

**NOVA SCOTIA**  
**ELECTORAL BOUNDARIES**  
**COMMISSION**

**THURSDAY, SEPTEMBER 13, 2018**

**Cole Harbour Place**  
**Cole Harbour, Nova Scotia**

**PROVINCIAL 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. Barry Alexander  
Mr. Lucien Comeau  
Mr. Martin Théberge  
Mr. Ross Haynes  
Mr. Pete Smith  
Mr. Jeff Meanie  
Mr. Daniel Theriault

**DARTMOUTH, THURSDAY, SEPTEMBER 13, 2018**

**ELECTORAL BOUNDARIES COMMISSION**

**6:00 P.M.**

**CHAIRMAN**  
Dr. Colin Dodds

MR. CHAIRMAN: Good evening, ladies and gentlemen, thank you for coming. My name is Colin Dodds and I am the Chair of the Nova Scotia Electoral Boundaries Commission 2018, and I will chair tonight's public consultation.

I apologize, we're starting a little late, but we wanted to get the maps up so you have a chance to see them before we started. There is coffee and there is tea. I had to pay for it so there's another reason for us starting late. It's wonderful to be here in Cole Harbour Place and be able to offer ourselves, but offer you more particularly, the tea and the coffee. Also, there's some water there as well.

First of all, let me acknowledge that we are on the unceded lands of the many First Nations of Nova Scotia. I'm pleased that tonight we have the Commission with us, all but one member who, he's a professor at St. F.X. and, unfortunately, he has classes until five o'clock. He was with us last night and he will be with us tomorrow night and Saturday night, but he could not be with us this evening.

I think you know that in terms of the exit there are exits there and I don't know where the bathrooms are but I'm sure you'll find them.

I do want to say that on behalf of the Commission we are delighted to be here. Everything that is said through the microphones, both at the table there and here, will in fact be recorded by our friends over there from Hansard and will then be transcribed and will appear as a public record in Hansard.

I thought I would start off with a little bit of context for tonight's meeting and the other public consultations. In previous commissions, and I know I've seen some of you before because this is the third one I've served on, the commission would go out effectively with a blank slate and would have the current boundaries in play, which we have over there, and then basically ask for your input. People would sort of say well, what's the thinking of the commission? Where are you coming from?

The terms of reference were given to us by the all-Party committee when they met earlier this year, they also said, well you've got to go out with a draft. So, before your public consultations, have a draft so that when you meet people they will see what you're thinking about.

I have given out what our proposals are. There is a three-page handout with that. If you don't have one, come and I can give you one. Unfortunately, I put the second and third pages the wrong way in the photocopier so that when it collated, the terms of reference are the wrong way around. I apologize for that.

We are coming out this evening with proposals. You'll see in our terms of reference that the Select Committee has given us a fair degree of latitude. In previous commissions, you've been told 52 seats, 51 seats, you can't deviate from that. This time we've not been given a fixed number of seats, apart from one particular proposal, which they've said give us a proposal for 51 seats, which is what we currently have. But then, we want at least one more proposal on top of that.

[6:15 p.m.]

The one we've come out with tonight, if you like, is the one on top of that—it's the one that we've been through parts of Nova Scotia, and tomorrow night we'll be in Cape Breton, and Saturday night. Then we have a little bit of a gap and then we're back in Cape Breton the following week. That's a little bit of the context of tonight's meeting.

I want to go a little bit further and explain why it is that an independent commission such as ours is back after six years, because normally they are every 10 years. I think back to 1992, 2002, which I chaired, and then 2012, of which I was the vice-chair. Then we are here after only six years.

We have put two more maps up on the wall there. One refers to the interim report 2012, which the Auditor General declined to accept, and sent the commission back to prepare another report, which it did prepare—a revised interim—and then subsequently it prepared a final. So, we have the interim 2012, we have the final 2012, which are the current boundaries, 51 seats. The interim is 52 seats. Then our proposal on this, the map closest to me, is what we're coming up with this evening.

Why did the Auditor General do what he did? Well he didn't accept the interim report because the commission had sought to continue the protection of four electoral districts: Clare, Argyle, Richmond, and Preston. He didn't accept that; he said that was not in our terms of reference, and our terms of reference were binding. We argued that at the beginning it said, "the Commission will be guided by." Well, if you are guided by, you have some wiggle room. Anyway, suffice to say that he made us go back and do the job again.

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

As I mentioned, the Commission was asked to produce a draft, which is what we have done. Our interim or preliminary report—they use the word “preliminary” in their terms of reference—is due on November 30<sup>th</sup> but, because of translation needs, effectively we have to have that ready for translation by the end of next month.

As I mention again, it requires the Commission to produce at least two sets of proposed boundaries—one for 51 seats, and if we do that the provincial average of electives would be 14,578; and a final report by April 1<sup>st</sup> with just one set of boundaries. Then the House of Assembly can either accept or reject the recommendations.

I’ve mentioned that the terms of reference given to the Commission are fairly broad. They stress the right to effective representation but, also, they mention elector parity. I think there are 11 terms of reference and you should all have them in front of you.

I have a list of people who indicated at the outset that they would like to speak, so I will call on them in a few minutes. I do want to mention that the total number of electors that we are looking at across Nova Scotia is 743,500. The data set we are using is as of June 29<sup>th</sup> of this year. That gives an average on our seat count of 13,518.

There is a series of things that we’d like your input on tonight. Although I’ve given you a handout I do want to go through them. The first is that we would, in fact, be restoring the protected ridings with respect to Clare, Argyle, Preston, and Richmond. Secondly, given population shifts and so on, we are proposing to create a new seat in Bedford and, effectively, what is a new seat for Cole Harbour. Of course, that produces changes in the boundaries of adjacent electoral districts.

On the walls opposite there, we have our proposals for the two seats for Cole Harbour. At the same time, we have adjacent ones. We have the Preston that we used last evening, and I think we have Eastern Shore.

Another area that we’d like you to think about is the concept of members at large. This is something that has been discussed several times. Right now, there is a seat available for our First Nations to take up, and that is since 1992. That would be a member at large across the whole of Nova Scotia.

We recognize that the Acadian population and the African Nova Scotian population are dispersed so we’d like discussion, if you can and if you want, with respect to that.

Before I turn the floor over to you, I'd like to have the members of the Commission introduce themselves, starting on my far left.

[The Commission members introduced themselves.]

MR. CHAIRMAN: Thank you. I reside in Halifax.

I say the one that we're missing is from Antigonish. I think you can see then there is a geographic split across the province. But I say we were appointed by an all-Party committee. If you ever want to see the minutes of that they are available, all but one set where they go in camera to discuss who will actually be chosen to represent the Commission.

This evening with respect to Cole Harbour, and I think we've got the names wrong, but we're looking at Cole Harbour, what we call Cole Harbour-Dartmouth—that's the current one—which would have 12,751 seats. What we do is by taking the average, by dividing the total number of electors by, in our case 55 seats, then we produce an average and that then becomes one, and then the electors for each of the electoral districts are either at one, above or below.

You'll see in our terms of reference that we are allowed to go up to 1.25 and below to 0.75, but then we are allowed to make changes within that based on geography, historical, cultural, and other factors.

I do have a list of names of people who have indicated they wish to speak so I intend to start off with that list—if I can find it—and then we will proceed from there. The first speaker who indicated they wished to speak is Barry Alexander.

Can you come forward? If you can then give your name as you speak into the microphone. Thank you.

MR. BARRY ALEXANDER: Thank you for your invitation to come and speak. My name is Barry Alexander. I currently live in Cole Harbour. What I defined in a lot of my documentation back to a number of your commissions over the years is Cole Harbour South, basically a division of Cole Harbour that was re-established from farmlands to pure residential between 1970 and the current date. It included the southern defined borders used by both the municipal and the federal ridings.

I don't mind that Cole Harbour is divided into a number of pieces provincially to suit the numbers, the representation and the rest of that, but what I do mind is the fact that that small piece of Cole Harbour that was currently included, if you look on your 12 Cole Harbour-Eastern Passage map, former one, has been significantly under-represented by an MLA situated in Eastern Passage. I have provided information to any and all MLAs from 2008 to now, saying it should never have been severed from a larger portion of Cole

Harbour and should not in the future be associated with political decisions made in Eastern Passage.

Recently, a year or so ago, I met with the MLA from Cole Harbour, the Honourable Tony Ince, to discuss the concerns of that small group of people, and I've talked to quite a few of them on everything from what they think would be, if we did an audit, a disproportionate use of taxes rendered versus everything, community development, God knows what else, reduced student funding, and capital infrastructure improvements. I sense a lack of fair representation in the Legislature is a primary piece, and lack of identity for that small group.

Arguably, the loss of a new high school location because we do have the centroid of people generating children for the high schools in that area—I've done the research, someone tell me I'm wrong. What I would like to go over with you is that I've lived in Cole Harbour for nearly 40 years as part of a legitimate positioning of my comments. We've lived in that area of Cole Harbour since then. I have a daughter who lives there and two grandchildren. We are three generations deep in 40 years—and counting—and I don't have any intentions of moving.

I served years ago as the designated chair or the designated speaker of the Cole Harbour One community presentations to the Nova Scotia Utility and Review Board years ago. Subsequently, when we look at the municipal boundary hearings and the results, I'm quite pleased with that. I also put probably 6,000 to 7,000 volunteer hours into this facility and, at the official ribbon-cutting ceremony—you mentioned last night I know Dave Nantes—I'm standing next to him in the picture. I was vice-chair in charge of building and site development for that period of time and everything else before that. So, that's who I am, that's where I've been, that's where my family is, and we lack significant identity.

I am very much in favour of your proposal above, called 13 Cole Harbour-Dartmouth. Being re-associated with Dartmouth in any way, shape, or form is just fine with me as I originally came from there. I would like to see the map, as defined by my dissertations with a number of MLAs over the while, redrawn in one respect—I would like to see the line at the top, where it dips down through Colby Village and waffles its way across the page, drawn straight down Cole Harbour Road. In other words, we'd have a really established part of Cole Harbour called Cole Harbour North and Cole Harbour South would be defined as that—if you look at the 1970 residential development, it starts on that line and comes south.

I don't know what the definitions have been years ago to draw that squiggly little line in the middle of nowhere, other than Becky Kent wanted it to make sure that it covered the Caldwell Road School when they were looking at numbers for their new high school. I overheard a conversation between her and somebody on your commission last time, in this room, saying, oh, where do you want that line drawn?

I'm going to watch the proceedings very carefully, Mr. Chairman, and members. If I see any of that going on after the public consultations and you get into your private stuff, I think we'll look at a legal boot to get rid of the MLAs and their quirky little requirements.

MR. CHAIRMAN: Sorry. Right at the top—that squiggly line?

MR. BARRY ALEXANDER: I can draw that if you want and give you that. Basically, draw that all the way down Caldwell Road.

MR. CHAIRMAN: There is a hard copy of the map over there on the wall; we can have a look at that perhaps when we close.

MR. BARRY ALEXANDER: So that you're a little more experienced with the information I provided to Tony Ince, I do have a copy of the letter that I gave to him the day I had a meeting with him. We talked about how these people have been treated in the last eight years with that squiggly little line not being in Cole Harbour. I will leave that for anyone who would like to take it.

MR. CHAIRMAN: Our administrator unfortunately had a car accident down in Shelburne on the weekend, so at the moment we're on our own but I'll take it.

[6:30 p.m.]

MR. BARRY ALEXANDER: It just gives you probably a more aggressive taste as to what I feel about this and which occurred tonight. Basically, I'm very pleased with being back in the Cole Harbour-Dartmouth fold but would like to see that line drawn straight across the board. Other than that, I'm very pleased.

MR. CHAIRMAN: Okay, we're here to have your input, whether it's the sort of macro concepts of what we're talking about or whether it's something fairly particular with respect to where the current boundaries are, sort of the more micro. That's what we're here for. We can't always promise to get it right but perhaps at the end you can show me on the hard copy.

MR. BARRY ALEXANDER: There's a distinct culture in that newer area of Cole Harbour that is all residential. Some people still call me a come-from-away-er. I've been here 40 years and I'm hearing yes, you live over in that part. I'm saying fine. There's a very distinct cultural line right down the middle.

MR. CHAIRMAN: Well, that's what we're finding, that Nova Scotia is full of—and it's very welcome, actually, to have many different cultures, so that's why we're here this evening, okay?

MR. BARRY ALEXANDER: I've kept it very quiet and I can do worse, but I was so impressed by the meeting last night in the Prestons that I thought I had better behave myself.

MR. CHAIRMAN: Thank you very much for coming this evening. (Interruption)

You can't hear? Okay, why don't we turn the chair around? Put it there and then we can share. Can you hear to transcribe? Can you hear, Paul? Well you'll check when somebody comes.

So, the second speaker is Lucien Comeau. We'll do a voice check at that point. Again, if you can state your name, please.

MR. LUCIEN COMEAU: Good day, bon jour. My name is Lucien Comeau. I am a Dartmouth resident for over 25 years. First off, I would like to thank the Commission for giving me the opportunity to share my views on effective representation and electoral boundaries for Acadians and francophones. I realize that you had sessions in traditional areas. Here, in Halifax, we were not given that opportunity, so I'd like to speak on their behalf.

MR. CHAIRMAN: You're very welcome.

MR. LUCIEN COMEAU: As I indicated, I've been a resident here for over 25 years and a community, social justice and educational activist for equitable access to benefits and services for my Acadian and francophone community both within HRM and the province.

What qualifies me to speak on their behalf regarding effective representation? Well, from my very youth, I was influenced by mentors Pere Léger Comeau, who was the former President of the association, Société Nationale de l'Acadie, and the Fédération acadienne de la Nouvelle-Écosse, as well as my father who was one of the founding members of the Acadian festivals, the first in all of Atlantic Canada.

That said, in my youth I was involved in many community organizations and here in Halifax I basically followed my children through the home and school associations, the consultative school groups, the Conseil communautaire du Grand-Havre and the Partenariat acadien et francophone de Halifax as presidents. I am also an active CSAP trustee at this time.

Now please note my personal opinion is not that of any organization that I am presently involved in because it is a very sensitive issue within our community. A written bilingual submission will be provided to the Commission at a later date, with supporting signatures. It is important to recognize that the past and present contributions of the former three traditional Acadian ridings in securing equal rights and their continued efforts to reduce the effects of marginalization have been very important.

Yet times have changed. Statistics Canada shows that the continuous migration of rural Acadians and francophones from all provinces to urban areas in addition to francophone immigrants who challenge the concept of tailored communities of interest or exceptional ridings. Initially, these ridings were established in part to improve the chances of electing Acadians who understood these isolated communities. Yet, not always were Acadian or bilingual MLAs elected. Since the 2018 report and recommendations of the Commission on Effective Electoral Representation of Acadians and African Nova Scotians, the Acadian and francophone communities have been sensitized. Many recommendations have been accepted by the provincial government, such as the focus on effective representation in ABCs and proposed changes to the Municipal Act.

Yet, electoral boundaries remain an issue, in particular the concept of non-contiguous ridings, which are ridings that are not connected geographically. Le Conseil de développement de la Nouvelle-Écosse community profile of HRM stated the following: The Acadian and francophone community is dispersed over 5,400 square kilometres. HRM's population is over 400,000, or 43 per cent of Nova Scotia's population. Halifax was founded in 1749, yet the non-protected Acadian community of Chezzetcook already existed at that time. Population growth is concentrating in and around HRM since 1991, whereas the rural communities are in constant decline as individuals search for jobs and gradually settle in urban areas with extended family members.

Protected ridings may re-emerge with the growth of urban areas and continue to widen the gap between protected and unprotected ridings. We may be back here in 20 years.

The growth of francophone populations tends to be stagnant, while the anglophone population is increasing in HRM and the province. Francophone immigrants mainly choose to stay in urban areas such as HRM, which concentrates like-minded micro francophone communities with similar cultural, religious, ethnic values. The number of people reporting knowledge of official languages in HRM is 49,000—and that's over half the 93,000 provincial total. We are, here in HRM, 10,000 French-speaking first tongue out of a total of 33,000. We are, in effect, the largest Acadian and francophone population within Nova Scotia.

Whereas rural area workforces are primarily producers, the urban area's workforce is concentrated in the tertiary sector which covers a wide range of activities from commerce to administration, transport, financial and real estate activities, business, personal services, education, health and social work, i.e., 88 per cent, and manufacturing, 10 per cent, represents a different set of challenges, needs and services to our local population.

The Office of Acadian Affairs added la Francophonie to its title in order to promote equality, diversity and inclusion to ensure that all francophones from across Canada and Europe and Africa, regardless of ethnicity, race, colour or religion, were considered as equal to the Acadian population.

Urban Acadians and francophones, due to geographic disparity and visibility in the concentrated anglophone community, find it difficult to meet on a regular basis. As such, constituents are harder to be represented. Most provincial and federal departments and agencies have their headquarters in Halifax, and it's also the home of the largest Canadian Forces base in the country in terms of personnel.

In 2016-17 the CSAP reported that about 45 per cent of their registered students are within the HRM, whereas the former Halifax Regional School Board had 10,000 immersion students. CSAP schools are provided with older facilities abandoned by the former Halifax Regional School Board. The Université Sainte-Anne is struggling to find a permanent campus to expand their programs in order to meet increased migrant and local educational demands.

Also, the HRM recently recognized the community's need for additional French services and the potential for bilingual economic development returns and is presently taking active steps to enhance these through various initiatives, yet there is much left to be done to achieve equality in the workforce and service equivalency. In comparison to rural areas, for example, there are no provincial or private bilingual service facilities for adults with special needs, autonomous seniors, residential or long-term homes and so forth.

On the question of effective representation, it would appear that the Commission is moving forward with the suggestion of four separate electoral districts, yet the fifth option listed in your terms of reference should be the focus; that is, obtaining comments on the creation of a group of individuals, members, to ensure effective representation and relative parity to the numbers of voters.

In view of the former electoral boundaries public submissions, we found the initial proposals by the Comité communautaire de Chéticamp-LeMoine had merit in part because the status quo is not acceptable and is discriminatory to Acadians and francophones in non-protected areas throughout the province. Although not ideal, a return to these protected electoral constituencies of Clare, Argyle, and Richmond would be preferable to the status quo.

The optimum solution is the creation of seats at large, inclusive members in the Legislature. CSAP's 25-year democratic model with three seats, three MLAs representing the southeast, central Nova Scotia and Cape Breton respectively would be, in our view, optimal. The agreement with the FANE to improve effective representation, French services via l'Office des affaires acadiennes et de la francophonie is well warranted.

Supporting HRM and other unprotected communities by municipal amendments would be beneficial. In concrete terms, this would involve the creation of community committees, such as in the case of HRM with the Partenariat acadien et francophone de Halifax, which is a coalition of provincial, municipal, and not NGOs, with the hopes of permanently establishing French language service policies that will be established to ensure sustainability for French services.

There is, again, merit for the creation of the all-seats riding in the Legislature. This would essentially give a voice to all rural and urban Acadians, regardless of their location. In response to the Commission's decision not to recommend, for several reasons, I respond as follows: The compilation of alternate voter lists would represent a considerable administration burden and risk and challenge, yet the province has accepted the CSAP elected school board model on voter ballots for the last 25 years. Why not have all-inclusive ridings?

The amalgamation of Acadian and francophone voters within these inclusive ridings would increase voter parity with other electoral constituencies. Nova Scotians represented by the designated seats would ensure that traditional communities of interest such as values, linguistic rights and so forth, would be assured. MLAs may have a tendency, to traditional constituencies, to prioritize their constituents' rural needs, so we must find ways to ensure that geographical barriers aren't in place that would inhibit their access to equitable inclusion services and that.

[6:45 p.m.]

So, in final recommendations to the Commission, effective representation, all-inclusive ridings could be achieved by developing a system of elections that would be more inclusive, non-discriminatory, and representative of all Acadians and francophone members across the province. The effective representation of Acadians and francophones must be achieved through political representation and through the implementation of laws and services that ensure the protection and promotion of all of our communities.

Finally, it remains for you, Commissioners, to propose an alternate approach to the provincial government to give each Acadian and francophone an effective voice – not only in traditional ridings, but throughout the province to ensure equality, diversity, and inclusion to our community. Thank you very much.

MR. CHAIRMAN: Thank you. I do have a question.

MR. LUCIEN COMEAU: Yes.

MR. CHAIRMAN: Precisely, we have come out with the question of members at large, which you have addressed—would your proposal replace the protection of Clare, Argyle, and Richmond?

MR. LUCIEN COMEAU: That is correct. That is also what was voiced by a certain group in Chéticamp.

MR. CHAIRMAN: We will be up in Chéticamp on Saturday. Thank you very much.

The third speaker I have is Robert Harpell. Is Robert here? Okay. Next one, is Martin Théberge.

Martin, please. Thank you. So again, if you would give your name.

MR. MARTIN THÉBERGE: Hello everyone. My name is Martin Théberge and I have been living in Nova Scotia for over 12 years now. This province is what I now call home and, oui, il fait beau vivre.

This is a summary of the position paper that was handed in to you earlier. I'm just going to start by saying that appearing in front of you today on the 10<sup>th</sup> Annual National Linguistic Duality Day brings many thoughts to my mind.

Since I moved here, I have worked both as an employee and as a volunteer with a number of provincial, Atlantic, and national organizations. These are all organizations that have an impact, directly or indirectly, on our communities, on their capability to blossom and to thrive, and on the lives of citizens in general. Almost two years ago now, I started my consulting firm which allows me to continue being active in my community and with the organizations that support its development. I do believe I am a good citizen, if only because I abide by the laws, I pay my taxes, and I uphold my right, privilege, and duty to vote every time there have been elections since I could legally do so—at least until now.

As a French-speaking citizen in Nova Scotia, it is important to mention that I stand behind, that I agree with, and that I support the positions, arguments, and remarks of Fédération acadienne de la Nouvelle-Écosse, FANE, and Conseil communautaire de Grand-Havre, CCGH.

The French-speaking people in Nova Scotia and in Canada are, indisputably, one of its founding people. Linguistic duality is, today, one of our fundamental Canadian values which leads the way to our diversity and which leads itself to the very definition of who we are as a country.

Il en va de même pour la Nouvelle-Écosse. Nul ne peut affirmer que le peuple acadien et francophone ne fait pas partie intégrante de la construction de ce qu'est notre province aujourd'hui. Malheureusement, à travers le temps, les Acadiens de la Nouvelle-Écosse ont souvent été traités injustement.

As a reminder let me mention a few examples, such as the obvious deportation, the right to vote, the obligation to renounce your religion in order to hold certain powers or positions in French education.

Les circonscriptions acadiennes jusqu'en 2012 protégées réveillent un caractère particulier. En effet, la réalité culturelle et linguistique de la communauté d'expression française et habitant fait de ces circonscriptions des endroits spéciaux et différents.

Different indeed but no less Nova Scotian. Social, economic and cultural vitality of the community depends in part on the electoral ridings they live in. Without them we accelerate the rate of assimilation, we speed up the decline of the community.

Nous ajoutons de l'huile sur le feu qui brûle encore des erreurs du passé.

My understanding is that the decision from the court in 2017 regarding the protected Acadian ridings show clearly that the decision from the province or, more precisely, the means to make that decision, were unconstitutional.

En tant que citoyen, lorsque nos voix de 13 actions de la part de notre province aussi fières que l'on peut s'en être, notre fierté en est ébranlée.

It is not just in my government that I lost trust, it is also in the electoral system and government proceedings in general.

En quelque sorte, ce que l'on comprend des ces actions envers le peuple acadien c'est que notre vote ne compte pas réellement. C'est que notre gouvernement ne sert qu'à représenter une poignée de gens faisant partie d'un club élite auquel nous n'avons pas droit. Unless we conform, unless we accept to be assimilated, unless we renounce who we really are.

The French-language Services Act says, and I quote, "Nova Scotia is committed to promoting the development of its Acadian and francophone community and maintaining for future generations the French language, which contributes to the enhancement of life in Nova Scotia."

La question qui se pose est à savoir comment le gouvernement comte remplir ce mandat alors qu'il ne permet plus aux Acadiens d'avoir une voix à l'Assemblée législative.

How is it possible to promote the development of a community when also contributing to its assimilation?

La première étape nécessaire est d'assurer une représentativité à l'Assemblée législative. Il faut mettre en place quatre circonscriptions électorales protégées pour les régions d'Argyle, de Clare, de Chéticamp, et de l'Isle Madame.

On top of MLAs for these four ridings, it is also important to give a voice to the francophone community of Halifax. The biggest of the province, the community holds one-third of the French-speaking population.

Il semble alors logique d'avoir deux députés désignés pour la communauté d'expression française de cette région.

It is also important to mention that these six MLAs representing Acadian and francophone communities must have a specific and clearly-defined territory for a single geographic region.

Toutes autres déclinaisons comme, par exemple, les circonscriptions non contiguës, ne serviront qu'à diviser la communauté et à semer le désordre, ce qui ne servira ni le gouvernement, ni la communauté que ces députés représentent.

It would seem unthinkable that an MLA from Lunenburg County also represents part of the Truro community. The same thing applies to the Acadian and francophone community.

Nova Scotia has an opportunity to prove itself as proactive, inclusive and responsible. I urge you, members of this Commission, to seize this opportunity and to ensure a better future for our province.

Il faut le faire pour permettre à ma communauté de survivre et de prospérer. Sans cette action, c'est un autre clou dans le cercueil de ma francophonie, de ma communauté, et donc de moi-même que vous enfoncez.

MR. CHAIRMAN: Merci. Thank you. Do you want to leave that with me?

MR. MARTIN THÉBERGE: I gave copies to Mr. LeFort earlier. It will be submitted electronically as well, so you can do the translation.

MR. CHAIRMAN: Yes, we do have a website. We'll flash that up later on, and we have a Facebook page as well.

MR. MARTIN THÉBERGE: Fantastic, thank you.

MR. CHAIRMAN: Thank you very much, Martin. The next speaker is Ross Haynes on behalf of the Atlantic Institute for Market Studies.

MR. ROSS HAYNES: Thank you, Mr. Chairman. My name, as you mentioned, is Ross Haynes. I am here on behalf of the Atlantic Institute for Market Studies and of course myself. As have the other members or the other submission proponents have done, I'll tell you just a little bit about my background. I've been in business here in Halifax for all of my adult life. I have lived and voted in probably a dozen different constituencies in and around Halifax. I've worked and travelled over the whole province in my career as a lawyer. I've been a political hack for most of my life, usually for the Conservative Party, from raising money to being president of various riding associations, both federally and provincially. In my role here as a spokesman for the Atlantic Institute for Market Studies, our position is quite a bit different from the micro positions that have been made earlier this evening.

Our view about the electoral boundaries work that you have, which is a daunting challenge. I can only imagine the difficulties of your conversations and deliberations with the many issues that come before you, the subtleties and the energy which comes before you, the passion of our two previous speakers about their linguistic concerns of the francophone community in Nova Scotia. We have the Black community and we have, of course, the ever-growing other ethnic communities in Nova Scotia. We now have in Halifax a significant Arab-speaking population. We have a growing Chinese-speaking population and each of these groups of people, oftentimes, have identities. They seek to have an identity and it's a challenge for us as we evolve in a society. How do we cope with historic identity issues and emerging identity issues and also have a national identity or provincial identity, a one-province view?

The view that I am here to talk about is a one-province view, not separate identities, not hyphenated identities. In looking at your website data, I was struck, particularly, by the statistics from the material that was published earlier this year. It is in the financial statistics that you had published in April of this year. The statistics indicated there were about 756,000 electors in the Province of Nova Scotia. You obviously have new data with the ever-changing complexity.

In the 51 constituencies we have, there is a tremendous disparity. You have a low number in Guysborough-Eastern Shore-Tracadie of 10,292 in your statistics, to Bedford where there are 21,547 electors. That is over 50 per cent disparity or 100 per cent disparity—whichever way you want to look at it. In your distribution of seats, you have the one constituency with over 21,000 voters; one constituency with 10,000 to 11,000, six between 11,000 and 12,000; six between 12,000 and 13,000; five between 13,000 and 14,000; eight between 14,000 and 15,000; eight between 15,000 and 16,000; eight between 16,000 and 17,000; five between 17,000 and 18,000 and three between 18,000 and 19,000. Then of course the one of 21,000, and no doubt growing, as that community continues to prosper.

It seems to me, and it seems to our position, is that the greatest effort we should make is to have every vote count equally across the province. The difficulty with protected constituencies, or with special interest group constituencies, is that we then come with a very undemocratic result of voting disparity, which creates not the kind of desire that we have for inclusion and total community participation, but exclusion.

[7:00 p.m.]

We seek to solve a problem by creating greater discrimination and greater disparities. When we look at maps of our province, we see all these boundaries. They are historic, they have all kinds of nuances of the past, they have development issues, they've got who built this, what built that, what political person in the past drew a line here and there. I think we get locked in to this historical pattern instead of saying, how can we just give everybody an equal vote and make everybody who is running for office run the same distance? Now they have to convince the same number of electors to vote for them, the

same Party has the same challenge; rather than trying to find ways of jiggling everything around to cater to interests.

In my humble opinion, the interest should be that every Nova Scotian should be given equal opportunity to participate as equally as possible in the electoral process, however that is.

You could say we should have 40 seats, that's about 19,000 per constituency. Or we can have 51 seats or 55 seats or 72, whatever way the cookie cuts and you just divvy up the province to meet that criteria.

But right now, and with the kind of information we have in the marching orders that you've been given, it appears that we would be bound to another formula of greater disparity just in the numbers if we stick to the boundary ways that we're looking at things and don't find a more imaginative and inclusive way.

I want to be a citizen of Nova Scotia. I want people to be citizens of Nova Scotia, not citizens of a particular part of Nova Scotia with a particular hyphenated identity by race, culture, creed, religion or other special interest.

I don't know how we do that if we don't have a conversation about that, as opposed to having a conversation about how we divvy everything up and make everybody unique. I'm not particularly anything other than a Canadian. I wasn't born here. I came here willingly 60-odd years ago in the navy. I've lived here all my life. I've never seen myself as anything other than a citizen of Canada living in Nova Scotia. I don't want to be trying to figure out which wedge issue I have to fit myself into to be a hyphenated Nova Scotian or have resentments because other people have a hyphenated right that is different from my right, particularly at the ballot box.

The government has many tools to exercise to assist with special interest groups, whether it's cultural, religious, linguistic, architectural, regional or whatever. And that should be the challenge of the Legislature to do in their machinations in Province House. But when it comes to going to the polls, we should all get a chance to participate equally. I suggest to you that your greatest challenge is to find out how to do that, and to do it in a language that recognizes that. I know you have the court decision and you have these historic protected communities. I don't know how much elasticity you have in your mandate that you can say, no, we're not going to do that. We're going to confront this issue in a totally democratic way where every Nova Scotian is equal with every other Nova Scotian. We go to the polls, celebrate that democratic right. We vote equally and then you can fight like hell in the Legislature over the issues you want to champion for your Party and for your regional constituents.

You mention the constituency at large. It has been addressed by previous speakers. I wonder how you would do that. Would we be getting special identity cards to help us know who is part of that group? Would those people be restricted to vote only for the group

at large and not for the constituency in which they live geographically? While it has some charm to solve problems, I suggest that it creates an even greater array of problems and further divisiveness that I don't know how you solve without horrible kinds of identity politics that would make our system not enviable, but intractably prejudicial and not inclusive which is the goal I hope you are trying to achieve.

Those are my general remarks. I will be submitting more formal paper. I'd be happy to answer your questions.

MR. CHAIRMAN: I think the intent, if we looked further at members at large, is that you would not have two votes. You would not have a vote for a member at large and a vote in your own constituency. You would have to self-select and you choose one or the other, right? That's our understanding of it, but we wanted to put this out for input because it has been discussed before in previous commissions that I've served on and we just wanted your views on that.

You can see on the basis that there is still a lot of discretion there. The Bedford one has been fixed to some extent, with an extra seat to reduce the 20,000 down to actually 13,000 and 10,000.

Guysborough, you mentioned Guysborough-Eastern Shore-Tracadie, is actually the largest geographic seat and then up in Cape Breton you've got Inverness and you've got Victoria-The Lakes. It's huge geography that we have in this province.

In the case of Guysborough, you can see it's 0.74 with 10,022.

MR. ROSS HAYNES: Oh yes, it's a real challenge if you're looking at all these issues geographically. I submit to you on behalf of myself and the institute that I think we have to break out of these strictures. Does it really matter that much where we live? I've voted in Porters Lake, I've voted in Dartmouth South, Dartmouth North, Chebucto and Halifax Atlantic where I live now. I vote for the candidate at the time and the Party and participate that way. I'm not obsessed with these other identities. Now that's my personal preference and I would advocate that for Nova Scotians.

I think if we're going to participate equally we have to get away from all this parochial history, which is dangerous. We're a small province, we can't even afford to have 51. We have so many people governing us, if you look at all these and you add on the municipal people, the provincial, the federal people, never have so few been governed by so many.

MR. CHAIRMAN: Well, we're here to listen. I'm not going to react to that.

MR. ROSS HAYNES: We need fewer MLAs. But if we're going to stick with 51 or 52 or 55, we need to distribute the votes equitably, inclusively with the greatest

participation on an equal footing across the province and do away with anything that is not in that direction.

MR. CHAIRMAN: Yes, Mike.

MR. MICHAEL BAKER: Thank you for your presentation, Mr. Haynes. My question to you is, we have a Court of Appeal decision that basically reinstates the protected ridings. What do you think the resolution would be so that the government doesn't find itself in court again, in another two, three or four years?

MR. ROSS HAYNES: I think some of these issues are going to have to be fought over. I don't think that politically and legally we've confronted these historic problems with the history that's evolving of a much more diverse population.

As the previous speakers have mentioned, we have a linguistic and cultural history with francophone and English-speaking Canadians, but our country is becoming ever more diverse and I think that the Legislature is where these things belong. I think your duty is difficult, but you have the power to say no, we're not going to do that. We have listened to people, we have heard good arguments, we think these things and see what happens.

It's an evolving process and as one speaker said, we may be here again in 20 years, fighting, contesting these issues.

Your difficult and enviable, or unenviable, task is to take the challenge and find a way of dealing with it for the next five or six years. I think the move, and I would submit the move for myself, my family, my children, the businesses I've had is I'd like to see a more inclusive process where everybody is treated equally. Where we are right now is not, and I would submit that we don't want to make it worse in your role. Thank you very much, Commissioners.

MR. CHAIRMAN: We look forward to receiving the written brief.

The next person I have, who, on my list, is the last, but then I'll open it to the floor, is Pete Smith.

MR. PETE SMITH: My name is Pete Smith. I live in Halifax Chebucto. Thank you for the opportunity to have a dialogue with the Commission. I am not—nor have I ever been—a member of any political party, nor have I run for nor been in any political office. I am a member of the public. I did present to the 2012 commission but only after reading the interim report at which point the commission's options were much more limited. I would like to address two issues, neither of which I have seen discussed in newspaper reports on the public meetings to date—electoral parity and the number of electoral districts. Ross Haynes has talked a lot, particularly on electoral parity, and I agree with his comments.

Before I actually begin, there was a question I have about the legal decision that brought this Commission back here early instead of waiting until the next census. In your opening remarks, you had said it is because the Attorney General had interfered with the system, but it's not that it mandates that there be these protected districts, is it? Am I correct on that?

MR. CHAIRMAN: That's my understanding because electoral boundaries commissions are supposed to be independent of government. What happened then, on that interim report, then the Attorney General intervened. My understanding of the court decision was what should have happened was that the commission should have been allowed to proceed to its final report and then the House could then decide either to accept or reject the final report. Now subsequent to that court decision then, of course, we had the Keefe report. We had the three-member committee that went around the province and that's the one that then led to the terms of reference that we have this evening. That report came out in January of this year. It was a three-person committee chaired by Doug Keefe, a former Deputy Minister of Justice. They made 29 or so recommendations and on that basis, and pretty well on that basis then, the terms of reference were crafted by the all-Party committee.

MR. PETE SMITH. Thank you. So, first, I would like to talk about electoral parity. I'm going to offer a much simpler way technically to look at it than you're using currently.

I argue for greater electoral parity and the first five articles of the terms of reference address it. Key is No. 1—electoral parity is a prime factor in determining electoral boundaries and No. 4—usually, the estimated number of electors in each district may vary by no more than 25 per cent above and below the estimated average number of electors per electoral district.

If District A has 75 per cent of the average number of electors and District B has 125 per cent of the average number of electors, then a District A elector is equivalent to 1.67, one and two-thirds; District B electors, if District A has 90 per cent and District B has 110 per cent, then an elector A is equivalent to 1.2 District B electors. In other jurisdictions, this appears to be the normal maximum accepted variance. I looked at this in 2012 and I saw that was the standard that most governments employ.

In 2001, the smallest district, Argyle, had 50 per cent and the largest district, Hants East, had 125 per cent. An elector in Argyle was equivalent to 2.5 Hants East electors. Just looking at the proposed list—and I'm disregarding Chéticamp because I don't really understand District No. 99—but the proposed realignment, the still smallest district, Argyle, has 46 per cent and the still largest, Hants East, 124 per cent. Then, an Argyle elector would be equivalent to 2.7 Hants East electors.

[7:15 p.m.]

Effective representation must imply fair treatment to every elector. Each elector should be equivalent to every other elector. If the desire is to have districts based on geography or historical, cultural, linguistic regions or other political boundaries, use of Article 6 that allows non-contiguous districts or, as you have been suggesting now, member-at-large districts can improve parity and fair treatment of every vote. But as you'll see, as you discussed, there are issues when you do that.

I ask the Commission to substantially improve electoral parity in its proposed electoral districts.

I don't know if you have any comments before I go to the number of electoral districts ....

MR. CHAIRMAN: No, please proceed.

MR. PETE SMITH: Okay. I argue for fewer electoral districts. I didn't know there were 56 proposed; I was thinking of the 51. Two terms of reference address the number of electoral districts. Key is No. 1, the right to effective representation, and No. 7, that the preliminary report includes at least one different total number of electoral districts.

When the province reduced the number of municipal districts in HRM from 23 to 16, one HRM councillor stated to the 2012 commission, just before I spoke, that it becomes easier to represent his now larger district. I think he said he was able to more easily state and balance competing claims to his constituents. As well, with a larger district he views issues more from an HRM perspective than from his district perspective.

Although it could be a result of the characters of the mayor and these councillors, a smaller HRM council seems to work better—for example, humorously, there are fewer cat and chicken issues making the news than before. (Laughter)

Now municipal councillors are considered to be the closest elector as they deal with local day-to-day provision of services. The 2012 interim report covers these 16 HRM districts with 17 provincial districts—more MLAs than councillors. I have never heard a logical reason why HRM needs so many MLAs. Projecting the approximately 40 per cent of the population from 16 districts to HRM to the whole province leads to 40 districts.

More populous provinces, such as Ontario, Quebec, and B.C. have much larger districts and we don't hear calls from their populations for more MPPs, more MNAs, et cetera.

Before 1978 the number of Nova Scotia districts was always less than or equal to 46, yet in earlier times, transportation and communication were more difficult and the provincial Legislature was more remote for outlying areas. Now many MLAs are funded

with cars if they need to visit constituents in their communities and most MLA constituency business can now be done through email, phone, video chat, websites, and other electronic means. As a result, an MLA can provide effective representation to more constituents than in the past, so it appears that constituency work is not a determining factor for the minimum viable number of electoral districts.

My question is: How many MLAs does the government need to function effectively? And that's a different calculation. As a minimum, the government of this day needs enough MLAs to fill 17 Executive Council posts and some key additional legislative posts—for example, some standing committees. Is that number of key posts where the government MLAs should not be further doubled up be 20 perhaps or is it a few more than 20? I don't know. Specifically, I ask the Commission to derive the number of key government posts and provide that calculation in the report. From that, we know that all Nova Scotia governments since Confederation, except the government from 1998-99, have been a majority or a strong minority, i.e., a few seats from a majority.

Using 20 key posts, 40 electoral districts should guarantee enough MLAs for the government to fill them. Forty electoral districts offer less costs in MLA salaries, offices, transport, et cetera. Against 51 districts, that is a 22 per cent reduction in these costs.

As per Article 7 of the terms of reference, I would request the Commission include an option for fewer electoral districts based on the number of key government MLA posts that need to be filled. That concludes my presentation.

MR. CHAIRMAN: Thank you very much. Are you going to give us your submission or are you going to send it to us electronically?

MR. PETE SMITH: I emailed it already. I've updated it a little bit from listening to others, I'll send an updated one.

MR. CHAIRMAN: As I said, our administrator had a car accident down in Shelburne, so she's not with us. But she is reacting to the emails, so I will get it in due course.

MR. PETE SMITH: On this number of key posts, I understand that it must be larger than the Executive Council. It does need to include some committees and, of course, there has to be some flexibility there in case they lose a key person for a period of time or there's a resignation or something like that. Why 51 when there has only been twice in Nova Scotia history since Confederation where an electoral boundaries commission has reduced the number of seats? It was the last one—and it was only from 52 to 51—and it was also in 1933 that it went from 43 to 30. I don't know the reason why. Do you know where the number comes from?

MR. CHAIRMAN: Political science is not my discipline nor is political history in Nova Scotia. I wasn't born here so I can't go back that far.

Thank you very much, Pete, I appreciate it. That's the last of the indicated speakers on my list, so we can now entertain speakers from the floor. If you want to speak, please come forward. Please state your name.

MR. JEFF MEANIE: Good evening. My name is Jeff Meanie. I currently reside in the Eastern Shore riding. In comparison to the presentations tonight, I just have a very small, really functional request related to the Eastern Shore map.

MR. CHAIRMAN: You've seen the map that we have over there?

MR. JEFF MEANIE: Yes. I live in what is on the Eastern Shore map the Gammon Lake community. It's an odd little finger, for lack of a better term, that sticks off the Eastern Shore riding and really, my concern is just related to fundamentals of representation and being able to speak to my MLA about community concerns.

Because of the location of that on the Eastern Shore, anybody who lives in that community—from my perspective—travels to Cole Harbour or travels to Halifax, goes west. No one goes east. I've spoken to the MLA, Kevin Murphy, about it as well and he agreed with me that he can't do a lot to support that, within reason. But all of his initiatives are really further to the east and his impression was that at one point that boundary was cut at Mineville Road. That basically went straight down, a little bit west, but from the current boundary. But basically, all community resources that anybody in those two small subdivisions use is within the Cole Harbour area. The family of schools is the Cole Harbour area. Boundaries for children's sports and things like that are all the Cole Harbour grouping versus the Eastern Shore district.

It really does not make sense in my mind that this little divot has been kept in Eastern Shore.

MR. CHAIRMAN: Perhaps when we break, you can look at the map and show us. This is why we're here. We use different things to draw boundary lines—it could be roads; it could be watersheds; it could be rivers. There is a whole series of things that you can do and sometimes it is arbitrary because there is no defining reason for that line, and sometimes we have cut off or divided communities. We're here for the macro-picture and also the micro-picture, so if you want to stick around we can look at the map, you can show us and we can come back to that.

MR. JEFF MEANIE: No problem. Thank you for your time.

MR. CHAIRMAN: Anybody else who would like to speak from the floor?

MR. DANIEL THERIAULT: Yes, please. My name is Daniel Theriault. I am from the Fédération culturelle acadienne de la Nouvelle-Écosse, an Acadian cultural group which represents diverse groups in the province.

Our parliamentary system comes from the British political system. On the federal level, we call our Assembly the *Chambre des communes*, Commons Chamber. It's because in the British tradition, you represent not only individuals, but communities. Communities is not only defined by numbers, but by culture, by historical factors, and by economical factors. Thank you very much.

MR. CHAIRMAN: Thank you. We certainly heard that on our travels.

Anybody else who would like to speak?

We do have coffee, tea, and water remaining. We'd like you to stick around and look at the maps and perhaps talk to us if you have particular concerns with respect to particular boundaries. We have three maps of Nova Scotia. One is the interim which would have been 52 seats; the final which is the 51 current boundaries; and then our proposal which would be 55. Then, we have more detailed maps for the two seats for Cole Harbour and then adjacent electoral districts. We also have a bunch of other maps for everything else but we didn't bring them all this evening.

Without any more questions or comments, I would like again to thank you on behalf of the Commission for coming out this evening.

Tomorrow night, we will be in Richmond and then on Saturday night, we will be in Cheticamp. Next week, we have a bit of a break and then we are up again in Sydney and Baddeck in Cape Breton.

At the moment, we have 12 public consultations planned. Thank you very much, indeed.

[The Commission adjourned at 7:29 p.m.]