

# **HANSARD**

**NOVA SCOTIA HOUSE OF ASSEMBLY**

**SELECT COMMITTEE ON  
ESTABLISHING AN  
ELECTORAL BOUNDARIES COMMISSION**

**Wednesday, June 6, 2018**

**Halifax, Nova Scotia**

**11:30 A.M.**

**Printed and Published by Nova Scotia Hansard Reporting Services**

**SELECT COMMITTEE ON  
ESTABLISHING AN  
ELECTORAL BOUNDARIES COMMISSION**

Hon. Geoff MacLellan (Chairman)

Hon. Tony Ince

Hon. Patricia Arab

Hon. Lena Metlege Diab

Mr. Gordon Wilson

Hon. Christopher d'Entremont

Mr. Brad Johns

Hon. David Wilson

Ms. Claudia Chender

[Hon. Patricia Arab was replaced by Mr. Ben Jessome]

**In Attendance:**

Mrs. Darlene Henry  
Select Committee Clerk

Mr. James Charlton  
Legislative Counsel

Ms. Margaret MacQuarrie  
Report Writer

Mr. David McDonald  
Legislative Librarian

Ms. Deborah Lusby  
Director of Administration  
Office of the Speaker

Ms. Nicole Arsenault  
Assistant Clerk  
House of Assembly



House of Assembly  
*Nova Scotia*

**HALIFAX, WEDNESDAY, JUNE 6, 2018**

**SELECT COMMITTEE  
ON  
ESTABLISHING AN ELECTORAL BOUNDARIES COMMISSION**

**11:30 A.M.**

**CHAIRMAN**  
Mr. Geoff MacLellan

MR. CHAIRMAN: Good morning, everyone - members, visitors, guests. Welcome to the meeting around electoral boundaries and the commission for setting up what is to be a very valuable process for the Province of Nova Scotia for many years to come. I'm glad to be back at it. We have a very specific agenda that we want to get through and a large discussion next week regarding the actual commission members and the selection of those Nova Scotians.

There's just a few quick housekeeping items, and we'll go around the table. Put phones on silent or off, if you can, everyone in the room here, to avoid interruptions. Washrooms and coffee are in the anteroom to the left. The emergency exit is through the Granville Street entrance and go to Grand Parade Square by St. Paul's in the unlikely event of an issue or an emergency.

Margaret is here. She does have a recorder on, so this will be taped via audio. For her purposes and mine, remember to keep it through the Chair. I think we were pretty good the last time, but I just wanted to make sure that we stick to one person speaking at a time. You'll certainly have your say on all these things.

With that, we'll go around the table for introductions.

[The committee members introduced themselves.]

MR. CHAIRMAN: We'll jump right into the agenda. I would just like to say that based on last meeting's discussion, the frankness and the openness of going back and forth was very helpful, and I think we landed on all the places we want to in terms of the committee work. We'll promote that again as a freestyle discussion about how we best handle the agenda items as listed. We'll ultimately be in unison and unanimous in terms of how we're going to handle these things and what's coming next for our committee and the commission. We'll continue down that road.

With that, Committee Business: No. 1 is to review the commission's terms of reference. We have the Legislative Counsel's draft in front of us.

I'll start off, and feel free to jump in after that. From my perspective, I think it's pretty straightforward - these are the things that were part of the legislation and set in stone in terms of how we're going to guide this commission. I don't know if anything jumps out at any of the members specifically - there are just a few things from my perspective.

No. 5 - subsection 5(5C) is around some of the parameters in terms of selecting any of the rules of engagement for the electoral districts with the 25 per cent variance. Would we be doing anything around changing or impacting that deviation? From my perspective, through the legislative process and all these discussions, I think our landing spot was that we wouldn't. We would leave it as is and allow the commission to do that work.

As well, No. 7 references the seat range. Again, from our perspective, speaking from the government side, we don't want to meddle in trying to understand or identify what the range should be. I don't know how you pick a ceiling or a floor and again, we've had this discussion at length during the bill process and again during our last meeting.

Outside of those two things, I don't think anything is out of the ordinary. We can comment on those aspects and then I want to talk about Nos. 9 and 10, which are the preliminary report and the final report. We've got some ideas based on the last discussion about what the dates may be for the preliminary and the final, and we can talk about those as well. Comments?

Mr. Gordon Wilson.

MR. GORDON WILSON: To the point for Nos. 9 and 10, obviously, we're hoping, as are all Nova Scotians, to see this process get going and completed. Tentatively my thoughts are November and the end of fiscal, March 31<sup>st</sup>/April 1<sup>st</sup>. In saying that, I know that here we are on June 6<sup>th</sup>, we're going to be meeting again on June 13<sup>th</sup> to strike the commission or to come with suggestions to work on it, optimistically thinking we're going to come out of that meeting with some consensus, hopefully.

I think we need to be cognizant of the fact of this commission getting their feet underneath them, getting their first meeting struck, and that could potentially be the middle of July. I just want to make sure that they do have enough time.

In saying that, November and March 31<sup>st</sup>/April 1<sup>st</sup>, I just would like us - we don't have to write it in here, I don't think, but I think we'd also like to make sure that the commission has a path forward if, in fact, they feel they're getting pinched.

MR. CHAIRMAN: Okay, thank you. Mr. d'Entremont.

HON. CHRISTOPHER D'ENTREMONT: I think that's reasonable. I'm just wondering in the final point when we do March, there has to be a bill prepared and some work to be done after the final report has been submitted and then accepted by government. Then a bill has to be done up. I'm just wondering, having it ready for March, does that give enough time for that process to be done?

I know I'm looking over at Legislative Counsel here but in the whole scheme of things, to make sure that we have it during the House sitting. Last session we were waiting around for some bills to get done, and some things didn't get done. I just want to make sure that there's enough time for that.

MR. JAMES CHARLTON: Whenever it's done, we will endeavour to get the bill done as quickly and as smoothly as possible. It's a little hard to comment because we don't know when the House will be sitting. Obviously if it's a later sitting, it makes it a little easier for us.

I can say that it also somewhat depends on the way the recommendations for the electoral boundaries are phrased. Sometimes in the past, we've actually been given pretty accurate descriptors that we can just insert into the legislation; that can be done very easily. If they're written in a more roundabout way, it can take a little bit longer to actually try to ascertain the exact boundaries and transform that into legislative language. But we'll work with whatever we need to work with.

MR. CHAIRMAN: I guess maybe I have a question for you, James: what about when the preliminary report would be, using Gordon Wilson's timeline of November 30<sup>th</sup>? Having the preliminary data, will that give Legislative Counsel the ability to start framing these things, or is it just you wouldn't even begin to build the bones until the final report is done?

MR. CHARLTON: I think potentially we could start up on it. Generally speaking, it probably depends because there'll be two different versions in there. If there's a lot of variation in the two versions and if we don't really have a sense of which one is going forward, it will be a little bit more tricky. If they're fairly similar, we can probably begin to build the bill and it wouldn't be too difficult.

MR. CHAIRMAN: Mr. d'Entremont, if I'm reading your feelings on this correctly, is there any thought of bumping these back and advancing a heavier timeline, or is that something that the committee would consider?

Ms. Metlege Diab.

HON. LENA METLEGE DIAB: I'm looking at what has previously been in previous decades. This is not minimal work and this is very important work. Unless the commissioners are real experts, I don't believe the time frames are realistic, in my opinion - certainly if you're looking to get whatever passed in March. I believe we are setting them up to have them come back to us requesting extensions, which we'll obviously have to listen to.

[11:45 a.m.]

I'm concerned, particularly as a real estate lawyer who has done boundaries and descriptions and all of that, depending on what they do, I know surveying work and so on takes time too. I didn't even think about that until Mr. d'Entremont asked that other part because we've never discussed that part and I'm not familiar with that part, but that alone might take a few months.

I wouldn't want to link that to a sitting. There's no election in the next year and a half, let's say, so I don't think that should be something that we should necessarily have to worry too much about.

I think the end of November for a preliminary report is, in my opinion, reasonable. But I would say March 1<sup>st</sup> or even March 30<sup>th</sup>, whatever it may be, is certainly not going to be reasonable to have anything done in the Spring sitting in 2019, whatever is determined, in Halifax. I think that's too heavy a burden on commissioners who are yet to be appointed.

MR. CHAIRMAN: Fair enough. Mr. David Wilson.

HON. DAVID WILSON: I would agree with my colleague. I think if I'm saying this right, from your comments in the past, you want to make sure this is done right. I think trying to align it with a session where we don't have a set date for us to sit in the House would maybe set the commission up to fail. I would agree that a preliminary report, early or late November - November sometime - would be appropriate, then within a year of today having some kind of final report.

They can bring it back early definitely, but I would foresee most likely the Fall session of 2019 dealing with this than trying to get it in by the Spring session. We know with the just recent session, it was the earliest session in the 15 years that I've been here. I wouldn't want to see the commission being handcuffed to the will of the Speaker when the House goes back into session.

MR. CHAIRMAN: Having said that though, to your point, if the preliminary report was November 30<sup>th</sup>, they could come back and be finished by February, and then it does become part of the session likely.

Mr. d'Entremont.

MR. D'ENTREMONT: I'm just trying to work my way back from the next possible election. We want this in place when the next election takes place. It takes Elections Nova Scotia about a year, and the local EDAs, constituency associations to reconstitute themselves. Once the commission does their work and the House of Assembly passes that bill, then Elections Nova Scotia has a fair process as well.

We are getting pinched as we move along this process. I understand we don't want to limit them too quickly, but working my way back, this needs to be through the House of Assembly this Spring to give them ample time to get the work done from an EDA standpoint, from an Elections Nova Scotia standpoint, and all that.

If there are going to be dramatic changes - and we're expecting there are going to be changes here and there are a lot of things that have to happen after. Maybe we can task someone - Elections Nova Scotia - to come back and give us an idea of what that actually is. We have an idea of when the next election is, within a year-ish, and then work our way back from there.

MR. CHAIRMAN: It seems like we're set on the preliminary report, so we go to the end of the month - November 30<sup>th</sup>. Should we set a hard date and allow for extensions, should they need that - if we went April 1<sup>st</sup>, but giving the commission the ability to come back to us to ask for additional time? Again, you can't predict the Spring sitting, but that still may give time. Hopefully it goes exceptionally smooth and they can have it done before that.

Is there any other discussion? Mr. Johns.

MR. BRAD JOHNS: Not so much in regard to the dates but in regard to the process that the report follows, just for my clarification, the preliminary report from the commission will come back to this committee or it just goes directly on - do we see it before it's passed on to the Premier?

MR. CHAIRMAN: At the same time, give or take. It's released publicly.

Mr. d'Entremont.

MR. D'ENTREMONT: Once we're clear of our work, we're done, and we only get to see it when it goes back over to the House of Assembly. Then I think they submit their copy to the Minister of Justice/Attorney General - the draft - and then it gets released publicly. They open up for comment once again and then they do their consultation. They

come up with their final report. It is then again submitted to the Attorney General, I think, and the House of Assembly at the same time - sort of in that. Once we get the names out there and their terms of reference, we're done.

MR. JOHNS: Thank you for the clarification.

MR. CHAIRMAN: As a committee, do we want to set those? November 30, 2018, for the preliminary report, and April 1, 2019, for a target for the final report, but communicating and instructing the commission that should they require additional time they can ask for extensions of their final report timeline. Does that coincide with the legislation? Is that okay?

MR. CHARLTON: There's no problem with that.

MR. CHAIRMAN: Perfect. With respect to the terms of reference, are there any other comments, questions, discussion - Nos. 1 through 10?

Hearing none, we'll tick that one and move on to No. 2 - the role of MLAs in the commission package. I believe this was raised on May 9<sup>th</sup> by Mr. Johns. There was obviously some discussion, as well, around the roles of MLAs and how we would communicate or be part of this process. One of the examples I think of is that there are members who have massive ridings geographically. Those members talk about things such as money for additional constituencies, space to hire additional staff.

I know in some ways it doesn't impact the boundaries, but this is about electoral fairness, and the Keefe report was about maximizing access and the effectiveness of MLAs. Part of those discussions would be, would we in any way put together an official interview process, function, where all MLAs - not just this committee - would go and talk to the commission directly, whether it be one on one or whether that be established through the caucus offices? Do we not do any of that or do we just show up at the public meetings and sort of share any information that way? Or do we just not have any formal reference to MLAs participating in this at all and the onus is on us to write in or go to the public meetings and be individuals, as opposed to doing it formally through the establishment of a formal framework with this committee?

Mr. Gordon Wilson.

MR. GORDON WILSON: I know during the Keefe committee that worked on the document we had to go through, I believe they did reach out to all MLAs. I know I sat down with them for an hour and a half to two hours to talk about the nuances of my riding, which was around effective representation. I don't believe we've ever had an Electoral Boundaries Commission go into that world.



I think there's some merit in having us - this review is a little bit different than just geographic boundaries. The conversation has expanded. The challenges - I have a bilingual clerk that assists me; hardly any other MLA needs to have that. Although that clerk - it's not in the job description, but if you're going to walk in my office in Clare, that's what you're going to look for.

These are important things in access to government, so I think it's a good conversation around how we do it. If it's anything, it should be one on one. I know that I presented a lot of my information for the Keefe report - that's in the report, what I feel was important. Whether others didn't get a chance to do it and should, this might be an opportunity.

MR. CHAIRMAN: Mr. Ince.

HON. TONY INCE: I agree with Mr. Wilson. However, if I may ask Mr. Johns maybe just to expand on that, to help me understand what he really meant when he raised that concern.

MR. CHAIRMAN: Mr. Johns, did you want to address that?

MR. JOHNS: As I was saying, I think each individual constituency across the province has different challenges, whether it be language challenges, geographic challenges, community-based, communities-of-interest challenges. I find that sometimes by actually asking and speaking with the MLAs, you're able to get a better opinion. The MLAs understand their areas, understand some of the challenges that are there, and although I don't think that the commission would be bound in any way to follow any recommendations, I think in order to make an informed decision, it would be worthwhile to talk to all MLAs.

I think if you have two MLAs of similar or different Parties, but their constituencies align each other - you may see challenges or Minister Ince may see challenges that I don't and vice versa, or make some recommendations. At least the committee would have - by not interviewing a select few, but by talking to anybody who wants to come forward, I think they would be able to make a better recommendation. That's why I think there are merits in having a discussion with MLAs.

MR. CHAIRMAN: Thank you, and I appreciate that. I'm going to go to Mr. d'Entremont, then Mr. Jessome but just for my own input into this one - Darlene and the committee put together a Role of a Member of the Legislative Assembly: representing constituents, scrutinizing government spending, exercising oversight, et cetera. This is what we do on paper; this doesn't explain what we do. (Interruptions) Everybody's different.

The line for me and that toggling point is, do we carve out a way for MLAs to have one-on-one conversations? How does that look from the public that we're sort of protecting our own backyards, or do we just stay out of it and sort of use an informal process of email the commission and say, look, I'm an MLA? You have to be careful explaining how difficult our job is - it sometimes draws the ire of the public. The whole purpose of this committee was to stay away from that stuff and not have it look like it's being directed or gerrymandered.

That's sort of my issue with it. I think there is a need for MLAs to have those discussions, but how you do it - I don't know if you can do it formally.

Mr. d'Entremont.

MR. D'ENTREMONT: I agree totally with you. We have to run that fine line between intervening in the process and not intervening in the process. I have no problem in providing them with the role of an MLA, and I don't mind if they call us up and say, could you come explain your constituency? I have no problem with that kind of stuff, but it shouldn't be for us to give the other part of it in saying, this community belongs over here and that community - we're getting into the gerrymandering idea of where the problem lies.

MR. CHAIRMAN: Right, agreed.

MR. D'ENTREMONT: But to provide this by virtue of discussing it here in this committee, it will be reviewed by the commission later on - they will look at what we had to say during our meeting. If they reach out and talk to some of us just to get an idea, I have no problem with that. But just to caution everybody: don't fall into the trap of trying to protect your community or sell off part of your community. It's not our role as MLAs to influence what that commission is actually going to suggest in the end. But it's good that they would know what the base job of an MLA is.

MR. CHAIRMAN: Exactly, for sure. Mr. Jessome.

MR. BEN JESSOME: From my perspective, I think it's more important to define what is effective representation and what is elector parity, rather than the role of an MLA, because quite frankly, it can change from one jurisdiction in the province to the next.

For my own clarity - I guess I'm referring back to the terms of reference. Do we have a definition around what effective representation and elector parity are? I think that might help frame it.

[12:00 noon]

MR. CHAIRMAN: They're addressed in the terms of reference in No. 1. There's a plethora of information about how they're described through the Keefe report and how we got to this point. Those things are prescribed to a certain extent.

But again, this is the value and the importance of the commission, to understand this. This is their job. Those pieces are fundamentally about this commission. That's what they're going to decide - parity and fairness and effective representation. By way of their process, that's where they'll get to be. This particular aspect is about what the MLA's role is. Again, it's not to say, move the boundary three miles, five kilometres - it's to say this is what we do, just so you understand. That's where geography, culture, and all those aspects come into play.

Mr. Johns.

MR. JOHNS: Just for the committee's clarification, by no means am I saying that any elected official should be using this process for political gerrymandering. When I look at some of the issues that came out of the last process and communities that felt they were not represented, I think in some ways MLAs do understand their communities.

I strongly feel that it should be and an all-or-nothing process. The reason I feel that way is because, like I said, there could be two constituencies that are adjacent to each other that have different representatives who feel significantly differently. By including reviewing all MLAs, we don't have to worry that a more aggressive MLA who continues to approach the committee gets heard when another MLA may not. I do feel strongly that it should be an all-or-nothing process. Everybody has equal opportunity to express pros, cons, and concerns around their constituency or not.

MR. CHAIRMAN: Ms. Metlege Diab.

MS. METLEGE DIAB: In my opinion, we're selecting commissioners to do the work that is required to be done to get us into the next boundaries. That commission will be tasked with a number of things, obviously.

One of them is to go around the different parts of the province. Each and every MLA is also a citizen of the province and a constituent of whatever riding they belong to. They are definitely entitled to attend as a citizen and give his or her input if they decide to do so, along with any other Nova Scotian. I believe that is really where it needs to land and where it needs to stay.

If at any point the commissioners feel they require a little bit more expertise or more information about any part of an area, they certainly have the Legislature to contact, the legislative office. They have the Speaker's Office. They have a number of outlets throughout government to contact.

If they decide to poll MLAs for whatever purpose, which I highly doubt would be required, by all means, we are there to assist if we are called upon. That is how I see our role here. I can't see us selecting commissioners who don't understand what our job is or that we are there to serve the public and what it is we do. If they need any more - you can certainly provide them and anyone else this particular role. I think they can come around and watch and see what we as political people do in our constituencies.

That's where I would leave it. I don't believe we need to have any frame of anything more than that.

MR. CHAIRMAN: Ms. Chender.

MS. CLAUDIA CHENDER: To that point, I tend to agree. I think the onus really should be on all of us and on all elected members to participate in the process. I will certainly do that. I did that with the Keefe commission, and I intend to do that with this commission, as I hope everyone else would.

I have another question, and I don't know if this is where it fits. I think I asked it last time. I still don't really have a picture of what the commission looks like. We pick the people, we select a Chair, and they come together. They get some version of this package and then what? What staff support do they have?

I mean we're talking about all these resources they have but I'd love to understand actually, if I'm a commissioner, what does that look like? Where do I go and who do I rely on and all those things? Now or later I'd love to understand that.

MR. CHAIRMAN: Would it be okay to put that at the end because that is a good discussion probably to close off.

Are you good on the role of the MLAs piece? Thank you.

Mr. d'Entremont, and then we'll wrap it up.

MR. D'ENTREMONT: This is only from experiences. I did not present in the first round in the last Boundaries Commission but I can assure you that I presented in the second round when things started to go south.

We'll have to make those decisions as citizens in our areas and we do have something different to offer to the commission when they come to our communities. I would say, go to the meetings as MLAs, go as citizens, and then you can make a decision on whether you present to them or not and they'll accept it one way or another.

MR. CHAIRMAN: Great. Mr. Johns.

MR. JOHNS: Mr. Chairman, I'm quite in agreement with speaking, I'm fine with that, and I don't know if it's appropriate to move or not, but what I would move is that then MLAs have no private, one-on-one meetings with the commission and that they follow the same public process as any other citizen would to communicate with the commission.

MR. CHAIRMAN: I think maybe this is the consensus part of that as well. What I read is that we would let the commission decide that, so if they called Brad Johns to have a conversation, I don't think you would say no. If there's a particular reason why they want to talk to one MLA versus the other, I would suspect that if these commission members were going to decide they were going to talk to MLAs, I would think they would put the invitation out to all of us. I don't think they would pick and choose to talk to Sackville-Cobequid and not the riding next door.

I just think that again, I don't know how we mandate any of this without it getting murky.

MR. JOHNS: All right, thank you.

MR. CHAIRMAN: Gordon Wilson, then that's it.

MR. GORDON WILSON: Just to add to maybe Brad's concerns there, I have a feeling that in the event that maybe that might happen, that would probably all be documented, too, so it wouldn't be a secret meeting or anything like that.

MR. CHAIRMAN: It's all part of the public record.

MR. GORDON WILSON: I'm sure it would be, yes, but I understand his concerns.

MR. CHAIRMAN: With that, I think we're ready for a decision. We're going to keep any formal processes vis-à-vis MLAs' interactions and involvements out of this and it's going to be informal, moving forward, and then under the discretion of the commission. Excellent.

No. 3, timeline for completion of interim and final reports for the commission. I think we've done that through the terms of reference, so perfect, handled.

Report writer, timeline for the select committee to table its report. Any background maybe, Mr. d'Entremont, Mr. David Wilson, about how that all works out? Does that happen at the end of our last meeting or shortly thereafter? Do you remember that? I mean essentially it will be done sort of in the lead-up to, we only have a few more meetings, correct? Then where is that tabled? The same thing? Legislative Counsel? Where is this?

MR. CHARLTON: I believe the legislation is silent on that. It actually doesn't talk about the select committee. I think you would probably table it in the Legislature for the sitting or, since it's not, file it at the Clerk's Office. I'm seeing a nod from the Assistant Clerk in the audience, so I think that answer is as good as anything else.

MR. CHAIRMAN: Very strong direction, James.

MR. CHARLTON: Once something is tabled in the Legislature or filed with the Clerk's Office, as Mr. d'Entremont said, it becomes a public document. I think that would be the appropriate way to deal with the committee's report.

MR. CHAIRMAN: Okay. Would we establish a timeline - just throwing it out there - 14 days after our final meeting, in terms of it being finalized, or do we just wait until it's done and that's it? Any anecdotes from the last time, or no?

MS. MARGARET MACQUARRIE: I could suggest some.

MR. CHAIRMAN: Sure, Margaret.

MS. MACQUARRIE: Fourteen days after sounds perfect. Really once I get the last of the information together, I just do the report as quickly as possible, preferably, in my world. The end of June would be lovely for me.

MR. CHAIRMAN: Are you comfortable that 14 days gives you enough time? Is 21 better? Do you want to keep it at 14?

MS. MACQUARRIE: I may be missing something, but this doesn't strike me as being overly complicated. I'm going to be given the information, and I'm going to present the information back to you. There's not any extra research that I need to do, so 14 days is lovely.

MR. CHAIRMAN: Perfect, 14 days. Mr. d'Entremont.

MR. D'ENTREMONT: I'm going to add a bit of a road bump on that one, just to make sure, the question on whether it's translated in French or not. It would be translated, so does that give you enough time for the translation to happen as well?

MS. MACQUARRIE: No, that won't give enough time for translation. That would give enough time for me to give you the report in English. I can't speak to translation. CNS can tell you that timeline.

MR. CHAIRMAN: We won't be tabling the report until it's translated. How do we frame that up? Submit it for translation within 14 days?

Mr. d'Entremont.

MR. D'ENTREMONT: I can say for the people I talk to in the community that it's frustrating that we have the English version show up, and then 14 days later, to see the French one show up. That was the challenge with the effective representation committee. The English version came out, and then we had to wait and wait for the French one to show up. If they could be done together, it would be the best opportunity here. Release them together.

The 14 days doesn't give her enough time to get it translated, so what's the realistic timeline? Margaret, you may have to talk to the translation people just to get an idea. I know they're pretty darn good there.

MR. CHAIRMAN: If we said 45 days, maximum, would that cover it?

MR. D'ENTREMONT: It seems a bit long.

MR. CHAIRMAN: But the final report doesn't trigger anything, so there isn't an abbreviated timeline, correct?

MR. D'ENTREMONT: Right.

MR. CHAIRMAN: It was 30 days for translation.

MR. D'ENTREMONT: I would say 30 days, total.

MR. CHAIRMAN: Thirty days after our final meeting, including translation, released together, both versions.

Ms. Metlege Diab.

MS. METLEGE DIAB: Not to be whatever, but I now know a little bit more on that because I am in Acadian Affairs and Francophonie, and we do have a number of excellent translators. However, it really depends on the length of it - how many words it is. We do have in-house in the province, but depending on vacations and so on, you may have to go externally. Do you see what I'm saying? I don't know how long the report is supposed to be, and translation is, quite frankly, based on length.

I'm not trying to give you a time frame because I quite sincerely don't know. Perhaps Ms. MacQuarrie can ask that and then bring it back to us next week so then we can get an idea. You will know how long the report is going to be by then.

MR. CHAIRMAN: I don't think we have to go and come back. We can decide this now. I think, based on what Margaret just said about 14 days being ample time, we must be able to figure out how long a translation would take as a general sort of range. I think we can do that relatively quickly. Mr. d'Entremont.

MR. D'ENTREMONT: Knowing how translators work and knowing what this report actually looks like - this is a 10-page document with not a whole lot of words. It's not very complicated either. If it takes a translator more than a day, I would be very surprised. If we give that person a couple of weeks, total, that's more than enough time to get this complete. I have full confidence that it can be done in that amount of time.

MR. CHAIRMAN: Do we want to go with 30 days?

MR. D'ENTREMONT: Let's do 30 days.

MR. CHAIRMAN: Thirty days it is from the day of our final meeting. Excellent.

No. 5 is the select committee's proposed budget, review of the budget to be approved by the House of Assembly Management Commission. You have a copy of this. It's the abbreviated version, obviously. The total is \$17,000: the one-page fact sheet, \$5,000; staff writer, \$8,000; and other, \$4,000.

I don't know who would be best - Darlene, if it would be you - to speak about some of the details inside that; for example, extra payments for per diems, kilometres, copying. I don't know if we'll come anywhere near that. Then there may be some questions on each line item.

MRS. DARLENE HENRY (Legislative Committee Clerk): Basically, the \$5,000 is just for exactly that: the translation cost, printing - everybody is going to get a copy of it - and design if there is one. The staff writer needs to get paid. I don't know how much. She's going to put in an estimate. That's a relatively middle-of-the-road figure. Other is basically any per diems that are being passed back to this committee, and when you do your in camera, whether you have catering and this, that, and the next thing - it's just basically office stuff that may come into effect, and chances are you'll probably spend less than that.

[12:15 p.m.]

MR. CHAIRMAN: Is this based on historical line items for this process, do you know? Or is it just kind of what we have currently, as estimates?

MRS. HENRY: It's just estimates right now, yes.



MR. CHAIRMAN: Ms. Metlege Diab.

MS. METLEGE DIAB: Could you explain what this one-page fact sheet is that you're talking about?

MRS. HENRY: The fact sheet that was sent out to you in both French and English.

MS. METLEGE DIAB: We won't need that past another week so I don't think we need any - it has already been completed and translated. We don't need anything to be designed or printed so I'm really confused. I don't know who prepared this, so it's really confusing.

MR. CHAIRMAN: It's part of the budget, so even though we're done with it, it's still part of the expense. Now I can't break down the \$5,000, I don't know how that - what the actuals were. When do we get the actuals?

MRS. HENRY: When the bills come in.

MR. CHAIRMAN: That's it, okay.

MRS. HENRY: This is a guess.

MR. CHAIRMAN: Mr. d'Entremont.

MR. D'ENTREMONT: I mean this is a good guess. I printed the one-pager a few times in my office, so I'll send you the bill for that when I get a chance. (Laughter)

I hate to say this but I'm going to say it, it's not necessarily real money, we're just transferring from one cost centre to another cost centre. In the end, there will be an actual, it will be attached to it. Let's just give them enough room. If it's \$17,000 or \$15,000 - whatever - let's just pick a number and give them the authority for that and then tell them to be cheap on these things.

MR. CHAIRMAN: Agreed, I'm okay with that, that's fine. Anyone else? Good, so we're happy with the budget as proposed.

No. 6, vetting process for commission applicants. Obviously, this is leading into our all-important meeting coming up on the 13<sup>th</sup>. Names are to be forwarded to the Committees Office, and compiled and sent to each member for the June 13<sup>th</sup> meeting. I think I'll work with Darlene on that one to make sure we've got everybody compiled and then sent around to our respective caucuses, so we're all looking at the same lists.

I think this is just one where we throw it out in terms of a discussion, just around how exactly we're going to do this. I know it's going to be in camera and we'll probably go through the lists one at a time, but in leading up we will have the lists and some of the background on these individuals.

Do we want to have a mechanism whereby we would ask questions to each other in terms of, you know there's a name on a list, someone wants to ask about an NDP suggestion, wants to ask a Liberal about this person, a Progressive Conservative, et cetera, just in terms of sharing the information? Do we want to have that or do we just want to sort of keep it in the vault until that day where we have the discussion? I'm just throwing it out there. Any comments? Any directive on that one?

Mr. d'Entremont.

MR. D'ENTREMONT: I think we should have an opportunity to vet all the names actually, do our due diligence on some of these things. I just don't know what mechanism we can use to get that information ahead of time.

I can take the names and give them to Darlene but how we share them - we want to be able to keep these names as confidential as possible. Just the confidentiality of it is important too. I just want to make sure we play the right positions on this.

MR. CHAIRMAN: Is it an option for us to do paper copies, one package per caucus? It's only paper, it's not electronic and only our members can have access to those documents and they are warehoused in your caucus, one copy each, is that reasonable?

Ms. Metlege Diab.

MS. METLEGE DIAB: For me, I guess confidentiality would be a prime priority and concern, people who are submitting their names are doing so in confidence, so I like the idea of paper copies.

The question I would have is that you're suggesting caucuses so that means staff, that means all MLAs, or is it simply - the MLAs, it is my understanding that's those who are on this select committee because you're going to a broader number of people.

Now I can, if I need to, if I need to talk to someone based on it, but I wouldn't think it would be a good idea to give those documents to a wider audience than the people on the select committee.

MR. CHAIRMAN: Right. The only reason I threw out that suggestion was because of the paper copy aspect of it and it not being electronic. Here's another one, just the House Leaders - there's three copies and we just get them. If you want to see these things you come to me, and respectively the other two caucuses.

MS. METLEGE DIAB: I would like that, yes.

MR. CHAIRMAN: We're entirely responsible for protection of that privacy, which probably frightens a lot of people. (Laughter)

Mr. Jessome.

MR. JESSOME: I just wanted to clarify what the difference between this process would be and what the ABC process would be. We're still responsible to keep these resumés confidential at that committee level and you're talking about prudence and, quite frankly, a timeline here so it's important that you guys get to see those resumés. I would propose that everybody comes with their own ranking of the resumés in hand so that then you can have a discussion.

I guess I don't understand the relevance or importance of a paper copy versus the practice that is already in place, for example, with the Human Resources Committee, with respect to agencies, boards and commissions.

MR. CHAIRMAN: I'll say this - and members can feel free to jump in - I'm not familiar with the ABC process. The discussion here is, how are we going to share this among our respective caucuses? Electronically, to have Darlene circulate resumés through me, and have them in the ether from the constituency accounts and MLA accounts, et cetera - that's the concern.

If there's some other secure way to do this, other than the most current suggestion of one copy to each House Leader, then by all means, I'm not committed to any one method or the other.

Ms. Chender.

MS. CHENDER: Further to the HR, basically the way it works - from my understanding as a member of that committee - is the clerks have the ABC package and it's password protected on the government site. The MLAs on the committee are notified that it's there, and they can access it with their individual password. That's it, that's another option. Now that might be cumbersome, given the time, so I'm fine with a paper copy. But I think that could work too.

MR. CHAIRMAN: Before this discussion, I just assumed that there was a secure way to do this electronically. I didn't think this was running through Hotmail, you know what I mean? (Laughter) For me, in the absence of that, a paper copy is the only thing I can think of. I don't do the ABCs, I don't know the HR Committee and how those things function, so I wouldn't know that specifically.

Mr. Gordon Wilson.

MR. GORDON WILSON: Yes, paper is great. The only thing I'd say is timelines - let's get them sooner than later. If we're going to be meeting next week at this time, I would rather have them by the weekend. That would be nice, if it's possible.

MR. CHAIRMAN: Mr. Ince.

MR. INCE: I agree with Mr. Wilson and I raise that point only because I'd like to look at those. I won't be at the next meeting, by the way, because I am out of province on some business. To be able to get my eyes on it before I designate a designate would be great.

MR. CHAIRMAN: Okay, that sounds good.

Mr. Jessome.

MR. JESSOME: Just quickly, respectfully, and it goes for any member outside of Halifax - if you want them by the weekend, are you going to wait around until the weekend, until the resumés come in? How are you going to get - eventually there's an electronic copy coming down the road anyway.

MR. D'ENTREMONT: We'll figure it out.

MR. CHAIRMAN: Okay, before we get too far into the weeds on these things, we have to decide as a group, are we going with the electronic option or are we going with the paper copies?

MR. INCE: I like the paper copy idea.

MR. CHAIRMAN: I'm hearing paper copies.

Mr. David Wilson.

MR. DAVID WILSON: The only thing would be how long it would be to be able to set up the similar site as HR. I belong to HR, it works well, but can we do that by Friday? I doubt it. That's why I'm leaning towards getting a paper copy. Looking at the committee, I believe there's only one right now, maybe two from outside HRM - pretty far out. If they're okay with it, let's do the paper by Friday and then Minister Ince can hopefully have a view of that before he goes away. It's probably the quickest way to do it if we're meeting next Wednesday.

MR. CHAIRMAN: Is that in any way possible to do the electronic format? I have no idea.

David McDonald.

MR. DAVID MCDONALD: I was just talking to Nicole about that. The HR Committee database was set up about nine years ago by CSE Resources. We don't even have the code for that, so I don't know how quickly we could actually set something up. I think given the fact that our chief Internet guru is away on leave this week, it's not going to happen for next week.

MR. CHAIRMAN: Fair enough. Deborah Lusby wants to chime in.

MS. DEBORAH LUSBY: I just have a suggestion. Why don't each of you provide the secure email that goes directly to you - not to your constituency office or your minister's office - to Darlene, and then she could email the documents to your secure email.

MR. CHAIRMAN: I'm missing something here. This was an easy one for me because I thought that's exactly what we would do. There must be a way, but I don't know whether we can do that, or why wasn't that the idea from the beginning? I don't know. Again - versus this function around the HR Committee.

David.

MR. MCDONALD: There is another option. There is the government secure email platform. They call it MOVEit. Everybody would have to subscribe to that particular service, and then committees would just send it to everybody on the committee, and they would get it securely using that particular software.

MS. CHENDER: Not to state the obvious, but we all have phones. This is what drives me crazy about paper. Like, you give me a piece of paper, I take a picture of it, I could send it to whoever I want. Given Mr. Jessome's point about MLAs who live further than I do from this building, my suggestion would be to follow what Ms. Lusby has suggested, which is that we each indicate our preferred personal email that only we see and we circulate by email - because honestly it doesn't make a difference, even if we circulate by paper.

MR. CHAIRMAN: For sure, I'm okay with that, but I think the idea is we're not circulating anything. It's one copy each and it stays in one place.

MS. CHENDER: I mean, circulating from the council to us. I'm not saying we circulate beyond. We get it by email, to clarify. We will see it.

MR. CHAIRMAN: See what - the list?

MS. CHENDER: Yes.

MR. CHAIRMAN: I think the idea for the paper was David would get one stack, and that's what you get to see. Again, I know that this is what you're proposing, but no one is going to take a picture of it when you're looking at this list. Anyway, I'll digress from that point.

Mr. Gordon Wilson.

MR. GORDON WILSON: I think we've agreed on one thing, that the three Leaders will get the originals. I think the problem is, how do those three Leaders get that to us? I would simply leave it up to those three Leaders. We send a lot of confidential information around almost every day, whether Geoff scans it and sends it to me . . .

MR. CHAIRMAN: How dare you? Why are you tying me into this? (Laughter)

MR. GORDON WILSON: I would suggest that it would be as simple as that, and I think Claudia's point - you can do it with a picture. I think we're okay doing it that way.

MR. CHAIRMAN: Okay, we'll have that discussion then.

MR. GORDON WILSON: We'll leave it up to each Leader.

MR. CHAIRMAN: If everyone is okay with that, that's fair. We'll land on a good place.

Around the vetting process, we're going to come into the room and just kind of go at it - go down the list. Is that going to be the plan? This is uncharted water for me, so I don't know. I have never been part of this specific function of vetting resumé's and picking as a group.

Any other comments around that? Ms. Chender.

[12:30 p.m.]

MS. CHENDER: This is not a suggestion, but a comment. One thing that we did discuss last time was whether we want to have designated Acadian and African Nova Scotian representatives or whether we want to just consider all the names equally. I'm open to either, but I think we should clarify. (Interruptions) Right. Do we want to consider those names in a separate way?

MR. CHAIRMAN: I'd say that's probably for an in camera discussion, I would think. We'll land in the same place there as well.

Anything else on the vetting process?

Moving on, I want to come back to Ms. Chender about her question. I think this is a good one to propose to the table, particularly those who have been there before, about what exactly a commissioner does. Ms. Chender.

MS. CHENDER: I don't think this necessarily needs to be answered today, but before we select the commission. If our role here as the select committee is to constitute this commission, then I want to understand what resources that commission has and how it functions. I don't think we have discussed that. One question that we did come to but didn't answer, I don't think, is whether members of the commission would receive a stipend, whether they would receive a per diem, what kind of staff support they would have, and where and how often they would meet. If they are going across the province, which it sounds like they will, how will that be arranged? Presumably, they'll decide where to go, but are there maximum or minimum places?

MR. CHAIRMAN: I have spoken to Nicole many times about this, and Darlene as well. Nicole can jump in if she wishes, and Ms. Lusby can as well.

At least the last time, and I think these two individuals would have a feel for this as well, it was done through consultation. I think the commission framed up a lot of their own parameters, and even on the remuneration, they did that themselves. Then it had to be approved, though. It was the Treasury Board, the Speaker's Office, I'm sure, and the House of Assembly Management Commission was part of that. There are a number of stage-gated parts of the process before they get to the final budget.

Deborah, you can go ahead.

MS. LUSBY: In 2012, the Treasury Board managed the process, did the administration for the Electoral Boundaries Commission. There was a project manager and administrator assigned through the government to assist in providing resources. In 2001, the Chair of the commission selected their own administrator. I believe the Chair was from Saint Mary's and had secretarial and administrative support from Saint Mary's, and all their meetings - or a lot of them - were at Saint Mary's as well.

This time around, our Speaker's Administration office is going to provide the administrative and support services that the commission decides that they need. Once the commission is set, we will go and meet with them and tell them what has been done in the past. Maybe the Chair has a preferred support that they want to use for the commission. They might have a preferred site that they want to use, although we are looking for an office - I have asked TIR to look for an office for them.

We do know that they need a strong administrator and someone who is connected to government resources. We would be proposing that and have a few ideas. We'll talk to the commission and see what they want. We will be here to provide that advice and support to them.

MR. CHAIRMAN: Nicole.

MS. NICOLE ARSENAULT: To address the question about remuneration, in 1991 and 2001, the committee members, in one of their in camera discussions, discussed possible remuneration. Then that was forwarded on to the House of Assembly Management Commission for review and approval.

However, as Deb mentioned, last time, it was through Elections Nova Scotia. It was actually the Chair, the Vice-Chair, and the program manager who came up with their stipend or remuneration scheme, and that was approved directly by the Treasury Board.

I guess that will be an in camera discussion for this committee, whether they would choose to put amounts forward or if they want to leave that to the commission. That would be a discussion that could be held.

I have prepared, if the committee wishes, a table of what was done with the previous commissioners, as well as what has been done across Canada. I can circulate that to the committee members if they wish.

MR. CHAIRMAN: Ms. Chender.

MS. CHENDER: I don't have a strong thought about whether it's us or the commission. I wasn't aware that's how it had worked in the past, that the commission determined that themselves, so if other people have a thought. All I would say is, because I know there is always skepticism about remuneration of anyone for anything, I do think, as we discussed the last time at some length, it's important that we have diversity on this commission. In the past, we have relied on retired emeritus types to take on these jobs who can afford to do that. I'm hopeful that we'll have more diverse representation, as it might be that not everyone is able to afford to take the time required to do this.

When I suggest a stipend or remuneration, that's the spirit in which I'm suggesting it, just to ensure that everyone we put forward and think should participate is actually able to participate. As to when that's determined, by us or by them, I don't have a strong thought.

MR. CHAIRMAN: Great, fair enough. Mr. Jessome.



MR. JESSOME: Is that information going to be shared electronically or a paper copy? (Laughter)

MR. CHAIRMAN: Is there anything else - final thoughts, comments? I think we've covered everything.

Mr. d'Entremont.

MR. D'ENTREMONT: There was an article in *The Chronicle Herald* today written by Roy O'Donnell, who is a member of the Shelburne community, that is taking us to task for not having public consultations. I agree with our direction, but I don't want the public to believe that we don't want to consult because we have consulted a lot over the last number of months on this issue. I think we're clear in providing the commission with an open set of terms of reference so that they can do what they feel and the community provides them, without the intervention of MLAs on this one.

I just wanted to say that. I understand that it's our duty to consult, but I just wanted to get on the record that we have consulted a lot on this issue over the last year, if not last four years. I think we're going in the right direction on providing that broad mandate to the commission to do its work. I just wanted to get that on there because there is a comment in the paper today.

MR. CHAIRMAN: I appreciate that, and I will certainly second your comments and your direction on that. I think the consultation for our particular process here was really teed up by the Keefe report.

We just went through a process of legislation, for the first time in this province, that really cements the references for the commission. Quite frankly, I think that the time for MLAs, politicians, to be part of this is over. Now we're going to do our job and select the right commission, and then it's out of our hands.

The consultation, from my perspective, has been done and is complete. We're at the best possible place we could be at this point. I'm proud of us and happy with where we are. We have worked together and we'll continue to do so. Thank you, Mr. d'Entremont.

Is there anything else? That's it. I move the meeting (Interruptions) Oh, the time - I thought there was a standard time: 1:00 p.m. to 3:00 p.m. on June 13<sup>th</sup>.

MS. METLEGE DIAB: Can we do 1:30 p.m. to 3:30 p.m.? Are you okay with that? I'm serious, by the way. Can we do 1:30 p.m. to 3:30 p.m.?

MR. CHAIRMAN: Is everyone okay with 1:30 p.m. to 3:30 p.m.? (Interruptions) That's a good question as well - again, uncharted for me. Is two hours enough time?

MR. D'ENTREMONT: It should be, but you might want to put another hour on there, just to make sure.

MR. CHAIRMAN: Let's identify it for 1:30 p.m. to 4:30 p.m. Is that okay with everyone?

MR. JOHNS: We're here today until 1:30 p.m., and I don't think we're going to be here until 1:30 p.m. I think we're better to book it and have appropriate time. I would rather that.

MR. CHAIRMAN: Ms. Chender, you're not looking too happy with the schedule.

MS. CHENDER: If we have to do it 1:30 p.m. to 4:30 p.m., that's fine. I have to be in my constituency at 4:00 p.m., so I would prefer 1:00 p.m. to 4:00 p.m., but if we have to book it 1:00 p.m. to 4:30 p.m. and I have to take off early, that's fine.

MS. METLEGE DIAB: If we don't finish in two to two and a half hours, then we're obviously going to have to come back.

MR. CHAIRMAN: It's not the overall time - it's the start point for Ms. Chender, that's the issue. Mr. Johns.

MR. JOHNS: Is there a reason that we're starting at 1:00 p.m. and not at 11:00 a.m. or 11:30 a.m.?

MS. METLEGE DIAB: We've made commitments, other places beforehand - that's why.

MR. CHAIRMAN: We're way far gone here with scheduling for individuals. We're going to go 1:00 p.m. to 4:30 p.m. on June 13<sup>th</sup>, so adjust yourselves accordingly. Do your best.

The meeting is adjourned.

[The committee adjourned at 12:41 p.m.]