

HANSARD

NOVA SCOTIA HOUSE OF ASSEMBLY

HOUSE OF ASSEMBLY MANAGEMENT COMMISSION

Thursday, January 21, 2016

Legislative Committees Office

Printed and Published by Nova Scotia Hansard Reporting Services

**HOUSE OF ASSEMBLY
MANAGEMENT COMMISSION**

Hon. Kevin Murphy (Chairman)
Hon. Michel Samson
Hon. Labi Kousoulis
Mr. Iain Rankin
Hon. Christopher d'Entremont
Mr. Larry Harrison
Hon. David Wilson
Mr. Neil Ferguson, Chief Clerk of the House of Assembly
(Non-Voting Member)

In Attendance:

Speaker's Office Adviser
Ms. Deborah Lusby
Director of Administration
Office of the Speaker

Ms. Annette Boucher
Assistant Clerk
House of Assembly

Mr. Gordon Hebb
Chief Legislative Counsel



House of Assembly
Nova Scotia

HALIFAX, THURSDAY, JANUARY 21, 2016

HOUSE OF ASSEMBLY MANAGEMENT COMMISSION

3:15 P.M.

CHAIRMAN
Hon. Kevin Murphy

MR. CHAIRMAN: We'll proceed with the regular agenda for the House of Assembly Management Commission for January 21, 2016. We have done the roll call, it's previously recorded so I don't think we need to do that again. Everybody received the materials in advance and has had an opportunity to review them. So moving on to regular business, No. 1 is approval of the minutes from the September 10, 2015, meeting. Mr. Ferguson.

MR. NEIL FERGUSON: Mr. Chairman, the draft minutes were circulated. I've reviewed them and have found no errors, but maybe one of the members has found something. Otherwise, it would be in order to entertain a motion to approve those minutes.

MR. CHAIRMAN: Are there any questions, comments, changes, or errors to the minutes? Can we have a motion to accept the minutes, as circulated? Mr. Wilson, seconded by Mr. d'Entremont.

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

The motion is carried.

No. 2 is the House of Assembly Management Commission Annual Report for 2015, as circulated. Chief Clerk Ferguson.

MR. FERGUSON: Mr. Chairman, the draft annual report prepared by Ms. Boucher has been circulated. It comprises a summary of all the various activities, more or less a summary of the minutes that have been issued by the commission through the year. It's in the same form as all the previous annual reports of the House of Assembly Management Commission, and again has been circulated, so it would be in order to entertain a motion to adopt it as the commission's annual report for 2015.

MR. CHAIRMAN: Are there any questions or comments on the annual report, as submitted? Okay, barring questions or comments on the annual report as submitted, can we have a motion to accept the report? Mr. d'Entremont with the motion and seconded by Mr. Rankin.

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

The motion is carried.

No. 3 is the House of Assembly Management Commission Audit Committee Annual Report for 2015, as circulated. Chief Clerk Ferguson.

MR. FERGUSON: At the risk of sounding like a broken record, Mr. Chairman, this material was circulated to all the members. It is the report from the Audit Committee and summarizes its activities for the past year. Having reviewed it, I saw no errors with it, so it would be in order to entertain a motion to accept the Audit Committee Annual Report for 2015.

MR. CHAIRMAN: Do we have any questions or concerns on the report of the Audit Committee, as submitted?

Barring questions or comments, a motion by Mr. d'Entremont to accept it, seconded by Mr. Wilson.

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

The motion is carried.

No. 4 is the 2014-15 Auditor General Audit update. Chief Clerk Ferguson - oh, over to Deborah Lusby.

MS. DEBORAH LUSBY: Okay, so the Auditor General's Office completed their 2014-15 audit and sent two letters on November 6, 2015. One reported the internal controls are operating effectively and the second reported the expenditures are in compliance with the commission regulations so this is good news. There are copies of those letters in the annual report for the commission.

In addition, there was a letter sent to the Chair of the House of Assembly Audit Committee, Lauchie McKenzie, with two recommendations. One related to the inside members providing more details when staying overnight in the city, and the second suggested the regulations regarding the cost for a hotel be consistent throughout the regulations. Both of these recommendations are coming forward later in this meeting.

In addition, a letter was sent to management noting minor findings during their audit and more details on those points are available in the HAMC Annual Report and the Audit Committee Annual Report, both tabled here today.

In summary, the audit results were positive and we thank the Auditor General's Office for the professionalism and support and value their contribution to our operations.

MR. CHAIRMAN: Any questions on the Auditor General's audit update?

Barring any questions, can we have a motion to accept the audit update? Moved by Mr. Kousoulis, seconded by Mr. d'Entremont.

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

The motion is carried.

Item No. 5 on our agenda is the second and third quarter financials for the fiscal year 2015-16. Ms. Lusby.

MS. LUSBY: So that's the long, detailed report, 8.5" by 14" that's in your handout. This is familiar to you by now because it's distributed every quarter. The far column shows the percentage spent for each of the divisions within our area and needed to be under 75 per cent.

There's only a couple of areas that are of concern. One is Hansard which is showing over but they had a conference this summer and are still waiting for recoveries from the international organization. That should be settled before the end of the year. Also, Legislative TV is a little bit over. Those we expect to be a little bit over anyway by the end of the year, due to the extended hours of the House in the Fall sitting, but it will be managed within the big Legislative Services envelope.

MR. CHAIRMAN: Any questions on the report or the update? No more questions. We don't require a motion on this so I thank Ms. Lusby for the update and the great work of her and her team.

Moving on to Item No. 6, suggested changes to the House of Assembly Management Commission Regulations. Assistant Clerk Boucher.

MS. ANNETTE BOUCHER: Mr. Chairman, we've circulated a sheet with three

blocks of proposed changes to the regulations. I'll go through each of them, they can be voted together or separately, as wished.

Number one is a change to the Management Commission regulation that deals with the tabling of the report annually for the non-outside members who stay in the hotels while the House is sitting. The only change here is that in the past the regulation, as it now reads, says that the members are to table in the House the report but only members of the Executive can do that. The change here is that for these members while the House is sitting, the report would be tabled through the Speaker, which is effectively what occurred this year because they couldn't do it themselves. That's a minor change to Section 28(2) of the regulations.

The second, third, fourth and fifth regulation changes are to sections of the regulations that . . .

MR. CHAIRMAN: Pardon my interruption, Assistant Clerk Boucher. Mr. Samson would like to comment.

MS. BOUCHER: Oh, I'm sorry.

HON. MICHEL SAMSON: Mr. Chairman, maybe you'd like to confirm but this is the first time I'm seeing these changes. Were these circulated previously?

MS. LUSBY: I didn't circulate them. Annette usually distributes them around the meeting.

MR. SAMSON: Based on that, Mr. Chairman, I would move that these be deferred to another meeting since we have not had an opportunity to discuss this with our colleagues in caucus and this is the first time we're seeing these changes. So unless there's any opposition, I would just move that we have an opportunity to discuss this with our colleagues and deal with it at our next meeting.

MR. CHAIRMAN: That's these ones here? Are there extensive changes, or would a simple explanation here . . .

MS. BOUCHER: If the committee members wish an explanation, I can go through them, although if they're deferred to a next meeting, it might be helpful to have an explanation today. If not, that's fine. I offer that to the committee.

MR. CHAIRMAN: Mr. d'Entremont.

MR. D'ENTREMONT: Let's have the explanation now and then decide what we do. We don't have to vote on it. We can bring it back to our caucuses after she makes the explanation.

MR. CHAIRMAN: Okay, please proceed, Assistant Clerk Boucher.

MS. BOUCHER: The first change is the change for number one. It's having the Speaker table the report.

Changes to numbers two, three, four, and five are changes to sections of the regulations that deal with inconsistencies regarding overnight stays in hotels for members. The Auditor General picked this out when they went through the audit, that in different places there were different amounts marked. There was \$153 in one area, and in another regulation, it was a rate not exceeding the government rate for the establishment where a member stayed. The recommendation is that all of these be changed to say the same thing and that same thing be reimbursement for the hotel stays at a rate not exceeding the government rate for that hotel where the member stayed. So that is two, three, four, and five.

Number six is a change to the regulation with regard to annual open houses that members hold in their constituency offices or in their constituencies. There was a resolution of the House of Assembly Management Commission, reproduced in the annotated rules, that indicates it's one open house per year, and that the amount of that open house is not to exceed 10 per cent of the monthly budget for the constituency office and that that exclude advertising costs. This change would be that MLAs can have up to four open houses as long as the amount would be the same amount. It would allow the flexibility to have up to four open houses in a year for the same amount because some of the members had indicated that that would be more useful to them.

Mr. Chairman, that is the gist of the amendments to the regulations that you have there.

MR. CHAIRMAN: It certainly seems that the first five items are general housekeeping administrative items, and the sixth one is an item that perhaps would go back for discussion. Mr. Samson.

MR. SAMSON: Again, with all due respect, Mr. Chairman, I would recommend that we have the opportunity to review these changes with all of our caucus colleagues prior to making any decisions today.

MR. CHAIRMAN: Okay. We'll table these potential changes and deal with them at the next committee meeting.

Our next item is No. 7, frequency and scheduling of House of Assembly Management Commission meetings. This is an item that was deferred for discussion from our last meeting, in September. Mr. d'Entremont.

MR. D'ENTREMONT: We still have the motion that was deferred from our last meeting. Just to remind everybody of it, it's in our minutes: I move that the House of

Assembly Management Commission fulfill its legislative responsibility for oversight of the financial stewardship of the public money used for the operation of the Assembly and its legislative responsibility to meet at least quarterly by scheduling meetings in January, in March, in September, and in December.

I still think that's valid today. We should have had a meeting in December. We would have had a good discussion about what we had today, and then we would have another one coming up before the new budget would come in, so we would be able to finalize those kinds of things before the end of the year.

I think it would benefit all of us if we knew a couple of months ahead what that date is so we could make our adjustments and the minister's staff can make their adjustments to make sure that they're available for HAMC meetings. I still believe this is a valid request.

I know this was deferred so Minister Samson could look at that. I'm just wondering what the debate could be on this one at this date.

MR. CHAIRMAN: Mr. Samson.

MR. SAMSON: We have had some discussions, as you know, and I believe this committee has functioned well in that when there has been businesses, we have called a meeting. Also, I think what has worked well on this committee is that there has been a great effort to ensure members were available. We've had to be flexible at moving around meetings and dates and times to try to accommodate specific members of the committee, which is something that's not necessarily done with any other committee.

So to move to a rigid process is not in the best interests of the co-operation we've seen to date on this committee, I think. There are costs involved in having meetings when there is no business. Therefore, I believe the system that is working right now, where the Speaker is able to consult with all the members regarding the agenda, regarding any business that may have to take place, is working in the best interests of Nova Scotians, I believe.

As such, we would not be supporting a motion to established, fixed, regular meetings of this committee.

MR. CHAIRMAN: Mr. Wilson.

HON. DAVID WILSON: I know I'm relatively new to this committee, it's only my second meeting, but I do see the benefit in at least agreeing to have the quarterly meetings, as put in the motion. We could still be flexible, as the Government House Leader indicated. We appreciate, I think, the importance of having all members here.

I would support having some set dates - it could be flexible within the month and the day. I would support the motion.

MR. CHAIRMAN: Is there any other discussion? Chief Clerk Ferguson.

MR. FERGUSON: I just wanted to point out that the months that are suggested are not exactly what we would call quarterly. We're going between January and March where we have only a one-month interval, and then there's about six months until the next suggested month so that's quite a gap - I'm just pointing that out.

While obviously the Audit Committee has recommended this, and we have to give great respect to them, I don't know if the committee members are familiar with a very well-known corporate training video by John Cleese, called Meetings, Bloody Meetings. One of the things that he recommends against is pinning yourself to fixed meetings if you don't necessarily have any material to deal with.

We do know that we have the quarterly financials to look at for each quarter, but again, the suggestion in that piece of work is that you not necessarily pin yourself to things. But again, that's my secondary point.

My first point was that January, March, and the big gap didn't seem to be quarterly. I just wanted to point that out for the benefit of the members.

MR. CHAIRMAN: Thank you. Mr. Kousoulis, any further discussion on that? So there is a motion on the floor. (Interruption) Okay, I'll just reread this for purposes of the record. As put by Mr. d'Entremont at the previous meeting: I move the House of Assembly Management Commission fulfill its legislative responsibility for the oversight of financial stewardship of public money used for the operation of the Assembly and its legislative responsibility to meet at least quarterly by scheduling the meetings in January, March, September, and December.

It should be noted here that that is the motion. Is there a seconder on the motion? Mr. Harrison. In the absence of the Deputy Speaker - that role is vacant - the Speaker, as chairman of the committee, is eligible to vote on this in the event of a tie.

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

The motion is defeated.

Is there any other business? We'll now conclude the regular part of the agenda, and there is one in camera item to be dealt with just before we go.

[The committee recessed at 10:35 a.m.]