that properly represent the needs of the people that live in the area. This is far too restrictive. I believe that all this amendment is doing is changing the numbers. It's not making it any better, and that's the problem.

SOME HON. MEMBERS: Question.

MR. DEPUTY CHAIRMAN: Ready for the question? All those in favour of items F and G, please say aye.

MR. BRUSEKER: Aye, aye. I'm a Liberal; I get to vote twice.

MR. DEPUTY CHAIRMAN: Those opposed, please say no.

SOME HON. MEMBERS: No.

MR. DEPUTY CHAIRMAN: The amendments are lost.

[Several members rose calling for a division. The division bell was rung]

9:50

[Eight minutes having elapsed, the Assembly divided]

For the motion:  
Bruseker

Against the motion:

Ady	Evans	Nelson
Anderson	Fjordbotten	Osterman
Barrett	Fox	Pashak
Black	Hawkesworth	Paszkowski
Bogle	Hyland	Severtson

Bradley	Johnston	Shrake
Brassard	Klein	Sigurdson
Calahasen	Laing, B.	Stewart
Cardinal	Main	Tannas
Cherry	McEachern	Thurber
Clegg	Mirosh	Weiss
Drobot	Mjolsness	Woloshyn
Elliott	Moore	Zarusky

Totals:	Ayes – 1	Noes – 39
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MR. DEPUTY CHAIRMAN: The amendments are lost.  
Item H is withdrawn. Any further amendments?

[Title and preamble agreed to]

[The sections of Bill 57 as amended agreed to]

MR. STEWART: Mr. Chairman, I move that the Bill be reported as amended.

[Motion carried]

MR. STEWART: Mr. Chairman, I move that the committee rise and report.

[Motion carried]

[Mr. Deputy Speaker in the Chair]

MR. DEPUTY SPEAKER: The hon. Member for Ponoka-Rimbey.

MR. JONSON: Mr. Speaker, the Committee of the Whole has had under consideration certain Bills and reports the following with some amendments: Bill 57.

I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

MR. DEPUTY SPEAKER: Having heard the report of the hon. Member for Ponoka-Rimbey, all those in favour, please say aye.

HON. MEMBERS: Aye.

MR. DEPUTY SPEAKER: Opposed, please say no. Carried.

[At 10 p.m. the Assembly adjourned to Friday at 10 a.m.]

