

HANSARD

NOVA SCOTIA HOUSE OF ASSEMBLY

HOUSE OF ASSEMBLY MANAGEMENT COMMITTEE

Wednesday, March 19, 2025

Committee Room

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HOUSE OF ASSEMBLY MANAGEMENT COMMISSION

Hon. Danielle Barkhouse (Chair)
John White (Vice Chair)
Hon. Brendan Maguire
Hon. Becky Druhan
Marco MacLeod
Lisa Lachance
Susan Leblanc
Hon. Iain Rankin
James Charlton, Chief Clerk of the House of Assembly
(Non-Voting Member)

[Hon. Becky Druhan was replaced by Hon. Leah Martin.]

In Attendance:

Gordon Hebb
Chief Legislative Counsel

Karen Howard
Acting 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, MARCH 19, 2025

HOUSE OF ASSEMBLY MANAGEMENT COMMISSION

9:00 A.M.

CHAIR

Hon. Danielle Barkhouse

VICE CHAIR

John White

THE CHAIR: Order. I call the meeting of the House of Assembly Management Commission to order. Let's begin by having the members of the Management Commission introduce themselves. I will start, and then we will move clockwise around the table after me.

[The commission members introduced themselves.]

THE CHAIR: I would also like to acknowledge the presence of James Charlton, Chief Clerk of the House; Gordon Hebb, Chief Legislative Counsel; and Karen Howard, Acting Director of Operations and Administration.

The first item on our agenda is approval of the minutes of the last meeting of the House of Assembly Management Commission, which occurred on January 29, 2025. The draft minutes were circulated in advance of today's meeting. Are there any questions, comments, or changes to the minutes?

Seeing none, would someone move that the draft minutes of the meeting of the House of Assembly Management Commission on January 29, 2025, be adopted? MLA Maguire.

HON. BRENDAN MAGUIRE: I move that the minutes be adopted.

THE CHAIR: Do I see a seconder? MLA Leblanc.

All those in favour? Contrary minded? Thank you.

The motion is carried.

Approval of the 2024 Annual Report of the Audit Committee of the House of Assembly Management Commission, which is the second item on the agenda: The report was approved by the Audit Committee on February 12, 2025, and was circulated in advance of today's meeting. Are there any questions or comments?

Do we have someone who will move the 2024 Annual Report of the Audit Committee of the House of Assembly Management Commission? MLA Lachance. Do we have a seconder? MLA Maguire.

All those in favour? Contrary minded? Thank you.

The motion is carried.

The third item on the agenda is the approval of the House of Assembly Management Commission 2024 Annual Report. The draft report was circulated in advance of today's meeting. Are there any questions or comments on or suggested changes to the report?

Seeing none, do we have a mover? MLA MacLeod. Do we have a seconder? MLA Martin.

All those in favour? Contrary minded? Thank you.

The motion is carried.

The fourth item on the agenda is the consideration of a series of proposed amendments to the House of Assembly Management Commission Regulations. There are four separate sets of amendments representing four distinct changes. We will deal with the proposed amendments one at a time. The first one: remove identity of landlords from expense statements in relation to claims for accommodation expenses in response to security assessment. I will ask the Chief Clerk to speak to the first proposed amendment.

The Chief Clerk.

JAMES CHARLTON: We've got four regulation amendments before us today. This is the only one that isn't in any way related to the report of the MLA Remuneration

Review Panel. This comes from a security issue that was identified to my office by the RCMP, and it relates to concerns about disclosing the landlords for outside members who have an apartment here in Halifax - that's ministers and other MLAs alike. The issue that they felt, that was identified initially to me, was that by identifying the landlord, in the case of some members whose landlord perhaps only has one building, that it would actually identify where they lived and would cause a security concern.

The RCMP then - we had a discussion, they did a proper assessment and looked at a number of different cases. They found that they were able to identify for a number of MLAs where they lived. They were concerned, given the high threat level for MLAs generally, and the current environment that we're in, that this poses a bit of a problem. The recommendation was to bring to this commission a proposed amendment to basically redact that from the expense reports that are prepared under the regulations by me. In practice, it's by Ms. Howard's office. It would be just for that one item.

We usually include the identity of the vendor whenever there's an expense. For this item, we would simply redact the landlord to make sure that people can't tell where the MLAs are living.

THE CHAIR: Are there any questions or comments on the proposed amendments?

Would someone move that the proposed amendments to the House of Assembly Management Commission Regulations to remove the identity of landlords from expense statements in relation to claims for accommodation expenses be approved?

So moved by MLA Lachance. Would someone second the motion?

Seconded by MLA Martin.

All those in favour? Contrary minded? Thank you.

The motion is carried.

The second would be to implement the recommendation of the MLA Remuneration Review Panel to increase the monthly amount claimable by outside members for accommodation expenses. I will ask the Chief Clerk to speak on this matter.

The Chief Clerk.

JAMES CHARLTON: This was one of the non-binding recommendations of the MLA Remuneration Review Panel. Of course it had a very specific mandate in relation to the amount of the MLA basic annual indemnity, as well as the additional salaries payable to the Speaker, deputy speakers, Premier, and ministers with and without portfolio. However, it made a number of additional recommendations, and this was one of them.

This amount - the \$1,499 - hasn't changed in quite some time. Its specific recommendations were that the amount be increased to \$2,100 and that it be made uniform for all members. As far as ministers, who normally had a higher amount, that will come via direction from Executive Council to us to make it uniform. The one change it does require is this change to the Management Commission Regulations. This will mean for non-ministers, it will be \$2,100. As I say, the ministerial one will come via direction to us that will make it all uniform.

As you can see in the text of the regulation: This regulation is to have effect on and after April 1, 2025.

This is as recommended by the MLA Remuneration Review Panel.

THE CHAIR: Are there any questions or comments on the proposed amendments?

Seeing none, would someone move that the proposed amendments to the House of Assembly Management Commission Regulations to increase the monthly amount claimable by outside members for accommodation expenses be approved?

Moved by MLA MacLeod. Is there a seconder?

Seconded by MLA Leblanc.

All those in favour? Contrary minded? Thank you.

The motion is carried.

The next item on our list is to implement the recommendation of the MLA Remuneration Review Panel to increase and make uniform the annual amount claimable for constituency expenses.

I will ask the Clerk to speak to this third proposal and set of amendments.

JAMES CHARLTON: This is also implementing a recommendation of the MLA Remuneration Review Panel. It recommended that, as you've said, the amount for constituency office budgets be made uniform. You'll see in the proposed amendments: Section 43A of the Regulations is repealed.

This was the provision that allowed for slightly higher budgets for geographically larger ridings.

The amendments you see here for 43(3) and 43(6) change the monthly amount to \$6,375.50, which corresponds to the annual amount that was recommended by the MLA Remuneration Review Panel. Our regulations express it as a monthly amount, which is

why we're doing it in this way rather than as an annual amount, but it corresponds exactly with the recommendation.

I note that the change to 43(6) - that's the amount that the members receive in the month after they cease to be a member. Previously the idea was that they received the base amount and it didn't include any additional amount for franking and travel, but with the elimination of all those provisions, we've just had it harmonized with the regular monthly amount that everyone receives.

The only other changes are to take out some references to Section 43A, the section that's being repealed, and these amendments have effect on and after April 1, 2025, which was the date recommended for the change in the constituency office budgets to take place by the MLA Remuneration Review Panel.

THE CHAIR: Are there any questions or comments on the proposed amendments?

Would someone move that the proposed amendments to the House of Assembly Management Commission Regulations to increase and make uniform the monthly amount claimable by members for constituency expenses be approved?

Moved by MLA Martin. Seconded by MLA MacLeod.

All those in favour? Contrary minded? Thank you.

The motion is carried.

The fourth thing on our list is: To respond to recommendation of MLA Remuneration Review Panel in relation to annual increases to monthly amount claimable by outside members for accommodation expenses and the annual amount claimable for constituency expenses.

I will ask the Clerk to speak to this fourth proposed issue.

The Clerk.

JAMES CHARLTON: The Chair has framed this as a response rather than an implementation. Sorry, I keep confusing the MLA Remuneration Review Panel and the Management Commission - the two most important bodies that we're talking about here. The MLA Remuneration Review Panel had recommended that the amounts for constituency office budgets and for the outside members' allowance be reviewed regularly by the Management Commission. We've been doing that for a long time. We know what the response is: That means that they never get adjusted properly. My recommendation was that we instead restore the automatic nature of Section 52, which is the annual CPI increase

for both of those items and the other items that are set forth in the Management Commission Regulations.

This will ensure that the value of those amounts - whether they be for constituency office budgets or anything else - doesn't get eroded by inflation as it has been for the past 15 years. I've distributed a copy to all the members. The one that was originally distributed had a slight drafting change, although there's no change in the actual meaning in this one. Section 1 takes out the requirement that the commission approve the CPI increase. Instead, it will be automatic every year on April 1st. It removes a reference to "core" in relation to the CPI for Canada. There was some confusion about what that meant. We've always used the all-items basket of CPI for the Canadian CPI. The way this section works is that it's the lower of the CPI for Nova Scotia and the CPI for Canada. We've removed the reference to "core."

We've also changed it to refer to the calendar year. This was an issue for us before because the regulations define "year" to be fiscal year. It meant that we couldn't apply the change until well after April 1st because it was looking at the change from April 1st of the previous fiscal year to March 31st. We're changing it. We're looking at what it was for the previous calendar year. We'll have those numbers and be able to implement them for April 1st.

The change I spoke to you about between the draft that was circulated in the meeting request and what's before you here is just this part here at the very end, which provides that there's no increase in this fiscal year, so no increase on this April 1st. It was previously framed as no increase for the 2025-26 fiscal year. We've changed it to no increase on April 1, 2025. It's the same thing. It's just a drafting change because the provision is all about making a change on April 1st.

THE CHAIR: Are there any questions or comments on the proposed amendments? Seeing none, would someone move that the proposed amendments to the House of Assembly Management Commission Regulations to make the annual increase of fixed amounts set out therein automatic, and providing to make the increase equal to the increase in the Consumer Price Index for Nova Scotia or the increase in the Consumer Price Index for Canada for the previous calendar year, whichever is lower, and to provide that there is no increase on April 1, 2025?

MLA Maguire has moved it. Do I have a seconder? MLA Martin.

All those in favour? Contrary minded? Thank you.

The motion is carried.

The fifth item on our list is: reclassification of constituency assistants. I will ask the Clerk to speak to this matter.

The Clerk.

[9:15 a.m.]

JAMES CHARLTON: It was a recommendation of the MLA Remuneration Review Panel that constituency assistants undergo a position evaluation. We looked at some options around this about possibly even directly reclassifying them ourselves. However, the proposal here is to follow what the MLA Remuneration Review Panel recommended and effectively have the Management Commission request the Public Service Commission to do that position evaluation with an eye towards whether reclassification would be appropriate. They would look at it and make a determination based on that. That's our plan.

THE CHAIR: Are there any questions or comments?

MLA Leblanc.

SUSAN LEBLANC: I just wanted to know, in that process is there any consultation with MLAs? Is there any way to have some input into that process of the review or the reclassification itself?

THE CHAIR: The Chief Clerk.

JAMES CHARLTON: We can ask that. My expectation is that it's a PSC process so we're not in control of it. It's a question we can ask. I can certainly say there would be interest in MLAs being consulted. It's the PSC's process. It's not ours, unfortunately.

THE CHAIR: Any other comments or questions?

Would someone move that the Public Service Commission be requested to conduct a position evaluation for constituency assistants to determine whether they are appropriately classified?

The motion is moved by MLA White. Do I have a seconder?

Seconded by MLA Rankin.

All those in favour? Contrary minded? Thank you.

The motion is carried.

The sixth item on the agenda is an overview of the next steps to be taken in relation to the remaining non-binding recommendations of the MLA Remuneration Review Panel

over which the Management Commission or the Speaker's Office has authority. I will ask the Clerk to speak to this matter.

JAMES CHARLTON: A number of the recommendations were binding. Some of this stuff is also dealt with in Bill No. 1, which is already before the House. Then we've dealt with a number of them here at the Management Commission.

However, there are three items left that were referred to the MLA Remuneration Review Panel report that require further work. I'm just going to give you a bit of an outline of how we see that proceeding.

One was a recommendation regarding the adjustment of the transition allowance eligibility and a reduction for other income received. This was a suggestion about allowing that to be payable out to age 65, when an MLA resigns or isn't re-elected, but also making the amount of transition allowances clawed back for other income.

The recommendation of the MLA Remuneration Review Panel was that the Speaker's Office determined implementation. The real big question there is how you deal with the clawback of other income. That will require some consultation by Karen Howard's office with similar offices throughout Canada.

I believe the MLA Remuneration Review Panel's report had looked at B.C. as a model that does this so we would look to consult with them, bring it back to the Management Commission to see if that's acceptable to the Management Commission. Then we would basically have to request a legislative change, that the government bring forward a change to the House of Assembly Act because transition allowances are legislated in that Act.

We can't make the change ourselves, but we can certainly evaluate it and make a request for a legislative change. I think we're looking at probably a Fall to Spring timeline for something like that. It will take a little time to sort out the administrative aspects of it.

The next one is the MLA Remuneration Review Panel recommended that we review the compensation receivable under Sections 29 and 31 of the Management Commission Regulations. That's the pay for committee chairs and vice chairs and also for House Leaders, Deputy House Leaders, Whips and Caucus Chairs. That will require a jurisdictional scan across Canada.

It's a little more complicated than it was for the salaries and indemnities reviewed by the MLA Remuneration Review Panel. There are some jurisdictions that do not pay the Government House Leader - the Government House Leader is giving me a look - because they are always a minister, and it's considered subsumed within their ministerial pay.

There are other jurisdictions that don't pay the Caucus Chair. There are others that pay very handsomely. We need to take a look at what everyone is doing to be able to come back with meaningful recommendations that take into account some of these differences. I think that's something we can do in the nearer term and I think we're looking at probably by the Fall hopefully being in a position to report back and have some proposed Management Commission Regulations changes to address those issues and better align the amounts we pay with what's paid in other Canadian jurisdictions - probably trying to use the average among certain provinces the same as the MLA Remuneration Review Panel did.

Lastly, it was suggested by the panel that we review the expense and reimbursement process under the House of Assembly Management Commission Regulations. That is a longer consultation in terms of looking at what other jurisdictions do. There will be significant variance among the other provinces, and possibly if we look at the House of Commons and the Senate too. We expect that will take more time. We're looking at probably at least a year before we'd be in a position to come back with a report for the Management Commission to look at and think about whether they want to change our process or change how we do things, whether any of that makes sense. That's basically what the next year's worth of work looks like for us to deal with these other matters.

THE CHAIR: There is no vote on this. It was for information only, but if anyone has any comments or questions, I'd be more than happy to recognize them.

The seventh item on the agenda is a review of the financials from the third quarter of the 2024-25 fiscal year. I will ask the interim Director of Operations and Administration to speak to this matter.

Ms. Howard.

KAREN HOWARD: These were presented to the Audit Committee in February. I would say that we're looking at about 75 per cent at this point for December 31st. Due to the timing that they were presented, we were able to include our final forecast, which was submitted in January. It's pretty typical for an election year. The bulk of the election expenses would have been captured in the forecast at this point. It's pretty typical for an election year, I would say at this point.

THE CHAIR: Do we have any questions or comments? No.

That's the end of agenda items, but I will ask if anyone has something they would like to add. MLA Leblanc has raised her hand.

MLA Leblanc.

SUSAN LEBLANC: I'd like to put a motion on the table. This is in keeping with some of the changes we've made today already, and I'm asking for the consideration of the committee for this. Essentially, the cost of wages, office spaces, and goods are all increasing, as we all know. Funding needs to be increased for members of the Legislative Assembly to continue serving their constituencies and, more broadly, their province. Therefore, I ask that the Legislative Counsel be directed to prepare an amendment to the regulations to increase the caucus funding amounts by 20 per cent for the consideration of the commission at its next meeting.

Essentially, that's the motion. The 20 per cent is debatable, obviously. Basically, we're looking at increasing amounts for constituency offices for remuneration. I think we would like to consider looking at the caucus office amounts as well. This motion simply directs Legislative Counsel to take a look and propose an amendment that could come back at a meeting in the future. I'm hoping that everyone will support it.

THE CHAIR: I'm going to look for a seconder before we move on to debate. MLA Lachance seconds it. MLA Maguire has his hand up for comment.

MLA Maguire.

HON. BRENDAN MAGUIRE: Thanks for the motion. We'll take it and just review it and consider it, then maybe we can have some conversation via email with the Clerk and everybody else. We just want to take a look at it and maybe figure out where other jurisdictions are at and what a good solid number is. I think it's probably an appropriate motion. We just want to take a little bit to review it and then get back to you, if that's okay.

THE CHAIR: Are we looking to defer the motion until the next meeting?

MLA Maguire.

BRENDAN MAGUIRE: If possible. We don't want to vote no, and we don't want to vote yes on it. If we could just defer the motion until the next meeting so we can take some time to review it. Everything else is months, a year away, so I think we'll take some time, defer it, and then we'll get back to you on it. I think we can collectively work on this stuff.

THE CHAIR: MLA Leblanc, would you like to withdraw the motion and bring it to the next meeting, or would you like the vote? Okay.

MLA Leblanc.

SUSAN LEBLANC: I'll just say - a totally acceptable response and it makes sense. But the motion is only to direct Legislative Counsel to bring an amendment, and that amendment could be debated and looked at and taken away.

Either way, I'm happy to withdraw it for today. Let's take it offline and bring it back next time.

THE CHAIR: The motion is withdrawn.

That concludes our agenda for today. We now stand adjourned.

[The committee adjourned at 9:26 a.m.]