
From: Roy O'Donnell [REDACTED]
Sent: Thursday, April 05, 2018 2:31 PM
To: Office of the Legislative Counsel
Subject: Bill C99

April 4, 2018
Hon Mark Fury
Chairman
Law Amendments Committee
RE: Bill 99

Mr. Chairman and Committee members,

My name is Roy O'Donnell and I have lived in Shelburne County for most of my seventy-six years. I am retired and previously served as a councillor for the Town of Shelburne on two separate occasions for a total of 9 years.

Prior to the final report of the Independent Boundaries Commission in 2012, the constituency of Shelburne had been in existence for over 200 years and had been well represented by all three political parties. Knowing that the Shelburne riding was within the 25% variance and being assured by the two interim reports from the Commission that there would be no change to Shelburne's boundaries, we were shocked to find our riding had been wiped off the political map of Nova Scotia.

The Commission did not meet in Shelburne, but it did hold a series of meetings throughout the province. Some ridings were provided with two meetings, such as Bridgewater, where it was proposed by a presenter to consolidate the ridings of Queens, Shelburne and Argyle into one area and then simply divide it into two ridings.

Problem solved.

It appears the residents of Shelburne county were used as pawns in the effort to obtain the mandated plus-or-minus 25 percent of the average riding population in the contiguous ridings of Argyle and Queens

Shelburne residents have witnessed a long history of being largely ignored and overlooked in important matters such as electoral boundaries or whether we should even exist as an electoral riding. However biased it might be, it is nothing new.

The Nova Scotia Court of Appeal said that the process by which the 2012 boundaries were established was unconstitutional and has created the necessity for a 2018 electoral boundaries commission to again review boundaries in Nova Scotia.

Mr. Chairman, the citizens of Nova Scotia and Shelburne County deserve an opportunity to start over without prejudice and I believe it is only fitting that the 2002 boundaries should be the starting point for the 2018 boundaries commission and not the unfair and unconstitutional boundaries of 2012.

The provincial government of Saskatchewan passed the Electoral Boundaries Commission Act in 1989 which resulted in urban areas being under represented as compared to rural areas.

In a landmark decision of the Supreme Court of Canada Justice McLachlin, writing for the majority, held that the deviation between districts did not violate section 3 of the Canadian Charter of Rights and Freedoms. She stated;.... the purpose of the right to vote in section 3 of the Charter is not equality of voting power but the right to "effective representation".

In other words, the Supreme Court held that the provincial government of Saskatchewan was able to impose restrictions on the boundaries revision committee, and accordingly, there was no violation of section 3 of the Charter.

Recognizing the ruling by the Supreme Court of Canada re Saskatchewan - better known as the Carter report;

I propose the fundamental principles for determining boundaries in Nova Scotia include the following :

(a). African Nova Scotians be assured of effective representation in the legislature.

(b). Nova Scotia Acadians be assured of effective representation in the legislature.

(c). That each recognized county (community) in the province of Nova Scotia be entitled to a minimum of one elected MLA to serve in the Nova Scotia Legislature.

In support of the above three suggested principals:

(1) Elections Canada recognized that existing boundaries, such as, county boundaries have already been drawn in recognition of communities and they themselves contribute towards self-identification of their residents.

(2) The Parliamentary Standing Committee on Procedure and House Affairs expressed frustration with what it saw as unnecessary changes to the boundaries of electoral districts. The committee expressed a strong preference for continuity of ridings and of riding patterns over change, in order to best preserve the historical continuity of representation in a province.

Mr. Chairman; I previously referenced that no public meetings were held in Shelburne by the previous boundaries commission. I believe the citizens of Shelburne county are deserving of being a part of the two obligatory public meetings of the new Boundaries Commission.

In closing, I believe the last time someone from Shelburne actively participated in setting electoral boundaries was in 1981. The time for that

to change is now. I submit the following name for consideration to be a member of the 2018 electoral boundaries commission

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Regards,

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Sent from my iPad