



Part 8 – Electoral Districts
and MLAs



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A. Legislation

British Columbia currently has 79 MLAs in 79 single-member electoral districts. The *Electoral Boundaries Commission Act* (from which we derive our instructions respecting single member plurality (SMP) electoral districts) speaks of the number of electoral districts. Since B.C.'s SMP electoral districts are all single-member districts, the number of SMP districts and the number of MLAs is the same.

However, the *Electoral Boundaries Commission Amendment Act, 2005* (from which we derive our instructions respecting BC-STV electoral districts) must of necessity speak of the number of MLAs, since the total number of BC-STV electoral districts will depend on our decisions respecting the number of MLAs for each district.

This part of the report has application both to SMP and BC-STV boundary setting. For clarity, we will refer in this part to the number of electoral districts rather than the number of MLAs.

The Legislative Assembly has authorized us to increase the number of electoral districts. Section 3(2) of the *Electoral*

Boundaries Commission Act states:

If the commission in carrying out its functions under subsection (1) considers that the number of electoral districts in British Columbia should be increased, it may make proposals to the Legislative Assembly to increase the number of electoral districts up to a maximum of 85.

The legislation makes it clear that we are not obligated to propose an increase, that we may increase but not decrease the number of electoral districts, that we may propose an increase of between one and six electoral districts, and that we only propose – the final decision about increasing the number of electoral districts rests with the Legislative Assembly.

In determining whether to propose an increase in the number of electoral districts, section 9(2) of the *Electoral Boundaries Commission Act* requires that we take into account several factors:

- geographic considerations, including the accessibility, size or physical configuration of any part of British Columbia;
- demographic considerations, including the sparsity, density or rate of growth of the population of any part of British Columbia; and,
- the availability of means of communication and transportation between various parts of British Columbia.

B. History

The number of constituents that an MLA represents has a direct bearing on effective representation. As B.C.'s population has grown, so has the number of its MLAs (see Table 4):

TABLE 4: NUMBER OF CONSTITUENTS PER MLA IN B.C., SINCE 1871

Year	Provincial population*	Number of MLAs	Constituents per MLA
1871	36,000	25	1,440
1876	43,000	25	1,720
1881	49,000	25	1,960
1886	74,000	27	2,741
1891	98,000	33	2,970
1896	138,000	33	4,182
1901	179,000	38	4,711
1906	279,000	42	6,643
1911	393,000	42	9,357
1916	456,000	47	9,702
1921	525,000	47	11,170
1926	606,000	48	12,625
1931	694,300	48	14,465
1936	775,000	48	16,146
1941	871,800	48	18,163
1946	1,003,000	48	20,896
1951	1,165,200	48	24,275
1956	1,398,500	52	26,894
1961	1,629,100	52	31,329
1966	1,873,700	55	34,067
1971	2,184,600	55	39,720
1976	2,466,608	55	44,847
1981	2,744,467	57	48,149
1986	2,883,367	69	41,788
1991	3,282,061	75	43,761
1996	3,724,500	75	49,660
2001	3,907,738	79	49,465
2006	4,113,487	79	52,069

*Provincial population data based on census data.

This shows that the increase in MLAs has not kept pace with B.C.'s growing population. Indeed, an MLA today represents almost twice as many constituents as an MLA did in 1956.

C. What People Told Us

During our public consultation, we heard varying views about whether we should propose an increase in the number of MLAs. Of the 1,523 people surveyed by BC Stats on our behalf, 49 percent thought that B.C. has enough MLAs, while 34 percent thought there should be more. The remaining 17 percent were undecided or did not respond.⁴⁸

Several divergent views were expressed:

- B.C. already has enough elected representatives, and the cost of additional MLAs⁴⁹ would be better spent on health, education or other social services.
- A modest increase in the number of MLAs is reasonable, to represent areas of rapid population growth, such as the Lower Mainland and the Okanagan.
- The number of MLAs in sparsely populated areas should not be reduced. Some people added that, if it were necessary to add seats in fast-growing urban areas for that to happen, so be it.
- A written submission we received opposed an increase in the number of MLAs and stated:

There are a number of very special circumstances that affect the ability of MLAs from Northern British Columbia to effectively represent their constituents. Given these circumstances, we recommend that the Commission not reduce the number of elected representatives from Northern B.C. Our representatives have to work diligently to make our voice heard in Victoria and we do not want to see it eroded. By the same token, we recommend that the Commission not recommend increasing the number of electoral districts, which it is empowered to do. An increase in the number of electoral ridings from the current 79 would further reduce the ability of Northern B.C. residents to be effectively represented in the legislature.

D. How B.C. Compares to Other Provinces and Territories

We also examined how B.C. compares to other Canadian jurisdictions. We found that the number of constituents per MLA varies widely across the country, from a low of 1,637 to a high of 118,061. At 52,069 constituents per MLA, B.C. has the third-highest ratio, as the following table shows (see Table 5).

⁴⁸ The BC Stats survey was conducted between June and August 2006. The maximum margin of error was 2.5 percent, 19 times out of 20.

⁴⁹ Between \$324,000 and \$512,000 per MLA per year, according to information provided by the Legislative Assembly.

TABLE 5: NUMBER OF CONSTITUENTS PER MLA ACROSS CANADA

Province*	Population	Number of MLAs**	Constituents per MLA
Ontario	12,160,282	103	118,061
Quebec	7,546,131	125	60,369
British Columbia	4,113,487	79	52,069
Alberta	3,290,350	83	39,643
Manitoba	1,148,401	57	20,147
Nova Scotia	937,900	52	18,037
Saskatchewan	968,157	58	16,692
New Brunswick	729,997	55	13,273
Newfoundland & Labrador	505,469	48	10,531
Prince Edward Island	135,851	27	5,032
Yukon Territory	30,372	18	1,687
Northwest Territories	41,464	19	2,182
Nunavut	29,474	18	1,637

* Provincial population data based on 2006 Census, excluding census undercount.

** Number of MLAs does not reflect recent redistributions that have not yet taken effect.

E. Discussion

In deciding whether to propose an increase in the number of MLAs, we have had to weigh several competing considerations. On the one hand, we are mindful of the many people from all parts of the province who advanced arguments against any increase in the number of MLAs:

- the money saved could be better spent on health, education or other social programs; and,

- adding seats in high-growth urban areas would result in northern and rural areas having a weaker voice in the Legislative Assembly, as a relatively smaller percentage of MLAs would be from these areas.

Those pleas brought us back to our constitutional and legislative mandate. When deciding whether to propose additional MLAs, do our terms of reference entitle us to limit the number of additional electoral districts we would

otherwise propose, in order to free up public funds for other public services? And, should we maintain a level of representation of sparsely populated areas of the province in order to prevent the dilution of B.C.'s rural voice?

We are sensitive to the views expressed during our public consultation sessions, and we have learned how important these issues are. Two issues should be noted:

- First, rural areas of B.C. not close to metropolitan areas⁵⁰ are undergoing serious challenges from the relentless urbanization of the province.⁵¹
- Second, it was stressed many times during our public consultation sessions that the North's natural resources are the engine that drives the provincial economy.

Real as these issues are, we have concluded that we should not treat these rural challenges and contributions as overriding considerations when deciding about deviating from parity of population among electoral districts. Rather, our constitutional mandate (as discussed in Part 4 – The Legal Framework) is to deviate from parity only when necessary in order to ensure effective representation. In our judgment, that analysis must take place at

⁵⁰ Statistics Canada describes two types of “rural areas”: those close to urban centres, and those which are more remote. Statistics Canada: *Portrait of the Canadian Population* Catalogue no.97-550-XIE.

⁵¹ For a general discussion of this topic, see *Understanding Freefall: The Challenge of the Rural Poor, Interim Report of the Senate Standing Committee on Agriculture and Forestry*, December 2006.

the individual electoral district level. For each electoral district we propose, we must be satisfied that its population is at or near the provincial electoral quotient, or its positive or negative deviation is justified by consideration of constituents' access to their MLA and the MLA's ability to represent their interests.

As noted earlier in this Part, the legislation under which we operate specifies the factors we must take into account when proposing an increase in the number of electoral districts.

To wander from these considerations would be the misapplication of our discretion. Our starting point is representation by population. Deviations are permitted only to make that representation effective, not to change the balance of electoral power to favour one area of the province over another. To quote the Alberta Court of Appeal: “No argument for effective representation of one group legitimizes under-representation of another group.”⁵³

Although the BC Stats survey referred to earlier revealed that a majority of respondents are reluctant to increase the number of electoral districts, we need to bear in mind that B.C.'s population is growing, up 10.4 percent from the 1996 census used by the last electoral boundaries commission. We have seen

the number of constituents served by an MLA nearly double over the past 50 years and that trend would continue even if we were to add the maximum of six electoral districts permitted by the legislation.

With respect to cost, when the Legislative Assembly enacted legislation authorizing us to recommend up to six additional electoral districts, legislators must have been aware of the cost associated with adding MLAs. We are satisfied that they granted this authority in full recognition of the competing claims for public funds, and we do not believe that we should second-guess that decision.

In the pages ahead we will set out in detail our analysis that led to our decision-making about the number of electoral districts we will propose.

⁵³ *Reference re Electoral Boundaries Commission Act (Alta.)* (“1991 Alberta Reference”) (1991), 86 D.L.R. (4th) 447 (Alta. C.A.), on p. 456.