

**House of Assembly
Newfoundland and Labrador**

**Minutes of the House of Assembly
Management Commission**

Date: November 28, 2007 (**Revised Feb. 3, 2010, CM 2010-13**)

Location: House of Assembly Chamber

Time: 9:00 – 5:15

Members Present:

Hon. Roger Fitzgerald, Speaker
Mr. William MacKenzie, Clerk of the House of Assembly
Hon. Tom Rideout, Government House Leader
Mr. Kelvin Parsons, Opposition House Leader
Hon. Tom Marshall, Minister of Finance
Ms. Beth Marshall, MHA (PC) Topsail
Ms. Yvonne Jones, MHA (L) Cartwright - L'Anse Au Clair
Ms. Lorraine Michael, MHA (NDP) Signal Hill - Quidi Vidi

Mr. Jack Byrne, Deputy Speaker

Other:

Ms. Marie Keefe, Policy & Communications Officer
Ms. Marlene Lambe, Chief Financial Officer, House of Assembly
Ms. Lorna Proudfoot, Law Clerk

Regrets:

None

Decisions of the Management Commission:

CM 2007 – 013A

Agenda Item 2:

The minutes of the House of Assembly Management Commission Meeting held on August 29, 2007, were approved as read.

CM 2007 – 014
Agenda Item 3-1:

The Commission considered the proposed amendment to subsection 18(8) of the *House of Assembly Accountability, Integrity and Administration Act* respecting quorums for Commission meetings and approved the following:

Subsection 18(8) of the *House of Assembly Accountability, Integrity and Administration Act* is repealed and the following is substituted:

- “(8) A quorum of the commission shall be 50% of its members, provided that
- (a) one member, representing the government; and
 - (b) one member representing a party in opposition to the government; and
 - (c) the speaker or the deputy speaker
- shall be present during a meeting of the commission.”

CM 2007 – 015
Agenda item 3-2:

The Commission considered the proposed amendment to subsection 14(2) of the *House of Assembly Accountability, Integrity and Administration Act* respecting reimbursement of expenses during the Election Writ period and approved the following:

Subsection 14(2) of the *House of Assembly Accountability, Integrity and Administration Act* is repealed and the following is substituted:

“(2) Notwithstanding subsection (1), a member shall not claim reimbursement of expenses under subsection 11(2) from and after the date an election is called until the date of the election provided that the member has been declared re-elected under the *Elections Act, 1991*.”

CM 2007 – 016
Agenda Item 3-3:

The Commission considered membership on the Audit Committee of the Commission and confirmed Ms. Elizabeth Marshall, MHA Topsail, and Mr. Kelvin Parsons, MHA Burgeo - LaPoile, as Commission members of the Audit Committee pursuant to S.23 (2) (a) of the *House of Assembly Accountability, Integrity and Administration Act*.

CM 2007 – 017
Agenda Item 3-4:

The Commission approved and adopted the October 2007 versions of the Members' Resources and Allowances Rules Manual and the Members' Handbook.

CM 2007 – 018

Agenda Item 7:

The Commission, in an *in camera* session, authorized the Speaker to refer to the appropriate Minister a Special Warrant funding request to cover unbudgeted costs associated with the implementation of the *Recommendations of the Review Commission on Constituency Allowances and Related Matters.*”

CM 2007 – 019

Agenda Item 6:

The Commission considered the issue of opposition party caucus resources for the 46th General Assembly

1. The Leader of the Official Opposition moved:

That the \$62.50 monthly allocation per caucus member for operational funding be continued, with a minimum amount of \$500.00 monthly established irrespective of caucus numbers.

The motion was carried.

2. The Hon. Tom Marshall moved:

That the Official Opposition maintain its current core staff complement; that the half-time position assigned to the Opposition House Leader be made a full-time position; that the Official Opposition annually receive \$100,000, plus the current \$21, 218 per private member, and that, in addition, the New Democratic Party would receive \$100,000, plus the current \$21, 118 per private member.

By leave of the Commission the Hon. Tom Marshall moved the following amendment which would restrict the application of his motion to the Official Opposition.

That the Official Opposition maintain its current core staff complement; that the half-time position assigned to the Opposition House Leader be made a full-time position; and that the Official Opposition annually receive \$100,000, plus the current \$21, 218 per private member.

The Opposition House Leader moved the following amendment:

That the motion put forward by Minister Marshall respecting caucus resources funding proposal be held in abeyance and not addressed until a study, as recommended by Chief Justice Green in Chapter 12 of his report, is presented back to the Commission for its review, and in the interim the caucus resource formula, as it existed prior to the dissolution of the Forty-Fifth General Assembly, be applied.

This amendment was defeated.

Ms. Elizabeth Marshall moved the following amendment:

*That the following be added to Minister Marshall's motion:
The study of caucus resources as recommended by Chief Justice Green in Chapter 12 of his report be conducted and brought back for the Commission's consideration as soon as possible.*

The amendment carried.

The main motion, as amended, was carried.

3. The Hon. Tom Marshall moved that :

The NDP continue to receive the \$21, 218 per private Member that they are receiving for caucus resources and, in addition, annually receive \$100,000, and that the issue of NDP resources also be part of the study recommended by Chief Justice Green in Chapter 12 of his report.

Ms. Michael moved the following amendment:

That the words "and funds for an administrative assistant/receptionist" be added after the words "\$100,000".

The amendment was defeated.

The main motion was carried.

Note: The following summarizes the key points of the motions respecting opposition caucus resources:

- i) The \$62.50 monthly allocation per caucus member for operational funding will continue, with a minimum amount of \$500.00 monthly established irrespective of caucus numbers.
- ii) The Office of the Leader of the Official Opposition will continue to receive funding for the core positions identified during the 45th General Assembly; that is, a Chief of Staff, Communications position, Executive Assistant, departmental secretary, as well as the secretary/legislative assistant position usually termed Constituency Assistant; and,
- iii) The funding for a half-time assistant position with the Opposition House Leader will be increased to funding for a full-time position; and,
- iv) The Official Opposition will continue to receive the \$21, 218 annually per private member; and,
- v) The Official Opposition will receive an additional \$100,000 annually for caucus staffing; and,
- vi) The New Democratic Party will continue to receive \$21, 218 annually per private member; and,
- vii) The New Democratic Party will receive an additional \$100,000 annually for caucus staffing;

- viii) A study will be conducted, as soon as possible, to advise on the appropriate levels of resources for the Official Opposition and the NDP Caucuses, with the study to be brought back to the Commission for approval.

CM 2007 – 020

Agenda Item 10-2:

The Commission considered the proposal from the Clerk respecting Reimbursement rates for Constituency Assistants and decided the following:

Pursuant to subparagraph 20(6)(b)(i) of the *House of Assembly Accountability, Integrity and Administration Act*, the Commission directs that Constituency Assistants be reimbursed at rates for travel, meals and accommodations (private and temporary) consistent with the rates provided for Members.

CM 2007 – 021

Agenda Item 10-2:

The Commission considered the proposal from the Clerk respecting phone lines in private residences and decided the following:

Pursuant to subsection 25(1) of the *Members' Resources and Allowances Rules*, the Commission hereby authorizes and directs that the Standard Office Allocation include a telephone package for the Member's residence, to be used for constituency business only. The telephone package will include message manager, call display and a long distance plan (if applicable).

CM 2007- 022

Agenda Item 10-2:

The Commission considered the proposal from the Clerk respecting the exclusion of intra-constituency travel and extra-constituency travel from the commuting distance limitation and decided the following:

Pursuant to subsection 20(6)(b)(i) of the *House of Assembly Accountability, Integrity and Administration Act*, the Commission directs that intra-constituency travel and extra-constituency travel are excluded from the commuting distance limitation of paragraph 29(1)(b) of the *Members' Resources and Allowances Rules*, effective October 9, 2007.

CM 2007- 023

Agenda Item 10-2:

The Commission considered the proposed amendment to subsection 40(1) of the *Members' Resources and Allowances Rules* to include "taxi" as a permissible means of travel and approved the following proposed amendment:

The Commission hereby approves the following draft amendment to subsection 40(1) of the *Members' Resources and Allowances Rules*:

- (a) at paragraph (d) by deleting the word "and";
- (b) at paragraph (e) by deleting the period and substituting a semicolon and the word ,

"and"; and

(c) by adding immediately after paragraph (e) the following

"(f) taxis."

CM 2007- 024
Agenda item 10-2:

The Commission considered the proposal from the Clerk respecting delegated authority to the Clerk for the provision of promotional materials for Members and decided the following:

The Clerk is authorized to develop appropriate policies and processes for the selection, allocation and distribution of the promotional materials identified in subsection 27(1) of the *Members' Resources and Allowances Rules*.

Note: The briefing note submission of November 22, 2007 had a typo and referenced subsection 27(1)(b). It should have read subsection 27(1) only.

CM 2007- 025
Agenda Item 10-2:

The Commission considered the proposal from the Clerk respecting the use of Extra-Constituency Allowance for travel to the Capital Region and decided the following:

Pursuant to subparagraph 20(6)(b)(i), the Commission directs that subsection 39(1) of the *Members' Resources and Allowance Rules* does not permit travel from a constituency outside of the capital region to the capital region, except for the purpose of attendance at a conference or training course, as described in subsection 30(e) of the Rules.

CM 2007 – 026
Agenda Item 10-2

The Commission considered the proposed amendment to section 20 of the *Members' Resources and Allowances Rules* respecting the location of a Member's constituency office space outside the Member's constituency and approved the following amendment:

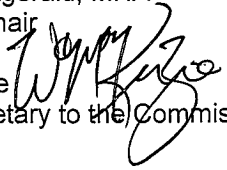
"Section 20 of the *Members' Resources and Allowances Rules* is amended by adding immediately after subsection (5) the following:

(5.1) Notwithstanding paragraph (5)(a), the Speaker may, upon the written request of a member, approve the locating of that member's constituency office space within a constituency that is not a constituency of that member provided that the requested office space is located in a constituency that is adjacent to the member's constituency.

Adjournment: 5:15

Hon. Roger Fitzgerald, MHA
Speaker and Chair

Wm. MacKenzie
Clerk and Secretary to the Commission

 2010.02.10.