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# The Challenges of Legislative Life: A New Brunswick Perspective

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by David Olmstead, MLA

*Members of the Legislative Assembly have to be lawmakers, public speakers, ombudsmen, researchers, counsellors and friends to thousands of constituents. They have a tough, sometimes thankless job, but there are many rewards for those who choose this path. This article looks at the many facets of legislative life and makes a number of suggestions for change, particularly in the way party caucus are organized.*

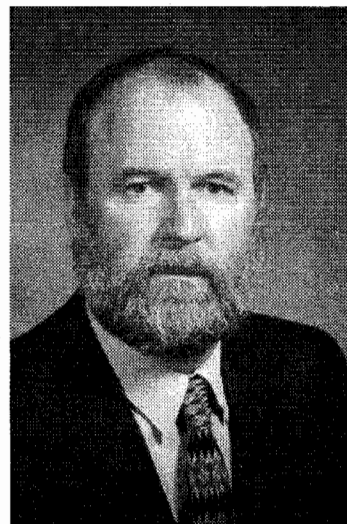
Every parliamentarian is an observer, an interrogator, a speaker, and a voting member of a party, unless he or she sits as an independent. We must be able to communicate, debate and stand up for what we believe. We pass important legislation, but once we put our support behind an issue, we must also be prepared to explain to the voting public why we took that stand.

We are also called upon to serve on various legislative committees and to be a part of public hearings. Government Members are sometimes asked to stand in for a cabinet minister who is unable to make an event, and MLAs on the government side are encouraged to get involved in government departments. We can help set the political agenda and guide the government to important policy decisions.

Unless sitting as an independent, each MLA belong to a party caucus where all of the members of the party gather to discuss current issues. Caucus is a forum to help us find out which direction the party is taking, and if your party is lucky enough to be in power, what plans the government has for the people of the province. We must keep up with what is going on at home, across the prov-

ince, across the country, and around the world. Any of these issues could come home to roost, so research skills are important.

We must also be good negotiators for we deal with individuals, organizations, local governments, and public-interest groups. We must be willing to listen to the concerns of others and be tough enough to say no when necessary. Diplomatic skills are a real asset in this job. We must also be conciliators. We need a good knowledge of political process and structure to be able to help others make their way through the many different levels of bureaucracy. We must be attentive to the prob-



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lems of others and be willing to roll up our sleeves and help. Success here can be one of an elected member's greatest rewards, both personally and professionally.

Above all, we must be great organizers able to convince an army of volunteers to work many long hours just to support our bid for office. Once elected, we must keep that support and stay focused on activities in the riding. That means attending many local functions, party meetings, and setting up a solid organization to keep a high profile in the community. Behind every good MLA there is an excellent grassroots organization. Cultivating that support is one of our most important tasks.

***This is definitely not a 9-to-5 job. When the Legislature sits there are many long hours of debate and lots of work has to be done once the sitting day is over.***

When the House adjourns, we must be visible in the riding and attend many local functions. Constituents want their MLAs to be accessible, so it is not unusual to receive calls at odd hours. In today's technologically advanced world, we are easily reached thanks to cell phones, computers, and fax machines. Even MLAs who live in rural areas are easily tracked down.

Members set their own agenda and figure out how many projects they want to take on. We can work extremely long hours or skip events for some downtime, but we will be held accountable for our actions. The public is the boss, and they will judge our performance every four years or so in the voting booth. They will decide who keeps the job and who does not. Unfortunately, even MLAs who give 110 percent are at the mercy of the public and can be voted out in an instant if people are not happy with the direction the party is taking.

We perform a juggling act every single day. We must balance the needs of many with the tough decisions made necessary by political reality. We must walk a fine line between compassion and firmness. We must stand up and be counted and be willing to open ourselves up to public criticism and be judged for our actions.

This all sounds very daunting, but there are a lot of rewards. We can change lives as a result of decisions made by government. We can help provide jobs for those who so desperately need them, make health care accessible for the ill, help shape a child's life through education, and give a struggling family some relief when they need a helping hand.

## Caucus Reforms

When I was first elected to the legislature, one of the things that disappointed me was the way our own caucus worked. I had come through a system on the school board where we had tried to adopt so-called governance models where school boards actually talked about educational issues as opposed to hiring bus drivers and deciding what kind of tires to put on the buses. We learned that it was a lot of fun to discuss substantive issues. So when I moved to the Liberal caucus in New Brunswick, I assumed this would be where the action really was. I was crushed to find out how difficult it was to discuss substantive issues in our caucus.

So when we had our leadership convention, Camille Thériault courted me and one of the things I told him was how disappointed I was with the caucus performance and how I would like to see something done about it. He said that that was one of his intentions. I did not support him, but he won, and put me on a committee to propose reforms for our caucus. Over the summer, we came up with some ideas that I hope will make the experience of backbenchers much more satisfying.

One proposal is to have more frequent and regular meetings. As an objective, we proposed meetings twice a month on a fixed day so we could just block it off on our calendars. In the past, meetings have not been regular. When they were held, we tended to get terribly overloaded agendas and not much time to discuss any issue in detail.

To help make discussions more efficient, we decided to recognize that there are three kinds of issues that tend to come up in caucus. We have policy issues, provincial issues, and local issues. A lot of caucus meetings were taken up with individual MLAs fighting it out with the minister on something that was pretty local. Sometimes a local issue has a provincial aspect and you can talk about it in the main caucus, but generally local issues should not be taken to caucus.

If a member wants to raise an issue, he or she is encouraged to circulate some sort of a position paper to the rest of the caucus, so they can come into the meeting prepared for what that person wants to say and to have thought about it, so discussion will be more effective.

We also want ministers to provide policy backgrounders if they are going to bring policy discussions to caucus. Backgrounders would be provided a week in advance. Typically, a minister comes in with a policy that has probably been generated from the civil service. They know a lot more about it than any of the MLAs do, so we tend not to get much of a discussion. So we are encouraging the ministers to give us information before they ever come to us.

Thirdly, we want the ministers, at least twice yearly, to come in and tell us what their departments are about. What issues are they dealing with? What directions do they want to take? Often as MLAs, we first hear about decisions on the street, which is really embarrassing. We have also, with regard to cabinet committees, decided that there should be three MLAs on each of the two Cabinet committees - Policy and Priorities, and Board of Management - to give the backbench government members a closer tie to what is going on at the cabinet level.

We started a system of legislative assistants but some departments appointed a legislative assistant without a defined mandate. This has not worked very well for a number of reasons. The legislative assistant needs to have a meaningful role with clear responsibilities clearly understood by ministers and senior bureaucracy. The legislative assistant cannot be expected to be a second minister, fully acquainted with all the department's files, able to step into the minister's role at any moment. Beyond the difficulty of being as fully briefed as the minister, the legislative assistant is a different individual and may provide a different public response than the minister, with a resulting perception of confusion.

There are, however, useful services that the legislative assistant can perform. He or she can assist in meeting with special-interest groups on behalf of the minister to receive their concerns and advise the minister accordingly. A particular and valuable role would be handling of new departmental initiatives in policy and legislation. The legislative assistant could work with senior bureaucrats on developing the initiative, attending all the briefings on the subject. The legislative assistant could chair a caucus committee to examine the initiative and report on caucus feedback to the minister. Then the legislative assistant could join the minister to present the initiative to the cabinet committee, and at a later date, to caucus.

Another role is as government members' liaison with the department. In that capacity the legislative assistant could also chair a caucus committee in the field of the department. For example, a caucus committee on education would be chaired by the legislative assistant assigned to education. Legislative assistants can be chosen by the Premier to provide a gender, linguistic, or regional balance in a ministerial appointment. For example, a Francophone minister could be assisted by an Anglophone legislative assistant and vice versa.

The legislative assistant should be reasonably compensated out of the departmental budget. For example, the legislative assistant could be provided with the same remuneration provided during sittings of the House for travel, accommodation, and meals, at the same rate as the Legislature, but paid from the departmental budget up to an annual prescribed limit. Obviously, the legislative

assistant would not be compensated while the Legislature is sitting.

*Despite some negative aspects, a political career is one of the most rewarding and satisfying experiences a person can ever have, and that is a pretty good reason to get involved.*

I have been legislative assistant in a couple of departments, and it really is tough. The problem for the Member is to use constructively and penetrate the department. The Minister is key to giving the legislative assistant a useful role. I found that the project system seemed to work. In the Department of Natural Resources and Energy, I was given a project to upgrade the hunting and fishing guide system. That seemed to work quite well. It is a nice notion to have a legislative assistant, but it clearly needs some structure to work.

I mentioned departmental committees. These are generally *ad hoc*, convened to deal with particular initiatives or issues. We have found, particularly in education, that the role of the legislative assistant is a good way for MLAs' concerns to get to the minister.

Those are our proposals to reform the caucus, but we have also done one other thing to improve the lot of our legislators. Our constituency allowance has gone up from \$6,000 to about \$15,000. That has enabled me to have a full-time person answering my phone and dealing with a number of problems I would not otherwise have time to deal with. My assistant works in a consulting business and I am just one more dedicated line in their office. The phone is answered: "David Olmstead's constituency office". He is very interested in politics, and gives me a full day's coverage in the office. There is a human being answering the phone all the time. This is a huge improvement over the way I was doing it before, because when I came back home after a day meeting with constituents, the phone was backed up with calls. Often I could never catch up. I remember that one of my colleagues, when we first got elected, said that she considered we had been given a really tough job without the resources to deal with it. I think that is true. It is a lot better now; although we still, obviously, do not have the same level of help that a minister has.

The role of the private member varies throughout the Commonwealth. However, we all do have a common objective: to serve our constituents to the best of our ability. I believe caucus reforms can help us very much in this aim.