

Amended Final Report of the Electoral Boundaries and Representation Commission

March 2006

Electoral Boundaries
and Representation
Commission



Commission sur la délimitation
des circonscriptions électorales
et la représentation

Amended Final Report of the Electoral Boundaries and Representation Commission

The Commission filed its final report with the Clerk of the Legislative Assembly on February 20, 2006. Section 20 of the *Electoral Boundaries and Representation Act* establishes the procedure to be followed by the Commission after the filing of the final report. It states:

Objections to final report

20(1) Within 14 days after the final report of a Commission is filed with the Clerk of the Legislative Assembly under paragraph 19(3)(a), a written objection to the report may be submitted to the Commission stating the following:

- (a) the recommendation in the final report that is being objected to;*
- (b) the reason for the objection; and*
- (c) the manner in which it is proposed that the recommendation be amended.*

20(2) An objection under subsection (1) shall be signed by at least 2 members of the Legislative Assembly.

20(3) A Commission shall consider and dispose of the objections submitted under subsection (1).

20(4) Within 30 days after the expiration of the time period referred to in subsection (1), the Commission's final report, with or without amendments in accordance with its disposition of the objections submitted under subsection (1),

- (a) shall be filed with the Clerk of the Legislative Assembly, and*
- (b) shall be forwarded to the Chief Electoral Officer.*

20(5) If no objections are submitted under subsection (1), the Clerk of the Legislative Assembly shall immediately forward to the Chief Electoral Officer the final report of a Commission.

20(6) The Clerk of the Legislative Assembly shall forward to each member of the Legislative Assembly a copy of the final report of a Commission under subsection (4) or (5).

The Commission received 17 objections in response to its final report. Of these, the Commission deemed that 15 constituted objections as contemplated by s. 20 of the Act. The Commission considered and disposed of each objection in the order in which it was received. This amended final report constitutes the Commission's response to the objections and sets out a summary of the objections, the Commission's analysis and comments as well as its disposition of each.

Note: Objections # 1 and # 2 are similar.

Objection # 1

Objection # 2

The community of Baie de Petit-Pokemouche should remain in the electoral district of Lamèque-Shippagan-Miscou and not become part of the electoral district of Centre-Péninsule.

- a) The interveners object to the recommendation of the Commission that the community of Baie de Petit-Pokemouche be transferred from the electoral district of Lamèque-Shippagan-Miscou to the electoral district of Centre-Péninsule, based on the communities of interest factor. The solution proposed is for Baie de Petit-Pokemouche to remain in the electoral district of Lamèque-Shippagan-Miscou.
- b) The two objections are signed by two members of the Legislative Assembly, as required by s. 20(2) of the *Act*.

Response of the Commission

The Commission deems that the objection is admissible under s. 20 of the *Act*. To meet the provisions of the *Act*, the population of an electoral district must be between a low of 11,937 and a high of 14,589, unless “extraordinary circumstances” exist. Since the population of Baie de Petit-Pokemouche is 194, the electoral district of Lamèque-Shippagan-Miscou, with a population of 11,961, could absorb the additional population and still meet the requirements of the *Act*. The Commission also has to consider the impact on the electoral district of Centre-Péninsule when arriving at its decision. If the Commission were to agree with the objections, the population of Centre-Péninsule would decrease to 11,905, a number too low to meet the provisions of the *Act*.

According to s. 20(1)(c) of the *Act*, an objection needs to state “*the manner in which it is proposed that the recommendation be amended*”. The objection, as filed, is limited to proposing the reintegration of Baie de Petit-Pokemouche into the Lamèque-Shippagan-Miscou electoral district from the Centre-Péninsule electoral district. The Commission does not deem that the use of the “extraordinary circumstances” provision of the *Act* is warranted in the case of the electoral district of Centre-Péninsule.

Decision

The objections are denied. The Commission confirms the recommendation included in its final report that the community of Baie de Petit-Pokemouche be transferred from the electoral district of Lamèque-Shippagan-Miscou to the electoral district of Centre-Péninsule.

Objection # 3

The boundaries of the electoral district of Bathurst now coincide with the city boundaries. Part of the city of Bathurst should not be transferred from the electoral district of Bathurst to the electoral district of Nepisiguit.

- a) The intervener objects to the recommendation of the Commission that the part of the city of Bathurst south of route 11 and east of the Nepisiguit River be transferred from the electoral district of Bathurst to the electoral district of Nepisiguit, based on the communities of interest factor. The solution proposed is to adjust the boundaries of other neighbouring electoral districts.
- b) The objection is not signed by two members of the Legislative Assembly, as required by s. 20(2) of the *Act*.

Response of the Commission

The Commission deems that the objection is not admissible under s. 20 of the *Act* since it is not signed by at least two members of the Legislative Assembly.

Decision

The objection is denied based on s. 20(2) of the Act. The Commission confirms the recommendation included in its final report that the legal boundaries of the electoral district of Bathurst shall be as set out in the final report.

Objection # 4

Machias Seal Island should be included in the legal description of the electoral district of Charlotte-The Isles.

- a) The interveners note that there are people who live on Machias Seal Island. They suggest that provision be made for them to be eligible to vote in New Brunswick elections. Reference is also made to the long-standing jurisdictional dispute over the ownership of the island between Canada and the United States.
- b) The objection is signed by two members of the Legislative Assembly, as required by s. 20(2) of the *Act*.

Response of the Commission

The Commission deems that the objection is admissible under s. 20 of the *Act*. The Commission notes that the legal description of the existing electoral district of Fundy Isles includes Machias Seal Island. It is due to inadvertence that Machias Seal Island was not included in the legal description of the recommended electoral district of Charlotte-The Isles in the final report of the Commission.

Decision

The objection is accepted. The legal description of the electoral district of Charlotte-The Isles is amended to include Machias Seal Island. It shall read as follows:

38 CHARLOTTE-THE ISLES consists of that portion of the county of Charlotte described as follows:

Beginning at the point where the western boundary of the parish of Saint Patrick meets Birch Cove; thence northwesterly and continuing along the said boundary to the southeasterly prolongation of the northeastern boundary of the lot having PID #01233972; thence northwesterly along the said prolongation and boundary to a point 150 meters southeast of the southeastern limits of Route 760; thence southwesterly and continuing, along a line maintaining a distance of 150 meters from the said limits, to a point 150 meters northeast of the northeastern limits of Lily Hill Road, excluding the lots fronting on the roads south and southeast of Route 760; thence northwesterly, along a line and maintaining a distance of 150 meters from the said limits to a point 150 meters east of the eastern limits of Route 755, including that part of Route 760, north of Lily Hill Road; thence northerly and continuing, along a line and maintaining a distance of 150 meters from the said limits to a point 150 meters east of the eastern limits of Route 3, including the lots fronting on the roads east of Route 755; thence northerly and continuing, along a line and maintaining a distance of 150 meters from the said limits to the southern boundary of the lot having PID #01209873, including the lots fronting on the roads south and east of Route 3; thence northeasterly along the said boundary to the northern boundary of Charlotte County; thence easterly

along the said boundary to the western boundary of the parish of Clarendon; thence southerly along the said boundary and continuing along its southern boundary to the eastern boundary of Charlotte County; thence southerly along the said boundary to northwestern corner of Saint John County; thence southwesterly along the southwesterly prolongation of the northern boundary of the said county to the Lepreau River; thence southerly and continuing along the said river to Lepreau Harbour; thence southwesterly along the said harbour and continuing along the Bay of Fundy and Birch Cove to the place of beginning. And also consisting of the parishes of Grand Manan and West Isles, the islands known as The Wolves and Machias Seal Island, including the Town of St. George, the village of Blacks Harbour, and the village of Grand Manan.

Objection # 5

The Commission should reduce the population of the electoral district of Charlotte-The Isles as far below the electoral quotient as permitted by the Act to take into account s. 12(2)(f) with reference to the geographical features of the electoral district.

- a) The objection is general in nature and does not propose the manner in which the recommendation in the final report of the Commission should be amended as required by s. 20(1)(c) of the Act.
- b) The objection is signed by two members of the Legislative Assembly, as required by s. 20(2) of the Act.

Response of the Commission

The Commission deems that the objection is not admissible under s. 20 of the Act. The objection does not set out a clear alternative proposal that the Commission could evaluate.

Decision

The objection is denied based on s. 20(1)(c) of the Act. The Commission confirms the recommendation included in its final report. The legal boundaries of the electoral district of Charlotte-The Isles shall be as set out in the final report with the proviso that reference will be added to Machias Seal Island as noted in objection # 4.

Objection # 6

The boundaries of the electoral districts of Kings East and Hampton-Belleisle should be readjusted by transferring an area north of the Village of Norton including Belleisle Creek from the electoral district of Hampton-Belleisle to the electoral district of Kings East. In addition, part of the Village of Norton located on the north side of the Kennebecasis River should be transferred from the electoral district of Kings East to the electoral district of Hampton-Belleisle.

- a) The interveners object to the recommendation of the Commission based on the communities of interest factor.
- b) The objection is signed by two members of the Legislative Assembly, as required by s. 20(2) of the *Act*.

Response of the Commission

The Commission deems that the objection is admissible under s. 20 of the *Act*. In the preliminary and final reports of the Commission, the entire Village of Norton was included in the electoral district of Kings East. The Village of Norton had advised the Commission that it preferred to be in the electoral district of Hampton-Belleisle due to the communities of interest factor. As part of the objection, the village advised the Commission that, if it were necessary to split the village into two separate electoral districts, the Kennebecasis River would be an acceptable dividing line.

Decision

The objection is accepted. The new legal descriptions of the electoral boundaries are as follows:

28 KINGS EAST consists of that portion of the county of Kings described as follows:

Beginning at the point where the northeastern corner of Saint John County meets the southeastern corner of Kings County; thence northwesterly along the eastern boundary of Kings County to the southeasterly prolongation of the northeastern boundary of the lot having PID #00133736; thence northwesterly along the said prolongation and boundary to the northwestern corner of the said lot; thence southwesterly, in a straight line, to the southwestern corner of the lot having PID #00133504; thence northwesterly along the western boundary of the said lot to the Kennebecasis River; thence westerly and continuing along the said river to the centre line of Route 1; thence northeasterly along the said centre line to the northeasterly prolongation of the northern boundary of the lot having PID #00133298; thence southwesterly along the said prolongation and boundary to the northwestern corner of the said lot; thence northwesterly, in a straight line, to the northeastern corner of the lot having PID # 00059311; thence southwesterly along the northern boundary of the said lot and its prolongation to the northeastern boundary of the parish of Studholm; thence northwesterly along the said boundary to Windgap Brook; thence northwesterly and continuing along the said brook to

the southern boundary of the lot having PID #00124636; thence southwesterly, in a straight line, to the southeastern corner of the lot having PID #00122218; thence northeasterly along the southern boundary of the said lot to the northeastern corner of the lot having PID #00150110; thence southwesterly along the eastern boundary of the said lot and continuing along its southern boundary and prolongation to the western boundary of the lot having PID #00121988; thence southwesterly along the said boundary and its prolongation to the southern boundary of the lot having PID #00093492; thence northwesterly along the said boundary and its prolongation to the Millstream River; thence southwesterly along the said river to meet the southeasterly prolongation of the northern boundary of the lot having PID #30174270; thence northwesterly along the said prolongation and boundary to the northwestern corner of the said lot; thence northeasterly, in a straight line, to the northeastern corner of the lot having PID #00122077; thence northeasterly, in a straight line, to the northeastern corner of the lot having PID #00122044; thence northwesterly, in a straight line, to the point where the eastern boundary of the lot having PID #00125369 meets the northern boundary of Kings County; thence southwesterly along the said county boundary to the northern boundary of the lot having PID #00476721; thence southeasterly in a straight line to the northwestern corner of the lot having PID #00176727; thence southeasterly along the western boundary of the said lot and its prolongation to the centerline of West Scotch Settlement Road; thence northeasterly along the said centerline to the northwesterly prolongation of the southwestern boundary of the lot having PID #00474825; thence southeasterly along the said prolongation to the northwestern corner of the said lot; thence southeasterly, in a straight line, to the northeastern corner of the lot having PID #00174425; thence northeasterly, in a straight line to the northwestern corner of the lot having PID #00178103; thence southeasterly in a straight line to the northeastern corner of the lot having PID# 30198725; thence southwesterly along the northern boundary of the said lot to a point 150 m east of the eastern limits of Huggard Road; thence southwesterly, parallel to and maintaining a distance of 150 m from the said limits to the eastern boundary of the lot having PID #00176842; thence southeasterly along the said boundary to the northwestern corner of the lot having PID #00179713; thence northeasterly along the northern boundary of the said lot and continuing along its eastern boundary to its southeastern corner; thence southerly in a straight line to the northeastern corner of the lot having PID #00175257; thence southeasterly along the northeastern boundary of the said lot to its southeastern corner; thence southerly in a straight line to the northwestern corner of the lot having PID #30091516; thence southeasterly, in a straight line to the northwestern corner of the lot having PID #00175786; thence northeasterly along the northern boundary of the said lot to its northeastern corner; thence easterly in a straight line to the northeastern corner of the lot having PID #00184671; thence southeasterly along the eastern boundary of the said lot to the northern boundary of the village of Norton; thence northeasterly along the said boundary and continuing along its eastern boundary to the Kennebecasis River; thence southwesterly along the said river to the western boundary of the village of Norton; thence southeasterly along the southeasterly prolongation of the said boundary to the Canadian National Railways spur line to the Dennison Mines; thence southeasterly and continuing

along the said spur line to the western boundary of the parish of Upham; thence southeasterly along the said boundary to the southern boundary of Kings County; thence northeasterly along the said boundary to the place of beginning, including the village of Norton, the town of Sussex, and the village of Sussex Corner.

29 HAMPTON-BELLEISLE consists of that portion of the counties of Kings and Saint John described as follows:

Beginning at the point where the northern boundary of Kings County meets the northern boundary of the lot having PID #00476721; thence southeasterly in a straight line to the northwestern corner of the lot having PID #00176727; thence southeasterly along the western boundary of the said lot and its prolongation to the centerline of West Scotch Settlement Road; thence northeasterly along the said centerline to the northwesterly prolongation of the southwestern boundary of the lot having PID #00474825; thence southeasterly along the said prolongation to the northwestern corner of the said lot; thence southeasterly, in a straight line, to the northeastern corner of the lot having PID #00174425; thence northeasterly, in a straight line to the northwestern corner of the lot having PID #00178103; thence southeasterly in a straight line to the northeastern corner of the lot having PID# 30198725; thence southwesterly along the northern boundary of the said lot to a point 150 m east of the eastern limits of Huggard Road; thence southwesterly, parallel to and maintaining a distance of 150 m from the said limits to the eastern boundary of the lot having PID #00176842; thence southeasterly along the said boundary to the northwestern corner of the lot having PID #00179713; thence northeasterly along the northern boundary of the said lot and continuing along its eastern boundary to its southeastern corner; thence southerly in a straight line to the northeastern corner of the lot having PID #00175257; thence southeasterly along the northeastern boundary of the said lot to its southeastern corner; thence southerly in a straight line to the northwestern corner of the lot having PID #30091516; thence southeasterly, in a straight line to the northwestern corner of the lot having PID #00175786; thence northeasterly along the northern boundary of the said lot to its northeastern corner; thence easterly in a straight line to the northeastern corner of the lot having PID #00184671; thence southeasterly along the eastern boundary of the said lot to the northern boundary of the village of Norton; thence northeasterly along the said boundary and continuing along its eastern boundary to the Kennebecasis River; thence southwesterly along the said river to the western boundary of the village of Norton; thence southeasterly along the southeasterly prolongation of the said boundary to the Canadian National Railways spur line to the Dennison Mines; thence southeasterly and continuing along the said spur line to the eastern boundary of the parish of Upham; thence southeasterly along the said boundary to the southern boundary of Kings County; thence southwesterly along the said boundary to the western boundary of the lot having PID #55035125; thence southerly, in a straight line, to the northeastern corner of the lot having PID #55125892; thence southwesterly along the northern boundary of the said lot and its prolongation to the centre line of Route 111; thence southeasterly along the said centre line to a point 150 meters south of the southern limits of Porter Road; thence southwesterly parallel to and

maintaining a distance of 150 meters from the said road to the eastern boundary of the lot having PID #00278937; thence northwesterly along the said boundary to its northeastern corner; thence southwesterly, in a straight line, to the southeastern corner of the lot having PID #55106520; thence southwesterly, in a straight line, to the southwestern corner of the lot having PID #00352021; thence northwesterly, in a straight line, to the southwestern corner of the lot having PID #55009997, also being a point on the eastern boundary of the lot having PID #00354779; thence northeasterly and continuing along the said boundary to the southwestern corner of the lot having PID #55151906; thence northwesterly, in a straight line, to the southeastern corner of the lot having PID #00198887; thence northwesterly along the eastern boundary of the said lot to its northeastern corner; thence northeasterly, in a straight line, to the southwestern corner of the lot having PID #00086595, also being a point on the Hammond River; thence northerly and continuing along the said river to the Kennebecasis River; thence southwesterly along the said river, east of Long Island, to the southern boundary of Kings County; thence southwesterly along the said boundary to the Saint John River; thence northwesterly and continuing along the said river to the northern boundary of Kings County; thence northeasterly along the said boundary to the place of beginning, including the town of Hampton.

Note: The revised population for the electoral district of Kings East is 14,468.
The revised population for the electoral district of Hampton-Belleisle is 14,517.

Note: Objections # 7 and # 8 are filed by the same interveners.

Objection # 7

All of the community of Saint-Léonard-Parent should be part of the electoral district of Restigouche-La-Vallée rather than part of the electoral district of Grand Falls-Drummond-Saint-André.

- a) The interveners object to the recommendation of the Commission that part of the community of Saint-Léonard-Parent be transferred from the electoral district of Restigouche-La-Vallée to the electoral district of Grand Falls-Drummond-Saint-André, based on the communities of interest factor. The solution proposed is for Saint-Léonard-Parent to be included in the electoral district of Restigouche-La-Vallée.
- b) The interveners recognize that leaving the community of Saint-Léonard-Parent in the electoral district of Restigouche-La-Vallée could have the effect of bringing the population of the electoral district of Grand Falls-Drummond-Saint-André to more than 10% below the electoral quotient. In such a case, the interveners propose that the Commission keep part of the community of Upper California Settlement in the electoral district of Grand Falls-Drummond-Saint-André instead of transferring it to the electoral district of Victoria-Tobique as proposed in the final report of the Commission.
- c) The objection is signed by two members of the Legislative Assembly, as required by s. 20(2) of the *Act*.

Response of the Commission

The Commission deems that the objection is admissible under s. 20 of the *Act*. A number of the objections heard by the Commission at its public hearing in Grand Falls also emphasized the communities of interest between Saint-Léonard and Saint-Léonard-Parent. The transfer of all of Saint-Léonard-Parent out of the electoral district of Grand Falls-Drummond-Saint-André brings this district below the threshold of 11,937. As pointed out in the objection, it is possible to remedy this situation by transferring part of the community of Upper California Settlement from the electoral district of Victoria-Tobique into the Grand Falls-Drummond-Saint-André. It should be noted that Upper California Settlement was previously in the Grand Falls Region electoral district.

Decision

The objection is accepted. The new legal descriptions of the electoral boundaries are as follows:

51 VICTORIA-TOBIQUE consists of those portions of the counties of Victoria and Carleton described as follows:

Beginning at the point where the western boundary of the Province of New Brunswick meets the northern boundary of Carleton County; thence southeasterly along the said northern boundary to the Saint John River; thence southeasterly along the said river to the southwesterly prolongation of the southeastern boundary of the lot having PID #10088854; thence northeasterly along the said prolongation to the southwestern corner of the said lot; thence northwesterly along the southwestern boundary of the said lot and continuing along its northern boundary and its prolongation to the centre line of Route 105; thence northwesterly along the said centre line to the southwesterly prolongation of the lot having PID #10247872; thence northeasterly along the said prolongation and boundary to the southeastern corner of the said lot; thence northeasterly, in a straight line, to the southeastern corner of the lot having PID #10091346; thence northwesterly along the said boundary and its prolongation to the southern boundary of Victoria County; thence northeasterly along the said boundary and continuing along its eastern and northern boundary to the eastern boundary of the parish of Drummond; thence southwesterly along the said boundary to the Salmon River; thence southwesterly along the said river to the Saint John River; thence southwesterly along the said river to meet the northeasterly prolongation of the southern boundary of the lot having PID#65088114; thence southwesterly along the said prolongation and boundary and its prolongation to the western boundary of the lot having PID #65089872; thence southwesterly in a straight line to the southwestern corner of the lot having PID #65200370; thence westerly in a straight line to the northeastern corner of the lot having PID #65089278; thence northwesterly in a straight line to the southwestern corner of the lot having PID #65085235; thence northerly along the western boundary of the said lot and its prolongation to the East Branch Limestone Stream; thence northeasterly and continuing along the said stream to the southern limits of Route 375; thence westerly along the said limits to the centre line of Back California Settlement Road; thence southerly along the said centre line to meet the easterly prolongation of the southern boundary of the lot having PID #65155178; thence westerly along the said prolongation and boundary to the northwestern corner of the lot having PID #65089021; thence along the western boundary of the said lot to a point 150m south of the southern limits of Route 375; thence westerly, maintaining a distance of 150m from the said limits to the western boundary of the province of New Brunswick; thence southerly along the said boundary to the place of beginning, including Village of Aroostook, Village of Perth-Andover, village of Plaster Rock and Tobique No. 20 Reserve.

52 GRAND FALLS-DRUMMOND-SAINT-ANDRÉ consists of that portion of the counties of Madawaska and Victoria described as follows:

Beginning at the point where the western boundary of the Province of New Brunswick meets the southwesterly prolongation of the southeastern boundary of the lot having PID# 35265016; thence northeasterly in a straight line to the southeastern corner of the lot having PID #35103340; thence northeasterly along the southeastern boundary of the said lot to its northeastern corner; thence northeasterly in a straight line to the southwestern corner of the lot having PID #35100064; thence northeasterly along the northwestern boundary of the said lot and its prolongation to the eastern boundary of the parish of Drummond; thence southwesterly along the said boundary to the Salmon River; thence southwesterly along the said river to the Saint John River; thence southwesterly along the said river to meet the northeasterly prolongation of the southern boundary of the lot having PID#65088114; thence southwesterly along the said prolongation and boundary and its prolongation to the western boundary of the lot having PID #65089872; thence southwesterly in a straight line to the southwestern corner of the lot having PID #65200370; thence westerly in a straight line to the northeastern corner of the lot having PID #65089278; thence northwesterly in a straight line to the southwestern corner of the lot having PID #65085235; thence northerly along the western boundary of the said lot and its prolongation to the East Branch Limestone Stream; thence northeasterly and continuing along the said stream to the southern limits of Route 375; thence westerly along the said limits to the centre line of Back California Settlement rd; thence southerly along the said centre line to meet the easterly prolongation of the southern boundary of the lot having PID #65155178; thence westerly along the said prolongation and boundary to the northwestern corner of the lot having PID #65089021; thence along the western boundary of the said lot to a point 150m south of the southern limits of Route 375; thence westerly, maintaining a distance of 150m from the said limits to the western boundary of the province of New Brunswick; thence northerly and continuing along the said boundary to the place of beginning, including The Town of Grand Falls-La Ville de Grand-Sault, Village of Drummond and Village de St. André.

53 RESTIGOUCHE-LA-VALLÉE consists of those portions of the counties of Madawaska, Victoria and Restigouche described as follows:

Beginning at the point where the western boundary of the province of New Brunswick meets the county line between the counties of Madawaska and Restigouche; thence southeasterly along the northern boundary of Madawaska County to the western boundary of the parish of Rivière-Verte; thence southwesterly and continuing along the said boundary to the northeastern boundary of the City of Edmundston; thence southeasterly and continuing along the said boundary to the western boundary of the Province of New Brunswick; thence southeasterly and continuing along the said boundary to the southwesterly prolongation of the southeastern boundary of the lot having PID #35265016; thence northeasterly in a straight line to the southeastern corner of the lot having

PID #35103340; thence northeasterly along the southeastern boundary of the said lot to its northeastern corner; thence northeasterly in a straight line to the southwestern corner of the lot having PID #35100064; thence northeasterly along the northwestern boundary of the said lot and its prolongation to the western boundary of the parish of Denmark; thence northeasterly along the said boundary to the northern boundary of Victoria County; thence southeasterly along the said boundary to the westerly prolongation of the southern boundary of the lot having PID #40217523; thence easterly along the said prolongation and boundary to the southerly prolongation of the eastern boundary of the parish of Addington; thence northerly along the said prolongation and boundary to the southern boundary of the lot having PID #50184084; thence westerly along the said boundary and its prolongation to the northwestern corner of the lot having PID #50194620; thence northwesterly, in a straight line, to the southeastern corner of the lot having PID #50346311; thence northwesterly along the eastern boundary of the said lot and its prolongation to the northern boundary of the Province of New Brunswick; thence westerly along the said boundary to the place of beginning, including the Town of St. Leonard, the town of Saint-Quentin, the Village of Kedgwick, the Village of Rivière-Verte and the Village of Sainte-Anne-de-Madawaska.

Note: The revised population for the electoral district of Victoria-Tobique is 11,967.
The revised population for the electoral district of Grand Falls-Drummond-Saint-André is 11,945.
The revised population for the electoral district of Restigouche-La-Vallée is 13,404.

Note: Objections # 7 and # 8 are filed by the same interveners.

Objection # 8

The area of Whites Brook to Adams Gulch should be part of the electoral district of Campbellton-Restigouche Centre instead of being part of the electoral district of Restigouche-La-Vallée.

- a) The interveners object to the recommendation of the Commission that the area of Whites Brook to Adams Gulch be included in the electoral district of Restigouche-La-Vallée and propose that it be included in the electoral district of Campbellton-Restigouche Centre.
- b) In objection # 7, the interveners requested that the Commission transfer the community of Saint-Léonard-Parent from the electoral district of Grand Falls-Drummond-Saint-André to the electoral district of Restigouche-La-Vallée due to the communities of interest factor. Such a transfer would bring the population of the electoral district of Restigouche-La-Vallée to 13,404 or 1.1% above the provincial electoral quotient. The transfer of the area from Whites Brook to Adams Gulch is proposed in order to bring the population of the electoral district of Restigouche-La-Vallée below the electoral quotient.
- c) The interveners also argue the communities of interest factor between the Whites Brook to Adams Gulch area and the Greater Campbellton region.
- d) The objection is signed by two members of the Legislative Assembly, as required by s. 20(2) of the *Act*.

Response of the Commission

The Commission deems that the objection is admissible under s. 20 of the *Act*. The population of the electoral district of Campbellton-Restigouche Centre is 13,524 or 2.2% above the provincial electoral quotient. Even with the addition of Saint-Léonard-Parent, the population of the electoral district of Restigouche-La-Vallée is 13,404 or 1.1% above the provincial electoral quotient. In regard to the communities of interest factor, the Commission notes that no local residents intervened to that effect during the consultations of the Commission.

Decision

The objection is denied. The Commission confirms that the boundary between the electoral districts of Restigouche-La-Vallée and Campbellton-Restigouche Centre shall be as set out in the final report of the Commission.

Objection # 9

The electoral district of Miramichi Bay should be renamed Miramichi Bay-Neguac.

- a) The interveners note that the Commission proposed in its preliminary report to change the name of the electoral district from Miramichi Bay to Miramichi-Neguac. The interveners go on to state that they do not understand why the Commission decided to revert to the original name of Miramichi Bay as the recommended name in its final report.
- b) The objection is signed by two members of the Legislative Assembly, as required by s. 20(2) of the *Act*.

Response of the Commission

The Commission deems that the objection is admissible under s. 20 of the *Act*. The Commission had proposed a change of name in its preliminary report to avoid possible confusion between the names of the two electoral districts of Miramichi Bay and Miramichi-Bay du Vin. There was no consensus at the public hearing on the name for the electoral district. On that basis, the Commission recommended in its final report that the name of Miramichi Bay be retained.

Decision

The objection is denied. The Commission confirms the recommendation included in its final report that the electoral district will continue to be known as Miramichi Bay. The Commission directs the attention of the interveners to the fact that pursuant to the Act, the Legislative Administration Committee of the Legislative Assembly is empowered to make recommendations to the Lieutenant-Governor in Council on the names of the electoral districts.

Objection # 10

The Commission should not transfer part of the parish of Nelson from the electoral district of Miramichi Centre to the electoral district of Southwest Miramich, and part of Douglastown to the electoral district of Miramichi Bay.

- a) The objection is based on the communities of interest factor as well as the municipal and other administrative boundaries.
- b) The objection is signed by two members of the Legislative Assembly, as required by s. 20(2) of the *Act*.

Response of the Commission

The Commission deems that the objection is admissible under s. 20 of the *Act*. Objections 10, 11 and 14 all relate to the electoral boundaries of the Miramichi area. The objections are based on the transfer of communities, or part of communities, from one electoral district to another. The approach of the Commission to the establishment of electoral boundaries on the Miramichi is outlined in its preliminary report issued in November 2005. Because the average population of the four Miramichi electoral districts is quite low, the transfer of some communities from one electoral district to another was the only way to ensure that the Miramichi region would retain four electoral districts. While the Commission recognizes that its proposals for the Miramichi region do not always maintain traditional communities of interest, it has decided to retain the option that, in its view, best serves the overall interests of the Miramichi region, that is, to maintain the same number of electoral districts.

Decision

The objection is denied. The legal descriptions of the electoral districts of Southwest Miramichi, Miramichi Centre, Miramichi Bay and Miramichi-Bay du Vin shall be as set out in the final report of the Commission.

Objection # 11

Parts of the communities of Rivière-du-Portage and Haut-Rivière-du-Portage should not be transferred from the electoral district of Miramichi Bay to the electoral district of Tracadie-Sheila.

- a) The objection is based on communities of interest, municipal and other administrative boundaries and effective representation of the English and French linguistic communities.
- b) The Commission should invoke the “extraordinary circumstances” provision of the *Act* if the transfer of parts of the communities of Rivière-du-Portage and Haut-Rivière-du-Portage to the electoral district of Miramichi Bay has the effect of putting the electoral district of Tracadie-Sheila below the threshold of 10% under the electoral quotient.
- c) The objection is signed by two members of the Legislative Assembly, as required by s. 20(2) of the *Act*.

Response of the Commission

The Commission deems that the objection is admissible under s. 20 of the *Act*. Objections 10, 11 and 14 all relate to the electoral boundaries of the Miramichi area. The objections are based on the transfer of communities, or part of communities, from one electoral district to another. The approach of the Commission to the establishment of electoral boundaries on the Miramichi is outlined in its preliminary report issued in November 2005. Because the average population of the four Miramichi electoral districts is quite low, the transfer of some communities from one electoral district to another was the only way to ensure that the Miramichi region would retain four electoral districts. While the Commission recognizes that its proposals for the Miramichi region do not always maintain traditional communities of interest, it has decided to retain the option that, in its view, best serves the overall interests of the Miramichi region, that is, to maintain the same number of electoral districts.

The interveners also refer to the “effective representation of the English and French linguistic communities” in the objection. The Commission does not consider this element to be relevant since the mother tongue of the vast majority of the population of the communities of Rivière-du-Portage and Haut-Rivière-du-Portage is French, as is the case for the residents of the electoral district of Tracadie-Sheila. Nor do the modifications to the boundaries of Miramichi Bay recommended by the Commission change the majority-Frenchophone status of the electoral district.

The Commission stated in its final report that it does not consider that having a population below the threshold of 11,937 as established by the *Act* is, by itself, sufficient to invoke the “extraordinary circumstances” provision of the *Act*. The Commission can find no valid reason to invoke the clause in the case of the electoral district of Tracadie-Sheila.

Decision

The objection is denied. The Commission confirms the recommendation included in its final report that parts of the communities of Rivière-du-Portage and Haut-Rivière-du-Portage be transferred from the electoral district of Miramichi Bay to the electoral district of Tracadie-Sheila.

Objection # 12

The Commission should not reduce the number of electoral districts in Southwest New Brunswick from 13 to 12.

- a) The interveners base their objection primarily on the fact that the 2001 Census population of the Southwest region at 167,981 provides an average population per electoral district of 12,921 or 2% below the electoral quotient. Reducing the number of electoral districts from 13 to 12 would mean an average population per electoral district of 5.5% above the electoral quotient. The interveners note that the average population is closer to the electoral quotient with 13 electoral districts than it is with 12.
- b) The interveners contend that the Commission should wait until the 2006 Census population numbers are available before making any recommendations.
- c) The objection is signed by three members of the Legislative Assembly which meets the requirements of s. 20(2) of the *Act*.

Response of the Commission

The Commission deems that the objection is admissible under s. 20 of the *Act*. The Commission notes that an average population of 12,921 is 2.6% below the electoral quotient rather than 2% as stated by the interveners. As the Commission explained in its final report, the terms of the *Act* necessitate the addition of new electoral districts in both the Greater Fredericton and the Greater Moncton areas in order to reflect the substantial population growth that has taken place in those two cities. Because the *Act* also requires the Commission to keep the total number of electoral districts at 55, the addition of those two electoral districts necessitates the elimination of two electoral districts elsewhere in the Province. It was noted in the final report that of the five regions in the Province, the Southwest has the second-lowest population per member of the Legislative Assembly. The Commission therefore concluded that one of the two seats to be eliminated should be from that region. To maintain 13 electoral districts in the Southwest region, the Commission would have to eliminate an electoral district in one of the other regions of the Province, all of which have higher populations per member of the Legislative Assembly than the Southwest region.

Moreover, the Commission has explained in both its preliminary report and its final report that it believes that, all other things being equal, electoral districts of rural areas should have populations somewhat below the electoral quotient while the electoral districts of urban areas should have populations somewhat above the electoral quotient. As the Commission noted in its final report, the Southwest region is the most urbanized region of the Province. The Commission does not consider it reasonable to have 13 districts below average size in the most urban region of the Province.

The *Act* adopted unanimously by the Legislative Assembly in June 2005 makes it mandatory for the Commission to use data from the 2001 Census.

The Commission considers that it has already dealt with the points raised by the interveners in its final report. The interveners provide no new reasons or facts that would justify changing the recommendations of the final report; nor have the interveners proposed any specific boundary changes that could have been evaluated by the Commission.

Decision

The objection is denied. The boundaries of the electoral districts of the Southwest region will remain as recommended in the final report of the Commission except for the changes approved for the electoral districts of Kings East and Hampton-Belleisle as stated in the decision of the Commission in objection # 6, and for Charlotte-The Isles as stated in the decision of the Commission in objection # 4.

Objection # 13

The Commission should leave McLeod Hill and Douglas in the Mactaquac electoral district and not transfer these areas to the electoral district of Fredericton-Nashwaaksis.

- a) The interveners base the objection on a number of considerations referred to in the *Act*, including communities of interest, municipal and other administrative boundaries, the rate of population growth and geographical features. The interveners also cite other considerations such as the availability of government services, natural travel patterns and media coverage.
- b) The interveners also request that the boundaries of the existing electoral district of Mactaquac remain unchanged.
- c) The objection is signed by two members of the Legislative Assembly, as required by s. 20(2) of the *Act*.

Response of the Commission

The Commission deems that the objection is admissible under s. 20 of the *Act*. The Commission explained in its preliminary report that, in order to create an additional electoral district in the Greater Fredericton area, it found it necessary to include neighbouring suburban areas with more urban-based electoral districts. The Fredericton-Nashwaaksis electoral district has a population of 14,304 while the population of the Mactaquac electoral district is 14,169. The areas of McLeod Hill and Douglas have a population of 2,956. The effect of retaining the areas of McLeod Hill and Douglas in the electoral district of Mactaquac as requested by the interveners would leave the population of the electoral district of Mactaquac at 17,125 or 29.1% above the electoral quotient. The Commission had to look at the Central region as a whole in arriving at its decisions on the electoral boundaries in the region and did not find a way in which the boundaries of the electoral district of Mactaquac could be left intact.

Decision

The objection is denied and the boundaries of the electoral districts of Mactaquac and Fredericton-Nashwaaksis will remain as recommended in the final report of the Commission.

Objection # 14

The communities of Chatham Head and Douglasfield should continue to be in the electoral district of Miramichi-Bay du Vin and not be transferred to the electoral district of Miramichi Centre.

- a) The interveners note that the communities of Chatham Head and Douglasfield have always been served, even before the advent of single-member electoral districts, by a member of the Legislative Assembly from the area formerly known as Chatham rather than from the area formerly known as Newcastle.
- b) The objection is signed by two members of the Legislative Assembly, as required by s. 20(2) of the *Act*.

Response of the Commission

The Commission deems that the objection is admissible under s. 20 of the *Act*. Objections 10, 11 and 14 all relate to the electoral boundaries of the Miramichi area. The objections are based on the transfer of communities, or part of communities, from one electoral district to another. The approach of the Commission to the establishment of electoral boundaries on the Miramichi is outlined in its preliminary report issued in November 2005. Because the average population of the four Miramichi electoral districts is quite low, the transfer of some communities from one electoral district to another was the only way to ensure that the Miramichi region would retain four electoral districts. While the Commission recognizes that its proposals for the Miramichi region do not always maintain traditional communities of interest, it has decided to retain the option that, in its view, best serves the overall interests of the Miramichi region, that is, to maintain the same number of electoral districts.

Decision

The objection is denied. The Commission confirms the recommendation included in its final report that part of the area formerly known as Chatham Head and the area of Douglasfield will be transferred from the electoral district of Miramichi-Bay du Vin to the electoral district of Miramichi Centre.

Objection # 15

The name of the electoral district of Centre-Péninsule should be changed to Centre-Péninsule-Saint-Sauveur.

- a) The interveners note that the area of Saint-Sauveur has been added to the electoral district of Centre-Péninsule. The interveners also indicate that the residents of Saint-Sauveur and the residents of the existing electoral district of Centre-Péninsule are in agreement with the proposed change of name.
- b) The objection is signed by two members of the Legislative Assembly, as required by s. 20(2) of the *Act*.

Response of the Commission

The Commission deems that the objection is admissible under s. 20 of the *Act*. The Commission notes that the question of the name of the electoral district was not raised during the consultation process.

Decision

The objection is denied. The Commission confirms the recommendation included in its final report that the electoral district will continue to be known as Centre-Péninsule. The Commission directs the attention of the interveners to the fact that pursuant to the Act, the Legislative Administration Committee of the Legislative Assembly is empowered to make recommendations to the Lieutenant-Governor in Council on the names of the electoral districts.

Objection # 16

The Gunningsville area should remain in the recommended electoral district of Riverview and not be transferred to the recommended electoral district of Albert. Instead, an area on the west side of Riverview (East Coast Village, Cross Creek, Pine Glen Road and west on Route 112) should be transferred to the recommended electoral district of Albert.

- a) The interveners object to the recommendation of the Commission to transfer the area of the town of Riverview formerly known as Gunningsville from the electoral district of Riverview to the electoral district of Albert based on the communities of interest factor.
- b) The objection is signed by two members of the Legislative Assembly, as required by s. 20(2) of the *Act*.

Response of the Commission

The Commission deems that the objection is admissible under s. 20 of the *Act*. The Commission noted in its final report that this option had been examined at the time of the drafting of its preliminary report. As the result of the public input received, the Commission re-examined the issue and its recommendation in the final report was unchanged from the preliminary report. The objection does not include new facts or arguments unknown to the Commission at the time of drafting its recommendations for the final report.

Decision

The objection is denied. The Commission confirms the recommendations included in its final report that the legal boundaries of the electoral districts of Riverview and Albert shall be as set out in the final report.

Objection # 17

The Commission should invoke the “extraordinary circumstances” provision of the Act, s. 12(4), in order to maintain the current boundaries of the electoral district of Restigouche West.

- a) The interveners oppose the “elimination” of the electoral district of Restigouche West and the consequent loss of an electoral district in Restigouche County.
- b) The interveners also cite s. 12(2)(a) of the *Act*, the communities of interest factor, as a reason to maintain the status quo.
- c) The interveners propose the status quo on the basis that the Commission should apply the “extraordinary circumstances” provision of the *Act* as it did in the case of the electoral district of Tantramar.
- d) The objection is signed by two members of the Legislative Assembly, as required by s. 20(2) of the *Act*.

Response of the Commission

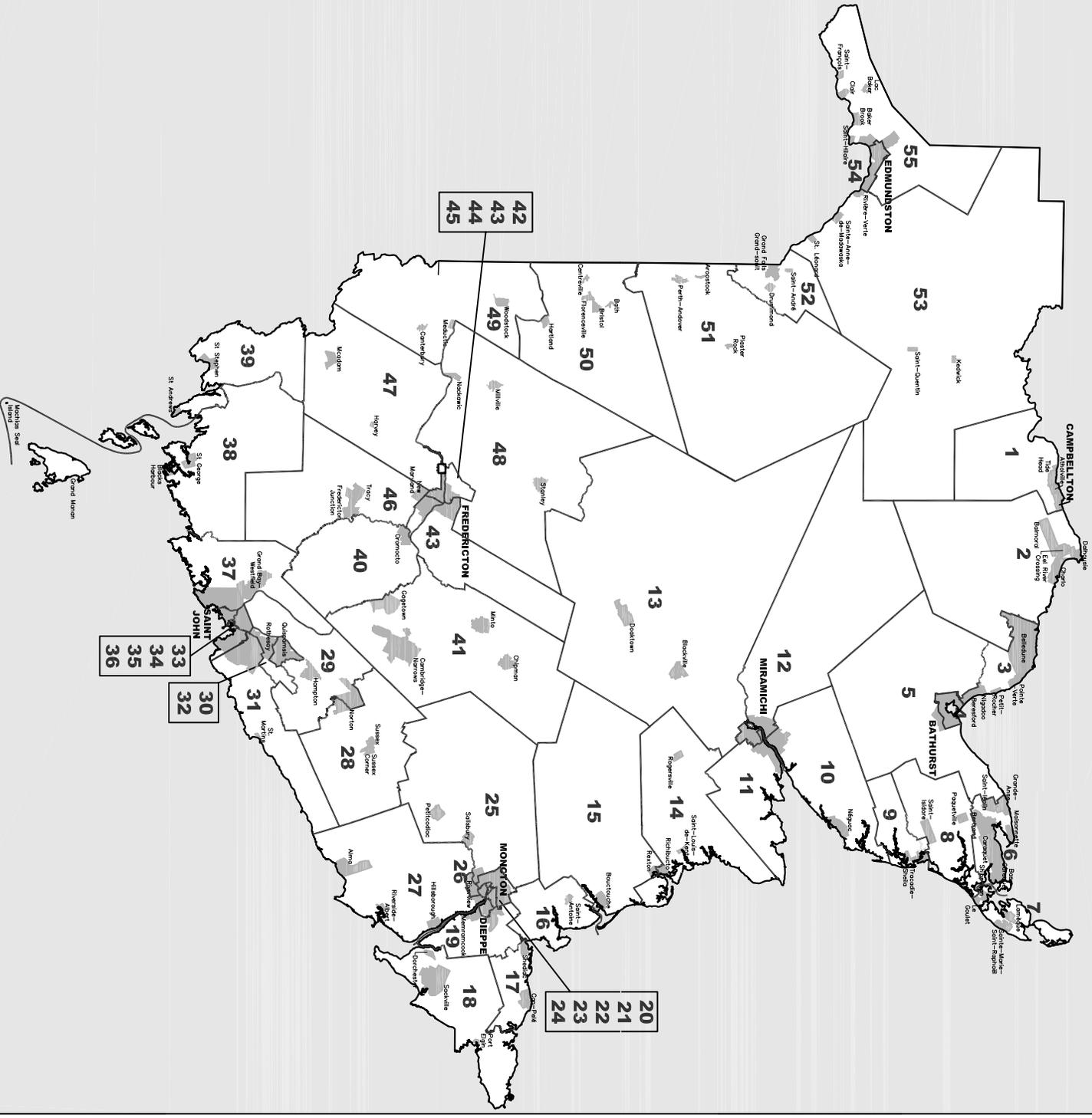
The Commission deems that the objection is admissible under s. 20 of the *Act*. To meet the provisions of the *Act*, the population of an electoral district must be between a low of 11,937 and a high of 14,589, unless “extraordinary circumstances” exist. The Commission believes it has given appropriate consideration to the communities of interest factor. Contrary to what is implied by the interveners, the communities of interest provision does not in and of itself justify deviations from the parity requirement beyond the 10% range identified in s. 12(3). Deviations beyond the 10% range are permitted only under the “extraordinary circumstances” clause, s. 12(4).

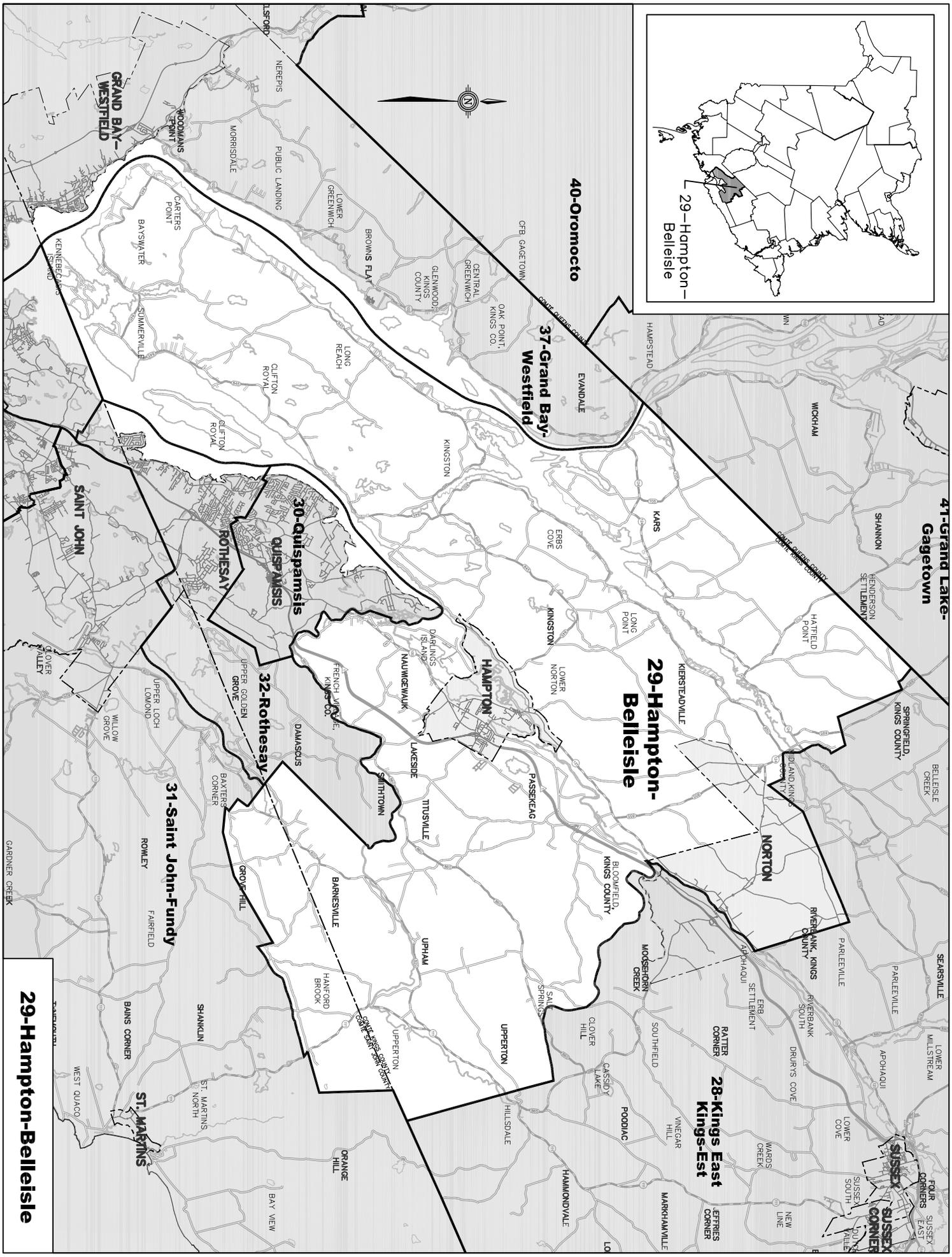
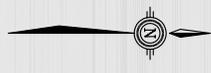
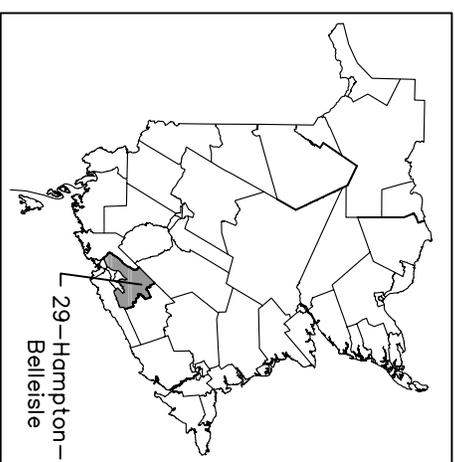
The population of the existing electoral district of Restigouche West is 10,645 or 19.7% below the provincial electoral quotient. The Commission states in its final report that having a population below the threshold of 11,937 as established by the *Act* is not, by itself, sufficient to invoke the “extraordinary circumstances” provision of the *Act*. The rationale in invoking the “extraordinary circumstances” provision of the *Act* for the electoral district of Tantramar was based on the effective representation of the English and French linguistic communities, a situation that does not exist in Restigouche West. The issue of the electoral district of Tantramar is addressed more completely in the preliminary report of the Commission.

Decision

The objection is denied. The Commission confirms the recommendation included in its final report that the legal description of the electoral district of Restigouche-La-Vallée shall remain as set out in the final report of the Commission with the proviso that the legal description is being amended to include Saint-Léonard-Parent as stated in objection # 7. The legal description of the electoral district of Campbellton-Restigouche Centre remains the same as set out in the final report of the Commission.

A NEW ELECTORAL MAP FOR NEW BRUNSWICK UNE NOUVELLE CARTE ÉLECTORALE POUR LE NOUVEAU-BRUNSWICK





29-Hampton-Belleisle

40-Oromocto

37-Grand Bay-Westfield

29-Hampton-Belleisle

41-Grand Lake-Gagetown

28-Kings East Kings-Est

GRAND BAY-WESTFIELD

SAINT JOHN

31-Saint John-Fundy

ST. MARGINS

30-Quispamsis

32-Rothesay

HAMPTON

UPPERTON

NORTON

SUSSEX CORNER

SPRINGFIELD, KINGS COUNTY

RIVERBANK, KINGS COUNTY

BLOOMFIELD, KINGS COUNTY

LONG POINT

LOWER NORTON

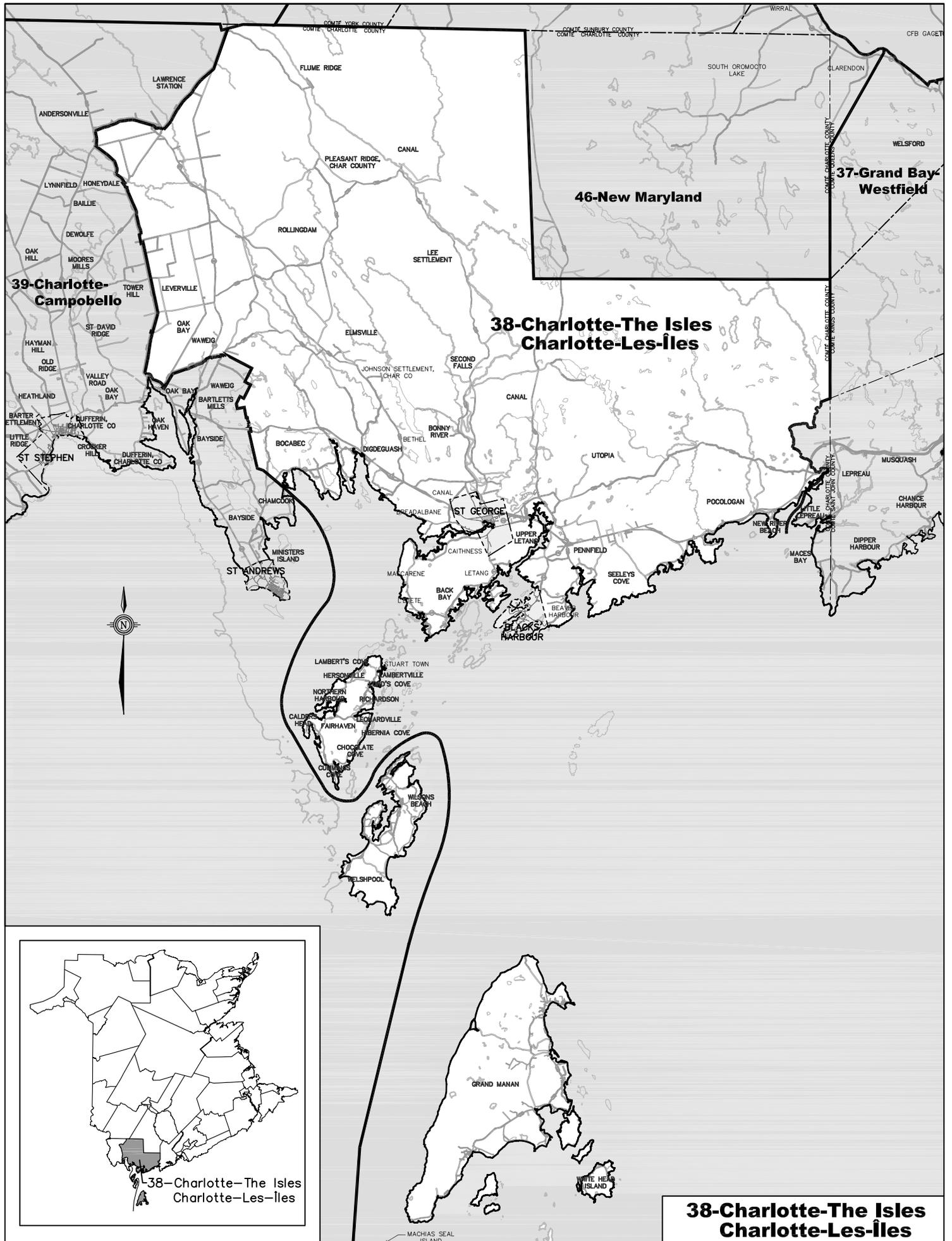
PASSEKEAG

UPPERTON

HILLSDALE

HAMMONDVILLE

MARKHAMVILLE

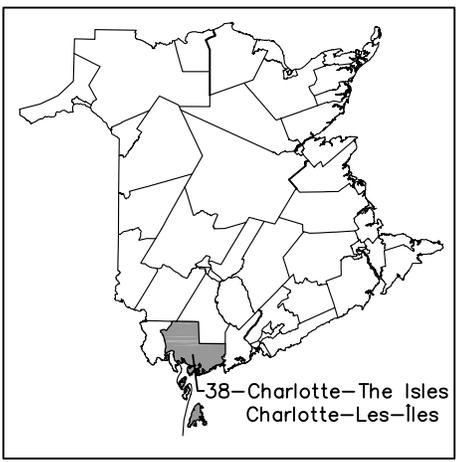


39-Charlotte-Campobello

46-New Maryland

37-Grand Bay Westfield

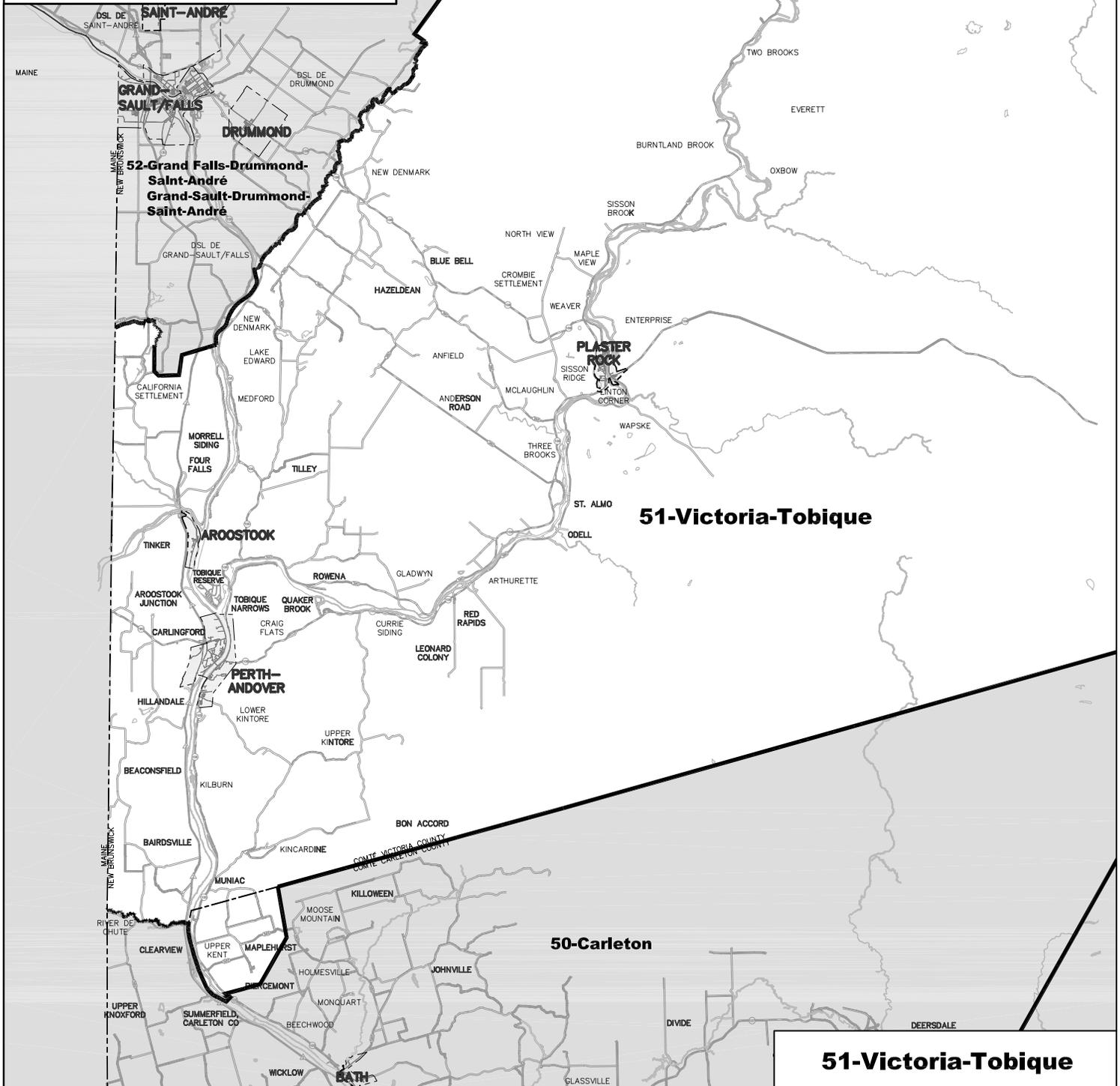
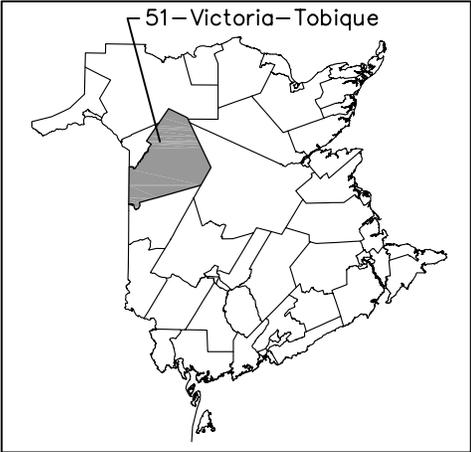
**38-Charlotte-The Isles
Charlotte-Les-Îles**

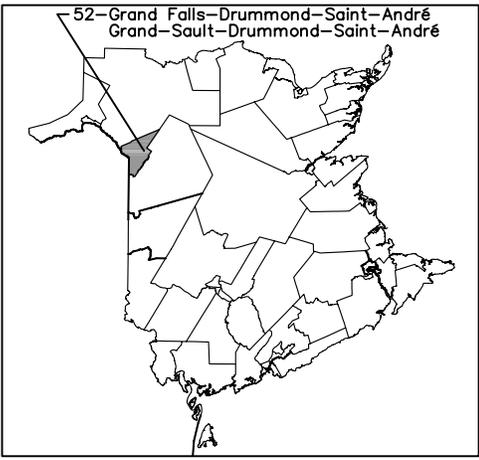


**38-Charlotte-The Isles
Charlotte-Les-Îles**



**38-Charlotte-The Isles
Charlotte-Les-Îles**

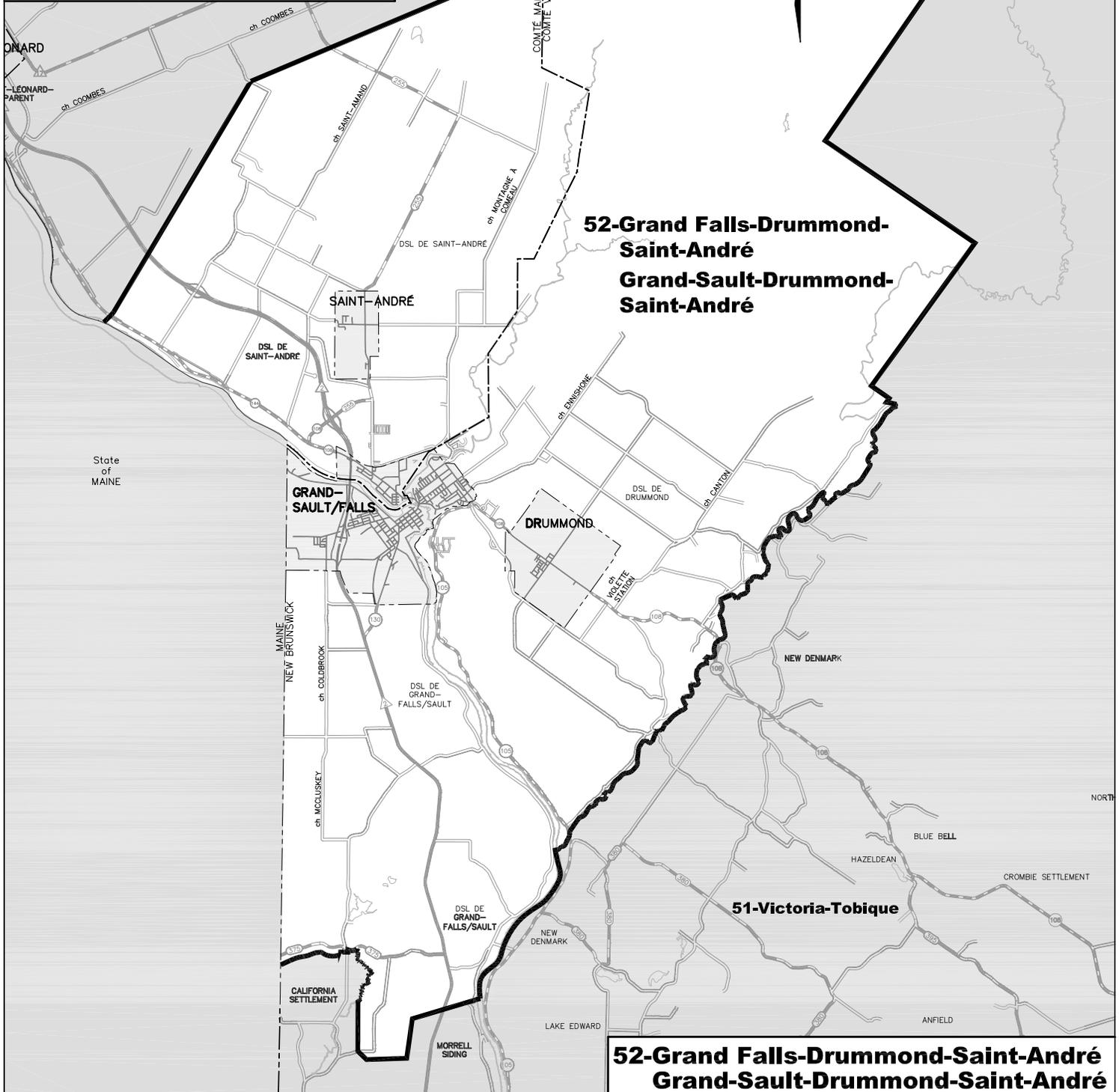




53-Restigouche-La-Vallée



COMTE MADAWASKA COUNTY
COMTE VICTORIA COUNTY

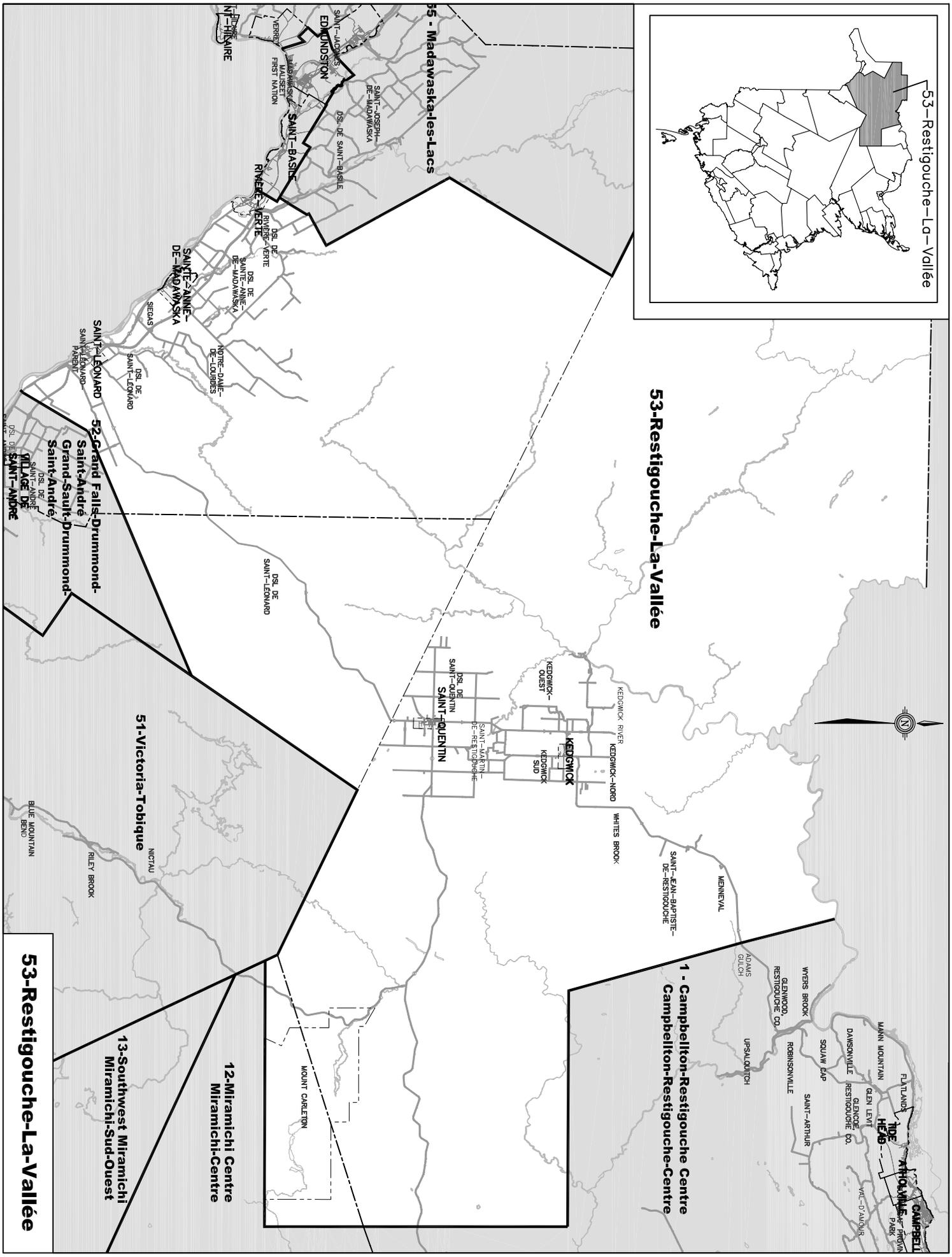
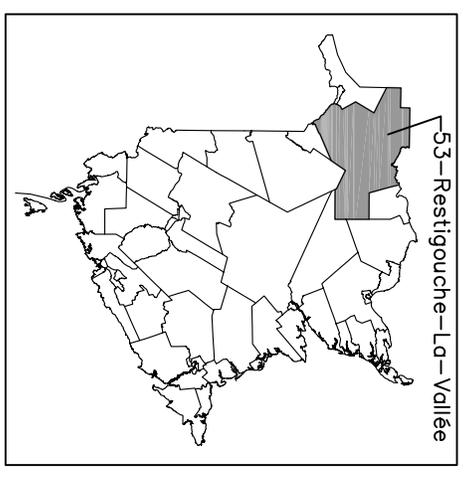


52-Grand Falls-Drummond-
Saint-André
Grand-Sault-Drummond-
Saint-André

51-Victoria-Tobique

52-Grand Falls-Drummond-Saint-André
Grand-Sault-Drummond-Saint-André

53-Restigouche-La-Vallée



35 - Madawaska-les-Lacs

EDMUNDSTON

SAINT-BASILE

SAINT-ANNE-DE-MADAWASKA

SAINT-LEONARD

52-Grand Falls-Drummond-Grand-Sault-Drummond-Saint-André

51-Victoria-Tobique

SAINT-QUENTIN

KEDGWICK

SAINT-JEAN-BAPTISTE-DE-RESTIGOUCHE

1 - Campbellton-Restigouche-Centre

12-Miramichi Centre Miramichi-Centre

13-Southwest Miramichi Miramichi-Sud-Ouest

53-Restigouche-La-Vallée

