



**House of Assembly  
Newfoundland and Labrador**

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

**Date:** November 4, 2009

**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

Ms. Beth Marshall, MHA (PC) Topsail

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

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

**Other:**

Marlene Lambe, Chief Financial Officer

Ms. Marie Keefe, Policy and Communications Officer

**Regrets:**

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

Mr. Tom Osborne, Deputy Speaker

**CM 2009-053**            The minutes of the House of Assembly Management Commission meeting held on October 7, 2009 were approved as read.

**CM 2009-054**            The minutes of the House of Assembly Management Commission meeting held on October 20, 2009 were approved as read.

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 October 28, 2009:

1. Aircraft charter for Ms. Yvonne Jones, Cartwright – L'Anse au Clair, from Cartwright to Goose Bay on October 7, 2009 at a cost of \$2,162.31. The Member attended a forum in Cartwright and could not access a commercial flight to return to St. John's for meetings.
2. Aircraft Charter for Ms. Yvonne Jones, Cartwright – L'Anse au Clair, from St. Anthony to Forteau on October 10, 2009 as there was no commercial flight available that day for Member to get to her district. The flight was approved but not taken. It was cancelled by Ms. Jones.

**CM 2009-055** The Commission deferred a decision respecting a request from Mr. Fraser March for the payment of legal services pending receipt of Justice O'Neill's perspective as to what extent Mr. March is expected to engage with him in the review proceedings.

Mr. Kelvin Parsons recused himself from the discussion on this issue.

The Commission was informed that a second draft of the Caucus Operational Funding Grants Policy is being completed and will be forwarded to each of the three caucuses for final review and comment. The policy will be brought to a subsequent meeting for Commission approval and adoption.

**CM 2009-056** The Commission deferred a decision respecting the engagement of legal counsel to provide an opinion on the application of the *House of Assembly Accountability, Integrity and Administration Act* and the *Members' Resources and Allowances Rules* to ministerial or other expense and reimbursement policies until such time as the Commission considers the recommendations of the report of the Members' Compensation Review Committee.

**CM 2009-057** The Commission considered the issue of potential recovery actions respecting possible discretionary allowance overpayments and directed that the Auditor General be asked for assistance in identifying details of possible overpayments.

The Commission was provided with a jurisdictional comparison on how other jurisdictions oversee Statutory Offices.

The Mid-Year Financial Reports for the April 1, 2009 to September 30, 2009 period were presented to the Commission for review.

**CM 2009-058**

The Commission approved the following transfer of funds:

**From:**

Subdivision 1.1.04.09 (HOA) Members' Resources – Allowances and Assistance - \$103,800

**To:**

Subdivision 4.1.01.01 Office of the Citizens' Representative – Salaries - \$ 36,000

Subdivision 4.1.01.05 Office of the Citizens' Representative – Professional Services - \$62,500

Subdivision 1.1.04.04 (HOA) Members' Resources – Supplies - \$1,000

Subdivision 1.1.04.06 (HOA) Members' Resources – Purchased Services - \$4,300

The Commission was informed of fifteen (15) Budget Transfers processed during the period from March 1, 2009 to September 30, 2009 for the House of Assembly and Statutory Offices.

Pursuant to paragraph 23(8)(c) of the *House of Assembly Accountability, Integrity and Administration Act*, the Commission was presented with the third report of the Audit Committee.

**CM 2009-059**

The Commission approved the 2008-2009 audited financial statements of the House of Assembly and its Statutory Offices.

The Commission considered the request from the Leader of the Third Party that Commission members provide 24 hour notice of non-attendance for a scheduled meeting of the Commission, except in cases of emergency. Commission members agreed to the request.

**CM 2009-060**

The Commission considered proposed Amendments to Subsections 26(4) and 26(5) of the *Members' Resources and Allowances Rules* related to payment of salaries for Constituency Assistants and deferred a decision until the Commission is provided with additional information detailing the implications of moving Constituency Assistants to the House of Assembly payroll.

**CM 2009-061**

Pursuant to paragraphs 13(3)(a.1) and 20(6)(b) of the *House of Assembly Accountability, Integrity and Administration Act*, the Commission approved the following Directive:

Where a Member of the House of Assembly becomes a parent because of birth or adoption of his or her child, a deduction of \$200 shall not be made under subsection 13(2) of the *House of Assembly Accountability, Integrity and Administration Act* for one regular Spring or Fall sitting of the House of Assembly

within a year of his or her child's birth or coming into his or her care.

This continues in effect until the implementation of a recommendation on this issue by the next Members' Compensation Review Committee.

**CM 2009-062** The Commission confirmed as permanent the position of Mediation, Communications and Policy Officer with the Office of the Information and Privacy Commissioner effective April 1, 2009.

**CM 2009-063** The Commission confirmed the classification of HL 18 (non-management) for the permanent position of Mediation, Communication and Policy Officer.

**CM 2009-064** The Commission confirms the current classification of HL 26 for the position of Assistant (Deputy) Information and Privacy Commissioner.

**CM 2009-065** The Commission approved the abolition of the position of Director, Members' Services (PCN 02381).

**Adjournment:** 12:30 p.m.

Hon. Roger Fitzgerald, MHA  
Speaker and Chair

Wm. MacKenzie  
Clerk and Secretary to the Commission