



**House of Assembly
Newfoundland and Labrador**

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

Date: May 28, 2008

Location: House of Assembly Chamber

Time: 8:00 a.m. – 10:00 a.m.

Members Present:

Hon. Roger Fitzgerald, Speaker

Mr. William MacKenzie, Clerk of the House of Assembly

Hon. Joan Burke, Government House Leader

Mr. Kelvin Parsons, Opposition House Leader

Hon. Trevor Taylor, MHA (PC) The Straits - White Bay North

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

Other:

Ms. Marie Keefe, Policy & Communications Officer

CM 2008 - 049 The Commission confirmed that the Estimates for the Legislature for fiscal year 2008-09 as published in the Estimates 08 document provides the details for the budget as approved by **CM 2008 -017**.

CM 2008 - 050 The minutes of the House of Assembly Management Commission meetings held on April 30, 2008 and May 5, 2008 were approved as read.

CM 2008 – 051 The Commission approved the proposed amendments, respecting subpoena powers and other matters, to the *Child and Youth Advocate Act*, as

recommended in the Turner Review and as supported and recommended by the Child and Youth Advocate.

CM 2008 - 052 The Commission amended Section 2 (Members' Financial Reports) of the Publication Scheme such that the Online Version of the Annual Members' Financial Reports will be posted 80 days after the end of the Fiscal Year.

CM 2008 - 053 The Commission considered the issue of Committee Per Diems which had been brought forward from the April 30 meeting. A decision was deferred to a subsequent meeting of the Committee, with the Clerk to bring back estimates of the financial impact of the decision. Ms. Elizabeth Marshall excused herself from the discussion as she may have been in a conflict of interest position.

Adjournment: 9:40 a.m.
Hon. Roger Fitzgerald, MHA
Speaker and Chair

Wm. MacKenzie
Clerk and Secretary to the Commission



**House of Assembly
Newfoundland and Labrador**

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

Date: June 4, 2008

Location: House of Assembly Chamber

Time: 5:00 p.m. – 8:00 p.m.

Members Present:

Hon. Roger Fitzgerald, Speaker

Mr. William MacKenzie, Clerk of the House of Assembly

Hon. Joan Burke, Government House Leader

Mr. Kelvin Parsons, Opposition House Leader

Ms. Beth Marshall, MHA (PC) Topsail

Ms. Lorraine Michael, MHA (NDP) Signal Hill - Quidi Vidi

Regrets:

Hon. Trevor Taylor, MHA (PC) The Straits - White Bay North

Ms. Yvonne Jones, MHA (L) Cartwright - L'Anse Au Clair

Other:

Mr. Felix Collins, Acting Deputy Speaker

Ms. Marie Keefe, Policy & Communications Officer

CM 2008 - 054

The Speaker reported authorizations for travel under extenuating circumstances as provided for in Section 43 of the *House of Assembly Accountability, Integrity and Administration Act*.

The Speaker approved Ms. Yvonne Jones to charter an aircraft on March 7, 2008 and April 6, 2008 at a total cost of \$2188.25 to enable the Member to return to the Capital Region to attend the House of Assembly. The Speaker approved meals and accommodations for Ms. Patty Pottle on April 11 – 12, 2008, May 16 – 20, 2008 and on May 23-24, 2008 at a total cost of \$922.00. Ms. Pottle's flights were delayed on each of these dates due to adverse weather conditions.

CM 2008 - 055

The Commission, in an *in camera* session, confirmed the following decisions regarding Position Classification and Related Issues in the House of Assembly Service and Statutory Offices.

- a) The Commission confirmed the position classifications recommended by the Classification Review Committee for the 59 positions as listed in Appendix B of the May 21, 2008 submission titled "Position Classifications and Related Issues in the House of Assembly Service and Statutory Offices", with an effective date of April 1, 2008.
- b) The Commission confirmed the permanent incumbency, in the respective restructured/classified positions, of the 50 individuals listed in Appendix E, on file with the Clerk.
- c) The Commission confirmed the creation of a separate category called General HL, as listed in Appendix C of the May 21, 2008 submission titled " Position Classifications and Related Issues in the House of Assembly Service and Statutory Offices", with these positions subject to the same human resource policies and provisions as General Service positions and subject to the salary scales and steps as outlined in Appendix D of that submission.
- d) The Commission confirmed that the pay levels for each of the 59 positions are to be in accordance with the HL salary scales as prescribed by the Executive Branch.
- e) The Commission adopted the Classification Appeal Process, dated June 2008 with the amendment that members of the Appeal Committee will excuse themselves when dealing with appeals for employees of their own office.

CM 2008 – 056

The Commission, in an *in camera* session, confirmed the permanent remuneration of the Chief Electoral Officer as EP- 06, point total of 2328, which started at Step 1 and will follow the normal step progression process.

CM 2008 – 057

The Commission directed that its solicitors take action to pursue payment of the costs as ordered by the court decision respecting Mr. Fraser March.

CM 2008 – 058

The Commission declined the request from the Leader of the New Democratic Party that the House of Assembly Service pay a legal bill for independent legal advice incurred in disputing a decision of the House of Assembly Service.

CM 2008 – 059

The Commission approved payment of a Per Diem of \$145 to a member who is a member of a Standing or Select Committee of the House of Assembly, the Commission or a committee of the commission, provided the member is not a minister or the holder of a position referred to in subsection 12 (1) of the *House of Assembly Accountability, Integrity and Administration Act* (the Act). The Chair of such committees was approved to receive a Per Diem of \$190. This is to be reflected in appropriate rule amendments.

CM 2008 – 060

The Commission approved the Tuition Reimbursement Program, dated May 11, 2008, for employees of the House of Assembly, Office of the Child and Youth Advocate, Office of the Information and Privacy Commissioner, Office of the Citizens' Representative, Office of the Chief Electoral Officer and the Office of the Commissioner for Legislative Standards. The requirements of the program will be modified to provide tuition eligibility for contractual employees who have been employed by the Legislature for a minimum of two years.

Adjournment: 8:00 p.m.
Hon. Roger Fitzgerald, MHA
Speaker and Chair

Wm. MacKenzie
Clerk and Secretary to the Commission

House of Assembly Management Commission

Briefing Note

Title: Committee Per Diem

Issue: Per Diem Amounts for Eligible Members of the House of Assembly Management Commission and Committees of the House

Background:

- At the June 4 meeting, the Commission approved payment of a Per Diem of \$145 to a member who is a member of a Standing or Select Committee of the House of Assembly, the Commission or a committee of the commission, provided the member is not a minister or the holder of a position referred to in subsection 12 (1) of the *House of Assembly Accountability, Integrity and Administration Act* (the Act). The Chair of such committees was approved to receive a Per Diem of \$190. The Commission directed this be reflected in appropriate rule amendments. **CM 2008 – 059** refers.
- As required under subsection 15(5) of the Act, this rule must be approved at a Management Commission meeting, posted on the House of Assembly website, brought back to the next meeting of the Commission and then published in the NL Gazette.

Action Required:

Pursuant to subsection 12(3) of the *House of Assembly Accountability, Integrity and Administration Act* (the Act) the Commission hereby approves the following proposed amendment of the Members' Resources and Allowances Rules:

Section 45 of the *Members' Resources and Allowances Rules* is repealed and the following is substituted:

Committee allowance

- 45 (1) A member who is a member of a standing or select committee of the House of Assembly, the commission or a committee of the commission may claim for reasonable expenses related to attendance at a committee or commission meeting when the House of Assembly is not in session.
- (2) A member who is a member of a standing or select committee of the House of Assembly, the commission or a committee of the commission, other than a chair, may claim a daily amount of \$145 for attendance at a committee or commission meeting when the House of Assembly is not in session.

- (3) A member who is a chair of a standing or select committee of the House of Assembly, the commission or a committee of the commission may claim a daily amount of \$190 for attendance at a committee or commission meeting when the House of Assembly is not in session.
- (4) Subsections (2) and (3) shall not apply to a member who is a minister or who holds a position referred to in subsection 12(1) of the Act.
- (5) Reasonable expenses claimed under subsection (1) shall be
 - (a) in accordance with the Travel and Allowance rates permitted under these Rules; and
 - (b) approved by the Speaker before being reimbursed to the member.

Drafted by: Marie Keefe
Date: June 25, 2008

Approved by: Wm. MacKenzie

House of Assembly Management Commission

Briefing Note

Title: Mileage Rate

Issue: Reimbursement for mileage when using private vehicle

Background:

- The Commission has received a request to consider using the Federal Government formula to reimburse Members for mileage when using private vehicles at work and to review that rate every two months to reflect increasing/decreasing gas prices, with a base minimum of 42 cents per kilometer.
- Subsection 40(5) of the *Members Resources and Allowances Rules* under *The House of Assembly Accountability, Integrity and Administration Act* provides that
 - (5) Subject to subsection 29 (6), where a member whose constituency is outside the capital region travels by his or her own vehicle, he or she may claim reimbursement for the number of kilometres reasonably necessary to accomplish the travel objectives multiplied by the rates per kilometre payable to government employees who are required to use private vehicles as a condition of employment rate.
- The rate currently used throughout the Executive Branch for public service employees and Ministers is reviewed quarterly by the Public Service Secretariat.
- Should the Commission wish to approve a new formula, the Commission would have to approve an amendment to the Rules through the standard process.

Action Required:

- The direction of the Commission is requested.

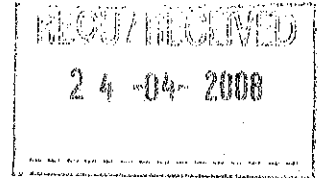
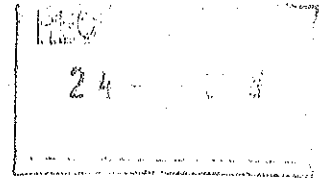
Drafted by: Marie Keefe
Date: May 8, 2008

Approved by: Wm. MacKenzie



HOUSE OF ASSEMBLY
Newfoundland and Labrador

CALVIN PEACH, M.H.A.
District of Bellevue



April 24, 2008

Dear Commissioner,

I am writing a request for the commission to grant me permission to be reimbursed for my daily trips to the capital region from the District of Bellevue while the House Is In Session.

I reside in my District, in the Town of Norman's Cove. I travel everyday to the capital region while the House Is In Session. This is 107 km one way, at a cost of \$84 per day (round trip) at the rate of 49.52 cents (*the Automobile Reimbursement Rate for using a Private Vehicle at Work using by the Government of Newfoundland and Labrador*), plus the cost of one meal, the lunch, at \$15.00 per day. A total cost to the Government of Newfoundland and Labrador of \$99.00.

If I choose to stay in a hotel at the capital region while the House Is In Session, the cost is much greater. The hotel maximum reimbursement is \$125.00 per day with the three meals per Diem of \$50.00, brings the total cost to the Government of Newfoundland and Labrador to \$175.00 per day.

The additional cost to the Government of Newfoundland and Labrador is \$76.00 per day if I stay in St. John's versus traveling to and from my primary residence in the District of Bellevue which is only one (1) hour from the capital region.

I ask the commission to review this policy and allow me to be reimbursed for my travel and meal per diem per day, every day, for the five days a week while the house is in session.

"Working for the people of the Bellevue District"

Also, I recommend that the commission consider a formula on mileage to reflect the rate per km when using a private vehicle at work. Presently, after 9000km the travel allowance is cut back to 35.62 cents per km from 49.52 cents per km. The commission should take a look at the formula used by the Federal Government, which reviewed every three (3) months and adjusts the mileage up or down according to gas prices increase or decrease.

Currently, I have had to travel to the capital region from the District of Bellevue to hold meeting with Ministers and Town Councils on a number of different Fridays. As the House has not been in a recess of more than seven (7) days, I have been unable to claim this travel, and have incurred this travel cost from my personal income.

Example:

House in Session – On Fridays the house does not sit, and I have had to hold meetings on behalf of and with Town Councils and the Ministers within the capital region. I can not claim this because the House is deemed to be In Session.

I feel that when Justice Green made the recommendations in the Green Report, a situation like mine was not taken into account. I believe that the Green Report was based on ways to cut costs to the Government of Newfoundland and Labrador, and this request would fall under Judge Green's recommendations.

If the commission chooses to grant me my request the Government of Newfoundland and Labrador will save \$75.00 per day and on average \$300.00 per week while the House is in Session. The Government will save approximately \$2700.00 over a full Parliamentary calendar year.

My first recommendation is for the commission to allow travel claims from M.H.A.'s traveling less than 120 km one way or 240 km return trip from the district to the capital region while the House Is In Session.

My second recommendation is for the commission to give clarification for travel allowance for the House Not In Session versus the House In Session, with regards to the seven day recess.

My third recommendation is for the commission should take a look at the formula used by the Federal Government, and review every two (2) months and adjusts the mileage up or down according to gas prices increase or decrease, with a base of a minimum of 42 cent per km.

I request clarification on the following; on May 23, 2008 the House will recess, can a claim be put in for constituency travel under the House not in Session category on May 25, 2008? Or must I wait until the seven days to make claims under the House Not In Session?

Sincerely,

A handwritten signature in black ink, appearing to read "Calvin Peach". The signature is written in a cursive style with a large, sweeping initial "C".

CALVIN PEACH, M.H.A.
District of Bellevue

House of Assembly Management Commission

Briefing Note

Title: Secondary Residence Rules

Issue: Two requests to Amend Rules respecting Secondary Residence

Background:

- The Members' Resources and Allowances Rules established allowances for three eligible categories of accommodations: temporary, private, or secondary residence. Rule 28 defines these categories as follows:
 - "temporary accommodation" means short-term, temporary or transient accommodation such as a hotel, motel, bed and breakfast or boarding house;
 - "private accommodation" means accommodation owned or maintained by a person other than the member, the member's spouse or children and which may be used by the member when travelling;
 - "secondary residence" means a residence that is not a permanent residence but is owned or leased by the member and is available for occupancy by the member but does not include a seasonal or recreational dwelling or cabin.
- Under the Rules for secondary residences, Members are required to swear an affidavit respecting their secondary residence and to itemize eligible annual costs (as per Rule 41(2)). The daily actual costs are then calculated from the eligible annual costs. Members are reimbursed for each night the secondary residence is actually used when the House is in session and for 50 additional nights per year when the House is not in session.
- Three Members have written the Commission (letters attached) requesting that the Rules respecting secondary residences be amended. Two of the letters propose that property taxes be added to the list of eligible expenses under Rule 41(2). The other letter proposes that the Rules be amended to provide for a daily claim of \$53 regardless of whether Members stay in private accommodation or secondary residence. Adoption of the second proposal would make the first proposal irrelevant.
- Rule 41 (2) (h) allows the addition, as eligible expenses under the secondary residence rules, of "those other items that may be directed by the commission".

1. Property Tax as an eligible expense

- The requests received have identified that secondary residence owners, as opposed to renters, are disadvantaged with respect to property taxes. It can be reasonably assumed that municipal taxes have been factored into the cost of leased premises and 100% of that lease cost is eligible for reimbursement, effectively allowing municipal tax as an eligible expense under the current secondary residence provisions for leased properties.
- This distinction between owners and renters appears to be based on the concern of Chief Justice Green that public money, through a reimbursement process, could be used for a Member to develop personal equity in a property. Secondary residence owners may claim mortgage interest but not mortgage principal. One of the requests received points out that property tax is a means of paying for municipal services, such as water and garbage collection, and can therefore be considered comparable to utility bills (an eligible expense) and does not contribute to the personal equity position of the property owner.

2. Establish a non-accountable allowance of \$53 for secondary residence

- This proposal recommends that the Management Commission review and approve an amendment to the Rules to provide for a daily claim of \$53 for Members regardless of whether Members stay in private accommodation or secondary residence. In effect, this would eliminate the current secondary residence regime and re-establish the former practice of providing a non-receiptable amount per night (except now subject to a maximum number of nights when the House is not in session).
- While the current secondary residence provisions do not require the submission of receipts with each claim to prove actual costs, Members must sign an affidavit respecting actual costs. The Clerk is authorized under 41(4) to require documentary evidence respecting costs.
- The proposal to change from the “actual cost” calculation currently used to a flat \$53 sum without receipts could be considered as the creation of a new “non-accountable allowance”. If so, pursuant to subsection 15(1) of the Act, such allowances **must** be created in response to a recommendation from a Members’ Compensation Review Committee. It could be argued that this proposed approach to reimbursing secondary expenses is not a new one as the current process also does not require receipts. Nevertheless, the sworn affidavit and the obligation to document

costs, when required to do so, suggest that it is based on actual documented costs.

- To avoid any concern that subsection 15(1) of the Act respecting non-accountable allowances might be violated, it may be preferable to include this matter as one of the “terms and conditions” to be reviewed by the next Members’ Compensation Review Committee (subsection 16 (1)).

Action Required:

- The Commission’s direction is required respecting these two proposals.

Drafted by: Wm MacKenzie
Date: May 13, 2008

April 3, 2008

Mr. William MacKenzie
Clerk of the House of Assembly
Clerk's Office
1st Floor, East Block
Confederation Building
P.O. Box 8700
St. John's, NL, A1B 4J6

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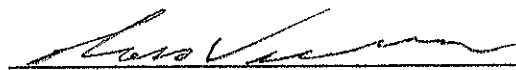
Dear Mr. MacKenzie;

As a follow up to our earlier discussion with respect to the list of items considered as costs associated with maintaining a secondary residence in St. John's, the identified items did not provide for a consideration of property tax. However, if you consider the rationale for mortgage interest, which clearly would be the cost of servicing a debt and not intended to build equity, inclusion of property tax should be considered in the same manner.

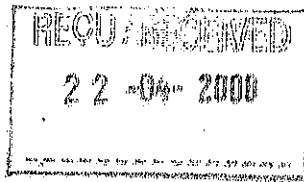
It is interesting to note as well, the full cost of rent and associated charges are considered and if I were renting, the landlord would no doubt have factored in the cost of property tax in determining rental cost. In addition, utilities would naturally be covered because it is associated with the daily operating cost of the property. Property tax is associated with providing services to that property such as water, garbage collection, etc.

I am requesting a review of the current policy be undertaken to include property tax in the calculation of allowable cost of maintaining a secondary residence.

Sincerely,



Hon. Ross Wiseman, MHA
Trinity North District
Minister



April 17, 2008

Hon. Roger Fitzgerald
Speaker of the House of Assembly
Chair of The House of Assembly Management Commission
P.O. Box 8700
St. John's, NL
A1B 4J6

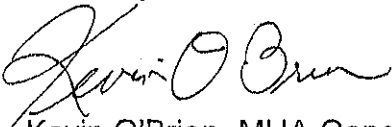
Dear Mr.  Speaker:

I am writing in reference to a recent ruling by the Corporate and Members' Services Division of the House of Assembly regarding the eligibility of claiming the expense of municipal taxes on my secondary residence which is located in St. John's. I was informed that the Commission has not made a ruling on such an expense.

I am requesting that this item be brought forward and placed on the agenda for discussion and clarification for all MHA's who, like me, find themselves paying municipal taxes on a secondary residence; a situation that is necessitated by the distance that we live from our permanent residences.

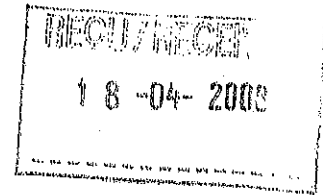
I thank you for your consideration in this matter.

Sincerely,


Kevin O'Brien, MHA Gander



House of Assembly
Newfoundland and Labrador
Clayton Forsey, M.H.A.
District of Exploits



April 17, 2008

Hon. Roger Fitzgerald, Speaker
House of Assembly
Confederation Building
1st Floor, East Block
St. John's, NL A1B 4J6

Dear Hon. Speaker:

The following is a request for your review of a matter that relates to amendments approved at the April 11, 2008 meeting of the House of Assembly Management Commission, respecting reimbursement or claim for accommodations.

Subsection of 41(2) of the *Member Resource and Allowance Rules* has the unfair effect of having members who are in a secondary residence rather than a hotel or other temporary accommodations not being able to claim the approved \$53.00 or hotel rate amount. This impacts some secondary residences accommodations more than others.

We ask that the Management Commission review and approve an amendment to the rules to provide for a daily claim of \$53.00 for members attending to their MHA duties regardless of whether or not they are in private accommodations or a secondary residence.

We appreciate the fact that the commission is working on behalf of all 48 members and hope you will consider this fair and equitable request.

These following members agree with this proposal:

Proposed Motion:

The Management Commission moves that subsection 41(2) and any other applicable provisions of the *Members Resource and Allowance Rules* be amended to allow members to claim expenses relating to a stay in a secondary residence at a rate of \$53 per day on the island portion of the province and \$71 per day in Labrador.

MHAs Supporting Request:

MHA <u>Harry Harding</u>	DISTRICT <u>Bona Vista North</u>
MHA <u>Clayton Jones</u>	DISTRICT <u>EXPLOITS</u>
MHA _____	DISTRICT _____
MHA _____	DISTRICT _____
MHA _____	DISTRICT _____

House of Assembly Management Commission

Briefing Note

Title: Increase Number of Trips

Issue: Requests to increase number of trips to/from the Capital Region when the House is in Session/Not in Session

Background:

- The *Members Resources and Allowances Rules* detail the number of trips a Member can take to the Capital Region when the House is in Session and when the House is not in Session, including:

30. A member may claim reimbursement for travel and associated accommodation and meal costs related to travel
 - (a) between his or her constituency or permanent residence and the Confederation Building complex to attend sittings of the House of Assembly and to attend to constituency business and other duties of the member that may require his or her presence in the capital region;
- 31.(1) A member who travels from his or her **permanent residence outside the capital region** to temporary accommodation or a secondary residence in the capital region to attend a sitting of the House of Assembly may claim reimbursement for the following costs:
 - (a) for each week or part of the week that the House of Assembly is in session the actual transportation cost of one return trip;
- 32.(2) A member who maintains a **permanent residence within the capital region but represents a constituency outside the capital region** may claim reimbursement for the following costs while the House of Assembly is in session:
 - (a) for each week or part of a week that the House of Assembly is in session, the actual transportation cost of one return trip to his or her constituency to attend to constituency business;
35. A member who travels from his or her **permanent residence that is outside the capital region to the capital region** when the House of Assembly is not in session to attend to constituency business or other duties may claim reimbursement for the following costs:
 - (a) the actual transportation cost of not more than 20 return trips per year;

36(2) A member who maintains a **permanent residence within the capital region but represents a constituency outside the capital region** may claim reimbursement for the following travel and accommodation costs to and from his or her constituency when the House of Assembly is not in session:

(a) the actual transportation cost of not more than 20 return trips per year;

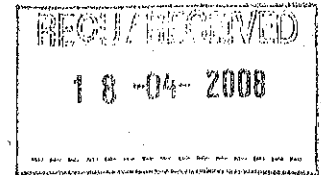
- In summary, Members have one trip per week when the House is in session and 20 trips for the balance of the year.
- Members have written the Commission outlining concerns about the limitations of these rules and the impact on their ability to conduct constituency business. Members are incurring personal costs and are requesting an increase in the number of trips allowed to/from the Capital Region when the House is in session and not in session. Specific requirements have been outlined in the attached letters.
- The requested changes require amendments to various provisions of the Members' Resources and Allowances Rules. Implications of the amendments for all Members will need to be considered before amendments are drafted.

Action Required:

- The direction of the Commission is requested.

Drafted by: Marie Keefe
Date: May 8, 2008

Approved by: Wm. MacKenzie



Newfoundland and Labrador House of Assembly

Felix Collins, M.H.A.
District of Placentia & St. Mary's

April 17, 2008

Honourable Roger Fitzgerald, M.H.A.
Speaker of the House of Assembly
Office of the Speaker

Dear Mr. Speaker:

Re: Members' Provisions & Allowances

Following the Management Commission's amendments to certain rules respecting Members' Resources and Allowances which you tabled in the House this week, I hereby submit a request for a further change to the Rules.

My request deals with Rules 32(a) and 36(a) respecting Constituency Travel. I qualify as a MHA-1 maintaining a permanent residence within the Capital Region, but representing a constituency outside the Capital Region. Rule 32(a) allows me one paid trip per week to my district when the House is in Session, and rule 36(a) allows me 20 paid trips to my district when the House is not in Session.

Rule 32(a)

It would appear that this Rule is the corollary of Rule 31(a) which allows a Member who resides outside the Capital Region, one paid trip back to his/her district when the House is in Session. I would assume that the rationale for this Rule is to allow the Member to return home to his/her district on weekends when the House is in Session. One would further assume that the rationale for the corollary Rule 32(a) would be to keep Members (MHA-1) in the Capital Region while the House is in Session. In other words, Members living in the Capital Region should not be traveling to their districts, but should be in St. John's when the House is in Session.

In my case, the District, Placentia & St. Mary's, begins at the intersection of the Trans Canada Highway and the Salmonier Line, a distance of 42 kilometers from St. John's, with a driving time of approximately 20-30 minutes, depending on driving conditions. I can be in any one of several communities within my district within one hour, and in most, in one and a half hours. Thus, it would not be unusual for me to attend a function in my district on any one morning while the House is in Session, and still be in attendance for the House Sitting that day. Furthermore, it is not unusual for me to attend an evening function anywhere in my district, and still maintain full attendance in the House.

In other words, there is no rationale in restricting me to one paid trip a week while the House is in Session, due primarily to the close proximity of my district to St. John's. It might be different for a M.H.A. whose district is several hours away.

Rule 36(a)

Rule 36(a) is the corollary of Rule 35(a) which allows a Member resident residing in his/her district which is outside the Capital Region, a total of 20 paid trips to the Capital Region when the House is not in Session. That may be entirely in order for those Members. They spend all of their time in their districts when the House is not in session, and can travel to St. John's 20 times a year to attend to business in St. John's. However, the reverse is a different matter altogether. To restrict MHAs-1 to 20 trips to their districts when the House is not in Session, prevents them from serving their constituents, and is, in fact, discriminatory. It is impossible for me to properly represent my constituency with 20 trips during this time. Neither does it make sense for me to overnight in my district for several nights. For the most part, I can return in one and a half hours or less, the cost of which would be far less than overnight accommodations.

I can understand the application of such a Rule to a MHA-1 who represents a riding several hours away. The Member for Baie Verte-Springdale, for example, would not be driving from his home in St. John's to his district two or three times a week. Combined with extended overnight stays, twenty paid trips may be entirely reasonable in such a situation. It makes no sense whatsoever in my case.

Ironically, when the House is in Session, I can make one such trip a week. When the House is not in Session, and depending on the length of the Session, I can only make such a trip every two weeks.

The District of Placentia & St. Mary's is one of the largest rural districts in the Province. It has over 540 kilometers of road and 40 communities. The boundaries were recently extended to include Long Harbour-Mount Arlington Heights, Whitbourne, Markland, Brigus Junction and the area of Ocean Pond-Middle Gull Pond. Only the small community of St. Shott's was deleted. Yet, even though the district was expanded, my capacity to represent it was reduced.

To help illustrate my point, in my first 12 months as MHA, I made 102 trips to my district, averaging two per week. For the 2007 calendar year, I made 99 trips. This did not include part of September and October during the Election Campaign. For January and February, 2008, I made 13 trips. In order to properly serve my constituency, these trips are essential. It is not sufficient to say I can't go. My constituency demands it and deserves it.

As mentioned earlier, my district begins at the Salmonier Line, a distance of 42 kilometers. At that point, my intra-constituency allowance kicks in and I can claim travel beyond that point. On every trip I have to deduct 84 km from my travel. Based on 13 trips from January to February, I have had to deduct $13 \times 84 \times 48.93 = \534.32 from my travel claim. If I made 100 trips a year and deduct 35 paid trips (15 when House in Session) (20 when House not in Session) this works out to be \$2671.58 that I lose ($65 \times 84 \times 48.93$). This is a loss that I cannot afford.

I am not aware of others in the MHA-1 category who have the same problem. While there are other Members who live in the Capital Region, each situation is different. For example, the Member for Ferryland District resides in St. John's, outside his district. However, his district begins in the Goulds, so that his intra-constituency travel allocation covers his travel almost to the same extent as one who resides in his/her district.

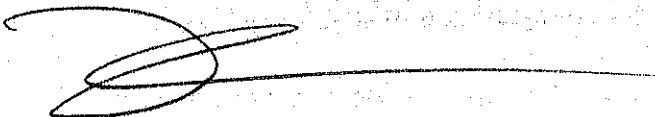
The Member for Grand Bank, Baie Verte-Springdale, and others, live in the Capital Region, but they are either Cabinet Ministers or the district is a greater distance away. Subsequently, I can only request that you give special consideration to my case.

It has been suggested that I identify a specific number of paid trips that would be satisfactory. I am reluctant to do this, since I feel that I should be entitled to the number of trips required to fulfill my role. I suggest that it be based on my district travel of the past two years, approximately 100 trips per calendar year. I currently have an allotment of \$14,400 for intra-constituency travel. That is adequate to cover all the trips necessary. I suggest that I be permitted to avail of my intra-constituency allotment to cover full transportation costs.

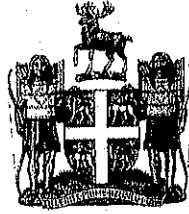
I am not interested in making a profit on my travel claims. I expect only that my travel claims cover my actual expenses. I should not be expected to personally cover \$41.10 for every trip I made to my district, which I am currently doing. Not to go, is not an option.

I would welcome the opportunity to meet with you and the Management Commission to present my case.

Yours truly,



Felix Collins, M.H.A.
Placentia & St. Mary's



RECEIVED
24 -04- 2008

HOUSE OF ASSEMBLY
Newfoundland and Labrador

CALVIN PEACH, M.H.A.
District of Bellevue

April 24, 2008

Dear Commissioner,

I am seeking a change in ruling with regards to the number of trips the M.H.A. is allotted under the Green Report per year while the House is Not in Session.

Under the Green Report, from my election to office on October 9th, 2007 to March 10th, 2008 I was allowed ten (10) trips to Capital Region from the district for constituency business. During this period I traveled twenty-seven (27) trips to Capital Region from the district for constituency business.

Under the Green Report for a full fiscal year the M.H.A. is allowed twenty (20) trips, as you can see, I will in all likelihood complete those twenty (20) trips with in the first half of the year.

The additional seventeen (17) trips I made before March 31st, 2008, were at my own expense. This is an expense which is necessary for me to represent the Constituents of the District of Bellevue fairly and justly.

I feel that the average M.H.A., like myself, requires a minimum of fifty-two (52) trips to Capital Region from the district on constituency business, this being equivalent to one (1) trip per week, to compensate for the lost of reimbursement of other trips.

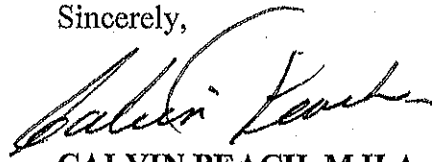
Many weeks I have to schedule two trips per week to Capital Region from the district to deal with constituency business for the District of Bellevue. I have enclosed a list of my trips since my election on October 9th, 2007. This list includes date and reasons the trips occurred. Each is for a legitimate reason.

"Working for the people of the Bellevue District"

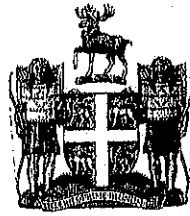
I am requesting that the commission please review the number of trips the M.H.A. is aloud to make to Capital Region from the district for constituency business, and increase that number to a fair and reasonable number.

I recommend that a M.H.A. should be able to claim one (1) day per week under the house not in session.

Sincerely,

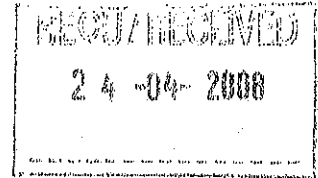
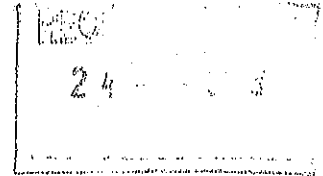
A handwritten signature in cursive script, appearing to read "Calvin Peach".

CALVIN PEACH, M.H.A.
District of Bellevue



HOUSE OF ASSEMBLY
Newfoundland and Labrador

CALVIN PEACH, M.H.A.
District of Bellevue



April 24, 2008

Dear Commissioner,

I am writing a request for the commission to grant me permission to be reimbursed for my daily trips to the capital region from the District of Bellevue while the House Is In Session.

I reside in my District, in the Town of Norman's Cove. I travel everyday to the capital region while the House Is In Session. This is 107 km one way, at a cost of \$84 per day (round trip) at the rate of 49.52 cents (*the Automobile Reimbursement Rate for using a Private Vehicle at Work using by the Government of Newfoundland and Labrador*), plus the cost of one meal, the lunch, at \$15.00 per day. A total cost to the Government of Newfoundland and Labrador of \$99.00.

If I choose to stay in a hotel at the capital region while the House Is In Session, the cost is much greater. The hotel maximum reimbursement is \$125.00 per day with the three meals per Diem of \$50.00, brings the total cost to the Government of Newfoundland and Labrador to \$175.00 per day.

The additional cost to the Government of Newfoundland and Labrador is \$76.00 per day if I stay in St. John's versus traveling to and from my primary residence in the District of Bellevue which is only one (1) hour from the capital region.

I ask the commission to review this policy and allow me to be reimbursed for my travel and meal per diem per day, every day, for the five days a week while the house is in session.

"Working for the people of the Bellevue District"

Also, I recommend that the commission consider a formula on mileage to reflect the rate per km when using a private vehicle at work. Presently, after 9000km the travel allowance is cut back to 35.62 cents per km from 49.52 cents per km. The commission should take a look at the formula used by the Federal Government, which reviewed every three (3) months and adjusts the mileage up or down according to gas prices increase or decrease.

Currently, I have had to travel to the capital region from the District of Bellevue to hold meeting with Ministers and Town Councils on a number of different Fridays. As the House has not been in a recess of more than seven (7) days, I have been unable to claim this travel, and have incurred this travel cost from my personal income.

Example:

House in Session – On Fridays the house does not sit, and I have had to hold meetings on behalf of and with Town Councils and the Ministers within the capital region. I can not claim this because the House is deemed to be In Session.

I feel that when Justice Green made the recommendations in the Green Report, a situation like mine was not taken into account. I believe that the Green Report was based on ways to cut costs to the Government of Newfoundland and Labrador, and this request would fall under Judge Green's recommendations.

If the commission chooses to grant me my request the Government of Newfoundland and Labrador will save \$75.00 per day and on average \$300.00 per week while the House is in Session. The Government will save approximately \$2700.00 over a full Parliamentary calendar year.

My first recommendation is for the commission to allow travel claims from M.H.A.'s traveling less than 120 km one way or 240 km return trip from the district to the capital region while the House Is In Session.

My second recommendation is for the commission to give clarification for travel allowance for the House Not In Session versus the House In Session, with regards to the seven day recess.

My third recommendation is for the commission should take a look at the formula used by the Federal Government, and review every two (2) months and adjusts the mileage up or down according to gas prices increase or decrease, with a base of a minimum of 42 cent per km.

I request clarification on the following; on May 23, 2008 the House will recess, can a claim be put in for constituency travel under the House not in Session category on May 25, 2008? Or must I wait until the seven days to make claims under the House Not In Session?

Sincerely,

A handwritten signature in black ink, appearing to read "Calvin Peach". The signature is fluid and cursive, with a large initial "C" and a long, sweeping underline.

CALVIN PEACH, M.H.A.
District of Bellevue

House of Assembly Management Commission

Briefing Note

Title: Intra-Constituency Allocation

Issue: Proposed motion to increase Intra-Constituency Allocation

Background:

- The Commission has received a proposed motion to review the *Members' Resources and Allowances Rules* with respect to intra and extra constituency travel allocations.
- The Schedule - House Operations - appended to the *Members' Resources and Allowances Rules*, details the allocation of funds for each District. Appendix 10.3 of the Green Report - Calculations and Assumptions for Intra-Constituency Travel - shows how each district allocation was determined.
- A comprehensive review of the factors used to determine the allocation for each district would be required. The Members' Compensation Review Committee, to be appointed under the *House of Assembly Accountability, Integrity and Administration Act* during each General Assembly, is mandated to conduct an inquiry and prepare a report respecting allowances among other issues.
- Significant changes to these allocations (current annual allocation - \$626,400) can only be managed through the annual budget process.
- The proposed motion put forward by the Member is as follows:

“The House of Assembly Commission hereby moves that the Members' Resources and Allowances Rules be reviewed in order to determine and correct inequities that exist for members of the House of Assembly with respect to intra and extra constituency travel, in particular as it relates to larger districts and the location of a Member's primary residence within his or her district.”

Action Required:

- The direction of the Commission is requested.

Drafted by: Marie Keefe
Date: May 8, 2008

Approved by: Wm. MacKenzie



Newfoundland and Labrador House of Assembly

WALLACE YOUNG, M.H.A.

District of St. Barbe

To: House of Assembly Management Commission

I am writing to you today to bring forward my concerns regarding two issues.

The first issue relates to intra and extra constituency allowances. I would like the following points addressed with respect to my District (St. Barbe):

(1) There appears to be no correlation between the size of a District and the amount of the Intra and Extra Constituency allowance. My district is large and spans a distance of 314 kilometers. As a result, I experience far greater travel expenses than my colleagues who represent smaller districts. There are insufficient funds allocated for the size of my district.

(2) It appears that the actual location of a Member's residence within their District is not taken into account. My permanent residence is located in the Northern (furthest) part of the District, approximately 296 kilometers from its southern boundary. This greatly increases my travel expenses associated with serving as a Member for the District of St. Barbe.

(3) There is no evidence to suggest that Allowances take into account the proximity to the nearest service center. Corner Brook is the nearest such center for my District and is located 331 kilometers from my permanent residence. This also increases my necessary cost of travel as it relates to the need to carry out constituency business.

The second issue relates to meal per diems. Presently, if a Member uses his or her constituency allowance to purchase a meal for the purpose of constituency business, the member is not permitted to claim any meal per diem for that date. This forces a member to choose between a single constituency work related meal for a day, or a per diem amount for each meal of the day. Members should not have to choose to forgo meals in order to carry out constituency business.

I have attached proposed motions to address this matter. Thank-you for your attention to this matter. I look forward to your response.

Sincerely,


Wallace Young

"Working for The People of St. Barbe"

PROPOSED MOTIONS

The House of Assembly Management Commission hereby moves that the *Members' Resources and Allowances Rules* be reviewed in order to determine and correct inequities that exist for Members of the House of Assembly with respect to intra and extra constituency travel, in particular as it relates to larger districts and the location of a Member's primary residence within his or her district.

The House of Assembly Management Commission hereby moves that the *Members' Resources and Allowances Rules* be reviewed in order to determine inadequacies as they relate to meals purchased by Members of the House of Assembly under his or her constituency allowance for the purpose of constituency business and allowable per diems for that Member on the same day.

House of Assembly Management Commission

Briefing Note

Title: Meal Per Diems

Issue: Proposed motion to review meal per diems

Background:

- The Commission has received a proposed motion to review the *Members' Resources and Allowances Rules* with respect to meal per diems.
- Section 42 and subsection 46(3) of the *Members Resources and Allowances Rules* state:
 42. Where a member makes a claim pursuant to subsection 46 (3) relating to meal expenses, the member shall not claim any daily meal allowance under this Part in respect of the same day,
 - 46(3) The following expenses necessarily incurred by a member to carry out his or her constituency business may be reimbursed:
 - (a) meals or the bulk purchase of food, non-alcoholic beverages and other supplies for meetings with constituents or other members of the public in relation to constituency business, and meals and non-alcoholic beverages on other constituency-related occasions;
- If a Member uses his/her constituency allowance to purchase a meal for the purpose of constituency business, the Member is not permitted to claim any meal per diem for that date. The Member may have to choose between a single constituency work-related meal or a per diem amount for that day.
- The proposed motion put forward by the Member is as follows:

“The House of Assembly Commission hereby moves that the *Members' Resources and Allowances Rules* be reviewed in order to determine inadequacies as they relate to meals purchased by Members of the House of Assembly under his or her constituency allowance for the purpose of constituency business and allowable per diems for that Member on the same day.”

Action Required:

- The direction of the Commission is requested.

Drafted by: Marie Keefe
Date: May 8, 2008

Approved by: Wm. MacKenzie

House of Assembly Management Commission

Briefing Note

Title: Function/Event Costs

Issue: Request for reimbursement of costs to attend functions

Background:

- The Commission has received a request that the purchase of tickets to functions/events in support of constituents be a reimbursable expense under the *Members' Resources and Allowances Rules* (the Rules). This expense is currently deemed ineligible under the Rules.
- Subsections 46(1) and (3) of the *Members Resources and Allowances Rules* state:
 - 46(1) A member is entitled to be reimbursed for his or her constituency expenses necessarily incurred by that member to carry out his or her constituency business.
 - 46(3) The following expenses necessarily incurred by a member to carry out his or her constituency business may be reimbursed:
 - (a) meals or the bulk purchase of food, non-alcoholic beverages and other supplies for meetings with constituents or other members of the public in relation to constituency business, and meals and non-alcoholic beverages on other constituency-related occasions;
 - (f) expenses associated with attending at meetings and hearings involving advocacy on behalf of a constituent;
 - (m) those other items directed by the commission.
- Paragraph 46(3)(a) would not apply in these circumstances because it does not appear to meet the definition of constituency business. Paragraph 46(3)(f) would not apply because these events are not for the purpose of advocacy.
- Members are incurring the expenses personally in order to attend events which are of significance to their constituents and to which they have been invited in their role as MHA for the District.
- Paragraph 46(3)(m) does allow the Commission to add eligible expenses.

Action Required:

- The direction of the Commission is requested.

Drafted by: Marie Keefe
Date: May 8, 2008

Approved by: Wm. MacKenzie

Sent: Wednesday, April 02, 2008 3:31 PM
To: MacKenzie, William
Cc: Lambe, Marlene M.
Subject: Request for management Committee Consideration

Hi Bill:

On any number of occasions I am invited, as an MHA, to functions/meetings in support of my constituents – functions which require the purchase of a ticket (usually a banquet type of affair).

For example, Sport Newfoundland and Labrador is hosting their annual Stars & Legends Awards Gala this coming Saturday evening. I have one constituent being inducted into the Hall of Fame and 4 athletes nominated for awards.

Tickets to the event cost \$50 each. I have been contacted by constituents from my district about attending to demonstrate my support for this significant event in their lives. My attendance at this function would be in the capacity as the MHA for the District. However, I have been advised by Ms. Lambe that this expense is ineligible under the Green Report.

I have reviewed Section 9.1 (Constituency Allowances), and section 46 – 3 (a) could apply, as well as (f) ??

Would you please review and advise? If you don't see this as permissible, I respectfully ask that you bring to the Commission to consider and rule on this type of expenditure – thereby providing all of us with direction for the future.

It is truly unfortunate that our participation in events of such significance to our constituents, and our district, is permissible only if we incur the expense personally (and there are numerous such occurrences).

Thanks.

Darin

Darin T. King, Ph.D
MHA, District of Grand Bank
Parliamentary Secretary (Education)
Department of Education
Government of Newfoundland and Labrador,
P.O.Box 8700, St. John's, NL. A1B 4J6
Office: 729-0340
Toll-free: 1877-997-9933

**House of Assembly Management Commission
Briefing Note**

Title: Budget Process

Issue: Budget Process for the House of Assembly and Statutory Offices

Background:

- At the *in camera* meeting of the Commission on February 6, 2008, the Commission directed the Clerk to develop a budget process to be implemented for the development and approval of the budget for the next fiscal year.
- The budget process establishes standard guidelines for the House of Assembly and Statutory Offices and provides a process that allows for thorough analysis of the proposed budget.
- Corporate and Members' Services Division has developed the attached budget process for the Legislature.

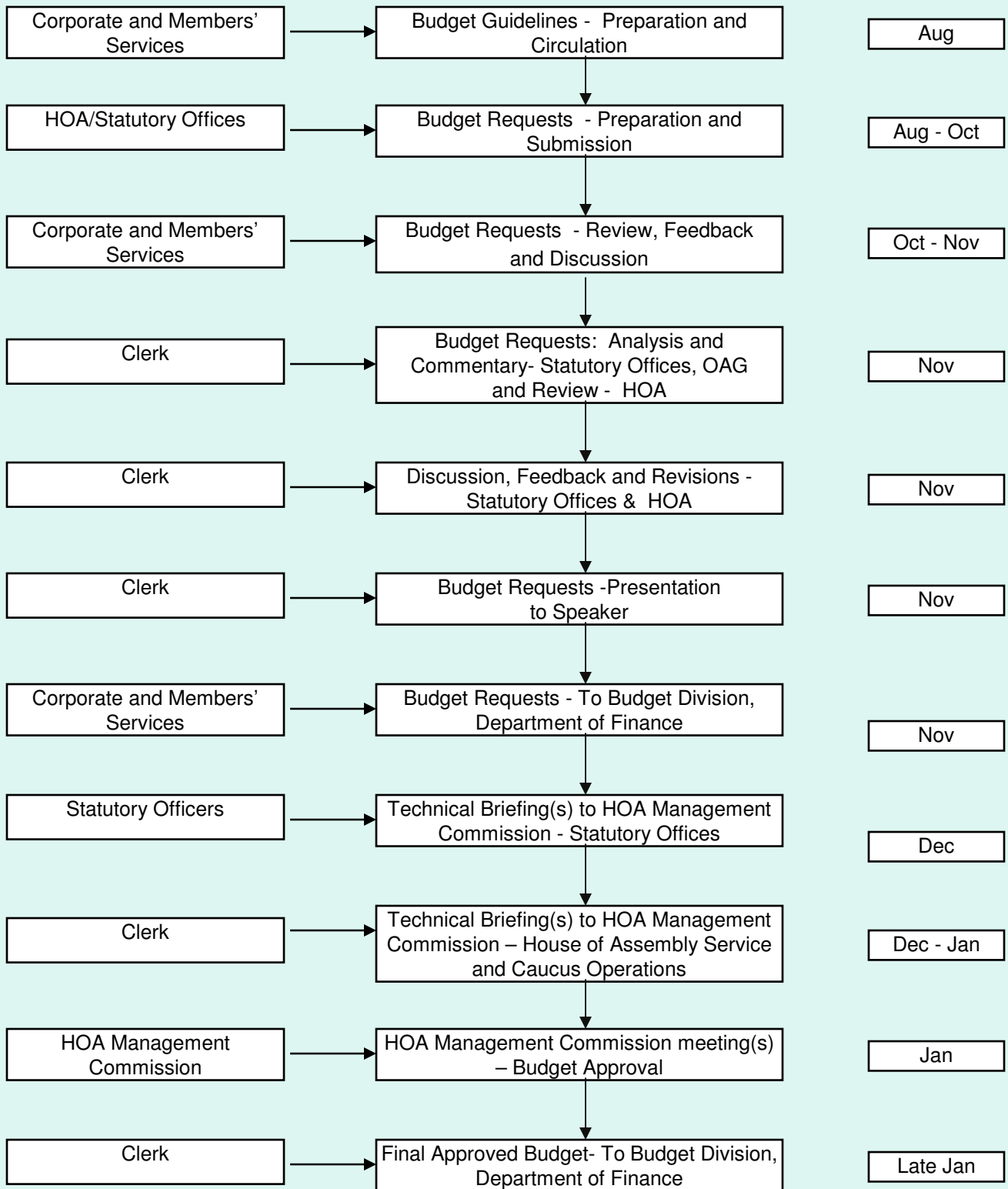
Action Required:

- The Commission approves the proposed budget process, dated May 13, 2008, for the preparation and approval of the annual budgets for the House of Assembly and Statutory Offices.

Drafted by: Marie Keefe
Date: May 13, 2008

Approved by: Wm. MacKenzie

Budget Processes - Legislature



BUDGET PROCESSES – LEGISLATURE

Budget Guidelines – Preparation and Circulation

Budget Guidelines are provided annually to the Legislature and Executive Branch departments by Budget Division, Department of Finance. Based on the direction provided under these guidelines, Corporate and Members' Services prepare specific guidelines appropriate for the Legislature and forwards these to all Statutory Offices and Divisions to assist with the preparation of their budget requests. These guidelines include detailed instructions on preparation including format and content of submissions, key due dates, etc.

Budget Requests – Preparation and Submission

Upon receipt of the budget guidelines, the Statutory Offices and Divisions begin the preparation of their budget requests. Steps in the preparation include: identification of current and new budget requirements; analysis and projections of expenditures to current year end, preparation of briefing notes for all new funding requests, etc. These budget request packages are forwarded to Corporate and Members' Services.

Budget Requests – Review, Feedback and Discussion

Corporate and Members' Services reviews the budget requests and consults with the Statutory Offices for clarification and/or additional information. As part of this process, budget requests may be revised and re-submitted by Statutory Offices and Divisions.

Budget Requests – Analysis and Commentary (Statutory Offices, Office of the Auditor General) and Review (Divisions of the House of Assembly)

In accordance with Section 26 of *the House of Assembly Accountability, Integrity and Administration Act*, the Clerk provides analysis and commentary on each of the budget requests for Statutory Offices. The Clerk also reviews and may amend the budget requests of the Divisions of the House.

BUDGET PROCESSES – LEGISLATURE

Discussion, Feedback and Revisions – Statutory Offices and House of Assembly

The Clerk meets with each of the Statutory Officers and directors of Divisions of the House to discuss the budget requests and provide feedback resulting from his review of each request. The Statutory Officers and Directors will provide more information as requested and may revise budget requests based on these discussions. Discussions will also be held with the Caucus office managers to discuss any funding requests related to the operations of these offices.

Budget Requests - Presentation to Speaker

The Clerk presents the Speaker with a copy of all budget request information, including briefing notes and commentary provided by the Clerk. The Speaker may request a meeting with any of the Statutory Officers to discuss their respective budget requests and these requests may be revised accordingly to reflect the recommendations of the Speaker.

Budget Requests - To Budget Division, Department of Finance

The revised budget request information is provided to Budget Division in the format and detail requested and according to the required due dates set out in the guidelines provided to the Legislature from the Budget Division. Final budget information is provided to Budget Division when the Legislature's Budget is approved by the Management Commission.

Technical Briefing(s) to House of Assembly Management Commission – Statutory Offices

The Members are provided with a copy of all budget requests information, including briefing notes. Technical briefings are then arranged to provide a forum for Members to request clarification and/or additional information from Statutory Officers regarding specific requests.

BUDGET PROCESSES – LEGISLATURE

Technical Briefing(s) to House of Assembly Management Commission – House of Assembly Services and Caucus Operations

The Members are provided with a copy of all budget requests information, including briefing notes. Technical briefings are then arranged to provide a forum for Members to request clarification and/or additional information from the Clerk regarding specific requests.

House of Assembly Management Commission Meeting (s) – Budget Approval

At *in camera* session(s), each Statutory Officer and the Clerk (for House of Assembly) makes a formal presentation of the respective budget requests. Final Budget is approved.

Final Approved Budget - To Budget Division, Department of Finance

The final budget as approved by the Management Commission, projected expenditures and any other required information is forwarded to Budget Division.

House of Assembly Management Commission

Briefing Note

Title: Letter of Appeal - Telephone Line in Private Residence

Issue: Appeal of decision to deny payment of telephone expenses

Background:

- The Constituency Assistant to Mr. Tom Rideout, Member for Baie Verte – Springdale, submitted an expense claim which included telephone, fax and internet charges. These expenses were incurred during the period November 7, 2007 to February 7, 2008 using a phone line in the Constituency Office which had originally been set up in the residence of the Constituency Assistant when he had worked with the former MHA for the district. The *Members' Resources and Allowances Rules*, which came into effect October 9, 2007, do not allow a Constituency Office to be set up in the residence of the Constituency Assistant. New office space outside the residence was not available until February, 2008.
- At its August 29, 2007 meeting, the Commission decided that neither a Member nor a Constituency Assistant would be permitted, under the Standard Office Allocation pursuant to subsection 25(1) of the Members' Resources and Allowances Rules, to have a business phone in their residence.
- At its November 28, 2007 meeting, the Commission decided that, pursuant to subsection 25(1) of the Members' Resources and Allowances Rules, the Standard Office Allocation will include a telephone package for the **Member's residence, to be used for constituency business only**, but did not approve a telephone in a Constituency Assistant residence. **CM 2007 – 021** refers.
- As there are no provisions under the *Members' Resources and Allowances Rules* for a phone line in the home of a Constituency Assistant for Constituency business, and the issue had twice been decided by the Commission, payment of these expenses incurred by the Constituency Assistant has been denied by the Corporate and Members' Services Division.
- Subsection 24(8) of the *House of Assembly Accountability, Integrity and Administration Act* states

“Where the ruling of the speaker is that the expenditure does not comply with the rules and directives of the commission, the member may appeal that ruling to the commission and, after giving the member an opportunity to make a submission in writing in support of the appeal, the commission may decide to reverse, uphold or modify the ruling of the speaker, and the decision of the commission is final.”

- The Commission has received the attached letter from Mr. Rideout appealing the Speaker's decision to deny payment of the expenses incurred by his constituency assistant.

Action Required:

- The direction of the Commission is requested.

Drafted by: Marie Keefe
Date: June 24, 2008

Approved by: Wm. MacKenzie



HOUSE OF ASSEMBLY
Newfoundland and Labrador

Tom Rideout, M.H.A.
Baie Verte/Springdale District

26 May 2008

Hon. Roger Fitzgerald, MHA
Speaker

Dear Mr. Speaker:

I write in support of the appeal dated April 30/08 by Mr. Patrick Jim, my Constituency Assistant, in relation to the decision of the Corporate and Members' Services Division not to approve payment of telephone, fax and internet charges submitted by him, for the period Nov. 7/07 to Feb. 7/08.

As you and your officials are aware, Mr. Jim was the Constituency Assistant for the former MHA Mr. Shelley and had established a constituency office in his residence. Following the Oct. /08 election, Mr. Jim continued with this arrangement as my Constituency Assistant while we both moved expeditiously to establish a constituency office pursuant to the Green Rules. Despite every effort on our part, it was Feb. /08 before office space was acquired and ready for occupancy.

In view of the foregoing, I believe it only reasonable that Mr. Jim be reimbursed for the legitimate expenses submitted.

In the event that you do not concur with this position, please consider this letter an appeal to the House of Assembly Management Commission itself and please submit same for its consideration. Should that happen, I would be pleased to appear before the Commission to support this appeal.

Sincerely yours,

Thomas G. Rideout, MHA
Baie Verte-Springdale

cc: Mr. Patrick Jim

House of Assembly Management Commission

Briefing Note

Title: Letter of Appeal - Parking Fees

Issue: Appeal of inclusion of parking fees as part of temporary accommodations expenses

Background:

- The Commission has received a letter from Mr. Wallace Young (attached) appealing the inclusion of parking in the temporary accommodations \$125.00 daily maximum provided for in Subsection 31(1) of the *Members' Resources and Allowances Rules*, prior to April 25, 2008. The temporary accommodations sections of the Rules previously stated: "...the actual costs of temporary accommodations, with receipts, up to a maximum of \$125...."
- Subsection 41(1) of the *Members Resources and Allowances Rules* states:

Where a member claims expenses related to temporary accommodation, those expenses may include

 - (a) room charges;
 - (b) long distance telephone and internet charges related to constituency business;
 - (c) overnight parking fees;
 - (d) incidental hotel, motel, bed and breakfast or boarding house charges; and
 - (e) those other items that may be specified by a directive of the commission
- As the maximum for temporary accommodations under Subsection 31(1) was previously set at \$125.00 (HST included), Members were not eligible for reimbursement beyond that daily amount. Subsection 41(1) lists all the eligible expenses related to temporary accommodations, and the total of these expenses constitute "the actual costs of temporary accommodations".
- The April 25 amendment to the relevant sections of the Rules provided that Members would be reimbursed "*the actual cost of temporary standard room accommodations, with receipts, for every night the accommodations are actually occupied by the member*". Since the amendment to the Rules came into effect, Members have been reimbursed the actual cost of temporary standard room accommodations, plus the other expenses identified in subsection 41(1).
- Rule amendments may not have retroactive application and only become effective upon being gazetted. Therefore, the April 25, 2008 amendment has no application in this case.

- The inclusion of parking fees within the \$125 daily maximum was in compliance with the rules in effect at that time and there is no category to which they can be charged other than temporary accommodations.

Action Required:

- Recommended Minute:

The Commission declined the appeal from Mr. Young respecting retroactive payment of parking fees as not being in compliance with the Members' Resources and Allowances Rules in effect at that time.

Drafted by: Marie Keefe
Date: June 17, 2008

Approved by: Wm. MacKenzie



Newfoundland and Labrador House of Assembly

WALLACE YOUNG, M.H.A.

District of St. Barbe

RECEIVED
MAY 13 2008

To: House of Assembly Management Commission

I write to you today to bring forth my concerns regarding Parking Fees associated with Temporary Accommodations under section 8.7 of the Members Resources and Allowances Rules Manual.

Section 8.7 of the Members' Resources and Allowances Rules Manual states the following:

41 (1) Where a member claims expenses related to temporary accommodation, those expenses may include

- a. Room Charges;
- b. Long distance telephone and internet charges related to constituency business;
- c. Overnight parking fees;
- d. Incidental hotel, motel, bed and breakfast or boarding house charges;
- e. Those other items that may be specified by a directive of the commission.

The above section taken from the Rules Manual clearly reads that overnight parking fees are a separate expense outside of the room charge, phone and internet charges, and incidental charges. For that reason I see no basis to include parking fees under the \$125.00 provided to a Member for nightly accommodations as stated in section 8.0.

Furthermore, section 8.8 of the Rules Manual, Accommodations Expenses - Secondary Residence, states the following.

41 (2) Where a member claims expenses relating to a stay in a secondary residence those expenses may include

- a. Rent and associated charges;
- b. Condominium common area expenses;
- c. Mortgage interest;
- d. Utilities;
- e. Telephone and internet services;
- f. Furniture rental;

"Working for The People of St. Barbe"

g. Parking charges; and

h. Those other items that may be directed by the commission

Once again, this section taken from the Rules Manual visibly demonstrates how parking charges are a separate stand alone cost.

I would also like to point out that airport parking fees are classified as a separate expense for Members to claim. It would be logical to look at all parking fees in the same manner, and categorize them as separated allowable expenses.

I could chose to park my vehicle at the Confederation Building and incur the daily expense of claming a taxi to and from my temporary residence. This cost per day would far exceed the daily parking fees charged at my temporary residence.

At this time I would like to appeal the decision by the House of Assembly Management Commission to include parking fees at temporary accommodations under the \$125.00 provided to a Member for nightly accommodations.

Thank you for your time and consideration and I look forward to your response.

Sincerely,


Wallace Young

M.H.A. District of St. Barbe

House of Assembly Management Commission

Briefing Note

Title: Eligible expenses under Temporary Accommodations

Issue: Clarification of eligible expenses

Background:

- Subsection 41(1) of the *Members' Resources and Allowances Rules* itemizes the eligible temporary accommodation expenses:

Where a member claims expenses related to temporary accommodation, those expenses may include

- (a) room charges;
 - (b) long distance telephone and internet charges related to constituency business;
 - (c) overnight parking fees;
 - (d) incidental hotel, motel, bed and breakfast or boarding house charges; and
 - (e) those other items that may be specified by a directive of the commission
- Under subparagraphs 31(1)(b)(i), 32(2)(b)(i), 33(b)(i), 35(b)(i), 36(2)(b)(i), 37(b)(i) and paragraph 38(2)(b) of the Rules, the maximum daily total for all temporary accommodation expenses under subsection 41(1) was \$125, inclusive of HST, until April 25, 2008. On that date, these rules were amended to change the words “actual cost of temporary accommodations, with receipts, up to a maximum of \$125” to the current “actual cost of temporary standard room accommodations, with receipts”.
 - The former maximum of \$125 clearly covered all expenses itemized in 41(1), in which room charges are simply one of the eligible temporary accommodation expenses. The wording of the April 25 amendment, however, introduces a potential element of confusion which should be clarified through an interpretive directive.
 - As all eligible temporary accommodation expenses of subsection 41(1) must be covered under the identified maximum, use of the phrase “temporary standard room accommodations” – which addresses only paragraph 41(1)(a), “room charges” – might suggest that paragraphs (b) to (e) are not covered, or that these expenses are only covered within the cost of “temporary standard room accommodation”. This was clearly not the intent, as the amendment was meant to address actual room charges but not to exclude the other eligible expenses of paragraphs 41(1) (b) to (e).

- Subparagraph 20(6)(b)(i) of the *The House of Assembly Accountability, Integrity and Administration Act*, authorizes the Commission to issue directives interpreting or clarifying Rules.

Action Required:

- Recommended Minute:

Pursuant to subparagraph 20(6)(b)(i) of the *House of Assembly Accountability, Integrity and Administration Act*, the Commission issues the following Directive:

In subparagraphs 31(1)(b)(i), 32(2)(b)(i), 33(b)(i), 35(b)(i), 36(2)(b)(i), 37(b)(i) and paragraph 38(2)(b) of the Members' Resources and Allowances Rules, the phrase "temporary standard room accommodations" refers to the eligible expenses under paragraph 41(1)(a) – "room charges" – with the actual expenses of paragraphs 41(1) (b) to (e) to be eligible for reimbursement in addition to standard room accommodations expenses.

Drafted by: Marlene Lambe
Date: June 25, 2008

Approved by: Wm. MacKenzie

House of Assembly Management Commission

Briefing Note

Title: Members' Advertising - Issues

Issue: Lack of Clarity in Current Rules

Background:

- The Commission, at its April 18, 2008 meeting, directed the Clerk to review the Rules and policies respecting advertising by Members and prepare draft Rule amendments and/or policies. The Commission will note that the following analysis of the issue by the Clerk resulted in the need for further direction from the Commission before rule amendments or policies can be developed.
- Currently, the only guidance in the Rules is found in Rule 24(1), which states that reimbursement may be claimed for “advertising, including constituency office hours, contact telephone numbers for the members, email addresses, notices of constituency meetings, and advertising messages of welcome and congratulation”.
- The need for clarity respecting Members' advertising has two separate aspects: (1) appropriate purposes/messages in advertising and (2) the avoidance of the appearance of making donations under the guise of advertising. This issue was discussed at the first meeting of the House of Assembly Management Commission on August 29, 2007. The primary focus of that discussion was advertising being purchased in various fund-raising media developed by not-for-profit groups (e.g., programs, booklets, calendars) with the possibility of it being seen as a donation to the group. The resulting Commission Minute CM – 2007 – 009 states - “the purpose behind any advertising expenses shall be solely to assist Members to convey contact information along with advertising messages of welcome or congratulations” – which is essentially a restatement of Rule 24(1).

1. Advertising Purposes

- With respect to acceptable purposes/messages, the Rules as originally drafted by Chief Justice Green allowed “advertising messages of welcome and congratulations”. The Green Report provides no rationale for the priority of these two specific purposes/messages over others which were not included, such as holiday greetings or special weeks/events.
- Corporate and Members' Service Division, following consultation with the Clerk, has accepted ‘holiday season’ ads as eligible expenses, on the basis that messages of holiday greetings are analogous or comparable to messages of “welcome” or “congratulations”. Similarly, messages recognizing special weeks, such as “Occupational Health and Safety Week”, have also been accepted for reimbursement.

- All Member expenses under the Members' Resources and Allowances Rules must meet the test of constituency business as defined in Section 2 (f) of the Rules:

“constituency business” means an activity directly connected with a member’s responsibilities as a member in relation to the ordinary and proper representation of electors and their families and other residents in the constituency, but does not include partisan political activities.

- Chief Justice Green’s report states with respect to allowances and expenditures that “the overriding determination of the acceptability of a particular expenditure is not its type but its purpose”:

The reimbursement scheme is, in the end, a *purpose-based* scheme: the ability to claim reimbursement depends on the legitimacy of the purpose of the expenditure which must be related to the proper performance of the MHA’s public functions. While it is nice to be provided with a list of approved types of expenditures, in reality many categories of expenditure are, in the abstract, not necessarily appropriate unless they can ultimately be grounded back into a justification related to legitimate constituency work. (Green Report, p.10-21)

- Given the Rules definition of “constituency business”, the acceptability of any messages beyond contact information, office hours, meeting notices, etc., is open to question. Green’s inclusion of “welcome” and “congratulations” as acceptable messages in Rule 24(1) extends acceptable purposes in an arbitrary manner. There is no guidance, for instance, on what type or level of ‘achievement’ is necessary for an eligible ad of congratulations. In the context of ‘constituency business’, advertisements welcoming visitors do not seem any more appropriate than a holiday greeting. It appears that the inclusion of the two specific purposes - “welcome” and “congratulations” - may have been the result of specific requests by Members during the Review Commission’s discussions, while other purposes, such as holidays or designated special “weeks” or events, were not specifically identified.
- Members who wish to avoid any possibility of controversy respecting their advertising expenses may wish to adhere to the strict interpretation of the purpose of the ad within the definition of constituency business. That approach would result in ads only providing factual and contact information to constituents – such as office hours, meeting notices, etc. - with no extraneous messages.
- If the practice of including other messages, beyond factual and contact information, is to continue, it will not be possible for House staff to develop a complete list of acceptable advertising messages. A slightly more detailed list than that provided for in Rule 24(1) could possibly be developed, such as: “messages of welcome, congratulations, holiday greetings, recognition of special weeks/events, ...etc..” Such a list would still leave unresolved questions concerning a definition of ‘special week’, or what level of accomplishment is deserving of ‘congratulations’. Adding an ‘umbrella’ or

'general-purpose' provision for House to staff to interpret at the end of such an itemized list of acceptable messages does not help, as that is essentially the status quo, which leaves Members without clarity, generates excessive time demands on staff, and leaves the entire issue open for auditor comments respecting both Member and staff practices.

2. Advertising vs. donations

- The second issue respecting Member advertising which is unclear is advertising through not-for-profit groups which can be perceived a means of providing a donation, which would otherwise be ineligible. Members have had a long-standing practice of purchasing ads in programs and booklets for sporting events, concerts, and other community activities. To a large extent, these programs and booklets are part of the fund-raising efforts to cover the costs of the event or to fund ongoing initiatives of the not-for-profit group.
- This issue was discussed at the August 29, 2007 meeting of the Commission, but the decision of CM 2007-006 (noted above) does not adequately address the matter. Staff of the Corporate and Members' Service Division attempt to monitor 'unreasonably' expensive ads in these not-for-profit publications. Nevertheless, the degree of judgement respecting 'reasonable' costs does leave the matter open for public or auditor comment. The only certain way for Members to avoid the possibility of being charged with making donations through advertising payments is to refrain from all not-for-profit advertising forms.

Summary:

Options the Commission may wish to pursue include:

1. Respecting advertising purposes/messages:
 - a. Restricting ads to only factual and contact-type information;
 - b. Expanding the allowable 'messages' and purposes of Rules 24(1);
2. Respecting possible perception of donations:
 - a. Rejecting ads in not-for-profit publications,;
 - b. Placing a dollar maximum on not-for-profit ads;

The Status Quo is also an option. The Commission Members may advance other viable options to address these issues.

Action Required: The Commission's direction is required.

House of Assembly Management Commission
Briefing Note

Title: Transfer of Funds Policy for Legislature

Issue: Approval of the attached Transfer of Funds Policy as recommended in the *Review Report of the Commission on Constituency Allowances and Related Matters*

Background:

- Recommendation 42 (7) of the Green Report states:

A Transfer of funds policy should be developed by the House of Assembly Management Commission generally consistent with the government practice as outlined in TB Directive 97-07, except that the approval of both the Clerk and the Chief Financial Officer should be required for the transfers otherwise authorized by a deputy minister in a department. For transfers that would require Treasury Board approval in the case of a government department, the prior approval of the Commission should be required (including all transfers that involve the movement of funds in respect of salaries and allowances accounts (formerly “allowances and assistance”) and transfers across the parameters of the statutory offices.

- The Transfer of Funds Policy developed for the Legislature (attached) is generally consistent with the transfer of funds policy for the Executive branch of government. It requires the approval of the Commission for transfer of funds into Salaries and Allowances and Assistance. The proposed policy does not require approval of the Commission for transfers from one statutory office to another statutory office or to the House of Assembly as recommended in the Green Report. However, Green’s recommendation 42(7) is not consistent with government policy as, except for specified activities, transfers between activities within a department do not require Treasury Board approval.
- Treasury Board is responsible for adjustments to appropriations through the transfer of funds. The Board has delegated certain responsibilities to specific Executive personnel in the Department of Finance and the Public Service Secretariat who provide support to the Board in meeting agendas and functionality. On behalf of the Board, these Executive may approve certain matters without reference to the Board: for example, Treasury Board Authorities (TBA’s) which are issued by Budgeting Division of Department of Finance but have the same authority as a Treasury Board Minute (TBM).
- Treasury Board has delegated authority to the Budgeting Division to issues TBA’s for the transfer of funds which require Treasury Board approval (as indicated in Directive Number 97-07 – copy attached). This authority was delegated to Budgeting Division in order to

facilitate day to day operations of departments. It is proposed that a delegation process be also approved as part of the Legislature's Transfer of funds policy.

- Where a Commission meeting can be scheduled in sufficient time before the transfer of funds is required, requests for funds transfers which require Commission approval would be presented to the full Commission. However, when it is not possible to schedule a meeting in a timely manner, the recommendation is that the Commission delegate approval authority to any two members of the Management Commission. The transfer would be brought to the Commission for ratification at a subsequent Commission meeting.
- Green Recommendation 42 (8) states: *“The approval of all transfers should be ratified by the Commission and clearly documented in the public minutes of the Commission.”*
- Treasury Board does not approve or ratify all budget transfers processed by government departments. Only transfers into specified line objects or across specified activities (as stated in the Transfer of Funds Policy) require Treasury Board approval. However, to ensure openness and accountability, it is proposed that all transfers of funds for the Legislature head of expenditure should be approved or ratified by the Commission.

Action Required:

- The Commission hereby approves and adopts the Transfer of Funds Policy, April 2008, with an effective date of 1 April 2008.

Drafted by: Marlene Lambe
Date: March 8, 2008

Approved by: Wm. MacKenzie



GOVERNMENT OF
NEWFOUNDLAND AND LABRADOR

EXECUTIVE COUNCIL
Treasury Board

Directive Number 97-07

TREASURY BOARD DIRECTIVE

Date 1997 06 16	File No.	Division: Budgeting				
T.B.M. No. N/A	M.C. No. 97- 0410	O.C. No. N/A				
<u>Issued To:</u> All Deputy Ministers, Auditor General and Comptroller General	<u>Reference:</u>					
<u>Subject:</u> Transfer of Funds Policy	<u>Treasury Board Contact</u> <table><tr><td><u>Name</u></td><td><u>Telephone</u></td></tr><tr><td>Budget Analysts</td><td>729-2467</td></tr></table>		<u>Name</u>	<u>Telephone</u>	Budget Analysts	729-2467
<u>Name</u>	<u>Telephone</u>					
Budget Analysts	729-2467					

TRANSFER OF FUNDS POLICY FOR DEPARTMENTS

APPROVAL

Under the authority of Section 9 of The Financial Administration Act, the Lieutenant-Governor-In-Council has revised the policy respecting Transfer of Funds and amended previous authorities, as follows:

PURPOSE

To provide a basis on which Departments may transfer funds between specified Main Objects within Activities and between specified Main Objects across specified Activities for the purpose of facilitating day-to-day program management.

- F. Departments may create a Main Object of Current or Capital Account Expenditure in an approved Activity in situations when necessary to properly charged expenditures against an appropriate main object. An approved Activity includes those Activities reflected in the annual Estimates or subsequently set-up with the prior approval of the Treasury Board (TBA or TBM) or Cabinet (MC or OC).

POLICY

- A. Departments may transfer funds within the following Main Objects of Current Account Expenditure of an Activity or across specified Activities:
- (a) Employee Benefits
 - (b) Transportation and Communications
 - (c) Supplies
 - (d) Professional Services
 - (e) Purchased Services
 - (f) Property, Furnishings and Equipment

As indicated in General Section A, on an annual basis, the Treasury Board Secretariat will specify the eligible Activities and the Office of the Comptroller General will key the exception lists into the Budget Adjustment System.

- B. Departments may transfer funds from Salaries within or across specified Activities into any of the Main Objects identified in Section A. These are the same specified Activities referred in A above.
- C. Departments may transfer funds for Salaries across certain specified Activities of a Department. These are the same specified Activities referred to in A above.
- D. Departments may transfer funds into the Information Technology expenditure category from the following Main Objects of Current Account Expenditure within or across the Activities specified, as noted per Section B above:
- (a) Salaries
 - (b) Employee Benefits
 - (c) Transportation and Communications
 - (d) Supplies
 - (e) Professional Services
 - (f) Purchased Services
 - (g) Property, Furnishings and Equipment
- E. Departments may re-allocate funds among the accounts within the Information Technology Main Object.

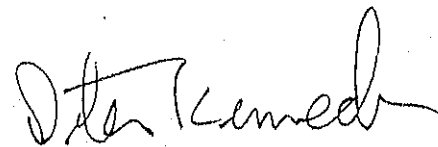
- F. Departments may transfer funds among all Main Objects within certain specified cost-shared Activities provided that such transfers are in accordance with the applicable cost-shared agreement and the cost-sharing ratio is maintained. On an annual basis, Treasury Board will provide a listing of the applicable Activities to the applicable Department and the Office of the Comptroller General will key these lists into the Budget Adjustment System.
- G. Treasury Board approval is required to transfer funds to or from the following Objects of Current Account Expenditure of an Activity:
- (a) Loans, Advances and Investments
 - (b) Allowances and Assistance
 - (c) Grants and Subsidies
 - (d) Debt Expenses

In accordance with Section F and G, certain Cost-Shared or Capital Account activities are the exception to this rule.

- H. In general, Departments may transfer funds among all Main Objects of Capital Account Expenditure within an Activity provided that such transfers are due to changes within the cost components (objects) of specifically approved capital projects. In specific cases, Departments will be given the flexibility to transfer funding from one project to another or to allocate block funding provided to specific projects subject to overall funding within the specified Activity not being exceeded. The Treasury Board Secretariat will indicate annually which capital account projects are the exception.

AMENDMENTS

OC 93-610 and MC 93-0727 are amended to reflect the revisions approved by MC 97-0410.



PETER KENNEDY
Secretary

:AW



House of Assembly

Transfer of Funds Policy

April, 2008

Table of Contents

1.0 Approval

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3.0 General

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5.0 Delegation of Authority

1.0 Approval

Under the authority of subparagraph 20(6)(b)(ii) of the House of Assembly Accountability, Integrity and Administration Act, the House of Assembly Management Commission established this policy respecting the transfer of funds.

2.0 Purpose

To provide a basis on which the Legislature may transfer funds between specified Main Objects within Activities and between Main Objects across Activities of the Legislature for the purpose of facilitating day-to-day operations.

3.0 GENERAL

3.1 Principles

In considering and approving transfer of funds pursuant to this Policy, the Clerk, Statutory Officers and the Chief Financial Officer must ensure that:

- the transfer is necessary to enable the efficient delivery of ongoing services; and
- the savings to be transferred, within the specified category, are intended to be of a permanent nature for the balance of the fiscal year.

3.2 Restrictions

The Clerk, Statutory Officers, and the Chief Financial Officer shall not:

- authorize transfers of funds to finance expenditures for new initiatives or expenditures for which no overall budget approval exists;
- authorize the transfer out of any Main Object for which supplementary funding has been approved by means of a Supplementary Supply or Special Warrant; or
- authorize the transfer of funds to or from statutory votes.

3.3 Other

For the purposes of this Policy, the definition of Statutory Office includes the Statutory Offices as defined by the House of Assembly Accountability, Integrity and Administration Act and the Office of the Auditor General.

The Legislature may create a Main Object of Current or Capital Account Expenditure in an approved Activity in situations when necessary to properly charge expenditures against an appropriate main object.

The re-allocation of funds within the Allowances and Assistance Main Object (relating to Members' resources and allowances) for purposes of establishing funds control to ensure compliance with the Members' Rules is not subject to this Policy as these re-allocations are not transfers as contemplated by this Policy.

4.0 Policy

4.1 Transfers Requiring Approval of the Clerk of the House of Assembly, Statutory Officer and Chief Financial Officer

4.1.1 Authorities

Subject to the provisions of this Policy, the Clerk of the House of Assembly (Clerk) and the Chief Financial Officer (or designates) may jointly authorize transfers of funds between specified Main Objects within or across Activities of the House of Assembly.

Subject to the provisions of this Policy, the Statutory Officer and the Clerk (or designates) may jointly authorize transfers of funds between specified Main Objects within or across activities of that Statutory Office.

Subject to the provisions of this Policy, the Clerk, the Statutory Officer (s) and the Chief Financial Officer (or designates) may jointly authorize transfers of funds between specified Main Objects across Statutory Offices or between the House of Assembly and a Statutory Office.

The Clerk, Statutory Officer and the Chief Financial Officer (or designates) may jointly request the transfer of funds from Consolidated Fund Services, Department of Finance and Executive Council to the Legislature in accordance with the Supply Act 2007 and subsequent Supply Acts. This Supply Act provides for the transfer of funds from Consolidated Fund Services to government departments and the Legislature to facilitate expenditures for Ex-Gratia and Other Payments voted within Consolidated Fund Services; to facilitate expenditures for compensation, benefits and associated adjustments; to facilitate expenditures for financial

assistance; and to facilitate expenditures for training and development within government.

4.1.2 Current Account Expenditures - Specified Main Objects

The Clerk, Statutory Officer and Chief Financial Officer (as applicable) may approve the transfer of funds within the following Main Objects of Current Account Expenditure of an Activity or across Activities within the Legislature head of expenditure:

- Employee Benefits
- Transportation and Communications
- Supplies
- Professional Services
- Purchased Services
- Property, Furnishings and Equipment

These transfers are subject to the authorities identified in Section 4.1.1 and the restrictions identified in Section 3.2.

4.1.3 Salaries

The Clerk, Statutory Officer and Chief Financial Officer (as applicable) may approve the transfer of funds from any Salaries Main Object across Activities within the Legislature into any of the Main Objects identified in Section 4.1.2 above.

The Clerk, Statutory Officer and Chief Financial Officer (as applicable) may approve the transfer of funds from one Salaries Main Object to another Salaries Main Object across Activities within the Legislature.

These transfers are subject to the authorities identified in Section 4.1.1 and the restrictions identified in Section 3.2.

4.1.4 Capital Account Expenditures

The Clerk, Chief Financial Officer and Statutory Officers (as applicable) may transfer funds among all Main Objects of Capital Account Expenditure within an Activity provided that such transfers are due to changes within the cost components of specifically approved capital projects.

4.2 Transfers Requiring Approval of the House of Assembly Management Commission

4.2.1 Current Account Expenditures - Specified Main Objects

House of Assembly Management Commission approval is required to transfer funds to or from the following Main Objects of Current Account Expenditure of an Activity:

- Loans, Advances and Investments;
- Allowances and Assistance;
- Grants and Subsidies; and
- Debt Expenses

Note: The Clerk of the House of Assembly may authorize the re-allocation of funds within the Allowances and Assistance Main Object (related to Members' resources and allowances) for purposes of establishing funds control to ensure compliance with the Members' Rules.

4.2.2 Salaries

House of Assembly Management Commission approval is required to transfer funds from any Main Object (other than Salaries) into the Salaries Main Object.

4.2.3 Capital Account Expenditures

House of Assembly Management Commission approval is required to transfer funds from one capital project to another or to allocate block funding provided to specific capital projects subject to overall funding within the specified Activity not being exceeded.

House of Assembly Management Commission approval is required to transfer funds between current and capital account activities.

4.2.4 Other

House of Assembly Management Commission approval is required to transfer funds out of any Main Object for which supplementary funding has been approved by means of a Supplementary Supply or Special Warrant.

5.0 Delegation of Authority

This delegation of authority applies to the transfer of funds as noted in Sections 4.2.

Where a Commission meeting can be scheduled in sufficient time before the transfer of funds is required, the transfer of funds will be approved at a meeting of the Commission.

If this is not practicable, Authority is delegated by the Commission to any two members of the Commission to approve the transfer of funds prior to processing of the transaction. The transfer of funds approval will be ratified at a subsequent Commission meeting.

House of Assembly Management Commission

Briefing Note

Title: Budget Transfers for fiscal year 2007-08

Issue: Ratification of the Budget Transfers processed during the fiscal year 2007-08

Background:

- Green Recommendation 42 (8) states: *“The approval of all transfers should be ratified by the Commission and clearly documented in the public minutes of the Commission.”*
- Treasury Board does not approve or ratify all budget transfers. Only transfers into specified line objects or across specified activities (as stated in the Transfer of Funds Policy) require Treasury Board approval. However, to ensure openness and accountability, it is proposed that all transfers of funds should be approved or ratified by the Commission.
- The twenty-six (26) budget transfer approval forms attached represent all the transfers of funds for the House of Assembly and the Statutory Offices. All approvals were verified by the Chief Financial Officer and approved by the Clerk of the House of Assembly.
- Budget transfers Nos. 200701 to 200704 and Nos. 200715 to 200724 (not attached) represent the transfer of funds which relate to the re-allocation of funds within the Allowance and Assistance Main Object under Caucus Operations and Members’ Expenses activity. Since these transfers are within one main object, they are not considered transfer of funds as contemplated by the Transfer of Funds Policy. This range also includes two transfers made under Interim Supply which were negated once Main Supply was approved.

Action Required:

- The Commission ratifies and approves the transfers of funds Nos. 200705 to 200714 and Nos. 200725 to 200740 which re-allocated funds within the vote of the Legislature for the fiscal year 2007-08 to facilitate payment of required expenditures.

Drafted by: Marlene Lambe
Date: June 25, 2008

Approved by: Wm. MacKenzie

LEGISLATURE

Budget Adjustment No.: 200705

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0211	110	0600	B071	000000	Office of the Chief Electoral Office - PFE	\$23,400

FUNDS REQUIRED FOR:

To cover additional cost to purchase 13 printers and feeder trays. Funds were budgeted for printers, however, due to legislative changes resulting in longer period of rental term required, it is overall more cost effective to purchase rather than rent.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0211	110	0600	B061	000000	Office of the Chief Electoral Office -	\$23,400

REASON FUNDS ARE AVAILABLE:

Expenditures less than anticipated for advertising for enumeration - purchased services

<p>VERIFIED BY:</p> <p align="center"><i>M. Lambe</i></p> <hr/> <p>Marlene Lambe Chief Financial Officer Date: <u>11 July 07</u></p>	<p>APPROVED BY:</p> <p align="center"><i>William Mackenzie</i></p> <hr/> <p>William Mackenzie Clerk of the House of Assembly Date: <u>2007. 07. 11.</u></p>
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LEGISLATURE

Budget Adjustment No.: 200706

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0206	130	0410	B091	010005 to 010058	1.1.09 Caucus Operations and Member's Expenses – Allocation of constituency allowance for period 19 September 2007 to 8 October 2007.	\$89,900

FUNDS REQUIRED FOR:

Funds budgeted for Members' constituency allowances were already provided for in the Estimates. This entry allocates a portion of these funds to the respective MHA.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0201	130	0410	B091	000000	1.1.09 Caucus Operations and Member's Expenses – Allocation of constituency allowance for period 19 September 2007 to 8 October 2007.	\$89,900

REASON FUNDS ARE AVAILABLE:

Funds budgeted for Members' constituency allowances were already provided for in the Estimates. This entry allocates a portion of these funds to the respective MHA.

<p>VERIFIED BY:</p> <p align="center"><i>M. Lambe</i></p> <hr/> <p>Marlene Lambe Chief Financial Officer Date: <u>26 July 2007</u></p>	<p>APPROVED BY:</p> <p align="center"><i>William Mackenzie</i></p> <hr/> <p>William Mackenzie Clerk of the House of Assembly Date: <u>2007. 07. 26.</u></p>
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LEGISLATURE

Budget Adjustment No.: 200707

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0211	110	0600	B071	000000	Office of the Chief Electoral Office - PFE	\$7,700

FUNDS REQUIRED FOR:

To cover costs to purchase 14 fax machines, Funds were budgeted for rental of fax machines, however, it is was determined it would be more cost efficient overall to purchase rather than rent.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0211	110	0600	B061	000000	Office of the Chief Electoral Office -	\$7,700

REASON FUNDS ARE AVAILABLE:

Funding was provided in the 2007/08 budget under purchased services for the rental of 20 machines

<p>VERIFIED BY:</p> <p><i>M. Lambe</i></p> <hr/> <p>Marlene Lambe Chief Financial Officer Date: <u>13 August 2007</u></p>	<p>APPROVED BY:</p> <p><i>William Mackenzie</i></p> <hr/> <p>William Mackenzie Clerk of the House of Assembly Date: <u>2007. 08. 13.</u></p>
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LEGISLATURE

Budget Adjustment No.: 200708

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0211	110	0600	B071	000000	Office of the Chief Electoral Office - PFE	\$14,300

FUNDS REQUIRED FOR:

To cover additional cost to purchase 57 photocopiers for electoral districts for special ballots and October election. Each returning officer has a fax machine which does make copies and it was intended that this machine be used for copying, however, it does not allow for copying of identification cards, therefore, separate photocopiers are now required.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0211	110	0600	B061	000000	Office of the Chief Electoral Office - Purchased Services	\$14,300

REASON FUNDS ARE AVAILABLE:

Expenditures less than anticipated for advertising for enumeration - purchased services

<p>VERIFIED BY:</p> <p align="center"><i>M. Lambe</i></p> <hr/> <p>Marlene Lambe Chief Financial Officer Date: <u>17 August 2007</u></p>	<p>APPROVED BY:</p> <p align="center"><i>William Mackenzie</i></p> <hr/> <p>William Mackenzie Clerk of the House of Assembly Date: <u>2007. 08. 17.</u></p>
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LEGISLATURE

Budget Adjustment No.: 200709

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0249	110	0450	B023	000000	Office of the Information and Privacy Commissioner – Employee benefits	\$1,000

FUNDS REQUIRED FOR:

To cover conference registration fees as fees were higher than anticipated at budget time

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0249	110	0450	B041	000000	Office of the Information and Privacy Commissioner – Supplies	\$1,000

REASON FUNDS ARE AVAILABLE:

Expenditures are expected to be less than anticipated for supplies

<p>VERIFIED BY:</p> <p align="center"><u><i>M. Lambe</i></u></p> <p>Marlene Lambe Chief Financial Officer Date: <u>22 August 2007</u></p>	<p>APPROVED BY:</p> <p align="center"><u><i>William Mackenzie</i></u></p> <p>William Mackenzie Clerk of the House of Assembly Date: <u>2007. 08. 27.</u></p>
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LEGISLATURE

Budget Adjustment No.: 200710

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0211	110	0600	B071	000000	Office of the Chief Electoral Office - PFE	\$2,600

FUNDS REQUIRED FOR:

To provide funds to cover the additional cost related to 57 photocopiers as approved by Budget Adjustment No# 200708. The costs per photocopier was estimated and then forwarded to GPA for obtaining quotes and processing. However, final price obtained was \$44 per photocopier higher than anticipated.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0211	110	0600	B061	000000	Office of the Chief Electoral Office -- Purchased Services	\$2,600

REASON FUNDS ARE AVAILABLE:

Expenditures less than anticipated for advertising for enumeration - purchased services

<p>VERIFIED BY:</p> <p align="center"><i>M. Lambe</i></p> <hr/> <p>Marlene Lambe Chief Financial Officer Date: <u>22 Aug 07</u></p>	<p>APPROVED BY:</p> <p align="center"><i>William MacKenzie</i></p> <hr/> <p>William MacKenzie Clerk of the House of Assembly Date: <u>2007. 08. 22</u></p>
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LEGISLATURE

Budget Adjustment No.: 200711

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0208	110	0430	B071	000000	Broadcast Division - P,F & E	\$220,000

FUNDS REQUIRED FOR:

To cover costs associated with the purchase of satellite uplink equipment. These monies were budgeted for in the estimates but were allocated under Communications as opposed to P, F & E.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0208	110	0430	B034	000000	Broadcast Division - Transportation & Communications	\$220,000

REASON FUNDS ARE AVAILABLE:

Monies for this purchase were inadvertently allocated to communications during estimates as opposed to P,F & E.

VERIFIED BY: <u>Marlene Lambe</u> Marlene Lambe Chief Financial Officer Date: <u>29 Aug 07</u>	APPROVED BY: <u>William Mackenzie</u> William Mackenzie Clerk of the House of Assembly Date: <u>2007. 08 - 29.</u>
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LEGISLATURE

Budget Adjustment No.: 200712

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0211	110	0600	B041	000000	3.1.01.04 Office of the Chief Electoral Officer – Supplies	\$10,000

FUNDS REQUIRED FOR:

To cover costs of paper and toner as a result of printing documents “in house” rather than going to outside printing sources. In addition, extra toners and other supplies are required as a result of the introduction of special ballots to all electoral districts and designated locations.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0211	110	0600	B061	000000	3.1.01.06 Office of the Chief Electoral Officer – PS	\$10,000

REASON FUNDS ARE AVAILABLE:

Expenditures have been less than anticipated for purchased services of outside printing sources and rental of equipment.

<p>VERIFIED BY:</p> <p align="center"><i>Marlene Lambe</i></p> <hr/> <p>Marlene Lambe Chief Financial Officer Date: <u>4 September 2007</u></p>	<p>APPROVED BY:</p> <p align="center"><i>William Mackenzie</i></p> <hr/> <p>William Mackenzie Clerk of the House of Assembly Date: 2007 <u>2007.09.04.</u></p>
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LEGISLATURE

Budget Adjustment No.: 200713

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0208	110	0430	B071	000000	1.1.04.07 Hansard and the Broadcast Centre – Property, Furnishings & Equipment	\$130,700

FUNDS REQUIRED FOR:

\$114,700 to cover costs of new equipment including: new PowerVu Plus DVC System, HPAs and Upconverter required for the Broadcast Centre and \$16,000 to cover the cost of the Rademec System that was encumbered during fiscal 2006-07 but not delivered until fiscal 2007-08.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0201	110	0430	B034	000000	1.1.04.03 Hansard and the Broadcast Centre – Transportation & Communications	\$108,700
0201	110	0420	B032	000000	1.1.02.03 House Operations – Transportation & Communications	\$22,000

REASON FUNDS ARE AVAILABLE:

Expenditures have been less than anticipated for travel and communications expenditures in both Hansard & Broadcast Centre and in House Operations.

<p>VERIFIED BY:</p> <p align="center"><i>M. Lambe</i></p> <hr/> <p>Marlene Lambe Chief Financial Officer Date: <u>28 Sept 07</u></p>	<p>APPROVED BY:</p> <p align="center"><i>William Mackenzie</i></p> <hr/> <p>William Mackenzie Clerk of the House of Assembly Date: <u>2007. 09. 28</u></p>
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LEGISLATURE

Budget Adjustment No.: 200714

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0211	110	0600	B041	000000	3.1.01.04 Office of the Chief Electoral Officer - Supplies	\$10,000

FUNDS REQUIRED FOR:

To cover costs of toners for printers located in the district offices for the 2007 General Election and toners required for OCEO print centre.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0211	110	0600	B061	000000	3.1.01.06 Office of the Chief Electoral Officer - Purchased Services	\$10,000

REASON FUNDS ARE AVAILABLE:

Savings have been identified from the Enumeration budget; advertising through newspaper and radio was less than anticipated+.

<p>VERIFIED BY:</p> <p align="center"><i>M. Lambe</i></p> <hr/> <p>Marlene Lambe Chief Financial Officer Date: <u>1 Oct 2007</u></p>	<p>APPROVED BY:</p> <p align="center"><i>William Mackenzie</i></p> <hr/> <p>William Mackenzie Clerk of the House of Assembly Date: <u>2007. 10. 01</u></p>
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LEGISLATURE

Budget Adjustment No.: 200725

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0249	110	0450	B023	000000	6.1.01.02 OIPC – Employee Benefits	\$920
0249	120	0450	B051	000000	6.1.01.05 OIPC – Professional Services	\$3100

FUNDS REQUIRED FOR:

To cover costs of unanticipated conference registration fees and legal fees.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0249	110	0450	B032	000000	6.1.01.03 OIPC – Transportation and Communications	\$920
0249	110	0450	B061	000000	6.1.01.06 OIPC – Purchased Services	\$3100

REASON FUNDS ARE AVAILABLE:

Transportation costs were lower than anticipated due to lower airfare costs and less travel.
 Purchased Services costs were lower than anticipated due to delay until next fiscal year for printing of privacy brochure.

<p>VERIFIED BY:</p> <p align="center"><i>M. Lambe</i></p> <hr/> <p>Marlene Lambe Chief Financial Officer Date: <u>1 February 2008</u></p>	<p>APPROVED BY:</p> <p align="center"><i>William Mackenzie</i></p> <hr/> <p>William Mackenzie Clerk of the House of Assembly Date: <u>2008, 02, 01.</u></p>
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HOABT0057BA200725

LEGISLATURE

Budget Adjustment No.: 200726

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0201	130	0410	B106	000000	1.1.03.10 Caucus Operations and Members' Expenses – Grants and Subsidies	\$720

FUNDS REQUIRED FOR:

To cover costs of grants to Official Opposition and NDP Caucuses as authorized by Decision of the Management Commission and MC Minute CM2007-019.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
201	110	0410	B034	000000	1.1.03.03 Caucus Operations and Members' Expenses – Transportation and Communications	\$720

REASON FUNDS ARE AVAILABLE:

Lower transportation and communications costs than had been anticipated during the fiscal year.

<p>VERIFIED BY:</p> <p align="center"><i>M. Lambe</i></p> <hr/> <p>Marlene Lambe Chief Financial Officer Date: <u>27 February 2008</u></p>	<p>APPROVED BY:</p> <p align="center"><i>William Mackenzie</i></p> <hr/> <p>William Mackenzie Clerk of the House of Assembly Date: <u>2008. 07. 27.</u></p>
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LEGISLATURE

Budget Adjustment No.: 200727

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0201	100	0440	B011	000000	1.1.05.01 Legislative Library - salaries	\$15,000

FUNDS REQUIRED FOR:

To cover salary costs related to pay period #5. Additional positions (as result of Green Report and ATIPPA) were required and not anticipated at budget time.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
201	100	0430	B011	000000	1.1.04.01 Hansard and Broadcast - salaries	\$15,000

REASON FUNDS ARE AVAILABLE:

Salary savings were realized as the House was not open for a fall session thus allowing employees of Hansard to be re-deployed elsewhere.

<p>VERIFIED BY:</p> <p align="center"><i>M. Lambe</i></p> <hr/> <p>Marlene Lambe Chief Financial Officer Date: <u>27 February 2008</u></p>	<p>APPROVED BY:</p> <p align="center"><i>William Mackenzie</i></p> <hr/> <p>William Mackenzie Clerk of the House of Assembly Date: <u>2008.02.27</u></p>
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LEGISLATURE

Budget Adjustment No.: 200728

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0201	110	0420	B071	000000	1.1.02.07 House Operations -- Property, Furnishings and Equipment	\$400

FUNDS REQUIRED FOR:

To cover the cost related to the portrait of a former Speaker of the House, Thomas Bennett.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0201	110	0420	B032	000000	1.1.02.03 House Operations -- Transportation and Communications	\$400

REASON FUNDS ARE AVAILABLE:

There was less travel than anticipated during 2007-08 as a result of the timing of the Election.

<p>VERIFIED BY:</p> <p align="center"><u>M. Lambe</u></p> <p>Marlene Lambe Chief Financial Officer Date: <u>29 February 2008</u></p>	<p>APPROVED BY:</p> <p align="center"><u>William Mackenzie</u></p> <p>William Mackenzie Clerk of the House of Assembly Date: <u>2008. 02. 29</u></p>
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HOABT0060-BA-200728

LEGISLATURE

Budget Adjustment No.: 200729

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0201	110	0420	B071	000000	1.1.02.07 House Operations - PFE	\$6,100

FUNDS REQUIRED FOR:

To cover the cost related to the purchase of chairs for the Speaker's boardroom.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0201	110	0420	B032	000000	1.1.02.03 House Operations - T&C	\$6,100

REASON FUNDS ARE AVAILABLE:

There was less travel than anticipated during the fiscal year as a result of the timing of the Election.

<p>VERIFIED BY:</p> <p><u>M. Lambe</u></p> <p>Marlene Lambe Chief Financial Officer Date: <u>5 March 2008</u></p>	<p>APPROVED BY:</p> <p><u>William Mackenzie</u></p> <p>William Mackenzie Clerk of the House of Assembly Date: <u>2008. 03. 05.</u></p>
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LEGISLATURE

Budget Adjustment No.: 200730

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0211	110	0600	B041	000000	3.1.01.04 OCEO - Supplies	\$9,500

FUNDS REQUIRED FOR:

To cover the cost of replenishing ballot boxes that may be necessary for by-elections.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0211	110	0600	B032	000000	3.1.01.03 OCEO -- T&C	\$9,500

REASON FUNDS ARE AVAILABLE:

There was less travel than anticipated by employees during the enumeration process and the general election during the fiscal year.

<p>VERIFIED BY:</p> <p align="center"><i>M. Lambe</i></p> <hr/> <p>Marlene Lambe Chief Financial Officer Date: <u>6 March 2008</u></p>	<p>APPROVED BY:</p> <p align="center"><i>William Mackenzie</i></p> <hr/> <p>William Mackenzie Clerk of the House of Assembly Date: <u>2008. 03. 06.</u></p>
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LEGISLATURE

Budget Adjustment No.: 200731

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0245	110	0590	B071	000000	3.1.01.04 OCYA - PFE	\$1,900

FUNDS REQUIRED FOR:

To cover costs related to the purchase laptops for compliance with the directive of the Clerk of the Executive Council with respect to security of information to ensure employees work only on government-owned and secured computers.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0245	110	0590	B031	000000	3.1.01.03 OCYA - T&C	\$1,900

REASON FUNDS ARE AVAILABLE:

There was less travel than anticipated due to the nature of the cases in which the Advocate was involved during the fiscal year.

<p>VERIFIED BY:</p> <p align="center"><i>M. Lambe</i></p> <hr/> <p>Marlene Lambe Chief Financial Officer Date: <u>7 March 08</u></p>	<p>APPROVED BY:</p> <p align="center"><i>William Mackenzie</i></p> <hr/> <p>William Mackenzie Clerk of the House of Assembly Date: <u>2008. 03. 07.</u></p>
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LEGISLATURE

Budget Adjustment No.: 200732

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0201	100	0440	B011	000000	1.1.05.01 Legislative Library - salaries	\$20,000

FUNDS REQUIRED FOR:

To cover costs related to salaries – pay period #5 as additional positions were required (as result of Green Report and ATIPPA) that were not included in the 2007-08 budget.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0201	100	0430	B011	000000	1.1.04.01 Hansard and Broadcast - salaries	\$20,000

REASON FUNDS ARE AVAILABLE:

Salary savings were realized as the House was not open for a fall session thus allowing employees of Hansard to be re-deployed elsewhere.

<p>VERIFIED BY:</p> <p><i>M. Lambe</i></p> <hr/> <p>Marlene Lambe Chief Financial Officer Date: <u>10 March 2008</u></p>	<p>APPROVED BY:</p> <p><i>William Mackenzie</i></p> <hr/> <p>William Mackenzie Clerk of the House of Assembly Date: <u>2008.03.10.</u></p>
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HOABT0064BA200732

LEGISLATURE

Budget Adjustment No.: 200733

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0249	110	0450	B071	000000	6.1.01.07 OIPC - PFE	\$500

FUNDS REQUIRED FOR:

To cover costs for purchase of laptops for compliance with the directive of the Clerk of the Executive Council with respect to security of information to ensure employees work only on government-owned and secured computers; and purchase of a monitor.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0249	110	0450	B032	000000	6.1.01.03 OIPC - T&C	\$500

REASON FUNDS ARE AVAILABLE:

There was less travel costs incurred than anticipated due to lower airfares and less than expected travel related to training.

<p>VERIFIED BY:</p> <p align="center"><i>M. Lambe</i></p> <hr/> <p>Marlene Lambe Chief Financial Officer Date: <u>11 March 2008</u></p>	<p>APPROVED BY:</p> <p align="center"><i>William Mackenzie</i></p> <hr/> <p>William Mackenzie Clerk of the House of Assembly Date: <u>2008. 03. 11.</u></p>
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HOABT0065-BA-200733

LEGISLATURE

Budget Adjustment No.: 200734

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0211	110	0600	B041	000000	3.1.01.04 OCEO - Supplies	\$700

FUNDS REQUIRED FOR:

To cover costs related to purchase of secure flash drives to ensure security of electronic information when transferring between secure government-owned computers, consistent with recommendation of the Clerk of the Executive Council.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0211	110	0600	B032	000000	3.1.01.03 OCEO - T&C	\$700

REASON FUNDS ARE AVAILABLE:

There was less travel than anticipated by employees during the enumeration process.

<p>VERIFIED BY:</p> <p align="center"><i>M. Lambe</i></p> <hr/> <p>Marlene Lambe Chief Financial Officer Date: <u>14 March 2008</u></p>	<p>APPROVED BY:</p> <p align="center"><i>William Mackenzie</i></p> <hr/> <p>William Mackenzie Clerk of the House of Assembly Date: <u>Feb. 03. 14.</u></p>
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LEGISLATURE

Budget Adjustment No.: 200735

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0249	110	0450	B023	000000	6.1.01.02 OIPC - EE Benefits	\$900

FUNDS REQUIRED FOR:

To cover the cost of registration fees for a Certificate Program course with the University of Alberta for a staff member.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
049	110	0450	B041	000000	6.1.01.04 OIPC - Supplies	\$900

REASON FUNDS ARE AVAILABLE:

Expenditures were less than anticipated at budget time.

<p>VERIFIED BY:</p> <p align="center"><i>M. Lambe</i></p> <hr/> <p>Marlene Lambe Chief Financial Officer Date: <u>20 March 2008</u></p>	<p>APPROVED BY:</p> <p align="center"><i>William MacKenzie</i></p> <hr/> <p>William MacKenzie Clerk of the House of Assembly Date: <u>2008. 03. 20.</u></p>
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LEGISLATURE

Budget Adjustment No.: 200736

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0201	110	0410	B071	000000	1.1.03.07 Caucus Operations and Members' Expenses – PFE	\$900

FUNDS REQUIRED FOR:

To cover the costs of adjustments to the projector screens in Caucus Rooms. These costs were not anticipated at budget time.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0201	110	0400	B071	000000	1.1.01.07 Admin Support – PFE	\$900

REASON FUNDS ARE AVAILABLE:

Less expenditures were incurred during 2007-08 than anticipated at budget time as most new staff were located in cubicles rather than desks.

<p>VERIFIED BY:</p> <p align="center"><i>M. Lambe</i></p> <hr/> <p>Marlene Lambe Chief Financial Officer Date: <u>24 March 2008</u></p>	<p>APPROVED BY:</p> <p align="center"><i>William Mackenzie</i></p> <hr/> <p>William Mackenzie Clerk of the House of Assembly Date: <u>2008. 03. 24.</u></p>
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HOABT0068-BA-200736

LEGISLATURE

Budget Adjustment No.: 200737

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0249	120	0450	B051	000000	6.1.01.05 OIPC – Professional Services	\$27,400

FUNDS REQUIRED FOR:

Professional fees related to legal services provided to the Office of the Information and Privacy Commissioner were greater than anticipated at budget time.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
245	110	0590	B061	000000	5.1.01.06 OCYA – Purchased Services	\$25,900
0249	110	0450	B032	000000	6.1.01.03 OIPC – T&C	\$ 1,500

REASON FUNDS ARE AVAILABLE:

OYCA - Purchased services funds were budgeted for re-location of offices, however, due to uncontrollable delays, the offices were not relocated during the fiscal year.

OIPC – Less travel than anticipated at budget time.

<p>VERIFIED BY:</p> <p align="center"><i>M. Lambe</i></p> <hr/> <p>Marlene Lambe Chief Financial Officer Date: <u>3 April 2008</u></p>	<p>APPROVED BY:</p> <p align="center"><i>William Maackenzie</i></p> <hr/> <p>William Maackenzie Clerk of the House of Assembly Date: <u>2008. 04. 03.</u></p>
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LEGISLATURE

Budget Adjustment No.: 200738

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0201	110	0400	B071	000000	1.1.01.07 Admin Support – PFE	\$700

FUNDS REQUIRED FOR:

To cover costs incurred by OCIO for purchase of equipment related to the set up of constituency offices for Members.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0201	120	0400	B051	000000	1.1.01.05 Admin Support – Professional Services	\$700

REASON FUNDS ARE AVAILABLE:

Funds were provided in a Special Warrant for professional services fees for services provided by OCIO in relation to the implementation of the Green Report recommendations. Subsequent to the provision of the Special Warrant funds, it was determined that part of the estimated service costs incurred by OCIO and charged to the Legislature included equipment for constituency offices set up in districts so funds are re-allocated to Property, Furnishings and Equipment to ensure funds were available and expenses could be charged to the appropriate main object.

<p>VERIFIED BY:</p> <p align="center"><i>Marlene Lambe</i></p> <hr/> <p>Marlene Lambe Chief Financial Officer Date: <u>3 April 2008</u></p>	<p>APPROVED BY:</p> <p align="center"><i>William Mackenzie</i></p> <hr/> <p>William Mackenzie Clerk of the House of Assembly Date: <u>2008. 04. 03.</u></p>
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LEGISLATURE

Budget Adjustment No.: 200739

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0201	110	0400	B071	000000	1.1.01.07 Admin Support – PFE	\$6,300

FUNDS REQUIRED FOR:

To cover costs incurred by OCIO for purchase of equipment related to the set up of constituency offices for Members.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
201	120	0400	B051	000000	1.1.01.05 Admin Support – Professional Services	\$6,300

REASON FUNDS ARE AVAILABLE:

Funds were provided in a Special Warrant for professional services fees for services provided by OCIO in relation to the implementation of the Green Report recommendations. Subsequent to the provision of the Special Warrant funds, it was determined that part of the estimated service costs incurred by OCIO and charged to the Legislature included equipment for constituency offices set up in districts so funds are re-allocated to Property, Furnishings and Equipment to ensure funds were available and expenses could be charged to the appropriate main object.

<p>VERIFIED BY:</p> <p><i>M. Lambe</i></p> <hr/> <p>Marlene Lambe Chief Financial Officer Date: <u>30 April 2008</u></p>	<p>APPROVED BY:</p> <p><i>William Mackenzie</i></p> <hr/> <p>William Mackenzie Clerk of the House of Assembly Date: <u>2008.04.30</u></p>
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LEGISLATURE

Budget Adjustment No.: 200740

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0201	110	0410	B041	000000	1.1.03.04 Caucus Operations and Members' Expenses – Supplies	\$300

FUNDS REQUIRED FOR:

To cover costs of supplies for operation of caucus offices.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0201	110	0410	B031	000000	1.1.03.03 Caucus Operations and Members' Expenses – T&C	\$300

REASON FUNDS ARE AVAILABLE:

Less transportation and communication expenditures than anticipated during fiscal 07-08.

<p>VERIFIED BY:</p> <p><u>M. Lambe</u></p> <p>Marlene Lambe Chief Financial Officer Date: <u>30 April 2008</u></p>	<p>APPROVED BY:</p> <p><u>William Mackenzie</u></p> <p>William Mackenzie Clerk of the House of Assembly Date: <u>2008 10 4 30</u></p>
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HOABT0072-BA-200740

House of Assembly Management Commission

Briefing Note

Title: Management Certification

Issue: Status Report

Background:

- The Green Report, in Recommendation #48, directed that a management certification process be implemented within the Legislature. The House of Assembly Accountability, Integrity and Administration Act (the Act) confirmed this requirement in Paragraph 28(3) (1), which states: “in his or her capacity as chief administrative and financial officer, the clerk is responsible for Certifying to the commission as required that the House of Assembly and statutory offices have in place appropriate systems of internal control and that those systems are generating effectively.” [Further information can be found in Green Report, p. 7-45, and its Appendices Volume, Appendix 7.1]
- Management Certification requires senior officers of an organization to certify by personal signature that they have discharged certain responsibilities, such as establishing disclosure controls, establishing an effective system of internal controls and ensuring the effective operation of that system. The certification requirement developed in response to corporate scandals such as Enron and Worldcom, in which securities regulators were misled by financial statements and other corporate filings. Since that time, statutes (in the USA) or securities regulators rules (in Canada) have made management certification mandatory for publicly traded companies. The process is slowly being applied to entities other than publicly-traded companies, although there is as yet little experience to draw upon for guidance.
- The accounting firm, Grant Thornton, was contracted in February 2008 to provide assistance with this process. Their work will provide sufficient information to allow the Clerk to make the required assessment regarding the adequacy of the Legislature’s internal control systems as at August 31, 2008, pursuant to the requirement of the Act.
- The business processes (payroll, purchasing, Members’ expenditures, payables, etc.) will be documented and will provide specific information around the purpose of the process and the key inputs and outputs. The firm will assess the current design of internal controls to identify any control gaps. For each process, the potential risks or errors will be considered, and for each risk/error, an assessment will identify if there are controls to mitigate the identified risk/error. Where there are no controls or there are gaps in controls, these will be identified for remediation steps. The Legislature will then address the gaps, develop an acceptable action plan and remediate the gaps within the time frame available.

Once the design of internal controls is assessed and any significant gaps identified, testing of controls will begin to ensure that the key controls are operating effectively.

- Grant Thornton has now documented several of the business processes and is testing controls for these processes. The project is on schedule and expected to be completed by the required deadline.

Prepared by: Wm. MacKenzie
24 June 2008

To: House of Assembly Management Commission
From: Clerk of the House of Assembly
Date: June 26, 2008
Subject: Report on Authorizations for Furniture and Equipment Expenditures

The Commission, through Directive Number **2008 - 004**, delegated authority to the Clerk to pre-approve expenditures for furniture and equipment under Subsection 25(1) of the Members' Resources and Allowances Rules to a maximum of \$500.00, with the Clerk to report all such approvals to the Commission.

Report for Period Ending: June 26, 2008

DISTRICT	MEMBER	TYPE OF EXPENDITURE	COST	DETAILS
The Isles of Notre Dame	Mr. Derrick Dalley	Table for Office	\$185.00	Cafeteria style table, 36" x 36"