



41st Parliament, First Session

The Standing Committee on Procedure and House Affairs has the honour to present its

### **FORTY-FOURTH REPORT**

Your Committee, which is responsible for all matters relating to the election of Members of the House of Commons, pursuant to Standing Order 108(3)(a)(vi), has considered the objections filed in respect of the *Report of the Federal Electoral Boundaries Commission for the Province of New Brunswick*, in accordance with section 22 of the *Electoral Boundaries Readjustment Act*, R.S.C. 1985, c. E-3, and is pleased to report as follows:

After each decennial census, the number of Members of the House of Commons and the representation of each province is adjusted in accordance with the rules prescribed by section 51 and 51A of the *Constitution Act, 1867*. An independent three-member electoral boundaries commission is then established for each province with the mandate to consider and report on the division of the province into electoral districts, the description of the boundaries and the name of each electoral district.

The *Electoral Boundaries Readjustment Act* provides the rules governing the division of a province into electoral districts. The population of each electoral district must be as close as possible to the electoral quota for the province, that is, the population of the province divided by the number of Members of the House of Commons allocated to the province in accordance with the Constitution. Each commission shall also consider the community of interest, community of identity or the historical pattern of an electoral district in the province; as well as the manageable geographic size of electoral districts, in cases of sparsely populated, rural or northern regions. A commission may depart from the provincial electoral quota by plus or minus 25% in order to respect the community of interest, community of identity, or the historical pattern of an electoral district, or to maintain the manageable geographic size of sparsely populated districts. In circumstances that are viewed as extraordinary by a commission, the variance from the electoral quota may be greater than 25%.

A commission is required to hold at least one public sitting on proposed electoral districts' boundaries and names to hear representations by interested persons. After the completion of the public hearings, each commission prepares a report on the boundaries and names of the electoral districts of the province. These reports are tabled in the House of Commons, and referred to the Standing Committee on Procedure and House Affairs. Members of the House of Commons have

then 30 calendar days to file objections to the proposals contained in a report. An objection must be in writing and in the form of a motion. It must specify the provisions of the report objected to, and the reasons for those objections. An objection must be signed by not less than 10 Members of the House of Commons.

After the expiration of the period for filing objections, the Committee has 30 sittings days, or any greater period as may be approved by the House, to consider the objections. The report of the commission is then referred back to the commission, along with the objections, and the minutes of the proceedings and the evidence heard by the Committee. The commission has then 30 calendar days to consider the matter, dispose of any objection, and finalise its report with or without amendment depending on its disposition of the objections.

Once all the commission reports have been finalized, the Chief Electoral Officer prepares a draft representation order setting out the boundaries and names of the new electoral districts. This is sent to the Governor in Council, who shall, within five days, proclaim the new representation order to be in force and effective for any general election that is called seven months after the proclamation is issued.

### **Objections**

The *Report of the Federal Electoral Boundaries Commission for the Province of New Brunswick* was tabled in the House of Commons, and referred to the Committee on January 28, 2013. By the end of the 30-day period, the Clerk of the Committee had received five objections.

### **General Comments**

The Committee commends the work of the Commission. Its Report is well structured and coherent, and any change made from the existing boundaries or those suggested in the Commission's initial Proposal of June 2012 are justified and well explained.

The Committee agrees with the pragmatic approach the Commission has taken with respect to the variance from the provincial electoral quota so that the principle of effective representation and the community of interest and of identity are maintained. Such a flexible approach is necessary for a province as diverse as New Brunswick with its urban and rural communities as well as its anglophone, francophone and Acadian communities. The Committee notes that a greater variance from the electoral quota for one riding would necessarily entail variance for the other electoral districts.

The Committee also notes that the Report shows that the Commission has carefully considered all the submissions received during the public hearings. The Commission has been responsive to public input and, in doing so, has rendered meaningful the public consultation process provided for by the *Electoral Boundaries Readjustment Act*.

Members who objected to the Report recommended reasonable adjustments that were well thought out, well documented and in line with the parameters of the *Electoral Boundaries Readjustment*

*Act*, and those the Commission imposed upon itself. The changes proposed would have no domino effect, and would only have an impact on a limited number of ridings.

The Members who filed objections to the Commission's Report expressed overall satisfaction with the work accomplished by the Commission. On this subject, the "objection" of Mr. Yvon Godin, M.P. for Acadie – Bathurst, was not, technically speaking, to express any objection to any of the provisions of the Report but rather as an intervention supporting the decision that had been made by the Commission with respect to the inclusion of Belledune in the electoral district of Acadie – Bathurst, and the re-inclusion of a large part of Dieppe into the electoral district of Moncton–Riverview–Dieppe after the public hearings on the matter.

The Committee trusts that the Commission will view the proposals in this report with openness and with a view to striking the appropriate balance between representation by population and the maintenance of communities of interest and communities of identity in existing electoral districts.

The Committee also notes that the statistics found in this report, in respect of estimated regional populations or deviations from the province's electoral quota resultant from an MP's proposal were, in all cases, provided by Elections Canada using current census data.

### **Electoral Boundary Changes**

#### **(a) Tobique–Saint John River Valley**

Mr. Mike Allen, M.P. for Tobique–Mactaquac, filed an objection with respect to the inclusion of the villages of Canterbury and Meductic and the parishes of North Lake and Canterbury in the electoral district of New Brunswick Southwest.

At present, this area is part of the electoral district of Tobique–Mactaquac (which is to be named Tobique–Saint John River Valley), where it had been since 2003, when the Commission had integrated these communities into the electoral district "based on a long history of shared economic interest."

Mr. Allen asserted that the communities affected have their economic, family and social ties with communities in the upper Saint John River Valley, including Woodstock and Grand Falls and other areas located in the proposed electoral district of Tobique–Saint John River Valley. As evidence of these shared interests, the affected communities are part of the same provincial Regional Service Commission as most of Tobique–Saint John River Valley. The change objected to by Mr. Allen was not part of the Commission's initial Proposal of June 2012, and as such could not have been addressed by constituents or local representatives during the public hearings. However, Mr. Allen submitted to the Committee letters from elected local officials all in support of his objection.

New Brunswick Southwest would be the only other electoral district affected by the changes proposed in Mr. Allen's objection, and Mr. John Williamson, M.P. for New Brunswick Southwest, filed an objection in support of Mr. Allen's proposal.

Mr. Williamson agreed with Mr. Allen that the communities in the area affected entertained closer economics, community and family ties with the Northern communities, especially Woodstock. He also indicated that the local road system made the area more accessible through the North, and noted that the area could be difficult to access from the electoral district of New Brunswick Southwest during the winter season.

Mr. Williamson also indicated to the Committee that there were certain geographic characteristics of the electoral district of New Brunswick Southwest that would justify a greater variance from the provincial electoral quota for that district. The rural electoral district of New Brunswick Southwest comprises a group of islands known as the Fundy Isles, including Grand Manan Island, Campobello Island and Deer Island. These islands are accessible by ferry during the summer season or through the United States during the remainder of the year. Mr. Williamson indicated that the current geographic configuration of the electoral of New Brunswick Southwest already represents sufficient challenges.

The Commission's primary objective in transferring the area into the electoral district of New Brunswick Southwest appears to have been the addition of population to that district and the reduction of the population of the electoral district of Tobique–Saint John River Valley. The population of the proposed electoral districts of New Brunswick Southwest and Tobique–Saint John River Valley are respectively of 67,650 (with a variance of –9.94% from the provincial quota) and 69,179 (with a variance of –7.91% from the provincial quota). Transferring to Tobique–Saint John River Valley the population of the villages of Canterbury and Medutic and the parishes of North Lake and Canterbury, which amounts to a total of 1,453, would result in a population of 66,197 (with a variance of –11.87% from the provincial quota) for the electoral district of New Brunswick Southwest, and in a population of 70,632 (with a variance of –5.97% from the provincial quota) for the electoral district of Tobique–Saint John River Valley.

The variance of –11.87% for the electoral district of New Brunswick Southwest would remain well within the normal variation of plus or minus 25% permitted by the *Electoral Boundaries Readjustment Act*. It is also below the variance the Commission recommended for four electoral districts in the province: Beauséjour (+12.23%), Madawaska – Restigouche (–16.74%), Miramichi (–21.00%), and Moncton – Riverview – Dieppe (+13.95%). Also, as indicated above, the geographic characteristics of the electoral district of New Brunswick Southwest justify in and of themselves a negative variance from the electoral provincial quota. In the circumstances, the Committee believes that a variance of –11.87% is reasonable.

The Committee agrees with the objection, and recommends that the villages of Canterbury and Medutic and the parishes of North Lake and Canterbury be included in the proposed electoral district of Tobique–Saint John River Valley.

**(b) Moncton – Riverview – Dieppe**

Mr. Robert Goguen, M.P. for Moncton–Riverview–Dieppe, filed an objection concerning the removal of the area of Moncton North of the TransCanada Highway No. 2 from the electoral district of Moncton–Riverview–Dieppe.

The Commission's initial Proposal of June 2012 had recommended a new electoral district to be named Moncton – Riverview (comprising of the City of Moncton and the part of Riverview currently within Moncton–Riverview–Dieppe), and the transfer of Dieppe from the electoral district of Moncton–Riverview–Dieppe to the electoral district of Beauséjour. However, faced with a strong negative reaction based on the community of interest between the communities of Moncton, Riverview and Dieppe as well as between the francophone community itself in the existing district, the Commission reverted to the tri-community electoral district of Moncton–Riverview–Dieppe. In order to maintain the population of the electoral district within a reasonable variance of the provincial quota, the Commission transferred some communities of the existing electoral district of Moncton–Riverview–Dieppe to the proposed electoral districts of Fundy Royal and Beauséjour. As such, “[t]he communities located in an area of the city of Moncton north of Trans-Canada Highway No. 2 and formerly part of the electoral district of Moncton—Riverview—Dieppe” were transferred to the electoral district of Beauséjour.

Mr. Goguen objected to the transfer of that part of the City of Moncton to the electoral district of Beauséjour. His objection is based on the community of interest, principle of effective representation, and historical pattern of the electoral district. It goes without saying that Mr. Goguen could not have made representations on this matter during the public hearings as the whole city of Moncton was then part of the proposed electoral district for Moncton–Riverview.

Mr. Goguen argued that the communities affected are part of Moncton, they are represented by the same municipal council as the other residents of the City of Moncton and they share the same local services — such as municipal services, medical and hospital services and educational services — with the other communities of the City of Moncton. These communities hold strong common interest, be they economic, social or cultural, which tie them to the rest of Moncton. To quote Mr. Goguen, “there are not any really significant ties” between these communities and the electoral district of Beauséjour. Moreover, transferring these communities to the electoral district of Beauséjour would reduce the effective representation of those constituents who access the riding's constituency office by public transit as there is no public transport transit between Moncton and Shediac, where the riding's constituency office of Beauséjour is located. The change proposed by the Commission would, for the first time, add a portion of Moncton in the electoral district of Beauséjour; as a matter of fact, Mr. Goguen informed the Committee that the affected communities have been included with the other part of Moncton in the same electoral district since 1968.

Mr. Dominic Leblanc, M.P. for Beauséjour, which is the only electoral district affected by the objection, along with Mr. Godin, agreed with the proposal made by Mr. Goguen.

Mr. Goguen made a compelling case: the community of interest, principle of effective representation, and historical pattern of the electoral district clearly call for these communities to be re-included in the electoral district of Moncton—Riverview—Dieppe. The only reason that would justify the inclusion of these communities in the district of Beauséjour would be the reduction of the population of the electoral district of Moncton—Riverview—Dieppe.

The population of the proposed electoral districts of Moncton—Riverview—Dieppe is 85,595 (with a variance of +13.95% from the provincial electoral quota) and that of Beauséjour at 84,305 (with a

variance of +12.23% from the provincial electoral quota). Mr. Goguen's proposal would transfer 3,889 individuals from the district of Beauséjour to the district of Moncton—Riverview—Dieppe. As a result, the population of Moncton—Riverview—Dieppe would increase to 89,484 (with a variance of +19.13% from the provincial quota) and the population of Beauséjour would be 80,416 (with a variance of +7.05% from the provincial quota). Moreover, according to the estimates provided by Mr. Goguen, the changes contemplated would have no negative impact on the francophone community in the riding which would, rather, slightly increase.

The Committee understands and commends the Commission's decision to reinsert Dieppe into the riding of Moncton—Riverview—Dieppe. This reinsertion ought not, in the Committee's view, be grounds to prompt the removal of communities of Moncton North of the TransCanada Highway No. 2 from the Moncton—Riverview—Dieppe riding who have an equal claim to belonging to the electoral district. While the resulting variance of +19.13% is high, it remains within the parameters of the *Electoral Boundaries Readjustment Act* and is in line with the variance of -21.00% that the Commission proposed for the electoral district of Miramichi. The Committee also notes that in its Proposal of June 2012, the Commission had proposed a variance of +22.57% for the then proposed electoral district of Beauséjour—Dieppe.

In the circumstances, the Committee agrees with Mr. Goguen and recommends that the communities of Moncton North of the TransCanada Highway No. 2 be included in the electoral district of Moncton—Riverview—Dieppe.

### **Name Changes**

#### **(a) Miramichi**

Ms. Tilly O'Neil-Gordon, M.P. for Miramichi, filed an objection proposing that the name of the proposed electoral district of Miramichi be changed to Miramichi – Grand Lake.

Ms. O'Neil-Gordon's objection is based on the new boundaries for the electoral district which include the communities and areas adjacent to Grand Lake, such as the communities of Chipman and Minto. These communities identify themselves and have affinity with Grand Lake to the same extent the communities of the Miramichi region do with respect to the Miramichi River system. Ms. O'Neil-Gordon suggested that Miramichi – Grand Lake is a more suitable name for the electoral district as it would better reflect the diversity of its constituents.

The Committee agrees with Ms. O'Neil-Gordon's proposal, and recommends that the electoral district be named Miramichi – Grand Lake.

#### **(b) Tobique–Saint John River Valley**

Mr. Allen objected to the name of the proposed electoral district of Tobique–Saint John River Valley. He suggested that the current name of Tobique-Mactaquac be maintained.

In its initial Proposal of June 2012, the Commission had proposed new boundaries and a new name for the electoral district of Tobique-Mactaquac which was renamed Tobique–Saint John River

Valley. A large area below Fredericton that includes the Village of Minto and the Parishes of Maugerville, Northfield, and Sheffield were then to be part of the new electoral district. However, in the Commission's Report, this area was reverted to the electoral district of Fredericton. Mr. Allen explained that the new name of Tobique–Saint John River Valley was linked to the boundaries as proposed in the Commission's initial Proposal, and that a name change is no longer appropriate given the decision of the Commission to return the area referred to above in the electoral district of Fredericton.

The Committee agrees that a name change is not warranted in the circumstances given that the boundaries of the electoral district that relate to the Saint John River remain mostly unchanged. The Committee therefore recommends that the electoral district be named Tobique-Mactaquac.

### **Conclusion**

In accordance with subsections 22(3) and 23(1) of the *Electoral Boundaries Readjustment Act*, the *Report of the Federal Electoral Boundaries Commission for the Province of New Brunswick*, the objections, the minutes of proceedings and evidence of the Committee will be returned and referred back to the Commission for its consideration of the matter of the objections.

A copy of the relevant *Minutes of Proceedings* ([Meetings Nos 64 and 65](#)) is tabled.

Respectfully submitted,

JOE PRESTON  
Chair

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