

HANSARD

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HOUSE OF ASSEMBLY MANAGEMENT COMMISSION

Tuesday, May 4, 2021

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HOUSE OF ASSEMBLY MANAGEMENT COMMISSION

Hon. Kevin Murphy (Chair)

Hon. Geoff MacLellan

Rafah DiCostanzo

Hon. Chuck Porter

Allan MacMaster

Karla MacFarlane

Keith Bain

Claudia Chender

James Charlton, Chief Clerk of the House of Assembly
(Non-Voting Member)

In Attendance:

Speaker's Office Adviser

Deborah Lusby
Director of Administration
Office of the Speaker

Gordon Hebb
Chief Legislative Counsel



House of Assembly
Nova Scotia

HALIFAX, TUESDAY, MAY 4, 2021

HOUSE OF ASSEMBLY MANAGEMENT COMMISSION

1:00 P.M.

CHAIR

Hon. Kevin Murphy

THE CHAIR: Order, please. I'd like to welcome everybody to the House of Assembly Management Commission Meeting for today, May 4th.

Just before we get going, I want to take care of a couple of housekeeping items here, if I can. I just want to remind all members and staff to keep your microphones muted until you're called upon by the Chair to speak. Just wait for a second or so after the Chair has recognized you to allow for the technical unmuting to occur. If you wish to speak at any time, just raise your hand so I can see it on the screen here. We have a relatively small group, so I'll keep track that way.

I'm going to ask, by way of roll call here, all committee members to introduce themselves and to state the name of the constituency that you represent. We'll begin with Minister MacLellan.

[The committee members introduced themselves.]

THE CHAIR: For staff joining us today, we have Chief Clerk Charlton, Deborah Lusby from the Speaker's Administration Office, and Chief Legislative Counsel Gordon Hebb. Welcome, everybody.

We also have some caucus staff members on the line but not participating directly in the meeting, so I'd like to welcome them as well.

I'll just draw everybody's attention to the email. Deborah provided the agenda and all the supporting materials in advance, and there have been a couple of late-breaking emails there, so we may beg some extra patience today just to make sure that everybody's looking at the right documents as we go. If we need to pause for a minute or two just to allow people to sort that out, just speak up and we'll be happy to do so.

I just want to begin with a motion. Everybody received the agenda, and I understand there's going to be a request to add an item to the agenda, so with that, Ms. Chender.

CLAUDIA CHENDER: I'd like to ask that a motion be considered at the end of our meeting today.

THE CHAIR: Is it agreed?

It is agreed.

We'll deal with that after we're done with the agenda as circulated previously.

The first item is the approval of the minutes from the previous meeting. Those have been circulated in advance. Everybody's had a chance to review, so I'll entertain a motion to accept those minutes as presented, or if anybody has any changes or corrections.

Minister MacLellan moved. Secunder? Ms. DiCostanzo.

All those in favour? Contrary minded? Thank you.

We'll now move on to the first item on our agenda, which is the proposed amendments to the following House of Assembly Management Commission Regulations. There have been a number of attachments circulated to go with that. I'm going to turn that over to Chief Clerk Charlton to walk us through those proposed amendments.

JAMES CHARLTON (Chief Clerk): There are a number of House of Assembly Management Commission amendments that are being put forward. They're in three batches, if you will. I will speak to the first batch and the third batch.

The first batch of amendments is amendments to Sections 18, 19, 19A, and 19B of the House of Assembly Management Commission Regulations, as well as a revised form of lease. This attachment was sent out with the original agenda, so you've had this for a while now.

In a nutshell, the changes included in this are as follows: First of all, the House of Assembly Management Commission would no longer be required to involve the former Department of Transportation and Infrastructure Renewal to assess and advise on leases or

be responsible for property maintenance, but it would be an option if agreed by the Speaker or commission and the department.

This is sort of twofold. One is reflecting the fact that the department's name has changed, but more importantly making their involvement in these activities non-mandatory. It's purely optional. This would also allow the Speaker and commission the option to retain expertise from elsewhere - a third party, private sector if need be.

The next aspect of these amendments is providing that a waiver of compliance with merely technical non-compliance with the barrier-free regulations or requirements would become a decision for the Speaker to make rather than the commission, although the Speaker would retain the option to refer that matter to the commission for a decision. This simply means these matters could be decided by the Speaker rather than always having to come forward to the commission.

Thirdly, a waiver of compliance with merely technical non-compliance with barrier-free requirements would no longer require consultation with the former Department of Transportation and Infrastructure Renewal. Again, it would remain an option if agreed to by the Speaker or commission and the department. This would again allow the option of seeking expertise elsewhere such as the private sector or from some other source.

Lastly, the revised form of lease that I alluded to earlier - that also goes along with this package of amendments and simply swaps out the MLA themselves as the tenant of the lease rather than the Queen as represented by the Speaker of the House.

I would be happy to entertain any questions if you have them. Otherwise, I'll turn it back to the Chair.

THE CHAIR: Minister Porter.

HON. CHUCK PORTER: Just quickly on that last part on the MLA versus the other. I'm just thinking about future leases, I guess, given my current circumstances. We do have some issues around or some policy guiding a new member so when I leave and a new member at the office has been set up, the accessibility et cetera is all there. They would take that office over. Why would it not remain the Crown versus the MLA's name on that lease? I'm not 100 per cent sure why we would do that.

JAMES CHARLTON: We have conducted a jurisdictional scan, and in most other jurisdictions - Deb may correct me if I'm off, it may be all other jurisdictions - it's the MLAs who are the tenants themselves rather than the Speaker's Office or the Crown somehow. We're just adapting this to follow along with the best practices in other jurisdictions.

Really, we take a somewhat hands-off approach. The MLAs do get to select their own office, although where there's already an office, they may end up taking over that office because it already meets all the barrier-free requirements. It's ultimately a choice for the MLAs, so therefore it makes sense to have the lease be in the MLA's name rather than the Crown.

CHUCK PORTER: Thank you very much. I appreciate it.

[1:15 p.m.]

THE CHAIR: Any other questions? Ms. DiCostanzo.

RAFAH DICOSTANZO: Does that make any difference for the payments? Does the Speaker's Office pay directly to the landlord?

JAMES CHARLTON: No, it doesn't. Those will remain reimbursed by the Speaker's Office. They'll still come out of the MLA's budget and are paid for out of those monies.

THE CHAIR: Any other questions or comments before we ask for the motion? I would like to have a motion to approve the amendments to Sections 18, 19, 19A, and 19B of the House of Assembly Management Commission Regulations and the revised form of lease and somebody to second the motion.

Moved by Minister Porter, seconded by Ms. DiCostanzo.

All those in favour? Contrary minded? Thank you.

The motion is carried.

The second item - I'll ask Chief Legislative Counsel, Gordon Hebb, to walk us through the proposed changes to Regulations 43A(1) and 43A(2).

GORDON HEBB: Under Section 43A, there are five different amounts that an MLA may be entitled to which vary depending on the size of the constituency. As a result of redistribution, there's four additional constituencies but also quite a large number of the constituencies have a new name. The regulations need to be updated to use the new names.

Also, as a result of the redistribution, there has been some variation in the size of municipalities. What these regulations do is correlate the sizes of the 55 constituency seats that we will have after the next election to the same sizes that were devised before. That's what you have before you.

In addition to that, there is a provision at present that provides that for a member who becomes a member during the year, that the amount is pro-rated based upon how long they've been a member. There's an additional provision proposed to deal with the fact that someone may be not a new member but may be returning in a different-sized constituency - not the same constituency or could be partly the same constituency, but there may be a change in size. This new provision provides for pro-rating that as well. It could be going up, it could be going down, depending on the change in the size of the constituency.

I believe that sums it up. I'd be happy to answer any questions.

THE CHAIR: Thank you, Mr. Hebb. Are there any questions or comments?

Hearing none, I'll ask for a motion to approve the changes as proposed to Section 43(a) of the House of Assembly Management Commission Regulations.

Moved by Mr. MacLellan. Seconded by Mr. MacMaster.

All those in favour? Contrary minded? Thank you.

The motion is carried.

We'll move on to the next item, which is the late addition that is proposed amendments to the House of Assembly Management Commission regulations, amendments to Sections 19(b) and 43. I'll ask the Chief Clerk to walk us through those.

JAMES CHARLTON: There was a question yesterday that related to changing whose name is on the lease's tenant from the Crown to the MLA. It relates to the changes that were made to the House of Assembly Management regulations back in October, when we reduced the time for an outgoing MLA to wind up their office from three months to one month.

The question amounted to: Is the MLA personally on the hook for the cost of that notice period? Because we still have a three-month notice period on the leases, and that's really required so that landlords will be willing to sign a lease - to have this reasonable notice period.

The question was: Is the MLA personally responsible for this money or is this part of the money that can be reimbursed? The intention all along has always been that that money would be reimbursed. However, the question did prompt discussion about how well the regulations aligned with that intention. Following discussions between Deborah, Gordon, and me, we thought some housekeeping amendments were in order to clarify that those amounts would be fully reimbursed to MLAs.

Hence, we have these amendments to Section 19(b) and Section 43. The amendment to Section 43 adds a new provision that makes it clear that the constituency office rent is reimbursable. That's on the basis of if the office is not utilized by another member. In most cases, the office will be utilized by another member, but in some cases an outgoing member may find that their office will not be used by the next member for one reason or another. If it's not utilized and if the notice to terminate the lease is given, then the lease will continue to be reimbursable for that notice period.

In my discussions with Gordon, he also suggested a fixed Section 19(b)(3), which is requiring - that provision allows a lease to not comply with a requirement for a three-month notice provision. That would sometimes be necessary in order to secure barrier-free accommodations. A landlord may be making more substantial renovations and therefore want a longer notice period than three months. In that case, we're also adding in a requirement that the Speaker approve that notice period.

Largely housekeeping amendments. They really don't change any of what was intended by the amendments that occurred last October, but just trying to make sure we clean everything up and make sure that the regulations fully match the intentions.

THE CHAIR: Any questions or comments? Minister Porter.

CHUCK PORTER: I have no issue with anything you said, but just for clarity and, again, housekeeping - as you would know, Deborah, my rent is just paid. It comes off. I don't pay it. The Speaker's Office pays it as part of other things that they pay automatically.

Is it clarified somewhere in there that that actually happens, or is that just assumed to happen as per normal? The only reason I'm raising it is because it's specific to the rent and the housekeeping is specific to the rent or the lease, call it what you will.

DEBORAH LUSBY: I believe in the regulations it actually says that the Speaker's Office is to pay the rent directly on behalf of the member. We use the term and James did use the term "reimbursement," but basically we are making those payments directly for all members and will continue to do so for the three months of the lease that's required.

THE CHAIR: Any other questions or comments? Hearing no other questions or comments on that proposed amendment, I'll accept a motion for the amendments as presented to Sections 19B and 43.

Moved by Minister Porter, seconded by Minister MacLellan.

All those in favour? Contrary minded? Thank you.

Now we'll move on to the additional motion that has been requested by Ms. Chender. I'll turn it over to Ms. Chender.

CLAUDIA CHENDER: Before I introduce the motion, I'll just say that I recognize that we just unanimously passed some legislative changes that alter the constituency amounts for the incoming MLAs in various ways. I recognize the necessity of doing that as we look forward to an election sometime soon.

What I'm suggesting here is that we look at office expenses generally. I have been beating this drum for quite some time, my colleagues will know, so I am introducing a motion. I'll read it, and the Clerk will then circulate it, I think - or if you want to just circulate it now, Mr. Charlton, that would be fine.

All Nova Scotians should be able to expect similar services and support from their MLA offices. Each provincial district has unique features which may impact the costs of serving constituents, such as the number of constituents, different office-rental markets, and geographic size. Some of these differences are taken into account in MLA budget allocations, such as geographic size, which results in additional travel and franking budgets for some constituencies. But others, such as office rental expenses and number of electors, are not taken into account.

The motion: I move that the House of Assembly Management Commission review MLA office budget allocations to ensure equitable access to resources required for MLAs to serve their constituents, and that the result and accompanying recommendation to improve expense equity be reported to the commission at its next meeting.

That is the motion, and I would be happy for it to be discussed. I have circulated this motion to some of my colleagues in advance and have been told that that timeline may be too stringent, so I am open to an amendment there. But again, I have been asking for this to come to committee for the better part of two years, so I'd like a timeline.

The travel and franking is a separate amount, technically, in the regulation, but unlike previously, it's just an amount that gets added if you have an extra large constituency. We're not arguing against that in any way, but I am saying that geographic size isn't the only thing that differentially impacts an MLA's ability to serve their constituents.

Initially, this came onto my radar because urban MLAs pay sometimes twice as much rent as rural MLAs. It's not always that split. There are different communities that have different rental prices, but we're at the exigencies of the rental market in that way. That directly impacts our ability to use our budget for our constituents.

Similarly, there are some small constituencies that may have, with the new ridings, triple the number of electors as some other geographically small constituencies, depending on where those constituencies are located. When it comes to things like a mailing or producing literature, that number matters.

What we're asking for is a review of that that could be undertaken by the Speaker's administration office. If they want to farm that out to someone, that's also fine. I'll leave it at that, and happy for a discussion.

THE CHAIR: Okay, thank you. Questions or comments. Ms. MacFarlane first, then Minister MacLellan.

KARLA MACFARLANE: I want to thank my colleague for those comments. I totally understand the underlying narrative of wanting to ensure that everyone is representing their constituents fairly. I think that, perhaps, a review will be necessary.

However, I don't believe it should happen now for the main reason that with the addition of four other constituencies, I think it would only be fair that once those constituencies have their representatives and have their MLA elected, that those MLAs are able to speak on behalf of their constituencies - these new constituencies that they're going to represent.

I think it would be a very complex review. I would hope that who ever would be leading this review would be able to reach out to every MLA and hear the issues that we're all facing. It's a small province, but we know regionally we all have different issues and how we represent our constituencies.

There are a number of things we think about that we all need. I just want a more transparent and wholesome conversation and review to happen equally once, perhaps, after an election which we know was just right around the corner.

I want to be clear that I'm not against a review at all at this time. I'm new to this committee. I wasn't aware that this was something that my colleague has been bringing up for the last two years. It's unfortunate that the motion wasn't made two years ago, but I do believe, because of the new boundaries, that we really should hold off until after the next election.

There's a lot of concerns. I think about next Wednesday. It's, like, we can't find someone to drive a couple of people to go get a vaccine that they have to get in Antigonish. Right now, I'm waiting for the Minister of Health and Wellness to give approval that I can drive them - because I'm supposed to remain in my bubble - because they have no transportation. There's all kinds of things. Some MLAs, we fill up people's oil tanks and never get reimbursed again.

There's all kinds of issues that need to be discussed, and I think, again, it's only fair that we wait until after an election and make sure that all MLAs are able to be part of that review. With those words, I really think we need to wait after the next election.

THE CHAIR: Minister MacLellan.

[1:30 p.m.]

HON. GEOFF MACLELLAN: That's probably a good segue for me and I think for you, Mr. Chair. Maybe, Deb, there might be some added comments and context around the timeline piece. I'll skip that for now, the segue from Karla's points, even for my own members.

Allan and Claudia and I talk about a lot of things - and you, of course, Mr. Chair - and it's kind of part of the ebb and flow of the Speaker and House Leaders' discussions. Without a doubt, this has been something that Claudia has flagged easily for a couple of years. It becomes about the disparity between the rents and how it impacts budgets vis a vis rural and urban. It affects some caucuses more than others, but we would all like it to affect our caucus the most by way of members.

It's certainly a conversation that I support with regard to a review. Again, the timing, I think I'll put it back to Kevin and Deb and the Speaker's Office for some clarification on that. Two of the stipulations that I've always had were, number one, whatever we do here, it's not to the detriment of those who have miniscule rents. Again, I think the NDP wouldn't have any of those because they wouldn't be subject to the rural market as much as the rest of us, but certainly, there are a lot of cases where rents are incredibly small.

In terms of that, I'm mindful - and also for me as the Government House Leader, it's what the impact is for the Treasury Board, so I just want to make sure that whatever language and the terms of reference we use around that review that it's mindful of what the overall cost increase may or may not be. Obviously, there's a significant amount in each budget and whether some of it goes back and some of it doesn't - not in terms of the general coffers at the end of each budgetary year.

I'm certainly happy to support the review. I don't think it's something that is unreasonable as it relates to the public, but again, I think the timing - as Karla referenced. Mr. Chair, you may have something to add about that. We've really got to get that right. I support Claudia's haste, but I don't know if it can be ready for the next meeting. I'll turn it back to you.

THE CHAIR: Are there any other questions or comments before I float a couple? Ms. Chender.

CLAUDIA CHENDER: I'll reserve the right to respond again, but just to those points - and I appreciate the points of my colleagues.

To the issue of the impact on Treasury Board, I think that's an interesting conversation. We know that a great deal of money gets returned, not just from the House of Assembly, but from the MLA office budget line each year to the Treasury Board.

Without a doubt - although we can't budget with money that's in the budget, as it were - that amount is probably more than the impact of any change that we have discussed or contemplated would be, so I'm confident that we can find a solution that doesn't put additional impact on the Treasury Board.

To Ms. MacFarlane's point, which I appreciate, I think there are two different things maybe. I think what I'm suggesting is not a complete overhaul of the MLA expense system. I think that's been done. To be quite frank - and maybe this conversation will go in a different way and maybe this would have the result. This felt very much more like a number-crunching exercise than it did a consultation exercise. I think given that we have - MLAs can no longer enrich themselves with their budget in any way. We don't have that opportunity.

As you say, Ms. MacFarlane, the big-hearted among us - and I'm sure you're one of the biggest - will go out and spend their money on people and things and not be reimbursed. That's your own prerogative. But in terms of what we're expensing, we are expensing things that don't belong to us. They belong to the government. We're not going to keep them. That's not an issue.

I'm just saying, right now we have a sort of mathematical equation that only takes into account the size of your constituency. What I'm suggesting is that that equation changes and it also takes into account potentially the number of electors, but also some way of - as the House Leader said - not impacting people who are fortunate enough to have a small amount of rent, but not penalizing people who are maybe paying triple that.

For instance, one possible suggestion along that range was, what if there's a \$1,000 line item for everybody for office rent? If you pay less than that - if you pay \$700, great, you have an extra \$300 in your budget. Everybody else gets the same amount deducted, just like our CAs aren't in our budget. We don't pay our CAs' salary out of our budget. It gets paid separately, so we're not differentially impacted by that cost. What I'm saying is that we are differentially impacted by the cost of rent, and I'm suggesting that that needs to change.

To the comments on timing, with respect, the timing is never right. I see this commission as needing to do what it says, which is to take care of the House of Assembly. I think with those new constituencies coming online and with the fact that we are going to face an election soon, the idea that we could start with a new system or at least with contemplating a new system - it will be a new group of people most likely looking at this suggestion - is a good thing. Then we have the opportunity to start on a new foot that's more equitable.

THE CHAIR: I see Ms. MacFarlane has her hand up. I would just like to weigh in if I could here, and then I'll come to you Ms. MacFarlane.

Thanks very much, Ms. Chender, for putting the motion forward. I think as we have had in our conversations that Minister MacLellan has referenced, it certainly is an admirable goal to have every MLA - whether it's 51 or the incoming 55 - have equal footing in terms of budget and operating expenses to work with. I don't know that any of us here would argue that point in terms of its fairness and having that as a goal.

I guess the question is, how do we get there in a fair and equitable fashion that takes into account all of the variables that make it a pretty complicated process? I can appreciate that on the surface, it may seem like number crunching, and certainly that's a huge part of it. But when you start to look beyond the numbers, you see the domino effect or the push and pull on one thing versus another, urban versus rural with towns in between, and population. Certainly the Electoral Boundaries Commission just completed, as we all know, a pretty rigorous exercise to mandate that we go from 51 to 55 constituencies, and it's largely based on population equity.

The push and pull on that is some constituencies, particularly in the urban areas, are quite small but very densely populated versus some of our rural constituencies that have much less population density, so your tool for reaching your constituents - and I only say this for purposes of making the example - becomes not a vehicle to get from one end of the constituency to another but a good pair of sneakers to get from one side to another. There certainly is a lot of rationale behind those figures to give consideration to.

The other point that I want to stress is that we can make whatever motion we want here today, but I want to make sure as Chair of this committee that it's doable and it's achievable. Ms. Lusby can comment, but we're coming into a busy period for the Speaker's administration staff relative to executing not only their normal work but the effects of the changes that we just made to the handful of regulations. They'll be getting ready for that as well as coming into the reality of the Summer staff vacation season.

I'll let Ms. Lusby comment should she want to in terms of the achievability of doing something in that short of a turnaround time that comes back to us with some meaningful and relevant information as opposed to either some other timeline but also perhaps some other mechanism for actually doing the review, and as you point out, stopping short of a full-on review of everything related to MLA offices.

Even if we were to single out a couple of items, as I think that's what you're getting at, is there is a better avenue for us to get that done, that perhaps takes into consideration - we've certainly had conversations, but maybe there are 54 more opinions that may need to be considered in terms of what makes it difficult to operate as an MLA in any given constituency.

Those would be my comments. Ms. MacFarlane, go ahead.

KARLA MACFARLANE: I just want to reaffirm to the member for Dartmouth South that it's absolutely not that I'm against a review, but if we look at your comments just the last time you spoke there, it seems like the issue is really about rent, but your motion doesn't really reflect that. Your motion, I would say, opens up a whole can of worms, for lack of better words really.

I think that that's what has to happen: a review that is actually going to enable a lot of conversations to happen around all kinds of issues with MLAs and what they're using their budgets for and what they find rather difficult or not.

Talking to a few MLAs, some are completely fine with their budgets; others aren't. I think it's a larger discussion, and I think to be fair and giving it certainly the time it would require to do a very transparent and productive review and have the outcome that would be beneficial at the end of the day to our constituents is sincerely going to only be able to happen after an election, where we have a fair opportunity for all MLAs to speak.

Once again, I just want to reaffirm that it's not that I'm against it. I think timing is absolutely crucial, and I think this is the wrong timing for us to set aside funds or time for a review on something that affects us and ultimately affects our constituents. I just think there are other priorities right now, and again, my vote and my issue would be to please delay it and let's do it right. Again, thank you for allowing me to speak.

THE CHAIR: One more comment, Ms. Chender. Would it be acceptable - and I'm just thinking out loud here on the spot. Nobody get nervous.

I sense that there's no disagreement with the end goal here, to take a look at this and make sure that we're doing things in the most fair and equitable way. Given that there are a few parameters there and perhaps a couple of options in order to achieve this, instead of asking staff to do the full review by the next meeting, would you be agreeable to ask staff to come back to us at our next meeting to put some time and effort into exploring the options for how we could do a review, and then we'd deal with that at the next meeting?

CLAUDIA CHENDER: Yes, I think that's fine. I just want to say that we have spent the last several House of Assembly Management Commission meetings making a package of changes to the House of Assembly Management Act that achieve lots of changes similar to the ones that I'm suggesting.

All the points around timing, this isn't the right time, are well taken, but also frustrating because some changes that folks want to achieve happen, and some changes get kicked down the road.

All that being said, I think that your suggestion makes a lot of sense and I am open to that.

THE CHAIR: Any questions or comments on that? Again, we're I guess a bit more focused on asking staff to put a little bit of thought into this to see how we can achieve some kind of manageable review in a timely fashion of MLA operating budgets. So, Minister Porter and then Ms. DiCostanzo.

CHUCK PORTER: I won't get into this too far. I appreciate all the conversation and opinions. Just based on what you've said, are we just looking for an amendment to Ms. Chender's motion to table today for future reference? That's the only clarity I'm looking for. I'm fine.

THE SPEAKER: Does everybody have Ms. Chender's motion in front of them?

Maybe we'll just park your question, Minister Porter, for a second, and we'll go to Ms. DiCostanzo and then over to Ms. Chender. Ms. DiCostanzo.

RAFAH DICOSTANZO: You said to ask the clerks to investigate or to do some research. Should it not include some kind of a survey or a questionnaire that's sent to all the MLAs just to get some opinions of where this issue is to most of them? If some MLAs are having issues and they would prefer to have a similar way of charging the rent as a separate item as CA, and maybe as Ms. Chender said, \$1,000 is an average, or there is a scale of this is minimum and that's maximum. Then the actual looking-after is taken out of the budget, and it's from a separate budget, similar to the CA.

I think that was a wonderful idea to bring forward, but it may not be everybody's - I know in the city we pay a lot more for rent compared to others. It will help us in the city, but it may not help the others. That's all.

CLAUDIA CHENDER: I am open. I don't know if you're asking me to propose new language, Mr. Chair, or maybe it makes more sense for you to do that so that we know that it works for your staff.

THE SPEAKER: Thank you, Ms. DiCostanzo, for the comments.

Just noting for the record, on the question of the rent, there actually has been a fair of work done on that, in terms of bringing together and analyzing the data. As the old saying goes, the numbers don't lie. It's an interesting exercise to look at the collection of 51 rents to see the minimum and the maximum and the average per square foot. The groupings of urban versus rural versus towns seem to be another category. It does kind of feed into the narrative that there is no easy solution to that one - not to say that there isn't a solution, but it's not an obvious one.

I'm just going to go back to Ms. Chender's motion, as she proposed. Perhaps if everybody has it in front of them now: That the House of Assembly Management Commission review MLA office budget allocations to ensure equitable access to resources

required for MLAs to serve their constituents, and that the result and an accompanying recommendation to improve expense equity be reported to the commission at its next meeting.

Perhaps if we were to alter that motion or amend it to read something like this, and we're open to suggestions or wordsmithing here: That the House of Assembly Management Commission ask staff to review MLA office budget allocations to ensure - I'm already lost, my train of thought.

DEBORAH LUSBY: Do you want to add in there, "and expenses"?"

THE CHAIR: Do we?

DEBORAH LUSBY: I can quickly put together a chart of everybody, showing what their rents are - we already have that - postage was mentioned, constituency travel types of items.

THE CHAIR: I've got a couple of speakers here - Mr. Porter, then Ms. MacFarlane.

CHUCK PORTER: I guess I would say that in my opinion, the motion is fine with the exception of the very last few words where it references the next meeting. A future meeting is all that's required and then we're able to move forward and look at the options and take the time that's necessary to do so. That seems to be the issue with the motion to begin with - the timing.

Perhaps if there's time, it can come before the next election. Who knows when that will be - although, some think, from the sound of it, it's soon. However - and I guess maybe I've been around too long, but a lot of work has gone into expenses and some might forget a few years back, but a great deal of work around all of that has been done by the Speaker's Office and staff. We have been in what I would argue is a pretty good place over recent years - things seem to be - unless Deborah can speak to this more clearly, but things seem to be running fairly well.

I look at the year end. We all know where we fit in that long list of what we spend and what we don't spend. Yes, we all have a variety of different expenditures - rent, advertising, et cetera - but that procedure is around the allowables, what you can do, what you shouldn't and can't do, et cetera; it's very clear. I like it. It has been spelled out very clearly, quite frankly.

I have no opposition to this whatsoever, with the exception of - I don't want to press staff or anyone else for a time that means next meeting, unless you're going to book that three months from now, which I doubt. I'm happy to support the motion, provided we make that one change. That's all I'm looking for. Anyway, I'd hate to see it be lost after all of the discussion today because we can't come to some right wording.

THE CHAIR: That's a good suggestion, Mr. Porter. Ms. MacFarlane.

KARLA MACFARLANE: Maybe I wasn't articulating my concern here. I don't think the review should go at all. Until we have our four new MLAs in place after the next election, I think it's only fair that we have them be able to speak on this. Maybe someone is paying \$2,000 for rent in Halifax and I'm only paying \$1,000, but maybe their \$2,000 includes their internet, heat, their lights - mine doesn't. This is why it has to be an in-depth review.

I believe the only fair and transparent way we can move forward, without having backlash later on from the four new MLAs who will be elected - as well as the MLAs who are currently - I can take my colleague, for example, from Queens-Shelburne right now who is losing Shelburne and is going from 14,000 people down to 7,000 or 8,000 people to represent. Is she going to want to lose her budget, even though she's losing half of her constituency?

I cannot proceed with this, in good conscience. What I can do is make a motion right now that the member for Dartmouth South's motion is tabled to be further discussed after an election while in good conversation and informally suggesting that Ms. Lusby take it upon her staff, when time permits for them - and again, it's not a real priority, in my opinion, given what we're going through right now - to discuss what a review would look like, how much it would possibly cost. To come back with some information for us as members of this commission.

I just don't see the point of trying to come up with new words for a new motion. I think that there's a lot yet to be discussed. Again, as the motion sits, it's not just about rent control. It's about the whole budget allotment that's given. Again, that cannot be fairly discussed without all 55 MLAs. I can't emphasize that any more than what I'm doing, but I can't vote in good conscience.

THE CHAIR: I see your hand, Ms. Chender. One thought that I've had is perhaps this might be a topic to task the MLA remuneration review panel with, if it is the wishes of the commission and the House, to add that scope to their review, which would occur immediately following the election. That is something that perhaps would allow an independent body - with some parameters set by this commission - to undertake and then report back.

Ms. Chender.

CLAUDIA CHENDER: If that is amenable to members, then I'm fine to go that way, Mr. Chair. Otherwise, to Minister Porter's point, I think the current motion could just be amended to say in that last sentence: and progress to be reported to the commission at its next meeting, which would then just sort of commit to that being undertaken at some

point, and to the Speaker's Office just letting us know what's happening. Either of those is amenable to me, depending on the wishes of the other members.

I will say this: I think there are lots of things going on right now. We're in the middle of a third wave, but our job is to help our constituents through that, and the front line of that is our offices. With respect to my colleagues, this doesn't feel like just a housekeeping issue to me, and it doesn't feel like that to my colleagues either. I would agree with Minister Porter that things have been running pretty smoothly. We really rely on the Speaker's Administration Office and we think they do a great job. We're able to process our expenses and represents our constituents, so there's no issue with any of that. That is not the issue we're raising.

I think it is clear in my motion that the issue we're raising is just the equity of the budget allocation, that's it. It's not about process, it's not about any of that. In 2021, what does that budget allocation need to take into effect, not the process by which it's being paid out or anything like that.

Back over to you, Mr. Chair- I know the House Leader had his hand up. What's most amenable to you in terms of an amendment?

THE CHAIR: Mr. MacMaster.

ALLAN MACMASTER: As someone said to me one time, we're all equal until we're unequal. This is a difficult thing to define, even, because all our constituencies are so different. Mine is about close to 70 per cent the size of Prince Edward Island geographically, yet I've also got a population that is larger - with the changes coming up for the next election, it will be larger than many of the metro constituencies.

My rent in Inverness - because Inverness has a couple of world-class golf courses, suddenly real estate has become expensive in Inverness, and my rent per square foot is quite high - higher than a lot of the metro MLAs'. Yet I'm not spending all of my budget. My constituency, because of its size, has a tremendous number of issues that you would never hear spoken of in Halifax. I could say that it's kind of unfair that I've got a lot of workload because of the nature of my constituency compared to, say, a metro constituency or maybe even just a smaller rural constituency, because we've got every issue under the sun here in Inverness. It certainly makes it interesting.

This is a hard one to define, because the motion is based on rent, but if more money is allocated in budgets, what is that money going to be spent on? I know in the past, a little over 10 years ago just when I was coming in, some MLAs were spending money on things that they were found they shouldn't have been spending it on. I guess some of our expenses are fixed.

I think of an office. It's debatable whether it's more expensive in the city or in the rural areas, I think, based on the analysis the Speaker's Office has put together. Some of our expenses are fixed. We all probably go through maybe a similar amount of paper, we all need a computer.

Beyond that we start getting into the world of creative advertising. I've got three radio stations. I've got an Acadian radio station in Chéticamp, I have the Hawk in Port Hawkesbury, but I also have this radio station in Antigonish because a lot of people north of Port Hood are listening to CJFX in Antigonish. I have three radio stations that I need to have a presence on. If I was in the city, I might not have any or I might have one, I suppose. Depending on the listeners, you want to advertise, but you can have more than one in the city as well.

[2:00 p.m.]

All of this to say, this is a very difficult exercise, especially to ask the Speaker's Office staff to find out what's equitable because there are so many variables to this. At the end of the day, if we're getting extra money in our budgets, the question becomes what are we going to spend it on? If it's sort of creative advertising to help community groups, it's certainly admirable but is it advertising at that point or is it us wanting more taxpayer dollars to try to promote ourselves?

I suppose that is part of the purpose of advertising, but I think at its core purpose, our purpose to advertise as MLAs is to make sure people know how to contact our office or know where we are, know what we do. We certainly have lots of ways to promote ourselves to press releases and whatnot to the public beyond that.

That's the challenge for me with this motion. I don't know where it's going. It's very difficult to try to make everybody equal. I fear that this exercise is not really - I mean, it might, but I think it's a lot to put on the Speaker's Office. I think Miss DiCostanzo said a survey of MLAs. Maybe MLAs should have a chance to offer input on what they think is unfair or unequal. Perhaps the Speaker's Office could, as a starting point, collect that information and maybe we could have another discussion on it.

It's difficult for me to support the motion today because I don't know where it's going.

THE CHAIR: Okay. Minister MacLellan.

GEOFF MACLELLAN: Thank you; good discussion. Again, I do see the rationale for it, and given what we've discussed here on the timing, I think from my own perspective, not even speaking for Rafah and Chuck on this one, and you for that matter, Mr. Chair - I think that the first line is fine, and I think after the comma, it would basically reflect something around that we would ask the Speaker's Office to go back and look at the options

for how we would conduct a review and what that timeline could possibly look like for the next meeting.

My assumption is that there would be one soon because there are some additional housekeeping issues that, at that point, we could discuss about how exactly we would do that, and maybe there are some options there. For me, that's what the new motion would look like if we were going to advance one respecting all three sides of this in terms of opinion and whether or not they would support it.

Zach and I were the first members, literally, after the expense scandal - the ink wasn't dry on the changes. The regime that we were part of in 2010 was much different than the one, obviously, that was before us. I'm not pandering to Deborah and her team and the Speaker's Office, but they had a lot of cleaning up to do and I think the system that we've gotten used to was much, much tighter than our predecessors' system.

I think that if we were to engage Deb and the other group to look at, at least, those options for providing a review, whether that's third party or done in-house, or, again as Rafah referenced and Allan talked about, the interview or engagement with the MLAs - that's all fine.

I've said this from the beginning. Maybe at the end of this journey in terms of trying to understand what the impact is for rents - and as you mushroom out to the other issues, maybe it will determine that status quo is the best option we can use. It's not necessarily that things are all going to change, although I would probably assume with this one, given the disparity around rent, that something will change.

In any event, I think it's been a good discussion. I'm not claiming that we should wrap it up now, but I think if we've got enough, Mr. Speaker, I don't know where that puts us in terms of a motion to amend it or what further discussion we need to put a bow on this one for today. That's my thought on it.

THE CHAIR: Ms. Chender, do you want to put some words around a new motion?

CLAUDIA CHENDER: Sure, I'll take a crack at it. The motion would be that the House of Assembly Management Commission review MLA office budget allocations to ensure equitable access to resources required for MLAs to serve their constituents, and that progress be reported to the Commission at its next meeting.

THE CHAIR: Any comments on that, or do the members want to see that in writing? Ms. MacFarlane.

KARLA MACFARLANE: Basically, we're saying that nothing has changed in the motion if we're still expecting it by the next meeting. I guess the expectations for Ms. Lusby's office and everything - they may not be able to present anything to us within the

next month, given their workload. That's all. I don't know if it can even start, really, again, without having these other MLAs to be taking part.

I just don't know why we're putting so much priority on this today. I really don't. I just don't understand why we're focused so much on this when we know better, and we know that it's only going to be fair when the other MLAs are in place.

I don't know why we can't put a motion, or I can put a motion forward, that we table this motion until after the next election, when there will be fairness for all MLAs to speak their mind. Or perhaps maybe a review can start but cannot be completed until after the next election so that all MLAs will have their say.

THE CHAIR: Ms. Chender.

CLAUDIA CHENDER: Mr. Chair, I just would like that motion to be on the floor. It's not saying that anything needs to be completed before the election, and progress might mean minimal progress, but it just gets the ball rolling, so if we could vote on that - unless people need to see it in writing.

THE CHAIR: Just for the purposes of clarity, can you just read that again, Ms. Chender?

CLAUDIA CHENDER: I'll see if I can get it the same twice. The motion is that the House of Assembly Management Commission review MLA office budget allocations to ensure equitable access to resources required for MLAs to serve their constituents, and that progress be reported to the Commission at its next meeting.

THE CHAIR: Any further comments or questions on that motion as presented? Mr. Charlton.

JAMES CHARLTON: I was just wondering if something a little closer to what was being discussed by the members of the commission here might be for the House of Assembly Management Commission to direct staff to consider how best to conduct a review of MLA expenses and to report back at the next meeting. That would be the initial step, subject to whatever Deborah might say here - I'm getting the "thumbs up" so it's a good sign.

So, the initial step would be her office considers how best to conduct a review to report back next meeting and then the commission can take steps to go forward with that because there are a number of options, whether it's an internal review by Deborah's office, whether it's hiring a third party, or whether it's wrapping it up with the MLA remuneration review panel. Deborah can look at these various options and try to suggest the best way forward.

CLAUDIA CHENDER: That's totally fine with me, I think you said MLA expenses, it's budgets that we're talking about.

JAMES CHARLTON: I'm, sorry, the budgets, yes.

CLAUDIA CHENDER: Then that's fine for me.

JAMES CHARLTON: So the motion would then be that the House of Assembly Management Commission directs staff to consider the best way to conduct a review of MLA office budget allocations and report back at the next meeting of this commission.

THE CHAIR: Okay, I'm getting the sense that that's an acceptable way to go, that covers off all the bases and considers everybody's concerns. So if that's the motion and there's no further comment or questions - obviously Ms. Chender is going to put that forth, I assume.

CLAUDIA CHENDER: So moved.

THE CHAIR: Moved by Ms. Chender, seconded by Minister MacLellan.

All those in favour? Contrary minded? Thank you.

Four in favour and three against.

The motion is carried

Now just for clarity and I may be confused, but Ms. MacFarlane, did you have a motion? No, okay.

Thank you very much, a great discussion. That concludes the business for today for the House of Assembly Management Commission. Thank you, everybody.

The meeting is adjourned.

[The commission adjourned at 2:12 p.m.]