

NOVA SCOTIA
ELECTORAL BOUNDARIES
COMMISSION

TUESDAY, SEPTEMBER 4, 2018

Acadia Hall
Lower Sackville, Nova Scotia

NOVA SCOTIA ELECTORAL BOUNDARIES COMMISSION

Dr. Colin Dodds, Chair
Ms. Carlotta Weymouth
Mr. Michael Kelloway
Mr. Paul Gaudet
Mr. Michael Baker
Mr. Glenn Graham
Mr. Peter Marshall Butler
Mr. Leonard LeFort
Ms. Angela Simmonds

WITNESSES

Mr. Bill Horne
Mr. Bill Turpin
Mr. Alex Holmes
Mr. Charles Gaudet
Hon. Kelly Regan
Mr. Pat Sullivan

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6:00 P.M.

CHAIRMAN
Dr. Colin Dodds

MR. CHAIRMAN: Good evening, ladies and gentlemen, and thank you for coming. My name is Colin Dodds, and I'm the Chair of the Electoral Boundaries Commission. I live in Halifax, and I will chair tonight's public consultation.

First of all, let me acknowledge that we're on the unceded lands of the many First Nations of Nova Scotia.

I'm pleased that this evening we have all of the Commission members with us. I'm going to ask them to introduce themselves.

[The Commission members introduced themselves.]

MR. CHAIRMAN: Thank you very much. Just a few housekeeping things. We do have coffee and tea and you can avail yourselves of those. I don't think we need to worry too much about exits, but there are exits where you came in and here in the far end. I think you know where the washrooms are.

For those people who are going to speak this evening, we have two microphones, so they can come when I call, and they can then speak. It does mean that this evening everything that is said through the microphone will, in fact, be recorded and transcribed and will be part of the public record through Hansard.

Let me provide context this evening for why we're here. An independent Electoral Boundaries Commission is established every ten years, and it's established through an all-Party committee of the House of Assembly. But in the case of this Commission, only six years have elapsed since the last report. The 2012 commission had produced an interim report, and we have a map of that. The maps, I'll explain in a few minutes, did produce a report, which was not accepted because it had continued the protection of four ridings, three Acadian and one African Nova Scotian—Preston. The commission was then asked to go back and produce a report with those areas not protected, which it did in September 2012.

There was a challenge to the Nova Scotia Court of Appeal, which found in January 2017 that the final report of the 2012 commission violated Section 3 of the Canadian Charter of Rights and Freedoms. Subsequent to this, the Commission on Effective Electoral Representation of Acadians and African Nova Scotians was established, and it reported earlier this year.

The terms of reference given to this Commission have been made available, so you should have picked those up; they're at the back. They are quite broad, but I do stress the first one: the right to effective representation and elector parity. There's also a copy over there as well, which is in larger print, if you want to look at it.

On the walls this evening (and we don't have a lot of wall space) are, in fact, three maps of Nova Scotia—the whole ridings. One, in fact, is the interim report that I just referred to. The second is the final report, which are the boundaries that we have right now, the boundaries that were fought on in the last election. Then over here there's a map showing what this Commission is proposing.

What's different from this Commission and the previous commissions was that, this time around, the Commission was asked to prepare a draft prior to public consultations. In the past, the commission would go out and hear people's opinions, but there was no draft. This time there is a draft. We also have the maps for the two Sackville ridings that we're in right now and also an adjacent riding.

Our proposal, in fact, is that the current ridings of Sackville-Beaver Bank and Sackville-Cobequid would not be changed, but we have another series of questions that we want to have your input on. The first is that we are proposing in our draft the restoration of the electoral districts of Argyle, Clare, Richmond, and Preston. We're also putting out a proposal with respect to Chéticamp, which I think you'll know is currently in Inverness; it's the top end of the Inverness electoral district. We are making a proposal that either it stays within Inverness; or it is moved to be part of Richmond because we are allowed, under our terms of reference, to have non-contiguous electoral districts; or, the third option, in fact, is to have an extraordinary electoral district just for Chéticamp itself.

Because of our proposals with respect to the areas of electoral districts of Clare, Argyle, Preston, and Richmond, it has resulted in a series of other changes to boundaries. We're also cognizant of the fact that, because of increases in the population and in electors, in the case of Bedford it was way over the count.

Just let me explain a little bit. Depending on the number of voters or electors that you have, divided by the number of seats, you then produce an average. And then each electoral district is compared to the average. The key thing is plus or minus 25 per cent. Those data are given on the current map that we have right now. If you want to go back to the interim and go back to the final again, you'll see those data.

We also want to pose a question to you with respect to the concept of members at large. This is something that has been proposed and talked about over the years by previous boundaries commissions. In essence, what you would do instead of having separate ridings or separate electoral districts for the Acadian population and African Nova Scotians, you would have members at large. You would have, say, one seat to represent the Acadian population, which itself is dispersed across the province, and also one for African Nova Scotians, which again, as we know, African Nova Scotians are dispersed right across the province. We'd like your input with respect to that.

We're also proposing not only to create a new seat to encompass Bedford but also one in Cole Harbour. Overall, what we're looking at is an electoral map of 55 electoral districts.

If we come down to the two seats that we're talking about tonight in particular, Sackville-Beaver Bank and Sackville-Cobequid, as I say, our proposal is that they would remain unchanged. In terms of the data, you will see on this map on my left-hand side, that in the case of the total amount for the province there are 743,500 electors. If you divide that through by 55, then you get an average of 13,518. That then accounts for those deviations that you'll see on that particular chart.

So, ladies and gentlemen, the floor is open. We had two speakers who have identified that they wish to speak, so I would call on them first. After that, the floor is open. I think the first speaker is Mr. Johns. Is he here? No.

Okay, we will move to Mr. Horne. I would ask that you give your name so that it's on the record. The floor is yours.

MR. BILL HORNE: My name is Bill Horne. I'm the MLA for Waverley-Fall River-Beaver Bank, electoral district 54. We have a constant valuable of 1.14 or something of the average, so we're slightly around 14,900 constituents that can vote.

I'm here tonight, first of all, to thank you very much for putting this together. I think it's time that we do need to recognize some of our important groups in the community. I have been active for the last five years—a second-term MLA. I have a specific issue that I feel needs to be said.

As I say, I'm the MLA for Waverley-Fall River-Beaver Bank. Dealing with the communities over the five years, I've come to the conclusion that it would be only fair for me to say this. It's not because of the people, I think they're wonderful people in Beaver Bank, but I think they should have their own MLA or at least in one particular riding. It's broken up in my area and for MLA Brad Johns in Sackville-Beaver Bank. I see that issue in our community where there are two different MLAs. It occurs occasionally that we may not think the same. He is a Progressive Conservative, and I'm a Liberal—the Party in power.

The issue is that the community is divided somewhat, and they do need to be together. I think we're talking a majority that might be in my area. Brad has a number of constituents in his, a smaller area, but mine is a much larger area. I would think it's only fair that Beaver Bank have a separate MLA either by themselves or in conclusion with another riding or all of it—whether it's Brad Johns or it's in Waverley-Fall River-Beaver Bank.

It has always bothered me over the last year in particular and, knowing this was coming up, I think it would be important for your group to consider that issue. Beaver Bank has been with Sackville; it has been with Fall River over the last few elections. It's splitting the community a little bit. It may not be a serious thing, but if you're involved in politics at all, you would like to have a group that would be understanding of all their area.

Having said that, that's the main reason why I'm here tonight. I do thank you for the opportunity to speak. I live in Fall River—actually Wellington—but the children from Beaver Bank go to high school at Lockview High. There was a transition for a while to get everybody integrated, and they have over the last number of years, but initially it was a bit of a chore for people.

We're also thinking that the population of either Beaver Bank or some of the Sackville schools, Millwood High School for instance, may be considering thinking of getting the students to go there. I understand it's only talking points. It's not something that's in stone.

With those considerations, I think it would be fair to Beaver Bank—and I feel very strongly about this personally—that they should be part of their own riding or along with another part of a riding, but at least they're all together.

Thank you very much for your time and good luck with your next few meetings; you've got a dozen or so to go to. I'm sure by the time the Fall comes around you'll have all that done, and things will hopefully be clearer than they are right at the moment. Thank you very much.

[7:15 p.m.]

MR. CHAIRMAN: Thank you, Mr. Horne. That's why we're here. Even though the boundaries right now for Sackville-Cobequid are unchanged in our proposal, we did fit on the Waverley boundary the adjacent boundaries.

What you said is very important. Community of interest is very important.

MR. HORNE: Just to add to that, there was an area that was taken from the Fall River area (the Waverley-Fall River area) and put into Dartmouth, so we did lose people on the Dartmouth side and we did lose part of Beaver Bank on this side—the last three

elections, I guess, almost ten years ago. It's just another issue that you might be interested in changing that.

MR. CHAIRMAN: Duly noted. Thank you very much indeed. Do we have another speaker at this point? Anybody else want to speak? Yes, please. Come and introduce yourself.

MR. BILL TURPIN: Good evening, my name is Bill Turpin. I'm from Halifax. I just have a couple of questions and then a couple of things to inject into this. I'm an anglophone Quebecer and grew up through the language wars there, so I think I can speak reasonably about language disputes. If I were still living there, and the Quebec government proposed special ridings with special representation for the English – Anglos, now – I would view that with a lot of suspicion because I would see it as a policy of containment, not accommodation. At the same time, I could phone the Government of Quebec at any time I want, and any department I want, and get service in English. My point is that getting service in one of the two official languages is, to my mind, for the reasons I've mentioned, far more important than having special representation.

The other thing I wanted to mention is that I worry about concentrating peoples. A community of interest I think is terrific for a municipality, not so much I think for a provincial level of government. I think it actually runs a danger of promoting communal strife rather than eliminating it. I just want to inject that perspective.

The last thing is on the constitutionality. I'm not a lawyer, but I was reading through a Court of Appeal decision, and it seemed to me that what they had found unconstitutional was the Attorney General's decision to nullify the Electoral Boundaries Commission before it had finished its work, and what it was doing thereby was pre-empting the right of Acadians to have effective representation. That was the violation of Section 3, not the work that that committee or previous committees had produced, but that they had been pre-empted in what they could do in an arbitrary manner. Thank you.

MR. CHAIRMAN: Thank you very much, indeed. Anybody else who would like to speak, or we could move into a Q and A? Thank you. Please state your name.

ALEX HOLMES: Hi, my name is Alex Holmes. I'm from this area. I've lived in the Fall River-Beaver Bank riding for the first part of my life and then later in Sackville. I came here to this meeting—I only found out a couple of days ago, so I didn't get a chance to register to speak but, funny enough, Bill Horne actually spoke a little bit to what I wanted to talk about. I'm a volunteer, mainly in politics, a lot in this area. I'm here to speak actually in favour of what Bill's talking about. I come from a different political persuasion if that helps maybe just colour the opinion. I agree that in my time in this area—both with my family from this area who have lived here, but also through the political work I've done—Beaver Bank represents a very geographically distinct area in as much as you can in a relatively small area from the Waverley area.

My hope is, when I first heard about this Commission's work and the great deal of work and importance for the Acadian community and the African Nova Scotian community, that during the redrawing and adding of these borders that considerations would be taken to look at the Waverley area—especially when you're considering talking about adding a Bedford riding and a Cole Harbour riding—that consideration maybe be given to moving Beaver Bank into, as Bill said, its own riding or mainly under one of these two ridings. They represent very similar viewpoints between those two ridings before they were taken away into the new riding of Sackville-Beaver Bank.

As Bill said, they have issues that I think are being separated when they're essentially the same geographic community. So, I just wanted to echo those views, and I thought someone who was of different political persuasion—so it's not to cast aspersions onto Bill as the MLA coming up here. I think it's important during the re-drawing process to take that into consideration. Thank you.

MR. CHAIRMAN: Thank you very much. Just for the record, in terms of Sackville-Cobequid, the number of electors is 15,382 and that puts it at 1.14. In the case of Sackville-Beaver Bank 13,831, which puts it right on the money, right on the nose, 1.02. But this is what we want to hear.

This is our first meeting, and we picked Sackville but are conscious of the fact the adjacent riding—we wanted to have the map of that as well, because we appreciate that over the years—and I've been involved with the Commission now, this is my third time—the boundaries have shifted at different times. Sometimes it is one of trying to balance population. But you know we have terms of reference—you've seen them—and there's also a community of interest that I've mentioned, particularly in terms of where people go to school and, in fact, Mr. Horne referenced that. But it's not always easy to exactly do what everybody wants.

So, with that in mind, are there any further speakers? Yes, please. It might be better again if you sit down. Thank you very much. Again, if you could state your name.

MR. CHARLES GAUDET: I'm a former lot of things, but I guess my only qualification today is as an old Acadian living in the Halifax Regional Municipality. I was struck by a previous speaker, and that's why I think I have to react. The Acadians of Nova Scotia would be very, very happy if they were treated like the anglophone minority in Quebec. It's very important in your work that we have to have a voice in the Legislature representing Acadians.

I can give you a couple of examples when you talk about services in our own language. In Yarmouth and Digby the majority of the people are Acadian but, when we go to government services offered by the Province of Nova Scotia, we get service in French if the civil servant in front of us is an Acadian. The majority of the time, the service is not available in French. Same thing goes for Port Hawkesbury.

Anyway, I don't want to take too much of your time by that, but it's very important that we have a voice in the Legislature, and we had that for many years. I was involved. I was a former executive director of the Acadian Federation of Nova Scotia when we had our run-ins with the Dexter Government. In my view, that is not how a government treats its minorities; the way they restricted our rights for the African Nova Scotian and for the Acadian. That's why we went to court. And if that's not respected, we'll go to court again. And I hope that does not happen.

I can tell you that the people from Clare and Argyle are disappointed because they didn't have much time to prepare. They told me this today. They just had a few days' notice for the meetings that are Saturday in the southwest.

Anyway, the other point of view that happened really bothered me throughout my life—and I've worked with the Province, I've worked with the Government of Canada—is that the people of Chéticamp never had a voice in the Legislature except by accident. The only danger that your Commission could cause is if you went with the representative at large at the expense of a real riding in Clare, a real riding in Argyle, a real riding in Richmond. So, it's very important in your recommendations that harm does not happen to those constituencies.

MR. CHAIRMAN: Thank you.

MR. CHARLES GAUDET: Thank you, sir.

MR. CHAIRMAN: Well, you will note that we are paying particular attention to Chéticamp, and we've made a couple of suggestions with respect to that, but we hear your views and thank you for that.

I know that in the past we've had many speakers explaining not only the importance of having an MLA, an Acadian, in the Legislature, but the fact that they can speak on the national front and the international front, as well. So, your views are very well-founded, I think, historically, and hopefully you can see that we are trying to embrace those with the proposals that we have.

I do apologize, on behalf of the Commission, for the short notice but, as a commission, we had several days of meetings starting on the 23rd and the 24th. We then set up working groups and, with the long weekend and so on, it has taken time. But I think you can see that we've done what we were asked to do, which is prepare a draft and for the whole of the province.

Would anybody else like to speak?

Thank you.

HON. KELLY REGAN: Hi, I'm Kelly Regan, I'm the MLA for Bedford. I am actually pleased to see that Bedford would have two ridings. I can tell you, right now, I have a riding and a half worth of people, and it makes for busy days. It's difficult for me to tell the exact boundaries that you have here, you know I'm trying to piece it together.

MR. CHAIRMAN: We'll have them tomorrow night.

MS. KELLY REGAN: I know, and because of the short notice I already have something booked, so I did want to come by and at least see what was on. I would actually urge you tomorrow night to put up these maps as well—in case there are people who couldn't come tonight, and ditto with Thursday night's for Halifax—so that people who weren't able to come out on the night where it's their area can go to the neighbouring one, just so they can have an idea.

MR. CHAIRMAN: Of course, and if we don't put them as maps, we've got them.

MS. KELLY REGAN: Super, I'll take a closer look, but it seems to me that the boundaries have been drawn on some major streets, which I think is very helpful.

I think last time—I'm not sure whether it was the first draft or whether it was a subsequent one—but, for example, we were going to see a little piece of Bedford come out and go in with Hammonds Plains, and they actually couldn't get there from there; they would have to drive all through Bedford.

So, going along these major streets, I think, is very helpful. I think also, at least—and I can only speak for Bedford—it looks to me like the communities of interest are together. The older section is together, and then some of the newer areas are together. From what I can see here, which is not the whole thing, that part looks good to me. Thank you.

MR. CHAIRMAN: Just for everybody, the two ridings we are proposing would be something called Bedford Basin, which would be 0.99, and Bedford South which would be 0.77, but we are cognizant of the potential growth of Bedford. You know, we have one of our members who knows the area well. When you start to see where the growth could occur—and it could be very significant growth over the next 5 to 10 years—so that's the reason for the drawing that we did, and the extra seat.

Because just based on the last boundaries, the current boundaries that we have—and there's a map there, and there's a map just outside—then Bedford was 1.48. It's well, well, well over the 1.25. So, if nothing else, the Commission had to do some work on Bedford, and that's what the Commission came up with, the additional seat and there's an additional seat for Cole Harbour.

But we can be assured, Ms. Regan, that we'll have all the maps, as we are going through, bit-by-bit. They will be on a drive and available for people to see, so thanks for your intervention.

Any further questions of us, or comments? Yes, please.

[7:30 p.m.]

MR. PAT SULLIVAN: Thank you, Colin. Pat Sullivan with the Halifax Chamber of Commerce. Just a couple of questions on clarification, if that's possible.

As I look at the terms of reference, No. 5 is the one or more exceptional districts where there may be more than 25 per cent or below the estimated number. I'm wondering if that is the two districts that we're talking about, the Acadian and African Nova Scotian districts, or if those are districts in general.

MR. CHAIRMAN: That is, I think, in general right across. As I said, if I look at the current boundaries that the last election was fought on, there were two below the 0.75 and one above. One above was Bedford at 1.48; Guysborough-Eastern Shore-Tracadie was one; and I think Cumberland North or Cumberland South was another—I think that was 0.74.

In that respect, if you go back to the interim report, then of course you would have the ridings of Clare, Argyle, Richmond, and Preston below the 0.75. I think that was the issue the last time around.

This gives us a little bit of latitude to the Commission for those that are under, and potentially for those that are over. As I say, in the case of Bedford, the Commission is very cognizant of the future growth in that area.

MR. PAT SULLIVAN: I guess my second question—and this is a question for clarification, not really prepared to make a statement, but for clarification—if the terms of reference said 51 potential seats plus additional seats, I guess I'm wondering why the Commission didn't re-draft more dramatically the ridings that are in play to come closer to 100 per cent the average, and thereby keep it closer to 51 seats, rather than move to 55 seats.

MR. CHAIRMAN: That's a good question to ask, and I'll try to address that. You've got to take the terms of reference in their entirety: geography, history and, of course, language are all in there.

We are required by our terms of reference, in terms of the preliminary report or what we call the interim report, to have several proposals. One is the 51 seats, and then we're invited to go beyond that. If I read Term of Reference No. 7, "... 51 electoral districts, and for at least one different total number of electoral districts," that could be lower or higher, of course. The Commission is very mindful of what transpired through the court challenge and what transpired through the Keefe report, so this is what we're coming out with right now.

By November 30th, we should, in fact, have our thoughts on the 51 seats because that's what we've got right now—51 seats. Then the other proposals—which could be the one we have right now that we've come out with, but we were asked for a draft and that's what we've come up with. But we're cognizant of the fact that we have to have at least a draft or at least in the preliminary report a proposal for 51 seats.

MR. PAT SULLIVAN: That's it. Thank you very much.

MR. CHAIRMAN: Are there any other questions? Mr. Horne again, thank you.

MR. BILL HORNE: Just to add an appendix to what I've said, I'm noticing here that Eastern Passage is looking at having one MLA, just for Eastern Passage. I lived in Eastern Passage many years ago—No. 21 is the electoral district—and I would have been going to school, if I had stayed in Eastern Passage, out to Cole Harbour. It's a long drive for young people in junior high where I would be going.

It's good to see that Eastern Passage is now probably going to have one of their own in their area. They're seafaring people like fishermen, Forces people that are flying in the Air Force at Shearwater, and so on. It's a different type of population than what's in Cole Harbour, at least slightly—maybe a bit more than just slightly. I'm glad to see that you have considered that as an issue for that particular area.

Having said that, I'm sure you're going to hear all kinds of interesting tidbits on what's going on in the province, and there are likely other areas that would be similar, like to see their own MLA for one area. I think that makes a lot of difference in cohesiveness of how a community works. They rely on volunteers and, if you have volunteers in one riding and volunteers in another riding, it may cause some conflicts if they happen to be partly from one of those two.

I think you'll find there's a lot of agreement in what you're saying here in what's going on. I'd like you to maybe talk a little bit about the Mi'kmaq or the First Nations, as you wish to call them, how they will fit into this system, whether it is contiguous or non-contiguous. I'm sure that even in their own communities they'd agree or disagree on issues.

Having said that, I won't go any further. I'm sure you're going to hear a lot of this over the next month or two months that you'll be working on this. Good luck, and try to make sure that it is not changed.

MR. CHAIRMAN: Thank you. Just for the record, the Eastern Passage 10,257, I think, is on there and it's 0.76, so it's very close to the 0.75.

Again, what you have around the table in the membership of the Commission is a geographic mix across Nova Scotia—people with individual knowledge, particular knowledge in certain areas—and hopefully everybody can see that's reflected in the map that we've drawn. Thank you.

MR. CHAIRMAN: Anybody else? Yes, please, come back.

MR. BILL TURPIN: I'd like just a moment to contradict on communities of interest, which I'm not really fond of, but that's not really relevant. I'd just ask you: I can't tell from this yet where the numbers are skewing. Maybe they're not skewing at all, but one thing that we're always mindful of in Nova Scotia is how politics is done.

One of the things I liked about the last riding map was there was a reasonable balance between urban voters and rural voters, so I'd ask you two things. One is that you update that, include in that a statistic as well, showing the balance between rural and urban voters so that we know what's happening. Secondly, I'd ask that whatever you decide, please don't do it at the expense of urban representation. I don't say that just because I live in Halifax. I'm saying it because I do think the future of this province will be brighter with a stronger influence from its cities. Thanks very much.

MR. CHAIRMAN: Thank you. Again, for the record, the Commission is proposing two additional seats for HRM: one in Bedford and one in Cole Harbour. We will be in Cole Harbour soon.

If you go back to the previous report and the one before that, each time there were additional seats made available for HRM. Of course, if you are given a fixed number of seats—in one of the commissions I was involved in, we had a fixed number of seats—to do that, something had to give, and it was the rural areas that gave up: one down on the South Shore, I think, and one in Cape Breton.

We're very mindful of the growth of population. The data that we're using, just so you know, is June 29th of this year. It's the most up-to-date data that we have. On that basis the numbers you see there, that 743,500 is as of June of this year, and that's what we're going with.

Any further comments? Any further questions?

Again, I want to thank you for coming out this evening on a beautiful evening. We will be kicking around for a little bit longer if you want to talk. Look at the maps please, the two maps as you come into the entrance area. One is from the interim report, which was 52 seats. The other is from the final report, which is 51 seats. That is the report, as I say, on which the current boundaries have been drawn.

This one on my immediate left is the proposal right now from the Commission and then, as I say, we have specific maps dealing with the two Sackville seats. But then we're conscious of the fact that people may be here from Waverley-Fall River-Beaver Bank, so we have that map as well.

With respect to Bedford, we'll be there tomorrow night. Then we have another meeting in HRM. Then we go down to Shelburne, and then we do Argyle and Clare. Then

we're back for Halifax again next week. Then Cape Breton, and then back to Cape Breton. That's the schedule that we've got.

Again, ladies and gentlemen, thank you very much. If you want to stick around a little bit longer, please do. I want to thank the staff from the Legislature that have been taping this. It will all be transcribed and will appear in Hansard and will be translated as well.

Thank you very much indeed.

[The Commission adjourned at 7:41 p.m.]