

HANSARD

NOVA SCOTIA HOUSE OF ASSEMBLY

HOUSE OF ASSEMBLY MANAGEMENT COMMITTEE

Wednesday, January 24, 2024

Committee Room

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HOUSE OF ASSEMBLY MANAGEMENT COMMISSION

Hon. Karla MacFarlane (Chair)

Nolan Young (Vice Chair)

Hon. Kim Masland

Hon. Allan MacMaster

Danielle Barkhouse

Hon. Derek Mombourquette

Hon. Keith Irving

Susan Leblanc

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

[Hon. Kim Masland was replaced by John White.]

In Attendance:

Gordon Hebb
Chief Legislative Counsel

Matthew Timmons
Director of Operations and Administration
Office of the Speaker

David Hastings
Assistant Clerk of the House of Assembly



House of Assembly
Nova Scotia

HALIFAX, WEDNESDAY, JANUARY 24, 2024

HOUSE OF ASSEMBLY MANAGEMENT COMMISSION

4:49 P.M.

CHAIR

Hon. Karla MacFarlane

VICE CHAIR

Nolan Young

THE CHAIR: Good afternoon, everyone. We are here to begin the House of Assembly Management Commission meeting for January 24, 2024. I will open the meeting with introducing myself, Karla MacFarlane, as Speaker and Chair of the House of Assembly Management Commission, and I will ask others to introduce themselves, starting with my left.

[The committee members introduced themselves.]

THE CHAIR: To my right, we have Gordon Hebb, Chief Legislative Counsel, and directly in front of me, we have Matthew Timmons, Director of Operations and Administration.

I know that all minutes from the past meeting and agenda have been circulated in advance. We will begin with asking if there are any corrections to the minutes that are required, and if so, please raise your hand so I can identify you. No? Great.

I will now ask that someone put a motion to adopt the minutes of September 27, 2023. Minister Allan MacMaster to move that motion, and MLA Nolan Young to second it.

All those in favour? Contrary minded? Thank you.

The motion is carried.

We will move on to the agenda. We are looking for approval of the 2023 Audit Committee Annual Report, as approved by the Audit Committee on January 10, 2024. At this point, I will recognize Chief Clerk James Charlton to speak to this agenda item.

JAMES CHARLTON: As you've stated, the report was reviewed and approved by the Audit Committee on January 10, 2024. It contains a summary of the Audit Committee's activities during the last calendar year, and it now must be approved by the House of Assembly Management Commission.

THE CHAIR: I will ask if there are any questions or discussion that anyone wants to bring forward on this subject matter.

I will ask that a motion be put forward that the 2023 Audit Committee Annual Report be accepted and approved by the Commission, and of course, I will need a seconder. Do I have someone who will move this? I recognize Minister Allan MacMaster to move it. A seconder? MLA Mombourquette.

All those in favour? Contrary minded? Thank you.

The motion is carried.

Moving on to the third agenda item, approval of the House of Assembly Management Commission 2023 Annual Report. I will turn this over, of course, to ask if there are any questions or concerns with regard to this report. No? Great.

Therefore I will request that there be a motion made that the House of Assembly Management Commission 2023 Annual Report be accepted and approved by the Commission. Do I have someone to move that? MLA Danielle Barkhouse. Do I have a seconder? MLA Nolan Young.

I will now ask that the House of Assembly Management Commission 2023 Annual Report be accepted and approved.

All those in favour? Contrary minded? Thank you.

The motion is carried.

Number 4 is with regard to the House of Assembly Management Commission regulation changes: Speaker approval for overnight hotel stays and timelines for using startup allocations. I will now turn it over to Chief Clerk James Charlton to speak on this agenda item.

JAMES CHARLTON: These are relatively housekeeping-type measures, I would say. First of all, overnight hotel stays: the regulations provide that for non-outside

members. That is, the members who live within 100 kilometres of Province House. The practice has always been that the Speaker approves these overnight hotel stays. However, the regulations do not clearly provide that approval is required in the case of a stay that's brought on because of inclement weather or the time of day, such as a late sitting of the House followed by an early committee meeting the next day. This amending regulation clarifies that Speaker approval is required in all such instances. It's really amending the regulations to align with what is the existing practice and what members actually do.

For startup allocations for constituency offices and apartments for outside members, the regulations provide for a \$2,550 startup amount. That's in the case of an apartment. That's the amount that's accessible when an outside member gets the apartment for the first time to help pay for furnishings, small appliances, linens, things like that, and for members setting up their constituency offices. It's just an extra amount on top of their regular budget for that first month to recognize that there are startup costs. You have to buy things at the very beginning.

These provisions providing for the startup allocations, right now they don't specify a deadline for when claims have to be put forward for these amounts. It's a little unclear. It's really left as a matter of interpretation. If someone claimed a startup amount three years after the fact, we'd have to say, Is this a startup amount? We'd rather it be clear and transparent to members when they can actually make these claims for purchases during what period. This amending regulation puts an explicit deadline in place. It's either within six months of startup or at the end of the fiscal year, whichever is later. That's what these regulations would provide for.

THE CHAIR: Now I can open up for any questions or comments with regard to this. MLA Irving.

HON. KEITH IRVING: Just a couple comments as an inside member who occasionally uses a hotel. When this was brought into effect in 2013, it did not have to be approved by the Speaker. There was a period of time - probably five or eight years, I can't remember now - when it gradually changed. I was never advised of it, but it sort of changed. I have no problems with the change. It puts more onus on the Speaker to make the judgement call of whether the roads are good or bad or whether an MLA is too fatigued to drive home safely, but if the Speaker is willing to take on that duty, I'm certainly fine with that.

I just wanted to provide a little bit of context in terms of how this was brought in in those initial years. It was just submitting your annual report at the end of May with a justification for the hotels. You were accountable through that report. No problems with the proposed change.

The other comment, I just wanted a bit of clarification on the reason that this other change is made with respect to the time frame in which startup costs - I understand an MLA

is trying to respond to the issues of security and wanting to use constituency funds to install a security system. That has been denied because of the calendar spending that we are now being asked to live within. I'm assuming, but perhaps some clarification could be provided. That MLA said, What about using these startup costs, because I'm starting up an office? Yes, it's a couple years later, but I now have a startup need.

Is that the reason that this is coming forward - to close that ambiguity and prevent a security system from being installed?

THE CHAIR: Before I turn it over to the Chief Clerk, I just want to let you know, first of all, with regard to overnight stays, our number one concern - my number one concern as Speaker - is the safety of anyone being on the roads during weather that they're not comfortable with. I want everyone to know that I recognize that all MLAs are different too. I'd drive through anything, but there are MLAs who are more sensitive to that. This is just to ensure that I'm aware of that, and certainly will have no issue if someone wants to stay in the city. I realize everyone has different measures of that.

[5:00 p.m.]

I'm going to turn over your second question to the Chief Clerk.

JAMES CHARLTON: On top of that, I'll add right afterwards a clarification. It was actually brought to my attention by the Chief Legislative Counsel about one other very small thing that's in these regulations that I do want to mention.

As far as the reason for bringing this forward, I'm not aware of a request specifically in relation to security. I know that there have been requests. I think there have been a couple of requests in the past, one of which may have come along about using startup allocations which came along after the fact. They would have been turned down because in our view, a startup allocation can't be literally fiscal years after the fact. It wouldn't really be permitted. Usually, you have to make your claim within the fiscal year within 90 days, but we've said we shouldn't leave this as a matter of interpretation. We should be clear for MLAs in the future so that they'll know how long they could use that amount.

I think it's very clear if something was made in a - within a month or two that that's a startup one. If it's years later, we feel pretty clear - the end of the legislation, it wouldn't be, as a matter of interpretation, but then you get into a grey zone, and we didn't want to have a grey zone. We just wanted to have clarity for an MLA - for all MLAs.

The other thing - I know there's another question that's about to be asked - but I just wanted to very quickly mention we did also spot something with regard to the allocation for outside members. Technically, that startup - we'll call it a startup allocation - it's for when you first get an apartment as an outside member. It was only available to members

who became an outside member by virtue of being elected. The way the regulation was written, if a member moved while they were a member and went from being an inside member to an outside member, they wouldn't be entitled to that, but they would be facing the same costs. We also are changing that to make it clearer. It's whenever you become an outside member. We're taking that because we've had members who've moved from inside to outside and vice versa, and we didn't want to treat members unfairly if someone wound up becoming an outside member. We've added that provision as well.

THE CHAIR: MLA Leblanc.

SUSAN LEBLANC: I just wanted to put this out there for another time. This is not specific exactly to this conversation, but it makes me think about having some kind of consideration for when a member has to change offices. My example would be getting priced out of an existing office - constituency office - having to move to make sure that one is still within one's regular budget, but then having all kinds of costs related to that move - new signage, all new stationery because the address has changed, all of those kinds of things - that there be some kind of allowance for those types of extraordinary costs.

I don't - we need not talk about it today, but I think we should put it on a future agenda or put it on the agenda at a future time.

THE CHAIR: Great. I'll certainly put that request in, and we'll certainly make sure it's on an agenda during another meeting. MLA Barkhouse.

DANIELLE BARKHOUSE: As the only inside member on this side of the table, I want to speak on the hotels. I know we went from one subject to two, now three, but I'm happy with the way it is now. I've always looked for Speaker's approval. I've always - I mean, we have a wonderful Speaker now and MLA Bain (inaudible) approval. I don't stay very often. I feel that I can make it home, but I just also know that we have an MLA who has a back issue. What if we sit until 10 o'clock at night, and all of a sudden she realizes, and then there's that worry there that she's not going to get that approval.

I like it the way it is, in regard to the hotel. Again, it's just basically keeping that one at status quo.

JAMES CHARLTON: Just to let everyone know, there are three reasons listed under that provision in terms of when non-outside members can have a hotel stay approved: it's inclement weather, it's the time of day, and it's also any other reason approved by the Speaker. That's where things like that are being - when there are other issues that don't fall under that, they're already subject to Speaker approval.

THE CHAIR: MLA White.

JOHN WHITE: I'll start where MLA Barkhouse left off. When I brought this concern, this topic, to caucus, we had a healthy debate on it because with 32 people in the room, you can imagine there are 32 different scenarios. Ultimately, it comes down to safety, it comes down to making sure that members aren't on the road when they're tired or when they're not feeling well or when they're hungry or sleepy or whatever the case. We are hesitant to make changes on it.

Ultimately I don't believe we're going to go forward with the suggestion. The reason is it simply comes down to safety. We do not want to have an MLA waiting to get approval before they decide to stay, because sometimes these things happen late at night. That's just the nature of the business.

The other topic that you had - you had two when you started there, James. The second one was accessing startup costs for an apartment. That one we do feel there needs to be a timeline reeled in where it's not being followed as it is. The very title of a startup cost is to start up. We would be in favour of a motion that would give an MLA six months or the end of the fiscal year, whichever was longer.

THE CHAIR: Thank you for your patience. Before we move on, Minister MacMaster for a comment.

HON. ALLAN MACMASTER: Just a question of clarification on the startup costs for an office. Would that then - if we make this change - would that harmonize it with the rule for outside members who have apartments in the city? There's a budget I believe they're still eligible for to set up their apartment, so you'd effectively have the same rule. You have six months or to the end of the fiscal year that you're in, whichever is longer. You're basically bringing consistency to both rules.

THE CHAIR: Yes, but for clarification and better detail on it, I will have the Chief Clerk explain it to you.

JAMES CHARLTON: In short, yes, it will harmonize them. Right now, there's no clear limit on either one. Because they both represent a startup amount, we're applying the same limit to both of them to provide clarity to both rules. We thought while we were at it with the constituency budgets, we should do the same thing for the apartment for outside members. They will be harmonized.

JOHN WHITE: I'd like to make an amendment to the motion - a recommendation.

THE CHAIR: Please go ahead.

JOHN WHITE: It's a recommendation, sorry - not a motion.

THE CHAIR: I believe it's an amendment to the regulation.

JOHN WHITE: An amendment to the regulation, yes. I did say “motion.”

I’d like to amend that the draft regulation be changed by removing Section 3.

THE CHAIR: Thank you for that motion. Do we have a seconder? (Interruption) We don’t need a seconder? Okay. (Interruption) We do. Okay. You two are fired. (Laughs)

Could I please have a seconder for the motion that was made by MLA White? I have a seconder with MLA Barkhouse.

All those in favour? Contrary minded? Thank you.

The motion is carried.

We’re just having to make some adjustments here in a future motion. In the meantime, are there any further questions with regard to the proposed amendments, or can we move on with the motion?

I will ask for a motion that the proposed amendments to Sections 18 and 27 of the House of Assembly Management Commission Regulations be approved. I will make that motion, but I need a seconder. (Interruption) Oh, I do? I will have someone make that motion, and I will look for a seconder. I recognize MLA White as moving, and a seconder would be Minister MacMaster.

All those in favour? Contrary minded? Thank you.

The motion is carried.

Thank you, everyone, for your patience on that. Time is limited, so we will move on to agenda item Number 5, financial second-quarter report for 2023-24. At this point, I would like to recognize the Director of Operations and Administration, Matthew Timmons, to speak to this item.

MATTHEW TIMMONS: This forecast takes us up to the end of September. If you look at the middle column toward the bottom, you’ll see our projected surplus of about \$453,000. That’s primarily due, of course, to members not spending their full constituency allowance budgets or travel budgets.

I will say that we just finalized our Q3 forecast about two hours ago, so it did go up, our surplus, to about \$550,000-ish. At our next meeting I’ll present that report formally, once it’s gone through the Audit Committee. But we’re looking at about a \$500,000 surplus for this fiscal year.

THE CHAIR: We certainly can take any questions at this point in time. No questions, and there is no motion or vote with regard to this agenda item, so we can move on to item No. 6. Thank you, Mr. Timmons, for that.

Number 6: As you know, we have received an appeal of a rejected MLA expense of claim. I am going to turn this over to Chief Clerk James Charlton to explain this item number.

JAMES CHARLTON: This appeal comes from MLA Gary Burrill and relates to a rejected claim for the expense of producing a holiday card. The purchase of holiday cards is a permissible expense for members to claim under their constituency budget. Indeed, many members do have their own holiday cards produced for them. MLA Burrill had a holiday postcard prepared and produced. However, when this card was reviewed, it was determined that the message inside the card was partisan. Section 18(5) of the regulations provides that: "A member may not use a constituency office for or to further partisan political activities." This includes spending the member's constituency budget on items for or to further such partisan political activities such as spending it on communications that are partisan in nature.

[5:15 p.m.]

You have in your materials Mr. Burrill's appeal package. It includes a copy of the image of the front and back of the card. The specific line in the message that raised our concern was a clever little rhyme actually but it began with: "Health care's an issue; housing is worse." Mr. Burrill takes issue with the characterization of this as being partisan, and in the materials in your package, he sets out his arguments about why the message shouldn't be read in that light.

He has exercised his right of appeal of the Clerk's decision to the House of Assembly Management Commission. The issue is entirely one of interpretation. Is the message on the card partisan? If you find that it is, the appeal must be dismissed, and the expense of the card may not be reimbursed. If you find that the message is not partisan, then the appeal must be allowed, and the expense of the card will be reimbursable subject to there being sufficient room in Mr. Burrill's budget for that claim to be made. As I say, it's entirely a matter of interpretation and up to the Commission to make that decision.

THE CHAIR: Is there any discussion before the motion is put forward?

SUSAN LEBLANC: I would just like to speak on behalf of my colleague and suggest that in my opinion this verse is not partisan, and therefore his claim to have the card reimbursed should be affirmed. Saying something about health care and housing - I think all three leaders in the province this year in their end-of-year interviews talked about the main issues in the province being health care and housing. I wouldn't suggest that that is a

partisan notion. I would say that if Gary had said something like, Health care is a problem and this is how the NDP is going to fix it, then that's partisan.

The current government was elected to fix health care. We all know that health care is a problem. Again, I will reiterate that people have spoken about it in the media. We all talk about it. I think we could go through pages and pages of Hansard, and everyone here would have been on the record talking about health care and housing being issues in Nova Scotia.

This was an oversight in Gary's office. Gary, ever since he's been elected, has always sought Speakers' approval. It's not like he was trying to pull a fast one. This is a case where there's a lot going on in an office before the holidays, and this one step of getting the Speaker's Office's approval for this piece of literature was missed. I just think that we should think of if it happened to you and say, Gary, you get a wrist slap, but we will honour this expense as a legitimate expense. I just think that it doesn't seem to me at all partisan.

JOHN WHITE: Christmas is a time to - my biggest concern is wish a merry Christmas or happy holidays. Am I going to offend somebody? I think with a statement such as this, I think it's questionable at the very least. I'm not saying he did it intentionally, that's not for me to say. Regardless, when there's such a statement to be made and you want to step out on the edge - which is fine - I think you follow procedure, which is to have the message approved before you go.

I'm reading the letter here as I read it before, and it says here quite bluntly: "There is an additional element of context. In the course of producing the holiday card, we in my constituency office mistakenly neglected to submit the card to the Speaker's Office for prior approval, according to proper practice." It's one thing to say Merry Christmas and not be approved, but in this regard, our caucus will stand behind the Clerk and not allow the approval of the appeal. Sorry.

DEREK MOMBOURQUETTE: This is where it's kind of interesting because we could talk about multiple examples that could be questionable when it comes to whether it's this card - Communications Nova Scotia - how I interpret it's being used now when we were heavily criticized for any ounce of partisanship back in the day on our government's side.

What I look to in this is, yes, you can question the wording that he used, but as my colleagues said from the NDP, he did not use NDP on the card. He did not use Liberal on the card. He did not use PC on the card. He made a comment. Is he out on the edge? Sure, he is, right? Guess what? These are issues that are being talked about, not only by the NDP, but by all parties. They're being talked about in communities, and Gary at the time must have gone off what we're all seeing.

This is a case in Gary's situation with the card, but if we're going to debate this when he didn't use political, let's have a debate about Communications Nova Scotia and how that's being used right now - all of those resources, and the personal videos of the Premier using staff for his own personal use and political gain. That's my interpretation of what's happening with Communications Nova Scotia right now.

So we have a card that doesn't have any political affiliation on it, but made a comment that many Nova Scotians agree with. Do I think Gary was completely right in it? No, I don't, but I go to the fact that party affiliations weren't used, comments were made around issues that are affecting Nova Scotians right now. We have a whole list much bigger than a Christmas card that's being used by the government that has never been used like this before for their own gain, using government staff in departments to do it. I support Gary's request and will be supporting that the expense is fulfilled, and he gets reimbursed.

SUSAN LEBLANC: I'm not going to say too much more except this: that talking about housing and health care in 2024 is not going out on the edge, okay? That's not edgy talk. That is what's happening in our province. Anyone who thinks that talking about housing or health care as an edgy issue has their head in the sand. End of story.

ALLAN MACMASTER: At the risk of falling off Mr. Burrill's Christmas card list . . . (Laughs) I know MLA Burrill. He's a very nice man. I have lots of respect for him. I recognize points that MLA Mombourquette is raising here, and those are points of debate, but today we are talking about the MLAs and the expenses we have. There are rules set up, and it is taxpayer money. If we go down this road, we pretty much have to change the rules for everyone.

I'll give you an example. I was hit by this in the past too - a long time ago. I think it was back in 2010, and I learned, Oh wow, I'm out of pocket some money here because I put something out that was deemed partisan. I've grown to accept the reality that you just can't put stuff out that's partisan when you're spending taxpayers' money through an MLA budget. Now it's different. You can put something on your Facebook page. Well, as long as it's not at election time, but you can put something out on your Facebook page. That doesn't cost the taxpayer anything. You can put out a letter to the editor. That doesn't cost the taxpayer anything. At election time, you're using election funds to pay for these things, you're not using taxpayer dollars.

I'll give you another example related to Facebook. I approached Mr. Timmons recently about Facebook, if I wanted to boost a post. I had something as subtle as saying, Our government did this. I wouldn't be allowed to claim it as an expense if I put "our government" because then I would be sort of positioning myself and the government, and isn't the government great? I could say "government" because that's more general.

These are fine points, and I do sympathise with MLA Burrill's situation, but there are rules and there are guidelines. They're set. We can all read them when we come to office. We can consult with Mr. Timmons.

I can appreciate that this is an oversight, but this is taxpayers' money. They are rules that we've agreed to in advance. If we're going to start questioning the people who we have in impartial roles who are making these decisions - this is not government MLAs making the decision against MLA Burrill. If we're going to start questioning them, then I think we're basically throwing all the rules out the window, and it's a free for all with partisan advertising.

The member can laugh over there, but that's the reality of this. I've gone through this myself. I've been out of pocket myself in the past. I feel badly for Mr. Burrill, but the rules are the rules, and unless we're going to change them for everybody, I think we should live by the rules.

THE CHAIR: Just looking at the time. If we could be concise in our responses, we do have a 6:00 p.m. deadline.

I will recognize MLA Irving and then MLA Mombourquette. Please go ahead.

KEITH IRVING: I think the Clerk made it very clear here that this is a matter of interpretation, and there is an appeal process if someone disagrees with an interpretation. The interpretation is now bumped up from the Clerk to us. We are not changing any rules. We're doing our job to act as an appealing table to review this. Now it's our interpretation that is going to make this decision. We're not changing any rules.

I didn't run my Christmas card by the Speaker's Office either. It said, Merry Christmas.

Let's look at the interpretation of the words. That's how I - as an adjudicator of this appeal - here are the words that are in question, Health care is an issue. Those are the words. To me, that is a statement of truth that we all agree on. "Health care is an issue." I can't find partisanship in that.

The second part of that is, Housing is worse. Now, he's expressed an opinion - his personal opinion that housing is worse than health. But again, it's not a partisan statement in any way. We are being asked to interpret those two short sentences in what is a clever rhyme, as the Clerk indicated. On the face value of those - one, two, three, four, five, six, seven, eight words, I cannot find anything partisan that would deny us the ability to reimburse him on this.

DEREK MOMBOURQUETTE: Again, just a couple of points. To Minister MacMaster's point, he actually answered my question. What we're interpreting here

doesn't say "government." He doesn't use any government terms. He's talking about issues and things that have existed for years in this province - health care and housing. They're a challenge. Government ran on it. They thought it was terrible, and they had to fix it. They won an election on it.

He's not using government in this in any way, shape, or form. He's not used any politics, parties. To the comments across the way, I sat on this committee and rejected one of my own caucus members' requests. These are serious. People spend money on this. We want to make sure that we provide right oversight.

In this case, as my colleague explained clearly, what's in question right now has nothing to do - it does not use the term "government." It does not use the term "political parties." It talks about issues, quite frankly, that the government formed government on. Now all of a sudden, it's not okay, and we're going to reject this appeal?

[5:30 p.m.]

THE CHAIR: I'm going to allow another comment and then we'll move forward, because I do believe that we would all agree that the next agenda item is extremely important. I will go ahead with MLA White.

JOHN WHITE: I wasn't going to speak again, but to say we ran a campaign on those words, yes, we did, using campaign dollars. This is a Christmas card, and that statement is very political in my eyes, so I support the Clerk.

THE CHAIR: Thank you everyone for your comments and opinions on this agenda item. I will ask that there be a motion put forward that the appeal of the Clerk's ruling that the cost of producing MLA Gary Burrill's holiday card is ineligible to be claimed. If someone could put that motion.

SUSAN LEBLANC: Sorry, could you just repeat that so we know which way we're going?

THE CHAIR: Okay, everyone, I'm taking a little different direction here in going about this. I just would like those who are in favour of MLA Burrill's appeal to raise their hands. I will then ask those who are not in favour of MLA Burrill's appeal to raise their hands.

All those in favour? Contrary minded? Thank you.

The appeal has been defeated four to three.

We are moving on to agenda item No. 7: MLA office security. Again, this is a really important subject. I want to thank those who have sent in information and helped us

to prepare for today. Those conversations were most important. I will hand it over now to our Chief Clerk, James Charlton. MLA Leblanc, you have a question?

SUSAN LEBLANC: No, but I'd like to make a motion on this subject.

THE CHAIR: On this subject, before we provide our . . .

SUSAN LEBLANC: I'm happy to hear from the Clerk, but I do want it noted that I would like to make a motion.

THE CHAIR: Sure. I'll make a note of it. I would like the opportunity for the Clerk to speak first, and then we'll certainly open the floor.

JAMES CHARLTON: I have some notes here. I'll try to go quickly since we're a bit later on in the afternoon. I don't think I really need to say why this is before us. I think everyone knows there was a fairly high-profile incident that was reported in the media involving an altercation at an MLA's office. After that, MLAs were asked if they had any specific proposals to put forward to the commission on the issue of security for MLAs' constituency offices.

Proposals that were received by the House Leaders or by staff from members were: increasing the number of constituency assistants employed in an office from one to two; providing constituency assistants with training in crisis intervention, suicide prevention, mental health first aid, and de-escalation; and providing additional money for procuring and installing security measures in constituency offices.

I also heard from the Minister of Labour, Skills and Immigration, Jill Balsler, who forwarded me a number of resources related to violence in the workplace regulations, which were promulgated under the Occupational Health and Safety Act. While those regulations as written do not apply to MLA constituency offices, they're actually a pretty helpful resource. The materials that she provided, such as the guide to workplace violence prevention and the violence risk assessment forms, may be useful to MLAs, so we will be forwarding those to the caucus offices and to the independent member after this meeting.

Also, I should advise that every MLA is entitled to engage - just for background and based on some of the things we've heard. Under the regulations, every MLA is entitled to engage the services of one full-time constituency assistant or the full-time equivalent, and the salary and benefits for that constituency assistant don't come out of the member's constituency budget. They're paid directly by the Office of the Speaker.

MLAs are also entitled under the regulations to claim reimbursement from their constituency office budgets for the employment of additional constituency assistants and other staff for staff professional development and courses and for security expenses. Just to give some context: In the 2022-23 fiscal year, members spent 83 per cent of the total

amount budgeted for their constituency offices. That's not including the cost of the full-time assistant.

We do have resources to help with MLA security. I want to remind all members of the Commission that Corporate Security at the Department of Justice provides assessments for the security needs of constituency offices and makes recommendations on what measures should be put in place. It's up to MLAs to decide whether to implement those measures and then to go about it. Specific measures are required to have an office that is safe for a single person to be working alone. The exact measures will depend on the actual office space.

The Office of the Speaker has been advised by Corporate Security that fully implementing these measures is the most effective way to ensure the safety and security of persons working in a constituency office. It is also, according to Corporate Security, the least costly way of doing so. Corporate Security did conduct a survey of MLA offices, reaching out to the constituency offices to find out a bit about what they have in place right now. The results that I received from them were that 32 constituency offices reported having an alarm system, 30 offices reported having a panic button, 24 offices reported having a camera system for the office, 13 offices reported having a means of controlling door access, and 10 offices reported that they had all four of these measures in place.

It's now up to the members of the Management Commission to discuss and determine what, if any, measures are necessary or advisable to take under the circumstances.

THE CHAIR: Okay, thank you for all that. I realize that there are probably going to be a lot of comments here, so keeping in mind, again, to be concise with your input, considering the time, I will start with MLA Mombourquette.

DEREK MOMBOURQUETTE: I really appreciate the opportunity. I appreciate the work that the staff has done on this. As a caucus, we fully support additional staff within our offices, and that's for a number of reasons, some of them around the complexity of what offices are offering now.

As all of us know, our offices are very front facing. I've been doing this now for nine years. I've seen a huge transition around some of the supports that we're providing to residents, and we've also seen how polarized and how more intense political activity has become over the years. Many of us have stories that I'm sure we could all share; we don't have time to do that tonight, but we've seen in it in MLA offices. Unfortunately, what happened in MLA Maguire's office was a big wake-up call. As I said, there are other examples that are out there, and these are offices that predominantly are operated by women - they have been, traditionally - that are seeing much more complex issues coming in.

All of our CAs do an amazing job of supporting our communities, and I believe that it's time not only that we do it from a support mechanism, but from a safety mechanism. Unfortunately, we're having this conversation. I wish it was one we weren't having, but there are a number of incidents that have happened. I know MLAs are taking steps to beef up the security around entrances in their offices - we're all doing that - and I know that MLA offices also operate differently. Some MLAs will use all of their budget because of various reasons, and some MLAs will end up with a surplus. We all use our money differently, based on what's in the best interests of our constituents.

As a caucus, we do support the addition of a second CA. We do, outside of our regular budget. It's something that we believe is important for safety, and, also, many of the things our Clerk talked about around making sure we have more training and more options for people, because they're coming. They're coming to our offices. I've seen a big shift in the last number of years.

Chair, I actually have a motion that I was going to put on the floor. Do I do it at this point right now, because I have the floor? (Interruptions) I can wait to hear from everyone.

I want to leave it there now. I'll just finish off with: This is something that we believed in from Day 1. We've had conversations tonight about how we've approved additional staff going to the Department of Finance and Treasury Board and to the Treasury and Policy Board for the Auditor General. Why would we not want to take a look at this? These are our front-facing employees. They're providing a number of services from each and every department. We set the precedent tonight already. I think we need that additional staff in our offices.

THE CHAIR: Thank you very much for that input.

SUSAN LEBLANC: I guess we're waiting to make motions. Is that the idea? I do have a motion ready. I was going to ask the Clerk to distribute it while I was speaking.

I agree with MLA Mombourquette. We also are in strong support of adding an additional CA to every office - if requested, of course. We don't need to force people to have two CAs. But I do think it's important that every CA is safe with another person.

I just want to bring this back to the incident that happened in Mr. Maguire's office, where there were two people, and it was only because there were two people that the situation did not get much worse for Mr. Maguire's CA. They had a panic button. They had a locked door. And yet - yes, I'm quite sure that they did have a panic button, and they had a locked door, and it wasn't until there was a second person who was able to fight off the intruder that things got more under control. It is crucial that our employees are in safe workplaces.

I also want to bring up that recently I had the opportunity to bring a constituent for a meeting at our local Department of Community Services office for his annual review. I've been there several times for various things, but it struck me this time, when I went in, that the elevator opens up - this is the Dartmouth office - and there is a wall of three or four people working - boom, boom, boom, boom - behind plexiglass. That's great. It's a busy office. But I'm sure there is never a time when any one of those people are the only person working in that office in that greeting-the-public situation.

Then, when a person is taken in for their review, they go into a teensy-weensy room where the staff person comes in one door and you go in the other. It's like going to visit someone in prison, I imagine. It's very safe for the staff person. There's an exit door. There are all kinds of things in place to protect the workers, and for good reason. People are obviously under a lot of pressure when they're going to do their annual reviews for Community Services.

Our offices are not that different. When people come into our offices, they need the help of the MLA. You don't come in just for - well, some people do - come in for a chat. (Laughs) Actually, lots of people do. But my point is this: We need to make sure that our staff are as safe as any other public employee - any other Nova Scotia employee. That requires people working together. I just don't understand how this could even be an issue right now. I think that this should be a given.

The Clerk has distributed my motion. I would love to put it on the floor and have a debate on the motion.

THE CHAIR: Are there any comments first from - Minister MacMaster.

ALLAN MACMASTER: I have already made some comments on this publicly. I know one thing I did was - and just to mention, MLA Leblanc was mentioning about a panic button. I think MLA Maguire has installed one since. I don't think he had one in when this happened. I think that's happened since. I think he's installed one.

I guess what I'm trying to say, Chair, is that there are all kinds of ways to make an office safer. I know I've reached out to Ian Burke who can provide advice and has expertise on this. I'm waiting to hear what advice he has for me for my office, based on the setup that's there currently. I know we looked at this years ago for accessibility purposes. I know it's an issue that means a lot to members, and it's an issue that - people have lived some experiences that makes it a very emotional experience and a very emotional topic to discuss. I'm sympathetic to that, but I'm still waiting to get some advice on maybe improvements I can make. There's a number of things that we have in place already.

That's where I am. I'm not, I don't think, where these members are in saying, We need to have an extra member in the office all the time. I'm cognizant of the cost of that. Just because we have taxpayers' money doesn't mean we should be able to just say, Oh,

we're going to do this, if it might seem like the thing to do in the moment. I want some professional advice on security, and I know there are all kinds of other workplaces where people interact with the public where there's one person there, and there're often measures in place to protect their safety. That's where I am personally.

[5:45 p.m.]

JOHN WHITE: All Nova Scotians have the right to work safe and to feel safe at work. My concern is there are many people out there who work alone; whether they work for the Province or work in a candy store, it doesn't matter. Are we opening up something here? Are we talking that people can't work alone now anymore? If that's the case, then it's a bigger conversation than here.

I do feel that this is a societal change that we are actually very much a part of. Each and every one of us has run campaigns that can get dirty, and we're involved in a business where people come to see you on anything but their best day. That's when they come in our office. I do believe - I believe wholeheartedly - that de-escalation training is something that is essential to our staff and to even us, to be honest with you. I just do not see that with all we have in place to have Corporate Security and everything else, and the recommendations, have all MLAs taken full advantage of Corporate Security and taking everything that they've given? Have we done that? Have we exhausted all avenues before we go any further?

We just heard that only 10 offices are fully armed with alarm systems, controlled access, and panic alarms. Before we spend \$4.5 million, I believe, to a \$7 million budget, I really think we have an obligation to exhaust every other avenue first. Look, I really was upset when I heard what happened in his office. It bothered me greatly. I have great compassion for the guy, believe it or not. I love who he is and his story, I really do. I think he's a champion, to be honest with you, but I don't think that throwing money on top of a bad incident - and no doubt a bad incident - is the answer right now. Not \$4.5 million. We have responsibilities.

I would like to see the de-escalation training, and then I would also like to see all MLAs taking full advantage of the recommendations from Corporate Security.

THE CHAIR: I will go to MLA Leblanc, and then back to MLA Barkhouse.

SUSAN LEBLANC: I just want to say, yes, it's important for all of those security measures that we've heard about to be implemented, but I also think that we should be doing everything we can to keep people safe in our offices. That does include panic buttons, and alarms, and training. I have to say that my office has all of those things, and I've done all of those things. I also know that my CA would feel very much better to have someone to work with all the time, and I know lots of CAs. I wonder what it will take for the government to understand that two people is better than one person. Are we actually

going to start talking about taxpayers' dollars when it's actually taxpayers who are working for us? These are Nova Scotians who are working in our communities. Are we going to start using that kind of rhetoric to prevent the government spending money in an effort to protect people? I find it abhorrent, actually, and I think that I would like to make my motion.

THE CHAIR: Again, I will go as I stated because I did state it, so I have to follow through with MLA Barkhouse.

DANIELLE BARKHOUSE: For me, I will state that it's about prioritizing your budget. For example, last year, I had . . .

AN HONOURABLE MEMBER: No.

DANIELLE BARKHOUSE: Please. So . . .

THE CHAIR: Okay, I want to clarify here that everyone is getting an opportunity to speak and that we have to be respectful because this is about safety for individuals. I will give the floor back to MLA Barkhouse, and then we will end with MLA Irving, and then we'll go to your motion.

DANIELLE BARKHOUSE: For me, this is about prioritizing our office budget. Last year, I had one staff member. Spent a lot of money on advertising. This year, because of fire and floods, I had to have a part-time staff, less advertisement. Next year, there's going to be a little less advertising as well. It's going to be spent on staff just because we are expanding. There are lots of grants that are being released for people to take advantage of. There are lots of emergency grants. I'm also going to be installing a camera and a door lock. There are little things that I have to spend money on because I prioritize what's important to my office and the staff at my office. I know other MLAs who, because of certain things, have to have hired extra staff, as well, whether it's six hours a day or eight hours a day - full-time. For me, it's about prioritizing the money that you have in your budget. Is it advertisement and dinners or events, or is it staff?

KEITH IRVING: I guess I'll try to be brief here. I'm very disturbed that our constituency - the safety of our constituency is put in the context of budget, on \$15 billion. We have a responsibility. Those constituency assistants have our back; we need to have their back. The environment has changed significantly. This is not MLA 1970. I note, when we sat in the Legislature after the shooting on Parliament Hill, as I glanced out the window at the next roof, wondering about a bullet, we didn't hesitate to up security for ourselves at the Legislature. We didn't talk about budget. We wanted protection because the environment for a politician and, in particular, their staff is much, much different.

I think we have to put it in the context. I agree with the minister that we need to investigate this, but I don't think we should be closing our minds to an additional person.

The training and the security measures would not have changed the incident that we're trying to address. It is not going to change a similar incident, so what we need to do is find the solution that's going to change that incident and reduce the risks significantly for our constituency assistants.

MPs have four or five staff. They work in a completely different environment than we do. Our constituency assistants are alone, and I would suggest that most, if not all of them, have dealt with very, very uncomfortable situations. I had a resignation from a constituency assistant over incidents, over the death threats. It is not a comfortable place to work, in an MLA's office. I think we need to do more than talk about budgets. We need to talk about how we're going to protect our CAs.

DEREK MOMBOURQUETTE: I know there's some further discussion, so I'd move a motion to extend the meeting to 6:20.

THE CHAIR: There is a motion to extend this meeting to 6:20. There is no rule indicating that we have to stop sharp, like some other committees where they have to stop right on time. This committee does not have to do that.

There is a motion by MLA Mombourquette to extend to 6:20.

All those in favour? Contrary minded? Thank you.

The motion is defeated.

We will now move on to MLA Leblanc.

SUSAN LEBLANC: I'd just like some clarification, before I do make this motion, from the Clerk. If I do make this motion, Clerk, and it's voted down in this meeting, does that mean a similar motion to this cannot come back?

JAMES CHARLTON: No, I think in a future meeting - it couldn't be addressed again in this meeting - but I think in a future meeting it could be brought forward again.

THE CHAIR: This is really important, and that's why earlier during the meeting I was really trying to get everyone to speed up. That's not always fair, but I knew we would get to this point, and here we are.

It is my recommendation, because I think this is an extremely important conversation, and there is a lot to be said. I certainly don't want anyone around the table to feel rushed. I am going to put a motion on the floor and suggest that we take this discussion to another meeting before our regular HAMC meeting. I'm saying, let's try to find a conducive date and time to meet, maybe in the next week or so, and further have a meeting that is just dedicated to this matter.

I, again, will put that out there. All those in favour?

Apparently I can't make that motion, but that is my suggestion, and I think it's a reasonable suggestion. I want to know, in this short amount of time, what people think about that idea.

ALLAN MACMASTER: If members have more to say, I don't mind staying a little bit longer here. Everybody should have a chance to have their say. It's probably not going to change my opinion or my vote today, but I think prolonging this over future meetings is not really productive if the commission makes a decision today. If members have more to say, I don't mind staying a bit longer if they want to put something on the record. That would be my suggestion. It doesn't make sense to kind of keep something going for months at a time. We've talked about it today. We've come prepared to discuss it. We're interested to hear what the members say, but let's come to a decision.

[6:00 p.m.]

SUSAN LEBLANC: I will change course here and I will take your advice as the Chair of this committee, and I will make a motion that we delay this conversation, we strike up another meeting in the next two weeks where we can continue to discuss this, and then bring it back to the next public meeting. That's my motion.

THE CHAIR: There is a motion on the floor. All those in favour of MLA Leblanc's
...

DEREK MOMBOURQUETTE: I'm glad that - we're moving past six o'clock here, and it is an important conversation. I think that actually, the conversations we were having in the pre-meetings were very good as we hash stuff out. Maybe we'll have some more information from Corporate Security at the time. We're past six o'clock now. I think there's much more conversation to have on this. As my colleagues have said, we're talking about people's safety here, and I happily take your recommendation to go back and continue the conversation.

DANIELLE BARKHOUSE: We don't know which way this is going yet, but if we do stay longer, I would need a five- to ten-minute recess, because I have a very important meeting at six o'clock that is an hour away. I'm sure - I know, I've got a meeting at seven o'clock that's an hour away, and it's about affordable housing with my community, and I really want to make sure I meet that. If we are staying, I would like to have a brief recess to make some phone calls and send a couple of emails.

KEITH IRVING: I'm a bit confused by the minister's comments that he needed more information from a review of his office before he made decisions about what he was doing. (Interruption) Maybe in terms of us making some decisions, we need more information. A number of \$4.5 million has been put out there. I don't know where that

came from or what that means. That information should be in front of us so that we can consider that.

As well, the committee may want to bring in security experts to advise us on the questions that we're dealing with. We are not experts in this. All we've got are three suggestions that came from within. I think there's been some consultation, but we've not heard directly from security experts on how we make things safe for our constituency assistants.

THE CHAIR: Thank you, everyone, for your comments. At this point, there is a motion on the floor, but I will need a seconder. The seconder would be MLA Mombourquette. The amendment proposal has been circulated. You have all seen it, so we will now - the motion is on the floor. (Interruption)

There is a motion to adjourn this meeting and move forward with another date and time that's conducive to meet. That motion was put forward by MLA Leblanc. It was seconded by MLA Mombourquette. I am now putting it on the floor for a vote. We have a recorded vote to move the date and time. If those individuals are ready now, we will have our Chief Clerk take a count.

The Clerk calls the roll.

[6:04 p.m.]

YEAS

NAYS

John White
Danielle Barkhouse
Hon. Allan MacMaster
Nolan Young
Susan Leblanc
Hon. Keith Irving
Hon. Derek Mombourquette

THE CLERK: For, 7. Against, 0.

THE CHAIR: The motion is carried.

At this point, I would thank you all for being here today and for your patience.

I move that we adjourn. We will be in touch with regard to a future date regarding our last issue that is on the agenda. Thank you, everyone.

[The committee adjourned at 6:05 p.m.]