

NOVA SCOTIA
ELECTORAL BOUNDARIES
COMMISSION

FRIDAY, SEPTEMBER 7, 2018

Osprey Arts Centre
Shelburne, Nova Scotia

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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. Karen Mattatall
Mr. Adelard "Ed" Cayer
Mr. John Davis
Mr. Robert Redding
Ms. Penny Smith
Mr. Jim Smith
Mr. Roy O'Donnell
Mr. Timothy Gillespie
Mr. Roger Taylor
Ms. Jackie Grace
Ms. Kathy Jones

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NOVA SCOTIA ELECTORAL BOUNDARIES COMMISSION

6:00 P.M.

CHAIRMAN
Dr. Colin Dodds

MR. CHAIRMAN: Good evening and thank you for coming. It's a great turnout this evening. Way back when the commission was first announced, a certain gentleman who is going to be speaking this evening, Roy O'Donnell, called the office and said, why don't you come to Shelburne? Right from the top we said yes, so here we are this evening.

First of all, I want to acknowledge that we are on the unceded lands of the many First Nations of Nova Scotia. This evening, I am pleased that we have eight of the nine commission members here. I'm going to ask them to introduce themselves, starting with Leonard.

[The commission members introduced themselves.]

Just some housekeeping items. We have, as you know, the safety exits and I think the bathrooms I presume are through the back, where the bar is. Microphones are available for the speakers there.

I have a list of eight speakers so far. Once they are finished, if someone wants to speak further or someone else who hasn't indicated they wish to speak and wants to come forward.

Everything that is said through the microphones is, in fact, recorded and will be transcribed and then will become part of the public record. That will be in Hansard and therefore, available for anybody subsequently to see.

Let me provide a context for this evening's meeting. I'll try to be as brief as I can, but I think it's important that we go back and look a little bit at history and how these commissions are established. An independent Electoral Boundaries Commission is established every 10 years by a select committee of the House of Assembly, but in the case of this commission only six years has elapsed since the 2012 report.

I was a member of that commission, I was the vice-chair of that commission. We produced an interim report which was not accepted by the government of the day. That interim report recommended the continuation of the protection of the electoral districts of Clare, Argyle, Richmond and Preston. We were directed as a commission then to go back and produce another report, which is the final.

At the moment we have three maps at the back there that are of Nova Scotia. One is what we call the final, those are the boundaries which the election has been fought on. Then we have the one in the middle, which is the total map for Nova Scotia, what we're proposing. Then the third map over there is the interim, the map that would have protected those ridings.

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

The terms of reference that we've been given - I think we have some hard copies but we'll have a blown-up copy there for you to look at, if you wish - stresses the importance of the right to effective representation but also elector parity. If you need clarification on the terms we'll do our best to answer those.

On the walls, we have the three maps. If you go back to the interim report which was challenged by the government, that had 52 seats. The final report - and I stress again, that's the one with the boundaries that we currently have - had 51 seats. The one that we're proposing, and going out for your input, has 55 seats.

We also then have for Shelburne a map of what we're proposing, which is the first one on the left - your right. Then we have the one with the current boundaries, which of course has Shelburne merged into Queens. Then, because we weren't sure if other people would be here, we have a third map over there which then includes going from Clare up to Digby-Annapolis. We have individual maps of all the electoral districts, but we wanted to bring those three and we don't have an awful lot of wall space beyond that.

The data we're using, if you're interested in the data, is as of June 29th of this year and there were 743,500 electors. That information is from Elections Nova Scotia. That gave us, with 55 seats, an average of 13,518. How it goes is that then becomes one and if

you look at the electors in each of the electoral districts, then you see deviations on either side of one.

The terms of reference that we were given, and the instructions we were given by the select committee of the House of Assembly, was that we should actually produce a draft of our proposals before we come out to consult. That's new. In the past, the commission has come out and basically had a blank sheet and asked for your input and people sort of said, what's on your mind? The select committee did ask us to produce a draft, which is what we've done; the draft for the total map, obviously; and a draft with respect to specific boundaries for these electoral districts.

In summary, what we'd like your input on this evening are as follows: the first is the restoration of Argyle, Clare, Richmond, and Preston. That's the first proposal that we have. Secondly, within that, is looking at Cheticamp, which is right up in Inverness as you probably know. The options we have there are to keep Cheticamp within Inverness; another option is to merge it into Richmond, because the terms of reference allow us to go non-contiguous; and a third option with Cheticamp is that it could be its own electoral district. That's why we call it, at the moment, 99. At the bottom now you see 99, you see the number of electors, and of course it's very small in terms of that average one.

As a result of the first recommendation in terms of restoring those four previously what were called protected ridings, it then produces changes, knock-on effects, in adjacent electoral districts. That brings us then to Shelburne this evening.

[6:15 p.m.]

Your electoral count - these are all in alphabetical order, by the way. This is very confusing because they mix up the whole province, but it is alphabetical. You'll see that for Shelburne, 11,360 is the electoral count, and that puts you at 0.84 of the average; and Queens, which is adjacent to you, as you know, 11,293, which puts them, when you round it up, at 0.84.

The next proposal then doesn't concern you directly, but it does change the average and therefore the points given the number of seats, is the creation of two new seats in HRM, namely in Cole Harbour and in Bedford. If you take the existing boundaries that we have for 2012 in the final report and you overlay the data that we have, Bedford comes out in excess of 1.4. Our instructions through the terms of reference, unless we can justify it based on ethnicity, or based on history or geography or whatever, is that they should not exceed 1.25, and likewise should not be below 0.75.

In the case of Bedford - and we were there last evening - there's a proposal to add an extra seat; Cole Harbour - we'll be there next week in Dartmouth - again, the creation of a new seat.

Another concept that we would like you to consider is that of members at large, members at large to represent the Acadian and African Nova Scotians given their dispersion around the province. We had a lot of discussion on that point last night at one of our public consultations. Those members at large would have a seat, would obviously have a vote in the Legislature, but they would represent the African Nova Scotian population across the province and/or the Acadian population across the province.

Ladies and gentlemen, with those words, I hope I've placed that in context for you. I can now turn the floor over to you. We have a number of people who have already told us they would like to speak, so I'm going to ask them in the order that I have them. Then depending how we go on time - I don't particularly want to cut people off, but we expect to complete this evening by 8:00 p.m. Our staff have to do a teardown and we're going to be in Argyle at 10:00 a.m. tomorrow.

I would first of all ask Karen Mattatall to come forward. Please state your name into the microphone and then we can proceed.

MS. KAREN MATTATALL: Karen Mattatall. Thank you very much for coming to Shelburne, and I'll say a specific thank you to Roy for inviting you to come because he was certainly very opposed, as we all were, to the changes that were made the last time.

I'm going to speak - some of the things I'll repeat what you've already said - on specifically why we feel Shelburne County needs to have its own seat. I will start by thanking our current MLA, Kim Masland. She has been given a very difficult task of representing a county and a half and has done a very good job. However, she may not always be our MLA, and if another one is elected from Queens, should we continue to be joined with them, they may not have the same interest and the concerns for Shelburne County.

There's no question that the decision taken in 2012 to redraw the boundaries in Shelburne County has left all residents unfairly represented. As well, as we're all aware, on December 30, 2011, the independent Nova Scotia Electoral Boundaries Commission was appointed by the select committee. The intent of the process was to ensure the legislative representation keeps pace with the population growth and movement.

At its core, this process had the objective of ensuring voter parity while attempting to achieve fair representation. They were also tasked with being respectful of geography, community history and interests, and Nova Scotia's linguistic and cultural diversity. They were not limited to county or municipal boundaries in the redistribution process.

Section 2(d) of the report indicated that notwithstanding concerns about geography, community history and interests, and Nova Scotia's linguistic and cultural diversity, constituencies may not deviate by a variance of greater or less than 25 per cent from the

average number of electors per constituency. I know that you people are aware of this but some of the people in the audience may not be.

Those seat entitlements falling between 0.75 and 1.25 would meet the variance test. In each of the two interim reports, Shelburne clearly passed the variance test, considering that a literal interpretation of Section 2(d) would require the commission to substantially alter the boundaries of four constituencies that had been protected for the past 20 years, the commission decided to set aside the four previously protected areas, leaving 48.

The interim report was released May 2012 and you mentioned that. In that report, the recommendation for Shelburne was no change. That recommendation would still see the South Shore with five seats, some parts of Digby and Annapolis becoming the losers. It was recommended that Queens be further expanded into Lunenburg West to create the new constituency of Queens-Lunenburg West, the remainder of Lunenburg West to be renamed Lunenburg Centre, and Queens would also be expanded into Digby-Annapolis to take in communities that are adjacent to interior communities of Queens.

The report also recommended that Halifax be increased by two seats. This report was rejected by the government, suggesting they didn't follow the terms of reference.

On July 20, 2012, a revised interim report was released and the recommendations included a reduction of ridings from the current 52 to 51, while still adding two new constituencies to the Halifax area. Still the report was recommending no change for Shelburne. This time, Yarmouth and Argyle and Clare became the losers.

When determining the electoral boundaries, it's our opinion that no resident of Nova Scotia should be a loser when it comes to fair representation. Understandably, these ridings were displeased and dissatisfied with the recommendations. As a result, the commission was sent to Yarmouth where they met with 2,500 people who strongly indicated their displeasure and disagreement with this scenario.

The commission considered this information and for the third time, released a final report on September 24, 2012. Here's where our problem begins. Section 2(e) of the final report indicates that "The Commission shall seek the advice, support and hear such presentations and consider such other information in such ways, at such times and in such places as it deems advisable, respecting existing electoral districts and the establishment of new electoral districts, as well as the area, name, representation and implementation of those electoral districts."

Apparently, it was not deemed advisable or necessary by the commission to come to Shelburne or hear from our residents. At no time were we locally afforded the opportunity to voice our concerns regarding a proposed boundary change that would see our county split in half, merging the west end of our county with Argyle and the east end of our county with Queens County.

Shelburne County has had representation in the provincial Legislature since 1792, 97 years before Confederation, and the residents here were not prepared to see that change. It is our opinion that this process was seriously flawed from the very beginning. Shelburne County shares a unique history, culture, and economy which unites east-west but is completely distinct from Queens and Argyle. Within our county we share much in common with those and we felt new boundaries would not reflect this. As well, it was felt that this change would lead to an even further reduction in services for Shelburne County in the coming years.

The commission failed to consult the people of Shelburne County, as it did all other areas that would be affected by this recommendation. What the province did do was send a Law Amendments Committee to us. However, to add insult to injury, there was little advance notice of the meeting, as well as choosing an extremely inadequate venue.

Upon leaving the meeting that evening, the feeling was that we clearly had wasted our time as the decision had already been made and this was simply intended to placate the residents in the interim.

The latest scenario, Shelburne County would end up collectively with approximately two-thirds of an MLA, one-third for each end, with no connection or similar interest to each other. As well, this decision meant that Shelburne residents may never again see an MLA elected from within our county as each end would have a much smaller population than the area we'd be merged with. To effectively represent a constituency, we believe that the person must not only be from the area but must have a personal knowledge and connection to the area.

Regarding voter parity, suggesting that voter parity is achieved by simply giving Halifax more MLAs because they have a larger population is relative to saying a person's wages should be the same in an area where the cost of living is double to an area with half the cost. The numbers of people who live in any given riding in Halifax proper compared to the same number in our whole county are likely to be within a 15-minute radius of each other, where in Shelburne it's more than an hour and, as a result of this split, even further.

The residents of Halifax proper, by and large, have identical issues within a smaller geographic region where they could see representation on any, and often the same issue, raised by 18 to 20 MLAs compared to Shelburne, where although the population may be less, given the vast geography the MLA workload is far greater and the issues are broader. Just as an example: in rural Nova Scotia, MLAs have to deal with service clubs, they have to deal with Legions, they have to deal with volunteer fire departments. In Halifax an MLA may not have any of those issues within a riding. Our MLA has to travel all around the area to deal with them.

It's clear that this split has not protected, nor has it improved, access for any of the residents in our county. When determining the number of MLAs required to adequately

represent Nova Scotians, the number should not only include population, but geography as well. The decision should not be made based on a pre-determined number of MLAs, then trying to figure out how to divide that number up, all the while making sure Halifax receives the lion's share. It should be based on the correct number that is required to properly give every resident of Nova Scotia equal voice at the provincial level.

Also, it is very interesting to note that the voter turnout in rural Nova Scotia typically far surpasses HRM - sorry to pick on HRM, but it is a reality - usually well in excess of 50 per cent, while HRM rarely sees even close to 50 per cent who come out to vote. So it's abundantly clear that the decision to add seats in HRM was not driven by public good but was purely political.

So in closing, I again suggest that it is very evident that the process was flawed originally and it's obvious that from the start the government of the day didn't wish to protect rural ridings, but as well would not be satisfied with any recommendation that didn't give Halifax more representation. It very distinctly appears that it did not matter who would lose at the end, at whose expense this goal would be achieved, but it was going to be achieved.

With all due respect, I ask - and I appreciate your maps showing in one scenario that we're one county again - but I ask that this Boundaries Commission, when you submit your report that it includes a recommendation to reinstate Shelburne County as it previously existed, and that is on behalf of the Town of Shelburne as I am the mayor. Thank you.

MR. CHAIRMAN: Could you give us a copy of that?

MS. KAREN MATTATALL: Yes. Absolutely.

MR. CHAIRMAN: Although it's on the record, it takes a little time to get it transcribed. Thank you very much indeed. I didn't mention that our Terms of Reference do require us to submit our proposal in what's called a preliminary report - we'd call it an interim report - by November 30th with more than one variant; then a final report with one set of proposals by April 1st. So that's the timetable that we have.

I do want to stress, however, that November 30th sounds a long time away, but we are required, of course, to have the report translated so you're looking for us to complete somewhere between the middle and end of October so that our English version can then be translated into French. This is why everything's compressed, we apologize for that, given what you've said, as I've said, I was Chair of the Electoral Boundaries Commission 2002, and then the Vice-Chair the last time. I'm hoping that you can see that we're coming to Shelburne and there's a reason for us. First of all, we had that phone call from Roy, but I have to tell you that we were not happy campers with respect to the final report that we had to give.

Okay, thank you so much. The second speaker I have is Adelard Cayer. Again, if you could please come forward and state your name into the microphone and then we look forward to having your report.

[6:30 p.m.]

MR. ADELARD CAYER: I've purposely written out my submission because I didn't want to ramble on, as we tend to do.

MR. CHAIRMAN: If you could just state your name, for the record first.

MR. ADELARD CAYER: My name is Adelard Cayer. I'm a member of the community of Shelburne. I want to welcome the members and staff of the commission and thank you for affording us the opportunity to participate in this public consultation about establishing equal and effective representation in our House of Assembly.

As I understand it, the commission is seeking to establish electoral boundaries that provide for relative voter parity, factoring in geography, community history, community interest and minority representation, to ensure adequate and effective representation.

I'll talk about the points one at a time. Who am I? First let me set the stage for my comments. I'm a resident of the Town of Shelburne, je suis aussi un francophone né et élevé dans un communauté Acadien de Nouveau-Brunswick. As a francophone who was raised as an Acadian elsewhere, who does not live in one of the designated Acadian communities, who do I turn to for representation of my cultural and historic links? Essayons-nous de trouver un mécanisme pour représenter les francophones ou les Acadiens. That's the point I want to make clear, that I think there is an issue here.

The past is prologue. I won't dwell on the past but I want to make sure the Commission understands that previous decisions related to Shelburne County and its electoral boundaries are seen by residents here as having arbitrarily traded some of the criteria that would have seen the former riding boundaries remain, to ensure community and historical factors in other areas. I understand from the history that I have read that's generally known as gerrymandering and we were subjected to it.

Flaws in the mandate: first I also want to point out that we appreciated that the present complexity of considerations facing the Commission are destined to become more complex with artificial restrictions being imposed by politicians of the day on the Commission. As an example, the arbitrary number of 52 Assembly representatives hampers the Commission in its ability to design a system that meets our needs and is flexible enough to evolve as population numbers change within the province - why not 48 or 54 or 50 or 60? It seems to me the tail is wagging the dog.

In my view, the number of seats should be based on the number of people needed to fairly and effectively represent our population in accordance with Charter and judicial documentation and decisions.

Second, a key part of the mandate should review and propose solutions to the key issues of non-contiguous cultural and ethnic representation in changing rural and urban population trends. I've heard commission members talk about the issue of larger urban populations and smaller rural populations, but what happens if that turns around? Are you going to take seats out of Halifax?

It seems to me that the issue of the number of people each representative represents is one that should be decided first and then you would decide how many ridings you are going to have.

Repeating past mistakes: for more than a quarter of a century we've grappled with these issues, at least since 1991. The failure to find workable and acceptable resolutions is a testament to our failure. To paraphrase that well known saying of lunacy, doing the same thing with the same people in the same way and expecting different results is folly. I would urge the Commission to find a temporary solution and what I see you're coming up with now - restoring the boundaries and going up to 55 - makes a lot of sense.

I think you should also say to the government that they need to, in fact, deal with the issue of how they're going to generate solutions for changing demographics and for cultural, historical, and geographic representation. Otherwise we're going to be facing these problems forever. That's it.

MR. CHAIRMAN: Thank you very much and I appreciate receiving in advance your presentation.

As you've indicated we're not restrained this time by a fixed number of seats. In the past, I can remember back I think in 2002 we were told 52 seats, 52 seats, 52 seats. So therefore, if one wanted to address some of the population shifts, then seats had to be removed to maintain that 52. This time the Terms of Reference are quite generous, I think, in many ways with respect to what the Commission can recommend. I know that in the past, looking at the 1992 report and then the one I was involved with in 2002, issues of county boundaries were actually mentioned, but now, of course, the Terms of Reference are a little different.

Thank you, Adelard, for that.

MR. PAUL GAUDET: With your permission, I'd like to address a very important point raised. It's the question of the social cultural identity of the community. You raise a very, very important question when you mentioned where do I stand as an individual, who

do I turn to as an Acadian? That's the crux of the matter. It happens to be my bailiwick on the Commission, I take a special interest in this area specifically.

The question you raised is raised by many, many Nova Scotians in your situation, very similar. There are two options: Option A is a general representative for the Acadians all over the province. Option B would be representative of communities with socio-cultural identity, so we need to have a compromise between option A or option B.

The community doesn't necessarily see an appeal to having two or three MLAs across the province. They would lose their local identity. Now where you stand as an individual Acadian, you are not in no-man's land. You have an MLA in your riding who can represent your interest as an Acadian within the provincial government with other Acadian MLAs. You also have the Acadian Federation of Nova Scotia, Acadian French School Board, and so forth and so on and French services in the province so there's a certain compromise between those two sets of values. But it's true that you raise a very, very important question.

Also, the question of Acadians and francophone, and that debate goes back to the late 1960s when they founded the Acadian Federation of Nova Scotia, it was "La Fédération francophone de la Nouvelle-Écosse" - eternal debate. Finally, Acadians won the war and it was the Acadian Federation. Lo and behold, recently the provincial government has the Acadian Affairs et de la Francophonie, so when you have the word Francophonie, it dilutes the Acadian dimensions of it. So this is very delicate stuff.

We could go on and on and on, but I'm really pleased that you raised it when we're going to go to the Acadian communities tomorrow in Clare, and Richmond and Inverness. I think we have to address this properly, because all the francophones in Nova Scotia, they could partake in the Acadian project without losing their identity whether they're from New Brunswick, Quebec, Belgium, anywhere in the world. They can be treated with equality, dignity and respect within the Acadian project. So la Francophonie, those who speak French in Nova Scotia could be part of the nice project and I think it can be worked out. But we have to talk about it and have to have an open dialogue.

I'm very pleased that you raised this question. I think it's a very important contribution to the work of this commission - because the reason we're here today is because it wasn't done right the last time in terms of the treatment of the Acadians. The court didn't say what we have to do, but to go back to the drawing board and do it right, without explaining how we should do it, but we're going to try. Thank you very much.

MR. CHAIRMAN: Thank you, Paul. Paul was a member of the last commission and wrote a dissent to the final report, which I'm sure you've seen. I think that dissent - not only was it very eloquent, expressing what many members of the commission felt, but at the same time, I think it was a powerful voice for what subsequently happened in terms of the court challenge.

The third speaker I have notice of is John Davis. Is John here?

MR. JOHN DAVIS: Mr. Chairman, some points have been covered.

MR. CHAIRMAN: Could you state your name for the record, if you don't mind?

MR. JOHN DAVIS: Yes, my name is John Davis. I'm a Shelburne County resident. First of all, I would just like to say good evening and thank the Electoral Boundaries Commission for coming down to Shelburne. It really didn't happen in 2012 in any effective way, and we're delighted to see you here and we thank you for your attention.

In 1992 and 2002, the Nova Scotia Electoral Boundaries Commission recommended and the Legislature enacted electoral boundaries for the significantly Acadian ridings of Clare, Argyle, and Richmond. They had notably less than the average population ratios for Nova Scotia ridings generally. The reason given was to encourage the participation in the Legislature by individuals belonging to the Acadian minority.

One of the points you brought forward at the beginning was to understand some of our points of view on that. I want to state emphatically from my point of view, I know of no one in Shelburne County that does not feel that the creation of these ridings is both fair and reasonable - no one. That starts us off from the 2002 process.

In 2012, the commission acting under what I consider to be massive duress created by very unfair and restrictive terms of reference, wrote a final report that recommended the elimination of these electoral districts of Clare, Argyle, and Richmond. The Legislature then enacted those electoral boundaries that were recommended in that final report.

In 2014, by order of council under the Constitutional Questions Act, the Governor in Council referred two questions for the opinion of the Court of Appeal. The first one is the most relevant and that was Section 1 of Chapter 61 of the Acts of Nova Scotia in 2012 violates Section 3 of the Canadian Charter of Rights and Freedoms. And the courts said yes, they did violate it and you know that. I'm bringing it up for a specific reason. Quite frankly, that's why we're here today. We're here for no other reason than to undo that which was done incorrectly and to make whole those counties and boundaries that were torn asunder - and we were torn asunder - by misguided provincial legislation in 2012.

You gave some history, Mr. Dodds, and I want to go back even further than that. I want to go back to July 3, 1991 where a Select Committee of the Nova Scotia House of Assembly reported to the House with recommendations for a provincial electoral boundaries commission, and stated, in keeping with the constitutional rights to effective representation as proclaimed by the Supreme Court in their interactions of Section 3 of the Charter of Rights and Freedoms, which states, "effective representation involves a balance of voter parity with other criteria . . ."

[6:45 p.m.]

That select committee recommended the following terms of reference for the provincial electoral boundaries commission in determining the province's electoral boundaries. The first and primary factors to be considered by the electoral boundaries commission - to ensure effective representation. The first was the paramount importance of relative parity, a voting power achieved through constituencies of equal population to the extent that was reasonably possible. The second was geography. The third was community history. The fourth was community interests. The fifth was minority representation. And the sixth was population rate-of-growth projections. So, we have an issue where Shelburne County - by these very terms of reference which are in place and enacted - was denied these very same rights that are now proclaimed by the Nova Scotia Court of Appeals for Argyle, Clare, and Richmond.

The Electoral Boundaries Commission's final report in 2012 denied Shelburne County's voting rights just as it did for Clare and Argyle and Richmond. I stand before you today - we're not asking, we're demanding, based upon the rulings of the Court, that this egregious wrong has to be rectified. That Shelburne County is to be made whole again and that the MLA is returned so that we have fair and good representation in the provincial Legislature.

It's a really important issue but as far as many of us are concerned it's a legal issue. The exact court opinion that stated that Clare, Argyle and Richmond were treated unfairly, Shelburne County was treated just as unfairly under those same criteria. So, it's a legal issue. It's not just an issue of all those other really critically important points of geography, of community history, of community interests - all of those other points.

Again, I thank you very much for coming. I'm sorry that I kind of truncated this by not trying to be repetitive, but I greatly appreciate your presence here today and I hope that you will take back with you the sense of egregious loss that we feel here in Shelburne County and the fact that we consider it a legal issue. Thank you very much.

MR. CHAIRMAN: Thank you very much. Could you give us a copy? We've got it on the record. As we were driving in, we did see some signs so we knew a little bit of what to expect, but there you go. (Laughter).

I would just like to read in response to John's comments to term of reference No. 1, which is over there: There is a right to effective representation with elector parity as the prime factor in determining the electoral boundaries. And then the next one talks about geography. The next one talks about historical, cultural, and linguistic settlement patterns and because of political boundaries - I could go on.

What John was mentioning there, a lot of that is captured in our terms of reference. And I do have to say, for the record, that the commission felt at the time we gave that

interim report, that we were not deviating from our terms of reference. We honestly felt as a commission - I think Paul you would agree - that there was a term that said, "guided by" and that's what we felt but the government came back and said no. These Terms are binding on you. Anyway, the fourth speaker is a Robert Redding. Is Robert here, please? Again, if you can state your name and we can proceed.

MR. ROBERT REDDING: Good evening, my name is Bob Redding. I'm very nearly a lifelong resident of the Town of Shelburne. By training, I'm a chartered professional accountant and I operate two offices within Shelburne County, one in the town and one in Barrington Passage. With my professional background and training, I could be anywhere in this country. I chose to come to Shelburne.

In the interest of time, since I know others are much more eloquently versed than I, I'm going to dispense with the history. One of the areas I wanted to look at specifically was the area of commerce. One area which is not mentioned in that is commerce. When we look at the 2012 hearings there was a comment made to the effect that there were historic commercial activities with the people of Shelburne County, primarily the eastern portion, conducting significant business dealings with Queens County. This rationale implies that there is historic linkage of the two which disregarded any county lines.

I would contend that based on my professional experience, not enough commerce is conducted between the two counties to have it qualify as any defining factor towards the realignment which took place in the last report.

My practice was founded by my father in 1960 and we've been at it 58 years. From those years we've seen a lot of transactions and not too many between those two counties. The trade route in Shelburne County is within Shelburne County; it is not to Queens County. When I look at my client list over those 58 years, my family would have starved many years ago if I had to make a living off of Queens County. Our business is done out to the west - that is all of Shelburne County.

The trade that is done with Queens County from Shelburne County, and vice versa in large measure, is largely incidental. If there is a conventional one, it goes to Yarmouth or it goes to Halifax. I don't think that is an unusual situation in any rural riding within this province. That being said, that makes the community of Shelburne County far more significant in reality than the riding of Queens-Shelburne.

When you look at it from a professional perspective, whether that be accountants, lawyers, doctors, dentists, pharmacists, whatever, around the county, in my discussions with all of them they have the same consensus, their business comes from the residents of Shelburne County east and west.

I will admit to having some knowledge of dealings on a professional basis, primarily the eastern end of the county, with Liverpool in particular, for such services as

dentists and doctors. That tends to be more on an historical basis. The pattern has changed dramatically with the increase in the dental services available here, and again, the medical situation as we all know is another matter.

When we look at the dealings with Queens and Shelburne, on March 2nd there was an interview on CBC radio wherein - I believe it was one of the fire chiefs in North Queens discussing the limited amount of snowfall we had had for the winter and what we were going to do in the summer when the forest fires came. His comment was that they had already made reciprocal arrangements with their neighbours in Lunenburg County. There was no mention of Shelburne County, there was no mention of our riding. That is where their historical co-community exists, Lunenburg County, not with Shelburne County. The economies are differently based, they always have been.

When I look at the basis of the electoral system - I'm not well versed in politics and don't pretend to be, but I do have a fairly good recollect. My recollect is that when I was a kid in school we were taught that part of the process was a community elects one of its own to be its representative in the Legislative Assembly, to bear its cause, to be accountable to those representatives to do that person's job for that community. That's the basis of it. It's not the Party system, that's just the basis of it. We could go back to 1200 and the start of it. Maybe that's rose-coloured, maybe it is naive but it is still the basis on which I function.

Quite honestly, when we look at the boundary that we were given - I do numbers - if we take Shelburne County, which was a typical rural riding by all geographic measures, and we compare it to what it is now, we've always wanted to aspire to the top. As a county, I'm not so pleased to tell you that we're the second-largest riding in the province right now - we're fully 18 per cent ahead of the next largest riding. Our riding is 83 per cent bigger than the whole of the county was. That tells me that we've got one MLA who is stressed right out as far as trying to deal with the geographic requirements placed on that.

Again, when we get back to the concept of fair representation and effective representation, that becomes increasingly difficult. You have a person who could conceivably drive three hours from one end of this riding to another. Nowhere else do you have that, with very few exceptions, in this province so how do you come up with what would be effective and fair representation?

The easy answer - I like the map, we bring back Shelburne County as one riding. This is one community. This county is one community and it's certainly far more representative than the communities that have been forced upon us by the last report. The last report, the interim one, was the proper one. I think everybody agrees to that one or acknowledges that we became part of a numbers game.

My request is that we look at it, and getting back to this recommendation, finally I would say I acknowledge and want to thank you individually for your individual and co-operative efforts in this regard, coming down to our riding, meeting with us. I think we

have a fairly good turnout for a nice Friday night, which I think demonstrates the sincerity and belief of this community towards this effort. Again, thank you very much for coming to our county.

MR. CHAIRMAN: Thank you very much. Would you like to give us your presentation? Thank you very much indeed.

The next person I have is Penny Smith.

MS. PENNY SMITH: Good evening, I'm Penny Smith, Warden for the Municipality of the District of Shelburne. Thank you first for the opportunity to present on behalf of our residents, and thank you to Roy O'Donnell, as well.

These are the facts as we know them. Some have already been stated and I won't restate them all. First, as noted by Mr. Davis, in 1992 and in 2002 electoral boundaries for the significantly Acadian ridings of Clare, Argyle and Richmond were enacted. In 2012 the Terms of Reference to the Electoral Boundaries Commission excluded the option of maintaining these three separate ridings.

The Commission's interim report, which was rejected by the Attorney General, recommended that the three ridings continue and also recommended that the boundaries of the electoral district of Shelburne remain unchanged. At the direction of the Attorney General, the Commission wrote a new interim report, followed by a final report, that recommended the elimination of the electoral districts of Clare, Argyle and Richmond.

In the final report, the Commission proposed that the electoral district of Shelburne lose the Municipality of the District of Barrington and the Town of Clarks Harbour to Argyle and that the electoral district of Shelburne gain Queens County, plus the Maitland Bridge area from Digby-Annapolis.

The Nova Scotia Court of Appeal concluded that the actions of the government violated the Charter of Rights and Freedoms and, in particular, found that: (1) the body which recommends electoral boundaries is the independent Electoral Boundaries Commission, not the Attorney General, government or select committee; and (2) that the Attorney General's intervention prevented the Commission from performing the balancing exercise required to assess effective representation for the electors of Clare, Argyle and Richmond and resulted in the creation of a final report that did not represent the authentic view of the Commission.

There's no question that the division of the electoral district of Shelburne into two new electoral districts - Argyle-Barrington and Queens-Shelburne - was only required because of the wrongful intervention of the Attorney General and the government's desire to eliminate the distinct electoral districts of Clare, Argyle and Richmond.

It is clear from the Commission's initial interim report that the recommendation which should have been considered and approved by the government was for the electoral district of Shelburne to remain unchanged. There was not then and there is not now any compelling reason to change the electoral district of Shelburne as it existed prior to the government's unconstitutional revisions. In order to correct the wrong that was committed by the government, the electoral district of Shelburne should be made whole once again.

[7:00 p.m.]

The Municipality of the District of Shelburne, the Municipality of the District of Barrington, the Town of Shelburne, the Town of Clark's Harbour, and the Town of Lockeport are all physically located in Shelburne County and all share a common community of interest which should be respected.

In closing, the unconstitutional actions of the Nova Scotia Government altered the 150-year history of legislative representation for Shelburne County, and we hope this commission will take the opportunity to correct this wrong. Thank you, and I will forward a copy of my presentation.

MR. CHAIRMAN: Thank you, please do. Thinking back to the 1992 report, and I think you know your history in terms of the Supreme Court of Canada in the Carter case. Actually, a faculty colleague of mine was the Chair of that particular commission, so when I followed 10 years later, I was fully aware of the thinking behind that commission's report to protect the minority ridings. Not just the Acadian, but also the African Nova Scotians in Preston.

The next speaker I have is John Smith - sorry, you're Jim Smith. You had better say your name.

MR. JIM SMITH: My name's Jim Smith and just before I start, I want to say I guess I wasn't following what was happening along with the boundary review, and I really only took notice of it about a week ago when I saw a local ad that someone had placed on Facebook. I looked at it and I said maybe I should speak at that particular event, because I've had some experience at it.

I find it's really difficult for people to come forward sometimes, particularly if they're going to speak in favour of something. Usually you get people who are against something that will come out in huge numbers. When I called and got the information, at the time there were only seven speakers and I said, well, that's not a lot. I don't know how many will speak here tonight but I think we should take into account that this is difficult. Political issues, too, are not things that will drive people out on a Friday night - electoral boundaries. But I knew that a lot of the political figures would be out, which most of them are.

I just printed off my notes today and the font is very small unfortunately, so I'll just read through it.

My name is Jim Smith and I live at 293 Pleasant Point Road in Shelburne County. I've lived there for the past four years but I grew up in Lockeport for the first 30 years of my life. I had been living in Dartmouth before I moved back four years ago. I had the pleasure of serving 12 years as regional councillor for HRM Council.

Boundary reviews certainly don't usually elicit a huge following but the results are extremely important to all the residents. I am encouraged this commission has been formed and is holding public consultations. We need a much more robust and extensive set of public meetings, in my opinion, especially in regard to electoral boundary reviews and decisions. The process ought not only be extensive, but must be fair and seen to be fair. Unfortunately, this has not always been the case in my experience.

I experienced municipal boundary review processes where communities were split in half and communities of distinct geographical and disinterests have been forced together without fair public input before final decisions were made. I can tell you that when that happened to me, it's not a nice feeling, as one of the other speakers spoke about earlier. When your community - especially if you're representing a community - gets split or it gets forced into some situation where it doesn't want to go, it can be really a feeling of loss and a feeling of disrespect.

All of this was perpetuated in the name of political expediency and making numbers work to the exclusion of community interest. It was an experience similar to what has happened in previous electoral boundary review processes for this area. I didn't live here at the time, but I recall it quite well, what had happened in this area at the time.

I decided this would just be my main comments about community of interest. I figured a lot of people were going to bring data in, people were going to bring different ideas in. Instead of trying to go into every little thing, I'm just going to speak on community interest that I think is important.

In my opinion and experience, we cannot force distinct communities to have common interests. It is a natural occurrence, if it happens at all, and is brought on by proximity and shared experiences. Having Liverpool and Shelburne and area in one electoral provincial boundary has actually, in my view, a polarizing effect. I have not seen any evidence of enhanced connections or co-operative developments of any kind between the two communities. The polarization, in fact, I think comes in some ways from the conflicting issues that may now or in the future take place regarding the area MLA's representation. To me it seems we should not try to recreate an artificial area of representation that may clearly place our MLA, whoever that might be, on a path to conflicting community issues when a better alternative is available.

In closing, my view is that we need to stem the “flavour of the day” movement to add larger areas and increased populations to the workload of provincial MLAs. This is a position I believe comes from the vocal minority who constantly complain that our elected members are overpaid and underworked - a claim I do not agree with. What we need are politicians who represent us well, are well-paid, available in person and accessible, and who understand our issues intimately because they live in the community they represent.

The previous commission had many reasons, I’m sure, for the original recommendation they put forward. Which should be the one that is adopted going forward. I hope that is going to be your recommendation again as well and that the political powers have the courage to agree to that. Thank you.

MR. CHAIRMAN: Thank you very much. Again, just for the record, the final report that we’re expected to give by April 1st to the government, as far as I know, the government either accepts it or rejects it. In the end, the House of Assembly has the final decision.

So, speaker number seven is Roy O’Donnell. Thank you very much. We’ve not had the pleasure of talking, but I know that the administrator for us, Callie Robinson, and you have conversed several times. Thank you.

MR. ROY O’DONNELL: Good evening and welcome to Shelburne. My name is Roy O’Donnell and I live in Shelburne. Now on the right-hand side I have the long version that would be a lot of things being repeated. So I’ll save you the problem - I will go to the more condensed version which is basically bullet points. But I want to relay to you that what I had prepared to talk about hasn’t been talked about, and which I won’t, but I will give you a copy of the long version.

I wanted to talk about Saskatchewan’s Electoral Boundaries Commission Act which proposed to change boundaries and saw urban districts under-represented. I also wanted to talk about the Supreme Court of Canada’s ruling in 1991 known as the Carter Decision, Section 3 of the Charter. In 2003, the Parliamentary Standing Committee on House Affairs’ preference was continuity over change in boundaries. Elections Canada in 2013 recognized that county boundaries are recognition of communities.

MR. CHAIRMAN: So, what you raise again, historically, the Carter decision was a key decision by the Supreme Court.

MR. ROY O’DONNELL: As I said before, my name is Roy O’Donnell and I live in Shelburne. In recognition for their part in bringing the 2012 miscarriage of justice to light, Shelburne owes the Acadian Federation a large debt of gratitude. We have waited for six long years and tonight we finally have an opportunity to have our say.

Mr. Chairman, we want you to know that Shelburne's riding did not need to be sacrificed. There were other options. There were better options. We are disappointed that of the names of three qualified Shelburne County residents submitted as possible commission members, not one was chosen to be on this commission. However, I do notice that there are two members on this commission who were also members of the previous commission's fiasco.

The Acadian Federation is on record as supporting the appointments of Mr. LeFort and Mr. Gaudet to represent the Acadian communities. I was surprised to find the Acadian member, Mr. Gaudet, is the only member from all of western Nova Scotia. Who represents the rest of us who live in western Nova Scotia?

The commission's first draft recommended no change to Shelburne's boundary. Then the following interim report again recommends no change to our boundary. At the second Bridgewater meeting, a resident and currently a Cabinet Minister proposed that the ridings of Queens, Shelburne, and Argyle be consolidated into one area and simply divide it into two ridings - problem solved.

Mr. Chairman, surely you would agree, the Electoral Boundaries Commission should have held a public meeting in Shelburne if our riding was being considered for change. This did not happen. We were surprised and shocked when the government announced the acceptance of the commission's final report that chopped Shelburne's riding into two unrecognizable pieces. It didn't take us long to realize that we were misled by the commission who then used us as pawns to increase the number of voters in the Queens and Argyle ridings.

In the election years from 1993 to 2009, the former Shelburne riding had voter participation of 66 per cent, 71 per cent, and 72 per cent. The new configuration saw voter participation in Shelburne County decrease to 50 per cent in 2013 and decrease to 39 per cent in the 2017 election.

As for Nova Scotia needing to reduce the number of constituencies, I say this is nothing but pure poppycock. For example, Nova Scotia has the highest average elector count per riding at 18,000 voters. New Brunswick is next at 15,000 voters. Newfoundland and Labrador comes in at 13,000 voters, and Prince Edward Island has an average of only 5,300 voters per riding.

An increase in the number of seats would bring Nova Scotia closer to the Atlantic Canadian norm. There is nothing stopping the government from adding ridings to achieve effective representation in rural Nova Scotia.

Ladies and gentlemen, I believe it is time that transportation and proximity to government services be considered as countervailing factors in Nova Scotia. Consider the travel time and expense for someone living in Upper Woods Harbour to attend a

government appointment in Halifax, and then compare the same appointment for someone living in HRM.

Due to the proximity of services for residents of HRM, a greater number of electors for a city riding should be considered. Today, the thinking is to simply enlarge rural ridings and increase the number of city ridings, which is just a numbers game, in my opinion. Section 3 of Canada's Charter of Rights and Freedoms says that the right to vote is not equality of voting power, but the right to effective representation.

[7:15 p.m.]

So in closing, I propose the following for your consideration: that consideration be given to increase the number of countervailing factors to include transportation and proximity to services; that consideration be given to increasing the number of electors in urban ridings to enhance effective representation between urban and rural ridings; that Shelburne County be assured of effective representation by the return of Shelburne's boundary to its rightful place; and that each recognized county in Nova Scotia be entitled to a minimum of one elected MLA.

This would neither increase nor decrease the total number of ridings in the province, but would ensure that each county would have its own individual voice in Halifax and that no other riding would be sacrificed just to increase the numbers in another adjoining constituency.

Mr. Chairman and commissioners, I anticipate there will be some expected and unexpected proposals in the interim report. I believe Shelburne is deserving of another visit by this Commission and I invite you to return to Shelburne after the release of the interim report. I thank you for listening to me.

MR. CHAIRMAN: Thank you very much, Roy. If you want to give us your presentation. Once the interim report is presented, then the Commission will be coming out again in the winter months - January and February in particular - because our report is due the first of April. Again, allowing for translation time, we're effectively looking at trying to do our visits in January and February.

Currently on our visits this time, we're visiting 12 communities. Again, depending on what the interim report says, that will then, I think, determine the communities we visit.

The last speaker that has indicated they wish to speak is Timothy Gillespie.

MR. TIMOTHY GILLESPIE: My name is Timothy Gillespie. I'm a resident of Shelburne County, currently residing in downtown West Middle Sable.

I haven't prepared anything for the Commission, knowing that there were going to be people speaking who had a larger grasp of some of the social and political issues. I did want to say that it's very heartening that the Commission has taken the time to come to Shelburne.

In the last 28 years, there has been no Electoral Boundaries Commission that saw fit to visit this town when they were making their decisions. In 2012, I think a lot of people feel that that may have provoked some of the disastrous decisions that were made.

I had a conversation with Mr. Kelloway earlier today and I've had several conversations with Dr. Dodds who has been very gracious about affording me a lot of time. Most of the people in this room know that I operate a news service here and so part of my job is to pester people and Dr. Dodds was one of the victims - even feeling at some point I was being too picky with him about my demand for . . .

MR. CHAIRMAN: That's the word.

MR. TIMOTHY GILLESPIE: That's the word - it was actually "picky". I told him it was my job and I apologized, but proceeded to continue to be picky.

I would like to just note that when it comes to being solely a numbers game, I don't think it serves anybody well, but there are some numbers that I would like to point out, one of which is the large number of people that took time out of their lives tonight to show up here. There's a big piece of real estate in Shelburne County, but not a whack of people. The three previous meetings that this Commission held were held in Sackville, Bedford and Halifax - not a ton of real estate, but a whack of people. At those meetings, there was an average of 10 people who showed up, who took the time out of their lives. Mr. Kelloway told me that in his perspective - and I don't know if he was talking about the Commission at large - that it's not the number of people that show up, but the passion showed.

I think this Commission can see that there is certainly a tremendous amount of passion here in Shelburne for the issues extant in the boundary situation, and a good amount of pain about how badly we felt we were treated in 2012, but I think the fact that per capita we have probably 600 to 700 per cent greater participation in this room tonight than they had in Sackville, Bedford, or Halifax really should tell this Commission something. I think that the Commission will have to make its own decisions about what that tells them.

One of the issues that came up in a number of the presentations was the issue of county boundaries. I would like to suggest to the Commission that that's an important point. It's not an incidental point. The county boundaries were pointed out by, I believe, Elections Canada in one of their presentations some time ago, and I think Roy pointed that out, but the county boundaries are also political boundaries. Political boundaries are one of the issues that if not directly spelled out in the Terms of Reference for this - I believe they are spelled out in the Terms of Reference actually. There is also the issue of administrative

boundaries, which I think were pointed out in some of the decision of the Appeals Court of Nova Scotia.

There is really very little difference between political boundaries, administrative boundaries and county boundaries, so it seems to me that there is a preponderance of thought that the issue of Shelburne County as a distinct whole place to surround, if you will, with an electoral boundary is not just common sensical, but the history almost demands it. I would like to suggest that if this Commission were in any way to ignore that or avoid that, I think they would do so at their peril, and certainly at the peril of all of the people in this room and all of the people in the county.

So I don't envy you as a Commission. You've got a lot of things to deal with, but I do hope that you take what you heard here tonight seriously. I do hope that if the proposals that you present, interim and/or final, do not meet the satisfaction of the government who has insisted they're going to stay out of this mess, but if they decide to intrude as the previous government had, that this Commission stands very strong and says, no, we really believe we are an independent Commission. What kind of push-back you can do to a government, that's certainly up to each individual on the Commission.

Again, I'm thankful that you've taken the time to come here and I also hope that you think seriously about coming back during your second round. Yes, sir.

MR. PAUL GAUDET: According to your opinion, what is the explanation for the participation of the people tonight? How were they informed and what is in place that this magic happens here? When you look at different ridings - when you see out the window and look at other ridings what's happening, it's interesting to see the dynamics of each riding. So I was wondering the dynamics here must be special. We've heard it this evening, so according to you, what is the formula to have the people informed and involved?

MR. TIMOTHY GILLESPIE: Thank you for asking that. I think that this place is special. It's a place that has a tremendous amount of heart. You've seen the passion reflected in that, but it comes back to a very strong heart, and we have a very strong spine. This place does not take well to being pushed around, bullied, or ignored, and I think that's what happened in 2012.

The fuss that was created, the signs, et cetera, is really the work of a small group of citizens who decided, okay, if something isn't done to let people know that this matters - if it was a per capita situation, we would have two people here compared to Sackville or Bedford. Some of us got together and said we need to get the word out. Nobody convinced anybody in this room that they had to come here. People were just made aware of it. Frankly, from my own personal perspective - and I've expressed this to Mr. Dodds - I think that in some respects the lack of public information provided by this Commission has been close to shameful.

I operate a news service. I get all the news releases. Today was the first day that this Commission issued a news release and we're already at the fourth hearing. Just recently, there was a website and a Facebook page put up. That could have been done weeks or months ago. Mr. Dodds and other people have said there's a social media campaign. Bologna. It's not true. I think that - and I hadn't thought to do this but since you ask - the turn-out, the poor, almost shameful turn-out at the Sackville and Bedford and Halifax meetings is a direct reflection of the inability of the Commission to have a conviction to get the word out to people who need to know.

I think that if the Commission wanted to see the reflection, go to your own Facebook page and take a look at who is interested and who is planning to go. Out of all the ridings - all the 12 meetings - only 14 people indicate they're planning to go to a meeting. The biggest fuss on your Facebook page is in Clare. I think that has to do with Mr. Wilson. He has really dug in and said, this matters to us, let's make sure that the Commission hears what we have to say.

I'm apologetic about being scolding, but I think that there is some scolding required, and if this Commission does a second round of meetings, as it says it's going to, I strongly suggest that you get some professional help from CNS, from whomever, because people are entitled to know about these things. I mean, look at all the time and effort that you guys are spending thinking about things, reading material, coming out to these meetings, travelling, et cetera. In some respects, it's wasted if only five people are sitting in front of you. It's certainly not wasted here. We're a pretty spunky group of people and we're paying attention to what you're doing.

MR. PAUL GAUDET: We'll see if that's true democracy.

MR. TIMOTHY GILLESPIE: I think so.

MR. CHAIRMAN: Thank you, Mr. Gallespie.

MR. PETER MARSHALL BUTLER: Mr. Gallespie, before you go, I'll identify myself as a professor of, practitioner of, writer about, public opinion. What would you rather have us do - a poll? This, or a poll?

MR. TIMOTHY GILLESPIE: I'd rather have you do this in a much more conscientious fashion of being able to figure out, what do we need to do to get people in Nova Scotia to get interested and come to these meetings? I can assure you, I operate a news service, but I've been in the advertising and public relations business for 45 years.

MR. PETER MARSHALL BUTLER: Me too.

MR. TIMOTHY GILLESPIE: It's not rocket science. It just takes a will and a commitment to do whatever one has to do. It appears as though nobody was tasked to that. It's certainly not your job, but it was somebody's job, and somebody didn't do it.

MR. PETER MARSHALL BUTLER: Well if I had to argue the case, it would be that, even if I have 70 people here - I think we have 57 or thereabouts - I can't take that to be representative of the opinions of this area. There's not enough cases. (Interruption)

MR. CHAIRMAN: I think we'll cut it off at that point. Mr. Gillespie, thanks. It's nice to see you in person.

I do want to apologize. Just for the record, the members of the commission were announced on July 16th. We got our appointment letter, probably two weeks later. The commission met for the first time as a commission on August 23rd - that's a little over two weeks ago - Thursday and Friday.

We have been working very hard. I was working prior to that, obviously, to get everything set up. We hear the criticism. We take the criticism, even though in some ways our hands were tied. We accept it. Timothy, you have made that point to me several times on the phone. I certainly feel that a better job could have been done.

The fact is that we have a large number of people out this evening - not as many as were in Yarmouth way back, 2,500. I can remember being up at Clare. They had the fire trucks out and the sirens and probably 300 people at Université Sainte-Anne at that time.

We have time. I would like now to invite anybody else who would like to speak on the record. If so, step forward to the microphone, please, and state your name.

MR. ROGER TAYLOR: My name is Roger Taylor. I live in West Middle Sable, also. It's a very large community.

I also appreciate that the commission is here. I am not going to repeat some of the very eloquent comments that were made here tonight.

I am a councillor with the municipality of Shelburne. What I wanted to highlight with the commission is the fact that if you look at the map of Nova Scotia, it sort of speaks volumes. Nova Scotia is a lot more than one single part, like HRM. If you connect that with sustainability planning of the federal government in connection with the gas tax money that was given to municipalities - they required us to do sustainability planning. If you look at the Ivany report, it indicates that HRM is the only success story. Maybe that's because, in some of the structure, not enough importance has been given to rural Nova Scotia. Every single part of it has maybe too much emphasis on HRM.

If there was a greater sharing of the wealth, then perhaps Nova Scotia as a whole could be much more successful. This area was much more successful when it had the naval base and when it had the School for Boys here. There were a lot of good jobs that were provided in the area. This type of story applies throughout rural Nova Scotia, I think. We have problems with health care.

All of that is to say the Commission could perhaps give more emphasis to geography when they're thinking about electoral boundaries because that can have a greater impact on how successful we are in Nova Scotia. I think the sustainability planning that the federal government has required the municipalities to do was a very good thing. Unfortunately, the federal government and the provincial government are not active participants in that, so that whole process has not been as successful as it could be.

I believe this Commission has an opportunity to prod that a little bit, and I would encourage you to think about that when you're doing your work. Thank you very much.

MR. CHAIRMAN: In fact, Terms of Reference No. 2 states, "Deviation from elector parity is justified because of geography." I'm not saying these are in ranked order, but it is interesting that the first one is effective representation and elector parity. I don't know what the select committee had in mind in putting these forward, and I'm not saying they're in ranked order. If they were, then geography, in fact, is No. 2.

Would anybody else like to come forward and speak? Anybody want some clarification of our work, any clarification perhaps of the terms of reference? You would have to step forward please, just so it's on the record.

MR. JOHN DAVIS: In your opening statement, one of the comments that you made caused me some concern. That was the fact that prior to having discussions with the impacted communities, you were asked to create a draft report. I wonder if you would be so kind as to describe what the rationale was for that without any current input. What was the rationale for that request?

MR. CHAIRMAN: There are two clarifications. One is that we were asked by a select committee of the House to do that. That was on the basis of a recommendation of the last Commission, of which I was a member, along with Paul.

Certainly, it was true for the 2002 report that we went out and asked, what are your views? People said, what are you asking? Tell us what you're thinking, what you might be thinking.

On that basis, we suggested that when the Commission go out the next time, whenever there was going to be a Commission - we didn't know it would be six years later. We hoped that those issues would be redressed, that it would be the redress that we talked about, that there should be something on which people could actually comment. We were

asked by the select committee - there is one member, I think, in the audience this evening who was on that select committee - to produce a draft, which is what we have this evening. I think if we had come without that draft, it might have been a very different conversation this evening. I don't know. That's up to you to assess.

The fact is, we have had an opportunity, as a Commission, to come together. Everyone has had a chance to read the various reports of the Commissions of the past. They have had the opportunity to read the court challenge and the verdict of that. They also had an opportunity to read the Keefe report on effective representation, which came out in January of this year. In that sense, the Commission is pretty well fully briefed.

When we met, I had prepared the data on the basis of the existing boundaries and what the numbers looked like, and then we came out with the draft. That required us then to produce a map like you have seen for Nova Scotia, which is the one in the middle there. We also wanted you to see the previous maps and to produce the map for the electoral district of Shelburne - what it looked like before, what it actually is right now, and what it might look like in the future, along with an adjacent riding.

The rationale for the select committee came from the previous commission. Otherwise, you go out, and people ask what they are responding to. I think if we had been before you without a draft, you would have been making the same arguments perhaps as you have made this evening, but not known what the views of the commission were at that point in time. I hope that answers your question. (Interruption)

Please come forward again. We have plenty of time.

MR. JOHN DAVIS: I understand your point of view, and I understand that rationale. Let me give the rationale for asking the question. That is that in the last cycle of events, Shelburne County was not included in any of the process, really, in any effective, functional way. From our point of view, looking at it from this side of the room, whatever information you are utilizing to put your draft together excluded us. That's my sense, that we would have been excluded. You wouldn't have had relevant data and information from us from the past process because we were excluded from it. I understand your rationale and point of view, but there is another one, and that's why the question was asked.

MR. CHAIRMAN: If I can just have a rebuttal to that, having served on the previous Commission, and Paul Gaudet as well, I could say that we shared our concerns, having put that interim report in. On that basis, when Roy put that call through, I had already determined that we would be coming down to this area. I didn't know at that point what the Commission would be deciding. Once the Commission came together with the proposals that we have before you, then it just reaffirmed that we would definitely have to come.

I can't change what has happened in the past, in terms of the words you might want to use - insults, lack of respect, or whatever - but we were determined that we wanted to come down and meet you this time. On that basis, as I say, we have the draft. We appreciate the concern that you have had this evening. I realize not everybody wants to speak publicly. I think just having the volume of people here, and you have heard this from Paul Gaudet, reinforces the interest and concern that you have.

MR. JOHN DAVIS: I'll close by reiterating my thanks for you being here. We greatly appreciate the fact that you are here.

MR. CHAIRMAN: We're going to be staying, by the way, this evening, and then we go up to Argyle tomorrow. We have a 10 o'clock meeting, and then we'll be in Clare tomorrow evening. It is difficult when you have members who are at other ends of the province, like Leonard, having to come all the way down.

Any further comments from the floor?

MS. JACKIE GRACE: I'm a government employee. I work for Community Services. My conflict comes from working for the county, and my county is split in the middle. I feel that I represent the disenfranchised somewhat because my clients are social assistance recipients.

This week, I had four different clients call me and ask me what the boundary lines meant. I have never had that. They call because they need food, they need shelter, or they need drugs - medications. I'll word that properly. It's the first time I have had that number of people call me and ask, what does that mean? I have talked to them about it.

It's a weird situation to be an employee for the county, and your county's split in the middle, so they have different representation. Countywide, for my clients in Shelburne, medical travel is a nightmare. It's a big deal. We spend hundreds and hundreds of dollars a month trying to get people in shuttles to go. I have clients who get on a shuttle one day for a 20-minute appointment, stay overnight in the city, and get a shuttle back. That's the only way we can get them there. For education, and our hospitals, we need to be a county so we can speak together.

I wanted to talk about the population increase. The population increase in the city is because we are feeding you our children. Our kids aren't coming home because there's no work. We're crumbling down here in rural Nova Scotia. We feel like Nova Scotia sometimes ends at Lunenburg. We need to have our county back.

MR. CHAIRMAN: I certainly noticed, and I'm sure my colleagues did, driving down, that there is a sign that says, County of Shelburne. It's still there. It's not a big sign. Perhaps the local county might think about establishing a nice big sign. Anyway, that's just a suggestion.

Are there any further comments at this point in time? Please come forward.

[7:45 p.m.]

MR. ROY O'DONNELL: Mr. Chairman, it's Roy O'Donnell again. I couldn't resist, I just have to come back.

Number one, wherever you ladies and gentlemen are standing, do you have enough yellow signs? (Laughter)

MR. CHAIRMAN: We've seen them.

MR. ROY O'DONNELL: My question is, as you know, in the past six years what happened to us, we were promised something. Can I assume that the commissioners here have agreed on the ridings from Queens, Shelburne, Argyle, Yarmouth, Clare, and Digby - are you all in unison, is that where you are? Is there any dissent for those ridings?

MR. CHAIRMAN: I can tell you that there's a consensus of the Commission for the draft that we have before you.

MR. ROY O'DONNELL: It is a consensus?

MR. CHAIRMAN: Yes.

MR. ROY O'DONNELL: Fine, thank you.

MR. CHAIRMAN: Anybody here who wants to challenge that? (Laughter) I'm not putting anything down but we are serious and I think we all appreciate, although it has been very hard work in the last few weeks to put this together but the select committee did - in fact, it forced us as a group, instead of just twiddling our thumbs as a Commission and saying, well, what are we going to do, we're going to go and consult, but consult about what? In that sense, I think the select committee did us all a favour, the electors of Nova Scotia, because it put us in a situation then, what are we going to do, having reviewed the material of the previous reports, but more particularly the court challenge, which we've all read, and the Keefe report, which is some 200 pages, that put things in perspective.

When we met for the first time - of course, some of us knew each other beforehand - very quickly a consensus developed, which is what you see this evening. Then we had to put this into practice. It has not been easy because the maps, we still don't have them translated. We've been at this literally two weeks.

There's a lot of other things that have to fall into place. The maps that we do have, I think there's a disclaimer at the bottom that they're only in English but we're working hard.

We've got other communities to go to. As you know, we're going to Tusket tomorrow, to Argyle, and then Clare. Then we come back and next week we're doing Preston - the African Nova Scotian riding, and we're doing Dartmouth-Cole Harbour. Then we go to Cape Breton. The two communities we're doing there are Richmond and then we're going up to Cheticamp, and then the weekend following, we're doing Baddeck and Sydney.

We made the point that if further visits are required before we produce that interim report, we'll try to accommodate that. The fact is, I mean this evening you have eight of the nine commissioners. The person who is missing gives her apologies - Angela Simmonds, she's from Cherry Brook in HRM, but she had previous commitments. Again, when you get the call and you get the letter, you have to try to rearrange, because we all have either jobs or other commitments to do, as you have, so we appreciate you coming out on a Friday. I don't know what you're missing on TV, perhaps there's a baseball game or something like that. I think hockey is over.

If that's it, ladies and gentlemen, I would like to thank you again. We've had an opportunity to eat in some of your restaurants. I was just up the street and had some very nice fish, so I appreciate that. We'll be off early in the morning to see your colleagues in Argyle.

Please, if you're going to speak, you have to come to the microphone.

MS. KATHY JONES: My name is Kathy Jones, I have just one question. I have 15 or 20 people who couldn't make it tonight because of the short notice of the meeting. They want to know what address they can use to contact, to put their two cents' worth in. Do you have an address, web address, email address, physical snail-mail address, or whatever?

MR. CHAIRMAN: I'm going to ask our administrator to - oh, it's up there. The website is there.

MS. KATHY JONES: All of the contact information is in that? Perfect.

MR. CHAIRMAN: We're planning to get more on the website. Again, it has been a challenge simply to get the domain name, but it's there. We're planning to have the reports that I have mentioned on there. There is a Facebook page as well. We encourage you to use that.

MS. KATHY JONES: Do you know the name of the Facebook page?

MR. CHAIRMAN: I don't do Facebook myself, so I don't know. (Interruption) Okay, that answers your question?

MS. KATHY JONES: Yes. Thank you.

MR. CHAIRMAN: We want to hear from you. If you look at past reports - I have saved everything from the previous Commissions, and I can tell you that it's not just the submissions in person. The written submissions are very important. We urge you to get in touch with us if you have any further concerns.

We do look forward to seeing other parts of Nova Scotia. One of the pleasures, if you like, of serving on a Commission like this is that it does get us out. Even if you are up in Cheticamp, it gets you out to another part of Nova Scotia. If you are in HRM, it gets you to go back and forth. That is a real privilege for us. Although we are doing a job in this respect, I have to tell you that meeting people and seeing for ourselves - even though most of us, if not all of us, have been to Shelburne before - to hear from you is very important. At the same time, hopefully, then you can put faces to the names of the Commission members.

Yes, one more question?

MR. TIMOTHY GILLESPIE: A final date at which written submissions need to be sent?

MR. CHAIRMAN: We're planning to meet October 10th, which is just after Thanksgiving. I think our last meeting is September 20-something. We wanted to give time for people to give further submissions. We're planning to meet then and, no doubt, after that. We may have to do some other public consultations; we don't know yet.

As I said, we have been told that probably at least a month from the final report, in this case the interim report, being written, it has to be translated. Then that applies, of course, to the final report.

Ladies and gentlemen, thank you very much, and enjoy the rest of the evening, as we will.

[The Commission adjourned at 7:53 p.m.]