

HANSARD

NOVA SCOTIA HOUSE OF ASSEMBLY

COMMITTEE

ON

COMMUNITY SERVICES

Tuesday, September 11, 2012

Committee Room 1

Organizational Meeting

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COMMUNITY SERVICES COMMITTEE

Mr. Jim Morton (Chairman)
Ms. Becky Kent (Vice-Chairman)
Mr. Sid Prest
Mr. Gary Burrill
Ms. Michele Raymond
Hon. Karen Casey
Ms. Kelly Regan
Mr. Keith Bain
Mr. Eddie Orrell

[Mr. Sid Prest was replaced by Mr. Mat Whynott.]

In Attendance:

Ms. Kim Langille
Legislative Committee Clerk

HALIFAX, TUESDAY, SEPTEMBER 11, 2012

STANDING COMMITTEE ON COMMUNITY SERVICES

1:00 P.M.

CHAIRMAN
Mr. Jim Morton

MR. CHAIRMAN: My name is Jim Morton, and I'm the chairman of the Standing Committee on Community Services. I think the first thing we'll do is - well, maybe the first thing that I'll do before we introduce ourselves is just welcome two new members to the committee today. Michele Raymond is here, I don't know if she has been here before - first time for this committee at the moment; and Becky Kent, I would like to welcome. Maybe we'll start with the clerk.

[The committee members introduced themselves.]

MR. CHAIRMAN: Thank you and welcome everyone. You have in front of you an agenda and I want to get to that in a moment, but one piece of business that I think we need to deal with that's not on the agenda is that we made some appointments as replacements.

One of the things that was done as we were kind of shifting things around a little bit is that it was recommended that Ms. Kent become the vice-chairman of this committee. That seemed like an ordinary thing for us to do, to replace the vice-chairman, but the clerk has advised us that there is no clause in the rules to indicate how vice-chairmen are appointed, although the striking committee has traditionally taken responsibility for naming both chairmen and vice-chairmen. The clerk suggested that's probably an oversight that maybe at some future point should be corrected but, in the absence of that, has recommended that maybe the most appropriate way to deal with the appointment of a change in the vice-chairman position would be through a motion of the committee.

So I'm proposing that we deal with that matter, I would think, as a routine in that way. I don't know if somebody would like to make a motion. Mr. Whynott, thank you. So we have a motion. Any discussion on the motion?

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

MS. BECKY KENT: Do we need a seconder on the motion?

MR. CHAIRMAN: I don't think we need - we've not typically had seconds.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried. Thank you for that.

Let's go back to our agenda. I wonder if I could, just to help things along a little bit, before we talk about correspondence and agenda items, maybe talk a little bit about our next meeting. We had planned today to have as witnesses the Department of Community Services and the housing group whose name I don't exactly remember, from Windsor, to present. We were unable to follow through with that because of some scheduling conflicts with DCS people.

I'm wondering if it would be reasonable for us, just so we have something clearly defined for the next meeting, to invite those groups to present on the same topics in October.

SOME HON. MEMBERS: Agreed.

MR. CHAIRMAN: I'm hearing some agrees, but I'm seeing a hand. Mr. Bain.

MR. KEITH BAIN: Mr. Chairman, I guess we jumped over the correspondence and I know you are going back to it. We faxed correspondence to you, or to the Committees Office, yesterday. Our caucus feels there's sort of a sense of urgency to have this placed on the agenda, so I'm just wondering if we could possibly deal with that and see where we go from there.

MR. CHAIRMAN: Okay, I think that's maybe a fair suggestion and I was just trying to help things along but we'll follow the agenda in the order that was presented. That does take us to correspondence. The first piece of correspondence that I think you have in front of you is a letter to me from Mr. Bain that was received on Monday, yesterday. I think everybody has had a chance to read it.

Mr. Bain, do you want to speak to that?

MR. BAIN: Sure, thanks, Mr. Chairman. As everyone is aware, there has been a lot

of discussion taking place over addiction services that are provided in Cape Breton and specifically Talbot House. I know that our caucus has been meeting with the Talbot House board over the past while. We know there's an RFP out there and I think there's a lot of confusion as to what is contained in the RFP. I'll just reference, if I could, just very briefly, the word "methadone" and the way Talbot House does their treatment as compared to what is in the RFP.

I think if we could ask the procurement staff to come in and answer some questions as to how the RFP was prepared and to go forward on it, it would certainly relieve a lot of confusion because that confusion is also in the community. I know that I, in particular - and I'm sure my colleague, the member for Cape Breton North - have been asked, what's going on with this RFP for Talbot House? So I thought probably the best way to clear this would be to ask Procurement Services if they could come in and explain the process to us, what might be included and how they reached those decisions. So that's the request that we've put in.

MR. CHAIRMAN: Any other comments? Ms. Kent.

MS. KENT: I had a chance to sort of look at that and I was thinking that from my perspective it would be totally inappropriate for us to have a conversation around that fully at this table while it is, in fact, open. That would not be common practice; that would not be the practice, from my understanding, of how procurement would work. I think there is an opportunity right there to jeopardize that process.

I think that Mr. Bain, if he has a question - it would be reasonable for you, if you are getting questions as an MLA, to call the staff in that department and they would be able to answer, probably, your questions around process, which has been a standard form of practice for this province for a long time. I would not be in favour of it at all. In fact, I was going to suggest that we move to defer this until that request for proposal has been completed.

To inject a conversation with the potential to change it in the middle of an RFP, to me, is way beyond the boundaries of what would be reasonable during a very specific process that has been well defined and determined in the past, so I certainly wouldn't support that. I'm all in favour of having a conversation around practices in general, if there are concerns around them, but not at this point in the middle of it, no.

MR. CHAIRMAN: Before we go back to Mr. Bain, are there any other comments that anyone wants to make?

Mr. Bain, you have the floor.

MR. BAIN: I think, if you look at the letter, we're not saying that the RFP has to be changed. First of all, the RFP is already a public document, is it not? It's a public document

that you can get on-line. What we're asking is how it was developed, how it was put out and how it will be awarded. That's not jeopardizing the system at all, I don't think. Remember again, the RFP is a public document as it is, but there are some questions that are out there that people would like answers to. If we leave it until after the fact, that's exactly what it is - after the fact.

MS. KENT: The message that I'm hearing loud and clear is that there would be an opportunity to affect the potential outcome of that process and I think we would be going down an incredibly poor path with respect to a very well defined process that's in place now. To me, we'd be jeopardizing a process that is in place. If there is a problem with the process, I'm all for having a further discussion at another time around practices, policies and process around procurement, but this is not the place, in the middle of an RFP. If an RFP has not been awarded and we are in here having a discussion around the process, it's opening up an opportunity for jeopardizing it. So I am absolutely not in favour of it.

HON. KAREN CASEY: Just a question for clarification for my own information. What is the closing date in the RFP?

MR. BAIN: The 21st. (Interruption) No, that's not correct. I think they're looking possibly at the first week in October. I don't think there's a specific date as such, but I think in general it's around the first week of October.

MS. CASEY: I'm a little clearer, but still not completely clear. Is there a specific date in the RFP?

MR. CHAIRMAN: I'm not aware that there is or what that date is. I assume there is. I guess I'm aware from the media that the date of the RFP had been extended, but I don't recall the actual date.

MR. EDDIE ORRELL: I don't think that there was a specific date on the closing because they appointed someone to help with the RFP for Talbot House. They didn't put a specific date on it because of that.

MS. KENT: I would like to put a motion on the floor to defer this request of consideration of this committee for a future date after the RFP has been awarded. At that point, just to be clear, we would then entertain the request. A full discussion afterwards would still be in order.

MR. CHAIRMAN: So we have a motion to defer the request until such time as the RFP process has been completed and then make it available for another discussion, if that is still warranted at the time.

Would all those in favour of the motion, please say Aye. Contrary minded, Nay.

I think we had better go around and have a vote.

YEAS

Mr. Burrill
Ms. Raymond
Ms. Kent
Mr. Whynott

NAYS

Ms. Casey
Mr. Orrell
Mr. Bain

MR. CHAIRMAN: The motion is carried.

We also have correspondence which was received very early this morning from the Face of Poverty Consultation. I saw it a few moments ago and have not yet had time to actually read the letter, although maybe some in the room have. The letter generally is making some requests of us about matters they'd like to see discussed and moved further.

It occurs to me, as I look at kind of the basic substance of the letter that this fits in with the thinking of the next item on our agenda which is about selecting witnesses for the future. It so happens that one of the things that we plan to bring forward, that the NDP caucus plans to bring forward is that particular group, so their request kind of fits at least one of the lists.

I wonder if we could agree to receive that letter and to incorporate it into our thinking about setting the agenda as we move into the next item. Ms. Raymond.

MS. MICHELE RAYMOND: I'd just like to comment and just looking at it really for the first time in the last few minutes, it seems to identify a whole group of very large issues and it might be reasonable to ask them to perhaps focus a little bit more tightly, if they are requesting to speak on a particular topic eventually.

MR. CHAIRMAN: I think we could, yes, I think that's really a good point and if we ask them to come forward we might want to help them refine and define how to best make use of the time.

So I guess I'm not hearing any objection to allowing that to be part of our discussion about selection of witness, which is the next agenda item. I think all of us have received today, at this point now, three lists. Finding mine - I know we have a list from the Liberal caucus, a list from the Progressive Conservatives. Yes, I have them here. Yes, Ms. Kent.

MS. KENT: Mr. Chairman, it seems to me that given the fact that we have just received all of these, that the Opposition has just received ours and we've just received these, I would like to suggest that we put a motion on the floor, if that's required - I'm not sure that it is - that we have the opportunity to take these to our respective caucuses to be

considered. We, as each of us sit here, are representing our greater team. I know it has been a practice of other committees and in fact I think I've been part of a conversation around this similar at other committees.

So I'm going to suggest that while we certainly want - we've had some good dialogue around potential for some to come forward, knowing they are fitting into the lists that we have, that it would be fair and good practice for each of us, each of our respective Party caucuses to take these lists back, give them each some consideration with our entire team of caucus and then come back to the table for a more fulsome discussion. Clearly there are far more than we would be able to fit in for the year and a discussion around that, I think, is appropriate with our colleagues.

MR. CHAIRMAN: Yes, please, Mr. Whynott.

MR. MAT WHYNOTT: Thank you, Mr. Chairman. Just to further that, I think you mentioned earlier something about a witness who was supposed to come to today's meeting and your suggestion was to move that. I guess one of the parties couldn't make it today so with that in mind, so that we don't waste our time for next committee, could we have the group of people who were supposed to come today scheduled for the next meeting so that we don't waste time in the next - the agenda for the next piece of our agenda.

MS. KENT: Yes, the presentation schedule. A great idea.

MR. CHAIRMAN: Ms. Casey.

MS. CASEY: If I could go back to the comment made by Ms. Kent. If we are, in fact, going to take these back to our respective caucuses, could I ask that we get these lists in advance so we don't lose time because if we go back now then we're not going to be able to bring the discussion from caucus back until the next meeting? If that's the practice we're going to adopt I would ask that we have the lists earlier, prior to the day of the meeting so we can have that caucus discussion.

MR. CHAIRMAN: If I could say, as the chairman, I think that's a good suggestion, Ms. Casey. It occurs to me that it might be useful as we go forward and as we're reaching kind of an agenda-setting period that we actually pick a space in our series of meetings that precedes the last scheduled presenter, for example, so that we're kind of building in time for consultation. Yes, I think that would be a very helpful suggestion.

Mr. Bain.

MR. BAIN: Mr. Chairman, the practice in the past has been that once the list is submitted, it is usually set up in such a way that the NDP caucus would be this month, the Liberal caucus the next month, PC caucus the following month. I guess my question now becomes why do we have to go back to our respective caucuses? If the NDP caucus have a

priority of the eight that they've submitted, why not just say what their priority is, why don't the Liberals say what their priority is, the PC caucus say what - that's what we've done in the past. We put them as one, two, three and it has always worked out before in that respect.

I guess the question I have is, what's the purpose of going back to our respective caucuses? Is it possible that it could be said that the three that the PC caucus have, we don't see a high priority with them, we can move them down further on the list? What is the purpose of going back to the respective caucuses if we're going to go follow the same process?

MR. CHAIRMAN: Ms. Kent.

MS. KENT: Thank you. I'm certainly happy to respond to that. I think it creates a more fulsome contribution by our entire colleagues. In some cases there are some overlaps and when we all put our lists forward, to me, a lot of them are sort of intertwined and/or duplications. I think it offers a better conversation, better consideration for this committee to meet the mandate which is why we're here, if we have a more fulsome conversation around what is being asked by all caucuses.

I didn't for one minute think that I would be suggesting that there was not an opportunity for that continuation of each caucus to take their turn, to me, that's a practice that we've had. Someone else could suggest something different, that's not what I was putting forward, I was just suggesting that we take these back to our colleagues for another opportunity to hear what our colleagues are saying. Particularly now I'm even more sure that that's a good practice, knowing that we have an opportunity, as Mat has put forward, if we all agree, to bring someone in to get our witness schedule on track and keep it rolling. We're not foregoing a witness, and we're not losing a witness day. To me, this is just a better practice as each of us represents our teams.

MR. CHAIRMAN: Mr. Burrill.

MR. GARY BURRILL: My sense of what our practice has been is not exactly as you've described it, Mr. Bain. I hadn't thought that we were saying in succession each of the three Parties would have sort of "their day" and whatever each of those Parties felt was the appropriate subject we would take that as the subject. What I had felt our practice was is that we would go in succession, but that the matter for each turn was, in fact, a decision of the committee as a whole. It seems to me that this would provide us a chance, it would be better if we had a little more advance time, as Ms. Casey has suggested, but overall it seems to me that it would be wise for the committee to have a chance to consider this decision before it makes it.

MR. CHAIRMAN: Mr. Bain.

MR. BAIN: I think Mr. Burrill said the correct thing - allow the committee. Every one of us who are around here has been appointed by their caucus to sit on the committee. I'm not arguing about sharing with our caucus as to what things are, like we have three things on there; the Liberals have six. Are we going to look at priorities when we come back, as to what is a priority of the Liberal caucus, what is a priority of the NDP caucus? That's all I'm asking because we have tried in the past to list them in a sort of priority order. I stand to be corrected on that, but I think Ms. Casey was around and I think she probably remembers that was the way it used to be done. Anyway, I don't want to belabour the point.

MR. CHAIRMAN: There has been a motion, I think, to create some opportunity for us to go back to our respective caucuses to review the list. Mr. Whynott.

MR. WHYNOTT: Just based on Ms. Casey's comment, I'm just wondering if we can maybe set a - is it two days before, a week beforehand?

MS. CASEY: If I could. Our caucuses, I believe, meet on a weekly basis so if we had it a week in advance then we could take it to that caucus meeting and have the discussion. I agree with Mr. Bain that we've been asked to represent our caucuses around the committee table here and make decisions as a committee, but if we are going to review others' lists with our caucus, then I would say a week in advance.

MR. CHAIRMAN: That's very helpful. Ms. Langille.

MS. KIM LANGILLE (Legislative Committee Clerk): Do you mean a week in advance of the actual meeting?

MS. CASEY: A week in advance of this committee meeting.

MS. KENT: So we're preventing this from happening. We're saying, not this time, but in the future, for next year's agenda setting, we would ask that a week in advance, a procedural change, our submissions are here for us to take to our caucus before we come and sit like this.

MR. CHAIRMAN: Because we already have the list.

MS. KENT: But we just got the list today.

MS. CASEY: So I guess for clarification - we take this back to our respective caucuses and have the discussion and come back to the next meeting of this committee where we will be generating our list of witnesses. Then for the next year, we get that prior to this organizational meeting a week in advance. That sounds complicated, but I think it's pretty simple.

MR. CHAIRMAN: So if I understand the summary of that appropriately, it's that

we would come to our next organizational meeting - whenever we determine that will be - with a list from each set of committee members, which has been reviewed by the respective caucuses.

MR. EDDIE ORRELL: Could I ask a question? We submitted our three, Liberals submitted their five, and the NDP submitted their nine. How are we going to determine the order? Are we going to vote on that here at the meeting?

MR. CHAIRMAN: If we take our list away, I think it gives us all an opportunity - at least for the group that I'm part of - that the list may come back looking a little different because the input that we get from other people and from ourselves as we look at it again with that input may actually shorten our list or change it in some particular way.

MR. ORRELL: So technically we may not get any of our witnesses on the agenda. If we're going to vote on it and they have nine and we have three, we could end up with not getting anybody.

MS. KENT: That's life.

MR. BAIN: That's life. Come on.

MS. KENT: That is the reality of the votes around the table. You don't have to reproduce that.

MR. BAIN: Now we know the purpose of wanting to go back to your caucus.

MS. KENT: No, Keith, you're putting more into it - you know you are.

MR. CHAIRMAN: I guess if I could just say this and I'll go to Ms. Raymond - when I look at the lists, I think the kinds of things we like to discuss are generally in the same ballpark. It looks like the kinds of things that we've been interested in touching on in terms of what we've submitted; they have a certain familiarity and similarity to them. I wouldn't think there is a need to be selective in that way.

MS. RAYMOND: I'm not clear - is there anything that prevented you from submitting nine topics?

MR. BAIN: Ours are in.

MS. RAYMOND: You could have submitted nine, couldn't you?

MR. BAIN: Yes.

MS. RAYMOND: So that has nothing to do with numbers on the committee.

MR. BAIN: Remember, we only meet for 10 months.

MS. RAYMOND: No, but you're saying that - I'm sorry, the member is saying that the fact that there are more NDP suggestions is some kind of reflection of balances. Okay.

MR. ORRELL: I implied that if you guys - there's four over there - decided that the first three of the Liberals and the first six of yours are going to be of importance, we have no say on the committee on what gets discussed at the meeting.

MR. CHAIRMAN: I think that technically I suppose it could work that way - technically it could. You know we have quite a considerable history here of trying to find some ways to set agenda and I don't see any indication that we want to stray very far from that. I think in this discussion what is being proposed is on this occasion some opportunity to create a little bit more input. I think it will work - I'm saying "we" because I'm grouping myself with the NDP caucus at this moment - we have been asking for an opportunity to have more input from our own colleagues. So the question (Interruption) yes, Ms. Kent.

MS. KENT: I just want to go on the record that my comment was certainly flippant and I apologize for that, but it's a frustration out of a good dialogue around my intent on this motion. The intent of the motion was around better discussion with our full legislative team, which is our members of the House of Assembly, which all caucuses have. So to be undermined and to be suggested that there was an ulterior motive, that's where that came from. That was what was said and that's where my comment came from. To be very clear, this is about, to me, a better process versus an opportunity to undermine it. Thank you.

MR. CHAIRMAN; The question has been called.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

So please take all of the suggestions back to your caucus and I think any thoughts that you bring back will be helpful in our future discussion.

That will take us to

MS. KENT: Mr. Chairman, are we going to finish the conversation around DCS next meeting?

MR. CHAIRMAN: Yes, I think I'll go to that when we talk about the next meeting.

As a third item on our agenda is annual report. I know, at least I hope, everyone received an electronic copy of the annual report and has a paper copy in front of them. I've had a look at it. It seemed to me to reflect the matters that we discussed over the course of

the last 12 months. Mr. Bain.

MR. BAIN: Just one thing, Mr. Chairman. Since we do have new committee members, should they be given the opportunity to review that or will they be signed by the past committee members?

MS. LANGILLE: It is signed by the current committee members and they have been provided with a copy of it.

MR. BAIN: I'm just looking at - because I see other names, former committee members' names.

MR. CHAIRMAN: So your understanding, Ms. Langille, is that what would be signed by whoever is the current member of the committee.

MS. LANGILLE: That's correct. The same thing happened last year, actually.

MR. BAIN: Because what we have has the other names on it. It's only a technicality, so okay.

MS. KENT: It has our names.

MS. LANGILLE: On the signature page, yes.

MR. CHAIRMAN: The paper copy has, I think, the names of the people who are currently sitting around the table.

MS. CASEY: On the signature page it does.

MS. KENT: Yes, look at the signature page. (Interruption) It doesn't? My name is not up there - Becky Kent at the top?

MR. BAIN: Sid Prest is out but it's actually - Mat is not on it.

MR. WHYNOTT: No, I'm just filling in.

MR. BAIN: Oh, I thought you were - I'm sorry.

MR. WHYNOTT: I'm a beautiful face here and . . .

MR. BAIN: Well, we won't go that far. (Laughter)

MR. CHAIRMAN: The much more handsome Mr. Prest is usually here. (Laughter)

Are there any other questions about the report? Any specific comments that should be made, or corrections? I think it would probably be useful to have a motion. Mr. Whynott.

MR. WHYNOTT: Mr. Chairman, I move that the annual report for 2012 from the Standing Committee on Community Services be accepted and approved as printed, here.

MR. CHAIRMAN: Any discussion on the motion? Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

Thank you for that. That does take us, I believe, to the next meeting. Ms. Langille is just reminding me that it is important to get your signature on this so please do not leave the room until you have used your pen appropriately.

For the next meeting which typically would be October 2nd - and I was reminded before I came in the room that October 2nd is the Tuesday following Thanksgiving . . .

MS. LANGILLE: No, the Tuesday before.

MR. CHAIRMAN: Sorry, the Tuesday before Thanksgiving. I guess that doesn't pose a question so that date is workable. We would typically meet in this room at 1:00 p.m. My earlier proposal had been that rather than use the next time only for agenda-setting purposes that we re-invite those witnesses who we were hoping to meet with today. Would that be an acceptable plan? Ms. Casey.

MS. CASEY: I would concur with that because I think the sooner we get into our presentations and witnesses the better. We always have a lineup more than we can accommodate, so if we can do both of those next meeting, I would support that.

MR. CHAIRMAN: Thank you. Anybody think differently? That being the case, then we will proceed with trying to work out making those arrangements.

Is there any other business that anyone is aware of?

That being the case, I declare this meeting adjourned. Thank you.

[The committee adjourned at 1:36 p.m.]