

NOVA SCOTIA
ELECTORAL BOUNDARIES
COMMISSION

THURSDAY, SEPTEMBER 6, 2018

Future Inns
Halifax, 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

Ms. Charlene Boyce
Ms. Linda Mosher
Mr. Stephen Chafe
Mr. John Grant
Mr. Irvine Carvery
Ms. Mary Ann McGrath

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6:00 P.M.

CHAIRMAN
Dr. Colin Dodds

MR. CHAIRMAN: Okay, ladies and gentlemen, good evening. My name is Colin Dodds and I live in Halifax. I am the Chair of the Electoral Boundaries Commission and will chair tonight's public consultation.

I'm sorry we're starting a little bit late, but I was trying to explain some of the maps that we have to some of our guests this evening.

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

Tonight, we have seven of the Commission members. It is a Commission of nine, but we have seven members who could be with us. I'm going to ask them to introduce themselves.

[The Commission members introduced themselves.]

MR. CHAIRMAN: Unfortunately, the two who could not be with us this evening include Angela Simmonds, who is from Cherry Brook, and Glenn from Antigonish. He's a faculty member at St. F.X. and he has classes to teach tonight.

Let me say just a little bit about housekeeping. Washrooms are either that way or that way. I think the safety exits are pretty well clear. We have microphones available for the Commission to speak but also for those people who have indicated that they wish to speak. They will come forward and sit at the chair and then speak through the microphone, first of all giving their name.

Everything will be recorded, that's why we have two gentlemen with us this evening, Paul and Colin. Everything will not only be recorded but transcribed and then become part of the public record in Hansard, so it's important, and then you will be able to search for that in the future.

Let me provide a context for the meeting this evening and the others that we've held so far. We started on Tuesday night in Lower Sackville, then we moved on and did Bedford, and we have the one this evening. Tomorrow night we're going to be in Shelburne, Saturday we're going to be in Argyle and Tusket, and then Saturday evening we're going to be in Clare. Then we come back to Halifax. Next week we have Dartmouth to do and we also have Preston. Then we've got Cape Breton, then we're back again, and then Cape Breton again on the weekend. Because of the timing that we've got and the distances to travel, we're doing two trips to Cape Breton.

The context really is that an Electoral Boundaries Commission is established every 10 years by a select committee of the House of Assembly, an all-Party select committee. The last Commission was 2012, so you say, why is it not 2022? The reason is that the 2012 Commission, of which I was a member, I was the vice-chair, we produced an interim report and we have a map to show you that for Nova Scotia. The result of that was that map and those proposals were turned down by the Attorney General, and we were instructed to go back and produce another report.

In essence, what we were saying is, we were going to continue the protection of four electoral districts: Clare, Argyle, Preston, and Richmond. The 2012 report, which says "final" - and we have those maps to show you - they are the boundaries that were adopted for the last election.

[6:15 p.m.]

Subsequent to that, there was a court challenge through the Nova Scotia Court of Appeal, which reported in January 2017 that the final reports of the 2012 Commission violated Section 3 of the Canadian Charter of Rights and Freedoms. Subsequent to this finding, the Commission on Effective Electoral Representation of Acadian and African Nova Scotians was established, and it reported in January of this year.

The select committee that I've just referenced previously establishes the terms of reference and we have them here. If you don't have them, please come up to the table. Those terms of reference are binding on us. Let me just stress the first one: the right to effective representation and elector parity.

If you need any clarification on those terms of reference, I will attempt to do that, and other Commission members may wish to speak if and when we get into Q&A.

As I mentioned, on the walls are a series of maps because we were asked as a Commission to produce a draft set of proposals. In the past, when the Commissions - and I've been on two of them - we went out with a blank sheet, other than the existing boundaries, and said, what do you think? This time around - the last Commission suggested to the government and to the House that, in fact, when the Commission goes out that it actually has a draft. That's why we're with you this evening - that we actually do have that

draft. We have a draft of what the total province would look like. We have a draft of individual electoral districts and we can talk further about that.

On the maps, there is one of them that shows the interim report which was, if you like, discarded by the government, and that had 52 seats. The final report had 51. Again, we have those maps to show that. The draft that we've been asked to produce is proposing 55 seats. We're showing those particular boundaries for the electoral district we're in right now, as well as adjacent electoral districts.

Just so you know, the way they do the electoral districts is in alphabetical order. On each of the maps of Nova Scotia, you'll see them all listed. You might say, well, this one should be next to that, but it's all done in alphabetical order.

As I say, we have the proposals before you, but let me summarize where we're at. The data we're using is June 29th of this year. It incorporates census data and a whole lot of other data collected by Elections Nova Scotia. As of June of this year, the total number of electors given to us by Elections Nova Scotia was 743,500. If you divide that through by the number of seats, 55, that gives you an average of 13,518. That effectively then becomes one - so each electoral district, you look at the count of electors in that ED and then you calculate a percentage.

In the terms of reference, we've been given a certain amount of latitude, but historically - certainly going back 20-odd years - people have looked at the deviation of plus or minus 25 per cent.

Last night we were in Bedford and just looking at the existing boundaries - in other words, the 2012 boundaries for Bedford - Bedford was at 1.48, based on our elector count, which violated the 1.25.

What we would like your input on this evening - and anything else in terms of the process - is first of all the creation of two new seats in HRM. We had a presentation last night from the Halifax Chamber of Commerce saying they felt that HRM was not fairly represented, in terms of population, vis-à-vis the number of electoral districts.

Our first proposal is, in fact, to add two additional seats, so not taking any seats away but two additional seats, namely in Cole Harbour and Bedford. The map over there shows two electoral districts for Bedford. One is called Bedford South and the other is called Bedford Basin.

These names are just proposals, and I stress, these are not etched in stone in any way, because after the public consultations the Commission will meet again, will look at what has been said, either at the meetings or with phone calls or with written briefs. Somebody last night actually gave us some maps to look at. We then are charged with producing, by November 30th, a set of proposals, so the proposals tonight are purely drafts, a set of proposals, and a minimum of two. Then, on that basis, we'll present that, hopefully

by November 30th. Then we'll go out again to parts of Nova Scotia over the winter and we're then charged with producing one recommendation, one set of recommendations, a final map as it were, by April 1st.

It's a three-stage process; at this moment, it's a draft of proposals, what they call the preliminary report and we usually call the interim report, which is the November 30th document, then we're asked for a final draft or final proposal which would be April 1st.

The second proposal we have is to restore the electoral districts of Argyle, Clare, Richmond, and Preston. These were the four ridings that became contentious in the 2012 process that led to the court challenge that then led to a committee of three that people now refer to as the Keefe report.

We also spent some time looking at Chéticamp because if you know Nova Scotia, it's stuck up there in the northern part of the electoral district of Inverness. Our proposals tonight and in the meetings that we're having is to merge Chéticamp with Richmond or to look at a potential to create an additional seat for Chéticamp, because we have under our terms of reference the ability to create an extraordinary electoral district. At the moment, that is not included in the count of 55.

Now with these changes of new seats and restoration, that produces a knock-on effect of adjacent electoral districts. That's why we've got a whole series of other maps. We don't want to confuse people, but we've brought the Bedford maps and we've brought Hammonds Plains-Lucasville and so on, just in case people are interested to see the difference, if there is any difference, between the seat you have right now and what we're proposing.

Another concept we'd like your input on is that of members at large because another way to represent minority populations, such as African Nova Scotians and the Acadian population, is recognizing that these two populations are also dispersed, they're not all in those protected seats and that - as we discussed as a Commission in the past - has the potential to create a single seat for Acadian representation and a single seat for African Nova Scotian representation. If you have views on that we'd certainly welcome them.

A long introduction but I thought it was necessary so you'll see where we're at. As a Commission, we met for the first time together on August 23rd and 24th, and since then we've had working groups that have been working the specific areas on the specific electoral districts.

Now I'm happy to turn the floor over to you, our guests this evening. Two speakers have indicated they would wish to make presentations. Once that's over, if anybody else wants to signal that they want to make a presentation, that's fine, we've got plenty of time. We don't have hundreds of people in the room that we may have down on the South Shore.

Then, if there are particular questions that you might have, you don't want to necessarily make a presentation but you've got a question, say, with respect to the terms of reference, we'll attempt to answer those as well.

I would now suggest that we start. The first speaker is Charlene Boyce. If you could come forward and state your name for the record. If you have a written brief we would very much like to have it, because although everything is transcribed, it takes a little bit of time. Thank you very much. The floor is yours.

MS. CHARLENE BOYCE: Good evening. Thank you for your time and for doing this work. I'm intrigued by your proposed suggestion of members at large, but I feel like it may not go far enough. I'm going to read this statement because very often it's easier to sound smart when you're reading than when you're talking off the cuff.

MR. CHAIRMAN: We understand, and it gets on the record.

MS. CHARLENE BOYCE: My name is Charlene Boyce, I live in Clayton Park West in Halifax, Nova Scotia. I am the co-President of the Nova Scotia Green Party, as well as the executive representative of the Bedford Basin region.

The most effective way to ensure that the democratically expressed wishes of a diverse electorate are reflected in government is to reform the electoral system to a system of proportional representation. Respectfully, and although I acknowledge that this may be beyond the terms of this group, I strongly believe that this message should go into the formal record of proceedings. Many Nova Scotians, like our neighbours in Prince Edward Island, believe that proportional representation would better ensure that government includes and recognizes diverse voices, like those of Acadian Nova Scotians, African Nova Scotians, immigrants, and those First Nations people who choose to participate in our system of government.

The Springtide Collective, among other groups, has done a wonderful job of developing education tools to help citizens understand these systems, because I understand the federal government has put forward that it's too confusing for us. The systems are often actually easier to understand than reading a provincial budget.

Rather than focusing exclusively on geographic boundaries then, I would like the government to consider electoral reform to ensure that everyone's vote counts, because if we have a system of democracy that produces 60 per cent of people in an election who feel like their vote was wasted, that is not a democratic system of government that's working. Please consider proportional representation. I thank you.

MR. CHAIRMAN: Thank you very much, Charlene. If I think back to the two Commissions that I've either chaired or been the vice-chair, you will find in those reports a discussion of proportional representation, particularly the 2012. Thank you.

MR. PAUL GAUDET: Mr. Chairman, would it be possible to ask for a point of clarification?

MR. CHAIRMAN: Are you willing to answer a point of clarification from Mr. Gaudet?

MS. CHARLENE BOYCE: No hard questions.

MR. PAUL GAUDET: It's not a hard question because this question of proportional representation has been brought up many times. I always wonder how, in practice, this unfolds. It would be interesting to see how you see it applied in reality.

MS. CHARLENE BOYCE: Springtide has had a whole podcast season about the different forms of proportional representation, which I won't attempt to describe.

MR. PAUL GAUDET: I know, but I'm interested in how you see it.

MS. CHARLENE BOYCE: The one that I feel most allied with, I think for us, is what's called the MMP: mixed-member proportional. It is that hybrid model similar to what you've proposed with members at large. It's just that people's votes get cascaded down so that there is maybe more than one representative coming out of individual votes.

You've got geographic regions, but then you also have members at large but they're affiliated with particular Parties, maybe rather than necessarily just particular portfolios of interest. That means that if you are an African Nova Scotian living in Truro and you want to vote for the woman running in Truro who happens to be a white person, but then there's also a fantastic African Nova Scotian representative running at large, you get to vote for both of those and your vote counts. I'm not going to try to describe the technicalities of how it works because I'm not that kind of scholar.

[6:30 p.m.]

MR. CHAIRMAN: Thank you very much. Mr. Gaudet was on the last Commission in 2012 and wrote a dissenting opinion with respect to the final report, so he's well aware of the discussion that we had on proportional representation at that time.

The second speaker is Linda Mosher. Please come forward. Again, just for the record, give your name.

MS. LINDA MOSHER: I'm Linda Mosher. I really find it a privilege to speak here tonight, so thank you for entertaining me. I'm from a tiny community named Bayside. I'm here representing my family and friends who are also from that community.

In 2003, the electoral boundary for Bayside was changed from Timberlea-Prospect to Chester-St. Margaret's. During these past 15 years, we've lived in limbo land, we all say, because we have nothing - absolutely no connection to Chester-St. Margaret's. We never even drive in that direction except an occasional trip to Peggy's Cove. We are a 20-minute drive to Bayers Lake. All of our community events and interactions are on the Prospect Road towards Halifax. These include our churches, our post office, our daycares, the Legion, medical clinic, our pharmacy, our dental office, our physiotherapy office, the gas stations, convenience stores, et cetera.

Our elementary school is in Shad Bay. Our junior high is in Brookside and our high school students all attend Halifax West across the street. Even our weather reports and our storm watch alerts are all included in the boundary of Halifax West.

We feel it's time to change our electoral boundary back to Timberlea-Prospect, and we're requesting that this change be made as soon as possible. Everything is connected to that side. It's ridiculous.

Being that I have a little bit of time, a few years ago we could not pick up our parcels at our post office at the Guardian Pharmacy in Hatchett Lake, which is a 12-minute drive from my home. We had to go one time to Peggy's Cove where the Sou'wester is. They changed that because they didn't want to do it anymore. We had to come in town - go out Highway No. 103 towards Hubbards and go to Tantallon. It was almost an hour drive, and in the winter it's a pain - when all our neighbours on the other side of the bridge in Shad Bay drive a couple of minutes and they're at the post office.

Our community centre is down in Prospect - everything is geared there. There is nothing for us on Bayside out to Peggy's Cove to St. Margarets to Chester.

We won't get into the voting thing, but one time we had - the voting station was set up - everybody from Bayside usually went to Shad Bay church, a five-minute drive. It was in the winter. We had to go to Dover to vote. It was an icy day and my uncle was serving there, he was working at the polling station. When I went there he said he was embarrassed because hardly anybody went from Bayside because it was 20 minutes away on an icy road, when the other side of the bridge they all went, like two minutes they were at the polling station in Shad Bay.

We really have a concern, and we don't think that boundary line is right, and we're all upset about it. Thank you for listening to me. My rant is over. Any questions?

MR. LEONARD LEFORT: I know it's easy for us to find numbers, but would you have an idea what the population would be of the area that you're talking about?

MS. LINDA MOSHER: I'm really not sure. I know it's Bayside, Blind Bay, McGraths Cove, East Dover, West Dover, and at one time that was all included with Timberlea-Prospect. We don't really have anything to do with that other side. It's all this way.

MR. CHAIRMAN: That's the sort of information we need, which is local knowledge.

MS. LINDA MOSHER: You know what amazes me? I am the only one who took the time to come tonight - because everybody has been up in arms for years, but people just won't get out and say it. They say oh, you say it for me, so I'm here saying it for everybody but especially for me.

MR. CHAIRMAN: Thank you for that. We can do the numbers because these days we've got very great mapping. We have someone who can do that, so we'll have a look.

Those are the two speakers who indicated they wanted to speak but now the floor is open to you. Would anybody else like to come forward and be on the record? Yes, please.

MR. STEPHEN CHAFE: My name is Stephen Chafe, I am the leader of the Independent Citizens Coalition of Nova Scotia. I have a question in regard to some of the discussions you probably have already had. Has there been any consideration for expanding the number of seats that are available to the Indigenous district groups within Nova Scotia?

MR. CHAIRMAN: I will certainly be pleased to answer that. First of all, we obviously have had discussions because we're challenged to produce boundaries for effective representation of everybody who can vote. Just for the record, you've got to be a Canadian citizen, which of course they would qualify, but you have to be a resident for six months.

I think the 1992 Electoral Boundaries Commission recommended four protected ridings, but they also recommended a member at large for First Nations communities, so that is an additional seat. That seat has not been taken up by those communities. As a Commission, one of the first things we had on our discussion when we first met on the 23rd was an approach to the Grand Chiefs of Nova Scotia, asking if they would invite us to meet with them and we could go through this.

We are sending that letter in the next couple of days and we'll then await a response. In the past what we've done as a Commission is send a letter saying this Commission has been established, do you have any interest in taking up the seat? We want to be a little more proactive at this time. Hopefully that satisfies.

That sort of fits in then to this members at large that we are asking for your views on with respect to African Nova Scotians and also our Acadian population. We know in the case of African Nova Scotians and Acadians that they are spread throughout the

province but that these seats that have previously been protected, the MLAs speak not just for their particular electoral district but speak for the population they serve across the province; in other words, become like a de facto member at large. Albeit, in the case of Acadians, there have been three seats in the past; in the case of African Nova Scotians, one. Hopefully that satisfies.

MR. STEPHEN CHAFE: That was kind of the question I was leading to, because I am aware of the single seat, but I was thinking that given the significance of the Indigenous population here, that one seat might not be sufficient. That's why I mentioned the one for each district.

Just to let you know as well, because of my background being leader of the Independent Citizens Coalition, I was down in Cape Breton this previous summer and had the opportunity to speak with a variety of people from different places, from Whycomogagh, Eskasoni, and some chiefs in general who had been previous chiefs. I know they are interested in it, but the general comment I got from them is that they were not approached in the past and they are fairly suspicious of the whole process now. I'm glad to hear you are being proactive in sending something out, as you mentioned.

MR. CHAIRMAN: I've already drafted the letter and I need to send it out to Commission members. That really would be seeking an invitation rather than us probably going to Truro, where I think the confederacy is based. Can we just park that right now? It's on record but it is something we have taken great interest in, I can assure you.

MR. STEPHEN CHAFE: I assume the details of that are something you can't make public at the current time, or can you?

MR. CHAIRMAN: No.

MR. STEPHEN CHAFE: Okay, thank you very much.

MR. CHAIRMAN: Thank you very much. Any further input? If you could just say your name, please.

MR. JOHN GRANT: My name is John Grant, I'm from Clayton Park West and I have a question regarding the Seton development, which is the very big development going on in Clayton Park West, and whether you are going to be taking that into account. There's four or five big buildings and just a ton of housing, and they're being built right now, so in two or three years there are going to be thousands more people living there, easily. There's no reason to believe that those buildings wouldn't be fully occupied, it's a very hot market. Are you taking that into consideration?

MR. CHAIRMAN: Thank you for the question because we've been asked this question before. Right now, the data we are using is June 29th of this year. Potentially, when we go out again in the winter, we'll have more recent data than that.

Having said that, in creating the additional seat, proposing the additional seat for Bedford, we're trying to take account of that potential development that is going to happen. We know in the area of Timberlea that there has been a lot of development in Tantallon but also Hammonds Plains-Lucasville. Mike Baker is from that area and he might want to comment on that because we know there are going to be literally thousands of new units going up in certain key areas.

MR. JOHN GRANT: I don't mean to interrupt but especially if you go out Highway No. 102, in that area around Larry Uteck Boulevard, there's a lot of development there too.

MR. CHAIRMAN: We're familiar with that. Last night we were in Bedford, but we were very close to Innovation Drive - we were at the BMO Centre. One of the wonderful things that happens by serving on a Commission like this is that we get to see areas that perhaps we haven't seen before, either geographically or even though I live in HRM - I live in Halifax - there were parts I had never seen before.

We're not required by our terms of reference to take account of future development, but what we have around the table in the Commission is, in fact, people who have local knowledge.

Certainly, one of the attributes of putting in this additional seat for Bedford was to take account of that. That seat right now, on the average, would be 0.77, so it's within the minus 0.25, but recognizing that there will be future developments. Whether we can do it everywhere is - I know that certainly one of our Commission members, if not more, will be very well aware of that development.

MR. JOHN GRANT: Yes, that's good, thank you.

MR. CHAIRMAN: Thank you very much. Are there any further interventions from the floor? Any questions you might have over terms of reference and how we intend to apply them? Please. Nice to see you again.

MR. IRVINE CARVERY: Always a pleasure. Irvine Carvery and I'm a victim of fake news. I went over to North Preston tonight because information came down indicating that the Commission was going to be in North Preston.

MR. CHAIRMAN: Next week.

MR. IRVINE CARVERY: Yes, it said tonight's date. But anyway, I got that straightened out, went on the Internet, and found out you were here. You will see me again.

Before I give you my submission I have a couple of questions, questioning the information that I've received. The information I've received indicated that the riding of Preston was going to be re-boundaried once again?

MR. CHAIRMAN: Yes.

MR. IRVINE CARVERY: I haven't got the details on that, so if you could quickly go over that with me, I'd appreciate it.

[6:45 p.m.]

MR. CHAIRMAN: The vice-chair, who is not with us this evening - Angela Simmonds would be the person. I remember it happening because we set ourselves into working groups of people who had particular knowledge. I do know there was a section that was going to be hived off and moved into the adjacent electoral district. That was something she was familiar with, but I can't speak for her. We can talk about that next week when we are in Preston, I think that's next Thursday.

MR. IRVINE CARVERY: Okay, I'll make sure I'm there for that.

MR. CHAIRMAN: Please.

MR. IRVINE CARVERY: The committee that came before the Commission . . .

MR. CHAIRMAN: The Keefe report, yes.

MR. IRVINE CARVERY: Correct. They made a recommendation to the Electoral Boundaries Commission to consider non-congruent constituencies.

MR. CHAIRMAN: Yes, and that's in the terms of reference.

MR. IRVINE CARVERY: Right, and I'd like to speak to that, particularly in the HRM area. In the other parts of the province though, our communities are so far spread apart, I don't know if that would work there. But in HRM specifically, if we were to look at the Prestons along with Cherry Brook, Lake Loon, with Beechville, with Hammonds Plains and with the central part of Halifax city, I believe that we could establish a non-congruent district to represent African Nova Scotians in the Legislature.

That can be done through the use of postal codes, not the first part but the second part of the postal code, which takes it down to the individual address level. We can identify through the census where the African Nova Scotian community is in HRM. My recommendation is that the Commission take a look at that.

I never heard about the member at large. Mr. Chairman, if you could just elaborate a little bit on the member at large for me please.

MR. CHAIRMAN: Well, I think what you're proposing is something very similar to that, recognizing the dispersion of the African Nova Scotian population. I mean we are going down to Shelburne, so we know there's a concentration there, in Cape Breton at Whitney Pier, and so on.

The concept of the member at large would be that there would be a seat for that, which would be non-contiguous - it would simply represent. There's some experience of that, I think - not a lot - with the francophone school board. You would, in fact, then have a choice of voting either in your own electoral district where you live, or you would have a choice then of voting - you wouldn't be allowed to vote twice but allowed to vote then for the person.

MR. IRVINE CARVERY: Member at large?

MR. CHAIRMAN: Yes. If you wanted iterations of members at large, there could be one for the HRM area and there could be one for the rest of Nova Scotia. That's really the input we need to hear because we've talked about this before as a Commission; it's in the reports. When you look at the Keefe report, as people call it now, that's an area obviously that we've been talking about. Hence, you can see why we have that reference in our document this evening.

In terms of non-contiguous, that allows us in Cape Breton to consider Chéticamp with Richmond because geographically they're separate. I think always Commissions were never told that they couldn't go contiguous, but they weren't told they could, so there was a barrier, as it were. Now the terms of reference are quite specific. It allows us to do that. So, again, thank you for that, for your comments.

MR. IRVINE CARVERY: I would urge the Commission to consider that. Your suggestion of member at large for the HRM area and member at large for the rest of the province, I think, would go a long way in ensuring representation in the House. Seventy-five per cent of the African Nova Scotian population is within the HRM area. It's quite a significant number.

The other thing that I'd like you to consider in your report is that I believe that a member at large or a member not congruent in the seat, should be an Independent and should always sit on the side of government, in order to be effective in terms of addressing the issues around the African Nova Scotian community. It's very difficult to influence and make changes if you are sitting in Opposition.

I would like to suggest, I would like to recommend that the African Nova Scotian position be an independent seat always sitting on the side of government, to take the politics out of that representation. That would allow the representative to truly represent the interests of the African Nova Scotian community as their foremost responsibility in sitting in the House. I'd like for you to consider that in your deliberations and thank you very much.

MR. CHAIRMAN: That's on the record but I do have a question of you. Let's say that the Commission did recommend a member at large for the African Nova Scotians for HRM. People would have to self-identify when they vote.

MR. IRVINE CARVERY: Correct.

MR. CHAIRMAN: By the way, the data we are using is Elections Nova Scotia data which includes the census data of 2016. It is updated for the fact that in 2016, if you were 16, two years later you are 18 and you are able to vote, so we are using the most recent data.

My question for you specifically is, that would be in place of a seat for Preston-Dartmouth?

MR. IRVINE CARVERY: You are asking me a big question there, Mr. Chairman. This is one of those questions that I believe needs to go back to the community for the community to deliberate on and make a decision on.

I believe that the African Nova Scotian community in this area is large enough that you can have both. If it was my recommendation I would recommend both.

MR. CHAIRMAN: Well we will be in your area next Thursday. I would encourage you to get the word out that it wasn't tonight and they didn't miss it, that in fact it is next week.

We have two meetings next week, we're going to be in Cole Harbour and Preston. Then we'll go up to Cape Breton. Thank you very much.

MR. IRVINE CARVERY: For your meetings, in terms of HRM, this is the meeting. I know there was one in Bedford and there's one here tonight. There's not going to be any like in Halifax North or any of the other metro areas?

MR. CHAIRMAN: Not at the moment. The Commission is open to additional meetings if people feel it necessary.

The Commission has taken the view that we want to try and have minimal disruption to particular electoral boundaries so, where possible, try and preserve the final 2012. There may be some minor changes in the area of HRM but they would be fairly minimal, whereas the major ones of those areas we're going to, which would be Bedford and of course Preston-Dartmouth, because of the potential to restore.

I do want to stress that at the moment these are proposals. We were asked for a draft and that's what we've produced. But come November, then we've been asked for at least two proposals and then for the final report, one. At that point the government can either accept or reject.

MR. IRVINE CARVERY: Correct, the final decision lies with government, as it always does.

I like the position of the Commission in terms of recommending those two at large. I like the position of the Commission in redistributing and re-establishing the Preston-Dartmouth riding. But my only concern in terms of the Preston-Dartmouth riding is it does not guarantee African Nova Scotian representation in the House.

MR. CHAIRMAN: And we know that that's precisely what has happened historically.

MR. IRVINE CARVERY: That's right. I think in your deliberations you need to really consider that and find the mechanism in which that representation is ensured in the House. I want to thank you for your time tonight. Thank you very much.

MR. CHAIRMAN: Thank you. It's always a pleasure to come out and meet the citizens because we have two key things: effective representation and parity. Dr. Butler wants to say something.

DR. PETER BUTLER: It's very nice to see you in this context.

MR. IRVINE CARVERY: Always a pleasure.

DR. PETER BUTLER: You don't have to give an answer because as the Chair has said, this is just for our information at this point, but I was thinking about days gone by - particularly in the era of Don Cameron as the Premier of the province when things were so tight that I think at one point had to bring somebody in from the hospital on a stretcher. What would have happened in the tied government with that poor individual who was there in the role of being a representative of African Nova Scotians if the House was tied? Where would the loyalties lie - on the stretcher or . . .

MR. IRVINE CARVERY: Peter, their loyalties lie with the people they represent - doesn't lie with the Party. That's my point of making that recommendation. Then it's up to the Parties to be able to convince that member that their interests and their interests in the African Nova Scotian community is in the best interests of the African Nova Scotian community. So, I want you to join our ranks so that we can put that forward. The decision still lies with the people of African descent who have sent that representative to the House.

MR. CHAIRMAN: Thank you very much. I do want to say that we do have some of these maps and the data on PowerPoint if there is anything that you want to be refreshed on in terms of the electoral districts and the size of those specific districts.

As I say, if we go back to our terms of reference - again, those are printed at the back, but there are individual copies for you - as there are for our proposals. I stress again, we were asked for a draft, which is what we have gone out with and the maps are here, but nothing is cast in stone. Likewise, when we go out again in the winter, once we've presented our interim report, then there's opportunities for input at that point again, but then we have to produce one set of maps. Then it's up to the government either to reject or accept.

We are an independent Commission. This was the problem that happened the last time in 2012, that we were not allowed to be independent with respect to the interim report. Then that led to the court challenge. Yes, please, again.

MR. STEPHEN CHAFE: It's actually a simple question. Are these maps available through your website at the current time for the boundaries - the same maps that are on the back wall?

MR. CHAIRMAN: The issue has been one of getting translation. A lot of the issues we've had have been one of translation. If I take November 30th, that's the report, but it has to be in two official languages, so we have to have our report ready for translation towards the end of October.

If I could just ask our administrator - we were talking about this last night as to the maps. We would want to put them on our website with a little sort of counter to say that translation will be available. Callie, could you just tell us?

MS. CALLIE ROBINSON: Yes, we have that proposal up as is on our website, and the rest of the section - like these maps here - are not.

[7:00 p.m.]

MR. CHAIRMAN: It's only a matter of time.

MR. STEPHEN CHAFE: Do you have an ETA as to when those will be available?

MS. CALLIE ROBINSON: Hopefully in groups over the next week or so.

MR. STEPHEN CHAFE: Okay, because it would be nice to have gotten them before the other meetings next week in Dartmouth, so that our members can review them and have . . .

MR. CHAIRMAN: Well, we'll try but we have not been the best in getting out the information as to these meetings and again some of it comes down to the need to have things approved and translated and in a certain format. We do have a Facebook page, by the way, as well.

MR. STEPHEN CHAFE: Yes, I am aware of that, so I know. Thank you.

MR. CHAIRMAN: Okay, thanks very much, we'll try our best. Any other comments? Any information you'd like to have? Yes, please, come forward.

MS. MARY ANN MCGRATH: This time I wrote it down. I am Mary Ann McGrath, 24 Hamshaw Drive, Kearney Lake, former MLA.

MR. CHAIRMAN: Mary Ann was a speaker last night.

MS. MARY ANN MCGRATH: Based on what I heard last night, comments about parity versus effective representation and the notion of democracy - and I say notion because a lot of people don't think that it's a real thing. I won't read this submission, I'll leave it with you. Based on using as an example the proposed Bedford South riding, and I did raise the issue last night that it caused me some concern because of the huge potential for conflict of interest within the riding, which is a very big thing. This is why I have much more difficulty having the weight on parity versus community of interest. Because for me community of interest can be every bit as essential as the community of interest that Irvine Carvery speaks to.

Communities have a community of interest as do cultures, as do history, all of those things matter. What I wrote is based on the notion that we have to not just try and make this as fair as possible but to make it as democratic as possible. That is community of interest to me.

If you place an MLA inside a riding that is presented with clear and distinct conflicts between how he represents one end of the riding versus the other, then you've created a situation that doesn't speak to democracy. I think this, in many cases big and small, may have something to do with this issue of people not voting, because they don't see themselves represented, they don't hear their opinions and their feelings respected and they've turned off.

If we can't reach them and make them understand and demonstrate that what they feel and what matters to them counts at this level, then I think we've lost the race.

The job they've given you, I don't believe - and I've been here before and I've spoken to previous iterations of this group, as Colin knows, and I've walked the walk. If there was more weight and more time given to the preparation of boundaries and more resources at your disposal you could look at some of the smaller issues of what actually makes a community of interest because that is the equal of effective representation and that is how you make people feel that they matter.

Government is a big machine, I don't think I need to tell that to you or anybody else in this room. As a representative of those people, once I'm put in that seat, I have to try and rationalize how civil servants deliver programming that politicians have created by legislation or by regulation. They deliver that in some sort of an equitable fashion that has some sensibility to it that they can understand and manage.

A politician has to make it human, that's our job, that's our real job. It's not the three months we spend in the Legislature, it's not a few committee meetings, it's making the function of government human. That means we have to, to the best of our ability, respect that community of interest.

I've written some of this down, mostly by way of illustration of the conflict that can be created when that's not respected, and God help you. Good luck.

MR. CHAIRMAN: Thank you. Last evening you gave us some maps, which I still have.

MS. MARY ANN MCGRATH: I didn't do the same thing again, I did something slightly different.

MR. CHAIRMAN: That were specific to the issue that we were talking on last night.

MS. MCGRATH: Bedford South, yes.

MR. CHAIRMAN: But I think we also had a chat offline, talking about the importance of community of interest because I chaired the Commission in 2002 and was vice-chairman in 2012. Community of interest featured far more prominently, if my memory serves me right, in those terms of reference than this time around.

It's very difficult. If you look at the largest electoral district in Nova Scotia is Guysborough, but it's Guysborough-Eastern Shore-Tracadie. What is the community of interest there? There may well be - but it's a large geographic area. Then if you take Inverness where we'll be going soon, you've got Chéticamp right up to Meat Cove - again, this is a challenge. It's a challenge for us to try to feature more effectively effective

representation, but we also have the parity issue as well, and that in the terms of reference is number one.

It is a challenge because in the end, we just don't want to do it by pure numbers. But sometimes the line has to be drawn somewhere. I can remember in 2002 struggling over the Eastern Shore where there is no geographic boundary, there was no road. We actually did it based on where there was a gap in postal boxes in the front of the house and that's the only way we could do it because there was no natural boundary, no water course, nothing. Whether we got it right or not, I don't know.

MS. MARY ANN MCGRATH: I just remember Ronnie Chisholm doing a lot of driving.

MR. CHAIRMAN: This is an issue that MLAs have brought up many times compared to urban MLAs - that you've got a large geographic area - you've got to go to funerals, you've got to go to weddings, you've got to meet your constituents, but if you've got a two-and-a-half-hour drive from the top to the bottom, how do you make for effective representation?

Mr. Gaudet has a comment.

MR. PAUL GAUDET: You raise the question of community involvement is very important in effective representation also. You mentioned that there was a conflicting role for the MLA. I was wondering if you could give us an example of the conflict.

MS. MARY ANN MCGRATH: Absolutely. The most obvious one that I can think of at the top of my head - and I outlined it a bit in my brief - is based on this proposal of Bedford South - this riding that runs from Hammonds Plains down to the Bedford Basin, essentially.

What you've got there is a little chunk of Hammonds Plains, a little chunk of Bedford West, a little chunk of Bedford South and a chunk of Birch Cove, which includes Kearney Lake, the Princess Lodge and a bit of what we call the Birch Cove community. The problem with that is, Bedford West and Hammonds Plains are growing exponentially as we speak - somebody has just poured a foundation, I can guarantee it. Bedford South is largely built out. Birch Cove is built out. Kearney Lake is built out. We're surrounded and divided by parks and wilderness areas that are established and won't change. Although it looks like there is a lot of space around the rest of us, it isn't going to be built in.

Hammonds Plains has been fighting for years to get rid of the traffic on the Hammonds Plains Road. They want a solution - they want another highway. They want a bypass that gets the truck and transport traffic that runs between Highway No. 103 and Highway No. 102 gone off their road.

The solution that is most obvious to that is the reserved Highway No. 113, which unfortunately bisects the proposed Blue Mountain-Birch Cove Lakes Regional Park. The bigger issue for that is where that proposed bypass highway intersects Highway No. 102. It's too close to the interchanges at Larry Uteck and Hammonds Plains, so it can't exit in an interchange onto Highway No. 102 - it can only merge.

So, they're going to put the interchange on the Larry Uteck/Kearney Lake Road section - very close to where Kearney Lake Road and Larry Uteck intersect at the moment. They're going to put a set of ramps that dump everybody out onto that. If they want to go inbound to the city from there, they have to dump out there, turn, make different connectors.

The traffic nightmare that that is going to create for this little community where I live, I can't even envision, yet the bulk of the residents in the proposed Bedford South district are going to be hammering the MLA to get it done. That is the majority of the riding that is proposed. The minority, and not growing portion of the riding is the portion that is going to be severely and forever impacted by the construction of that proposed highway.

What you do then is leave half of a riding feeling like they've not been represented, that they've been severely impacted by a decision that was made for which no one spoke for them because the MLA was in a complete conflict. That's just the first issue I see, because that particular composition of communities has no community of interest and, in fact, could become diametrically opposed on any number of issues. That will just be the first one. Does that answer your question?

MR. PAUL GAUDET: The nature of the conflict

MS. MARY ANN MCGRATH: Is the needs of the disparate corners of a community that does not have a community of interest. They could be around education. They could be around anything, but in this case the first one will be traffic. It will happen - that is a guarantee.

MR. PAUL GAUDET: So, the solution would be?

MS. MARY ANN MCGRATH: The solution is to have representation that respects the communities. It's not that the highway may or may not be built - that is the side issue. The issue is that the folks in the southern part of that riding would never feel like they had been represented on a very important issue to them. Whether the highway is voted yes or no won't become the issue. It will be that the person they elected to represent them couldn't because his or her automatic duty is generally to the majority of the people in the district.

MR. PAUL GAUDET: The solution?

MS. MARY ANN MCGRATH: The solution is to not connect communities that lack such a huge community of interest. That's why I'm so passionate about this entire community of interest business, because this is just one thing that could happen, and across the province it could happen in many ways.

MR. CHAIRMAN: We have that on the record from last evening as well. As I say, just to show I have the maps that you gave us. Thank you for the presentation and thank you for presenting multiple copies so everybody has one.

Are there any other interventions from the floor? Are there any other questions you may have?

I want to thank you on behalf of the Commission for coming out this evening. It's a beautiful evening. I think it's going to get chilly at some point. Thank you very much. As I say, we'll try to get those maps uploaded as soon as we can, but there may have to be a little disclaimer that the French translation will come later.

Please feel free to stay. Have a look at the maps again if you wish. Have a look at our terms of reference that we're bound by. Have a look at the proposals, which we've discussed - so I've put out this evening on the draft, there is a copy of them. We have a website now. We do have Facebook. Again, you can phone and also write.

What I can tell you is that when the report is written, it will have a summary of the comments that have been made. It will say who the presenters were. Then there is a record that Paul and Colin have been working on this evening that goes into Hansard.

If you want to look at how this Commission was established, then the Select Committee of the House of Assembly, those minutes are available until the point it went in camera, and at that point they decided who the Commission members would be. Previous to that, you could see their thinking in terms of drafting those terms of reference.

Again, if there is nothing else, ladies and gentlemen, I want to thank you very much for coming out. We will be heading down to Shelburne tomorrow evening, and then around to Argyle and Clare. Then definitely Preston next Wednesday. We will also be doing Cole Harbour, and then Cape Breton.

If we do feel that there are additional representations to be made or for us to go out, we will try to do that, but we have a very tight timeline. November 30th is a long time away, but they want it, at the latest, at the end of October so it can be translated because they want to issue both versions at the same time, so we don't have a lot of time.

We don't want to rush it and we are allowed under our terms of reference that if we need extra time, to apply for that.

Again, ladies and gentlemen, thank you very much. We stand adjourned. Thank you.

[The Commission adjourned at 7:15 p.m.]