



Legislative Assembly of Saskatchewan

BOARD OF INTERNAL ECONOMY

HANSARD VERBATIM REPORT



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BOARD OF INTERNAL ECONOMY

Hon. Dan D'Autremont, Chair
Cannington

Hon. June Draude
Kelvington-Wadena

Ms. Doreen Eagles
Estevan

Mr. David Forbes
Saskatoon Centre

Mr. Jeremy Harrison
Meadow Lake

Mr. Warren McCall
Regina Elphinstone-Centre

Hon. Don Morgan
Saskatoon Southeast

[The board met at 17:15.]

The Chair: — We'll call this meeting to order, meeting of the Board of Internal Economy, and present we have Minister Morgan, Mr. Harrison, Ms. Eagles, Mr. McCall, and Mr. Forbes.

Before us we have the proposed agenda for this evening. Would someone move that we accept the agenda as proposed? Mr. Forbes, seconded by Mr. Morgan. The agenda items are: minutes; item no. 1, discussion and decision item on the funding commitment for the Advocate for Children and Youth and the Ombudsman; item no. 2, discussion items, steering committee report on the review of the Board of Internal Economy directives; item 3, other business if there is any.

So before us we have the motion by Mr. Forbes, seconded by Mr. Morgan, that we adopt the proposed agenda. All in favour?

Some Hon. Members: — Agreed.

The Chair: — Carried.

You have as well before you a copy of the minutes of the last meeting, meeting #5/12 of November the 13th, 2012. Are there any questions related to those minutes? If not, would someone move adoption of the minutes? Mr. Morgan, seconded by Mr. McCall. It has been moved by Minister Morgan, seconded by Mr. McCall, that the minutes #5/12 be adopted. All in favour?

Some Hon. Members: — Agreed.

The Chair: — Carried. We'll move on to item no. 1, discussion and decision, request for funding commitment for the Advocate for Children and Youth and the Ombudsman related to rental properties in Saskatoon. As per the request from the board, we have Ron Dedman with us tonight, the deputy minister of Central Services. So I believe you have some knowledge on these questions. If you would please proceed, Mr. Dedman.

Mr. Dedman: — Thank you, Mr. Speaker. I've prepared a little deck — and I think everybody has one — just as a starting point to locate the existing space, the T&T building on 25th and 3rd Avenue in Saskatoon. There's a map there on page 3, and on page 4 there's a picture of the building which consists of two towers, just as reference points.

So on page 5 gives what the current situation is, which is leased space of 6,595 square feet, and that works out to be 173 square feet per employee. In Central Services, we're moving to a standard of 200 square feet per employee, and there are lots of examples around government where it's much higher than 200. So the Ombudsman and the Advocate for Children is very confined in their space per employee in the current facility.

The annual rent is 171,920 plus 8,640 per year for 12 parking stalls, so round figures \$180,000 a year. And that's a gross amount that includes taxes, cleaning, heat, light, and water in that amount.

So in looking at that space on page 6, that space has been occupied for quite a long time — two five-year leases and some

extensions — but the current arrangement expires at the end of January 2013. And I've noted the issues here about the expanded number of staff. Staff are doubling up in offices, and there is no adjacent space to the current space that is available, so it's not possible to find some space at the location they are. And I've just noted that space in Saskatoon is hard to get and costs are rising.

The option we have is that Ministry of Highways is moving out of the adjacent tower sometime around the end of this year and that space becomes available. The landlord, which is the landlord for the two spaces, would allow us to extend a lease on the current space for two years with a 90-day out clause. And what that would mean is once Highways moves out, the space that they're in could be renovated to accommodate these two agencies working together, and they could move into that space when it was ready. So it could be as soon as six months, could be nine months, just depending on when Highways actually moves and how long it takes to renovate the space.

The two costs that would be involved: one would be the leasehold improvements on the new space, the Highways space. Highways space is about one-third bigger at 8,697 square feet. So to renovate that space, our estimate is around \$500,000. That is actually a reasonable amount and involves utilizing as much of the existing tenant improvements as we can use in the Highways space.

The cost of the lease would go up to approximately 300,000. We think a little less than that. And both of those costs would . . . The leasehold improvements would start probably early in the fiscal year, and the higher lease rate would begin when the move in took place. And on page 8 there's a summary, identifies the amount of current space and the annual rent and the new space and the projected annual rent for that space.

The Chair: — Mr. Morgan.

Hon. Mr. Morgan: — All these spaces are in the same building?

Mr. Dedman: — The Highways space is in the adjoining tower. They're not . . .

Hon. Mr. Morgan: — The other T&T Tower.

Mr. Dedman: — Yes.

Hon. Mr. Morgan: — So it's the same landlord?

Mr. Dedman: — Same landlord.

Hon. Mr. Morgan: — What is available in the Stone?

Mr. Dedman: — Nothing. It's full.

Hon. Mr. Morgan: — What other spaces are available that's owned spaces?

Mr. Dedman: — Well there's not much space in Saskatoon at all at the moment. So we could go out and attempt to find additional space. I think the challenge would be the leasehold

improvements would be potentially significantly higher. We're looking at 60 to \$70 a square foot. You could easily spend 150 to 200 on leasehold improvements, depending on the state of the space that you found.

Hon. Mr. Morgan: — It's your opinion that the rates proposed are market rates and that they're competitive.

Mr. Dedman: — Yes. I think the landlord would like to keep government as a tenant in part of the space and would facilitate the move from one building to the other. Obviously we'd be keeping the 8,600 but giving up the 6,600.

Hon. Mr. Morgan: — The determination as to the number of square feet required, is that a determination made by your ministry or is that something by the independent officers?

Mr. Dedman: — The amount of square feet per employee?

Hon. Mr. Morgan: — Well the amount of square feet overall that they're taking. What I don't know is whether that's what they actually need for space or not, so I'm just wondering whether your office reviews what the needs are or whether you rely on . . .

Mr. Dedman: — Yes. Round figures, I would say, based on the, say, 38 people which I think they would have. If you move to the 200 square foot per person, you would be somewhere around 40 to 42. You could accommodate 40 to 42 people in the new space at the new standard.

The Chair: — Any further questions, Mr. Morgan?

Hon. Mr. Morgan: — No, I don't think so. I don't know whether other people do or not.

The Chair: — Ms. Eagles.

Ms. Eagles: — Thank you. And thank you, Mr. Dedman. So the first year cost of this is actually \$600,000 because it would be 100,000 plus more for rent, plus I believe you said the renovations would be about 500,000.

Mr. Dedman: — Yes. Yes.

Ms. Eagles: — Okay. And we were told last week that this is not ground floor property. Is that correct?

Mr. Dedman: — Yes. I don't know the exact floor, but it isn't . . .

Ms. Eagles: — It isn't ground floor.

Mr. Dedman: — It is higher up in the building. Yes.

Ms. Eagles: — Okay. Thank you.

The Chair: — Any other questions? Mr. Dedman, the rates in Saskatoon, if they were to maintain the same space, based on your experience, what would those increases be for the new leases?

Mr. Dedman: — Well it could easily be 25 to 30 per cent

higher. It's hard to tell until we actually get down to negotiating, but we're hopeful we could do a better deal if the landlord doesn't have to go out and find someone else to occupy that space.

The Chair: — So the annual lease costs would be almost what the new proposed lease costs are but for roughly 2,000 square feet less.

Mr. Dedman: — Yes. The rate that we have when we get the 292 is based on what Highways is paying now, and we're hopeful that that rate can be maintained.

The Chair: — Ms. Eagles.

Ms. Eagles: — So there's no guarantee that the total will be 292 then. I mean if there's an increase coming, it could very well affect that 292 as well?

Mr. Dedman: — Well until you actually do it, it's hard to know what you're going to get. But we've put the number 300 in. We think we can do it at the 300 range. The 292 is the actual right now. I mean we've had some preliminary discussions with the landlord and so . . .

Ms. Eagles: — Okay.

Mr. Dedman: — So we think we'll be in that. Whatever the rate we could negotiate, we'd be locked in for five years.

The Chair: — Any other questions? The child advocate and the Ombudsman were looking for this committee to demonstrate support for their initiatives to lease locations in Saskatoon. They were proposing the, what you see before you, moving over to the other tower. They're not looking for us to give them a budget at this time, but rather that we support their lease initiatives that they need to do to go ahead, be it either a new location or if they remain in the current location, it would obviously be an increase in cost because of the renegotiation of the lease. So they're looking for support from this committee that we would continue to support their efforts to maintain their offices in Saskatoon.

Hon. Mr. Morgan: — Mr. Chair, are they a subtenant of Government Services or are they an independent, that we approve them when the lease is directly with the independent officer?

Mr. Dedman: — We'd lease the space and provide . . .

Hon. Mr. Morgan: — Sublease as with any other.

Mr. Dedman: — Yes.

Hon. Mr. Morgan: — Mr. Chair, my initial reaction is that, you know, I would be supportive of this but I would like, you know, we now have got the figures and we've heard from Government Services. But I would like to have a discussion with Finance as to whether this makes an impact on mid-year-end. And I guess the only last question I have is what the timeline would be for when this happens, whether it's this fiscal year or whether it falls in the next.

Mr. Dedman: — Well I think there would be very little money spent, if the go-ahead was given, there would be very little money spent in this fiscal year. The money that would be spent would be at most for design of the space and to work with the Ombudsman and the child advocate to adapt the space to their needs. So I would not see construction and costs incurred in construction starting probably March at the earliest, so those costs would really fall into the next fiscal year.

Hon. Mr. Morgan: — I'm wondering if we might go in camera for . . .

The Chair: — Mr. Morgan has requested that we go in camera. Is that the agreement of the committee?

Some Hon. Members: — Agreed.

The Chair: — Carried.

[The board continued in camera from 17:31 until 17:37.]

The Chair: — The Board of Internal Economy meeting is reconvened. Mr. Morgan.

Hon. Mr. Morgan: — Mr. Speaker, I will make a motion:

That we table the request for rental accommodation from the Children's Advocate and Ombudsman until our next meeting.

The Chair: — All in favour? I guess I need a seconder for that.

Mr. McCall: — I'll second that.

The Chair: — Mr. McCall. All in favour?

Some Hon. Members: — Agreed.

The Chair: — Carried. And we will move on then. Thank you, Mr. Dedman, for coming in and providing that explanation and information. We will move on to item no. 2, a discussion item on the steering committee report on the review of the Board of Internal Economy directives.

I would ask the officials to come forward please, and I will introduce them, or allow them to introduce themselves. This evening we have with us Mr. Greg Putz, the Clerk of the Assembly, Lynn Jacobson — these are directors of the different financial areas of the LAS [Legislative Assembly Service] — Lynn Jacobson, Brad Gurash. Seated behind them is Dawn Court and Ginette Michaluk.

So ladies and gentlemen, I hope you have had the opportunity to go through these recommendations. There's 21 pages of them. As well, if you have recommendations to bring forward for consideration as well, we would like to receive those so that they can be included in the deliberations of any future package before we make a decision on these.

Do you want to go through these page by page, or do you just want to go through those areas where you have specific questions? Lynn, do you have a statement to . . .

Ms. Jacobson: — Yes. Thank you.

The Chair: — Okay. Lynn Jacobson.

Ms. Jacobson: — Okay. Thank you, Mr. Speaker. With respect to the review that's before you, I'd like to make a few introductory comments before we move to the discussion, if I may.

The document you have before you is really a work-in-progress. It's been under way for as long as we've had the directives. Some of those directives go back to 1998 and have had minimal changes and updates during that time period. Others are more new and have come into effect since 2005.

We, in member and corporate services, have been compiling the document for many years, certainly from issues of interpretation that have arisen regarding the intent and application of the directives, requests for clarification by the members themselves and the caucus offices, issues in application that have arisen, and certainly experiences following last year's general election as well are encapsulated in this document. An earlier version of this document was presented approximately 18 months ago to a subcommittee of the board. At that time there were no decisions regarding any of the proposed changes in the document. A revised copy of this document was presented to a subcommittee of this board this past June for consideration.

The current document you have before you has been revised since June in two respects. One is with respect to page 7 or directive 4.1, the constituency service expenses. We've updated the section with respect to publicly advertised fundraising events. And the last page of the document, page 21, will now have the addition of the delegation of MLA [Member of the Legislative Assembly] signing authority. So those are the only two changes that the subcommittee would have seen in June.

And with that, that concludes my remarks, Mr. Speaker.

The Chair: — Thank you, Ms. Jacobson. So how would the committee like to proceed with this? Mr. Forbes.

Mr. Forbes: — I wouldn't mind going . . . I mean I don't want to read page by page but I've made comments page by . . . you know, and it was a couple of weeks ago so I'd like to do it that way. Now we're not making a final decision tonight. We talked about a process and I think this is, as you said, a work-in-progress.

The Chair: — Yes.

Mr. Forbes: — I think that's important because there will be ideas and things to bring up.

The Chair: — Yes. Mr. Harrison.

Mr. Harrison: — Yes, thanks. So, Mr. Speaker, what's your kind of vision as to how we're going to move through this process then? Because I remember going through these in significant . . . We had a lengthy meeting in June talking about these matters. How do you see this going forward?

The Chair: — Mr. Putz.

Mr. Putz: — Actually I was going to say exactly that, that this subcommittee was struck and we did go through in great detail with the document, with the exception of the two items that Lynn mentioned have been added since then. And it was my understanding that the two caucuses then would go back and have a look at this and be ready to respond to these. But also as you said, Mr. Speaker, bring forward any issues that we hadn't thought of that maybe should be included in the review. And it was also my understanding that no decisions would be made today. So just to let you say, we aren't prepared with implementing any directives as of tonight.

The Chair: — Mr. Harrison.

Mr. Harrison: — Yes thanks, Mr. Speaker. We haven't had an opportunity to go through it kind of line by line or anything in caucus. There's been informal discussion about some of the points but I guess my thought would be maybe we'd go through this, you know, go through it item by item, not necessarily line by line here tonight, then we take it to our caucuses and, you know, in an appropriate time frame and, you know, get direction from our caucuses and then be in a position to make final decisions.

The Chair: — Mr. Forbes.

Mr. Forbes: — That's exactly what I would think too.

The Chair: — Yes. This meeting was not envisioning a decision, but rather an exchange of information and a direction from the committee as to where we might like to proceed after discussions. Okay. Mr. Forbes.

Mr. Forbes: — . . . that and I'm not sure but I remember reading the telephone one, and what struck me the most, but I can't find it, is the lost cellphone. Whereabouts is that? I can't seem to find it now. How ironic. I can't find it.

The Chair: — I think it's maybe on the next page — middle of the page, third item — would also deal with that, the purchase price.

Mr. Forbes: — Wasn't there a reference though specifically to lost cellphones?

Mr. Harrison: — There was one, yes, and I think you're basically responsible for lost or broken . . .

The Chair: — Depending on the . . . If you lost a brand new one the week after you bought it, you were on the hook for the whole cost. If you lost that cellphone two years down the road, then there would be depreciation built into that cost, so you wouldn't be facing the same cost.

Mr. Forbes: — I would argue that there may be circumstances where you've lost a cellphone that you just can't be, I mean . . .

[17:45]

Mr. Harrison: — I lost one in an airport once, travelling, and it was on the plane. That's part of the work that you're doing.

Mr. Forbes: — I mean that's our . . . my scenario as well and

there was no way to even begin to try to find it. It was gone.

Mr. Harrison: — Greg, how does it work right now for lost or broken telecom equipment?

Mr. Putz: — Well first of all, we're trying to find where that is in this document because we don't recall that part. But I'll turn it over to Brad and he can answer that specific question while Lynn and I try and find what you're . . . where in the document you're talking.

Mr. Gurash: — Currently how the mechanism works is if it's lost, it's not repaid but the replacement cost comes out of the current year directives there and allowances. So there's nothing specific in directive #2 itself about what occurs if an item is lost.

Mr. Forbes: — How many times does this happen?

Mr. Gurash: — Well in the eight months I've been here, I haven't heard of a lost cellphone yet.

Mr. Forbes: — Okay.

Mr. Harrison: — I've lost one.

Mr. Gurash: — Oh, Dawn advised me there's been three since we've come on board in April.

Mr. Forbes: — Anyways, that was the one that I thought of when telephone comes that . . .

The Chair: — I guess the real question here is should it continue to be under telephone expenses, which members do not pay, versus office expenses which it comes out of members' allowances?

Mr. Harrison: — Well I think that's what it is right now though, Dan. Right? It comes . . . If you're to buy a new cellphone, it comes out of your 4.1, not out of . . . Who doesn't pay for a new cellphone?

The Chair: — Well at one time we were allowed, and maybe that's changed, cellphones out of the telephone expense account. If you bought a second cellphone, then it came out of your communications allowance or your office allowance.

Mr. Harrison: — So new members could purchase a cellphone and it be paid for by 2 then?

Mr. Putz: — That's my recollection.

Mr. Gurash: — Yes. Through directive #2, there is meant to provide one land line, one cellphone, one fax machine. And then out of directive #2, which isn't the caps directive, so then it would go out of 4.1, which is your constituency office expense.

The Chair: — Mr. Putz.

Mr. Putz: — None of us can find anything in our document about that specific issue. The main telephone issues were if a member has an obsolete piece of equipment at the time of an election, we give them an option to buy that back and then

there's a formula for that. What we're recommending is that, for members with these obsolete telephones, that in term there be the same policy, that members can buy it and then it's set at a pro-rated amount for the obsolescent piece of equipment.

Hon. Mr. Morgan: — It's pro-rated on what's left on the equipment, on a lease, or the purchase agreement with the carrier?

Ms. Jacobson: — It's based on the age of the piece of equipment. So what we were suggesting was if it's two to three years old, it'd be 35 per cent of the purchase price.

Hon. Mr. Morgan: — I don't take any issue or exception with that. The concern I have are the optics. We're dealing with public money, and if the public sees a member buying something for 35 per cent of new price, it may be a terrible price for the member, but it may be seen as a bargain. I wonder whether as part of it we can include a mechanism to somebody verifies market value or something. Probably the 35 is high, but I think it's the appearance of wanting to make sure that we've . . .

Mr. Putz: — The reason we put this in here was at the request of a couple of members. They felt that if we offered this at the time of dissolution, that there should be a parallel policy for in term purchases if you have a piece of obsolete equipment. I think their concern was that their cellphones have a lot of private information and if they're getting a new cellphone, they'd rather, you know, buy that than risk that it not be wiped clean or whatever. So this is here because some members had requested it. This isn't something that we were initiating.

Hon. Mr. Morgan: — It's a good plan for whatever the reasons are, and I think we've seen with what's taking place with, in the US [United States] right now, that they are incredibly vulnerable to having information . . . [inaudible] . . . So if we can just have, if we can just add subject to a verification that that approximates fair market value, then I'm fine with that part of it.

The Chair: — Depending on the phone or phone type, you'll see quite a few phones advertised in that \$50 range for a two- to three-year contract with the carrier. So if you were looking at 35 per cent of a \$50 cost, it's going to be very negligible. If you're buying a cellphone outside of a contract and then adding it into a contract, then certainly you're looking at 2 and \$300 for some of the new smart phones. Mr. Putz.

Mr. Putz: — And the second part of your question was, what about plans or whatever? We've put in here the directive was amended to clarify that the member is responsible for all remaining or penalties from cancellation of any MLA's cellular accounts.

There was a second part of this that has come up recently in the last year is when members go into cabinet, they want to keep their phone. So we've got a provision in there where a mechanism for members to transfer their cellphone to executive government when that takes place. And we just thought that was the reason was making a member have to get another phone when they do that, and I guess vice versa if they come out of Executive Council and they have a phone and they want to

carry it on, then we'd have a sort of a reciprocal arrangement for that if executive was willing to agree to that. I think so far executive keeps the phones and because of the confidentiality issue that goes along with that.

Mr. Harrison: — They'd have to make an arrangement with EC [Executive Council] on that because most of them are hooked up for drop box and cabinet reader and all that sort of thing.

Mr. Putz: — And I suspect that very few would come our way from somebody who was a minister, but there's some members who have asked why they can't do that when they go into cabinet. And as stated, we'd have to work out some arrangement with executive government for that.

The Chair: — Lynn.

Ms. Jacobson: — If I may, Mr. Speaker. Mr. Forbes, we have found that. It's on page 20 and it's in the bottom box of outstanding charges. And it's lumped in with difficulty in recovering reimbursement for personal phone call usage, accommodation, salary overpayments, loss of cellular phones. And here it's referencing those assets purchased through the MLA expense provisions and not the telephone.

Mr. Forbes: — Okay. So what you're saying is the MLA essentially would pay?

Ms. Jacobson: — In this instance when it is purchased not under the telephones, they already have one there. This is another phone that they have.

Mr. Harrison: — Generally, though, like if members get one . . . I didn't even know that. I don't think I got my first phone through the directive 2. You buy it under directive 4.1. And is this referring to, like, any loss or is this upon a member no longer being a member and you would recover then the amount of outstanding charge?

Ms. Jacobson: — It was intended to cover both situations.

Mr. Harrison: — Okay. Yes, I would say let's keep it how it is. Like if a member loses or runs over a cellphone or something, then you can buy another one out of 4.1.

Mr. Forbes: — Yes.

Ms. Jacobson: — Yes.

The Chair: — We can discuss this directive when we get there later on.

Any further questions on the telephone, cellular telephone transfers or disposal? There is a recommendation dealing with the bundling of telecommunications packages, that the constituency assistants review that every year to ensure that they are getting the best possible, lowest cost package to service the MLA's needs. And that would include roaming.

And there's also a discussion here as well on personal use of the phones and how to pay for that. MLA travel and living expenses, any questions on this particular issue?

Hon. Mr. Morgan: — I wouldn't mind having just a sort of a on the . . . Coming back to the personal use of telephones, did your caucus make a plan? Or people, were they given a directive on it by your leader as to what should happen on personal use on the cellphones?

Mr. Forbes: — We haven't really talked about it.

Hon. Mr. Morgan: — Okay.

Mr. McCall: — Like the old practice that was in place was the percentage and make amends like that.

Ms. Eagles: — I'm sorry, I didn't hear Mr. McCall.

Mr. McCall: — I forget the percentage that we'd all agreed upon, but there was . . . Internally we'd decided, you know, that it made only good sense. We had some folks that were doing one thing, some folks that were doing another, so it was moved to a certain percentage.

Mr. Forbes: — Yes, and that was before the election.

Mr. McCall: — Yes.

Mr. Forbes: — We haven't really talked too much about it.

Mr. McCall: — Since then, we haven't talked about it since.

Mr. Forbes: — Yes.

Mr. Harrison: — There's a form by the Assembly, right, on this where you can just do kind of a lump sum payment for . . .

Ms. Court: — Yes. I think from my perspective the biggest issue was that we were getting cheques to the Minister of Finance that were in the amount of like \$2, \$3 every month, and administratively that's heavy, you know, that costs a lot to process. So we were recommending that it came in quarterly or semi-annually.

The Chair: — And how about then the travel and the living expenses? Any questions there? Mr. Forbes.

Mr. Forbes: — I just have an addition, but I don't think it would go underneath this. But it often comes up related to it, and that is attending conferences that we ask you for permission. And I think it's quite reasonable when it's out of province or it's a significant amount of money, but some of these things are like 10 or \$20, and they're in your home town, and in theory, we're supposed to write you for a letter to go to the conference because it doesn't have any food. Because it doesn't have any food, then it goes to you. And I just would think that's a silly thing when it's relatively straightforward, is a small amount. And I don't know if we want to explore that and have that come back with some direction. I don't think we need to debate it here, but . . .

Hon. Mr. Morgan: — I might maybe make the recommendation. I'll let you finish going through it actually, Mr. Chair . . . [inaudible].

Mr. Forbes: — If I could just flag that as an item for

discussion.

The Chair: — Well the first one deals with that issue, but that not all are sit-down meals where they're at, but food is provided. And the discussion paper here brings forward that this should be perhaps limited to \$250 in those kind of cases where there's no sit-down meal, but there may be stand-up food, finger food, that kind of thing, reception.

Mr. Harrison: — More than that and it's basically a donation to whatever cause?

The Chair: — And we'll come to that later. The other one that's been somewhat of an irritant has been some of the members have stayed at hotels for the month and have received discounted rates for that. That's not dealt with clearly in our living allowances, and the recommendation is to make some changes to our directives to allow that to happen, that they can stay at a hotel on a long-term basis so that their address would actually be then that hotel, rather than as we had anticipated it would be a street address some place or an apartment address rather than a hotel. With a hotel, the concept was that you would submit a daily room cost. But this is for . . . You're keeping it for the month and that wasn't contemplated. And yet it's feasible for some members to do so, still falling within the guidelines as to the allocatable amount. Ms. Eagles.

[18:00]

Ms. Eagles: — For a hotel, the allocatable amount which would be, I mean if they're doing it . . .

The Chair: — The same as an apartment or a home.

Ms. Eagles: — Okay.

Ms. Jacobson: — With respect to that, they've been able to negotiate a flat fee each day that is less than the going rack rate and it gives them access to other services. So they've actually signed contracts that attest to that with the hotel signature and saying that it will be this rate. And the hotel likes that because then they're guaranteed that that room is sold for a longer period of time.

The Chair: — Okay. If there isn't any other questions related to the proposals on travel and living expenses, we'll move on to constituency service expenses. Any questions there? Mr. Forbes.

Mr. Forbes: — I have two. One is, and I don't have a problem with it but I think it's going to be tricky. At the top of page 7, "That the board will define blatantly partisan communication and consider restrictions."

So we have to be cognizant of our job as government and opposition and sometimes, you know, as you go into terms and they seem to last longer, you get to be branded as one of those or the other type of thing. And so we have to be very careful about . . . Because those are our roles, is to be opposition; our role is to be government or whatever. So I just want to flag that we'd be watching how that one develops.

The Chair: — Mr. Harrison.

Mr. Harrison: — Yes. My view on this one is, I mean we'd have to ring fences pretty clearly. And I think, you know, by blatantly partisan it would have to be using our parties kind of in . . . but yes, there's going to have to be . . . And I'm trying to remember back to June, the discussion around this one because I know there was. But we're going to have to be careful around this one. I don't disagree with you, David, but I think, you know, blatantly partisan being, you know, the Sask Party think the NDP are terrible, and here's our ad on it.

Mr. Forbes: — Or a . . . [inaudible] . . . or something like that. You know . . . [inaudible interjection] . . . It was 300 bucks.

Hon. Mr. Morgan: — I think there's two ways you can approach it. One, you can look at it and you can say okay, there's a tax receipt for some portion of it, so if you're getting the tax receipt that portion is clearly the donation and the rest is severed off. So where it's a charitable one, you can rely on that. If it's good enough for Canada Revenue Agency, it probably should be acceptable for us.

The other one is where there isn't a tax receipt, which would be the ones that are blatantly partisan. And I think the best approach would be to look at what the meal component is and decide whether you wish to claim that. But even if it's blatantly partisan, I don't think you would even claim the meal portion.

Mr. Harrison: — Oh, you're talking about for attending events, Don?

Hon. Mr. Morgan: — Yes.

Mr. Harrison: — Oh, I was talking about the . . .

The Chair: — This is a slightly different topic. This is on paragraph . . .

Mr. Harrison: — Just on top of page 7 there, the communications.

Hon. Mr. Morgan: — Okay, I'm with you now. Sorry.

Mr. Harrison: — Yes, and I don't disagree with the one kind of going after individual members over kind of personal stuff as well. I don't think we want . . .

Hon. Mr. Morgan: — [Inaudible] . . . you advertise in my magazine.

Mr. Forbes: — Well I think the key is, and this is sort of where we have to get into the ethical stuff because if somebody's attacking somebody, then there's an ethics issue there. Is there not a committee for ethics that you can bring somebody before and say, this has gone beyond? What's that?

Mr. Putz: — Well on that point, we've had some issues in the past on that very issue, and that's why this is here, because this was raised with us and then members complain to our staff about this. It's not technically in violation of the directive, but members who felt that this was an ethical issue, as you're saying, David. And there is no mechanism right now per se. The members have a code of ethical conduct, but there's nobody to take complaints to.

It isn't our staff who process these things. We can't do anything about it. So from our perspective, it would be up to the board to assign if there's somebody to look at these when there's a complaint, who that is. And the suggestion has been the logical person perhaps is the Conflict of Interest Commissioner because you can make a formal complaint about some constituency issue, misuse of funds, but not on something like this necessarily where you felt that some disparaging remark that was not, that was a personal attack on somebody that was being used. So that's why we brought this here for the board to have a discussion about it.

The Chair: — Mr. Forbes.

Mr. Forbes: — Well I would say, you know, as a teacher from the Teachers' Federation, if somebody did that, then we have a committee, sort of an ethical committee you could reference. And maybe we should look at that because if it is sort of, gets into that ethics area then we should have a mechanism to actually get some teeth to that. I think that would be interesting to do.

The Chair: — Mr. Harrison.

Mr. Harrison: — Yes. Well I think, I'm trying to, I remember the conversation we had in June around this and I know we had talked about referring these matters to the Conflict of Interest Commissioner. You know, I don't know if there's any appetite for that. But that would, you know, not necessitate setting up a new process. And you know, frankly, would take it out of the hands of, you know, elected members.

The Chair: — Partisans on either side.

Mr. Harrison: — Right. And I think it would make some sense to have a, you know, well-respected, somebody, an officer of the legislature, who had been unanimously agreed to by all of us in that role.

Mr. McCall: — As the dispute mechanism or as just . . .

Mr. Harrison: — Well it's . . . yes. If a member has a complaint that there's been advertising paid through, for the caucus or by a member's office budget attacking them . . .

Mr. McCall: — Okay.

Mr. Harrison: — That member would have the ability to refer the matter to the Conflict of Interest Commissioner.

Mr. McCall: — Okay.

The Chair: — And I suppose the ramifications of that would be if the Conflict of Interest Commissioner made a determination against whatever the complaint was, then their budgets would not pay for those advertising.

Mr. Harrison: — Yes. That'd be the penalty for the remedy.

The Chair: — Mr. Forbes.

Mr. Forbes: — And I'm just throwing this out to explore further that . . . and you know, as you say, refer to the Conflict

of Interest Commissioner. They hear the complaints. And I wouldn't mind if we did use the ethics committee a bit to give it a little profile. Maybe it's a smaller thing or just a matter of us talking it out. Then we don't have to involve the commissioner. You know, I mean there's sort of different levels of violations. If we let the commissioner sort out where he thinks that would land but he says, you guys just talk this out type of thing. It's a small thing. So we don't get a lot . . .

Hon. Mr. Morgan: — Are you talking about a new process? It's not a matter of . . . You're not just talking about a funding issue. You're talking about a process to determine if there's been a violation. But I agree. I agree with it.

Mr. Forbes: — Yes. Like if somebody's gone way over the top in a newspaper article and an apology is in order type of thing, and whether we should be able to self-govern a bit.

Mr. Harrison: — Yes. I mean I think there's some merit to having a process in place of that nature. I think, I guess the kind of the concern I would have is just when we're taking political issues and, you know, what Mr. Speaker would deem facts under dispute in certain circumstances and then having the, you know, combatants — for lack of a better word — making the decisions as to, you know, who's out of order and who's not. And if the committee's like four votes to two on everything, well I don't know how much further ahead that gets us.

The Chair: — Mr. Putz.

Mr. Putz: — Now David, I'm not sure what you mean by ethics committee because we don't have such a thing right now. But what you do have is a code of ethical conduct that could be the measuring stick. Of course the board might want to come up with some mechanism how the complaint then is forwarded to the Conflict of Interest Commissioner.

Mr. Forbes: — I understand.

Mr. Putz: — And then, you know, what the sanctions might be if somebody is found to have violated, that would be up to the members to come up with that. So I just want to say that there is a measuring stick to use in determining whether there's been a violation because you do have your code of ethical conduct that's been in place since 1994.

The Chair: — Ms. Eagles.

Ms. Eagles: — Doesn't financial services right now kind of police a lot of this? And I'll tell you why I'm thinking this. It's because I can remember quite a few years ago — well it was when my dad passed away — and I did my legislature report, and at the bottom of it, I just put a little tag on there, you know, thanking everyone for their support. And that was okay, but then after the '03 election I did a legislature report and I put thank you everyone for your support. Financial services refused to cover it. I had to pay it out of my own pocket.

The Chair: — You were talking there are two different kinds of support so I think context probably played a role in it.

Ms. Eagles: — Yes, but that's what I'm saying. Isn't financial services kind of policing it in a way because . . .

The Chair: — Ms. Jacobson.

Ms. Jacobson: — With respect to the directive, certainly no member can make a claim or an expense from this provision that's related to utilization of party logos, the announcement or attendance at party, those kinds of things. So that's what we're monitoring the expense against.

But if there's . . . What we're finding ourselves is that we're in the middle. Often that another member brings forward a complaint with respect to a piece that has been in the newspaper etc., and we are not perhaps the best equipped to deal with those or to mediate those kinds of situations. So that's why we were recommending that perhaps someone like the Conflict of Interest Commissioner, that MLAs are used to dealing with, might be an appropriate mechanism for those concerns. I mean we certainly can apply it against what's written in the directive, but those kinds of other issues are very sensitive, and we'd like them handled appropriately.

Mr. Putz: — I don't know about the example you're raising, Doreen, but certainly if you were soliciting support for re-election or thanking for support because the people voted for you in the past, that's even in our dissolution guidelines. That has been frowned upon, but I don't know if it was that circumstance. It doesn't sound like it was.

Ms. Eagles: — And it doesn't matter but I was, you know, I guess my point was is that I just thought financial services was kind of policing it. So yes, it's not a big issue.

Mr. Putz: — Only if it's something that's in the directive now that, you know, that says it's prohibited. But making personal attacks on one another, that's not in the directive. I mean if they put forward the advertising and it has the requisite technical requirements of having a contact address and phone number and that sort of thing, then it's fine technically, but is it ethically okay? And members have complained about this, that, you know, we shouldn't be using public funds perhaps to be making personal accusations about one another.

Ms. Eagles: — I understand that. Thank you.

The Chair: — Mr. Harrison.

Mr. Harrison: — Yes, but the wording on this one, I think will be important obviously. I think we're going to want to set out, if we do have a opportunity for members to refer something to the Conflict of Interest Commissioner, I think we're going to want to have, you know, some parameters for the commissioner to work within. And that's going to be, you know, technical and I mean we're going to have to get it right because we don't want . . . You know, kind of the other end of the spectrum is that we don't want there to be complaints referred to, you know, a third party adjudicator every time we're kind of ticked off that somebody said something mean about us in our local paper. It might be . . . And you know, it could be policy-based or whatever, but we just don't want to have it kind of open-ended for the adjudicator to, you know, have that sort of thing. So we'd have to put some parameters around it.

The Chair: — Mr. Putz.

Mr. Putz: — I think you're exactly right and that's why we asked the board. If you're going to have something like this, that you need to think about it. But on the other hand, if it is our Conflict of Interest Commissioner, he'd probably appreciate being involved in that discussion.

Right now there is a mechanism . . . The mechanisms that are in place — and maybe Ken, if he's here, could expand on this — but to protect from vexatious or frivolous accusations or claims by members. I think presently the Conflict of Interest Commissioner can decide whether to take on a case or not. And if they're of that nature, he'd probably want some similar latitude in deciding whether he has to review all of them or just decide for himself whether it's frivolous or not.

Mr. Harrison: — Then this would be restricted just to paid communication materials coming from an MLA or from a caucus then?

Mr. Putz: — That's at the root of this. But you do have this code of ethical conduct that some of these things that may have their root in finances may be, you know, based on that code, maybe went past the test.

Mr. Harrison: — Yes. But then you . . . [inaudible] . . . deciding whether to have the whole code kind of referenceable to the commissioner.

The Chair: — So it sounds to me like this is one that we need to explore further and perhaps bring in the Conflict of Interest Commissioner on and would be a role for the subcommittee to work on.

There is one item just before this in the handout and that is dealing with the purchase of certificate folders for certificates of recognition. It includes photo frames. In the paragraph above that, we're also looking for input into either expanding or restricting the items that can be distributed under 4.1. Currently we're allowing personalized notepads with pens, calendars, schedules. We also had dealt with previously the use of commercial logos on those kind of items, and that was restricted unless they have a written permission from the commercial enterprise to utilize that. So that's one of the areas that we still need to discuss as well.

So my question though on this is, if we're restricting the items to be distributed, such as pens, how do we allow photo frames then to be distributed? Because what's the value of the photo frames? Mr. Harrison.

Mr. Harrison: — Yes thanks, Mr. Speaker. I thought right now that promotional items, sort of pens and whatnot, weren't allowed. They're not.

Mr. Putz: — I think you have it backwards.

Mr. Harrison: — They're not allowed.

The Chair: — They're not allowed, but if you have a pen on a calendar or in a notebook, then they are being allowed.

Mr. Harrison: — If they're a part of the notepad that you have printed up.

The Chair: — Right. Yes.

Mr. Harrison: — Well my view on this is that I think pens, notepads, I think that's fine if you want to use your directive 4.1 expense to put your . . . I don't really see how it's much different if you have your name on a pen versus if you, you know, put your name on a postcard. You know, I think it's a very valid sort of way of communicating with your constituents. So I think that's fine. But right now I thought photo frames you could purchase under 4.1.

The Chair: — You weren't here back in the '80s and '90s when the purchase of pens and the differentiation between a hat and a cap became a matter of court. So that's why we have moved away from that, and I would strongly recommend we stay away from it. Mr. Putz.

Mr. Putz: — But again these are things that have been raised with us, and it's ultimately up to this board to decide these things. If you want to further restrict it or open it up a bit, we'll need some direction on that.

Hon. Mr. Morgan: — [Inaudible] . . . we're not going to resolve it here. I think that's the work of the subcommittee that I'm not on. Or am I?

The Chair: — David.

Mr. Forbes: — Well I just have something further down when it comes to art.

The Chair: — Well we're also looking at considerations of billboard advertising and clarifying that, which I think is something that we can work through. The one that Mr. Morgan was raising earlier was expenditures for advertising or sponsorship of events. Sponsorships have not been allowed. Advertising has been. And the question here is, what's the primary purpose of the function? Is it fundraising or some other purpose? And really is it the role of 4.1 to be providing fundraising for various organizations? Any questions, comments?

Hon. Mr. Morgan: — [Inaudible] . . . we should always keep in our mind that this is done with taxpayer dollars. And every expenditure you make, regardless of whether it fits the rule of not, you should be looking at . . . The rules should be crafted that you are entirely comfortable with the determination that gets made. So if you get asked about it in a scrum or in the House, that you've got a comfort level with saying, yes, I did this because it was part of whatever else.

The Chair: — The issue is, though, members become more and more creative on what is advertising versus what is sponsorships. Are sponsorship of holes on golf courses advertising or sponsorship for a tournament? Is advertising at sporting events on vehicles fundraising or advertising? These are all questions that we need answers to. So again it looks like it's an item to take to the steering committee for . . .

Mr. Forbes: — [Inaudible] . . . because once you also go down that road, boy, groups find out pretty quick, and they're after you. So we should be consistent right across the board.

The Chair: — There is another one on the advertising one, advertising, yearly advertisements in locations such as hockey rinks or curling rinks, skating arenas, where an MLA will put up an ad with their address and contact information on. And that is a one-time expenditure, but it lasts for the whole year. And so it's recommended that rather than this being a monthly charge, that it be an annual one-time payment.

And the next one is the arts group. David.

Mr. Forbes: — Well this is one I think that legislative services pays for framing. I know I think I've had . . . I've got my art. It's my art. I've paid for it. I've been at auctions or whatever, but legislative services has paid for the framing, I believe. Is that the case . . . [inaudible interjection] . . . Now it may not be the case either. But I could be wrong too . . . [inaudible interjection] . . . What's that?

Mr. Gurash: — We'll go back to your file.

Mr. Forbes: — I guess that brings back the whole question about books, anything that's sort of disposable. I know the art has been mine we've put up. Well for example, when we've had the pictures of the seating, of us all sitting in the legislature — right? And it comes as a print, and we were able to buy or get it framed. I know that one for sure because it's up. So what happens to that when we retire? We give back the frame and keep the print?

You may want to think on that. You don't have to . . . But I know for sure it's been those two. Like I think of the centennial ones we did. I can think of a couple. Well I'm pretty sure. And if I do owe you some money, I'd be most willing to correct that.

Ms. Jacobson: — I think with respect to this recommendation, we're looking at more artwork, not framing but an actual . . .

Mr. Forbes: — But it sort of works both ways, you know, because if you paid for the frame, I don't think this is your art.

Mr. Putz: — I see what your point is, David, but when we raise this . . . And we'll look at that again because you're right. When you get your mini-composite, if you frame it, I must admit I'm not sure what members were doing, how they were getting that frame. So we can look back into that. This was meant that if you're buying artwork for your constituency office that is bought with public funds, that should be asset tagged, and that's part of the assets. And if you leave office and you like this and you want to buy it, then we need a mechanism that's fair value for return to the public purse of what the value of that is. And that's what's been missing, so that's what we're getting at with this proposal.

Ms. Jacobson: — Artwork nowadays is very expensive, and it's tagging that and making sure that we look after it appropriately.

Mr. Forbes: — Just the other thing is there is Arts Board art that people could access.

Ms. Jacobson: — [Inaudible] . . . program, absolutely, that's based on a percentage of the cost of the art.

Mr. Forbes: — Right.

The Chair: — David.

Mr. Forbes: — I have one more question around this part and this is around fee for services and delays in payments, because I've had some people do research for me. And quite often they're students or whatever, and they're expecting to be paid within a couple of weeks. And I've found out — now correct me if I'm wrong — but there is sometimes a hold put on payments that can be more than a couple of weeks or . . . It's not a quick thing, not a quick turnaround.

Ms. Jacobson: — I mean in terms of the government processing of cheques and whatnot, they do have certain timelines in terms of when the invoice has been received. We process it in our office, and it goes through the system. But I'm not aware of ones that are weeks. Maybe we could talk later about specifics . . . [inaudible interjection] . . . Okay, please.

Mr. Forbes: — So and it's really . . . And for people who aren't necessarily, you know, have a big business, and they can't wait 30 days or 60 days. It's more like 60 days, that we're getting into two or three months down the road and so it's not a quick turnaround.

The Chair: — Perhaps, Mr. Forbes, you could pay them yourself and then submit for payment.

Mr. Forbes: — Right. I'll give them all my frames that I have. Pay them in artwork. Okay. But we can talk further about that.

The Chair: — If it would be acceptable to the committee, we take a recess at this time for 10 to 15 minutes, and then come back for our discussion. Agreed?

Some Hon. Members: — Agreed.

The Chair: — Agreed.

[The board recessed from 18:27 until 18:55.]

The Chair: — Well thank you. The committee is reconvened.

We've had a good discussion this evening but our work is not yet done, so I would like a motion from the committee members to reconvene at the call of the Chair to carry on the discussion on the directives. If we could have a motion, please. Mr. Harrison. Seconder? Mr. McCall. All in favour?

Some Hon. Members: — Agreed.

The Chair: — Carried. If I could get a motion of adjournment so we can go back to the House and carry on the duties there. Ms. Eagles and seconded by Mr. Forbes. All in favour?

Some Hon. Members: — Agreed.

The Chair: — Carried.

[The board adjourned at 18:58.]