



**House of Assembly
Newfoundland and Labrador**

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

Date: February 3, 2010

Location: House of Assembly Chamber

Time: 9:00 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

Mr. Bob Ridgley, MHA (PC) St. John's North

Hon. Jerome Kennedy, MHA (PC) Carbonear – Harbour Grace

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

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

Mr. Tom Osborne, MHA (PC) St. John's South

Other:

Ms. Marlene Lambe, Chief Financial Officer

Ms. Marie Keefe, Policy and Communications Officer

CM 2010-001

The Commission, at *in camera* sessions held on January 12, 13 and 19, approved the 2010-2011 budget estimates for the Legislature to be forwarded to the Minister of Finance for inclusion in the Estimates 2010 and voted on in the House of Assembly.

The Speaker reported the following authorizations under Delegated Authority Respecting Urgent Matters for the period ending January 27, 2010.

1. Constituency Office Accommodations (Renovations) for Mr. Marshall Dean - The Straits – White Bay North at a total cost of \$22,800. Costs were required to provide suitable constituency office accommodations within a Crown-owned building located at St. Anthony.

The Speaker reported the following authorizations for travel by other modes as provided for in Section 40 of the *Members' Resources and Allowances Rules*, for the period ending January 27, 2010:

1. Aircraft charter for Ms. Yvonne Jones, Cartwright – L'Anse au Clair, from Sandy Cove to Forteau October 21, 2008 at a cost of \$587.60. The Member could not travel to the district by ferry to attend scheduled meetings due to weather conditions.
2. Aircraft Charter for Ms. Yvonne Jones, Cartwright – L'Anse au Clair, from Cartwright to Black Tickle to Goose Bay on January 23, 2010 at a cost of \$3,051.00. The Member attended meetings at Black Tickle and could not access a commercial flight to get to Goose Bay for scheduled meetings on the same day.

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

1. Accommodations and Meals for Ms. Patty Pottle - Torngat Mountains, on December 18, 2009 at a total cost of \$106.00. The Member needed to make an overnight stop en route to her district due to inclement weather conditions on December 18, 2009.
2. Accommodations for Ms. Yvonne Jones, Cartwright – L'Anse au Clair, on December 21, 2009 at a total cost of \$53.00. The Member needed to make an overnight stop en route to her district on December 21, 2009.
3. Accommodations and Meals for Ms. Yvonne Jones, Cartwright – L'Anse au Clair, on December 22, 2009 at a total cost of \$122.18. The Member's Constituency Assistant needed to make an overnight stop en route to Ms. Jones' district for constituency business on December 22, 2009.

CM 2010-002

The minutes of the House of Assembly Management Commission meeting held on December 2, 2009 were approved as read.

CM 2010-003

The Commission approved the Caucus Operational Funding Grants Policy dated February 2010 with the following changes:

- The word “visiting” to be inserted before the word “individuals” in bullet 2 under Supplies, Caucus Offices and Staff; and
- “web site maintenance” to be removed from section 5.0 and added to section 4.0 under Purchased Services, Caucus Offices and Staff.

CM 2010-004

The Commission directed the Clerk to write individuals noted in the Forensic Audit Report as having received more than \$5,500 in annual discretionary allowance payments in 2001-02 and 2002-03 to seek additional information on the payments.

CM 2010-005

The Commission directed the Clerk to take all reasonable actions to recover double billing amounts owed by Mr. Graham Flight, Mr. Roger Grimes and Mr. Melvin Penney.

Note: Mr. Kelvin Parsons removed himself from all discussion and the vote on **CM 2010-004** and **CM 2010-005**.

CM 2010-006

The Commission approved payment of invoices totaling \$69,400 related to work conducted on the O’Neill Review for the period pre-October 1, 2009 and post-November 30, 2009.

CM 2010-007

The Commission deferred consideration of transferring Constituency Assistants from departmental payrolls to House of Assembly payroll and directed the Clerk to consult with Constituency Assistants.

CM 2010-008

Pursuant to paragraph 15(5)(c) of the *House of Assembly Accountability, Integrity and Administration Act*, the Commission gave first approval to the following proposed amendments to the *Members’ Resources and Allowances Rules*, subject to final wording by the Office of the Legislative Counsel:

The Rules are amended by adding the following immediately after section 37:

Accommodations when traveling long distances

37.1(1) Notwithstanding anything to the contrary in sections 31 to 37, a member who maintains

- (a) a permanent residence in his or her constituency which is outside the capital region; or

- (b) a permanent residence within the capital region but represents a constituency outside the capital region; or
- (c) a permanent residence outside the capital region in a location that is not in his or her constituency and the constituency is outside the capital region,

and his or her permanent residence or constituency is in a district listed in subsection (2), that member may claim reimbursement for the costs associated with travel between his or her constituency or permanent residence and the capital region, as follows

- (d) with receipts, the actual cost of temporary standard room accommodations for one night while in transit; or
- (e) without receipts, \$53 on the island portion of the province and \$71 in Labrador for one night while in transit when staying in private accommodations; and
- (f) without receipts, the prorated portion of the \$50 daily meal allowance, as contribution to the cost of meals while in transit.

(2) The districts to which subsection (1) applies are:

- (a) Baie Verte-Springdale;
- (b) Bay of Islands;
- (c) Bonavista North
- (d) Burgeo-La Poile;
- (e) Cartwright-L'anse au Clair;
- (f) Exploits;
- (g) Fortune Bay-Cape LaHune
- (h) Grand Bank;
- (i) Grand Falls-Winsor-Buchans;
- (j) Grand Falls-Windsor-Green Bay South;
- (k) Humber East;
- (l) Humber Valley;
- (m) Humber West;
- (n) Labrador West;
- (o) Lake Melville;
- (p) Lewisporte;

- (q) Port au Port;
- (r) St. Barbe;
- (s) St. George's-Stephenville East;
- (t) The Isles of Notre Dame;
- (u) The Straits-White Bay North; and
- (v) Torngat Mountains.

- (3) Where a claim is made under subsection (1), the night for which an amount was claimed shall not be included in the number of nights of allowable accommodation permitted under this Part.

CM 2010-009

Pursuant to paragraph 15(5)(c) of the *House of Assembly Accountability, Integrity and Administration Act*, the Commission gave first approval to the following proposed amendments to the *Members' Resources and Allowances Rules*, subject to final wording by the Office of the Legislative Counsel:

- 1.(1) Subsection 31(1) of the *Members' Resources and Allowances Rules* is amended by renumbering it as section 31.

- (2) Paragraph 31(1)(b) of the Rules is repealed and the following is substituted:

- (b) for each day that the House of Assembly is in session,
 - (i) with receipts, the actual cost of temporary standard room accommodations for each night the member actually occupies the accommodations, or
 - (ii) without receipts, a daily amount, of \$53 on the island portion of the province and \$71 in Labrador when staying in private accommodations, or
 - (iii) without receipts, \$53 for each night the member actually occupies his or her secondary residence; and

- (3) Subsection 31(2) of the Rules is repealed.

- 2. Paragraph 32(2)(b) of the Rules is repealed and the following is substituted

- (b) for a maximum of 3 nights during a trip,
 - (i) with receipts, the actual cost of temporary standard room accommodations for each night the member actually occupies the accommodations, or
 - (ii) without receipts, a daily amount, of \$53 on the island portion of the province and \$71 in Labrador when staying in private accommodations, or
 - (iii) without receipts, \$53 for each night the member actually occupies his or her secondary residence; and

3. Paragraph 33(b) of the Rules is repealed and the following is substituted

- (b) for a maximum of 3 nights during a trip,
 - (i) with receipts, the actual cost of temporary standard room accommodations for each night the member actually occupies the accommodations, or
 - (ii) without receipts, a daily amount, of \$53 on the island portion of the province and \$71 in Labrador when staying in private accommodations, or
 - (iii) without receipts, \$53 for each night the member actually occupies his or her secondary residence; and

4. Paragraph 35(b) of the Rules is repealed and the following is substituted

- (b) for not more than 50 nights
 - (i) with receipts, the actual cost of temporary standard room accommodations for each night

the member actually occupies the accommodations, or

- (ii) without receipts, a daily amount, of \$53 on the island portion of the province and \$71 in Labrador when staying in private accommodations, or
- (iii) without receipts, \$53 for each night the member actually occupies his or her secondary residence; and

5. Paragraph 36(2)(b) of the Rules is repealed and the following is substituted

(b) for not more than 50 nights

- (i) with receipts, the actual cost of temporary standard room accommodations for each night the member actually occupies the accommodations, or
- (ii) without receipts, a daily amount, of \$53 on the island portion of the province and \$71 in Labrador when staying in private accommodations, or
- (iii) without receipts, \$53 for each night the member actually occupies his or her secondary residence; and

6. Paragraph 37(b) of the Rules is repealed and the following is substituted

(b) for not more than 50 nights

- (i) with receipts, the actual cost of temporary standard room accommodations for each night the member actually occupies the accommodations, or
- (ii) without receipts, a daily amount, of \$53 on the island portion of the province and \$71 in Labrador when staying in private accommodations, or

- (iii) without receipts, \$53 for each night the member actually occupies his or her secondary residence; and

7. Paragraph 38(2)(b) is repealed and the following is substituted

- (b) within his or her constituency
 - (i) with receipts, the actual cost of temporary standard room accommodations for each night the member actually occupies the accommodations, or
 - (ii) without receipts, a daily amount, of \$53 on the island portion of the province and \$71 in Labrador when staying in private accommodations, or
 - (iii) without receipts, \$53 for each night the member actually occupies his or her secondary residence; and

8. Subsections 41(2), (3) and (4) of the Rules are repealed.

CM 2010-010

Directives **2007-002** and **2007-004** are repealed upon the coming into force of the approved rule amendments in **CM 2010-009**.

CM 2010-011

Pursuant to paragraph 15(5)(c) of the *House of Assembly Accountability, Integrity and Administration Act*, the Commission gave first approval to the following proposed amendments to the *Members' Resources and Allowances Rules*, subject to final wording by the Office of the Legislative Counsel.

- 1.(1) Paragraph 38(2)(a) of the Rules is amended by deleting the comma, words and number “, in accordance with section 40”.
2. Section 40 of the Rules is amended by adding immediately after subsection (3) the following:
 - (3.1) Notwithstanding subsection (2), where, on a regular basis, a member proposes to travel by means other than the means mentioned in subsection (1), the member may

make a proposal to the commission respecting that travel and the commission may by directive approve that travel upon those terms and conditions that the commission considers to be appropriate without further need for the member to make an application under subsection (2).

- CM 2010-012** The Commission decided the current provisions for the payment of severance to an MHA will remain unchanged and that the issue will be referred to the next appointed Members' Compensation Review Committee.
- CM 2010-013** The Commission approved the revised Minutes for meetings of August 29, 2007 and November 28, 2007.
- CM 2010-014** The Commission approved the following transfer of funds:
- From:**
Subdivision 1.1.04.09 (HOA) Members' Resources - Allowances and Assistance - \$1,700
- To:**
Subdivision 1.1.05.10 House Operations – Grants and Subsidies - \$100
Subdivision 1.1.06.10 Government Members Caucus – Grants and Subsidies - \$1,200
Subdivision 1.1.07.10 Official Opposition Caucus – Grants and Subsidies - \$200
Subdivision 1.1.08.10 Third Party Caucus – Grants and Subsidies - \$200
- CM 2010-015** The Commission approved the following transfer of funds:
- From:**
Subdivision 1.1.04.09 (HOA) Members' Resources – Allowances and Assistance - \$8,100
- To:**
Subdivision 3.1.01.10 Office of the Chief Electoral Officer - Grants and Subsidies - \$8,100
- CM 2010-016** The Commission ratified the approval of Budget Transfer HOABT2009-0012 for the transfer of funds from Members' Resources – Allowances and Assistance to Administrative Support – Professional Services and the Office of the Citizens' Representative – Professional Services for professional fees for services and legal costs.

- CM 2010-017** The Commission ratified the approval of Budget Transfer HOABT2009-0015 for the transfer of funds from Members' Resources – Allowances and Assistance to Members' Resources – Purchased Services for renovations required to provide adequate constituency office space.
- CM 2010-018** Pursuant to subparagraph 20(6)(b)(ii) of the *House of Assembly Accountability, Integrity and Administration Act*, the Commission adopted the Cellular and Landline Phone Services Policy for employees of the House of Assembly Service, Caucus Offices and Statutory Offices, dated February, 2010.
- CM 2010-019** Pursuant to subparagraph 20(6)(b)(ii) of the *House of Assembly Accountability, Integrity and Administration Act*, the Commission approved the Printing Policy for Members of the House of Assembly and Constituency Assistants, dated February, 2010.
- CM 2010-020** The Commission amended the Purchasing Policy – Under \$200, dated November 2008 by deleting the phrase “purchase printing services without prior authorization from the Queen’s Printer to procure from outside sources” from Section 4.1 of the policy.
- CM 2010-021** The Commission, pursuant to subsection 24(9) of the Act, approved expense claims totaling \$118.75, as detailed in the Member’s correspondence of November 2, 2009, which were submitted by the Member for St. John’s East later than the 60 day deadline as required under subsection 7(6) of the *Members’ Resources and Allowances Rules*.
- CM 2010-022** The Commission, pursuant to subsection 24(9) of the Act, approved expense claims totaling \$1,176.13, as detailed in the Member’s correspondence of December 8 and December 16, 2009, which were submitted by the Member for Tornjat Mountains later than the 60 day deadline as required under subsection 7(6) of the *Members’ Resources and Allowances Rules*.

Adjournment: 12:10 p.m.

Hon. Roger Fitzgerald, MHA
Speaker and Chair


Wm. MacKenzie
Clerk and Secretary to the Commission