



Legislative Assembly of Alberta

Electoral Boundaries Commission
Public Hearings

Red Deer

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3:48 p.m.

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Electoral Boundaries Commission

Judge Ernest J.M. Walter, Chairman

Dr. Keith Archer
Peter Dobbie, QC
Brian Evans, QC
Allyson Jeffs

Office of the Chief Electoral Officer

Acting Chief Electoral Officer

Lori McKee-Jeske

Participants

Dale Boddy
Shirley Cripps
Phil Elder, Democratic Renewal Project
Heather MacIntosh, Sheldon Chumir Foundation for Ethics in Leadership
Ray Prins, MLA, Lacombe-Ponoka

Support Staff

Clerk	W.J. David McNeil
Clerk Assistant and Director of House Services Senior Parliamentary Counsel	Louise J. Kamuchik Robert H. Reynolds, QC Shannon Dean
Administrators	Erin Norton Karen Sawchuk
Communications Consultant Consultant Managing Editor of <i>Alberta Hansard</i>	Melanie Friesacher Tom Forgrave Liz Sim

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[Judge Walter in the chair]

The Chair: Good afternoon. Thank you for taking the time to come out and share your views with us today.

My name is Ernie Walter, and I'm the chairman of the Alberta Electoral Boundaries Commission. I'd like to introduce you to the other members of the commission here today: on my far right Dr. Keith Archer of Banff, next to him Peter Dobbie of Vegreville, on my immediate left Allyson Jeffs of Edmonton, and next to Allyson is Brian Evans of Calgary.

We've been directed by legislation to make recommendations to the Legislative Assembly on the areas, boundaries, and names for 87 electoral divisions, four more than at present, based on the latest census and population information. In other words, our job is to determine where to divide Alberta into 87 areas so each Albertan receives effective representation by a Member of the Legislative Assembly. Over the past few months we have received community input through a province-wide consultation before developing our recommendations. Through public hearings such as the one here today we want to hear what you have to say about the representation you are receiving in your community.

In carrying out this work, we have to follow the provisions of the Electoral Boundaries Commission Act. In doing this, we are mandated to propose four additional divisions in Alberta, which will come into effect at the next provincial general election. We are also reviewing the law, what the courts have said about electoral boundaries in the province of Alberta and in Canada, the work of previous commissions and committees which have studied boundaries in Alberta, and the population information which is available to us.

A brief summary of the electoral boundaries law. First of all, we are to make proposals under it for 87 electoral divisions. We have a limited time to accomplish this task. We are required, after consideration of representations made at the public hearings, to submit an interim report to the Speaker of the Legislative Assembly in February of 2010 that sets out the areas, boundaries, and names of the 87 proposed electoral divisions and the reasons for the proposed boundaries. Following publication of the interim report a second round of public hearings will be held to receive input on the proposed 87 boundaries. After consideration of that input the commission must submit a final report to the Speaker of the Legislative Assembly by July of 2010. Then it is up to the Legislative Assembly by resolution to approve or to approve with alterations the proposals of the commission and to introduce a bill to establish the new electoral divisions for Alberta in accordance with the resolution. This law would then come into force when proclaimed, before the holding of the next general election.

One way to ensure effective representation is by developing electoral divisions with similar populations, especially where population density is similar. The law directs us to use the populations set out in the most recent census of Alberta as provided by Statistics Canada, the 2006 census, but we are also allowed under the legislation that if we have population information that is reliable and that is more recent than the federal census compiled by Statistics Canada, then the commission may use this data in conjunction with the federal census information. Based on the numbers from various sources the population of Red Deer-North is 39,198, the population of Red Deer-South is 45,120, and the average quotient is 40,573 if you divide the population of Alberta by 87 ridings. So you will see that one of the ridings is slightly below, that being Red Deer-North. Red Deer-South is 11 per cent, approximately, above the average. Elections Alberta is currently reviewing the 2009 census data, and

those numbers will be considered by the commission once they are officially released.

The commission is, as I've said, required to divide Alberta into 87 proposed electoral divisions by taking into account and consideration any factors it considers appropriate, but it must and it shall take into account the following:

- (a) the requirement for effective representation as guaranteed by the Canadian Charter of Rights and Freedoms,
- (b) sparsity and density of population,
- (c) common community interests and community organizations, including those of Indian reserves and Metis settlements,
- (d) wherever possible, the existing community boundaries within the cities of Edmonton and Calgary,
- (e) . . . the existing municipal boundaries,
- (f) the number of municipalities and other local authorities,
- (g) geographical features, including existing road systems, and
- (h) the desirability of understandable and clear boundaries.

The population rule in the act states that a proposed electoral division must not be more than 25 per cent above or below the average population for all 87 electoral divisions, which at this time, as I've said, is 40,573. There's one exception to this in that up to four proposed electoral divisions may have a population that is as much as 50 per cent below the average population of the electoral divisions in Alberta if three of the following five criteria are met:

- (a) the area . . . exceeds 20 000 square kilometres or the total surveyed area of the proposed electoral division exceeds 15 000 square kilometres;
- (b) the distance from the Legislature Building in Edmonton to the nearest boundary of the proposed electoral division by the most direct highway route is more than 150 kilometres;
- (c) there is no town in the proposed electoral division that has a population exceeding 8000 people;
- (d) the area of the proposed electoral division contains an Indian reserve or a Metis settlement;
- (e) the proposed electoral division has a portion of its boundary coterminous with a boundary of the Province of Alberta.

3:55

That's a general overview of the legislation, but the Alberta Court of Appeal and the Supreme Court of Canada have also provided guidance. In rulings they have agreed that under the Charter the rights of Albertans include the right to vote; the right to have the political strength or value or force of the vote an elector casts not unduly diluted; the right to effective representation; the right to have the parity of the votes of others diluted, but not unduly, in order to gain effective representation or as a matter of practical necessity. These rulings as well as the Electoral Boundaries Commission Act must guide our decisions and, ultimately, the proposals that we make to the Legislative Assembly.

Now that I've reviewed the law and the parameters that we must act under, we want to receive what we consider to be the most important input, and that's the views of the public and various organizations. We've had the benefit of many across this province. We believe that what we hear from these sources will be effective in helping us to change the boundaries and is critical to making sure we are recommending a new electoral map that will ensure fair and effective representation for all Albertans.

We welcome people here, and we ask that you share their views with us. If you are not going to be speaking today, we would be delighted to have your proposals in writing by fax or by e-mail.

With that background information, I see our first presenter is here. Each speaker will have 10 minutes to present and then five minutes for questions and answers with the commission. The commission's public meetings are being recorded by *Alberta Hansard*, and the audio recordings will be posted on the commission website. Transcripts of these proceedings will also be available. If you have registered as a presenter or you choose to participate in this after-

noon's meeting, we ask that you identify yourself for the record prior to starting your presentation.

Our first presenter.

Ms Friesacher: Our first presenter is Mrs. Shirley Cripps.

Shirley Cripps

The Chair: Mrs. Cripps, just for *Hansard* would you give your full name, please?

Mrs. Cripps: My name is Shirley Anne Cripps, and I'm from Winfield, from the Drayton Valley-Calmar constituency. Dr. Archer, Mr. Dobbie, Ms Jeffs, and Brian, hi.

I'm not particularly with Red Deer – because this is Red Deer area – but I'm basically here for effective representation. I'm glad to hear you use that in your first sentence when you're addressing the boundaries issue. I think that this legislation, from what I read of it and from what I heard from you, is probably the first time in many, many years that the government has looked at the most recent census, so they're at least going to start out with boundaries that fit the population at the present time.

One of the fundamental rights – and I'll go through my information – in a democracy is the right to vote. Unfortunately, it's also a right that we often take for granted. Respecting and protecting that right is, I think, one of our major obligations. Therefore, this whole exercise is about people and representation, not just voting.

There is no question that the right to vote is paramount in a democracy, and there's no question that that means the right to representation. Ensuring that citizens have accessible and effective representation has to be a key consideration in determining the electoral boundaries. Often the most critical aspect of an MLA being able to effectively represent their constituents is the size of the constituency and the distance from the Legislature, and too often, and I think in the last one, that isn't considered to the point that it should be. It's been estimated that some MLAs lose anywhere from 20 to 50 working days per year just travelling back and forth to the constituency or are driving outside the normal work day. This means that virtually two months of their time is lost, and it seriously affects their accessibility.

The demographics of Alberta. It's interesting to note that 81 per cent of the population in Alberta live in urban areas, and only 19 per cent live in rural areas. But the Edmonton-Calgary corridor is the most urbanized area in the province and one of the most densely populated in Canada. Now, that leaves an area to the north and far south that isn't quite as populated, but in terms of representation it does create a problem.

There are essentially three constituencies in Alberta in terms of communities of interest: Edmonton, Calgary, and the rest of Alberta. I say "the rest of Alberta" because most of these smaller towns depend on the people around them and empathize with them and work with them because their interests coexist. All government services and agencies are provided within Edmonton and Calgary, and they're generally visible and available. In rural Alberta, where fewer government services are located, the MLA often must act as an ombudsman, providing information regarding services and, in particular, access routes. If you don't have the facility there and you don't know how to get the information, you can't access it.

I did some comparisons of the area of the province. The area of the province is 661,190 square kilometres. Edmonton's area is 684 square kilometres; Calgary's area, 726 square kilometres. If you're my age, a square kilometre is 2.6 square miles. The constituency areas. In Edmonton if you had 18 MLAs, their constituency would

be 38 square kilometres. If they had 19, it would be 36 square kilometres. Population and density and expected growth will affect boundaries, but closeness and access to the Legislature is a major benefit and more of a major factor affecting representation. I remember when I was MLA, Neil Crawford said: if I had to do what you rural people have to do, I would never even dream of running for the Legislature. Calgary, 726 divided by 23 MLAs, which is what they have now, is 32 square kilometres per MLA. If they get 25, it's 29 square kilometres per MLA.

In rural Alberta, if you subtract the area of Edmonton and Calgary, you have 659,780 square kilometres, and that works out to 15,709 square kilometres per MLA at 42. If you get an extra MLA, it works out to 15,344 square kilometres. So the average constituency would be 125 kilometres by 125 kilometres. That's a big area when you stop and think about it.

4:05

The population figures. I keep hearing that half the population live in Edmonton and Calgary. It's not true. If you take the CMA of Edmonton and add in all those areas that I've got marked in yellow or orange – I don't remember which colour – then you have over a million people in Edmonton, but the actual population is 730,372 at the 2006 census. I'm going to skip that because you can now work with the newest figures, but I must point out that it's unbelievable that the largest discrepancy in electoral boundaries occurred in Edmonton, where the variation is minus 6.5 to 49 per cent above, and in Calgary, where it's minus 7.3 to 60 per cent above the average.

Given the well-known development plans for potential growth areas in a city, it should be obvious that growth is projected to occur, thus setting boundaries accordingly. I would certainly recommend that when you're setting the boundaries, you take a look at those growth areas. If I remember rightly, the boundaries before that were also – I think it was Fish Creek at that time – way out of sync with the rest of the city.

Current populations, April 1. I phoned to get these. Calgary is at 1,065,455, Edmonton 782,439, for a total of 1,847,894. The population stat as of September 2008 for Alberta is 3,433,000, but that's a year ago, so I looked at the federal one, and I could get a current one there. The population for the province according to the federal census, April 1, is 3,653,840, so if Edmonton and Calgary are 1,847,894, then the rest of Alberta is 1,805,946. Forty-nine per cent of the people in Alberta live outside of the city boundaries. I'm not talking about the peripheral; I'm talking about the city boundaries of Edmonton and Calgary. If you use those population figures, then 87 constituencies I worked out to 41,998. Talking to Peter, he's got a little different figure than I have, but it's basically in the same ballpark.

Eighteen MLAs in Edmonton would be 43,464; 19 would be 41,181. Twenty-three MLAs in Calgary would be 46,000; 24 would be 44,393; 25 would be 42,618. Rural Alberta at 42 would be 42,999, which is exactly the same as Calgary at that point; 43 would be 41,999, which is one above the average; and 44 MLAs would be 41,044. I guess the reason I point that out is because I believe that if you add an MLA to Edmonton and Calgary, you're not going to be able to give anybody any recognition of the distance travelled to get to the rest of the province or the size of their constituencies. That's my concern because representation is the key.

MLA distance travelled and constituency access may reasonably be a consideration for a lower population ratio than the major urban centres. That's my point, that I really think you have to be able to give recognition to the distance travelled and the size of the constituency and their ability to represent their constituents. Bill 45

is reasonable and allows that flexibility. As I said earlier, I'm happy for that.

Alberta stretches from the 49th parallel to the 60th parallel, from the mountainous Great Divide and limitless prairie to the northern waterways. The diversity, climate conditions, growth potential, crops, forest, transportation, access, industry, natural resources, challenges, and opportunities are amazing, as well as the ingenuity, perseverance, and commitment of all Albertans to their future and thus the future success of the province.

The issues. I've just listed them, and I think I will go through those one by one. The four new constituencies to be added should not be prejudged. I got the sense that they were prejudged by some of the discussion in the Legislature, but then when I looked at the act, I didn't get that sense at all. The basis for including four new constituencies should clearly enhance the ability to represent the constituents based on location and access to government services, access to the MLA based on distance to the Legislature, size of constituency, the extra hours required of a rural MLA to be accessible and knowledgeable, the remoteness of some areas, the number of other local governance bodies an MLA must work with. That's referring to the school divisions and the counties and MDs because the more local governments you have to work with, the more time it takes.

Two, developing boundaries to fit the needs of the people to be represented regardless of the location is critical.

Three, all MLAs should have a fair opportunity to represent their constituents with as much reasonable access to them as those MLAs representing constituents residing within major cities.

Four, municipal and school jurisdictional boundaries should be considered and co-ordinated if possible.

Travel patterns of the electors are really important. They need to be considered because of the shopping, the local governments, the schools, the health issues. Some people west of Ponoka would never travel north or south. They'd travel east. So those travel patterns need to be considered. They're really important. They help the MLA, and they help the people.

Boundaries need to address the fairness between an MLA's ability to meet the challenges of representing constituents and the needs of individual Albertans, who deserve equal access to government, and the needs of municipal governments and school boards to work closely with their MLA and provincial government.

I think your task is challenging and complicated, but I was pleased with what I heard at the beginning. Thank you.

The Chair: Thank you, Mrs. Cripps. That was very all-encompassing and very well thought through.

I know we've been going a little over time, but, Peter, would you have some questions?

Mr. Dobbie: Thank you, Mr. Chairman. Mrs. Cripps, again, thank you for that thoughtful and detailed presentation. Thank you for the work that you've done getting updated data. We do have very similar numbers. I have 173 questions for you. I can't ask them all today, so I want to make a couple of comments and then a couple of questions, if I may.

First of all, what you've provided us is something that is very helpful because we are still at the stage of attempting to develop principles that are going to govern our decision-making. When we hear from you with respect to the concerns that you raise about the difficulty that rural MLAs encounter in representing their constituents, we know that as a 10-year MLA from a rural constituency this is not an academic exercise for you, that you're speaking from experience and also some distance now that you're not sitting. So

I think that we can certainly give a lot of weight to that. Have you provided a copy of your report to our assistants to make sure we can get it onto the website?

4:15

Mrs. Cripps: Well, I've provided five copies. I'll leave you another one.

Mr. Dobbie: All right. We'll make sure it gets posted.

A couple of specific questions. As an MLA you will have run into the situation of attempting to balance sometimes competing interests. We're mandated by the legislation to start with the premise that we're looking for effective representation, and the starting point seems to be, if you listen to the Court of Appeal and the Supreme Court and read the legislation, to look for rough equality of voter constituency size and make changes only if there are due requirements to make those changes. We've certainly been invited to look at Edmonton as a population and divide it up, Calgary as well, and the rest of Alberta, so our thinking can be along those lines.

I haven't seen in your presentation a suggestion as to how you would address the distance and difficulty issue. Would you say that on average the urban Edmonton and Calgary constituencies could be 10 per cent higher than the rural constituencies? Would you start on that basis? That's my first question: where would you start in making the differentiation?

Mrs. Cripps: Actually, when I was writing it, I almost wrote in 10 per cent one way or the other. It would give enough room to give the really distant constituencies some ability to be totally represented, and it would not be a hardship on any of those – we're talking 3,000, 4,000 people.

Mr. Dobbie: Right. Four thousand is 10 per cent.

Mrs. Cripps: So I would have written 5 to 10 per cent if I'd written it in.

Mr. Dobbie: And you are clearly indicating that within Edmonton and Calgary, for example, we should be looking at having some ridings under the average to allow for expected growth in southwest Edmonton and southwest Calgary.

Mrs. Cripps: I would agree with that. Yes.

Mr. Dobbie: We also have heard a concern from other people who are as interested as you are in effective representation that any significant disparity in voting equity, or dilution of votes, is an impediment to voter turnout. Some people have argued that if there are significant variations in the number of constituents per riding, it's a disincentive. People might feel that their vote is worth less. Do you have an answer to that proposition?

Mrs. Cripps: I think that voter turnout is just lack of interest and no recognition of how important it is. People who come to this country from countries who do not have that right respect it and usually exercise it. I noticed particularly at nomination meetings that there are better turnouts in those ridings where there are high ethnic groups because it's a valuable item to them, whereas we take it for granted in many cases. It's lack of recognition of how important the right to vote is.

Mr. Dobbie: My third question, leaving 170 for another day. We're given some tools in this legislation that the previous commission didn't have. One of them is updated numbers. Another is the ability

to create up to four special constituencies and special consideration ridings that can be as much as 50 per cent below the average. One philosophy or one approach that we could take is to create up to four special constituencies that would address the needs perhaps in northern Alberta, northwestern Alberta where the population is quite sparse. By creating four, it would allow us to leave the balance of the non-Edmonton and non-Calgary ridings much closer to the average. Do you have any comments for us on how many special constituencies we should be considering?

Mrs. Cripps: Not really. But when I look at the northern constituencies in particular and when I heard you say something about the distance from the Legislature, it looks to me like they've brought the Peace River constituency down so that it didn't have to be a special constituency. I don't think they made any special constituencies last time.

Mr. Dobbie: There was one.

Mrs. Cripps: Was there one?

The Chair: Dunvegan-Central Peace.

Mr. Dobbie: Perhaps I could do this. You know that we have an interim report, ma'am, and we'd like you to think about that. I'm sure we'll hear from you at some point in the future, but if you would address your mind to it, and if you care to e-mail us or send us a letter, your thoughts on that would be helpful.

Mr. Chairman, those are my questions.

Mrs. Cripps: I just think that there are at least four and maybe more constituencies that are almost impossible to give the kind of representation that I think those people deserve. I'm not sure that there needs to be four. Probably if you do a couple and then, you know, work down or up from it, it filters the rest of them into a more reasonable constituency also.

Mr. Dobbie: Thank you very much.

The Chair: Allyson, do you have any questions?

Ms Jeffs: Thank you, Mr. Chairman, and thank you very much, Mrs. Cripps. I don't have any questions, but I wanted to thank you for your presentation and for setting it out so clearly for us. We will be considering it.

Mrs. Cripps: Thank you.

Mr. Evans: Shirley – and I will call you Shirley, which you're not surprised at.

Mrs. Cripps: Go ahead.

Mr. Evans: Thank you very much. This is very helpful to us. You've taken, obviously, a long time to put the figures together and to articulate your position, so we very much appreciate that. As Peter Dobbie said, if there's any way that you can give us percentages or anything of that nature to deal with things like the distance away from the major centres, the distance from the Legislature. As you say, there's quite a bit of difference between Peace River and a rural constituency just outside of Edmonton. So you're going to have different considerations for the number of people and the size of the constituency. If you can put some more flesh on those bones, Mrs. Cripps, that would be really helpful to us.

Mrs. Cripps: I think you have to be flexible. I don't think you want to be tied to some sort of a vision out there, which has happened in the past. I'm particularly glad that you can look at the reserves. I was surprised to see that. When I was on the boundaries commission, we were forbidden to look at the reserves, and that's ridiculous. I mean, they're people.

The Chair: Yes.

Dr. Archer: Mr. Chairman, although I do have some questions, in the interests of time and our timelines I think I'll pass at this point.

Thank you.

Mrs. Cripps: I'd be happy to answer them any time.

The Chair: Mrs. Cripps, thank you very much. Most appreciated, and thank you so much for coming.

Mrs. Cripps: Thank you. My constituency will be sending a letter endorsing the concept.

The Chair: Thank you.

Ms Friesacher: Our next presenter is Ms Heather MacIntosh with the Sheldon Chumir foundation.

The Chair: Just before we do, just so that everybody knows about those bells that are ringing. In the initial address I set out that it's 10 minutes for a presenter, and then we have five minutes for questions, so you're hearing those bells. Just so no one feels alarmed.

Please come forward.

Heather MacIntosh
Sheldon Chumir Foundation for Ethics in Leadership

The Chair: For the benefit of *Hansard* would you be so kind as to give your full name?

Ms MacIntosh: Sure. Hi. I'm Heather MacIntosh with the Sheldon Chumir Foundation for Ethics in Leadership, based in Calgary.

The Chair: Thank you. Go ahead.

Ms MacIntosh: Thanks. Our foundation is a small, not-for-profit, private foundation based in Calgary. I was away when you were in Calgary, so I'm really pleased to be able to come to Red Deer to present our submission today.

Our chief concerns regarding electoral boundaries address issues of fair representation, attention to historic overrepresentation and underrepresentation in future planning, a level playing field, identity of voters, impartial application of special considerations, and transparency in the process.

I'm just going to read a bit here. You have the submission as well. Regarding the democratic principle of one person, one vote our current electoral boundaries leave considerable inequity, most notably in rural overrepresentation and urban underrepresentation. What principles, in our view, ought to guide the commission in aiming for fair representation? I mean, certainly, straight numbers matter, and I'm sure that's come up many times in this process. We're saying that in addition to addressing the current population figures, we would urge the commission to consider past overrepresentation and underrepresentation as well as future demographics to redress historic inequities as well as to ensure that

to the extent possible we approach the one person, one vote ideal for future elections. Presumably, this could apply through to 2020, I believe.

4:25

Specifically, when we looked at some of the figures, Fort McMurray-Wood Buffalo was a concern for us. It was the most underrepresented community in 2004, so the need for redress there is even greater. In addition, Lesser Slave Lake, West Yellowhead, and Dunvegan-Central Peace were all overrepresented in 2004 and look to be even more so now. In current terms Calgary and Fort McMurray, in particular, face underrepresentation. As well, we've seen Edmonton and Airdrie-Chestermere, I think. Those are the top communities where population outstrips the proposed electoral riding average.

Of considerable concern to us is the vast discrepancy between the '06 federal census figures for Wood Buffalo and what we're hearing from municipal census figures. Now, there again, it seems to be confusing, as I'm sure you're well aware. The 2008 municipal census done by the regional municipality shows a different number than what is shown by the Municipal Affairs figures for 2008. Here we're pointing to just over 52,000 showing in the federal census, while the 2008 municipal census for the regional municipality is over 77,000. For 2008 Municipal Affairs is showing over 88,000. I mean, it's such a huge discrepancy. We don't see that anywhere else in the province. We really urge you to look carefully at all of those numbers to make sure that we treat Fort McMurray fairly. If we use just the regional municipality's current census, which is lower than the provincial one, we're looking at 104 per cent more people than the proposed electoral average. Municipal Affairs would be even more drastic, right?

While the Electoral Boundaries Commission Act, section 12, requires that the commission consider the most recent federal decennial census and leaves it to your discretion to consider some other province-wide census, we of course would encourage you to consider all available reliable demographic data, particularly municipal census.

We did a quick analysis of boom-bust period changes in Alberta. We looked at what was on the Statistics Canada interprovincial migration figures. Looking at that – it's provided in some supplementary data if you're interested – we saw that Alberta lost roughly 20 per cent of the people it had gained during the previous cycle. It was 1971 to '81 that we considered a boom period, and then we considered I believe it was '81 to '91 a bust, and the net difference there was 20 per cent. It's a fairly cursory type of work, but this type of analysis could be useful for the commission in its future demographic projections, particularly for communities like Fort McMurray, which are centred in that boom-bust cycle.

As well, we did a review of population changes from 2005 to 2008 based on the data on the Municipal Affairs website. Using that, we found continuing growth in the highway 2 corridor and Fort McMurray particularly pronounced as well as relative shrinking in many, but not all, rural areas. Now, notably for us, the counties east of Edmonton along the Saskatchewan border, which Municipal Affairs would call district 5, Edmonton east, all 13 of those counties with data are shrinking in relative terms – all of them; that was quite striking for us – with the exception of those at the top, bordering Fort McMurray, and at the bottom, bordering Medicine Hat. To plan well for fair representation for the next several elections, likely, future demographics must be considered. At a minimum we believe that the commission should consider recent actual population changes.

Now, given that the new boundaries will apply for an eight- to 10-year period, we strongly encourage the commission to go beyond the

25 per cent population variance required by the act to strive for a 10 per cent ideal. The last electoral boundaries map appeared to aim for 10 per cent and had only five ridings outside the 15 per cent margin. We thought that was well done, and we can and should do as well again.

In order to minimize future inequities and address a significant rural-urban divide, we request that the commission carefully limit the number of electoral districts which are as much as 50 per cent below the average population, the special exceptions. Why? Well, we recognize that while the act permits up to four exceptions along the prescribed criteria in section 15, such exceptions will exacerbate the divide, particularly considering recent patterns of population growth and loss in the province. In addition, we encourage a transparent and impartial process for considering which, if any, divisions may be granted special consideration. That's very difficult given what the last speaker was talking about, the practicalities, for certain, but I think we'd still like to stick with that point about really careful consideration on the exceptions.

Certainly, the commission is expected to recommend changes which are impartial, based on expert opinion, and consider public input. We fully support all efforts to ensure that no politicization of boundary drawing occurs and urge the Legislative Assembly to respect the independent recommendations of the commission.

In addition, the Chumir ethics foundation is concerned about who is being over- and underrepresented. Now, this was really interesting. We had a look at the five least represented districts, which are Calgary-North West, Edmonton-Whitemud, Calgary-West, Airdrie-Chestermere, and Fort McMurray-Wood Buffalo, all with at least 40 per cent more population than the proposed electoral district average. Now, chief characteristics shared by all of these ridings are: predominantly young families, few seniors, 10 to 30 per cent or higher visible minority population, higher income areas with very few low-income residents, and fastest growing communities.

By contrast, the greatest overrepresented areas are Dunvegan-Central Peace and Lesser Slave Lake. We took a look at the same types of identity criteria from the federal census. We did not see a lot of commonality. We looked specifically at four towns: Fairview, Grimshaw, Slave Lake, and High Prairie. Now, there was considerable variation among the proportion of seniors, level of median income for full-time workers 15 and over, pace of population growth or loss; for example, Lesser Slave Lake with higher than average income for full-time and neighbouring High Prairie with lower than the provincial average within the same riding. What all communities do have in common is that they are 96 to 97 per cent Caucasian.

We do not imply that this is deliberate in any way in relation to electoral boundaries. Cities are growing and are attracting the majority of new immigrants. However, underrepresentation of young families and visible minorities is a concern, especially as we see low voter turnout among those 35 and under and among some visible minority communities particularly. These identity findings have implications for the future health of democracy in Alberta, we believe.

Finally, we appreciate the efforts of the commission to seek input from the public, both institutions and private citizens, and we look forward to engaging with you further along the way in this process.

Thank you.

The Chair: Thank you.

Allyson, do you have any questions?

Ms Jeffs: Yes. Thank you, Mr. Chairman, and thank you very much, Ms MacIntosh. Just, first of all, a comment. You spent quite a bit of time talking about the issues around Fort McMurray-Wood

Buffalo and that different census information. Just for information, we are looking at the most recent data and we are as the statute permits us assessing that. One of the issues that has come up in that is what has sort of been termed as shadow population, in the sense of people who are not normally resident but are working there.

Ms MacIntosh: Sure. You know what? When we looked at that, we didn't consider the shadow population because with the shadow population figures for their '08 census it's over 100,000 people. I don't know. I mean, there were so many numbers, to be honest, looking around that it was a little complicated, so we went with what was presented in their submission, which is a more conservative figure.

Ms Jeffs: I appreciate that. Just on the issue of the over- and underrepresentation. We've heard a lot about sparsely populated areas, the challenges of distance and so on, and I think you made reference as well. One of the tools we have to deal with that is these special consideration ridings, where the population might be over 50 per cent below the quotient. It sounds like you have some concerns about that entrenching a disparity between urban and rural.

4:35

Ms MacIntosh: Yes. I would say for sure. One of the concerns related to that is the demographic change that we've seen, just the quick look we did at '05-08. If we used all four, for example, of the exemptions and went with in between, say, a 25 and 50 per cent margin, would we actually hit or surpass 50 per cent by the time 2020 rolled around? I think that is a real consideration in some of these communities, particularly when we see real population decline at a time when our rates show that Alberta has been increasing. A 7.3 per cent increase over the last three years was the average population increase provincially totally, so when you see actual hard numbers, you know, of decreasing populations, it's really quite significant in relative terms.

Ms Jeffs: Do you have any suggestions in terms of guidance on that? There are some practical considerations with the large distances.

Ms MacIntosh: Well, in the Peace Country, I mean, we do have a lot of towns concentrated fairly close together – right? – within that whole region, where you've got several ridings touching each other and where we have seen, you know, the current special exception in the past. I think Lesser Slave Lake was an exception previously, wasn't it?

Ms Jeffs: No, it's not.

The Chair: According to the map you know that it's Dunvegan-Central Peace, don't you?

Ms MacIntosh: That's the current one. I think there were two prior.

The Chair: No.

Ms Jeffs: At present that is the only one.

Ms MacIntosh: You know what? That's a huge geographic area. It's very difficult to comment. I mean, we did draw particular attention to this Edmonton east area because geographically it's not as enormous as the northwest, as the entire north, actually. And we did see relative shrinking in all counties, and that includes Strathcona.

The Chair: Can I just ask a question there? We have the numbers on Strathcona indicating that the two ridings there are now in excess of 10 per cent, and I think one is over 12 per cent above the average.

Ms MacIntosh: Is that Sherwood Park?

The Chair: Sherwood Park and Strathcona are both, I think, between the two of them about 14 per cent over.

Ms MacIntosh: Now, what we had for Strathcona was that we looked at '05 to '08 Municipal Affairs data.

The Chair: We looked at 2009.

Ms MacIntosh: Okay. You know what? Then mine is obviously a year older. Yours is a year newer. What it was showing was 6.18 per cent population growth, compared to the provincial average of 7.3 per cent, so in relative terms shrinking 1.13 per cent is what I actually had for that. That's for Strathcona county.

The Chair: It's wrong. You're talking about the ridings in Strathcona and Sherwood Park?

Ms MacIntosh: No. Actually, I'm not talking about actual riding boundaries. I'm talking about municipal boundaries because that's what is on the Municipal Affairs website.

The Chair: All right. We're talking about ridings.

Ms MacIntosh: Right.

The Chair: That's the subject here.
Sorry, Allyson. Go ahead.

Ms Jeffs: No, no. That's fine.

Okay. Just on the issue of the special riding considerations. I think I had asked you how you would sort of – we're faced with the challenge of raising the practicality, and you mentioned that there are some distant ridings. We can use up to four. We have the current one. Have you thought about what, if any, additional ones would be necessary or other ways to get around what is an increasing trend where you have a depopulating area and you have, potentially, with growth in the rest of the province, the average population per riding going up except in these few ridings? Does the foundation have any recommendations in that regard?

Ms MacIntosh: At this point, no. We'd prefer to leave that to your evaluation.

The Chair: I thought you said to keep them to a minimum.

Ms MacIntosh: To keep them to a minimum, correct. To carefully limit to the extent possible.

The Chair: So if we had to go to four, that would be acceptable?

Ms MacIntosh: Well, that's your legal limit currently. We would just encourage you to carefully limit them and carefully consider the process by which those are considered. I mean, we do not want to see the rural-urban divide exacerbated through the next, you know, sort of 10-year period with the electoral boundaries. That's our chief point on that, really.

Ms Jeffs: All right. Thank you. Those are my questions.

The Chair: Brian.

Mr. Evans: Thanks, Mr. Chairman, and thank you very much, Ms MacIntosh. That's very good information for us. I won't ask any questions at this time other than to just make a comment in reference to your analysis of, well, the ethnic demographics when you were talking about Fairview, Grimshaw, Slave Lake, and High Prairie. That really came as quite a surprise to me, particularly when yesterday, I believe it was – the places start to blend together, but I think we were in Slave Lake yesterday – the MLA for Lesser Slave Lake indicated to us a considerably higher aboriginal and Métis population. It may be that your information is somewhat skewed because of the fact that you're looking at four towns in particular. But I note that you have included Slave Lake. So maybe if we could just ask you to undertake to look at that a little more carefully and update it.

Ms MacIntosh: Sure. I can send you the links from the '06 Statistics Canada website where I got that.

Mr. Evans: Yeah. Because, as I say, the MLA, who we certainly were impressed with in terms of her knowledge of her constituency, gave us a much different picture of the population.

Thanks very much.

Dr. Archer: I have more of a comment than a question, and I guess I'll use my comment to see if I properly understand your advice to the commission. We have the ability to create up to four special constituencies, and in order to be a special constituency, a riding has to meet a minimum of 3 of 5 specific conditions. One way of interpreting your advice in a practical way is to say that if we're going to create a special constituency or more special constituencies, make sure that, in a word, the constituency doesn't just kind of make it under the bar, as it were, of those three criteria. If there are five criteria that could be met to define a special constituency, ensure that the constituency is well beyond the minimum standard for that criteria and also generally look to the constituency meeting as many of those criteria as possible.

For example, one of the criteria is a geographical one. The size has to be greater than 20,000 square kilometres. Well, generally, don't make special constituencies of constituencies that are 21,000 square kilometres. If it's really special, it should be very large to be well beyond that cut-off point. That's one way that I'm interpreting your advice.

The second way I'm interpreting the advice is that, in general, look to ensure that constituencies across the province, leaving aside any special constituencies, are relatively equal in population.

Ms MacIntosh: Yeah. I would say that's fair. I hadn't thought in the level of detail that you're giving and the example about sort of, you know, what exact size or geography, et cetera, but I think so. I mean, the idea there with fair representation is that balance between effective representation, being able to visit presumably all constituents and effectively serve them in terms of the time it takes and the physical distances involved, balancing that well with our commitment to one person, one vote.

Dr. Archer: Thank you.

Mr. Dobbie: Just quickly, Ms MacIntosh. Thank you for the work you've done as opposed to simply saying that we should do more

work on the topics. The detail is helpful. Your perspective is helpful as well. It's interesting. We do receive wisdom from two different paths on this, and I suspect you'll find that the information on the demographics is because you looked at the towns only. If you look at the constituency of Lesser Slave Lake, which we do – it's 27,000, with 7,000 in the town of Slave Lake – the proportion of people in the constituency as opposed to the towns is where the difference is. Clearly, close to 50 per cent in that constituency are native or Métis. You've pulled data from the towns. I suspect that if you expand the net a little wider, it will be consistent with what we see.

4:45

Ms MacIntosh: Right. Okay. Thank you.

The Chair: Thank you, Ms MacIntosh. We're running over time, but that was very good, and we appreciate it. Thank you.

Ms Friesacher: The next presenter is Mr. Phil Elder with the Democratic Renewal Project.

Phil Elder
Democratic Renewal Project

The Chair: Mr. Elder, for the benefit of *Hansard* could you give them your full name, please?

Mr. Elder: Yes. My name is Phil Elder. I'm the president of the Calgary branch of the Democratic Renewal Project, which is a grassroots citizens' organization here in the province. I submitted electronically a longer brief than I will have time to present this afternoon, and I hope you'll have an opportunity to peruse it.

The final report of your predecessor commission and the important jurisprudence on electoral redistricting show that past grotesque disparities and gerrymandering have given way across the whole country to fairer electoral redistricting. Still, our organization has some improvements to suggest to the commission. I do want to thank you most sincerely for the opportunity to appear.

First, some brief historical background. In 1991 the Supreme Court of Canada in the Carter case held that the Charter guarantees, quote, effective representation, unquote, not, quote, equality of voting power, unquote. Still, quote, relative parity, unquote, of voting power is required even if a deviation from the average constituency population of up to 25 per cent appears to have been acceptable to those justices. Quoting from the headnote, "Factors like geography, community history, community interests and minority representation may need to be taken into account to ensure that our legislative assemblies effectively represent the diversity of our social mosaic." Of course, those particular terms are open to interpretation.

Three justices dissented, however, rejecting the statute's strict quota of urban and rural ridings and the requirement that the boundaries of the urban ridings coincide with existing municipal boundaries. This, of course, was a Saskatchewan case. Mr. Justice Cory, speaking for the minority, also suggested that since the previous boundaries had maintained a maximum 15 per cent disparity between the population of urban and rural constituencies in southern Saskatchewan, disparities greater than that might be suspect.

In 1994 the Alberta Legislature created a special select committee of MLAs to redraw electoral boundaries for the province. After somewhat difficult political events the select committee's unanimous report was produced without public hearings by four Progressive Conservative MLAs. The report recommended urban electoral

districts averaging 13.4 per cent more voters than the provincial average, rural ones 8.4 per cent less, whereupon the matter was referred to the Alberta Court of Appeal: did the report's recommendations offend the equal rights provisions of the Canadian Charter?

Clearly unimpressed by the report, the justices suspected that irrelevant matters had been considered such as the political unpopularity of some of the alternatives which had been rejected and the desire to respond to widespread protests from farming communities. Nevertheless, they said, disparity in the number of voters in a constituency could be approved under the Charter as long as it was not a, quote, undue dilution, and variation required case-by-case justification that was not offered by that select committee's report. So the court held its collective nose, and "despite some hesitation, the Court has again decided to refuse to condemn Alberta's electoral boundaries." But it said that "the historic imbalance in the level of representation between agrarian and non-agrarian populations in Alberta . . . cannot be permitted to continue if Alberta wishes to call itself a democracy." The justices expected to see progress, quote, with deliberate speed, unquote, toward reducing the numerical disparities among electoral districts. Indeed, after the 2003 redistribution a mere handful of seats varied more than 20 per cent from the average electoral district's population. However, we contend that inequities still exist and make the following recommendations.

One. Even if the 25 per cent plus or minus population band in your act does not technically offend the Charter, it is desirable to follow the previous commission's avoiding of such a significant disparity, especially if it's a patterned one. The band provides a maximum range, not a direction to use it automatically. In our view, a far fairer maximum leeway in most electoral districts would be 10 to 15 per cent. My own preference would come closer to the 10. Recall that in the 1994 reference the Alberta Court of Appeal, referring to its earlier 1991 holding on the subject, said that it had not

blesed a general discrepancy between rural and urban divisions . . .
Nor did we accept the suggestion that areas in the province with a below-average density of population might expect, without more, to have electoral divisions with below-average populations.

Surely, then, any significant leeway should be limited to individual anomalies, not to an entire class of rural or urban constituencies.

Section 15 of the act, as has already been mentioned, permits up to four electoral divisions with populations of up to 50 per cent less than the provincial average. Today, however, we suspect that that figure would attract judicial scrutiny in any Charter challenge as the, quote, deliberate speed, unquote, approach might now impose a more demanding standard. The previous commission did add at the 15 per cent plus or minus target and also opined that the 50 per cent disparity is too large. Accordingly, the discrepancies they recommended were far less than the maxima allowed, and we commend this more rigorous approach.

Two. Contrary to press reports of statements by Premier Stelmach, we believe that the commission's hands are not tied by the apparent desire to allocate only two additional seats to both Calgary and Edmonton. You have the flexibility to be more inventive. Note that the 2001 census showed that 66 per cent of Alberta's population lived in the Calgary and Edmonton metropolitan areas. The percentage may be even higher today. If this increased population warrants it, we recommend that each metropolitan area be allotted more than two additional seats, allowing some room for projected population growth. Rural areas might not be pleased, but the Alberta Court of Appeal, as I've already mentioned, has explicitly stated that the unpopularity of a Charter right is not a relevant policy reason for failing to observe it.

Three. Our next suggestion may not be strictly within this commission's mandate, but it concerns a significant problem, out-of-

date voters lists. In canvassing in the Calgary-Glenmore by-election, DRP members encountered a significant number of unregistered voters who had lived at their address for up to three years but whose predecessors in residence were still on the outdated list. Since up to 20 per cent of Canadians move every year, the problem may be of epidemic proportion and needs immediate attention. We strongly recommend that the problem of outmoded voters lists be brought to the attention of the Chief Electoral Officer and the government so that it can be rectified.

Four. The previous commission received submissions recommending a change in the voting system from first past the post to some form of proportional representation because of the artificial majorities it often produces. We concur with these recommendations. Under FPTP one Alberta election saw the Conservatives win all but two seats. Liberals in New Brunswick under Premier McKenna won every single seat, and the 2008 Alberta general election saw opposition parties gain only 13 per cent of the seats from about 47 and a half per cent of the votes cast. These results do not seem to constitute, quote, effective representation as mandated by the Supreme Court of Canada, and it is possible that someday a Charter challenge might be launched against FPTP on this basis. The matter is too complex for us to recommend a specific type of PR, but research in different jurisdictions in Canada has favoured the mixed member proportional system used by Germany and New Zealand.

4:55

We recommend that your commission bring the matter to the Legislative Assembly's attention by suggesting that alternatives to FPTP be studied perhaps through a citizens' assembly, as was done in B.C. and Ontario. At the same time, we understand that reforming one area of a complex system can lead to unintended consequences, and our stronger recommendation is for a comprehensive study of all interrelated aspects of our democratic system, as was done in New Brunswick. Such a study should also consider the optimum size for the Alberta Legislature as many believe that the province does not need the third-largest Assembly in Canada. B.C., the third most populous province with 800,000 people more than Alberta, presently has 84 members.

In conclusion, we believe that our recommendations would help further the cause of democracy in Alberta. Anyone who reads Roger Epp's book *We Are All Treaty People* cannot help respecting the stresses and difficulties in the farming and ranching areas and the tremendous problems they face as family farms become less viable and many young people migrate elsewhere. Thus we emphasize that our recommendation to increase the number of urban seats in order to make city dwellers' votes more equal is not meant to denigrate the enormous social and economic contributions the former continue to make to our province. Every citizen, rural and urban, has the right and duty to engage with other Albertans to learn about each other's problems and then to use the political system to help solve them.

Nor do we deny that sparsity of population, especially in the enormous northern reaches of Alberta, requires special consideration. But solving the complicated issues of rural and hinterland areas should not depend on significantly unequal voting rights for urban dwellers because all we Albertans must face the daunting challenges of the future together.

Thank you so much.

The Chair: Thank you, Mr. Elder. I just wanted to clarify one thing for you. That is that as a commission we will independently decide where those four new ridings will be going. Nobody is telling us. You were suggesting that it had been predetermined that there were two and two. That's not the case.

Mr. Elder: I am most gratified and heartily agree. I think that whoever might have said those things might have had a personal wish in mind, but it's clearly not mandated by the legislation.

The Chair: I just wanted to clear that for the record. Keith, do you have any questions?

Dr. Archer: Yes. Mr. Elder, thanks so much for the thoughtful, eloquent, and challenging suggestions. I would have been surprised at anything less than that and much appreciated your comments.

I'd like to pursue for a little bit one of the strategies that could be followed by the commission and invite you to respond to that and see if this strategy is consistent in the main with the ideas that you were proposing. The legislation does provide us with the ability to create some special consideration constituencies, and the criteria are articulated within the legislation.

It's pretty clear what we have to look at in order to create those constituencies. In doing so, one could imagine using those criteria and, following up on my comment from the earlier presenter, perhaps not relying on only three of those criteria but on a more substantial test for a constituency and on a case-by-case basis justify the creation of several of these special consideration constituencies. These would be by definition constituencies that are very large geographically and very sparsely populated. That, of course, by virtue of their creation has an implication overall in the province for representational equality because if you take two or three or four constituencies and make them much smaller, the rest by definition have to be larger.

Given the initial decision to create several special consideration constituencies on a case-by-case basis, if the commission then proceeded on the strategy of using the principle of representational equality in a manner that is not at all inconsistent with what you're suggesting, maximum ranges of plus or minus 10 per cent and in many cases having variations, in fact, that are substantially less than that so that across the province as a whole we move towards a very substantial degree of representational equality with a small number of clearly justified exceptions, what would be your response to that kind of a strategy, and do you see it as being consistent with the recommendation that you're bringing forward?

Mr. Elder: I'm, quite frankly, torn on this issue. Having looked at the present electoral map, I see the enormous size of some constituencies. Frankly, I think your predecessor commission did a pretty fabulous job in coming up with the boundaries. The only caution that I would have is the question of whether your decision and the legislation under which it is made might be subject to a Charter challenge because of the deliberate speed of reducing the disparities. Otherwise, if you can do it within a tighter geographic or population band, I see nothing wrong with it whatsoever. Were I an MLA representing that type of area, I hesitate to think how many hundreds of thousands of kilometres I would have to put on in my vehicle or on the bus or in the airplane to give adequate representation. I think it's an enormous challenge, and I respect those MLAs immensely.

Dr. Archer: Yeah. That was my main question. I appreciate your response.

Mr. Dobbie: My question, sir, is just specifically relating to deliberate speed. Certainly, one way of interpreting that is to say that there might have been 25 constituencies that were beyond an acceptable 10 per cent range 10 years ago. If we can pare that number down to three, five, while we haven't solved the problem completely, that's certainly a significant step. That might be one

way of interpreting deliberate speed. We may not be able to get them all, but if we get 84 out of 87 to within that band, might that not meet the test of the Court of Appeal?

Mr. Elder: My hunch is that the court would be sympathetic to that solution. While we all admit that the question of equality of representation is certainly a daunting one, there are these anomalous circumstances which have to be responded to.

Mr. Dobbie: Thank you very much.

Ms Jeffs: Thank you very much, Mr. Elder. My two colleagues have already touched on the areas that I was interested in talking to you about, but I wanted just to thank you again for the thoughtful presentation. We will be taking it under advisement.

The Chair: Brian.

Mr. Evans: Thank you, Mr. Chairman. Again, Mr. Elder, thank you very much for your presentation. I have nothing further. It's very clear. You recognize that it's a daunting task, and indeed it is.

Thank you.

Mr. Elder: May I just conclude by thanking you for your patience and for not interrupting when I strayed from your formal mandate.

The Chair: Well, I want you to know that we appreciate all the speakers that have been here today. There are differences of opinion from various speakers, but we've got to take it all into consideration – and we will – and come out with our recommendations. Then there will be a further round of public hearings, and you'll get a chance to comment on our deliberations.

Mr. Elder: Thank you.

Ms Friesacher: Our next presenter is Mr. Dale Boddy.

Dale Boddy

The Chair: Just before you start, Mr. Boddy, I understand that we may have two speakers that might want to present. All I'm adding to that is that if you wish, we'll certainly hear you. We're a little pressed for time, but we'll make the time. It's up to you.

5:05

Mr. Boddy: Great. I'm eager to present to you.

The Chair: Dale, would you be so kind as to give your full name?

Mr. Boddy: Yes. My name is Dale Andrew Boddy.

On Thursday, November 19, 1863, Abraham Lincoln's last sentence in his Gettysburg address contained the phrase "government of the people, by the people, for the people." Lincoln was simply stating the obvious, that government is about people. It's not about regions or urban-rural splits or even about the distance between people. His first sentence in this speech tells us why. He so eloquently reminds us that government is about people. He started thus: "dedicated to the proposition that all men are created equal." I believe the mandate of this commission is to recommend how that sentiment, the equality of all, should be applied in Alberta.

Population information from the current electoral divisions shows that 2.34 votes in Calgary-West equals one vote in Dunvegan-Central Peace. Simply put, 55,571 voters in Calgary-West elect one MLA while 23,649 voters in Dunvegan-Central Peace elect one MLA. In Alberta this is unacceptable marginally. The law allows

a 25 per cent variance up or down from the average population in divisions plus four exceptions. It is expected that the commission will use the proposed average population of 37,820 voters, meaning no division will have more than 47,275 voters. The minimum allowable voters per division will be 18,910 in up to four divisions and no fewer than 28,365 in other divisions. That potentially means that a vote in a special consideration electoral division will be 2.5 times as much as a vote in the large but ordinary electoral divisions. The electoral boundaries legislation states that the reason for this disparity is big spaces and few voters.

What do other jurisdictions do, specifically other areas where farms and forests predominate? Well, other western provinces have recently examined their electoral divisions. In Saskatchewan a dividing line separates northern and southern constituencies. With the exception of two northern constituencies populations are to be within 5 per cent of the average constituency population quotient; 5 per cent.

In Manitoba the electoral commission may vary populations by 10 per cent up or down for districts south of the 53rd parallel. Northern districts are allowed a 25 per cent variance.

In British Columbia the case is made for more variance. With 16 per cent of the population occupying 86 per cent of the land mass, the electoral commission demonstrates sparsity by stating land mass and population for each division. The rules are that a variance of 25 per cent is allowable in all but five districts, where the variance can be more. In British Columbia the electoral issue has been labelled “beyond Hope.” The meaning is that voters resident beyond the urban metropolis of the Fraser Valley outward from the town of Hope have been marginalized.

In Alberta it’s just the opposite. Voters outside of rural Alberta are marginalized. The reason is simple: there is an elephant in the room, and that elephant is the Progressive Conservative Party of Alberta. Of the 32 divisions in Alberta with lower than average populations two are in Edmonton, one is in Lethbridge, and 29 are in rural Alberta, and rural Alberta votes Progressive Conservative. “So what?” you may ask. “All of Alberta votes Progressive Conservative.” While that’s true, should it mean unequal representation? Why are we disadvantaging some voters by giving special consideration to others? Is it necessary? Does anyone care how it affects government policy?

The website inviting submissions makes this statement:

The Electoral Boundaries Commission welcomes input from all Albertans about the boundaries and names of the electoral divisions.

The commission will be particularly interested in your advice on any places where you think the existing boundaries

- slice up natural communities of interest
- don’t respect natural boundaries, like rivers
- include areas which have little in common

and your suggestions on how these or other concerns regarding the boundaries might be corrected.

In Alberta we are not to ask why something is. We are only to give advice on how to improve what the government has decided. No one is invited to comment on why Alberta voters are to be treated so unequally, but the mandate includes the chance to comment on any other factors the commission considers appropriate.

I’ve lived most of my life in rural Alberta, and I know that rural people are hard working, and so are their MLAs. I know that rural life is not easy and that issues need to be addressed. But is this so much different than for Albertans living in urban areas?

When people are recognized as special because of where they live, they begin to believe it. Being special makes them think that they’re better than folks elsewhere. When I lived in rural Alberta, we saw cities as inefficient and wasteful. So did government, and cities, especially cities that didn’t vote PC, were treated less favourably. But cities are growing, and rural Alberta faces shrinking populations.

Given current legislation, maybe sometime way, way in the future – sometime – urban Alberta will have more MLAs than rural Alberta. Will urban Alberta gang up as rural Alberta has done?

Will hospital beds still be closed in urban Alberta so that rural Alberta can keep a disproportionate number of beds and jobs? I took that from the *Edmonton Journal*, September 19, 2009, page A18. Will the Solicitor General review charitable casino proceeds with the explicit aim of distributing a bigger share to rural charities? That’s from *Insight into Government*, volume 24, number 6, page 6, under Casinos. I hope not. Revenge may be sweet, but it’s not fair, and it’s self-perpetuating.

I’m asking this commission to recommend means to level the playing fields between rural and urban voters, replace good Conservative government politics with policies that will be good for Albertans, respect voter equality, restore electoral fairness, recommend a change in this law and how it’s practised.

Thank you.

The Chair: Thank you.

Brian, do you have any questions?

Mr. Evans: Thanks, Mr. Chairman, and thanks, Mr. Boddy. Your presentation is very clear.

Mr. Boddy: Thank you.

Mr. Evans: Just as clear to the commission and to all of us here is that while we are certainly tasked to try to ensure equality of votes, effective representation has been interpreted by the courts, and we are very much trying to ensure that we create a situation where there is effective representation for all Albertans.

What would be helpful to us would be to hear from you as to what variance from absolute equality, which the courts have said is not realistic – although it should be a goal, it’s not realistic just because populations don’t live in exact same situations with exact same distances from the Legislature, et cetera. What variance would you consider to be reasonable in a democratic society such as Alberta? What factors that the courts and the legislation now suggest to us are appropriate factors to take into consideration in any variances should be included? What should be excluded? Those are a lot of questions, but your presentation begs some of those questions.

5:15

Mr. Boddy: Sure. I don’t envy your job. I’m looking at you and thinking that you’re all capable and all smart, and I’m looking at Saskatchewan and saying: gee, are they that much smarter in Saskatchewan that they can use 5 per cent? I don’t know. Are they? I don’t think so. I think if you want to, you can do it. If the mandate is voter equality, then you can do it.

Distance. I lived in Provost. People came to hockey practices 30 miles one way. They did that sometimes four times in a day. You know, it took longer for them to travel that 30 miles than it took me to go from my son’s house in south Edmonton to see my brother in the Glenrose hospital in Edmonton. I mean, distance is overplayed. People get around fast. People drive quickly; they drive all over. Distance isn’t that big of a deal. We’re not in 1910 when my grandfather took cattle from Waterglen, Ferintosh to Wetaskiwin and it took three days. It’s pretty easy to travel nowadays. What’s the difference? How often do I see my MLA? Never. How often do I need to see my MLA? Never. Some people do. But it’s not the distance that’s the big deal. If people want to go for the distance, they go.

I don’t see why 5 per cent isn’t possible. I don’t see why 10 per cent isn’t possible. I just don’t think this gerrymandering to keep

rural Alberta happy with the PCs is honourable and fair, and I think there's going to be a price to pay down the road.

Mr. Evans: Yeah. I wasn't trying to put you on the spot about giving those answers now. We do have additional time, till the 13th, to accept further presentations before the interim report that we'll be preparing, and then there will be additional time afterwards as well. So we'd welcome additional comments from you at any time.

Mr. Boddy: Great. Thank you.

Ms Jeffs: Thank you very much, Mr. Boddy. Just a couple of comments. While my colleague here on the commission has given you some homework, if you have some other suggestions on, you know, your general comment that we should be trying to level the playing field between rural and urban voters, we would welcome that. I mean, we are certainly struggling with that, appreciate hearing from someone who lived in rural Alberta who says that the issues of distance are decreasing a bit as we go forward and are not what they once were. I do appreciate that. Yes, our deadline is the 13th of October for further comments.

Thank you very much.

Mr. Boddy: You're welcome.

The Chair: Keith.

Dr. Archer: In the interest of time I'll pass. Thanks.

The Chair: Peter.

Mr. Dobbie: Thank you. The only thing I'd like you to also consider is that we've heard that inner-city constituencies might merit consideration for a lower size of population. If you're thinking about things in general and you're passionate about this, we'd like to hear from you on that as well.

Mr. Boddy: Sure. Thank you.

The Chair: Thank you.

Now, if there's anyone else that would like to come forward and give us their thoughts, they're welcome to do so. We do have some time constraints, but please feel free.

Ray Prins, MLA Lacombe-Ponoka

Mr. Prins: Thank you very much. My name is Ray Prins. I'm the MLA for Lacombe-Ponoka. Hon. Chairman and commission members, I was to one of these meetings about eight years ago, I think, when they did the last review, and I did speak then. I was the reeve of the county, and we had some issues. So we spoke, and those issues were taken into consideration, and the boundaries were moved in my area. My area on the map right behind you is just above Red Deer, the constituency of Lacombe-Ponoka.

I know that your job is a big job, to try to be fair to all people in the province. I've heard a little bit about the comments about the rural and urban divide. I think that boundary changes are inevitable, and you have to not only be fair in the way you do it, but you have to be seen to be fair, perceived to be fair by all people. In the end I know that you'll do the right thing.

I've spoken with Mr. Evans many times in the past. In fact, the last time we met at a big meeting, I was the chairman, and you were the presenter.

I know what you're up against. I've heard a little bit about variances between rural and urban communities. I'm not going to complain about my situation. I think that I'm slightly over the average of the province in my constituency. I have a good relationship with my constituents, although it was difficult to get going as a new MLA in a new constituency because that one was amalgamated from two others eight years ago. It was one of those where the rural area lost a seat between Edmonton and Calgary, and I think north of Calgary they lost another one. But mine was a new area, and I think that when new constituencies are formed, it takes a while to work as an MLA's office regardless of which party you might be a part of. We have different parties around the province.

The commonalities between communities in the constituency is very important. Communities work together a lot. I as an MLA work a lot with the municipalities, and the municipalities work with each other on common issues like water lines and transportation and commerce. All kinds of things happen within an area that communities work together on. The councils work together. Businesspeople work together. They have common issues, so they like to work with one MLA in an area, and you have to take that into consideration.

I'm just going to mention what I have in my constituency, and I think it's a very average rural constituency. There are 15 municipalities, four of them rural counties, four school divisions, and four different hospitals. They used to be all in the David Thompson; now they're in the provincial region. We have all the normal constituent concerns that any MLA in a city or rural area would have when working with all the departments of the government. In addition to that, in my area I have a very intense agricultural community, a very large petrochemical community, oil and gas throughout the area, and lots of environmental issues due to development pressures and big rivers running through here and heavy industry. So we have a lot of issues that I deal with as an MLA.

I chair the rural caucus for the government, so I hear about these issues from around the province. I deal with all the rural MLAs in the province. I have a lot of stakeholder meetings with them and know what the issues are. I don't want to compare that to the big city MLAs, but if you're in a big city – and Mr. Evans was an MLA once. Maybe you weren't in a big city. You were out at Banff, was it?

Mr. Evans: Banff-Cochrane.

Mr. Prins: Yeah. Okay.

If you're in Edmonton or Calgary, you might have 20 MLAs dealing with one council, in the past one hospital or health board, and maybe two main school divisions. The mayor of a big city doesn't want to talk to a whole bunch of MLAs; he wants to talk to the minister, you know. They have different issues. I know that they have inner-city issues, and they have different issues that they deal with.

In addition to the stuff that I have to do, dealing with the industrial and the rural kind of issues that we have, we have distance. I know some people have said: well, distance is nothing. I know how long it takes to get across Edmonton, but you might cross five constituencies. I know how long it takes to get across my constituency, and it's more than an hour. If you go across and back, it takes you two hours. If you're in Dunvegan-Central Peace or some of those, you could be on the road all day to go to one meeting. You could drive five or six hours to get to one meeting. There are some of those in southern Alberta as well. So I know that there are issues.

I don't know if it's part of your mandate to change the 25 per cent variance. I see this in the little flyer that you have.

The Chair: It's not.

Mr. Prins: It's not in your mandate. So you're stuck with that.

I don't know if it's fair or not, but I think it's reasonable in the province that we live in, so I'm not going to even comment on that. I do know that in other parts of the country both federally and provincially MLAs and MPs have huge, huge variances in the number of people that they represent. I think that that's probably acceptable; it has been for over a hundred years in Canada.

5:25

I know that Prince Edward Island has four MPs, each one having about 30,000 constituents. In Ontario the MPs and the MLAs share the same boundaries, so there's an average of about 130,000 to maybe 135,000 constituents per MLA and MP in Ontario. I said that PEI has about 30,000 constituents per MP. I think they have 24 or 27 MLAs, probably about 4,000 or 5,000 constituents per MLA. The Northwest Territories and the Yukon, I'm sure, are around 1,200 to 1,500 constituents per MLA. In Alberta I think the average – I'm not sure what it is – if you look on this little thing here, it's around 30-some thousand.

The Chair: Now with the new figures it's 40,583.

Mr. Prins: Okay. So it's about 40,000 per MLA.

It's different right across the country. There is no standard figure, there is no ideal figure, and there's no perfect figure. It varies right across the country. So we don't need to waste a lot of time debating what's perfect and what isn't.

Each area, of course, has its own huge amount of issues. Everybody thinks they're important, and everybody does the best they can. I'm sure that there will always be criticism of one system or another because of people's own desires or political stripes. I think I heard a little bit of that here today. I'm not going to comment on that other than the fact that I happen to be one of the government MLAs, and I don't want to prejudice your work or your perception of the way I do my work. I just wanted to make those comments.

I want to thank you for your work. It's a huge responsibility, and I look forward to the outcome. I have no problems with my constituency, so I'm not here to ask for anything or change anything because I'm quite happy with the way it is. Now, my constituents might not be, but they have the opportunity to present as well, so I'll wait for them to do that.

The Chair: Thank you very much.

Are there any questions?

Mr. Dobbie: I have a specific one. We've heard the 30,000-foot view from you provincially. Could I take you down to 3,000 feet, and can we look at your riding? When I take a quick look at your constituency and the adjacent constituency of Rocky Mountain House, you're about 5 per cent above the new quotient; they're about 5 per cent below.

Mr. Prins: I think I'm 14 per cent above.

Mr. Dobbie: Well, the new quotient.

Mr. Prins: Oh. Okay. Yeah.

Mr. Dobbie: You're roughly 43,000; they're 38,000. You're roughly 2,000 above; they're 2,000 below.

In establishing principles, if one of our principles is to have equality of constituencies where we can as close to the average, a solution might be to move approximately 2,000 people who are

within your constituency to the constituency to the west. In that area that would seem to be the town of Rimbey and perhaps some area around that. Again, for this purpose assume our principle is equality where possible. Is there a particular reason why we could not move that area from your constituency to the adjacent constituency, and if so, why?

Mr. Prins: That's a really good question. I think that was part of the recommendation the last time around, but the people of Rimbey asked to stay in the constituency that they were in before. That was the Ponoka-Rimbey constituency. It's because of trade routes. They have more of a direct connection to Ponoka. They come down highway 20, and they move to Red Deer for their trade, you know, the commerce, and they've worked well within the county of Ponoka. Rimbey and Ponoka are both within the county of Ponoka, and it's a natural kind of division there.

I know that that question has been asked. In fact, the first recommendation eight years ago was to split the town right in half and just follow highway 20 right through there. That wouldn't have worked. I think the solution that they found at that time was good. If there's a desire by the commission to change it – I'm not going to make that recommendation because I don't want to go on record as saying that I don't want Rimbey.

Mr. Dobbie: We know you love all your constituents.

Mr. Prins: I love all my constituents. I have good support right across, and I have a good working relationship with them, so I don't want to be the one to say do this or do that. No. I won't say any more. What I'm saying is that anything is possible.

Mr. Dobbie: You are saying more.

Mr. Prins: But I'm not going to tell you what to do with Rimbey.

Mr. Dobbie: Thank you. I appreciate that. Thank you.

The Chair: Keith.

Dr. Archer: My question was also about Rimbey, so I'll pass. Thanks.

Mr. Prins: Sure. I'd be in hot water if I said anything about Rimbey.

Ms Jeffs: We won't put you further on the spot, then, sir. I don't have any questions. I think time is pressing. Thank you very much for your presentation.

Mr. Evans: We do appreciate the difficulty of making any comments about your existing constituents. Thanks very much, Mr. Prins, for your contribution. We appreciate you being here today.

Mr. Prins: Yeah. And I'd just say: God bless you in your work because you're going to need it.

The Chair: Thank you, Mr. Prins. We may need it.

Are there any further presentations? If there are, fine, and if there are not, we will adjourn.

I see no one else standing up, so we're going to adjourn.

[The hearing adjourned at 5:30 p.m.]

