

# **HANSARD**

## **NOVA SCOTIA HOUSE OF ASSEMBLY**

### **HOUSE OF ASSEMBLY MANAGEMENT COMMISSION**

**Tuesday, June 12, 2018**

**Committee Room**

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## **HOUSE OF ASSEMBLY MANAGEMENT COMMISSION**

Hon. Kevin Murphy (Chairman)  
Hon. Geoff MacLellan  
Hon. Labi Kousoulis  
Mr. Gordon Wilson  
Mr. Chuck Porter  
Hon. Christopher d'Entremont  
Mr. Tim Halman  
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, TUESDAY, JUNE 12, 2018**

**HOUSE OF ASSEMBLY MANAGEMENT COMMISSION**

1:30 P.M.

CHAIRMAN  
Hon. Kevin Murphy

MR. CHAIRMAN: Good afternoon everybody, welcome to the House of Assembly Management Commission meeting for Tuesday, June 12<sup>th</sup>. For purposes of the record we'll go around quickly and just state our names.

[The commission members introduced themselves.]

MR. CHAIRMAN: All the information was distributed in advance. Hopefully everybody had a chance to review it so we'll move on to the agenda, beginning with item No. 1, the approval of the minutes from January 23, 2018. Mr. Ferguson.

MR. NEIL FERGUSON: The materials were circulated and are Pages 2 and 3 of the information package. I did not see any errors or omissions, so barring anybody else having found something, it would be appropriate to have a motion approving those minutes.

MR. CHAIRMAN: Moved by Mr. d'Entremont; seconded by Mr. MacLellan.

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

The motion is carried.

Item No. 2 is the Select Committee to Establish an Electoral Boundaries Commission, the budget review and approval. We'll throw that over to Mr. Ferguson.

MR. FERGUSON: Mr. Chairman, the letter from the Chair of the committee, Mr. MacLellan, is in the materials. It contains on the second page a very modest budget for the work of the select committee: \$5,000 in relation to the fact distribution; \$8,000 for communications staff; and \$4,000 for a variety of things including per diems, kilometrage, and copying - for a total of \$17,000, which is not much for a select committee in these types of circumstances. Barring any negative feelings on it, it would be appropriate to have a motion to approve the budget as submitted by the honourable minister.

MR. CHAIRMAN: Are there any questions or comments?

I have a motion - moved by Mr. MacLellan; seconded by Mr. d'Entremont.

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

The motion is carried.

We'll move on to item No. 3, the 2017-18 Audit Report. Ms. Lusby.

MS. DEBORAH LUSBY: Representatives from the Auditor General's Office presented the 2017-18 Audit Report at the May 22, 2018, House of Assembly Management Commission Audit Committee. For 2017-18, the Auditor General issued unmodified opinions (a) that the internal controls of the House of Assembly are operating effectively, and (b) that the House of Assembly's expenditures are in compliance with the House of Assembly Management Commission policies and the policies of the Public Service for the year ended March 31, 2018.

The Audit Reports have been circulated to members of the commission for their review.

MR. CHAIRMAN: Any questions on any of that material? Can we have a motion to accept the Auditor General's report as presented? Moved by Mr. David Wilson; seconded by Mr. Labi Kousoulis.

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

The motion is carried.

At the request of the Clerk, we're going to revert to item No. 2, the budget for the Electoral Boundaries Commission. Mr. Ferguson.

MR. FERGUSON: It occurred to me that we should advise the commission that the budget for the Electoral Boundaries Commission itself will be something that will probably need to be addressed at the next meeting. The commission has not yet been established and will probably have started its work before the next meeting.

It strikes me that a motion will confirm - Treasury Board has let us know that the money will be made available for this. It was not in our budget because it was not something that we had done last time. Therefore, it was not a budget pressure that we knew of in advance and could submit to Treasury Board.

We have received the confirmation that the monies will be forthcoming, but it seems to me that we should pass a general motion authorizing the beginning of reimbursements to people and other expenditures for the work of the commission, should it commence before our next scheduled meeting. If somebody wants to move that, all I'm saying is that the reasonable expenditures and reimbursements be authorized and start being paid by the Speaker's Administration Office with eventual budget approval to come.

I'm sure there will be members of Treasury Board who will possibly be involved, and certainly there are members here who are on the select committee. There's going to be some cross-pollination. I think we can be confident that nothing is going to stampede away.

MR. CHAIRMAN: Mr. MacLellan.

HON. GEOFF MACLELLAN: I certainly agree with that. Maybe this could be something for Labi to confirm, but in that motion, I just want to make very clear that this is pending Treasury Board approval. We have run into some challenges just based on things being technically a rubber stamp, and for all intents and purposes, the money will be available just to make sure this is pending Treasury Board approval. That would probably sit okay with Treasury Board. It's going to, obviously, but I just wanted to include that piece about TPB in there just to be certain and reflective of the record. That's all.

MR. CHAIRMAN: Mr. Ferguson.

MR. FERGUSON: My understanding from the communication was that all the expenditures would be submitted to Treasury Board staff by the Office of the Speaker. The Treasury Board will have very hands-on administration of it.

MR. CHAIRMAN: Is there a formal motion somewhere in that?

MR. FERGUSON: I guess the motion would be that the Speaker's Administration Office be authorized to commence the reimbursements and expenditures necessary to support the work of the Electoral Boundaries Commission in advance of our next meeting to formally approve it, and that all expenses would be submitted to Treasury Board.

MR. CHAIRMAN: Mr. Kousoulis.

HON. LABI KOUSOULIS: Is that up to the \$17,000, or is this separate?

MR. FERGUSON: This is a separate amount. Just for the advice of the commission, the last time, I believe the expenditures were slightly over \$400,000, of which there were some recoveries for translation through the federal government.

It's anticipated, I think, that it will be less than that this time because, instead of hiring an independent support administrator, the work is going to be carried out through our existing staff in the Speaker's Administration Office - we hope.

MR. CHAIRMAN: Any further questions or comments? Mr. Gordon Wilson.

MR. GORDON WILSON: I so move.

MR. CHAIRMAN: Moved by Mr. Gordon Wilson; seconded by Mr. MacLellan.

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

The motion is carried.

We'll move back to item No. 4, the CPI as per April 1, 2018. I'll turn it over to Mr. Ferguson.

MR. FERGUSON: Mr. Chairman, Under Section 52 of the regulations there's an annual potential for an increase in the members' allowances equal to the lower of CPI for Nova Scotia or Canada. This year Canada was lower, at 2.2 per cent. The regulations provide, as I said, in Section 52 that every year the fixed amounts of reimbursables are going to be increased by one of those amounts.

Since the regulations were put in place in 2010, in the first several years regulations were passed saying notwithstanding that, the amounts were not going to be increased. After that it was decided to just make the increase subject to the commission's approval. This is the fourth year that it has been subject to the commission's approval and in each of the previous years the commission passed a resolution waiving it.

MR. CHAIRMAN: Mr. MacLellan.

MR. MACLELLAN: Certainly, a very timely discussion with respect to the Electoral Boundaries Commission. The Keefe report identified a number of ways outside of legislation and outside of the actual commission's work whereby members could serve the people, the constituents, better.

There have been a number of issues and I would certainly think that all caucuses experience this - some members, particularly those who have wide geographic ridings and have two offices that they maintain. I think this would be a conversation moving forward.

I just wanted to state that for the record and I think it will be interesting to see what comments related to this will be in the Electoral Boundaries Commission's final report. At this point, I think it would be prudent not to move any increases. Therefore, I move that under Section 52 of the House of Assembly Management Commission Regulations, there be no increase in members' allowable expenses equal to the increase in the consumer price index for the 2018-19 fiscal year.

MR. CHAIRMAN: Are there any questions or comments? Mr. d'Entremont.

HON. CHRISTOPHER D'ENTREMONT: I know this doesn't necessarily factor into what this is but I've been getting a lot of comments from my caucus members when it revolves around the cost of rent in the core, where there are a number of people who are at the maximum of their allowance on that respect, where the rents are high in the core, for some reason. You'd figure that with all the construction of apartments in downtown that those prices would start to go down, but that's not the case, so we have a lot of people who are surpassing the \$1,499 that they've been allotted, so I don't know.

This is not necessarily the same discussion but maybe we can get staff to maybe look at what the possibilities are for a possible increase on that side, just to try to recoup some of the dollars that people are spending in keeping the residences here in Halifax. Otherwise, I don't think we need a raise, which is what this actually is, a raise for MLAs.

MR. CHAIRMAN: Okay, is there further discussion? Can we have a seconder? Seconded by Mr. Gordon Wilson.

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

The motion is carried.

We'll now move on to item No. 5, the barrier-free compliance forms update. Ms. Lusby.

MS. LUSBY: All new members have submitted forms indicating they are barrier-free, except for Alana Paon. Her office parking lot is not paved. She sent a letter to the Speaker requesting the House of Assembly Management Commission grant a waiver that the non-compliance is merely technical in nature.

I sent this request to TIR who agrees to waive the non-compliance, per Regulation 19A(3). Ms. Paon is asking the commission to grant her this waiver.

MR. CHAIRMAN: Are there any questions or comments? Mr. MacLellan.

MR. MACLELLAN: Just out of curiosity, why do we have to grant or approve that, Deborah? Is there any particular reason, if it has already been given the variance through

the Speaker's Office and TIR? It's just that this is the technical place where it is ultimately decided, is that it?

MS. LUSBY: Regulation 19A(3) says it goes to the commission. The commission consults or the Speaker consults with TIR, as part of their decision, and then, ". . . to the extent that the Commission considers the non-compliance to be merely technical in nature." So it's the commission in the end.

[1:45 p.m.]

MR. MACLELLAN: Okay, fair enough. I'm just curious.

MR. CHAIRMAN: Mr. Kousoulis.

MR. KOUSOULIS: I'm wondering if we could perhaps get a little bit more information on this. We only had the liberty of reading the form, there were no pictures of the office or anything else.

I do understand the gravel road can be in compliance. My worry with it is that after a winter with a lot of freeze/thaws, it could become heaved and at that point it could be difficult for somebody getting out of their vehicle in a wheelchair to actually make it to the front door.

I do understand there could be a big cost - it could be cost-prohibitive to pave the whole parking lot but perhaps we could ask the member to look at paving just in front of their door a small 10-by-10 area, or whatever size would be deemed appropriate for a vehicle to pull up, and have a small paved pathway to the front door.

Paving is not too expensive and I do know that that could be covered under our constituency budget, so if we could perhaps look at a few quotes and look at a way to enhance the accessibility because our offices being accessible - these are the minimum standards and we should always strive to make them as accessible as we can.

I think if we could hold off and ask the member to do a bit more due diligence that it might be prudent.

MR. CHAIRMAN: Mr. d'Entremont.

MR. D'ENTREMONT: Thank you for that. It's a shame that we got rid of the paving plant - just kidding.

Part of me agrees with what Labi is saying here, is there another option for her? But is this compliance, or the waiver of that compliance, for the remainder of the year, or is it until the next election rolls around? How long is the waiver for or do we have an opportunity once the waiver is approved, is there an option to sort of push to get that paved,



or at least a chunk of it paved? I know it's a rental so it always gets into a bit of difficulty in doing those leasehold improvements.

MR. CHAIRMAN: The question is, is there a term of the waiver?

MR. D'ENTREMONT: That's correct.

MS. LUSBY: I don't think there is a length, once you get a waiver, there isn't a term.

MR. D'ENTREMONT: But unless she gets the waiver, she's paying the rent herself. It's kind of the problem that we run into.

MS. LUSBY: She's on an annual lease, not month to month, so without the waiver  
...

MR. D'ENTREMONT: She would have to chunk it out.

MS. LUSBY: Right.

MR. CHAIRMAN: Mr. Gordon Wilson.

MR. GORDON WILSON: To understand this correctly, unless she gets this waiver, the Speaker's Office cannot pay for her leasehold. If we ask for this to be deferred to the next meeting, I think it was clear, or I believe my understanding was, that the Speaker's Office could pay for leasehold improvements through - or the MLA could pay for constituent leasehold improvements through their budget.

It would be nice to see if there was an option but we don't want to put her in a bad place where she's caught without coverage for rent. I would appreciate if there's any way Ms. Lusby could maybe explain if there is an option for us to push this down the road to see if every effort possible is made, as Minister Kousoulis has brought forward, to make it as best as we can.

MR. D'ENTREMONT: Can we make it a year thing, so that gives her the opportunity . . .

MS. LUSBY: I think the regulations say she has to be on a month-to-month lease to get another 12 months to comply.

MS. ANNETTE BOUCHER: I think we're mixing up compliance plan, which is not the case here, with a waiver. I know that Gordon is looking at it as well. What has been requested is a waiver for non-compliance, it's not a plan to become compliant, which triggers different things to happen, including the 12-month period of time.

MR. CHAIRMAN: Mr. Kousoulis.

MR. KOUSOULIS: If I understand what you said correctly, if we don't give the waiver right now it triggers 12 months to become compliant?

MS. BOUCHER: No, as I read - and Gordon will correct - if I can, Mr. Chairman, there are two different things. There's a waiver of the condition or there is a plan to become compliant. Let's say that the request was to have 12 months to become compliant, to have the paving completed within 12 months. That would be different. There would be 12 months and then we would be into a month-to-month lease. But this has been a waiver so that that condition is dispensed with altogether.

MR. KOUSOULIS: In terms of my initial statement, I personally don't feel I have enough information to give a waiver. Until we get more information from the member, could we direct the Speaker's Office to pay the rent as if the waiver was given? Let's wait until the next meeting to get perhaps pictures of the office, of the front entrance, and of the gravel driveway. You're asking us to make a decision reading a single piece of paper that has a request on it, but the request doesn't give us enough information to make this decision.

MR. CHAIRMAN: Mr. MacLellan.

MR. MACLELLAN: Mr. Speaker, to you directly, with respect to this variance, are you comfortable with Ms. Paon's office situation in terms of the variance being acceptable for accessibility?

MR. CHAIRMAN: I was. If memory serves, photographs were provided. Looking at Deborah, I seem to remember photographs being provided. I signed off on the variance back in May 2018.

Personally, I think it's acceptable, but I do certainly respect the regulations, and I respect Mr. Kousoulis's request for more information.

MR. MACLELLAN: I guess where I land on it, I fully appreciate Labi's position on this, and I think it's where we have to be. We went through a tremendous process, and the Speaker's Office did a lot of work to get to this point. I think the fact that we have one potential variance with all members' offices is a remarkable indication and indicator of how the Speaker's Office has managed this.

What we're talking about here, and the decision today is - we're either essentially deciding that one particular member is not in compliance, which obviously raises some flags for her, and it becomes an issue of how we enforce these rules; and the other side of it is that clearly, we have opportunity to provide variance, depending on what the circumstances are and what the cost structure would be to be in full compliance or not. That rests with this committee, obviously with the guidance of the Speaker's Office and

the Speaker himself or herself. I don't know if deferring it puts us in any better stead, or if we should make a decision here in terms of what we're going to do one way or the other. I just put it out there.

I think we can apply common sense here and get to the best place. If we're truly uncomfortable with this particular gravel parking lot, then we shouldn't advance it. But if it's on some of these technical aspects, I just think we should come down hard one way or the other.

MR. CHAIRMAN: In the documentation provided, I think it's in everybody's package, the email from Scott Burke to Alana Paon does say she's requesting a waiver under the ". . . House of Assembly Management Commission pursuant to subsection 19A(3) of the Regulations on the basis that the non-compliance is merely 'technical in nature'."

As far as a barrier-free path of travel goes, I personally am okay with this. I kind of put it in the category of being technical in nature. The solution that was provided, hard-packed Class A gravel, I'm okay with. As a matter of fact, this morning, I was dealing with HRM on access to a ballfield. They wanted to go crusher dust, and no, it's Class A hard-packed gravel. That's my understanding of the variance that is in place. It is technical in nature in my opinion.

Mr. d'Entremont.

MR. D'ENTREMONT: If you read the letter from her, it also suggests her parking space is quite adequate in size but is not paved. Blah blah blah. "We will ensure an adequate level of gravel is available to facilitate barrier free accessibility. We plan to have accessible parking and signage adjacent to our accessible door/ramp." How do we guarantee that that's done? If we're giving a waiver on one side, we need to make sure that she's compliant on the other side.

Right now, according to the letter, the washroom is not accessible either. I know she is a member of our caucus, and I'll be speaking to her about it as well. I don't want her to be left holding the bag for the rent, but at the same time, I do want to make sure that, if there's a correction that can be made, the corrections are actually made to her office. We all have to comply with this, we should all comply with this - tout fini.

MR. CHAIRMAN: Ms. Lusby.

MS. LUSBY: Alana did fill out her barrier-free compliance plan, and we did receive it on May 28<sup>th</sup>. It was just at the deadline of May 30<sup>th</sup>. She is indicating that it was all complete by that time, except for the paved parking spot.

MR. MACLELLAN: On that one, Deborah, I'm just reading this email from Scott as well. Does she have to indicate on that particular form that "my constituency office is not barrier-free"?

MS. LUSBY: That's what we suggested, but she didn't.

MR. MACLELLAN: That's why I asked the chairman. This is the magnitude of this particular decision. If this a technical thing, then it's a technical thing. If we're asking that you state unequivocally that the constituency office is not barrier-free to the public who would get eyes on this, I think that would send a very definitive statement. If I was wondering about accessibility to any government office, and it said "We are not barrier-free," I would suspect that it would be more than a technicality.

That's all I'm trying to figure out. I'm good with whatever we decide. I'm concerned about the fallout from this, that's all.

MR. CHAIRMAN: It's a good point. It's either a yes or a no. There's no allowance for yes with a variance.

MR. MACLELLAN: Right.

MR. CHAIRMAN: Are you suggesting the form should be altered to include a section that says yes, my office is barrier-free with the following variance?

MR. MACLELLAN: I'm not sure. Maybe that was technically part of this. Again, based on Scott's letter here, there's no uncertain terms about what that statement has to be in the letter, so I don't know. Is that somewhere, Deb?

MS. LUSBY: We do have a few other MLAs who got a waiver from the commission for matters that were technical in nature. For example, not having an audible and visible alarm was a common variance that was given. The last time was 2014 perhaps. There was another member who was off by half an inch on the door size. Again, we consulted with TIR on those points, and they agreed that they were considered technical in nature. This form was used at that time to outline what the variance was, what they were asking for.

MR. CHAIRMAN: Mr. Gordon Wilson.

MR. GORDON WILSON: Just to make sure I understand this, there is no option for us to have her see if she can have this paved without putting her in a position where she is going to be responsible for her rent? I don't think I have had that answered yet. If that is an option, why aren't we simply doing that?

MR. CHAIRMAN: Ms. Boucher. On this question, or did you have another point?

MS. BOUCHER: No, I had something else. Sorry.

MR. CHAIRMAN: Can we hold that for a second? Okay.

MR. KOUSOULIS: Can we make it an option?

MS. LUSBY: Yes, it is reasonable.

MR. CHAIRMAN: Mr. Kousoulis.

MR. KOUSOULIS: May I put a motion forward that we give a one-year variance on the gravel driveway? In the meantime, her office will be in compliance, and her rent will be paid. We ask the member, over the next year, to explore options in terms of paving a small area so that where you unload from your vehicle to the front door is a paved strip.

If it's prohibitive to the member, then they can ask for the variance, and we can look at putting it in place permanently. That also gives the member the ability to get towards year end and allow their budget to allow them to incur this expense.

[2:00 p.m.]

MR. CHAIRMAN: Mr. Ferguson.

MR. FERGUSON: I defer to Gordon's expertise on this but I think that what you're looking at would probably be a motion amending the regulation to put in a provision that says, notwithstanding Regulation 19A(3) for the period of whatever. Then that would have to be filed at the Registry of Regulations.

I don't think we can just suspend . . .

MR. MACLELLAN: We're not changing the regulation. (Interruptions)

MR. FERGUSON: No, I'm just saying that the regulations that are passed and filed - anyway, I'll defer to Gordon on that.

MR. GORDON HEBB: I think what Mr. Kousoulis is suggesting is not permitted under the regulation and what Mr. Ferguson suggested is that to do it you would need to amend, say add a (3a) in Regulation 19A that would permit the commission to grant a temporary waiver. It's not really what the regulations say now. I think the regulations are saying it's yes or no.

MR. CHAIRMAN: Mr. Kousoulis.

MR. KOUSOULIS: In terms of timing and in terms of approvals, this has just come to us essentially at the last minute and we're being asked to have an approval made with

no ability to either ask the member a question or to even look at the site or to look at anything else.

Is there any interpretation of anything in there that we can do to provide ourselves some flexibility that we're not going to put the member in any financial harm? At the end of the day, what we're trying to do here is have our offices as accessible as possible.

I'm sure if we asked the member the question, they might be more than forthcoming and say, I had every intention within the next six months to a year to have the small area paved, but we don't even have that option.

We need to have an interpretation on one of those rules to make it flexible that we can move forward and actually do something that makes common sense. Thank you.

MR. CHAIRMAN: Mr. David Wilson.

HON. DAVID WILSON: Can we approve the waiver, to follow all the rules, and then as a committee make a motion asking the member to look at options of paving over the next year? That way it's just a request from the committee, if you know what I mean. Is that permissible or is that breaking any laws of this committee?

MR. CHAIRMAN: Mr. Hebb.

MR. HEBB: I see nothing wrong with what Mr. David Wilson has proposed. It would not be binding on the member but it would be a recommendation, and if it was seen as a problem down the road, the commission could subsequently make an amendment to the regulations to deal with the situation, if they felt it was necessary, but there's nothing wrong with what the member has proposed.

MR. CHAIRMAN: I would like to add something to that, not to complicate matters, but I would like to respectfully suggest that if we're going to do that for one member's variance, that as Ms. Lusby pointed out, there are other members with variances on the books.

Our goal here is to treat every MLA with the same set of rules and policies here, so I would suggest that however it's written up be in such a fashion as to include that all the variances currently on the books be revisited and if there are opportunities to correct them, then they be corrected. Ms. Lusby.

MS. LUSBY: I just want to add that one member who didn't have the audible and visible alarm originally has since updated his form because he did get it installed, so that does happen.

MR. MACLELLAN: Again, not to follow the rabbit tracks here but I guess the problem - and I think, Deb, you've lived through this and I know Sid has been great with

TIR, but, you know it's a reasonable thing that if a door jamb is a quarter-inch short, you literally have to cut the steel to open up the door and put in a new door. For the sake of a quarter-inch, you're talking \$4,000.

Audible and those types of things and the visual indicators are much easier. I guess if we're going to move forward with these variances, I mean the whole thing was that we would have a system - the Speaker's Office, TIR experts, that they would grant variances and that would be as good as meeting the rules. But even if you have these variances, you're still signing that your office isn't technically barrier free.

As the House of Assembly Management Commission, we'll be hearing individual variances. If we're giving 12 months for all these instances to get fixed - so Alana's paving and X member's quarter-inch, and Y member's audio and visual - where does it stop? I think that's the whole issue. We have to have the non-precedent-setting issues of deciding it's a variance and moving on, and it's acceptable. Alana has to explain it, we have to explain it, and we stand behind it.

I just don't know how deep you go down the road of the precedent of the variances having to be looked at. Are we the core here that does rule on those?

MR. CHAIRMAN: I think you raise a good point, but coming back to Clerk Boucher's point, there are two paths to travel here, pardon the pun. There's the variance, which allows for that quarter-inch difference or for something that technically doesn't meet the regulations in black and white but is acceptable in practicality and logistics, as opposed to a plan to become compliant. That would indicate there's a significant issue with compliance. We've had many of those. It's logical that if somebody is going to renovate a washroom per se, particularly in an older building, it takes a certain amount of time to do that. It's reasonable to expect that the member who has a variance for a quarter-inch on the doorway - in 12 months' time, nothing is going to change. If anything, the quote will have gone up to replace the door.

The principle of common sense - is the variance acceptable today? Is it acceptable next year if still in place? I think it's acceptable and reasonable for this committee to have a mechanism to review the variances on a regular basis to see if there are opportunities. In this particular case, maybe there's a paving project going on in that neighbourhood, and the opportunity may present itself for that member to get it done at a good price, which brings her into compliance. But maybe there isn't.

The practicality of a wheelchair getting over that Class A gravel hasn't changed. I don't know where that leaves us in terms of whether we want to create a (Interruptions)

MR. D'ENTREMONT: He has to dump his motion, and then Dave has to come up with a new one.

MR. CHAIRMAN: Your motion, Mr. David Wilson, will be to create a mechanism for this committee to review - I'm not wording your motion for you, I'm just trying to get a handle on where we're at - the variances on a periodic basis.

MR. DAVID WILSON: No, not really. The motion was that we would agree to the waiver, but as a committee, we would make a motion that we ask the member for Cape Breton-Richmond to try to come up with a plan over the next year to come into compliance for the paving aspect of the barrier-free office.

MS. BOUCHER: But if she doesn't, it is unenforceable.

MR. DAVID WILSON: Understood.

MS. LUSBY: We'll cross that bridge.

MR. CHAIRMAN: Mr. Hebb.

MR. HEBB: I suggest that in your motion, you not use the wording "come into compliance." In my view, if you grant the waiver, she is in compliance, whereas she would do whatever you're suggesting she do, rather than talking about coming into compliance.

MR. DAVID WILSON: The motion is that the committee write the member for Cape Breton-Richmond to look at paving the driveway leading to her constituency office. Is that good? Within the next year.

MR. CHAIRMAN: We have the motion. Do we have a seconder? Mr. d'Entremont.

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

The motion is carried.

Thank you very much. That concludes the business of the House of Assembly Management Commission for today. Thank you all for your co-operation. We will now adjourn.

[The commission adjourned at 2:10 p.m.]