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THE HONOURABLE BILL BARISOFF, SPEAKER

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LIEUTENANT-GOVERNOR
His Honour the Honourable Steven L. Point, OBC

THIRD SESSION, 38TH PARLIAMENT

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Honourable Bill Barisoff

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CONTENTS

Thursday, November 8, 2007
Morning Sitting

Routine Proceedings

	Page
Second Reading of Bills.....	9185
Electoral Boundaries Commission Amendment Act, 2007 (Bill 39) <i>(continued)</i>	
M. Karagianis	
L. Mayencourt	
B. Simpson	
R. Hawes	
C. Trevena	

THURSDAY, NOVEMBER 8, 2007

The House met at 10:02 a.m.

[Mr. Speaker in the chair.]

Prayers.

Orders of the Day

Hon. G. Abbott: I call continued debate on Bill 39, Electoral Boundaries Commission Amendment Act, 2007.

Second Reading of Bills

ELECTORAL BOUNDARIES COMMISSION AMENDMENT ACT, 2007 (continued)

M. Karagianis: I stand today to respond to the Electoral Boundaries Commission Amendment Act, Bill 39.

It is very puzzling that one more time this week, I'm standing here in the chamber to debate against what I consider to be an undemocratic piece of legislation that's been introduced in the House.

You'll forgive me if my voice gives out. It's been a long week of debate against the TransLink changes and amendments to that governance. Interestingly enough, we see in the same week this electoral boundaries amendment.

If we look back on the history of this topic of the whole genesis of the Boundaries Commission, this was born out of political interference in how electoral maps were drawn historically here in British Columbia.

[K. Whittred in the chair.]

There was a time not so long ago when, prior to an election, the government in power would sit in the Premier's office, pull out the map and say: "How can we maximize our potential to win the next election and define where electoral boundaries will be?" The Premier and his handpicked staff of the day would sit and basically redesign electoral boundaries based on their own political expectations, needs and desires.

[1005]

As a result of probably one of the most notorious events coming out of that — the infamous Gracie's finger, where a very peculiar map was drawn in order to capitalize on voters' tendencies towards a specific candidate, and the scandal that was created here in the province — was born the idea of an independent boundaries commission and a legislated mandate that every ten years they would, in a very democratic and independent way, look at electoral boundaries and determine the size of ridings going into an election.

I know that for most of the citizens of British Columbia, something that is not uppermost on their mind every day is: "Where is my electoral boundary, and what does it mean to me as a voter in the next election?" In reality, this is a very important role that the independent electoral commission plays, because in

fact it determines democratic representation here in the Legislature. Much as this is viewed at the federal level, the municipal level and again here at the provincial level, it is important for how we represent voters and how we offer them representation here in the House.

The independent commission concept was legislated and set up so that an independent body would look at the boundaries in a constituency and would determine, based on population growth or population decrease, where those boundaries would lie so that all voters in British Columbia were guaranteed equal representation — that their voice would be equally represented here in the Legislature.

We've had this process for a number of commissions at this point, where they have gone out independently and looked at the boundaries. In 1996 the commission looked at the boundaries. It was early on in my days running for local government in my community of Esquimalt. I remember that process where the Electoral Boundaries Commission looked at all of the statistics, the growth, the demographics of British Columbia and determined that based on increased population, in some areas the boundaries would be moved slightly. That resulted in what we have now, the 79 seats across British Columbia which are represented by the 79 individuals here who have been elected to the House.

That particular map stayed in place for a decade. Now we see that we have reached the end of that legislated period of time. It is time for the Electoral Boundaries Commission to once again look at population growth or decrease in various areas of British Columbia and determine what the electoral boundaries would look like for the 2009 election.

When this legislation was introduced for this particular Electoral Boundaries Commission, the mandate that was given to the commission by government was fair. It offered them all of the independence they required. It gave them the leeway to add up to six seats in the province if the population change required that. That mandate was very clear, and it seemed to be very equitable.

The commission began a process of consultation with British Columbia. It travelled around the province and said: "This is our mandate. We have now been given the option of looking at how populations have been redistributed over the last decade to determine where we might wish to add seats — up to six above the 79 that we currently have. Somewhere in that range we can determine the new boundaries."

This process actually cost the taxpayers a considerable amount of money, as you can imagine. This is a commission of individuals that went around and held public meetings for over a year and, at expense to the taxpayer, determined that there was considerable population growth and change in some areas of the province over the last ten years and certainly some reduction in population, especially in some of the more remote rural areas and in the north.

The commission took in all of the public consultation that they were required to over this time period, spent the taxpayers' money wisely, I would say, and sat

down and determined what the new electoral boundaries map would look like for the 2009 election.

[1010]

Therein begins a series of events that I think have brought us here today and, actually, have compelled me to stand up here and speak on behalf of my constituents and again speak to the issue of democratic representation — and independence, I would say, as well.

Certainly politicians — more, I think, than voters — were compelled to really watch the results of the electoral boundaries shift, and I think we had much more stake in it personally. Those of us that run for office take sort of proprietorial ownership. We become possessive about our constituents, our constituencies, and we do really watch very closely any shift and change that's happening in our community.

I would say that it was with some surprise that all of us viewed the draft report that the Electoral Boundaries Commission tabled in August. There was a great deal of concern immediately voiced by, I think, everyone who had been watching this process with some keen interest. It became very obvious immediately that the commission had viewed the decreasing population in northern and rural British Columbia in a much more stringent manner than we might have anticipated and, in fact, had allocated fewer seats to that area of the province than currently exist.

Equally surprising, the commission had gone through and basically, really, rearranged all of the boundaries for many areas of the lower mainland and certainly here on the Island — again, looking at how to evenly distribute representation for voters in the coming election and for their elected representatives, the Members of the Legislative Assembly who would be elected to sit here.

The report came out. Everyone who had a keen interest... Politicians mostly but certainly others — community leaders who had a keen interest in how representation would be mandated out of this commission — took a keen interest, and immediately there was much commentary.

The commission tabled their draft report and then began a series of open consultations with British Columbians, saying: "This is what we're proposing. What do you think?" There was already in the first days some reaction from politicians, from community leaders, but to give the commission their due, they had only begun the consultation process when a very startling series of events took place.

Rather than allowing the commission to go about doing its full consultation process based on its first draft and based on what they were immediately hearing from rural communities about the reduction in representation, the government took the very extraordinary steps of halting the process — halting it completely — and saying: "We actually do not agree. Despite the fact that we mandated the commission, that we sent them on a journey and said, 'You can add up to six seats,' we don't agree with the results. Not only do we not agree with the reduction of rural seats; we actually don't agree with a whole number of other things here."

So we begin to see the first stages of a very, very clear political interference in an independent process. It's very interesting. When I listened to the Attorney General's comments in tabling this yesterday in the House... In his opening comments the Attorney General has framed this government interference in a process in such a way that he has said that the government has given notice of its "intention to give updated instructions to the current Electoral Boundaries Commission."

Madam Speaker, I find it quite ironic that this is now being couched as updated instructions. This was legislation that was presented to the Electoral Boundaries Commission, was tabled in the House and had a very clear mandate. The commission went about doing exactly what that mandate was. Rather than let the next part of the process take place, the government now feels it necessary to halt that process, stop the process of the Electoral Boundaries Commission, and to now give updated instructions.

[1015]

One has to wonder: did the government get it wrong the first time it tabled the legislation? Was the original mandate given to the commission wrong? Has the government had a revelation in the last year?

Certainly, the commission had intentions of consulting and looking at that draft map. Actually, precedents have shown us that in the past when maps have been drawn and communities actually have responded in the negative about lack and loss of representation, especially in rural and northern British Columbia, the commission quite likely would have heard that and looked seriously at how they would replace that rural representation that was lost within the mandate they had originally been given. But unfortunately, that mandate has now been pulled out from under them, and the government has determined that it will now update instructions.

Interestingly enough, the updated instructions are no longer giving the commission a mandate of complete independence. In fact, they're very prescriptive. The updated instructions here are very, very specific on what it is that government is now requiring the independent commission to do. And you have to actually compare those two words — an "independent" commission that's now being "required" to do a number of things.

Certainly, no one in this House in any way feels that rural representation is at stake in the earlier report of the commission, and I believe they would have clearly heard that in the consultation process and would have taken steps to repair that aspect of their draft report. We will never know that, though, because in fact the government has interfered in that process and is now delivering a new requirement to the independent commission, which in itself takes away all semblance of independence.

The government requiring the number of electoral district seats to be returned to rural British Columbia is in itself certainly nothing that you could oppose. But it's also now requiring, instructing, the commission to produce 87 electoral seats. So the commission that was originally charged with delivering up to 85 is now being told: "No, now it's 87."

You have to ask yourself again: what happened? What was the revelation that occurred in the last year with the government that originally gave a mandate of up to 85 seats? The commission delivered a report of 81 seats, and the government said: "No, wait. We actually want 87 seats."

I don't understand. It's not clear in this process exactly what revelation occurred to the government to make them determine that all bets were off on the previous mandate and that now there's a new mandate that has no flexibility, no independence for the commission. "You will be required to deliver these results."

On that basis, I am opposing this bill. I believe that this bill once again takes away all independence from this commission and requires the commission to deliver a specific outcome. It's no longer independent.

In fact, that goes against every one of the basic tenets of this commission being established in the first place. Let's remember that the commission was put in place because the citizens of this province had determined that they did not want politicians sitting down and determining maps that would, at the end of the day, deliver a specific outcome that favoured those drawing the maps.

Yet we see the very same germs of the kind of political interference that occurred before the commission was put in place. Now we see it in the requirements that are being given here to the commission.

I would like to argue here for a much more practical and pragmatic outcome at the end of the day. I think, based on the fact that the public is not calling out for more politicians by far.... In fact, the Premier himself, in opposition, said that it was time for politicians to lead by example. "I am committed to reducing the number of MLAs and eliminating gold-plated pensions." That was from the Premier while he was in opposition. "I am committed to reducing the number of MLAs."

[1020]

Yet we have a bill introduced that said: "You are now required to deliver 87 seats into this House." If that's not delivering more MLAs.... It's a complete contradiction in terms.

We have much public opinion, both from voters and certainly from pundits, that the last thing we require is more politicians in British Columbia and that in fact this kind of manipulation in delivering more politicians has a much more political outcome expectation.

We can clearly see, by the parameters being drawn for the commission and by the letter that the Premier himself made very public in September, that there is an expectation that these seats will be delivered in areas that will give the government the outcome they want — more representation in areas that already favour their political ideals.

I would stand here today to say, first of all, this is enough of squandering taxpayers' dollars. I think the public are getting fed up with their tax dollars being squandered on projects that get thrown out. We see this from this government — a new flavour of mandate every single year in the throne speech. Most of these

have initiatives and money thrown at them, and then they disappear.

This, again, is the kind of squandering of taxpayers' dollars that I think voters find totally unacceptable, completely unacceptable. A lot of money has been spent on a process that the government then stopped — cut off in mid-process, cut off before the full consultation could occur.

Right after the draft was delivered, they said: "Enough of that. We're going to start a new process here. We're going to require the commission to give us an outcome here." Frankly, the time frame that we've got left before the next election makes me wonder what kind of public consultation will even be possible in this and what that's going to cost the taxpayers.

I stand here in the House today and say that a more pragmatic, more practical, more thoughtful and respectful outcome for this province would be to hold 79 seats and have the commission redraw the maps to give us 79 MLAs in British Columbia — not 87, not 85, but 79. I believe that we can continue to maintain the number of Members of the Legislative Assembly and deliver the kind of representation that British Columbia still needs and deserves.

We have Members of Parliament who cover much larger areas and have many more voters in them, and they are quite capable of that kind of representation. So it seems to me that we, at this point in our history, do not need to be adding more politicians, do not need to be squandering more taxpayers' dollars.

We need to maintain the representation that we have now for rural British Columbia and for urban and suburban British Columbia. I don't actually see any rationale at this point for us adding all of these seats. I believe that the commission can do its job of defining a map that delivers equal representation to rural, remote and northern British Columbian communities and continues to maintain the kind of representation that they have in the House now.

In fact, all of the maps can be redone — as they have been done historically, where boundaries were shifted slightly. They moved slightly larger or slightly smaller in response to population growth. So I don't actually see the rationale for us adding all of these seats, all of these politicians, all of these expenses to the tax bill of British Columbians.

Frankly, British Columbians are watching very closely how many times the government reaches into their pocket and picks out dollars and puts them into some of these projects. In fact, I think it's more important than ever, Madam Speaker, as we see growing pressures throughout this province on families to pay their mortgages, to raise their children, to be able to afford the kind of lifestyle that's becoming more and more expensive here. I think British Columbians have said, "Enough," to us squandering taxpayers' dollars on political interference and a political project of this nature.

[1025]

Until I hear from someone a rational argument that says 79 seats — with a commission looking again at

how those maps could be redistributed to give 79 representatives the kind of boundaries and the kind of constituencies that could bring good, solid representation into this House — then I don't see any rationale whatsoever for supporting this bill.

In the last few days I have stood in this House and talked about a number of other very significant pieces of legislation where the government really is imposing their own expectations, their own political gains — outcomes that they themselves can control ultimately and infinitely. I've stood in this House and spoken against that.

In fact, on the TransLink bill itself we will continue to speak against it if the government brings that debate back in here, because it's yet another example of the government imposing something that is not about fair and democratic representation — where the taxpayer can rely on the representation in this House being real, cogent and effective.

I know that the taxpayers.... Although they are not compelled, the top thing on their minds is not our compelling them to be worried about the electoral boundaries and: "Where are my electoral boundaries going to be in the next election?" I know that at the end of the day, they want us to spend their tax dollars effectively, and that is not by putting more politicians into this Legislature. It is by redistributing those boundaries in a way that allows for fair representation in this House and that doesn't add to the tax burden of taxpayers in this province.

Madam Speaker, I would at this point urge the House to vote against Bill 39 and, if the government wants to send a clear message to the commission, say: "Go and look at a map that will redistribute population changes based on 79 seats in the House. Preserve rural representation. Redistribute urban representation. Bring us back a map like that." That would be a responsible representation on behalf of the public and the voters of British Columbia.

In addition, I see that the bill anticipates requiring the Electoral Boundaries Commission to deliver 87 members out of an STV. Frankly, I think one of the messages that also should be delivered here is that this map has not delivered us any kind of proportionality. That would have been one other piece of the consultation process that has been missing by the government immediately calling to a halt all further consultation with the commission.

I urge everyone to turn down Bill 39 and to call for 79 seats in this House and a redistribution based on that. That's fair and equitable. That does not cost the taxpayers more. It does not squander their dollars needlessly. They expect us to be responsible with how we spend those tax dollars, and I expect to make that representation here on behalf of my constituents.

L. Mayencourt: Madam Speaker, just before I start my comments on Bill 39, this is the first time you've been in the chair since you've been elected to become the Deputy Speaker. I want to congratulate you on that very significant achievement, and I wish you the very

best as you sit in that chair through this next session. I look forward to having lots of great debates in this chamber with you presiding over it in a fair and balanced way. Congratulations to you.

I am very, very interested in Bill 39. I actually had an opportunity in about 1999 to appear before the Boundaries Commission that was determining what the boundaries would be for 2001.

That was a very important process, because in my neighbourhood a lot of change was occurring. My neighbourhood is downtown Vancouver, and it runs from Main Street to Stanley Park and from False Creek over to Burrard Inlet. It's a very, very densely populated area. Back in 1993 or 1994 — actually, I think the census was done in 1996 — in that area of the town of Vancouver, there were 45,000 residents.

[1030]

That's a pretty densely populated area, and most of those people lived in what's called the West End, which is sort of the heart of Vancouver-Burrard. People are living there in apartments, in townhouses, in condominiums and so on. There are a very, very great number of these people living there, but as the years went by, we started to change the riding quite a bit.

Just in the last several years Coal Harbour has appeared. Coal Harbour is a brand-new neighbourhood. I think a couple of thousand people have moved into that neighbourhood alone. It's just below the Bayshore, and it's a very important part of our community. It is home to a lot of residents, and it is also home to a lot of mature residents — people that I would call empty-nesters, people that have had their children grow up. They've sold their home, and they've moved into a condominium because they want to live in an urban setting. They want to be represented in that community.

In addition to that, we have the Alberni corridor. The Alberni corridor was pretty much vacant over the early '90s and even through to the beginning of 2001. Now there are literally thousands of apartments or condominiums that have been built along that corridor.

You can go to the downtown south in my neighbourhood, Madam Speaker, and about 5,000 new homes have been built there in the last two years. That's an amazing addition to Vancouver-Burrard. If you take a look at the area around False Creek North, again, thousands of new homes have been built there in the last several years.

Why is this relevant? Well, one of the reasons it's relevant is that there are now in my riding about 120,000 households. According to Canada Post, if I wanted to send a mailer to each home in my riding, I'd have to have 120,000 pieces of mail delivered.

We're supposed to have about 45,000 people in our ridings. I certainly have a lot more, because I don't think those 120,000 people are all living alone. As a matter of fact, I know I've got a baby boom in that neighbourhood. Now, the babies in that neighbourhood don't get to vote, but they depend upon us to provide them with child care, elementary schools, middle schools and high schools. They are people. They are citizens of British Columbia.

I've got 120,000 of those people, and I want to make it really clear. I'm not complaining about that, because I love this job. But I want to say that my people are not getting the same kind of representation as the member for North Coast, and the reason for that is that there are differences between rural communities and urban communities.

Yesterday we heard from the member for North Coast, and he argued vociferously that it was a bad idea to add new seats to the Legislature and to protect the rural communities. Well, if we look at the census data for 1996 and for 2001, we'll see that there has been a huge dip in the population in Prince Rupert. In other words, a lot of people have moved out of Prince Rupert, according to Census Canada, and therefore, they are less deserving of representation.

Well, that's just plain wrong. That doesn't have anything to do with reality, because in the last two years we've seen a massive increase in economic activity in Prince Rupert that has translated into people coming back, people coming back to Prince Rupert to work at the port, at the new community college and in the Queen Charlottes. The census doesn't tell the whole story, and unfortunately, those are the statistics that the Boundaries Commission relied upon when they started their deliberations around this.

[1035]

Sometime in mid-November of last year the member for Peace River South, who is adjacent to me in this chamber — well, usually, anyway — asked the Attorney General, when we were talking about the Boundaries Commission being appointed: "Are we going to be able to preserve rural ridings in the north, in the Kootenays, in the Cariboo?" He asked that question in this chamber on second reading of the Electoral Boundaries Commission Act, which mandated the Boundaries Commission to come and do this divvying up, if you will, of the province.

The Attorney General said: "We're going to protect rural ridings." Why? Well, because rural ridings need their representatives and nobody.... There are people who say in this chamber, as members of the opposition have today, that we don't need more politicians in British Columbia. Actually, it's not the politicians that are needed. What is needed is representation for the population that lives in that community. That is a reasonable expectation of every citizen of British Columbia.

Now, Madam Speaker, we have a lot of time that we've spent on this bill, and I've heard a lot of the debate. I'm very interested in what both sides have to say, and I'm trying to be very respectful of what both sides have to say. But I think that one of the things we have to recognize is that people in British Columbia said to us unequivocally, with the release of the Boundaries Commission report, that this was no good.

This didn't take into account the fact that the north is important to British Columbia's economy. It didn't take into account that it takes longer for the member for Prince George-Omineca to travel across his riding than it does for me. I can walk around my entire riding in about two and a half hours. He might have to drive eight hours to get to the boundaries of his.

I know that there are members in this chamber.... The member for Skeena will literally travel a whole day just to get to one community of 300 or 400 people in the northern part of his riding. The reality of it is that he should have fewer constituents than I have, because he has to travel so far to get to them. He's going to spend a lot of time on doing those sorts of things.

We are not the only members of the Legislature who have those kinds of situations. The member for Vancouver-Mount Pleasant knows that she's got an unprecedented building boom that's happening in her neighbourhood. I mean, it's phenomenal what's going on in Mount Pleasant. You go up Main Street, and you see hundreds and hundreds of new developments happening that are going to be housing for people. She, as a good member of this House, can get around her riding with no problem in a couple of hours.

Well, the member for North Coast cannot. The member for Columbia River-Revelstoke cannot. My goodness, the member for Columbia River-Revelstoke can't even get to his riding from Victoria. He actually has to go to Calgary to catch a flight out of the province to drive back, and God only knows how long that takes. But what it does do is to take him away from representing his constituents for a period of time while he's on that highway or in a plane. There is a difference between rural and urban ridings, and there should be a difference between urban and rural representation.

Madam Speaker, last night we were in this debate, and someone sent me an e-mail. I want to just read from this e-mail a couple of the things that they sent over, because I think it's very representative of how British Columbians felt about the report that just came out.

First one is this: "We've been very vocal about saying that we shouldn't lose rural representation. Not often the Premier and I agree, but on this one, we'd like to see rural seats remain. We don't think we should lose rural representation." That was the Leader of the Opposition on September 13.

So the Leader of the Opposition, the NDP, actually said about a month ago: "You know what? We shouldn't be losing our rural seats. We shouldn't be losing a seat in Prince George, we shouldn't be losing a seat in the Kootenays, and we shouldn't be losing a seat in the Cariboo."

[1040]

I don't know what the members opposite have been talking about for the last little while. They're opposed to preserving those seats. Well, you know, you guys have got to get behind your leader. It's time for you to support the poor woman. She's had a rough, rough time here trying to get you guys organized, trying to build a consensus within your party, and it's very important that you guys start thinking about what you're doing to her. That's what's happening to your party.

Interjections.

L. Mayencourt: Oh, I see I've hit a raw nerve. I've hit a raw nerve, and I....

Deputy Speaker: Member. Member, please confine your remarks to the bill.

L. Mayencourt: Yes, Madam Speaker. Let me back off from that.

I want to move on to another quote that I'll share with you:

"On the whole, I think that what this bill does is achieve that balance of representation between British Columbia and urban British Columbia, and from my own perspective, in terms of how we handle growth in the lower mainland, which is crucial, because that is not going to change.

"That's going to continue, and it's something we have to make sure we address, because in the same way that we don't want rural seats to disappear in redistribution, we also don't want to see the opposite, where you have urban seats which have become so large, they've become difficult to service."

Once again, that is from the member for Port Coquitlam–Burke Mountain. That member spoke quite passionately. He knows he's in an urban riding, and he knows that he needs to have a redrawing of the boundaries so that his community is fully represented.

When we think about the representation portion of it, we often think that we're only.... The Boundaries Commission looks at this as: how many voters are in a riding? It doesn't take into account the moms and the dads that aren't on the voters list and that still need representation.

I have immigrants in my community, as does the member for Port Coquitlam–Burke Mountain, that are not voters. They still need an MLA to come into this chamber and defend their rights. They need someone that can come into this chamber and speak for them. That means that we are representing a different number, if you will, than what the Boundaries Commission represents it as.

The other members of this House have spoken, and I want to talk about one of them who was here yesterday and spoke about this. He said: "The increase in the number of seats in the Legislature from 79 to possibly 85 will allow some retention of rural seats." Now, that was important to that member on that day, which was, oh, October of 2005. The reality of it is that he knows that rural B.C. is deserving of representation.

In the previous couple of years we've seen a tremendous increase in the economy of the area in the Kootenays. We've seen people coming home. We've seen kids that have been off in Alberta coming back to the riding of Columbia River–Revelstoke. We've seen increases in the transportation infrastructure because there are more people there, and we've seen job growth in that neighbourhood. It has not been reflected in the most recent census. I think it's very, very important that the people of the Kootenays, the people of the Cariboo and the people of the north have effective representation and that their seats be protected.

Some of the speakers across the way today have talked about the fact that we're preserving the seats in the rural areas to protect our majority. The members opposite have a riding in the Kootenays. The members

opposite have two ridings in the Cariboo. The fact of the matter is that it doesn't really have a whole lot of....

It doesn't benefit anybody when you draw lines around the province. It only benefits the people that are voting. What happens when we do that is we make sure that one person has one vote and that they are represented in this chamber with passion, intelligence and commitment. That's what that is about. It is not about drawing lines so that one party can win over the other.

[1045]

I am not sure why members opposite are afraid of having more ridings in Vancouver and are also afraid of having the same number of ridings in rural B.C. I don't get what it is that they are so afraid of.

We have a democracy in which, no matter what, everyone in British Columbia that wants to run has an equal opportunity to do that to advance their ideas. What they need is a good idea. They need a platform to stand upon. They need a good leader. They need a good marketing campaign. They need to be sincere. They need to get out there and work their hearts out.

My riding had been held for 30 years by the NDP. That's not a safe seat. That is a seat that really.... In many ways the NDP have said that they own that seat. They even have every intention of getting that seat back.

The fact of the matter is that it doesn't matter where you draw the line. There are going to be some people that are NDP, there are going to be some people that are B.C. Liberals, and there is going to be another group that is doing a whole different thing. There's nothing wrong with that.

What the NDP needs to do, if they're concerned about losing a seat in Vancouver, is to get in there and work hard, and they'll make it — or they won't. Now, recently, they haven't, but that's not.... I'm not trying to be partisan here. But that's what you do in an election campaign, and that's what's going to happen when we go to 79 or 87 or STV or whatever. Whatever the electoral system is, it applies to me, and it applies to everyone in this chamber. It applies to every member.

The game that we play is to go out with our ideas, our beliefs and our commitment. We talk to people on our streets. We say: "We're trying to do this, and the other party is trying to do that. Therefore, you make your choice." That's really what this is about. It is not about politicians. It is actually about the people that we represent.

As I said, I was at the Boundaries Commission hearing back in about 1999, and I appeared before them to talk about my neighbourhood. The reason I did that was that according to the census data and the projections that they had, by the 2001 election we had 55,000 people living in my riding.

That wasn't the case at all. By that time I had over 70,000 residences. I'm not talking number of people; I'm talking about doors or mailboxes. That's how many people had moved into the neighbourhood. Why? Because no one could predict in 1999 or 1996 how fast Vancouver–Burrard was going to grow. You just couldn't.

Every lot in my neighbourhood right now that's vacant is under construction. What that means is that there are going to be a lot more people in my riding tomorrow than there were yesterday. What that means is that the Boundaries Commission is not tapped into that information.

There are three individuals, great individuals, that are serving their province, going out and doing the best that they can. But the fact of the matter is that they don't get to see the whole province. They don't get to see the increased activity in Prince Rupert. They don't get to see the increased activity in the Cariboo. They don't get to see what's happening in Columbia River-Revelstoke. They don't get to see what's happening in Prince George.

What is happening is that people are moving back to B.C. The population is growing a lot, and it's good to see. Each and every one of those people that comes back needs an MLA that they can turn to, that they can say: "Here, I have a problem or an idea or an opportunity. I want that brought to this Legislature." Every one of those individuals is entitled to that. Whether they're on the voters list or not doesn't much matter.

I know that the little kids at Lord Roberts Elementary need an MLA to make sure they get the right kind of playground equipment. I know that the kids at Dorothy Lam day care centre need an MLA to make sure they have the right kind of facilities and well-trained professional care providers. So it is not about the politicians. It is about people.

[1050]

I wanted to mention the comments of another speaker from October of 2005. It's the member for Nanaimo. "They" — rural communities — "are conscious of the fact that the numbers of members they elect do not, in fact, provide a sufficient counterbalance to the great numbers of members who come from urban areas."

The people of the north do understand that people in urban settings need to have equal representation as well, but they also know that it's not the same kind of work for their MLAs. They know that MLAs in the north have a particular set of challenges that are not met in the city.

I talked a moment ago about the issue of how many people live in my riding. Well, if I was the member for North Coast, I could mail out to everyone in my riding perhaps 28,000 pieces of mail. In my riding it's 120,000. The member for North Coast gets exactly the same amount of money to do that mailout that I do. Guess who gets to do the mailout? He gets to make the mailout. Why? Because he has a budget for it, and my budget — the same as his — will not even touch the mailout cost.

It's amazing that a member who comes from a riding with 30,000 thinks that my riding of 120,000 doesn't rate an increase in the number of MLAs.

When we looked at the Boundaries Commission report.... I got it while I was away. I had a chance to look at it, and I was kind of disappointed. Why? Because I think that Vancouver should have 12 MLAs — not ten, not 11. The Boundaries Commission recommended 11.

Interjection.

L. Mayencourt: Yes, and the member from Surrey right now is saying the same.

You know, there's an incredible story that's happening out in Surrey. As a matter of fact, I think yesterday, or a couple of days ago, 900 suites in a new development sold in, like, 30 hours. That's the kind of growth that Surrey is experiencing.

It's the kind of growth that we experience in Vancouver-Burrard. It's happening in Mount Pleasant. It's happening in Burnaby. It's happening in Richmond. It's happening all across this province — more people moving into the province, getting great jobs, contributing to the society that we live in and wanting to be certain that their views get communicated here in this chamber.

That's what it's about for me. I've got to look after the people that I represent, but I also know, from having an extensive travel opportunity through the province, that the province is more than the census says it is. I know that it presents challenges that the boundaries committee couldn't even contemplate.

Over the last six or seven years, I've travelled this province maybe a dozen times. I'm always amazed at the kind of people that I meet. They're very different in different parts of the province, and that's okay. They need someone who looks like them, sounds like them and understands their issues to come here and talk for them. They need to be in this chamber in some way, shape or form. They aren't going to do that if we cut back three seats in the north.

That was wrong. That was not really.... I mean, I understand that the way the committee was looking at it was: "You know, this is what we have to do." Well, the fact of the matter is that it is what they had to do. But I don't think they wanted to do it that way, because they say in their report: "We don't have any choice in this matter."

Well, this is an effort on the part of all members of the Legislature to protect rural seats. I'll bet you anything.... I guess I shouldn't be betting here, but I would say that almost everybody in this chamber is going to rise on a division on this bill. Everyone is going to stand up and vote in favour of it. So what does that say about the members that have spoken against it?

It says that they want to play a game with it, and I don't think that's fair. I don't think it's fair for individuals on any side of the House to try and turn this into a political football. It just doesn't make any sense.

[1055]

At the end of the day there is not a member over there that is going to vote against preserving rural seats in British Columbia. You know why? Because no matter what they say in this chamber, they are good people. They care about British Columbians as much as I do. They know that the north, the Cariboo, the Kootenays — in fact, all 12 regions that were identified by the Boundaries Commission — are deserving of fair representation that considers the challenges that an MLA in those areas would face.

That is what we need in this chamber. We need people from across the whole province to come in here and speak and be part of the important debates about the future of British Columbia.

Madam Speaker, I cannot tell you how much I enjoy the job that I have here. I love it. I love the people that I represent. I love the neighbourhood that I'm in. I love this province. I've been from one end of it to the other.

People are depending on this chamber, the people that sit in this chamber, to do very important work. The people of British Columbia said loud and clear, when the Boundaries Commission report was put out, that this wasn't good for B.C.

Now we have an opportunity to preserve those seats and, in fact, add an additional five. Where would those five be? I don't know. It seems like the members of the opposition think they're only going to be in Liberal-safe areas. But I don't think there's a safe area anywhere in this province for NDP or B.C. Liberals unless they stand up and defend the people that they represent. That's what we do on this side. We are here to speak for and defend the rights of our citizens, and it's very important work for us to do.

There is nothing about this whole process that is about drawing lines that say that this is an NDP seat and this is going to be a B.C. Liberal seat. I and many members in this chamber have proven that nobody owns a neighbourhood. You only get to represent a neighbourhood because you've earned it, and when you have earned it, you have the right to come into this chamber and speak on behalf of those people. For the last six years that has been my great pleasure and great privilege and great honour.

I want to thank you for allowing me to speak in this debate. I think it's important. I really believe that we should pass this bill, protect rural seats, recognize that our urban centres are growing, and get on with the job of making this Legislature reflect exactly what British Columbia's all about. Thank you, Madam Speaker.

B. Simpson: The member for Vancouver-Burrard closed with some interesting comments that I'll start with before I get into the substance of what I want to say today. I always find it fascinating when members in this House say that we shouldn't use a bill before the House as a political football.

I'm not quite sure what planet those members are living on, if they don't think that this is a political debate that occurs in this House every day. Whether it's question period, whether it's legislation, whether it's a throne speech or a budget speech, it's a political debate. And to say that because we don't agree with the government on any bill, somehow we are playing politics, and the other side is not, is just simply silliness.

[H. Bloy in the chair.]

The other aspect that I wanted to deal with, with the member's statements, which I find quite fascinating.... He made the comment: "The people of B.C. said loud and clear." Well, the only loudness that came in

response to the Electoral Boundaries Commission report was in rural B.C. It was met with deafening silence in urban B.C. I heard clearly from rural British Columbia, without question, that they wanted rural representation protected. When you talk about urban B.C., I did not hear a cry from urban B.C. for more seats. I did not hear the corollary from the urban electorate that they wanted more MLAs.

[1100]

I find it also quite fascinating that the bulk of the member's comments were about mailouts. I mean, who wants another mailout from another politician in their mailbox? This is not a debate about mailouts — about whether I've got more to mail out or he's got more to mail out. This is about effective representation.

I also find it quite bizarre that that member believes that he knows how we're going to vote, when people have already stood up in this House and said how they're going to vote. We are going to reject this political interference. We're going to reject it for what it is. It's a way for this Liberal government to interfere with the duly constituted Electoral Boundaries Commission and the independence of that Electoral Boundaries Commission.

That's why we're going to vote against this bill — not because we do not stand for rural representation and the protection of rural representation but because of the principle that the Premier does not have the right to do what he did. That's why we will reject this.

I actually regret that we're having this debate. I regret that we're having it on a number of fronts. I regret the timing of it. It's very, very late in the cycle. As British Columbians are aware by now because of the debate around this issue, the Electoral Boundaries Commission is a process that's in legislation. It's a process to protect the independence of a group of people to determine what the ridings will look like for the next two elections.

It was put in there, as many members on this side of the House have explained, explicitly to prevent political interference and this thing we call gerrymandering. That's what it was meant to do. This late in the day, to give the Electoral Boundaries Commission the mandate that the Premier wants to give them is very unfortunate, and it is political interference.

The second thing I regret is the content of this bill. Under the guise of protecting rural representation, what effectively it's going to do is dissipate that representation. What effectively it's going to do is water it down.

The other thing I really regret is that we have a Premier who is trying to balance two political realities. He's trying to balance the political reality of his position in the mid-1990s that we should gut this Legislature of MLAs, that he is for small government and that he is for fewer politicians. I don't believe the Premier has moved on that. I don't believe he's changed that position.

The other political reality that he's trying to balance is how much this government lost in rural British Columbia in the last election — the number of seats they lost — and the fact that if they persisted on this path with the Electoral Boundaries Commission being

stuck with the mandate they had, he would lose more seats, because the reason for the backlash was a belief that the government was further undermining rural representation. That's what I want to speak about today.

I want to be crystal-clear that I support maintaining rural representation. I support it for a number of reasons that I'll speak to in a moment. I don't want that to be misunderstood, but I reject this bill.

I was one of the first — in fact, I was the first — to give a presentation to the Electoral Boundaries Commission here in this building. The member for Skeena and I had the privilege of giving that presentation, but we also had to sit through the DVD for the Electoral Boundaries Commission. If anybody went to those early presentations and had to see that DVD.... It was rather painful. I'm not sure what it was they were trying to do or how much they spent on the marketing strategy for that.

That aside, it was a very engaging discussion. I think we sat and talked for about an hour and a half. I found that the Electoral Boundaries Commission was very interested in what we had to say as two rural representatives. To show the strength of our commitment to rural representation, the member for Skeena and I were the representatives for our entire caucus. We were sent there to ensure that the Electoral Boundaries Commission heard from rural B.C. right out of the starting gate, that they heard what our concerns were.

Here's what we talked to them about. Right away we said that we believe that rural representation needs to be protected. We also said that we did not believe that the commission needed to add significantly more seats, because we did not believe that British Columbians wanted more politicians than necessary and we didn't believe that it was justified in terms of fiscal responsibility. That was our message. We still hold that message, and it's really why we're rejecting this bill today.

[1105]

Rural British Columbia is going through a fundamental transition. We have a rural caucus. I'm very proud of the work that our rural caucus is doing. It's 13 representatives of our 39-member caucus. We are working very hard to come up with a rural strategy that addresses rural British Columbia's issues.

We have gone out into the ridings that we represent. We had a great meeting in Quesnel. All of the rural caucus members were there. The opposition leader was there. We engaged in a substantive discussion with the members of my community, and we intend to continue to replicate that.

The entire caucus has been in Cranbrook, Kamloops and Prince George, talking to people out there. We fundamentally understand what's going on, and we can and will continue to represent those interests here in this House.

The transition that rural British Columbia is going through is fundamental, and in some cases it's quite severe. The area of the northwest, as the member for Skeena has represented in this House, is seeing the

collapse of the forest industry as they know it. The last mill in Terrace closed.

In the northeast, as members of the Finance Committee, we heard loud and clear that they are struggling to meet their infrastructure needs. They are struggling to meet their social services needs. They have people who cannot find homes. They have people who cannot get mental health and addictions services. We have a fundamental shift going on that needs to be fully represented in this House by members who understand what's going on there.

We also spoke to the commission about the first nations representation that's necessary. First nations representation is relationship-based. It is not something where you can be a fly-by-night, come in or give them a mailer as a substitute for representation. It's something where you have to, over time, be present in those communities, work with the elders and the leaders in those communities and understand their issues at a deeper level.

They're very reluctant to speak when you first go in. They're very reluctant to talk to yet another politician who's going to be a fly-by-night in their community. It takes time. For those of us who live in rural British Columbia, that's an additional time constraint on us. I have in my community many first nations communities that have different levels of representation and different needs to add to the other communities that I have to represent. We discussed that with them.

In fact, one of the things that I'm curious about is how we do get first nations representation in this House. We need first nations MLAs. We need first nations to represent directly their own interests in this Legislature, just as we need more women and just as we need more representation from other cultures. Representation and effective representation goes beyond this debate that we're having here. It goes to how we reflect in this Legislature the very fundamental nature of the communities that we have throughout this province: first nations', other cultures' and women's representation.

I also have a number of small communities in my riding. We have a joke in my riding that those of us from Quesnel and Williams Lake, we're the urbanites relative to those who live in Horsefly and Likely. Those who live in Horsefly and Likely are the urbanites for those who live in Miocene or some of the other smaller communities that are there. It's a cascading downward effect of what constitutes being urban.

I have not been able to do the job that I promised to do when I was elected. I promised I would get out to all of those communities on a regular cycle. I have gotten out more regularly than other MLAs have in the past in that area, a sacrifice to my family and my time at home, but I have not been able to get out to those areas at all to the degree that I would like to be able to get out to.

Again, in my area a mailout to those communities does nothing. What they want is to see me. They want to see me in their coffee shop. They want to see me at their picnics. They want to see me at their Father's Day events. We talked to the commission about that.

One of the things we said at the commission is that we have an obligation as rural representatives to protect the interests of those rural communities, to protect them against skewed priorities of the government. We're going to get very little derivative benefit from the Olympics. That's very clear. We're going to get very few benefits from it, particularly as we start to escalate the cost overruns and it takes away from core services. It takes away from educational services and services to seniors. It takes away from our ability to deliver quality care in our health care system.

[1110]

We've had the debate in this House about ambulance service. We've had the debate in this House about the recent retraction of funding for schools and the funding for rural schools.

Rural MLAs are needed in this House, not in a watered-down fashion but with a strong voice and a strong representation, in order to make sure that the interests of rural B.C. are maintained and argued for — in particular with this government, which is an urban, corporate-oriented government.

The corporatization and privatization of services does not work for rural British Columbia. It doesn't work at all. We do not have the critical mass. We do not have the economies of scale. We have none of the things that this government argues will benefit the taxpayer through privatization.

It doesn't work. We've seen that with the whole issue with Retirement Concepts in Williams Lake, where this government has retracted all public service provision of seniors care in that community, has given us one window we can go to, a window that is suspect in the minds of the community, and it's the only choice we've got. It doesn't work.

Hon. G. Abbott: Mr. Speaker, I think the member has been generally doing a good job, until recently, of addressing the bill in question here. But I believe that he should keep his remarks on point with respect to the bill.

B. Simpson: Thank you for that — a little bit more political interference in the debate.

Deputy Speaker: Member, second reading is with regards to Bill 39 and the relevance of Bill 39, so if you'd please continue on that tone.

B. Simpson: Yes, I am.

The member for Vancouver-Burrard posed the question of the opposition not being in favour of rural representation if we voted against the bill. That's the substance of the debate. Are we in favour of rural representation or not? We are definitely in favour of rural representation. That's what this bill is supposed to be about. What I'm arguing is that it's not about that at all.

What we should have done, I believe, is had a more substantive debate before the first mandate of the Electoral Boundaries Commission. It's another thing that I regret. I regret that we did not have a debate in

this House prior to giving the Electoral Boundaries Commission its mandate on what constituted effective representation for British Columbia.

It doesn't take a rocket scientist to know that the population growth is concentrated in the lower mainland and the south Island. It doesn't take a rocket scientist to know that because of the transition out in rural British Columbia we're having a decline or a stasis in population.

We should have taken that debate into this House. One of the struggles I have with how this House works is that we get a bill tabled, and we talk about the bill and.... In that case, most of us on this side were very new. We were still learning the process, still learning how to read bills and understand what it was we were saying yes or no to. But we should have had a debate in front of the bill that said: what is effective representation?

There's a standing committee that we could have used to go out and talk to British Columbians about what constitutes effective representation. We could have done what the Electoral Boundaries Commission said in their report that we didn't do.

We did not give them an effective mandate. The mandate we gave them forced them to come forward with what they did, which was to take three seats away, try and keep the numbers low and only recommend the addition of the three seats. We failed in that. We should have had that debate.

It's really fundamentally why I believe the STV portion of this has gotten purchase — why people are interested in the STV debate and why they want to see us change our first-past-the-post electoral system. I believe what they want is for this House to be more effective.

We need to have substantive debate in legislative committees. We need to be able to go out and around the province and talk to British Columbians before a bill is crafted and before it comes into this House. Or counter to that, if the government tables a bill, we then take it to a legislative committee and we go out and find out what British Columbians think about it. We talk to people who know a lot more about the implications of that legislation than we do, and both sides get to hear it. That's how we can make this place much more effective.

We can go and talk to British Columbians, either before or after bills are crafted or even both, so that we make good legislation and we make legislation that works for British Columbia. We failed to do that in this case.

[1115]

I think what's really happening in this situation is that the Premier, who has always stood on the principle that he believes we should have fewer MLAs in this House, had to reconcile a fundamental backlash in rural British Columbia against what the Electoral Boundaries Commission had proposed. He had to reconcile those two things.

What he did then was to first signal something that was very confusing to all of us — we weren't clear on what it was the Premier was actually saying about what he was going to do — and then bring a bill into

the House that tries to reconcile those two polarities for the Premier. What he's doing now is mandating the 86 in order to dissipate that rural vote and give rural B.C. what they think they want. But really, I believe this bill undermines it.

The opposition will be bringing forward an amendment to this bill that we think makes it somewhat palatable. The Attorney General was not correct, when he tabled this bill in the House, that this House gave unanimous consent for 85 seats. We gave unanimous consent to the Electoral Boundaries Commission to make that decision for themselves as to how many seats were necessary for them to do their job.

We believe we need to do that again. We need to leave it in the hands of the Electoral Boundaries Commission to make the determination.

This is late in the day. It's late for good public consultation. It is a regrettable stance on the part of the Premier. It is a regrettable debate. But there's a possibility of making it palatable for this side of the House when that amendment comes forward. I urge the other side to consider that very carefully because it's what will give the Electoral Boundaries Commission a new mandate that at least gives them the ability to determine what British Columbians need in terms of the number of seats, while protecting rural representation.

I want to close by reiterating. This is not about mailouts. This is not about how many households I have to mail to versus other members in the urban area. It's not about positioning the urban electorate against the rural electorate. It's about finding out a way to have effective representation in this province. I don't think this bill does it, certainly not as it stands.

I will go on the record — for the member for Vancouver-Burrard — and categorically, crystal-clear, without a doubt will be standing up here and saying no.

R. Hawes: This is all very interesting. I do want to comment on one thing. The tenor in the House today is certainly more civil than yesterday. I think this is a very serious debate that deserves a kind of thoughtful tenor, and I'm very happy that we've arrived at that place.

I heard the member from Quesnel saying numerous times....

Interjection.

R. Hawes: Sorry, the member for Cariboo North. I regret that for a moment I forgot about Likely and Horsefly.

I heard him say a number of times that he regrets that the Premier did what he did. He made a number of references to the Premier. I have yet to hear the Premier speak on this issue in the House or to speak to this bill.

This is the Attorney General's bill. The Attorney General brought this bill forward, and I know that at some stage the Attorney General is going to speak to the bill. The Attorney General, as a former Justice of the Supreme Court of British Columbia, has some knowledge of law in this area and certainly some knowledge of the Charter of Rights and Freedoms as it applies in this country to all of us.

What I want to touch on here for a minute is, first, the rules that dictate how we arrive at the number of ridings and how representation is basically formed, not just in British Columbia but in all of Canada.

[1120]

A fundamental tenet of democracy, the principle of democracy, is representation by population, which basically means that we should all technically represent the same number of people so that every person has an equal voice. We all know that's not possible, but what the Charter says is that to the greatest extent possible, we should first look at representation by population as a driving tenet.

The Supreme Court has further interpreted the Charter, which does limit the kinds of things that can be done by an electoral boundaries commission or a government or anyone, if they wish to not be in violation of the Charter of Rights and Freedoms in this country.

Chief Justice McLachlin said in the Saskatchewan reference case of 1991 — and I just want to read this, Mr. Speaker:

"Effective representation and good government in this country compel those charged with setting electoral boundaries sometimes to take into account factors other than voter parity — representation by population, in other words — "such as geography and community interests."

"The problems of representing vast, sparsely populated territories, for example, may dictate somewhat lower voter populations in these districts, and to insist on voter parity might deprive citizens with distinct interests of an effective voice in the legislative process as well as of effective assistance from their representatives in their ombudsman role. This is only one of a number of factors which may necessitate deviation from the one person-one vote rule in the interests of effective representation."

We have for a number of years had lower than the number of average voters in some ridings in the rural areas in this province. But to the greatest extent possible, we have attempted over years to be at least as close as possible to the representation-by-population fundamental tenet of democracy.

That has necessitated, because of changing growth patterns and particularly changing demographics in different areas of the province, a growth in the number of seats.

If the province were growing equally in every single region, there would be no reason to adjust the number of seats at all. But because we are growing in an unequal fashion in different regions of the province, in looking at representation by population or voter parity, we have to make adjustments. That's why we have the Boundaries Commission every eight years.

The Boundaries Commission, as it went out to do its job, then had to consider how they would look at the changing demographics in British Columbia. There are rural areas in British Columbia right now that actually have diminishing population and are projected to diminish further out to 2013, which is the window that I think at this time the Boundaries Commission is looking at when they do their projections.

There are other areas that are growing substantially. They're just booming. We've talked about that, and

we've heard that here. Every year that that happens under what we have today, those who are in those rapidly burgeoning areas are actually losing ground in the voter parity argument, and those in the rural areas are gaining on that.

Nobody is saying that's completely unfair, but there comes a time when you do the review that the Charter of Rights says we should now look at evening that out, and we should bring it back to as close to voter parity as possible.

In doing that, we had our debate on the bill that the Boundaries Commission went out under this time, which said you could have up to 85 seats. They took a look, and they had a number of possible choices. They could do nothing, just come back and say there's no adjustment necessary — which, of course, would mean that those rapidly burgeoning areas....

I'll speak about my riding in a minute, which in 2006 is already 30.9 percent over the average number and above the amount that is allowed under legislation — and I'll explain that in a minute — which is the 25-percent difference. There are other areas that are very, very vastly under.

[1125]

So when the commission, I think, went out and tried to make its choices.... I just want to explain one more thing for those who may be sitting at home, because this can become a very confusing thing. To determine how many residents should be in a riding, you take the number of seats and divide it into the population of the province, and that will give you the average number of people who should live in every riding. Then there can be a variance of 25 percent, plus or minus, from that average number across the board.

In some ridings — rural ridings in the north and other areas — the deviation has been more than 25 percent. Those ridings have been looked at as exceptions in the past. But as the changing demographic happens, they are moving further and further from that fundamental tenet — the representation-by-population tenet.

The commission, when it looks at this, has no choice. They can't do nothing. They could have gone up to 85 seats, and they took a look at that. By preserving the seats in the rural ridings and then adding seats in the south or in the urban areas, that would not have diminished the difference in representation by population sufficiently to make a difference in their view.

So the only thing they could do to try to bring us closer to that fundamental tenet of voter parity, I believe, is to lose the seats in the north and add seats in the south. So they took away three in the rural areas — not just the north, but the Kootenays, the interior and the north. Each lost a seat. They took away three rural seats and added five in the urban areas. That created something closer to voter parity.

Their hands are sort of tied, because that's what they had to do. They could have increased the number of seats further, I suppose, and gone to 85 seats. But under what they're trying to accomplish here — which is some form closer to voter parity — with the number of seats allotted that they were allowed to look at, there

was no way to even get close to voter parity. This is a very complex thing that the commission does, and it seems to me we diminish the difficulty of their task by coming forward with all of these things in the House that....

They spend weeks and weeks moving population around on computers and trying to figure out how to fit everybody in, in a way that fits within a legal framework. So I think we do them a disservice when we try to say: "Well, they could have just done this, and it would have been easy." It's not easy. This is a very, very difficult task.

When they did what they did, and then there has been some discussion about.... In fact, the member for Esquimalt-Metchosin said that MPs have no problem representing very vast areas. That may be true, but I have noticed, and I'm sure most people in this House know, that the closer the government is — the sphere of influence of the government — the more in touch with the people they need to be.

Local government is right on top of the people. I mean, they have public hearings on a regular basis. They're out there doing parks in the local area. They're doing all of the things with their local community, and the local community is with them all the time.

We in Victoria are not quite meeting as much with our population. We do our work here in Victoria. We deal with a lot of things that are of a provincial interest. We all have constituencies. We go out and visit all over with our constituents and represent them and act, as Justice McLachlin said, in an ombudsman role. But we do not meet with our constituents on a face-to-face basis nearly as much as at the local government level.

Then you move up to the federal level, and it's even less. They're dealing with these visceral things that are way further away, that are more disconnected from mom and pop. They're talking there about national defence and trade issues that are international, that are country to country. That's not really something that mom and pop want to meet on a regular basis with their MP about. So while MPs have a lot of contact, it's not as much as MLAs, and certainly not as much as the local government.

The further people are away by distance from their representative, the more difficult it is for them to talk to their representative, at least in person. But the more that they need to meet with their representative, certainly it makes sense the smaller the area they represent is.

[1130]

After the last election I was appointed to the position I hold in government, which is the government Whip. My colleague from Bulkley Valley-Stikine was being appointed to the Deputy Whip's position.

After the election he decided he would make a trip around his riding. So he left, and he was out of touch by any form of communication for between ten days and two weeks because he did not at that time have a satellite phone, and there's no way of contacting anyone. It takes him ten days to two weeks to circle his riding and visit the people and the communities that he represents. It's a very large, diverse riding.

With what was being done under the proposal that came forward from the Boundaries Commission, the first go-around, the ridings in the north were going to become much, much larger. In fact, from a provincial standpoint, I would put forward, impossible to represent.

So, clearly, everyone in this House.... I have not heard anyone on the opposition side say that the rural seats should not be replaced. Everyone agrees they should be. Everyone agrees that there should be effective representation in the rural parts of the province. But there have been arguments put forward that what we should have done was waited and allowed the presentations to be made to the Boundaries Commission, and maybe they would have, on their own, restored those seats.

Well, their report out would have been in February. If they didn't restore those seats, we would be in quite a quandary. I don't think we would be able to go out again, recharge a commission — because we couldn't, I think, have accepted that report.... We would have had to recharge a commission, start the process, and I don't think we could have completed it in time for the election in 2009, which would mean that we were just going to carry on the way we were.

Mr. Speaker, I just want to make it clear that there has been in the past.... I'll just refer here to some of the history of setting electoral boundaries. This is from Elections B.C. In 1975 the Norris commission made some recommendations, and the Legislature did not adopt any of the commission's recommendations.

Well, that could have happened here. If the commission just carries on and we don't do anything now to give them the ability to make changes — which they could not make under the previous charge, without cutting out those seats — I think they may have come back with a report that looked similar to what they came out with in their preliminary report. Frankly, I don't think that is acceptable to anyone in this House — seeing those seats in the north lost.

I don't think we could have waited. I just think the risk of waiting is too great. I would not want to see this province carry on into the next election with 79 seats. There are a number of reasons for that, which I'll get into in a moment.

There has been a lot of talk about gerrymandering and the government doing this and that and trying to manipulate. Well, I just want to first point out who's on the Electoral Boundaries Commission. These are people who have been appointed and who are, I would suggest to you, beyond reproach.

The Hon. Bruce Cohen is the chair, Justice of the Supreme Court of British Columbia. I would suggest he's a man of impeccable integrity who cannot be influenced to make decisions in favour of anyone. He will make the decisions that he thinks are the right decisions to make. Stewart Ladyman is a respected, retired school district administrator with extensive experience in all aspects of education administration. He is a man of impeccable character and integrity.

Harry Neufeld is the Chief Electoral Officer for the province of British Columbia and has a long, long history

of electoral management experience — a man that was appointed to be the Chief Electoral Officer in British Columbia a few years ago by a committee that, frankly, I chaired and that had at least one member of the opposition on it. It was unanimously accepted to appoint Harry Neufeld to the position of Chief Electoral Officer. So I know that both sides of the House respect Harry Neufeld, his neutrality and his impeccable integrity and credentials.

[1135]

When we go through.... Regardless of what charge is given to the Electoral Boundaries Commission, they will decide where the boundaries are. They could put seats wherever they think it's appropriate to put seats.

I know they're going to do it in a way that reflects as closely as possible what is necessary under the Charter of Rights. I know they're going to try to reflect the decision of Chief Justice McLachlin, who set some interpretation of the Charter of Rights.

I know that the way they're going to set the boundaries is going to be as close as possible to being within the parameters of the law as it can possibly be, and the first tenet, which I know they're going to respect, is the tenet of voter parity.

When you add seats, what happens is that the average number of voters in each riding obviously falls. The more the number of voters in each riding and the average fall, the closer the ridings that have a short fall are to voter parity with the rest. That's one of the reasons that this had to be done this way.

I've heard a number of the members here talk about the initial public consultation from the commission and the fact that very, very few — I think only two — of our elected members on the B.C. Liberal side of the Legislature made any kind of a presentation. I know that one of my colleagues made a presentation asking for a name change for the riding that she represents — hardly a substantive intervention.

Most of us, I think — the vast majority of us — on this side of the House felt that making a political representation to the Electoral Boundaries Commission is simply not on. This isn't about politics, and we are politicians. As the previous speaker from Cariboo North said, every debate in this Legislature is politics. Well, you know, we have....

Under the Electoral Boundaries Act, one of the things that they look at is communities of interest. Actually, communities spoke. They spoke volumes about what their communities of interest were. As politicians, when we go to speak about what the boundaries should look like, the temptation is far too great to say: "Well, don't include that area because they don't generally vote my way, but include that one because they're big supporters of mine."

Frankly, the kinds of representations that would be made by MLAs in this process — direct interventions with the Electoral Boundaries Commission — at the very minimum are somewhat suspect, I would suggest, and that would include myself.

I would be sorely tempted, if I were making a representation as an MLA, to be trying to protect my

self-interest. So I didn't make a representation; nor did the members on this side of the House. We did not make those kinds of interventions.

Our communities did. In my riding the city council passed a resolution on what they felt was important. I can tell you that when I was a mayor, I made a representation to the Wood commission because what they originally proposed was not, in my opinion, in the best interest of the community that I had been elected to serve in as mayor.

I just want to speak for a minute about that. My own riding used to be called Mission-Kent. Kent and Agassiz are at the extreme eastern end of the valley. There's almost a mountain between the Mission area and the Kent area, and there is nothing in common between the two areas other than a ribbon of highway that connects them. They don't share shopping areas, hospitals, school districts, telephone exchanges.

There is no commonality here. There's no community of interest. Yet a previous commission chose to marry those two communities together and then ask an MLA to come here and represent both, when, you know, it's very difficult to represent two communities that have nothing in common.

I know that in the northern areas and the rural areas there is lots in common because they're all rural, and much of the rural interests are common. But when you get into semi-urban or suburban areas, it's a little more difficult when there are areas of no commonality.

[1140]

When the Electoral Boundaries Commission came in — I can't remember the year — with Justice Wood as the chair, I made a representation on behalf of my communities to say: "Please don't leave us with the Kent area. Put us with an area of common interest. If you can't have us as a riding on our own, then either put us with Abbotsford or, if you must, put us with Maple Ridge, but not Kent. Well, they chose to make it Maple Ridge-Mission.

Frankly, the area of commonality in Mission would be Abbotsford if they have to extend a boundary beyond the community. Mission and Abbotsford happen to share a sewer system, a water system, a recycling plant, the regional hospital. Both are outside of the GVTA area, which means that there is still a regional hospital district, and the property taxpayers in Maple Ridge and Mission continue to pay for their hospitals through their taxes rather than paying the GVTA tax. That's an area of commonality. They also have.... It's not long distance to telephone each other.

There are many reasons that people should go and make a case that the community of interest runs that way, and that case was made by the Mission city council and, I think, a number of citizens. Certainly, me making the case would not — I felt, anyway — be seen as something that is neutral and only talking about a community of interest.

I know that my colleagues on the south side of the river felt the same way, and I know that most of my colleagues, if not all of them, in this House also felt that making those kinds of representations would be a

political manoeuvre that we did not want to engage in. So we didn't. When the members opposite talk — and many have in their arguments in the House here — and point out that we did not make representation.... I'm quite proud that we did not make representations, and I don't think that anything should be read into that other than that we believe this should be a neutral process, non-political.

As we move forward here now, I just want to make this very clear. The three rural ridings will be restored.

I do want to say this about my own riding. My riding, as I think I said, is today — as of last year — 30.9 percent over that 25-percent variance. Mine is 30.9. By the year 2013, if there is no change made here, my riding will be more than 50 percent over the allowed average. That means that every person in my riding is actually having their vote diminished because the fundamental tenet of voter parity is being eroded every day as populations move. The only way to ensure that that voter parity doesn't continue to be eroded is to add seats.

Now, the Boundaries Commission takes a look at where those seats should go — if they go on Vancouver Island or they go into Vancouver or Surrey or Burnaby or wherever they see — through a very complex method of determining this. Every time that you change the boundaries, there's a domino effect. It's like ripples that go out in the water, and it changes everything. So they continually have to model and find the way to fit all of this in.

In the end, the one thing that isn't quite so hard to figure out is that dividing the population of British Columbia by 87 seats results in an average population count in each riding that is significantly lower than it is today. It makes voter parity, in preserving those northern seats, more equitable and keeps us closer to the fundamental tenet of democracy. It has nothing to do with gerrymandering. In fact, it has to do with the Charter of Rights and Freedoms that we all enjoy.

[1145]

My citizens, if their rights under that Charter are being eroded further, actually probably have a right to challenge this under the Charter of Rights and Freedoms.

The first thing I want to say is that Justice Cohen understands constitutional rights, as do, I would suggest to you, every justice and every judge in this province. So as we go through this process, I know Justice Cohen will be looking at fundamental rights.

I know that the Attorney General, who actually had this bill drafted under his purview — not the Premier, not members of this Legislature, but the Attorney General, a former British Columbia appeal court justice who, incidentally, has also got very deep knowledge of the Charter of Rights and Freedoms — has looked at what needs to be done here in order to keep this within the ambit of the charter, to keep it within honouring the fundamental tenet of democracy.

I would suggest that the Attorney General will, in his closing remarks, address some of the reasons why this bill is necessary, why these changes are necessary and why it does address the fundamental rights of people. I would strongly suggest that all of us who

have absolutely no experience sitting on the bench as a justice, which is actually every member of this House other than the Attorney General.... Perhaps he could educate us.

With that, Mr. Speaker, I am definitely supporting this bill. It does what it should do for my constituents, for the constituents in the rural areas and for all the people in the urban areas. I am absolutely convinced that the commission is going to fairly and reasonably take a look at fitting in where all of the boundaries go. The public will have an opportunity to comment on that, and we will move forward into 2009 and have an election that's based on the fundamental tenets of democracy.

C. Trevena: I rise today to talk about Bill 39, the Electoral Boundaries Commission Amendment Act, and I will be opposing it.

Before I go into some of my arguments opposing it, I was very interested to hear the argument, I think somewhat tortuous at times, from the member for Maple Ridge–Mission about why this is going to be an independent process and why it isn't gerrymandering. Maybe in the gerrymandering thing, there are some agreements there, but the member used the Charter of Rights and Freedoms as the justification as to why this is going to be an independent process and said that he believed that it should be a neutral process and it should be non-political.

[Mr. Speaker in the chair.]

I think, on that issue, we're all agreed, or I hope we're all agreed, that it should be non-political. The reason why I'm standing here today to oppose this bill is because it has been politicized. Whether or not it is gerrymandering.... Gerrymandering is a very specific definition, where the boundaries of certain electoral districts are set, and in this case this is not being said. It is the number of electoral areas that is being set, so it may not be gerrymandering, but it is most definitely political interference.

The member also said that the system we have — representation through population — works because it is independent and that the commission works because it is independent. I think we should be agreed that we have a Boundaries Commission that should be independent. We have three people on it who are very distinguished and should be given the independence.

[1150]

When we first debated the Boundaries Commission in 2005, we, at that time, as a House, gave them a mandate. We did give a mandate of looking at the electoral boundaries that we had in B.C. and looking at the population, and they could go up to 85 seats. That was the mandate we gave them, which gave a lot of freedom. They could have stayed at the status quo or moved to up to 85 seats.

This legislation changes that. It changes the independence. It takes away the independence of that Boundaries Commission, because it determines how

many seats there are going to be. It determines that there will be rural seats, and it determines there will be 87 seats.

There is also the 25 percent plus or minus within the act. It says that: "for the purposes of complying with paragraph (b)" — which is retaining the interior rural seats — "the commission may exceed the 25% deviation...." So it is setting many parameters here which were not set in the past, were not set in the previous bill — in the bill that we all accepted — and I think are very problematic.

As a society and as a democracy, we have to have a certain distancing. The commission system of distancing political interference from the electoral system in Canada started in the '60s, when commissions were started up federally. By '64 there were commissions for the federal parliament. In 1989 we had our first Electoral Boundaries Commission, which is 20 years ago almost — 18 years ago.

In 1989 it was decided that we do not want to have political interference in the electoral system. We want to have people who we can all respect, who are independent, to decide how many seats we need in this House and where they should be. I think that we should all support that. We should all support the separation of the electoral process and the electoral mechanics, right from seat allocation through to the vote count. That should be kept away from politics. This is part of what makes our democracy healthy. Once we start getting the political interference and saying we are going to have X number of seats, we are going to have 87 seats, and we are going to have seats in this area, we have immediate political interference.

This is why I will be opposing this bill. I do not like the fact that if something doesn't go the way that the government wants, they will turn around and say, "Well, we're going to change the rules, and this is how it's going to be," particularly when it is something as important as the electoral process.

We're seeing in many ways that rules are being changed. I know my colleague from Esquimalt-Metchosin was talking earlier on about how she was standing here in this House earlier this week talking about the TransLink debate, as were many of us, about the increasing autocracy of the government, the lack of consultation and changing of rules, taking democracy away from people who are involved. I think that this is another example of that.

We are facing a crisis in our electoral system and a crisis in our democracy. We see fewer and fewer people turning up to vote. My colleague from Cariboo North mentioned the fact that our representation in this House.... We have no first nations. We have very few women. We do not represent the ethnic makeup of our province equally.

We have an issue where we are seeing young people not wanting to get involved in the electoral process. When they are told that the electoral system is set and that we have so many seats for so many people and we have an independent commission who can do that, they like that. But when you say to them, "Ah, but when the Premier doesn't like the results that that electoral

commission provides, he will step in and change the rules," they say: "Why should I get involved?" They say: "It's the same game. It's people fixing the system." They're saying: "This isn't democracy. We can work better from the outside. We don't believe in what you're doing in here."

[1155]

That trickles down through everything that we do in this House — if we lose that trust. I think that this move to fix 87 seats, to take the independence away from the Electoral Boundaries Commission, definitely underlines that distrust and will make more mistrust.

There is, obviously, a certain irony that we are talking about 87 seats and the number of MLAs being set. There is an irony that the Premier not so long ago was saying that he wanted to have fewer MLAs. I think that would be the thought of many people in B.C.: "We don't need so many MLAs. Why do we need so many? Let's cut them back."

Just over ten years ago the Premier said: "We will cut the number of MLAs. We should have between 50 and 60." That was when the Legislature was at 75. "We should have between 50 and 60 MLAs." Now the Premier wants 87 MLAs. Our population has grown, and there is a need for representation for a growing population. But that representation should be set by the commission, not by the Premier.

People are framing this debate around the issue of rural representation. I represent a rural riding. In fact, under the Boundaries Commission map — the previous map — my constituency would have grown. It would

have taken in an area that many people.... Many people got in touch with the commission and said they wanted to be included in North Island rather than Powell River–Sunshine Coast, because it was more natural for them. The people who live in Gilford Island, Echo Bay, up the mainland coast — their points of reference are Port Hardy and Port McNeill rather than Powell River or the Sunshine Coast.

The commission listened to them and included those people in the constituency I am very honoured to represent.

Mr. Speaker: Noting the hour, Member.

C. Trevena: Noting the hour, Mr. Speaker, I will reserve the right to continue my remarks and move adjournment of debate.

C. Trevena moved adjournment of debate.

Motion approved.

Hon. G. Abbott moved adjournment of the House.

Motion approved.

Mr. Speaker: This House stands adjourned until 1:30 this afternoon.

The House adjourned at 11:58 a.m.

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