

PRESENTATION
TO
THE LAW AMENDMENTS COMMITTEE
FOR
THE NOVA SCOTIA LEGISLATURE



DEPUTY WARDEN DONNA LEBLANC-MESSENGER
FOR
BARRINGTON MUNICIPAL COUNCIL

November , 2012
Shelburne, Nova Scotia

MUNICIPALITY OF THE DISTRICT OF BARRINGTON

**PRESENTATION
TO THE
LAW AMENDMENTS COMMITTEE
OF THE
NOVA SCOTIA LEGISLATURE
OFFICE OF THE LEGISLATIVE COUNCIL
JOSEPH HOWE BUILDING
1690 HOLLIS STREET
P.O. BOX 1116
HALIFAX, N.S.
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RE: Bill No. 94

House of Assembly Act (Amended)

**An Act to Amend Chapter 1 (1992 Supplement) of the Revised
Statutes 1989, the House of Assembly Act**

INTRODUCTION

**Honourable Minister Landry, Members of the Law Amendments Committee,
Ladies and Gentlemen:**

**My name is Donna LeBlanc-Messenger and I am the Deputy Warden for the
Municipality of the District of Barrington.**

**Thank you for allowing me to make this presentation on behalf of Barrington
Municipal Council.**

**The District of Barrington geographically forms approximately half of
Shelburne County, and together with the Town of Clark's Harbour contains
more than half of the population of Shelburne County.**

**Thank you for coming to Shelburne County to give the electors of this part of
Nova Scotia the opportunity to address the proposed amendments, an
opportunity that was not afforded our electors by the Electoral Boundaries
Commission.**

**Our concern is that Shelburne County is being divided among two different
provincial electoral districts with the Municipality of Barrington, in particular,
being moved to a different district.**

We hope that this exercise is an exercise in democracy, that has meaning and validity, and will bear merit. The Law Amendments Committee must have the same, or as much, authority as the Electoral Boundaries Commission exercised in their process, otherwise this hearing will simply be an exercise in futility, and will be a sham to the public.

The Law Amendments Committee must be able to make amendments to the recommendations that have been made by the Electoral Boundaries Commission, otherwise the exercise that Shelburne County residents are going through will not have the same validity, and our residents will not be provided with the same opportunity as those residents of Argyle, Clare and Yarmouth had during their representations to the Electoral Boundaries Commission.

Now let us address the recommendation contained in the proposed legislation.

TERMS OF REFERENCE

The Terms of Reference provided to the Nova Scotia Electoral Boundaries Commission directed that the Commission be guided by the following:

- 2(a) Commission to delineate electoral boundaries to achieve an Assembly of not more than 52 seats, not counting any additional member authorized pursuant to Section 6 of the House of Assembly Act.**

2(b) Of paramount importance, relative parity of voting power must be achieved through constituencies of equal electoral population to the extent possible.

2(c) Deviations from parity of voting power may be justified in consideration of geography, in particular:

- i. the difficulty in effectively representing a large physical area,**
- ii. community history and interest,**
- iii. Nova Scotia's linguistic and cultural diversity, in particular. the Provinces' Acadian and African Nova Scotian population.**

2(d) Notwithstanding 2(c), no constituency may deviate by a variance of greater or less than 25% from the average number of electors per constituency.

These are the main Terms of Reference which have come in question and affected the Electoral Boundaries Commission's final report.

We now wish to address the Terms of Reference as they apply to the final report and to the proposed legislation, and to Shelburne County in particular.

RELATIVE PARITY OF VOTING POWER

In its documentation, the Boundaries Commission points out that with a total of 52 seats in the Nova Scotia Legislature the average number of electors in a constituency would be 13,952.

It is also stated that no constituency may deviate by a variance greater or less than 25% from the average number of electors per constituency.

In Shelburne County there will be 11,210 electors. This is a deviation of 19.65% from the proposed average. Without any changes to Shelburne County the Terms of Reference requirement for relative parity of voting power is achieved within Shelburne County.

GEOGRAPHY

The provincial electoral district of Shelburne County has been a district that has been geographically acceptable by the Province of Nova Scotia since Confederation in 1867. There is absolutely no reason why this geographic condition would be any less acceptable today, in fact, it should be even more acceptable today as the mobility of residents and our elected members in the Legislature is far greater than it was in 1867 when this constituency was put in place.

Also, there are 18 counties in Nova Scotia. All of these counties barring none have representation in the Nova Scotia Legislature. If this new proposed legislation is adopted Shelburne County will be the only county in the entire province that may not have a representative in the Nova Scotia Legislature.

This is a potential situation that is totally unacceptable to the people of Shelburne County, and one that should not be forced on rural communities such as ours under the guise of protecting other constituency interests.

COMMUNITY HISTORY AND INTERESTS

Shelburne was actually founded prior to Nova Scotia becoming part of this great country. It was established by Loyalists in 1783, and was first named Port Roseway. The name was then changed to Shelburne in order to please Lord Shelburne who was the British Prime Minister at the time.

The boundaries of Shelburne were established by Governor in Council on December 16, 1785, some 227 years ago. At that time Shelburne County also included what is now Queens County, and what is now Yarmouth County. Queens County was actually separated in 1824 and Yarmouth County was separated in 1836, both prior to Confederation. The District of Barrington and the District of Shelburne were both established in 1854.

In 1867, when Nova Scotia joined Confederation, Shelburne County had two (2) provincial members in the Legislative Assembly. In fact, Shelburne County had two members in the Assembly from 1867 until 1933.

In addition, Shelburne County also had a Federal Member of Parliament in 1867 at the time of Confederation. This Federal Member was The Honourable Thomas E. Coffin, who in fact became the first Receiver General for Canada in 1873.

Since 1933 Shelburne County has been represented in the Nova Scotia Legislature by one (1) member on a continuing basis up until today.

As you can see, Shelburne County has a long and rich history in the Nova Scotia Legislature. Members from Shelburne County have at various times been Minister of Public Works and Mines, Minister of Community Services, Minister of Transportation, and today our MLA is Minister of the Environment and Minister of Fisheries and Aquaculture.

The MLAs elected from Shelburne County have taken active parts in the government of our province.

As you can see from this history, Shelburne County has been continually represented in the Nova Scotia Legislature as one single unified community, and the residents of Shelburne County wish this representation to continue.

The communities of Shelburne County have many common interests which are not necessarily the same as those in the adjacent counties.

Shelburne County as a whole is a member of the South West District Health Authority.

Shelburne County as a whole is a member of the Tri-County Regional School Board.

Shelburne County as a whole is a member of the Federal Electoral District of South Shore/St. Margarets.

The fire departments and other emergency services providers of Shelburne County provide mutual aid to each other throughout the County. All of Shelburne County shares in the fishing and boatbuilding industries as the backbone of business for this area.

LINGUISTIC AND CULTURAL DIVERSITY

The address in the Terms of Reference to linguistic and cultural diversity is in particular to the Province's Acadian and African Nova Scotian population. In our case it is the Acadian population adjacent to us that is affected by the Terms of Reference.

By combining Western Shelburne County with the Acadian community of Argyle, another anomaly will no doubt be presented to the Provincial Government in future.

Since the population of Western Shelburne County, together with the English population of Argyle, will far exceed the Acadian population, it is very much possible that the MLA from the proposed constituency could be elected from Western Shelburne County. What then happens to the goal of having an Acadian representative in the Nova Scotia Legislature? Is this not the sole purpose of having Acadian ridings.

This situation could also arise in the other proposed constituency of Clare/Digby. It is very much possible that an MLA could be elected from Digby which would again leave the Acadian population of Clare without representation by one of its own.

In addition, what happens if Eastern Shelburne County is combined with Queens County? It does not have the commonality of interest that it shares with the remainder of what is currently Shelburne County.

The proposed amendments to the legislation would in fact distort Shelburne County to the point where it would no longer exist!