



**Report of the Select Committee  
on Establishing an Electoral Boundaries Commission**

July 13, 2018

Nova Scotia House of Assembly

## Contents

<b>Letter to the Speaker .....</b>	<b>1</b>
<b>Background.....</b>	<b>2</b>
<b>Previous Electoral Boundaries Commission Reports .....</b>	<b>3</b>
<b>Select Committee Resolution: Composition and Mandate .....</b>	<b>4</b>
<b>Electoral Boundaries Commission Members.....</b>	<b>6</b>
<b>Special Circumstances .....</b>	<b>6</b>
<b>Public Consultations .....</b>	<b>7</b>
<b>Terms of Reference .....</b>	<b>8</b>
<b>Note To Electoral Boundaries Commission .....</b>	<b>9</b>



**House of Assembly  
Nova Scotia**

July 13, 2018

Honourable Kevin Murphy  
Speaker  
House of Assembly  
Province House  
Halifax, Nova Scotia

Dear Mr. Speaker:

RE: Electoral Boundaries Commission

In accordance with Resolution, No. 1082 passed by the House of Assembly on March 27, 2018, the Select Committee on Establishing an Electoral Boundaries Commission is pleased to submit its report to the First Session of the Sixty-Third General Assembly.

A handwritten signature in blue ink, appearing to read 'Geoff MacLellan', written over a diagonal line that crosses the text above.

Honourable Geoff MacLellan  
Chair  
MLA Glace Bay

## Background

Every ten years, an Electoral Boundaries Commission reviews the electoral boundaries of Nova Scotia and puts forward any recommended changes. The independent Nova Scotia Electoral Boundaries Commission is established under Section 5 of the *House of Assembly Act*.

The Select Committee on Establishing an Electoral Boundaries Commission is formed to appoint members to the commission. In 2018, the Select Committee appointed nine members to the commission, with one alternate in the event a sitting member cannot complete his or her duties.

The Select Committee also provides terms of reference to the commission. These terms are mandatory, not a matter of guidance.

In preparing its recommendations, the commission will hold two rounds of public hearings across the province and also receive written presentations.

- After the first round of public meetings, the commission will prepare an interim report on proposed boundary changes. This report is due November 30, 2018.
- The commission will then conduct a second round of public meetings to gain further input and feedback on the interim report. This will result in a final report, due April 1, 2019. The commission has the option to ask for a deadline extension on the final report.
- Within ten sitting days after the final report of the commission is tabled in the House, the government will introduce legislation to implement the recommendations contained in the final report.

Commission members receive compensation for their work. This includes a stipend per meeting and reimbursement for travel expenses.

The commission will determine its budget, staffing and other administrative needs with the support of the Speaker's Administration Office.

**Previous Electoral Boundaries Commission Reports**  
[2017 Commission on Effective Electoral Representation of Acadians and African Nova Scotians.](#)  
<https://novascotia.ca/representation/>

[Toward Fair and Effective Representation, September 24, 2012](#)  
<http://0-nsleg-edeposit.gov.ns.ca.legcat.gov.ns.ca/deposit/b10653107.pdf>

[Just Boundaries: Recommendations for Effective Representation for the People of Nova Scotia, August 2002](#)  
<http://0-nsleg-edeposit.gov.ns.ca.legcat.gov.ns.ca/deposit/b10097223.pdf>

## Select Committee Resolution: Composition and Mandate

The Select Committee on Establishing an Electoral Boundaries Commissions is comprised of representatives of each of the recognized parties and was established with the unanimous support of the Legislature with the passing of the following resolution on March 27, 2018.

### Resolution

THE HONOURABLE GEOFF MacLELLAN  
GOVERNMENT HOUSE LEADER

**I hereby give notice that on a future day I shall move the adoption of the following resolution:**

WHEREAS the *House of Assembly Act* requires the appointment at least once every ten years of an independent Electoral Boundaries Commission, that is broadly representative of the population of the Province, to recommend the boundaries and names for the electoral districts composing this House;

AND WHEREAS the Government of Nova Scotia established The Commission on Effective Electoral Representation of Acadians and African Nova Scotians, which has made recommendations respecting the process for establishing electoral boundaries, and it is desirable to establish at this time an independent Electoral Boundaries Commission under the *House of Assembly Act* to recommend electoral boundaries as a result of the recommendations respecting the process for establishing electoral boundaries;

AND WHEREAS the *House of Assembly Act* requires the appointment of the independent Electoral Boundaries Commission and the issuance of its terms of reference by a Select Committee of this House, that the commission prepare a preliminary report and hold public hearings prior to preparing the preliminary report, that following the preparation of the preliminary report the commission hold further public hearings prior to preparing its final report, that the final report of the commission be laid before this House, and that, within ten sitting days after the final report is tabled in this House, the Government introduce legislation to implement the recommendations contained in the final report;

THEREFORE be it resolved as follows:

- (1) That pursuant to Section 5(3) of the *House of Assembly Act* and the *Rules and Forms of Procedure* of the House of Assembly, this House constitute a Select Committee to determine
  - (a) the composition of an independent Electoral Boundaries Commission, and
  - (b) the terms of reference for the commission;

- (2) That the Select Committee be comprised of the following members of this House:
- (a) Hon. Chris d'Entremont, member for Argyle – Barrington;
  - (b) Mr. Gordon Wilson, MLA, member for Clare – Digby;
  - (c) Hon. Tony Ince, member for Cole Harbour – Portland Valley;
  - (d) Ms. Claudia Chender, MLA, member for Dartmouth South;
  - (e) Hon. Patricia Arab, member for Fairview – Clayton Park;
  - (f) Hon. Geoff MacLellan, member for Glace Bay;
  - (g) Hon. Lena Metlege Diab, QC, member for Halifax – Armdale;
  - (h) Mr. Brad Johns, MLA, member for Sackville – Beaver Bank;
  - (i) Hon. Dave Wilson, member for Sackville – Cobequid
- (3) That the member for Glace Bay be the Chair of the Select Committee, that paragraph (1) of Rule 61 of the *Rules and Forms of Procedure* be suspended with respect to this Select Committee and that the Chair only have a vote in the case of tie;
- (4) That the Select Committee consult as many interested persons as it reasonably can, including persons of Acadian, African Nova Scotian, and Mi'kmaq communities;
- (5) That pursuant to Section 36(1) of the *House of Assembly Act*, this House declare that the Select Committee is not dissolved by prorogation of the House and authorize the Select Committee to continue its inquiries after the House is prorogued; and
- (6) That the House request that pursuant to the *House of Assembly Act* and the *House of Assembly Management Commission Act*, the House of Assembly Management Commission provide the Select Committee, its members and staff with such facilities and funds as are required to carry out their duties.

**I ask for waiver of notice and passage without debate.**

**NB:** Because of (3) which calls for suspension of 61(1) of the Rules, the resolution will require passage by at least 2/3 of the members present. Therefore, the Speaker will need to satisfy himself of the 2/3 recorded vote or a show of hands.

## **Electoral Boundaries Commission Members**

In order to promote fairness and impartiality, the Select Committee agreed that the commission may not include a present or former

- (a) member of the House;
- (b) member of the House of Commons;
- (c) member of the Senate; or
- (d) Chief Electoral Officer.

The Select Committee agreed the commission must be broadly representative of the population of the Province, including at least one person representing the Acadian community of the Province and at least one person representing the African Nova Scotian community.

The Select Committee further agreed to appoint members to the commission based on their experience, skill, and commitment to ensuring, to the greatest degree possible, Nova Scotia's electoral boundaries result in effective representation for all its citizens.

Based on this understanding, the following individuals are appointed to the Electoral Boundaries Commission:

Dr. J. Colin Dodds, Chair, Halifax  
Carlotta Weymouth, Dartmouth  
Michael J. Kelloway, Sydney  
Paul Gaudet, Saulnierville  
Michael J. Baker, Hammonds Plains  
Dr. Glenn Graham, Antigonish  
Dr. Peter Marshall Butler, Halifax  
Leonard LeFort, Cheticamp  
Angela Simmonds, Westphal

### **Special Circumstances**

In the event a member of the Electoral Boundaries Commission cannot complete his or her duties, the Select Committee will name an alternate.

The Select Committee may also reconvene to address any operational issues that may arise.



## Public Consultations

Previous Select Committees have provided opportunities for Nova Scotians to provide input on the terms of reference for the Electoral Boundaries Commission.

In 2017, the Commission for Effective Representation of Acadians and African Nova Scotians

- conducted a series of consultations in 13 communities across Nova Scotia between September 11 and October 4, 2017 (272 participants);
- met with former members of the Legislative Assembly from the African Nova Scotian and Acadian communities;
- met with the former African Nova Scotian member of Parliament and two MLAs representing portions of the former exception ridings.

One of the recommendations from this commission's report was that Section 5 of the *House of Assembly Act* be amended to authorize the Select Committee, acting unanimously, to add terms of reference for the Electoral Boundaries Commission.

Acting on this recommendation, and in recognition of the consultations and research that formed the commission's report, the current Select Committee chose not to hold public consultations in 2018 to determine the terms of reference.

## Terms of Reference

The Select Committee directs the Electoral Boundaries Commission to be guided by the following:

1. There is a right to effective representation, and elector parity is the prime factor in determining the electoral boundaries.
2. Deviation from elector parity is justified because of geography.
3. Deviation from elector parity may be justified because of historical, cultural, or linguistic settlement patterns and because of political boundaries.
4. Subject to number 5, the estimated number of electors in each electoral district may vary by no more than 25 per cent above or below the estimated average number of electors per electoral district.
5. There may be one or more exceptional electoral districts where, in exceptional circumstances, the estimated number of electors in the electoral district is more than 25 per cent above or below the estimated average number of electors per electoral district.
6. Electoral districts may be non-contiguous.
7. The preliminary report must include electoral boundaries for 51 electoral districts and for at least one different total number of electoral districts.
8. For greater certainty, the final report must include only one recommendation of electoral boundaries.
9. The preliminary report is to be submitted to the Premier or his designate on or before November 30, 2018.
10. Subject to number 11, the final report is to be presented to the Premier or his designate on or before April 1, 2019.
11. The commission and the Premier or his designate may, by agreement, extend the deadline on or before which the final report is to be presented if the commission so requests.

## **Note To Electoral Boundaries Commission**

The *House of Assembly Act* provides that

- (a) the terms of reference are binding on the commission;
- (b) the commission shall prepare a draft of proposed boundary changes prior to its first public hearings;
- (c) the commission shall prepare a preliminary report and hold public hearings prior to preparing the preliminary report; and
- (d) following the preparation of the preliminary report, the commission shall hold further public hearings prior to preparing its final report.


Respectfully submitted this 13th day of July 2018

  
Honourable Geoff MacLellan - Chair  
(Glace Bay)


  
Honourable Tony Ince  
(Cole Harbour - Portland Valley)


  
Honourable Chris d'Entremont  
(Argyle - Barrington)

  
Honourable Lena Metlege Diab, QC  
(Halifax - Armdale)

  
Mr. Brad Johns, MLA  
(Sackville - Beaver Bank)

  
Honourable Patricia Arab  
(Fairview - Clayton Park)

  
Honourable Dave Wilson  
(Sackville - Cobequid)

  
Mr. Gordon Wilson, MLA  
(Clare - Digby)

  
Ms. Claudia Chender, MLA  
(Dartmouth South)