

ELECTORAL BOUNDARIES COMMISSION

OF PRINCE EDWARD ISLAND

SUBMISSION

FROM

DISTRICT 23 P. C. ASSOCIATION

SEPTEMBER 9, 2004

O'LEARY LIONS CLUB HALL, O'LEARY

PRESENTER:

LORRAINE ROBINSON

DISTRICT SECRETARY

**Chairperson, Justice John McQuaid, Roberta Hubley, Commissioner and John Mitchell, Commissioner, thank you for the opportunity to respond on behalf of District 23 P. C. Association on the Proposed Provincial Electoral Districts, Interim Report of the P. E. I. Electoral Boundaries Commission, dated June 30, 2004.**

**District 23, P. C. Association, after careful review and analysis of the Interim Report has some serious concerns about the proposed Electoral Districts for the Prince County Area, and are opposed to the proposed Electoral Districts.**

**The main points of concern we have is that under the Commissions mandate for review are factors which were to guide your Commission in its work these were not always applied.**

**We find that in the areas of community of interest, municipal boundaries, and geographical features that the Commission is lacking in understanding of these areas for the Prince County region.**

## **COMMUNITY OF INTEREST:**

**We find that there is not a clear understanding of the communities of interest for the population of this region. An example is that in the present District 23, there are a minimum of four distinct areas of the district, these being Lot 16 and surrounding areas, Tyne Valley and surrounding areas, Ellerslie and surrounding areas and Cascumpec and surrounding areas. These four distinct areas have communities of interest with areas contrary to the assumption the Commission has proposed in their Interim report.**

**Specifically:**

**Lot 16 is more closely affiliated with the Miscouche, Summerside area than the proposed Evangeline area,**

**Tyne Valley and surrounding areas are more closely affiliated with Summerside than with Evangeline or O'Leary.**

**Ellerslie and surrounding areas are more closely affiliated with Summerside than with Evangeline or O'Leary.**

**Cascumpec and surrounding areas are more closely affiliated with O’Leary in most cases.**

**The issues which arise out of the proposed new boundaries are as follows:**

**Most people from the west of Ellerslie have links with Summerside for employment, health care, schooling, (except for Jr. and Sr. High School west of Arlington, under the Western School boundaries and Communities of Schools these students attend Ellerslie, Bloomfield (for French Immersion) Hernwood Jr. High School and Westile Composite High).**

**Students residing east of Arlington have the option of attending Miscouche, Athena, Elm Street, Greenfield, S. I. S. and Three Oaks. Very few students attend schooling in the Evangeline area. It is not within their Community of Interest.**

**As you can see this is a very complex mix of communities and interests. To assume that the Community of Interest is the**

**Evangeline Region for the residents of Northam, Arlington, Port Hill, Lot 16, etc. is a wrong assumption.**

**Another reasoning is that the proposed Evangeline District which would encompass Northam, Arlington, Port Hill, Lot 16, etc would be largely made up of Francophone electorate, and we find that there is concern on the focus which the elected member would have to consider in decision making. We make reference to Raiche v Canada, May 11, 2004. In this ruling Page 9 of 27 (42) quote: The Court acknowledged that a minority group's fear that it will not be adequately represented by its member of Parliament were not without basis; the opposite is in fact true, because the reality in a democracy is that an elected representative who is faced with the conflicting interest of the majority and a minority will often have to choose to represent the interests of the majority."**

**With the utmost respect and regard for the Francophone population of the Evangeline Region and the clear recognition of their Charter Rights for the preservation of their language,**

**heritage and culture, the electorate of the Northam, Port Hill, Lot 16, Arlington and other areas included in the proposed Evangeline District do not have a Community of Interest with this Region.**

**In light of this clear lack of Community of Interest we are opposed to the inclusion of this area in the Evangeline District.**

**Another area of concern we wish to express is the splitting of the community boundaries of the Municipality of O'Leary when its Community of Interest is clearly the areas of Knutsford, Hailburton, Duvar, West Cape, Cape Wolfe, etc. This will only lead to confusion on behalf of the Municipal government in dealing with their elected representative.**

**Next area of concern is that the Commission has not made clear its adherence to point 3, the + - 25% factor. You clearly in Districts 8, and 12 made allowances greater than other proposed Districts,**

**Your Commission has empowered 12 districts with the possibility of decisions being made on land use, agriculture**

**issues, fishing, etc, when the 12 districts which these represent occupy 5% of the land mass. We find that this is an unreasonable authority which is vested with them, and fear that because of the urban culture of these 12 districts, that the remaining 95% of the land mass ( which is rural) , will have decisions made for it which could be detrimental to the long term care and controls which are essential to the Island as a whole.**

**Another area of concern is that in the establishment of Charlottetown districts (and we use it only as an example) your Commission will create an entity which is more politically powerful than others, we find that their will be 1 Member of Parliament, 7 M.L.A's and a Capital Municipal Government which will have the possibility of being a strong influence on decision making at the Provincial level of government. While we recognize in the interim report your acknowledgement of the other Municipal Governments, the fact remains that municipalities such as O'Leary, Wellington, Tyne Valley,**

**Ellerslie, etc. do not and have never had the same powerful voice for consideration that the two largest Municipalities have and will have enhanced under the proposed District makeup. It is clearly a fact which has historical precedence that the local M. L. A. in rural areas is the voice for these municipalities at the decision making table of government. At present they have diminished ability to garner support on a provincial basis for their initiatives; this ability will be further eroded by the decrease in the number of Elected Representatives in this area.**

**On that note, we wish to point out that the area from Miscouche west presently has 5 elected representatives. Prior to the establishment of the present Districts, this same area had 6 elected representatives (dual ridings). The proposed Commission report has decreased this representation to 4. This is an unacceptable option for the electorate of District 23, and we believe for the Districts of 24, 25, 26, 27. The present government has a stated position of maintaining strong communities, maintaining hospitals and schools in**

**communities, establishing economic growth, etc. This dilution of representation will not foster this direction of the present government, and will further dilute the ability of rural areas of this province to grow and prosper. While we recognize that the political beliefs of the government are not part of your Commission mandate, it is in fact a reality of this province and the historical record of this government and other governments. Political engagement is high in this province as evidenced in the number of electorate who turn out to vote, even in a hurricane, but the dilution of the number of members in the areas west of Miscouche will affect this voter turn-out.**

**It has taken a great deal of time to have the electorate of District 23 become familiar with the polls that they vote in and the area which encompasses District 23. All this within 7.5 years and still there is confusion among the electorate on the present boundaries. The establishment of the proposed new boundaries will further confuse and deter the electorate from exercising their right to vote, as they will not know where to**

**vote, will feel it has no relevance when balanced against the remainder of the province, and will stay home.**

**We recommend that the issue of frequency of elections be addressed by government and propose that government establish legislation which would prevent governments from calling elections before a minimum of four years in their mandate is up. We do not believe that when this legislation for Electoral Boundaries Review was passed it was anticipated that there would be three elections within 7.5 years. We request the Commission to pass on this recommendation to government for consideration.**

**Now having provided you with all the reasons we do not support the Proposed Provincial Electoral Districts Interim Report, we are prepared to offer some solutions to the problem as we see it.**

**- For the Evangeline Region, we propose that a recommendation be made to government - and this is allowable under the Electoral Boundaries Commission Act (1991) section**

**15, 2(a) & (b), that the Evangeline Region be declared a protected district. It would still fall within the +- 25% requirement. We feel that this provides the respect this region deserves, and in this its 400<sup>th</sup> year celebrations feel it is time to act on this.**

**- We recommend that the present District 23, 25, 26, 27 be maintained with some variance of alignment. With the inclusion of Poll 1 in District 23 which represents 350 voters, they could be re-distributed along the lines of Community of Interest with District 25 and District 26, thereby allowing for some re-alignment from District 26 to District 27 to allow for the maintaining of elected representation for these areas.**

**In District 23 we propose that the present district remain as is with the following adjustments, that the district be extended to the boundaries of Miscouche to the east and in the Richmond area, that the line be taken down the Goodwin Road to the Rails to Trails and across this trail line back up to MacIsaac Road to the Taddy Road, along the Harmony Line Road to the**

**Higgins Road and end there. This adjustment would include the whole community of Richmond in one district, and not divide it as it now is into two districts. The proposed electoral line for the western part of the district would be Highway 137, Roxbury, Dump Road, including Roxbury Road, to the Trout River which is the present dividing line between Poll 1 and Poll 2. We propose that coming just up to the Municipality of Miscouche and including the whole of Richmond in the District would allow for the make up which is needed in electorates with the loss of 350 from Poll 1 in the existing District 23.**

**- Our final recommendation deals with the need to create an additional electorate district in the communities of Summerside and Charlottetown. We propose that a recommendation be made to government to change the present Electoral Boundaries Act and create the additional two seats required and establish 29 Districts. The creation of the additional two districts will meet the Charter 3 requirement, as well as provide relative parity in the number of electors in each**

**district and not absolute parity in the number of voters, is the primary condition of effective representation. As stated in your report, the case law does not lay down any fixed rules for acceptable deviations from absolute equality of electors in each district. With the establishment of 29 Districts in total, then the distribution factor is changed and the + - 25% factor works in the overall distribution.**

**On the issue of naming the District, we propose that the present numbering system remain with District 1 starting in the eastern part of the province and then onwards to the west. The population is used to this number system and a numbering system may be all that is required. You will note that we refer to ourselves as District 23, not Cascumpec-Grand River, the number and the name is too cumbersome, use a numbering system and keep it simple. Simple is sometimes better.**

**On behalf of District 23 P. C. Association , thank you for your time and consideration.**

**We provide for your information a copy of the Supreme court Ruling Raiche v Canada, Section 15 ,2(a) (b) Electoral Boundaries Commission Act, as well as a proposed re-drawn map for District 23.**

