

Tabled by the
Speaker

2017-05-29

Burnes



**House of Assembly
Newfoundland and Labrador**

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

Date: March 15, 2017

Location: House of Assembly Chamber

Time: 6:00 p.m.

Members Present:

Hon. Tom Osborne, MHA, Waterford Valley, Speaker

Ms. Sandra Barnes, Clerk of the House of Assembly

Hon. Andrew Parsons, Government House Leader

Mr. Paul Davis, MHA (PC) Topsail-Paradise

Ms. Lorraine Michael, MHA (NDP), St. John's East-Quidi Vidi

Mr. Mark Browne, MHA (Lib) Placentia West - Bellevue

Regrets :

Mr. Keith Hutchings, MHA (PC), Ferryland

Hon. Siobhan Coady, MHA (Lib), St. John's West

Other

Ms. Lisa Dempster, Deputy Speaker

Ms. Marie Keefe, Policy & Communications Officer

CM 2017-017 The Commission, at an *in camera* meeting, approved payment of the \$400 annual registration fee for the NL Association of Social Workers for the Child and Youth Advocate.

CM 2017-018 The Minutes of the House of Assembly Management Commission meeting held on February 27, 2017 were approved as read.

CM 2017-019 The Commission approved the payment of expenses totaling \$67.80 for the Member for Grand Falls-Windsor-Buchans with the expenses to be paid within the appropriate allocation for the 2016-17 fiscal year.

CM 2017-020

The Commission ratified the approval of the following transfer of funds:

Budget Transfer No. HOABT2017-015 to transfer funds to the Third Party Caucus – Salaries to provide funds to process severance and paid leave costs.

Budget Transfer No. HOABT2017-022 to transfer funds to Legislative Library and Records Management – Salaries, the Office of the Child and Youth Advocate – Salaries, and the Official Opposition Caucus – Salaries to provide funds to process severance and paid leave costs.

The Commission was provided with financial statements for the House of Assembly Service, Caucus Offices and the Statutory Offices for the fiscal year from April 1, 2016 to December 31, 2016. The Member Accountability and Disclosure Reports outlining expenditures of each Member were provided for the same period. This was for reporting purposes only as required under legislation.

CM 2017-021

Pursuant to subsections 15(5) and 20(7) of the *House of Assembly Accountability, Integrity and Administration Act*, the Commission gave final approval to the proposed amendments to the *Members' Resources and Allowances Rules* subject to final wording by the Office of the Legislative Counsel.

CM 2017-022

Pursuant to subsections 15(5) and 20(7) of the *House of Assembly Accountability, Integrity and Administration Act*, the Commission approved the proposed amendment to the *Members' Resources and Allowances Rules* establishing the lump sum taxable benefit for Accommodations, subject to final wording by the Office of the Legislative Counsel.

CM 2017-023

The Commission directed that the current rules governing publications produced by Members will remain in effect until such time as a new Advertising and Publications Policy for Members of the House of Assembly is developed and approved by the Commission.

The Member for Burgeo-LaPoile tabled a proposal which would convert the MHA pension plan from a defined benefit plan to a defined contribution plan for Members who are elected on or after November 30, 2015.

CM 2017-024 The Commission deferred a vote on recommendation 43 to allow members of the Commission sufficient time to consider both the recommended pension option by the 2016 MCRC and the option tabled by the Member for Burgeo-LaPoile at the meeting. Mr. Browne recused himself from the vote.

CM 2017-025 The Commission accepted recommendation 44 that the severance and pension recommendations shall not apply to Members of the House of Assembly who were elected before November 30, 2015.

CM 2017-026 Pursuant to subsection 20(1) of the *House of Assembly Accountability, Integrity and Administration Act*, the Commission approved the proposed amendment to the Act to include provisions for the appointment of House Officers in an acting capacity, subject to final wording by the Office of the Legislative Counsel.

CM 2017-027 The Commission accepted recommendation 22 that travel expenses incurred by an MHA at the request of the House of Assembly for purposes other than the usual duties of an MHA, shall be paid by the House of Assembly and shall not count as one of the 20 HNIS trips allocated to the Member.

CM 2017-028 The Commission accepted recommendation 23 that Members who use a rental vehicle in their districts must utilize their I&E Allowances for this expense. If parking fees are incurred in relation to the primary vehicle while using a rental vehicle in the district, the parking fee is not an eligible expense for reimbursement.

CM 2017-029 The Commission accepted recommendation 25 that a Member be granted one day to vacate his/her office. The Member will be permitted to be reimbursed for travel and accommodations expenses for the day before and the day after attending at their office, and be permitted the meal allowance for that period of time.

- CM 2017-030** The Commission adopted recommendation 49 and directed that the Management Commission, officers of the House and the staff of the House of Assembly administration shall be responsible and accountable to ensure that all advice, deliberations, decisions and recommendations of the Management Commission (whether such advice, deliberations, decisions and recommendations are the result of informal or formal meetings of the members of the Commission) are properly documented.
- CM 2017-031** The Commission adopted recommendation 50 that it is an offence to fail to so document, or to destroy documentation recording decisions and recommendations or the advice and deliberations leading up to those decisions and recommendations.
- CM 2017-032** The Commission adopted recommendation 51 that the role of the House of Assembly Management Commission Audit Committee be expanded to specifically review compliance by the Speaker and each member of the Management Commission regarding the requirement to review and make decisions on all MCRC recommendations.
- CM 2017-033** The Commission adopted recommendation 52 and directed that the Speaker shall:
- a. not set Management Commission meetings that conflict with Cabinet meetings;
 - b. no later than September 15 each year, set a fixed schedule of a minimum of three (3) Management Commission meetings for the Fall, which all members shall make a priority in attending;
 - c. no later than January 15 each year, set a fixed schedule of a minimum of three (3) Management Commission meetings for the Spring, which all members shall make a priority in attending.
- CM 2017-034** The Commission adopted recommendation 53 and directed that no member shall be permitted to be absent from any Management Commission meeting without good cause and prior approval of the Speaker.

- CM 2017-035** The Commission adopted recommendation 54 and directed that subsection 18(8) of the Act be amended to permit that a quorum shall consist of a simple majority of members of the Commission, without reference to government or opposition members, but a quorum must include the Speaker.
- CM 2017-036** The Commission adopted recommendation 55 that the Management Commission review its function and the breadth of its authority and directed that the review be completed during this General Assembly.
- CM 2017-037** The Commission adopted recommendation 56 that any relevant materials relating to the work of future MCRCs (such as the Green Report, past reports of MCRCs, the Members' Administration Guide, Provincial and National reports dealing with similar issues, etc.) be delivered to the members of future MCRCs as soon as they are appointed, to allow them time to read and prepare for the work before them.
- CM 2017-038** The Commission adopted recommendation 57 that some care should be taken in the timing of the official commencement of the MCRC so that public engagement can occur when most members of the public are available to attend public meetings (e.g. during non-summer months, hearings to be held during evening hours, etc.).
- CM 2017-039** The Commission adopted recommendation 58 that future MCRCs be given options in a timelier manner as to the preparation and publication of notices, active engagement with the media, the creation of webpages and the use of social media.
- CM 2017-040** The Commission adopted recommendation 59 that, to aide future MCRCs with their work, they should be informed more promptly of the resources available to them, including the availability of the House of Assembly staff to provide consultation.

CM 2017-041

The Commission accepted recommendation 45 that the heading of Section 16 of the Act be amended as follows:

“Inquiry re: MHA Compensation”

or such similar wording as to capture the entirety of the remuneration that forms part of the Inquiry.

CM 2017-042

The Commission accepted recommendation 46 that paragraph 16(5)(a) of the Act be amended to delete the reference to “non-taxable allowances” and to properly reference severance and pension.

CM 2017-043

The Commission accepted recommendation 47 that subsection 16(6) of the Act be amended to delete the reference to “non-taxable allowances” and to properly reference severance and pension.

CM 2017-044

The Commission modified recommendation 48 such that Section 17 of the Act will be amended to properly reference severance, but that it will not include a reference to pensions as they are not paid out of the consolidated revenue fund (CRF).

CM 2017-045

The Commission approved proposed amendments to subsection 16(1) and (2) of the Act to remove references to the 46th and 47th General Assemblies as they are no longer necessary.

Adjournment: 7:45 p.m.

Tom Osborne, MHA
Speaker and Chair of the Commission


Sandra Barnes
Clerk and Secretary to the Commission