



**House of Assembly
Newfoundland and Labrador**

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

Date: December 2, 2009

Location: House of Assembly Chamber

Time: 5:30 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

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

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

Other:

Ms. Marie Keefe, Policy and Communications Officer

Regrets:

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

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

CM 2009-068 The minutes of the House of Assembly Management Commission meeting held on November 18, 2009 were approved as read.

CM 2009-069 The Commission approved the recommendations of the Members' Compensation Review Committee regarding salaries with the following proposed legislative amendments, with the words "in arrears" to be added at the end of 11(1) and subject to final wording by the Office of Legislative Counsel:

1. Subsection 11(1) of the *House of Assembly Accountability, Integrity and Administration Act* is repealed and the following is substituted:

Salaries, expenses, severance and pensions

11(1) A member is entitled to be paid an annual salary of \$95,357 payable in 26 equal installments, in arrears

2. Subsection 12(1) of the Act is repealed and the following is substituted:

Other remuneration

12(1) A member who also holds one of the following positions shall be paid an additional salary as follows:

- (a) speaker, \$54,072;
 - (b) deputy speaker and chair of committees, \$27,033;
 - (c) deputy chair of committees, \$13,517;
 - (d) leader of the opposition, \$54,072;
 - (e) opposition house leader, \$27,033;
 - (f) deputy opposition house leader, \$18,457;
 - (g) leader of a third party, \$18,918;
 - (h) party whip, \$13,517;
 - (i) caucus chairperson, \$13,517;
 - (j) chairperson, public accounts committee, \$13,517; and
 - (k) vice chairperson, public accounts committee, \$10,333.
3. Subsections 15(2) and (3) of the Act are repealed and the following is substituted:
 - (2) The salary of a member under subsection 11(1) and the salaries for positions referred to in subsection 12(1) shall

not be adjusted except in accordance with recommendations of the first members' compensation review committee appointed after the coming into force of this subsection.

- (3) The appropriateness of the manner of providing for periodic increases for members' salaries during the period between the appointments of subsequent members' compensation review committees shall be dealt with by those committees.
4. The Law Clerk, in consultation with the Office of Legislative Counsel, to draft amendments to the *House of Assembly Accountability, Integrity and Administration Act* to provide that the next Members' Compensation Review Committee be appointed within 6 months of the next General Assembly.

CM 2009-070

The Commission directed that the Law Clerk, in consultation with the Office of Legislative Counsel, draft amendments to the *House of Assembly Accountability, Integrity and Administration Act* to confirm the automobile allowance that was in place for the Office of the Speaker of the House of Assembly, the Leader of the Opposition and the Leader of the Third Party, with retrospective application to June 14, 2007. The allowance should not to be tied to the ministerial allowance and is to be initially set at a comparable rate. Adjustments to the allowance may be made in response to recommendations by Members' Compensation Review Committees.

CM 2009-071

The Commission approved the recommendations of the Members' Compensation Review Committee regarding pensions with the following proposed legislative amendments, subject to final wording by the Office of Legislative Counsel:

1. Paragraph 2(1)(g) of the *Members of the House of Assembly Retiring Allowances Act* is repealed and the following substituted:
 - (g) "MHA salary" means
 - (i) for members elected before the 46th General Assembly

- (A) the salary authorized by the Legislature to be paid to an MHA up to June 30, 2007,
 - (B) with respect to time served as a member after June 30, 2007, 81.2% of the salary to be paid to an MHA under subsection 11(1) of the *House of Assembly Accountability, Integrity and Administration Act* as may be varied by that Act, and
 - (C) an amount that the Minister of Finance may prescribe in a directive under this Act,
- (ii) for members elected for the first time to the 46th General Assembly before January 1, 2010
- (A) with respect to time served as a member after June 30, 2007, 81.2% of the salary to be paid to an MHA under subsection 11(1) of the *House of Assembly Accountability, Integrity and Administration Act* as may be varied by that Act, and
 - (B) an amount that the Minister of Finance may prescribe in a directive under this Act, and
- (iii) for members elected for the first time after December 31, 2009
- (A) the salary authorized to be paid to an MHA under subsection 11(1) of the *House of Assembly Accountability, Integrity and Administration Act* as may be varied by that Act, and
 - (B) an amount that the Minister of Finance may prescribe in a directive under this Act;

2. Section 19 of the Act is amended by adding immediately after subsection (2) the following:

(2.1) Notwithstanding subsections (1) and (2), a vested member elected after December 31, 2009 who is no longer an MHA or a minister may, on application, receive a supplementary allowance if

(a) the member has paid the contributions for service required under this Act; and

(b) the member has reached the age of 55 years.

(2.2) Notwithstanding subsection (2.1), a vested member elected after December 31, 2009 who is no longer an MHA or a minister may, on application, receive a reduced supplementary allowance calculated in accordance with subsection 20(2.2) if

(a) the member has paid the contributions for service required under the Act; and

(b) the member has reached the age of 50 years.

3. Section 20 of the Act is amended by adding immediately after subsection (2) the following:

(2.1) Notwithstanding subsection (2), the annual amount of the supplementary allowance paid to a member who first served as an MHA or minister after December 31, 2009 shall be calculated by adding the following amounts:

(a) for each year of MHA service, 3.5% of his or her base MHA salary;

(b) for each year of minister's service, 3.5% of his or her base minister's salary; and

(c) for each year of other service, 2% of his or her base MHA salary.

(2.2) For the purposes of subsection 19(2.2), the retiring allowance awarded under subsection (2.1) shall be

reduced by 6% for each year that the member's age is less than the age of 55 years.

CM 2009-072

The Commission waived the two day waiting period for decision confirmation for **CM 2009-069, CM 2009-070 CM and 2009-071** to expedite the letter to the Government House Leader respecting proposed amendments to be introduced in the current sitting of the House.

Adjournment: 7:00 p.m.

Hon. Roger Fitzgerald, MHA
Speaker and Chair

Wm. MacKenzie
Clerk and Secretary to the Commission

To: House of Assembly Management Commission
From: Speaker of the House of Assembly
Date: January 27, 2010
Subject: Delegated Authority Respecting Urgent Financial Matters

At its November 18, 2008 meeting, the House of Assembly Management Commission, pursuant to Subsection 20(4) of the *House of Assembly Accountability, Integrity and Administration Act*, delegated authority to the Speaker respecting urgent financial matters relating to the administration of the House of Assembly and the Statutory Offices. **CM 2008 – 095** refers.

Following the by-election of October 27, 2009, the newly elected Member of the House of Assembly secured constituency office accommodations in a Crown-owned building; however in its existing condition the space was not suitable and renovations were required. The Department of Transportation and Works were willing to carry out the required renovations if the House of Assembly would cover the costs. As a decision regarding the renovations was urgent to provide the Member with suitable constituency office space, the Speaker, under authority delegated by **CM 2008 – 095**, approved the cost of the renovations.

Period Ending: January 27, 2010

DISTRICT	MEMBER	TYPE OF EXPENDITURE	COSTS	Reason
The Straits – White Bay North	Mr. Marshall Dean	Constituency Office Accommodations (Renovations)	\$22,800	Costs were required to provide suitable constituency office accommodations within a Crown-owned building located at St. Anthony.

To: House of Assembly Management Commission

From: Speaker of the House of Assembly

Date: January 27, 2010

Subject: Speaker's Report - Travel by Other Modes (*Section 40 of Members' Resources and Allowances Rules*)

Section 40 of the *Members' Resources and Allowances Rules* provides that a Member who wishes to travel by means other than the modes of travel mentioned in subsection (1) shall first make a proposal in writing to the Speaker outlining the nature of the travel, the reasons for that travel, the details of the proposed engagement of the mode of travel and its estimated costs. If it is deemed by the Speaker to be a reasonable expenditure to enable the Member to fulfill his/her duties to constituents and there is sufficient money available within the existing travel budget of the House of Assembly, the Speaker may approve the proposal subject to conditions which he considers reasonable in the circumstances. The Speaker must report, in writing, to the Commission any authorizations made under this section of the Rules.

Report on Section 40 – Period Ending: January 27, 2010

DISTRICT	MEMBER	TYPE OF EXPENDITURE	COSTS	DETAILS
Cartwright – L'Anse au Clair	Ms. Yvonne Jones	Aircraft Charter From Sandy Cove to Forteau October 21, 2008 ¹	\$587.60	Member could not travel to the district by ferry to attend scheduled meetings due to weather conditions.
Cartwright – L'Anse au Clair	Ms. Yvonne Jones	Aircraft Charter From Cartwright to Black Tickle to Goose Bay January 23, 2010	\$3051.00	Member attended meetings at Black Tickle and could not access a commercial flight to get Member to Goose Bay for scheduled meetings on the same day.

¹ While this charter took place in October 2008, the invoice was not received and paid until September 2009 due to miscommunication between the office of the Member and the House of Assembly. For this reason the authorization was not reported at an earlier meeting of the Commission.

To: House of Assembly Management Commission

From: Speaker of the House of Assembly

Date: January 27, 2010

Subject: Speaker's Report - Travel under Special Circumstances (*Section 43 of Members' Resources and Allowances Rules*)

Section 43 of the *Members' Resources and Allowances Rules* provides that the Member may claim for additional travel expenses when the Member is traveling and unable to return to his/her residence when scheduled to do so and would not otherwise be entitled to claim reimbursement for such expenses. Under the Rules, a Member shall make application to the Clerk or the Speaker before incurring such expenses, if practical. Otherwise, the Member must notify the Speaker at the earliest reasonable opportunity after incurring the expenses. The Speaker must report, in writing, to the Commission any authorizations made under this section of the Rules.

Report on Section 43 – **Period Ending: January 27, 2010**

DISTRICT	MEMBER	TYPE OF EXPENDITURE	COSTS	DETAILS
Torngat Mountains	Ms. Patty Pottle	Accommodations and Meals December 18, 2009	\$106.00	Member needed to make an overnight stop en route to her district due to inclement weather conditions on December 18, 2009
Cartwright-L'Anse au Clair	Ms. Yvonne Jones	Accommodations December 21, 2009	\$53.00	Member needed to make an overnight stop en route to her district on December 21, 2009
Cartwright-L'Anse au Clair	Ms. Yvonne Jones	Accommodations and Meals December 22, 2009	\$122.18	Constituency assistant needed to make an overnight stop en route to Ms. Jones' district for constituency business on December 22, 2009.

**House of Assembly Management Commission
Briefing Note**

Title: Caucus Operational Funding Grants

Issue: Policy for Caucus Operational Funding Grants

Background:

- The Review of Caucus Resources - House of Assembly Report prepared by Metrics EFG Inc. recommended that each caucus follow a set of spending guidelines to be approved by the House of Assembly Management Commission in administering the Operational Funding Grant.
- At its October 15, 2008 meeting, the Commission approved operational funding for each caucus. The Minute stated that guidelines respecting eligible and ineligible purchases under the operating funding allocation shall be determined by the Commission **CM 2008-085 refers.**
- At its June 24, 2009 meeting, the Commission discussed the draft policy and directed that the policy be brought back to each of the caucuses for further review and comments. It was felt that the policy should provide more specific direction for each of the items included in the policy.
- The Clerk forwarded the draft policy to each caucus in July 2009 with a request to provide comments on each of the items listed and to provide any suggestions on the particular circumstances in which the purchase should be eligible. Based on the responses to the memo, another draft was then forwarded to each caucus for any additional comments.
- The revised draft Caucus Operational Funding Grants Policy is attached.
- The policy provides a list of eligible and ineligible items, services and activities on which the grant funding may be spent. This policy reflects the principles of the Green Report and will provide for more accountability for the spending of public funds. It will provide the necessary guidance to caucus staff for miscellaneous purchases associated with caucus operations and establish a template for annual reports.

Action Required:

Recommended Minute:

- The Commission approves the Caucus Operational Funding Grants Policy dated February, 2010.

Drafted by: Marlene Lambe
Date: January 17, 2010

Approved by: William MacKenzie



House of Assembly

Caucus Operational Funding Grants Policy

February 2010

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1.0 Approval

Under the authority of subparagraph 20(6)(b)(ii) of the *House of Assembly Accountability, Integrity and Administration Act*(the Act), the House of Assembly Management Commission establishes this policy respecting Caucus Operational Funding Grants.

2.0 Purpose

This policy is developed to ensure consistency and appropriateness in the spending of the operational funding provided to each caucus.

3.0 General

Grant funding is provided to each caucus to cover the cost of miscellaneous purchases associated with caucus operations. Each caucus is entitled to \$100 per month for each Member of that caucus, with a minimum of \$800, to fund miscellaneous operational purchases. The Speaker is entitled to \$100 per month. Beginning with the 2009-2010 fiscal year, this allocation is adjusted based on the provincial Consumer Price Index for the prior calendar year.

Expenses related to constituency business which may be claimed by individual Members under the *Members' Resources and Allowances Rules* may not be claimed under this policy.

3.1 Definition

For the purposes of this policy only, "caucus" means a group of Members of the same political party, an individual Member with or without party affiliation or the Speaker.

3.2 Authority

In accordance with **CM 2008-085**, operational funding was provided to each caucus to fund miscellaneous operational purchases. Guidelines respecting eligible and ineligible purchases under this allocation shall be determined by the Commission.

4.0 Eligible items, services and activities

The following list of eligible items, services and activities may be purchased under this policy.

Caucus Office and Staff

- Transportation and Communications
 - Travel, meals and accommodations associated with hearings, caucus and other meetings
 - Travel, meals and accommodations associated with luncheons such as Board of Trade, Combined Councils of Labrador conference, and similar functions
 - Travel, meals and accommodations associated with training and development
 - Taxis, couriers and other delivery charges

- Supplies
 - Newspapers, other subscriptions, resource materials
 - Gifts for visiting delegations or individuals, to a maximum of \$200 per gift
 - Flowers or similar tokens of respect on behalf of a caucus for funerals or serious illnesses of Members, former Members or political staff
 - Meals and food services for meetings and guests, or for staff outside normal working hours
 - Office supplies and operational expenses

- Purchased Services
 - Registration or other fees associated with luncheons such as Board of Trade and similar functions
 - Processing fees for Access to Information requests
 - Media transcripts
 - Training and development registration fees
 - Standard banking charges
 - Advertising, of a non-partisan nature, on behalf of the caucus

Members and Constituency Assistants – Caucus Meetings

- Transportation and Communications
 - Travel, meals and accommodations

- Supplies
 - Office supplies, food services, water, other

- Purchased Services
 - Room rentals, advertising, printing, other

5.0 Ineligible items, services and activities

- Expenses which may claimed by individual Members under the Members' Resources and Allowances Rules
- Expenses associated with partisan political activities
- Web site maintenance
- Personal items
- Donations or loans to individuals/groups or to a political party or organization

6.0 Annual Reporting

- In accordance with **CM 2008-085** of the House of Assembly Management Commission, each caucus shall submit a report detailing expenditures on the use of this allocation to the Commission within 90 days after the end of each fiscal year.
- The report should be in the format shown in **Appendix A**.
- Details and any supporting documentation for each category of expenditure shall be made available to the Clerk of the House of Assembly, when requested.
- All supporting documentation should be retained for 5 years.

**XXX Caucus
Summary of Expenditures
For the Period 1 April 2009 to 31 March 2010**

Caucus Office and Staff		
Transportation and Communications		
Travel, meals and accommodations associated with hearings, caucus and other meetings		100
Travel, meals and accommodations associated with luncheons such as Board of Trade, Combined Councils of Labrador conference, and similar functions		1,000
Travel, meals and accommodations associated with training and development		2,000
Taxis, couriers and other delivery charges		200
Sub-Total		3,300
Supplies		
Newspapers, other subscriptions, resource materials		150
Gifts for visiting delegations or individuals, to a maximum of \$200 per gift		300
Flowers or similar tokens of respect on behalf of a caucus for funerals or serious illnesses of Members, former Members or political staff		100
Meals and food services for meetings and guests, or for staff outside normal working hours		500
Office supplies and operational expenses		200
Sub-Total		1,250
Purchased Services		
Registration or other fees associated with luncheons such as Board of Trade and similar functions		150
Processing fees for Access to Information requests		300
Media transcripts		100
Training and development registration fees		500

	Standard banking charges	300
	Advertising, of a non-partisan nature, on behalf of the caucus	100
	Sub-Total	1,450
	Members and Constituency Assistants – Caucus Meetings	
	Transportation and Communications	
	Travel, meals and accommodations	2,000
	Supplies	
	Office supplies, food services, water, other	1,000
	Purchased Services	
	Room rentals, advertising, printing, other	1,000
	Subtotal	4,000
	Total	10,000

House of Assembly Management Commission

Briefing Note

Title: Update on Recovery of Discretionary Allowance Overpayments

Issue: Auditor General's Response to Commission on Possible Discretionary Allowance Overpayments

Background:

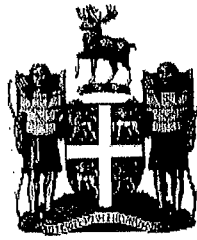
- At its June 24, 2009 meeting, the Commission considered the Forensic Audit Report prepared by Grant Thornton and requested the Auditor General's advice as to whether sufficient information is available (based on his prior reviews), to determine with reasonable certainty that overpayments were made under the discretionary allowance category for the years 1996-97 to 2003-04. **CM2009-038 refers.**
- It was the opinion of the Auditor General that the exact amount of overpayments to individual Members cannot be determined with reasonable certainty. In light of this, it would not be feasible or practical to initiate recovery actions on possible overpayments. The Clerk's letter to the Auditor General and his response are attached.
- At its October 7 meeting, the Commission considered the Auditor General's advice and deferred a decision on the issue of potential recovery action. The Commission requested details of monies owed, payments made and outstanding payments regarding excess allowances and double billings to ensure they had full information prior to making a decision. **CM 2009-051 refers.**
- At its November 4 meeting, the Commission was provided the requested information in two briefing notes entitled **Double Billings – Auditor General's 2007 Report** and **Excess Constituency Allowance Payments – Auditor General's Reports**. The Commission directed that the Auditor General be asked for assistance in identifying details of possible overpayments. **CM 2009-057 refers.** (Briefing notes are attached.)
- In response to the Clerk's November 19 letter, the Auditor General has indicated he can offer no further advice than that contained in his 22 July 2009 letter, which stated there may be "*difficulties in determining with "reasonable certainty" the exact amounts of excess discretionary allowance payments*". The Clerk's letter to the Auditor General and his December 2 response are attached.

Action Required:

The direction of the Commission is requested.

Drafted by: Marie Keefe
Date: January 27, 2010

Approved by: William MacKenzie

**Office of the Auditor General of Newfoundland and Labrador**

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2 December 2009

Ref: oag1209E120.01

OFFICE OF THE CLERK

DEC 02 2009

Mr. William MacKenzie
Clerk of the House of Assembly
House of Assembly
P.O. Box 8700
St. John's, Newfoundland and Labrador
A1B 4J6

Dear Mr. MacKenzie:

I am writing in response to your letter dated 19 November 2009. In the letter, you indicated that at a meeting held 4 November 2009, the House of Assembly Management Commission considered the issue of potential recovery actions respecting possible discretionary allowance overpayments.

You will recall us discussing this issue several times in the past. I can offer no further advice to the Commission than that contained in my 22 July 2009 letter. In that letter, I outlined my reasoning for stating that there may be "*...difficulties in determining with "reasonable certainty" the exact amounts of excess discretionary allowance payments.*"

Please do not hesitate to contact me if you wish to discuss this matter further.

Yours truly,



JOHN L. NOSEWORTHY, CA
Auditor General



HOUSE OF ASSEMBLY
Newfoundland and Labrador

November 19, 2009

Mr. John Noseworthy, C.A.
Auditor General
Office of the Auditor General
Dundee Avenue
Mount Pearl, NL

Dear Mr. Noseworthy:

I am writing to follow up on your letter of July 22, 2009 in response to our question whether sufficient information was available (based on your prior reviews) to determine with reasonable certainty that overpayments were made under the discretionary allowance category for the years 1996-97 to 2003-04.

The issue of possible recovery actions respecting these possible discretionary allowance overpayments was discussed again at the November 4, 2009 meeting of the House of Assembly Management Commission. Although the Commission appreciated the difficulty of achieving reasonable certainty in the matter, it was also reluctant to let the matter drop without pursuing every possible avenue. The Commission's discussion of the issue can be followed in the Hansard for the November 4 meeting, available on the House of Assembly website.

Following its discussion, the following decision was made by the Commission:

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

Your September 2007 Report "On a Review of Constituency Allowance Claims – 1989-90 through to 2005-06", included a summary of excess discretionary allowance claims.

The Comptroller General has indicated that the amounts identified for the former Members who were charged with fraud are included in the recovery actions initiated by his Office. Based on the Commission decision, are you able to provide details regarding the remaining excess amounts of \$10,980 and \$24,562 such that recovery actions could be pursued?

Sincerely yours,

A handwritten signature in black ink, appearing to read 'William MacKenzie', written in a cursive style.

William MacKenzie
Clerk of the House of Assembly

House of Assembly Management Commission

Briefing Note

Title: Double Billings – Auditor General's 2007 Report

Issue: Status of Members' repayments

Background:

- The Commission, at its October 7 meeting, considered the issue regarding potential recovery actions respecting possible discretionary allowance overpayments noted in the Forensic Audit Report. The Commission deferred a decision on the issue of potential recovery action and requested details of monies owed, payments made and outstanding payments regarding excess allowances and double billings to ensure they had full information prior to making a decision. **CM 2009-051 refers.**
- The Auditor General released his Report on a Review of Constituency Allowance Claims 1989-90 through to 2005-06 on September 14, 2007. One finding of the review was that double billings of \$212,108 had been paid to 88 Members during that period. The Auditor General wrote to each of the Members and suggested that they resolve the matter with the Clerk of the House of Assembly.
- In subsequent months, staff of the House of Assembly contacted each of the 88 Members to discuss repayment. In many cases, the Members requested copies of all documentation respecting the double billings identified, so that they could review the matter. This detailed documentation was supplied to the House of Assembly Service by the Auditor General and forwarded to Members who requested it. Following their review, many Members provided repayment in full or made arrangements to repay over time. Seven Members have made no payments.
- A report is provided on payments received to October 26, 2009. A summary sheet is also provided. Excluding the amounts owing from the three former Members with excess payments (Anderson, Byrne, Collins), 90% of the monies owing has been collected to date.
- The double billing amounts for the three former Members form part of the debt amount included in the Statements of Claim which were filed by the Attorney General. These amounts are being recovered by that Office of the

Comptroller General through the processes outlined in the accompanying briefing note on Excess Constituency Allowance Payments.

- Recovery of the double billing amounts is complicated by the provisions of the *Limitations Act*. In summary, that statute establishes various time limits, depending on circumstances, within which actions such as debt recovery can be pursued. As some of the double billings date back beyond the various limitation periods, legal action cannot be pursued in most cases.

Action required:

- For information purposes only.

Drafted by: Marlene Lambe
Date: 26 October 2009

Approved by: William MacKenzie

Summary Accounts Receivable - Double Billings

	Number	Amount
Members with double billings - Auditor General's Report	88	212,108
Members paid in full	79	132,933
Members with balances owing	9	79,175

Two (2) former Members who have made payments but amounts still owing		
Paul Shelley		6,909
Anthony Sparrow		702
		7,610

Four (4) former Members who have not made any payments		
Graham Flight		59
Roger Grimes		378
Melvin Penney		868
William Ramsay		5,658
		6,963

Sub-total - Amounts owing excluding 3 former Members with excess payment amounts		14,573
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Three (3) former Members who have not made any payments on double billings. These amounts have been included in the Statement of Claims filed by the Office of the Comptroller General.		
Wally Anderson		17,484
Ed Byrne		19,462
Randy Collins		27,656
		64,602

Percentage collected to date	62.67%
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Percentage collected (excluding amounts owing from former Members with excess payments)	90.12%
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House of Assembly
Accounts Receivable - Double Billings
as of October 26, 2009

Member/former Member	Accounts Receivable Amount	Total Paid/Credit Adjustments	Amount Owing
Andersen, Wally	17,484	-	17,484
Aylward, Joan Marie	898	898	-
Aylward, Kevin	16,727	16,727	-
Aylward, Robert	51	51	-
Barrett, Percy	4,175	4,175	-
Bettney, Julie	326	326	-
Burke, Joan	241	241	-
Butler, Roland	1,515	1,515	-
Byrne, Ed	19,462	-	19,462
Byrne, Jack	810	810	-
Canning, Perry	4	4	-
Collins, Randy	27,656	-	27,656
Decker, Chris	140	A 140	-
Dicks, Paul	2,660	2,660	-
Dumaresque, Danny	160	160	-
Dunderdale, Kathy	114	114	-
Efford, John	469	469	-
Fitzgerald, Roger	1,335	1,335	-
Flight, Graham	59	-	59
Foote, Judy	1,473	1,473	-
Forsey, Clayton	11	11	-
French, Terry	1,990	1,990	-
Furey, Charles	760	760	-
Gilbert, Dave	53	53	-
Goudie Katherine	3,818	3,818	-
Gover, Aubrey	250	250	-
Grimes, Roger	393	A 15	378
Harding, Harry	2,718	2,718	-
Harris, Jack	2,179	2,179	-
Hedderson, Tom	801	801	-
Hickey, John	3,770	3,770	-
Hodder, Harvey	129	129	-
Hodder, James	882	882	-
Hodder, Mary	2,738	2,738	-
Hogan, William	348	348	-
Hunter, Ray	3,664	3,664	-
Jackman, Clyde	439	439	-
Johnson, Charlene	20	20	-
Jones, Yvonne	12,167	A 12,167	-
Joyce, Eddie	369	369	-
Kelly, Sandra	3,428	3,428	-
Langdon, Oliver	2,051	2,051	-
Lush, Thomas	4,087	4,087	-
Mackey, Michael	67	67	-
Manning, Fabian	305	305	-
Marshall, Elizabeth	375	375	-
Marshall, Tom	583	583	-
Matthews, Lloyd	5,383	5,383	-
Matthews, William	176	176	-
McLean, Ernest	5,372	5,372	-
Mercer, Robert	2,422	2,422	-
Murphy, Thomas	154	154	-
Noel, Walter	965	965	-
O'Brien, Kevin	974	A 974	-

House of Assembly
Accounts Receivable - Double Billings
as of October 26, 2009

Member/former Member	Accounts Receivable Amount		Total Paid/Credit Adjustments	Amount Owing
Oldford, Douglas	1,186		1,186	-
Oram, Paul	406		406	-
Osborne, Sheila	1,073		1,073	-
Osborne, Thomas	1,947		1,947	-
Parsons, Kelvin	2,073		2,073	-
Parsons, Kevin, Jr	48		48	-
Penney, Melvin	868		-	868
Ramsay, William	5,658		-	5,658
Reid, Art	136		136	-
Reid, Gerry	1,531		1,531	-
Rideout, Thomas	1,249		1,249	-
Ridgley, Bob	921		921	-
Shelley, Paul	9,109	B	2,200	6,908
Skinner, Shawn	275		275	-
Small, Harold	127		127	-
Smith, Gerald	1,508		1,508	-
Snow, Lloyd	513		513	-
Sparrow, Anthony	852	B	150	702
Sullivan, Loyola	162		162	-
Sweeney, George	1,998		1,998	-
Taylor, Trevor	2,467		2,467	-
Thistle, Anna	698		698	-
Tobin, Glen	14		14	-
Tulk, Beaton	7,237		7,237	-
Vey, Gary	931		931	-
Walsh, Jim	3,685		3,685	-
Whalen, Dianne	291		291	-
Whelan, Don	931		931	-
Williams, Danny	651		651	-
Windsor, Neil	40		40	-
Wiseman, Ralph	187		187	-
Wiseman, Ross	2,534		2,534	-
Young, Caroline (Kay)	407		407	-
Young, Wallace	801		801	-
	212,108		132,933	79,174

A A subsequent review of the transactions related to this receivable resulted in a reduction in the receivable amount. These adjustments/credits are included in the Total Paid/Credit Adjustments Column.

B These former Members have made some repayments.

House of Assembly Management Commission

Briefing Note

Title: Excess Constituency Allowance Payments – Auditor General's reports

Issue: Status of Members' repayments

Background:

- The Commission, at its October 7 meeting, considered the issue regarding potential recovery actions respecting possible discretionary allowance overpayments noted in the Forensic Audit Report. The Commission deferred a decision on the issue of potential recovery action and requested details of monies owed, payments made and outstanding payments regarding excess allowances and double billings to ensure they had full information prior to making a decision. **CM 2009-051 refers.**
- The Auditor General released nine reports on excess constituency allowance payments during the period June to December of 2006. These reports identified excess constituency allowance claims from 1989-90 to 2005-06 totaling approximately \$1.6 million for five (5) former Members of the House of Assembly.
- The Department of Finance is pursuing the recovery of these amounts. In May 2007, the Attorney General filed Statements of Claim on five former Members of the House of Assembly. Subsequent to that time, one Member repaid the full amount owing. Other amounts owed by the remaining four former Members have been intercepted from severance payments and from supplementary benefits under the MHA pension plan.
- The information in the attached report, provided by the Office of the Comptroller General, shows the current status of repayments by the four former Members as of October 26, 2009.

Action Required:

- For information purposes only.

Drafted by: Marlene Lambe
Date: October 26, 2009

Approved by: William MacKenzie



Government of Newfoundland and Labrador
Department of Finance
Office of the Comptroller General

November 2, 2009

Mr. William MacKenzie
Clerk of the House of Assembly

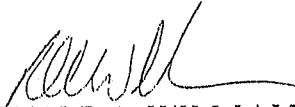
Re: Related Revenue and HST Information – Excess Constituency Balances

In response to your letter dated 19 October 2009, I wish to provide you with the information you requested therein. The Accounts Receivable balance of Excess Constituency Allowances as at October 21, 2009 was \$826,828. For fiscal 2009-10 up to October 21, 2009, \$89,065 in payments (related revenue \$80,782; HST \$8,283) and \$9,000 in non-cash adjustments (HST portion \$935) were applied against the balance.

The \$89,065 in payments does not include an allocation of \$12,900 of payments received which is to be applied against the outstanding travel advance balance maintained by your Office, nor does it include \$41,019 of the \$70,037 restitution payment which, while still representing related revenue/HST associated with the House of Assembly, does not relate to the above outstanding Excess Constituency Allowances balance.

Related information was recently provided to your staff.

Please consider privacy and confidentiality implications associated with any use of this information. I also note that the balance is subject to adjustment based on the ongoing nature of civil and criminal legal proceedings.


RONALD A. WILLIAMS, C.A.
Comptroller General of Finance

cc Marlene Lambe

S:\Letters\PSmith 2009-10 HOA MacKenzie from Williams re excess receipts YTD2.doc



HOUSE OF ASSEMBLY
Newfoundland and Labrador

October 19, 2009

Mr. Ronald Williams
Comptroller General
Dept. of Finance

Dear Mr. Williams:

At its last meeting on October 7, 2009, the House of Assembly Management Commission requested a status report on the Accounts Receivable balances for the House of Assembly. In order to prepare this information, we require additional information from your Office.

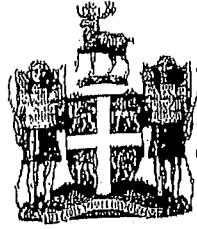
The Accounts Receivable related to Excess Constituency Allowance payments is recorded in the Department of Finance while the related revenue is recorded in the House of Assembly. Therefore, we request detailed information on the revenues received by the Department of Finance to date for this fiscal year related to those accounts, including a breakdown of the principal and HST amounts.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'W MacKenzie', written over a circular stamp or seal.

William MacKenzie
Clerk of the House of Assembly

c.c. / Ms. Marlene Lambe
Chief Financial Officer



Office of the Auditor General of Newfoundland and Labrador

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22 July 2009

Ref: oag0709E81.01

Mr. William MacKenzie
Clerk of the House of Assembly
House of Assembly
P.O. Box 8700
St. John's, Newfoundland and Labrador
A1B 4J6

Dear Mr. Mackenzie:

I am writing in response to your letter dated 3 July 2009, and as a follow-up to our subsequent discussion.

In the letter, you indicated that the results of the recent Forensic Audit Report were discussed at the House of Assembly Management Commission meeting held on 24 June 2009, and that the Commission had made the following decision:

"The Commission requests the Auditor General's advice as to whether sufficient information is available (based on his prior reviews) to determine with reasonable certainty that overpayments were made under the discretionary allowance category for the years 1996-97 to 2003-04."

In response to the Commission's request, I offer the following:

My review of documentation supporting payments made to Members did suggest with "reasonable certainty" that some overpayments were made under the discretionary allowance category. However, it is my opinion that the exact amount of overpayments to

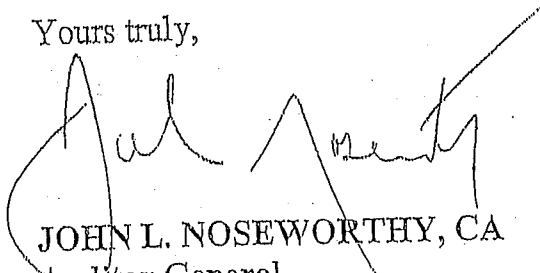
individual Members cannot be determined with the same "reasonable certainty". My opinion is based on the poor condition of House of Assembly records during the period of my review, the lack of any meaningful review of these records by House of Assembly officials and the lack of detail provided on decisions of the Internal Economy Commission in minutes of Commission meetings.

As I indicated to you in our discussion subsequent to receiving this letter, there were two areas in my review of constituency allowance payments where I could determine with "reasonable certainty" the amount of overpayments made to individual Members — overall excess payments and double billings. Overall excess payments were based on a comparison of total payments to allowance limits as I understood them to be during the period covered by my review, while double billings were based on an examination of documentation submitted by Members where the same support was used for more than one payment. Any overpayments identified from these two areas did not involve how payments were allocated at the House of Assembly among the various allowance categories.

One has to consider that the recent Forensic Audit Report prepared for the House of Assembly, and which covered only the two fiscal years 2002 and 2003, did not result in any "reasonable certainty" with regards to the exact amount of discretionary allowance overpayments to individual Members. In fact, at the request of an ad-hoc committee of the Management Commission considering this matter, on 7 May 2009 my Office provided an analysis on the likely differences between our excess discretionary allowance amounts and those identified in the Forensic Audit Report. These differences are indicative of the difficulties in determining with "reasonable certainty" the exact amounts of excess discretionary allowance payments.

Please do not hesitate to contact me if you wish to discuss this matter further.

Yours truly,



JOHN L. NOSEWORTHY, CA
Auditor General



HOUSE OF ASSEMBLY
Newfoundland and Labrador

July 3, 2009

Mr. John Noseworthy, C.A.
Auditor General
Office of the Auditor General
Dundee Avenue
Mt. Pearl, NL

Dear Mr. Noseworthy:

The results of the Forensic Audit Report were discussed at the House of Assembly Management Commission meeting on June 24, 2009. We contracted legal counsel to review the report and the resulting discussions/correspondence with you and the Comptroller General and consider what action, if any, was called for as a result of the audit.

The solicitor has determined that it is not probable that additional discretionary payments were authorized by the March 6, 2002 and February 26, 2003 minutes of the Internal Economy Commission.

We also requested the solicitor to review the discretionary allowance payments to Members which appear to exceed the \$5,500 in a given year. The solicitor questioned whether it is feasible or practical to determine if overpayments were made given the amounts involved, the adequacy of records (including lack of supporting documentation), and the state of the financial controls and management practices at the relevant time. He recommended that the Commission consider requesting you to advise, based on your prior reviews, whether you consider sufficient information is available to determine with reasonable certainty that over-payments were made. The correspondence from Stewart McKelvey is attached.

The following decision was made by the Commission:

“The Commission requests the Auditor General’s advice as to whether sufficient information is available (based on his prior reviews) to determine with reasonable certainty that overpayments were made under the discretionary allowance category for the years 1996-97 to 2003-04.” (CM2009- 038 refers.)

Based on this decision, are you able to provide your opinion as to whether you would consider that overpayments were made during the fiscal years reviewed?

Sincerely,

M. Lambe

For

William MacKenzie
Clerk of the House of Assembly

House of Assembly Management Commission

Briefing Note

Title: The O’Neill Review

Issue: Payment of Outstanding Invoices

Background:

- At its May 13, 2009 meeting, the Commission voted to endorse “the introduction of a resolution in the House of Assembly to appoint a retired Supreme Court Justice to conduct an independent and impartial review into the circumstances of Fraser March’s removal from office, which review will include the opportunity for Fraser March to be heard.” **CM 2009-025** refers.
- On May 28, 2009 the House of Assembly voted to adopt a Resolution to establish the Review. The terms of reference required that “the review be completed within two months at which time the appointed retired Justice shall issue a written report to the Speaker for distribution to Members of the House of Assembly”.
- The Commission selected retired Justice John O’Neill at its meeting of June 24, 2009. **CM 2009-031** refers. As a result of other commitments, Justice O’Neill was unable to commence the Review immediately. A contract with Justice O’Neill was concluded establishing October 1 to November 30 as the two-month period to conduct the Review. Justice O’Neill selected Mr. Tobias MacDonald as his legal counsel and Review coordinator.
- The outstanding invoices relate to work performed outside of the two-month contract period. Prior to October 1, Justice O’Neill and Mr. MacDonald conducted preparatory research to enable them to begin the Review on October 1, 2009.
- The Commission’s decision respecting Mr. March’s request to have his legal costs covered by the House of Assembly was decided at the meeting of November 18, 2009. Subsequently, Mr. March engaged his legal counsel and met with Justice O’Neill to respond to questions and present his perspective. As a result, Justice O’Neill’s final report was delayed beyond November 30.

- To date, invoices totaling \$198,223 for the period October 1 – November 30 have been paid as follows:

Fees for Justice John O’Neill and Tobias MacDonald	\$172,408
Fees for Legal Counsel for Fraser March	17,893
Office Rental; PFE and Supplies	7,922
	<hr/>
TOTAL	<u>\$198,223</u>

- The outstanding invoices are for 121.25 hours for Justice O’Neill at \$300/hr. and 132.1 hours for Mr. MacDonald at \$250/hr. totaling \$69,400. As this work was done pre- and post- the contract period, Commission approval is required for payment of the invoiced amounts.

Action Required:

Recommended Minute:

- The Commission approves 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.

Drafted by: Marie Keefe
Date: January 25, 2010

Approved by: Wm. MacKenzie

**House of Assembly Management Commission
Briefing Note**

Title: Constituency Assistants – Payroll and Other Expenses

Issue: Implications of Transferring Constituency Assistants from Departments to House of Assembly Payroll

Background:

- All Constituency Assistants to Ministers, Parliamentary Secretaries and the Parliamentary Assistant are on the respective departmental payrolls while the remaining Constituency Assistants are on the House of Assembly payroll.
- At its November 4, 2009 meeting, 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. (Briefing Note attached) The Commission deferred a decision and requested additional information respecting the implications of moving Constituency Assistants to the House of Assembly payroll. **CM 2009 – 060 refers.**
- The main implications of moving the departmental Constituency Assistants (CAs) to the House of Assembly payroll are:
 1. Restructuring under the *Executive Council Act*
 2. Human Resources implications - *Public Service Commission Act*
 3. Internal control and administrative implications – inventory control, furniture, equipment and supplies purchasing, etc.

1. Restructuring

The *Executive Council Act* provides the authority for transfers of parts of the public service, and the associated appropriations, to other heads of expenditure. The Legislature is a head of expenditure in the Estimates, as are the departments of the Executive Branch of government. (For the purposes of the *Executive Council Act* and the *Financial Administration Act*, the Legislature is deemed to be a 'department'.) Therefore, the authority to transfer staff positions and appropriations resides with the Lieutenant-Governor in Council.

Section 17 of the *Executive Council Act* states:

17. *The Lieutenant-Governor in Council may*
- (a) *transfer powers, duties or functions or the control or supervision of a part of the public service from one minister of the Crown to another minister of the Crown, or from one department or branch of the public service to another department or branch of the public service;*

Section 20 of the *Executive Council Act* states:

- (1) *Where, under section 17, the duties and functions of a department are transferred to another department, all of the money authorized by an Act of the Legislature to be paid and applied for the purpose of carrying out those duties and functions and remaining unexpended shall, notwithstanding the transfer of those duties and functions, continue to be expended in carrying out those duties and functions.*
- (2) *The Treasury Board shall, following consultation with the Comptroller General of Finance, determine the timing and manner of the transfer of money from one head of expenditure to another consequent on the transfer of duties and functions of one department to another under section 17 taking into consideration the changes required to be made by the comptroller general to the ledger referred to in section 27 of the Financial Administration Act and the time required to make those changes.*

To effect the transfer of CAs, a Cabinet Paper would have to be prepared for consideration by Cabinet. If approved, the salaries and other budgeted main object amounts which apply to CAs, now included in the respective departmental budgets, would be transferred to the House of Assembly in compliance with section 20 of the *Executive Council Act*.

2. Human Resources Implications

The staffing provisions of the *Public Service Commission Act* do not apply to the political staff employed by the House of Assembly; therefore, these staff are not eligible to apply for internal competitions for positions within

the public service. They may apply for positions which are externally (i.e. publicly) posted.

Subsection 4(1) of the *Public Service Commission Act* states:

4.(1) *This Act does not apply to the appointment [emphasis added] of*

(a)(viii) political staff as defined in paragraph 2(1)(e) of the Conflict of Interest Act, 1995;

(g) executive and special assistants to Ministers of the Crown

Paragraph (2)(1)(e) of the *Conflict of Interest Act, 1995* states:

(e) "political staff" means a public office holder whose terms and conditions of employment are set through the House of Assembly Management Commission continued under section 18 of the House of Assembly Accountability, Integrity and Administration Act and who has not been employed in the manner provided by law;

However, Paragraph 3 (1) (a) of the *Public Service Commission Act* states that the Act applies to "those portions of the public service of the province specified in Schedule A", which includes "[a] department established under the *Executive Council Act*". As a result, while the appointment of Constituency Assistants, Executive Assistants and 'special assistants' is not subject to the *PSC Act*, Schedule A of that Act includes those positions which are on departmental payrolls.

The *Public Service Commission Act* (Section 12) also establishes the eligibility to apply for internal job competitions, as follows:

12. *Appointments to positions within the public service shall be made from within the public service except where, in the opinion of the commission, it is not in the public interest to comply with this requirement. (emphasis added)*

Schedule A of the *PSC Act* establishes the meaning of "within the public service". Constituency Assistants (along with Executive and 'special' assistants) on departmental payrolls may apply on internal public service competitions. Those on the House of Assembly payroll, not scheduled to the *PSC Act*, may not.

If the 24 CAs are transferred from departmental payrolls to the House of Assembly payroll, they would not be eligible to apply for internal competitions.

3. Internal Controls and Administrative Implications

The Legislature has in place rigorous internal control systems including an inventory system to track all furniture and equipment. The matters noted below will present additional challenges in ensuring that these systems are operating effectively.

- **Furniture and Equipment - Inventory Control**

Funding for furniture, equipment, services and supplies is included in the departmental budget where the salary funding for the staff person is voted. In the case of Constituency Assistants on departmental payrolls who are physically located within the department, the department currently provides the furniture, equipment, phone, fax machine and related services for the CA.

Members are responsible for all inventoried items, including CA items, assigned to them pursuant to Subsection 25(5) of the *Members Resources and Allowances Rules* and the House of Assembly Inventory Management Policy. The inventoried items include all office furniture and equipment, such as desks, filing cabinets, chairs, tables, computers, laptops, printers, fax machines, photocopiers, televisions, cameras, blackberries and cell phones.

The CA to a newly-appointed Minister or Parliamentary Secretary would have to avail of the standard office package purchased by the House of Assembly for constituency offices, and not departmental furniture and equipment. The requests for purchases of these items would be directed to the Corporate and Members' Service Division (CMS) of the House of Assembly.

From an internal control perspective, the management of the inventory of furniture and equipment would be more difficult as it will be located within government departments but will have to be kept separate from department inventory and included in the House of Assembly inventory.

- **Office Supplies**

All CA requests for purchases of regular office supplies would be directed to CMS. The goods would be delivered to the respective government department and invoices would be forwarded to the CA's in the department for written indication that the goods were received. It would be expected that the CA will retain an inventory of supplies separate from departmental supplies.

- **Services**

All requests for new services and any service problems related to phone lines, computers, faxes, etc. which were provided by the House of Assembly would be directed to CMS.

Action Required:

- The direction of the Commission is requested.

Drafted by: Marlene Lambe
Date: January 17, 2010

Approved by: Wm. MacKenzie

**House of Assembly Management Commission
Briefing Note**

Title: Constituency Assistants and Rules 26(4) and 26(5)

Issue: Proposed Amendments to Subsections 26(4) and 26(5) of the *Members' Resources and Allowances Rules*

Background:

- Subsections 26(4) and 26(5) of the *Members' Resources and Allowances Rules* addresses the issue of Members' support staff and state:

(4) Expenses related to constituency assistant salaries and benefits shall be paid directly to constituency employees by the office of the speaker.

(5) Where a member considers it necessary to engage a temporary replacement for a constituency assistant due to vacation, illness or other absence of the regular assistant that the speaker considers acceptable the member may, with the consent of the speaker, engage a temporary replacement, and the costs associated with that engagement shall be reimbursed by the office of the speaker to the member.

- The Green Report describes the 2007 situation respecting constituency assistants in a short section entitled "Resource Support" as follows:

"Most MHAs have one constituency assistant located in his or her office. The constituency assistant is paid out of general House of Assembly funds. [page 10-9; emphasis added]

It is apparent that the Green Commission wrongly assumed that all constituency assistants were paid from the House of Assembly payroll.

- The section entitled "Resource Supports" continues to describe the 2007 situation as follows:

"However, an MHA may fund additional support staff out of his or her constituency allowance. This is used by Members primarily to cover replacement staff when the regular constituency assistant takes vacation. [page 10-9; emphasis added]

- It appears that the purpose of Rule 26(4) was to emphasize that Constituency Assistant salaries are paid directly from a payroll system – i.e., the funds are not channeled through the Member, who would in turn employ the assistant. This interpretation is supported by the use in S.26(4), of the word “directly”, which is otherwise superfluous, and by the “Green Report” itself as noted above.
- The Green Report goes on to discuss the recommended office resources changes proposed in the new *Members’ Resources and Allowances Rules* as follows:

Proper office and administrative support should be provided to enable the professional politician to do his or her job effectively....A proper office arrangement should be regarded as part of the standard resource allocation that should be made available to every MHA. The costs should come out of the general budget of the House and not out of an overall capped constituency allowance of the Member. [page 10-28; emphasis added]

- In response to Subsection 26(5) of the Rules, the Commission, at its April 18, 2008 meeting, approved guidelines for the hiring of replacement Constituency Assistants, to ensure consistency in hiring of replacement staff outside of individual Member’s allowances. **CM 2008-024 refers.**
- In November 2008, the Comptroller General, during an internal audit of the Legislature’s payroll processing function, noted that not all CAs were on the payroll of the Legislature and that this was in contradiction of subsection 26(4) of the *Members’ Resources and Allowances Rules*. The Comptroller General recommended that “in future, salaries for all Constituency Assistants should be voted (budgeted) and recorded in the House of Assembly in accordance with subsection 26(4).”
- As noted above (page 10-9 of the Green Report), the Review Commission incorrectly assumed that all Constituency Assistants were paid from the general House of Assembly funds. It appears that the intent of Section 26 was to ensure that each Member was entitled to a Constituency Assistant, a replacement Constituency Assistant (when necessary) and that the costs should not come out of the Members’ allocations.
- The Constituency Assistants to Ministers and the Constituency Assistants to Parliamentary Secretaries were, prior to Green, on the respective departmental payrolls, as they are still currently. The remaining Constituency Assistants are on the House of Assembly payroll. In neither case are these salary costs charged to the individual Member’s expense allowance or allocations.

- As noted by the Comptroller General, since roughly half of the Constituency Assistants are on departmental payrolls, we are currently non-compliant with Rule 26(4).
- It seems clear that Green's intent was that all Constituency Assistants and replacement Constituency Assistants would be paid through a payroll system and not paid directly by Members from their constituency allocations. It is indisputable that Green did not realize that many of the Constituency Assistants were on departmental payrolls. It also appears that he did not intend to change the current structure of having Ministerial and Parliamentary Assistant's constituency assistants on departmental payrolls, since his Report provides no discussion or arguments to that effect.
- Therefore, it is recommended that Rule 26(4) be amended to ensure that the main intent of the Green recommendations – that assistants would not be paid directly by Members – is complied with.
- Subsection 26(5) also requires amendment as the reference to "reimbursement" appears to contradict Green's stated intention that salary costs for temporary replacements should be paid directly from the government payroll system. The House of Assembly has paid for all such replacements directly and no reimbursement has ever been made to a Member for such expenses since the implementation of the new Rules.

Action Required:

Recommended Minute:

- The Commission approved the following draft amendments to the *Members' Resources and Allowances Rules*:

Subsection 26 (4) is repealed and the following is substituted:

(4) Expenses related to constituency assistant salaries and benefits shall be paid directly to constituency employees and voted in the salaries main object under the appropriate head of expenditure.

Subsection 26 (5) is repealed and the following is substituted:

(5) Where a member considers it necessary to engage a temporary replacement for a constituency assistant due to vacation, illness or other absence of the regular assistant that the speaker considers acceptable the member may, in accordance with a directive of the House of Assembly

Management Commission, engage a temporary replacement, and the costs associated with that engagement shall be paid directly to the employee and voted in the salaries main object under the appropriate head of expenditure.

Drafted by: Marlene Lambe
September 28, 2009

Approved by: Wm. MacKenzie



MEMO

To: Members of the House of Assembly Management Commission

From: The Clerk of the House of Assembly

Date: January 27, 2010

Subject: Members' Compensation Review Committee Recommendations

The Members' Compensation Review Committee (MCRC) submitted its report on the Review of: MHA Salaries, Allowances, Severance Payments and Pensions to the Speaker on October 30, 2009. The Committee attended the November 18, 2009 meeting of the House of Assembly Management Commission to provide additional information and answer questions regarding the recommendations contained in the report. Subsequent written correspondence between the Speaker and the MCRC provided further clarity on several recommendations.

Recommendations related to MHA salaries, MHA pensions and the automobile allowance for the Speaker, Leader of the Official Opposition and Leader of the Third Party were addressed in Bills 53 and 54 which received Royal Assent on December 22, 2009. The outstanding recommendations relate to severance payments, amendments to the *Members' Resources and Allowances Rules* and amendments to the Publication Scheme.

The briefing notes in Tab 8 address the MCRC recommendations respecting amendments to the Members' Resources and Allowances Rules and to the policy respecting Severance Pay. The relatively minor amendments required to the Publication Scheme will be brought forward at a subsequent meeting.

Attached to this note is the correspondence between the Speaker and the MCRC as well as the Hansard of the November 18 meeting of the Commission and the MCRC. These attachments may be helpful to the Commission's deliberations respecting all four issues.

December 01, 2009

Honorable Roger Fitzgerald
Speaker of the House of Assembly
Newfoundland and Labrador
Confederation Bldg.
St. John's, NL.

Honourable Speaker:

The Members Compensation Review Committee (MCRC) is writing in response to your correspondence dated 19 November, 2009 seeking clarification on some additional points raised in the meeting with the House of Assembly Management Commission on 18 November, 2009.

The MCRC has reviewed the points raised for clarification and proposes to address them in the order in which they appeared in your correspondence.

Severance Pay

The MCRC appreciates there may be some clarity required with respect to the recommendation on Severance Pay and the application of that recommendation should it be accepted by the Management Commission. In reviewing Severance Pay as one of the four categories mandated by the legislation the MCRC carefully considered both the public interest as well as the impact such a recommendation could have on the elected officials of the House of Assembly.

The recommendation of the MCRC was not intended to unfairly disadvantage MHA's who had served in the House of Assembly and who for their own personal reasons decided to step down. The MCRC report reflects the challenging nature of the job of an MHA and the toll it can take on a member's personal circumstances. However the MCRC having conducted its inquiry felt there was justification in examining whether an MHA who resigns from his/her position to take gainful employment should in fact be the recipient of a severance package as currently outlined. By gainful employment we mean employment which resulted in a greater financial position for the MHA than they would be receiving as an MHA. For example if an MHA stepped down to take a higher paying position in the private sector or in the provincial or federal public sector, should that MHA receive severance pay as well.

The other qualification to the recommendation is the timing of the MHA's decision to resign. The recommendation provides that where this action by the MHA results in the calling of a by-election at a cost of approximately \$100,000.00 to the taxpayers of the province, severance pay should not be provided. Accordingly two factors must occur which would result in an MHA not receiving severance pay;

1. The MHA would step down to take gainful employment as described above.

2. The MHA would step down at a time that would result in the calling of a by-election at a cost to taxpayers.

The MCRC felt that by taking these two factors into consideration it was being fair to the MHA's and the electorate of the province.

The issues raised during discussion of this recommendation appear to be related to:

1. A view that Severance Pay is a benefit that is earned and that an MHA should receive that benefit regardless of the reasons for stepping down.
2. A concern that the development of policy that ensures compliance with the recommendation may be challenging.
3. A concern that the recommendation may be unfair to current MHA's who have earned this benefit and may now find themselves losing that benefit depending on their reason for stepping down and the timing of that decision.

The MCRC would like to address these issues individually.

1. Severance Pay as an employee benefit dates back to the 1950's when unions, in particular industrial unions began to bargain a financial bridging for employees who found themselves unemployed as a result of a plant closure or slowdown. Severance pay was not provided however in the case of employees who, of their own accord, decided to leave their place of employment for alternative employment. This situation, with few exceptions, still exists today and there is no legislative requirement for employers to pay Severance Pay to employees who choose to leave their employment.

One of those notable exceptions occurs in the provincial public service. The current provisions provide Severance Pay to public employees on retirement or resignation. However in order to qualify for Severance Pay a public employee must have served a minimum of 9 years following which that employee will receive 1 weeks pay for every year of service to a maximum of 20 weeks pay.

The current formula for Severance Pay for MHA's is 1 months pay for every year of service with a 3 month minimum and a 12 month maximum. There is no minimum service requirement in order to qualify for Severance Pay.

2. As stated in the meeting the MCRC sees no merit in adopting a recommendation if it is found upon further analysis that it cannot be enforced. If the policy implementing the recommendation as put forward in this correspondence is weak and therefore open to abuse it is the position of the MCRC that it would prefer to see it rejected than adopted with no enforcement capability.

3. If it is the concern of the Management Commission that this recommendation if accepted would be unfair to MHA's who currently sit in the House of Assembly given the fact the current benefit was in place when those MHA's decided to run for office the Management Commission can address this matter through a decision on its implementation date.

Allowances

You have requested clarification on items 1 and 2 under the above heading.

In recommendation 1 you have inquired whether the MCRC would have any objections to the application of this recommendation to travel to the Capital region and while the House is not in session.

As you correctly observed in your correspondence this issue of MHA travel was characterized to the MCRC by certain rural MHA's as being particularly problematic for them following the adjournment of the House of Assembly session on Thursday afternoons and their need to return to their respective district as soon as possible to attend to constituency work. It was their view that it would be extremely beneficial to them if they had the flexibility to commence their journey to their district following the House adjournment and utilize accommodation between the Capital region and their district without having to seek the prior approval of the Speaker.

As noted in our report the MCRC viewed this matter as it was explained to us as primarily a safety concern. The MCRC understood the MHA's need to return to their respective districts as soon as the House adjourned on Thursday afternoon to attend to constituency business and to spend as much time as possible in their districts while the House was in session. That same urgency was not immediately apparent to the MCRC on the return to the Capital region and during the period when the House was not in session. For example, it is conceivable an MHA could leave their district earlier in the day to make the return trip to the Capital region and could leave the Capital region at the commencement of the day while the House was not in session.

However having had the benefit of further discussion on the practicalities of this matter with the House of Assembly Management Commission the MCRC sees merit to the application of this recommendation to travel to the Capital region and while the House was not in session.

For certain MHA's travel to the Capital region involves many hours of driving long distances while for others it involves air travel which can cause delays and require overnight accommodation because of flight scheduling. Further, considering the fact that the need to attend to constituency business in the district when the House is in session or in the Capital region when the House is not in session may make it impossible to commence long distance traveling at the start of the day, it is reasonable this recommendation apply in those cases.

The need for MHA's to have the ability to spend as much time as possible in their districts serving their constituents as reflected in the Green Report was also carefully considered by the MCRC. You will note the MCRC concluded the section on Allowances with a quote from the Green Report that cautions against "... *getting so immersed in*

detailed rules that the ultimate purpose of the whole project- service to constituents- is not obscured."

Therefore the MCRC would agree this recommendation apply to travel to the Capital region and while the House was not in session.

In recommendation 2 you requested clarity on whether the \$53 daily amount for secondary residence accommodation would apply when the secondary residence is in the District. As discussed at the 18 November meeting the MCRC would agree with the application of this recommendation where an MHA has to avail of secondary accommodation in his/her district in the same manner as an MHA in the Capital region. Again I invite your attention to the body of the MCRC report where at page 35 it quotes from the Green Report: "*in incurring legitimate expenses in carrying out public functions, the MHA should not be expected to do so at personal financial sacrifice.*"

In considering this recommendation it was clear to the MCRC that the current provision for secondary residence accommodation was inadequate and was in all likelihood contributing to greater public expenditure through the use of hotel rooms. The MHA's who met with the MCRC were clear in their preference for the use of secondary residence accommodation over the use of hotel rooms despite the fact all their expenses for hotel accommodation was reimbursed. Accordingly it appeared reasonable that this amount be increased. In fact this is an area that given the continued demand for and the rise in costs of secondary accommodation, it can be expected that this amount will need to be considered regularly to ensure it reflects the reality of those rising costs.

Other Recommendations

Under this heading you requested clarification with respect to two issues:

1. With respect to web- posting Members' compensation the MCRC would see this information as an annual posting. However any change in a members' compensation as a result of a salary implementation formula or a change in an MHA allowance for additional responsibilities would be reflected at the time of the change. For example, if an MHA were to receive an allowance pursuant to section 12 of the House of Assembly Accountability, Integrity and Administration Act, that change would be reflected at that time.
2. A table format outlining the signed Declarations of Attendance would be, as you suggested, an alternative to scanning and posting 48 separate PDF files.

There is a matter that was raised during the meeting between the MCRC and the Management Commission that, while not raised in your correspondence, the MCRC wishes to address in this correspondence. During the meeting it was questioned why the MCRC did not provide a formula for future salary increases given the fact we had conducted research on the issue.

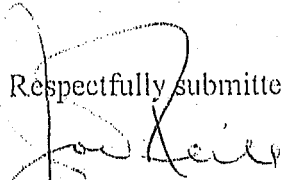
When the MCRC analyzed the salaries for MHA's and compared them to their counterparts in other Canadian provinces' and territories including the Federal Government, it found the current salary level to be third highest among those jurisdictions and highest among the so called "peer group" as referenced in the Green Report. In his report Justice Green referenced a Nova Scotia review that compared compensation levels to that "peer group" and viewed this as an appropriate method of comparison for Newfoundland and Labrador as well. The Green Report also made reference to the fact that subsequent reviews of MHA compensation may consider that salaries already are sufficiently high that no annual adjustments are necessary for the whole of a General Assembly.

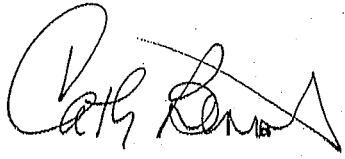
"It does not follow, of course, that there should necessarily be any annual adjustment to MHA compensation by reference to an automatic mechanism such as the consumer price index. That is a policy issue that should be considered by each subsequent review of MHA compensation in this province. It might well be, for example, that future salary levels would be recommended to be set for the whole of a General Assembly; in other words, it might be decided that for the ensuing four years, the salary levels would be set to take account of anticipated increases in the cost of living; or already are sufficiently high, so that no increase for those years are needed; or that salary levels be increased by a pre-determined amount each year or each couple of years. Those are matters that should be considered each time a basic review of compensation is undertaken."
Green Report, Chapter 9, p 39-40.


Given the comparative levels of Canadian MHA/MLA salaries as described above the MCRC felt it was appropriate to recommend no further salary increases for MHA's pending a review by the next MCRC which was recommended to take place within two years. It was felt by the MCRC that to make a recommendation would in fact be pre-judging the outcome of a review of this issue by the next review committee.

We trust the additional information provided in this correspondence will assist the House of Assembly Management Commission in its further deliberations on the matters you have raised. We remain available to discuss these and any other matters pertaining to our report at your convenience.

Respectfully submitted


Joe O'Neill
Chair


Cathy Bennett
Member


Brian Barry
Member



HOUSE OF ASSEMBLY
Newfoundland and Labrador
OFFICE OF THE SPEAKER

November 19, 2009

Mr. Joe O'Neill
Chair, Members' Compensation Review Committee
25 Halifax Street
St. John's, NL
A1A 2P6

Dear Mr. O'Neill:

On behalf of all Members of the 46th General Assembly, I am writing to thank you for serving on the first Members' Compensation Review Committee. The mandate of the Committee is a difficult one as you attempted to weigh the differing viewpoints and arrive at recommendations which strike a reasonable balance. As the first such Committee, you had no history or precedents to guide you, making your task that much more difficult. I believe you have done an admirable job in fulfilling your mandate and your efforts will provide sound guidance for future committees.

Thank you as well for attending the meeting of the House of Assembly Management Commission of November 18. I believe that discussion was of great assistance to the Commission in clarifying issues and making its decisions respecting your recommendations. As I noted during that meeting, I am now writing to seek clarification on some additional points and to confirm that some modifications discussed by the Commission are in accordance with the Committee's views on these issues.

I have included the Hansard transcript of the November 18 meeting to assist in this matter. The meeting may also be viewed on the archived webcasts at <http://www.assembly.nl.ca/business/Webcast/default.htm>

Salaries and Pensions

The Commission did not appear to require any clarification of the recommendations respecting salaries and pensions.

Severance Pay

The Commission had a number of questions concerning the second recommendation under Severance Pay.

Recommendation 2

An MHA who voluntarily resigns prior to a general election for reasons other than his or her own serious illness or a serious illness in his or her immediate family shall not be eligible for Severance Pay.

As I understand the discussion, the Committee's main concern is that a Member might resign to accept alternative employment and receive his or her severance pay, and at the same time cause the public treasury to incur the costs of a by-election. The recommendation reflects the Committee's view of severance pay as a "bridging" mechanism between periods of employment. In order to prevent such an occurrence, the Committee recommended that serious illness of a Member (or family) be the only acceptable reason for receiving severance pay upon resignation.

The Commission, on the other hand, viewed severance pay as an earned benefit, as is the case in the public service, and suggested that complete terms in office should remain eligible for calculating severance pay, with only the years on incomplete terms being ineligible. Some Commission members suggested that resignations may result from compelling reasons other than serious illness. The practical difficulties of implementing the "serious illness" qualification was also noted by the Commission.

It appears from this discussion that the recommendation may be one which the Commission may modify or reject in accordance with section 16 (5) of the Act.

Allowances

Clarification is requested on recommendations 1 and 2 under this heading.

Recommendation 1

An MHA whose district is in excess of 4 hours driving time from the capital region by the most direct route shall be entitled to one night accommodation while enroute to his/her district while the House is in session.

The discussion at the November 18 meeting respecting this recommendation centered on whether it could also be applied to travel to the Capital region and while the House was not in session. I understand from the discussion that, while these other scenarios were not raised by MHAs to the Committee, the Committee would have no objections if the recommendations were to be applied in those instances.

Recommendation 2

The allowable expense for an MHA for accommodation in a secondary residence should be fixed at \$53 per night for each night the MHA is required to be in the capital region attending to constituency business.

The only issue requiring clarity respecting this recommendation is the application of the \$53 daily amount when the secondary residence is in the District. As this is the case in the current rules, I understand that the Committee would concur with the recommendation being applied to secondary residences generally.

Other Recommendations

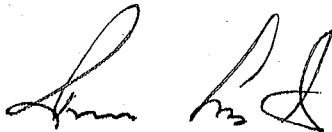
Although the recommendations regarding MHA information being available and accessible to the public did not elicit any discussion at the Commission meeting, there are a couple of issues which require clarification before House of Assembly staff can proceed with implementation.

1. With respect to web-posting Members' compensation, does the Committee see this as one of the quarterly updates referred to in recommendation C? The term "annual" is used in this recommendation, while recommendation C refers to a quarterly update.
2. Would a table format, which compiles all Members' attendance information for the previous year, be an acceptable alternative to scanning and posting the 48 separate PDF files to show the signed Declarations of Attendance?

The Commission would appreciate receiving your thoughts and advice on each of these matters to assist in its deliberations.

Thank you again for your efforts in preparing the Report. I look forward to hearing from the Committee in the near future.

Sincerely yours,



ROGER FITZGERALD
Speaker of the House of Assembly

c.c. Ms. Cathy Bennett
Mr. Brian Barry

The Commission met at 9:00 a.m. in the House of Assembly.

MR. SPEAKER (Fitzgerald): Good morning.

Again, welcome to a regular meeting of the members' Management Commission. My name is Roger Fitzgerald, Chair of the Management Commission by virtue of being the Speaker. We will start off, to my immediate left, with the introduction of other members present.

MR. T. OSBORNE: Tom Osborne, MHA, St. John's South.

MS BURKE: Joan Burke, MHA, St. George's-Stephenville East, and Government House Leader.

MS E. MARSHALL: Beth Marshall, MHA, Topsail.

MR. KELVIN PARSONS: Kelvin Parsons, MHA, Burgeo & LaPoile, and Opposition House Leader.

MS MICHAEL: Lorraine Michael, MHA, Signal Hill-Quidi Vidi.

MS KEEFE: Marie Keefe, Clerk's Office.

MR. MACKENZIE: Bill MacKenzie, Clerk.

MS LAMBE: Marlene Lambe, Chief Financial Officer.

MR. SPEAKER: I thank members for being present this morning.

The agenda is not a long one. The first item on the agenda will be the approval of minutes from the November 4 Management Commission meeting. Before we ask members to approve the minutes as written, I would like to recognize the Minister of Health and Community Services, Mr. Jerome Kennedy, who has joined us as well.

Members have had an opportunity to read a copy of the minutes as written for the November 4, 2009 meeting. If there are no errors or omissions, would somebody move that the minutes be adopted as written?

Ms Michael.

MS MICHAEL: So moved.

MR. SPEAKER: It is moved by Ms Michael, seconded by Mr. Kennedy, that the minutes of the November 4, 2009 meeting be adopted.

All those in favour, 'aye'.

SOME HON. MEMBERS: Aye.

MR. SPEAKER: All those against, 'nay'.

The motion is carried.

On motion, minutes adopted as circulated.

MR. SPEAKER: The first item on the agenda is the request from Mr. Fraser March regarding payment of legal fees. I will not go into the history of this specific request. As members know, and the viewing audience would know, this has been on the agenda for a while now.

At the last meeting of November 4, the Commission deferred a decision respecting a request from Mr. Fraser March for payment of legal fees pending a receipt of Justice O'Neill's perspective as to what extent Mr. March is expected to engage in the present review that is ongoing. There was a correspondence from the Clerk to Justice O'Neill. Justice O'Neill pretty well indicated that it should be up to Mr. March to ask for legal representation if he thought he needed it, and it would be up to the Commission to either approve or not approve that particular request.

As members know, the request has come forward. I will ask members now, in light of the information that has been provided, if

they are willing to take part in further discussion on this particular issue or make a motion to the effect of the request put forward by Mr. March.

Commentary?

Mr. Kennedy.

MR. KENNEDY: Yes, Mr. Speaker, I have thought about this and reviewed it. I am willing to support Mr. March's request, up to a certain amount.

I say this for the following reasons, Mr. Speaker. It was a decision of us, government, the House management committee, to give Mr. March an opportunity to be heard. In fact, we ordered this review. Mr. March then came to us and made a request in advance seeking legal counsel and outlining his reasons why. We went back to him and said: Well, can you give us an estimate of the legal fees? He came back with an estimate of the legal fees, having regard to the fact that the lawyers involved could not outline totally what it was they could be expected to do. However, they gave a good estimate. The estimate, Mr. Speaker, was in line with what I know is paid in legal fees. We then get a letter from the judge, the retired justice doing the review, Justice O'Neill, outlining his opinion, which essentially should be up to Mr. March.

So, having regard to the steps that have been taken, Mr. Speaker, we should be in line with any policy, if we were to adopt a policy. What I would suggest, having regard to this matter, is that legal fees be covered up to a certain amount. I am willing to suggest the amount of \$20,000. It seems to me that based upon everything I have read here, that would allow for whoever does the work. On legal fees, if Mr. Earle would be eighty hours at \$250 an hour, the combination of Mr. Earle and the junior counsel would certainly allow, I suggest, enough time. So that would be my opinion on this matter.

MR. SPEAKER: Further commentary?

Ms Michael.

MS MICHAEL: Thank you, Mr. Speaker.

For all the reasons outlined by Mr. Kennedy – and I will not repeat them all because I think I put most of those on record the last time we met – I, too, would agree with the legal fees. It is difficult making the decision about the amount, and yet I do think that there has to be a limit. The \$20,000 suggested by Mr. Kennedy sounds reasonable to me, again, based on having read everything very carefully and also sought advice of other people who know these issues as well.

So I would agree with approving the legal fees and I agree with the amount of \$20,000.

MR. SPEAKER: Further commentary?

Ms Marshall.

MS E. MARSHALL: Yes, Mr. Speaker, I discussed this at the last meeting when we discussed this issue. I indicated that I would not be supporting any motion to pay legal fees. I have not changed my mind, Mr. Speaker. I will not be supporting it.

Mr. March had requested an independent review, and we had agreed to that. There was never any indication that there would be legal fees; that he would be coming back asking the public purse to pay for legal fees. I did read the material that was provided by Justice O'Neill, and I would just like to conclude by saying I won't be supporting a motion to pay the legal fees.

MR. SPEAKER: Further commentary?

The motion, as I understand it, that is being put forward by Mr. Kennedy is that the Commission approve Mr. March's request for legal fees up to a maximum of \$20,000 to take part in the O'Neill review, seconded by Ms Michael.

All those in favour of the recommendation?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Those against?

The motion is carried.

The next item on the agenda is to invite the Members' Compensation Review Committee to the table to give members of the Commission an opportunity to ask questions and to further understand some recommendations as put forward by that particular committee.

As members know, this particular committee is struck by legislation in the House of Assembly Accountability and Integrity Act, which states that such a committee shall be struck once during each General Assembly.

The Compensation Review Committee has been appointed and has reported. The report has been made public. Members have had an opportunity to review the report and we are fortunate enough to have the Compensation Review Committee present this morning. They will entertain questions from the Management Commission regarding the report as provided.

So we will now take a quick recess to allow the Members' Compensation Review Committee to make themselves present here, in the Chamber, and we will resume with questioning and information session in five minutes.

This meeting is now recessed.

Recess

MR. SPEAKER (Fitzgerald): The meeting will now reconvene and I certainly welcome the Members' Compensation Review Committee here this morning: Mr. Joe O'Neill, Ms Cathy Bennett and Mr. Brian Barry.

The format of the meeting will be that we will ask Mr. O'Neill, who is the Chair of the committee, to make a couple of brief opening remarks and then maybe what we will do is take each recommendation individually and ask the Chair or a member of the committee to give an explanation where the recommendation came from, and the reason for the recommendation, and then we will allow each member of the Commission an opportunity to ask questions or seek clarification. That way we can keep it at one recommendation at a time and when we move away then we know that we are finished with that particular recommendation.

Welcome Mr. O'Neill, Ms Bennett and Mr. Barry. I will now turn the commentary over to Mr. Joe O'Neill, Chair of the Members' Compensation Review Committee.

Mr. O'Neill.

MR. O'NEILL: Thank you very much, Mr. Speaker.

Good morning hon. members of the Management Commission and the staff of the House of Assembly service.

Before we start, I, on behalf of Cathy and Brian, want to express a thank you to you for asking us to take on this inquiry and I also want to - I think we would be remiss, Mr. Speaker, if we did not express our gratitude to the staff of the House of Assembly service. When we started this inquiry back in July, the issues before of us, obviously, were fairly new to us, and it was only with the support and the help of the House of Assembly staff and the service that - it was very beneficial to us. They were available for us at all times, any time we needed them. Any time we wanted anything, we were provided it. So I just want to go on the record, Mr. Speaker, as expressing our gratitude to the House of Assembly staff and the House of Assembly service for helping us conduct this inquiry and prepare our report.

I certainly would invite my colleagues, Brian and Cathy, to make any commentary they would like to make with regard to the report and the recommendations made in it. It was a committee of three and, no doubt, we had some lively discussion at times, but I certainly appreciated the assistance of Brian and Cathy throughout the whole process of the report and certainly welcome any commentary they would like to make on any of the recommendations.

So, Mr. Speaker, if you wish, we can go right into the very first recommendation on salaries. I will make a very brief commentary, and then if Cathy and Brian wish to add, they can certainly do that and certainly be prepared to answer any questions or make any clarifications.

On the first recommendation, we did recommend that the 8 per cent salary increase that was accorded to the Members of the House of Assembly as of July 1, 2009 be relinquished, and that the salary for an MHA on a go-forward basis be the salary that was in place as of June 30, 2009.

Mr. Speaker, in our lead into that recommendation there were a number of issues that the committee examined: the issue around the comparison of current level of salaries of MHAs with colleagues across the country, the salaries with respect to comparisons to the senior public service, the timing of the 8 per cent increase on the first of July, the fact that in the Green report in 2007 the notion of tying MHA salary increments to the public service was proposed as an interim measure. So, when you look at those issues, we examined it in great detail, and I do not mind saying, Mr. Speaker, that this is a recommendation that, as a committee, we did not make lightly. It was a difficult issue for us; however, at the end of the day, as a committee, we decided that, based on what we had reviewed and what we had heard in the public presentations that we would recommend that the 8 per cent salary increase be relinquished.

MR. SPEAKER: Commentary? Questions? Anybody with any questions regarding recommendation number 1?

The recommendations can be found on page 43 of the report. They are laid out quite easy to follow there, and if members want to refer to that with some commentary or explanation, it is certainly welcome at this time.

Ms Bennett.

MS BENNETT: I just want to add to Joe's comments around the process that we took to actually undertake deliberating around the recommendations. Coming out of the Green report and being the first independent committee that was established, we thought it was extremely important that the process of listening to the public, as well as doing some really in-depth research, was followed. To give confidence to the integrity of an independent committee, we thought it was very important that we put a lot of time and effort in making sure that we gathered enough facts and did a good comparison, but also were able to represent what we heard in our public hearings as well as the written submissions and the numerous phone calls and e-mails that the committee received as well. It is important for people to believe that this is the way it is going to happen from now on.

MR. SPEAKER: Further commentary?

Ms Burke.

MS BURKE: I guess I want to comment on that 8 per cent increase, because since the election in 2007 we were required to have the committee review compensation and salaries. The formula was put in place and we struck the committee all at the same time it was coming together. I, for one, did not even understand that the 8 per cent was coming in as we were doing this particular review. I think the public perception may be that we probably held off on the committee until we had our 8 per cent in place.

What is really disappointing, I think, is the fact that I would have liked to have been notified, as an MHA, that the 8 per cent was due to come in at the same time the review was going on, so we could have looked at it independently until we had the committee report; because I really do not like the suggestion - or commentary, I guess - that I have heard, that we probably knew the 8 per cent was coming and held off on our committee until that time. So we had it, and it kind of made your decisions almost null and void as you went forward.

So, just for the public record, I was really disappointed that we did not have an opportunity to address the 8 per cent prior to striking the committee or that it all kind of happened the one time. I would have preferred, even if the 8 per cent was going to proceed - and I suppose it can if we vote this down. We are looking at the recommendations today, but I would have liked to have that at least postponed until we had the report back from the committee.

MR. SPEAKER: Further commentary?

Ms Michael.

MS MICHAEL: It is more of a question, and I think I am asking it from the perspective of looking to the next committee, when the next committee is struck, because you have left decisions around formulas, et cetera, with regard to salary to the next committee.

I notice in your report, you do have a jurisdictional comparison of members' salaries right across the country. Did you also find a comparison - because I do not think there is one attached to the report - with regard to formulas for annual adjustments, or adjustment period, to pass on as information to the next committee, or do we just assume they will have to start from scratch on that?

MR. SPEAKER: Mr. O'Neill.

MR. O'NEILL: In terms of annual adjustments for MHA and MLA salaries, Ms Michael? Yes, we did.

There are a number of different ways it is done across the country. Some jurisdictions tie it to the CPI. They do an annual CPI. Ontario, for example, ties it to the federal House of Commons salaries. It is 15 per cent less. So as the House of Commons' salary goes up, so does the Ontario MLAs. Some tie it to the average industrial wage for the province; some tie it to the average of the MLAs across the country. There are a number of ways I think that it can be looked at, and I know we are probably getting down into the next recommendation, but the reason we recommended that the salaries remain in place for, in our view, the next two years, and then the next Members' Compensation Review Committee be appointed within two years, is then that will give an opportunity for the next Members' Compensation Review Committee to look at all of those models, look at where the salary levels are at that time in comparison to other MLAs across the country.

As you certainly are aware of, in the Green report, and I guess going back to my days in the bureaucracy, when we look at comparisons across the country, while you look at the whole country, you tend to narrow in then on the more alike jurisdictions, like the Prairie Provinces - Saskatchewan, Manitoba - and the Atlantic region. So we thought it is best for the next Members' Compensation Review Committee to have that opportunity following their work, or as a part of their work, to look at the formulas for potential increases and how that may be adjusted on a go-forward basis.

MR. SPEAKER: The Clerk.

CLERK: Thank you, Mr. Speaker.

Just a few follow-up comments from Minister Burke's comments, in case the public was confused by this whole issue of

the 8 per cent increase. I suppose it was unfortunate that became effective July 1, while the committee was conducting its hearings.

The public should understand that Derek Green established the salary, in law, and that became effective July 1, 2007. He also established, in law, the adjustment formula, which was that MHAs would receive the same percentage increase that the public service received, but there would be a time lag of one year. In fact, the salary was established in the accountability act as of July 1, 2007. July 1, 2008, the 3 per cent increase, which had been applied to the public service the previous year, was applied. Now, in 2009, when the committee was working with the one year time delay, this was the 8 per cent that the public service got a year earlier, and if the amending formula were not to be adjusted, MHAs would get 4 per cent next year and the next year and the next, which is the same agreement that was negotiated with the public service.

So Green put that in as a temporary measure. Traditionally, for the last couple of decades, the adjustment mechanism has been whatever raise existed in the public service; no more, no less. Whatever the public service got, that was given to the MHAs salaries. So Green put that measure in as a temporary one pending the work of the committee.

The public needs to understand this was in law; this was drafted by Derek Green two years ago. There was no more to it than that. It is just an unfortunate coincidence of timing.

MR. SPEAKER: Further questions?

Mr. Parsons.

MR. KELVIN PARSONS: Thank you, Mr. Speaker.

I am just curious as to why the committee did not recommend the formula. We hear all the talk about the Green report, and we are living in the Green environment since Chief Justice Green rendered his report. He outlined the formula, as explained by the Clerk. So, you disregarded the formula that the Chief Justice recommended, which was what everyone was living by; so, you disregarded that. You had all the information of what happens everywhere else in the country, whether it is CPI or whatever, yet, you did not decide what the formula should be. It seems to me that you are very firm on making a decision vis-à-vis the 8 per cent, but you were not very firm when it came to saying: Okay, we believe this should be the formula.

I am just wondering why you would not have said: Okay, this is it. We are the new committee. We are the first one struck after Green. We are going to make the template that we are going to have on a go-forward basis and here it is.

As a group of parliamentarians we are no further ahead, as MHAs, than we were two years ago, in the sense of anyone who gets involved in this business you have no idea what formula you are facing. I am just wondering why the committee did not do that, if you had all the information before you.

MR. SPEAKER: Mr. O'Neill.

MR. O'NEILL: Yes, Mr. Parsons, when we looked at the - and I guess it is fair to say that we considered the public representations and we also looked at and considered the salaries of MHAs, MLAs across the country. In looking at that, if you look at the recommendation to relinquish the 8 per cent, that would put MHAs in this Province still at around \$95,000. If you do that comparison, if you look at Appendix F on the salary comparison, if you do the average for all of Canada, including the federal, the average today comes up around \$94,400. If you take out the federal, for

example, and you do the provinces and territories, that average comes out at around \$89,000. If you do the peer group that we talked about earlier, the average then comes out at around \$81,000.

The other issue, as we mentioned in the lead-up to the recommendation, was that we learned during the course of our inquiry that at least four jurisdictions have inched due to some form of wage freeze for their MHAs and MLAs. So we felt, based on that, that it would be appropriate that for the next two years there be a wage freeze and that the method of compensation, how MHAs are to be compensated, would be left to the next review committee, which we recommended should be done in two years' time.

MR. SPEAKER: Further commentary?

Mr. Parsons.

MR. KELVIN PARSONS: Thank you.

Just for the record again, and I will not belabour the point further, I have no problem with your recommendation, none at all. I just think your committee, with all due respect, missed the boat when you failed to give a formula; because that was part of it, I understood, that the committee would do, was to say: Yes, here is a recommendation but here is what you live by in the future.

I accept the recommendation. I have no difficulty with your recommendation whatsoever, but it did not do anything with giving anyone any guidance on a go-forward basis other than say shove it out to the next committee. I did not think that is what the Members' Compensation Review Committee was all about. I thought you people were about creating a formula, a template that everybody would know what they live with in the future.

MR. SPEAKER: Ms Bennett.

MS BENNETT: Just on that, I think one of the reasons why we were hesitant to

implement or recommend a formula going forward had more to do with the fact that we would strongly – underlined three times – encourage the House of Assembly Management Commission to look at implementing this committee six months after the next election. We felt, in our work, that the timing in the legislative session of calling the committee needs to be very close to the election; and, more importantly, when we looked at the salary recommendation in addition to allowance issues and other issues that we were asked to deal with, it was so close to when the Green report had been adopted and made into law that it was too early for us to deal with some of the issues. We really felt strongly that there needed to be another committee of ours struck as quickly as possible after the next election.

So, while that does not answer Mr. Parsons' questions and concerns, certainly I hope it would speak to our motivation of encouraging the Management Commission to look at six months from the next election striking this committee again.

MR. SPEAKER: Further commentary?

Mr. Barry.

MR. BARRY: Just to add, I do not know if it will clarify what Mr. Parsons has stated but it is hard to come up with a formula for an annual increase when we are suggesting a freeze. We are saying that the levels of compensation, at least for the next two years, should be adequate. So it is hard on one hand to say there will be an increase next year and the year after when we do not think there should be. So, that would be one reason.

MR. SPEAKER: Further commentary on this particular item?

It is my understanding, while we mention MHA salaries here, there are a number of positions that pay extra remuneration attached to the House of Assembly as well. I am thinking about the Leader of the

Opposition, Leader of the Third Party, Speaker. There are eleven, I think, in all. Your suggestion is that the 8 per cent on those particular remunerations be rolled back to July 1 as well?

MR. O'NEILL: That is correct, Mr. Speaker, yes.

MR. SPEAKER: Yes, okay. Thank you.

There being no further questions or commentary, we will move to recommendation number 2 on pensions.

Mr. O'Neill.

MR. O'NEILL: We probably already covered that recommendation, Mr. Speaker, in terms of, we are recommending that the salary referred to in number 1 be frozen at the level, pending the recommendations of the next Members' Compensation Review Committee appointed in accordance with the act.

MR. SPEAKER: The next one would be pensions.

MR. O'NEILL: Oh, I am sorry. Did you want to finish the other two on salaries, just...?

MR. SPEAKER: Well, it is my understanding that would be encompassed in commentary already made.

MR. O'NEILL: Okay.

MR. SPEAKER: The next one will be pensions.

MR. O'NEILL: Yes, Mr. Speaker. On pensions we had, of course - as I am sure everyone appreciates, pensions is a fairly complex issue and we spent a fair amount of time with the Pensions Division of the Department of Finance, with the experts in that division, learning about pensions. In the course of our public consultations, I do not think it would come as a surprise to

anybody that there are two key areas that emerge in regard to the current MHA pension plan, and that is: the annual accrual rate and the age of eligibility. Those are issues that I guess can be fairly said that for many years has been an issue with regard to the electorate of the Province. So it was on that basis that as a committee we decided we would address those two issues.

We also looked, as you are aware, at the comparison with MHA and MLA pensions across the country. We made some observations with regard to the current pension plan existing in this Province.

So based on that, Mr. Speaker, we recommended that the current MHA plan, the accrual rate, be reduced from its current level of 5 per cent per year - which currently is the second-best in the country, next to Nova Scotia - for the first ten years, and 2.5 per cent from years eleven to twenty, to be an accrual rate of 3.5 per cent per year for a maximum of twenty years. The effect of that recommendation, of course, reduces the maximum accrual from 75 per cent to 70 per cent.

The second issue is that the current MHA plan eligibility criteria in terms of the age be replaced, and that the age now be that an MHA will be eligible for pension entitlement at fifty-five years, provided that the MHA has five years' service and has served in at least two General Assemblies.

An MHA, of course, can elect to take a pension between the ages of fifty and fifty-five years, with a minimum of five years as an MHA and having served in at least two General Assemblies. However, in that event, the MHA pension would be reduced by 6 per cent per year, less than the age at which the unreduced pension would commence. That is a similar penalty provision, Mr. Speaker, that currently exists in the Public Sector Pension Plan.

Finally, Mr. Speaker, that the changes that we are recommending to the accrual rate and

to the age of eligibility be commenced as of the date of the coming into force of the legislation to give effect to those amendments. So, this would mean, of course, that these proposals will apply to MHAs who are first elected after the commencement of those amendments.

MR. SPEAKER: Commentary?

Ms Michael.

MS MICHAEL: I have a question, Mr. Speaker. Thank you.

I am curious. In the second part of the recommendation you say that the pension entitlement would come at the age of fifty-five years, provided the MHA has five years' service and has served in at least two General Assemblies. That is slightly different from where we are now, because now one of those General Assemblies has to be a full Assembly, is my understanding. Did you mean it that way or do you mean that both – you could, for example, have two in one year. Say you came in, in a by-election, and for some reason three in the next Assembly, and for whatever reason do not go into your fourth year, that would be five years and you are saying that person would get a pension. It is a change from what we have right now, I am pretty certain. I am pretty certain one of the Assemblies has to be a full Assembly.

MR. SPEAKER: Mr. O'Neill.

MR. O'NEILL: Ms Michael, no, certainly the intent of the recommendation was not to change that section of the criteria for eligibility.

MR. SPEAKER: Ms Michael.

MS MICHAEL: I think I am correct (inaudible). I should have checked it myself, but I forgot to do that. I am pretty certain that one Assembly has to be a full Assembly. Because I know my own experience, because of the fact that I served

in one Assembly, partially, a year, I need a full – that is not why I am going to stay in for four years, but I do know that I would have to serve the full Assembly if I were to get my pension. I am pretty sure that is the rule.

MR. SPEAKER: Maybe somebody else can comment, but that is not my understanding of that particular item as it exists today.

MS MICHAEL: Well, if I am wrong, fine.

MR. SPEAKER: It may very well be, but it is not the way that I understand it.

MS MICHAEL: It is my understanding. If I am wrong, fine. If I am correct, though, I think we should stay within whatever the rule is at the moment. That is my point, I think. So I wanted to make sure with the committee that they would want it to be whatever it is we have at the moment.

MR. SPEAKER: Further commentary? Questions?

Ms Marshall.

MS E. MARSHALL: Yes, I had a question or comment regarding the accrual rate. I know that we are using the percentages 5 per cent, 2.5 per cent, and we are moving to 3.5 per cent, but when Justice Green did his review, while our new salary is approximately \$95,000 for purposes of the pension, and this is my understanding, Justice Green said it will not be calculated on the \$95,000; it will be calculated on, I think, 81.2 per cent. So, in effect, the 5 per cent is not really 5 per cent; it is four point something per cent. The 2.5 per cent is no longer 2.5 per cent; I think it goes down to just over 2 per cent and, accordingly, the 3.5 per cent will actually be reduced to 2.84 per cent.

The comment I would like to make is that people are very sensitive to the accrual rates because our accrual rates are higher, say,

than the public service. I would like to see us move from these accrual rates to what I would consider the actual accrual rates, because it gives the impression that we are getting a bigger benefit than we are actually getting. So I would like to see the actual percentage used.

The other question I would like to ask is: Did the committee work up any examples with regard to some scenarios as to what an MHA would be entitled to under the old plan compared to the new plan so that we could, in effect, see exactly what is being put forward for us to approve? I generally find it interesting to see how the numbers work out. While it looks okay looking from a percentage point of view, it would be very interesting to see some examples to see how it converts over to the new plan. Perhaps the committee could answer that question.

MR. SPEAKER: Mr. O'Neill.

MR. O'NEILL: Thank you, Ms Marshall.

No, the committee, we did not get into any details in terms of looking at what this would look like in terms of what an MHA pension would result in as a result of the application of these accrual rates. I guess one of the reasons is that there are so many variants in terms of when you apply to pension. There are so many applications of different aspects of an MHA income that applies to the pension, and there are so many different percentages applied, that it becomes a very complex piece of business to do that.

What we looked at simply was, if you look at the accrual rate and if you look at the situation across Canada, at 5 per cent we were currently, of course, next to Nova Scotia. We were not the highest, but we were the second-highest in the country. So we felt it was important to address the basic accrual rate and also the age of eligibility at which an MHA could take a pension.

MR. SPEAKER: Ms Marshall.

MS E. MARSHALL: Could I make one further suggestion? I guess it really does not have to do with the committee, but if we are looking at legislative amendments perhaps we can look at how the accrual rate is embodied in legislation. Also, I would appreciate it perhaps if the officials could probably work up a couple of examples for us to take a look at as to how the new calculations – take a couple of examples and work through the old formula, and then work it through with the new formula so that we can see what the difference is.

MR. SPEAKER: Further commentary? Any other questions regarding the recommendations from the management review committee on pensions?

If not, we can move to the next recommendation, which again are two items on the recommendations on severance pay.

I ask Mr. O'Neill to make commentary and introduce that particular topic.

MR. O'NEILL: Thank you, Mr. Speaker.

On the severance pay issue, the committee did look at what was currently in existence across the country with regard to severance provisions for MHAs and MLAs. We also looked at the provisions that are in existence in the public service of the Province. Based on our review, we made two recommendations. One, of course, is that the current provision for the payment of severance remain unchanged. Of course, as we know, that provision is one month pay for every year of service, with a minimum of three months and a maximum of twelve.

The other issue on which we have made a recommendation, Mr. Speaker, is, should an MHA voluntarily resign prior to a general election for reasons other than his or her own serious illness, or serious illness in his or her immediate family, then an MHA shall not be eligible for severance pay.

I would like to take the opportunity, Mr. Speaker, to explain the committee's rationale for making that recommendation, because admittedly I do not think it is fully explained in that recommendation. The discussion that we had as a committee, and the reasons for making that recommendation, is that it was our view that if an MHA who is elected in a general election decides to move on for employment, takes up employment, full-time employment, during the term of the election, and does not suffer a break in financial remuneration, and as a result of that, of course, that then causes a by-election to be held in the Province, then it was our view that the consideration should be given that severance pay would not be paid in that scenario. I certainly recognize that is not well explained in recommendation 2, but we wanted to take this opportunity to explain to the Management Commission the committee's thinking behind that recommendation.

So basically, Mr. Speaker, if an MHA decided to move on between general elections to take up further employment, thereby, of course, causing a by-election to be held, it was the view of this committee that severance pay should not be granted. In any other case, there is no reason that the MHA should not receive their severance pay.

MR. SPEAKER: Ms Michael.

MS MICHAEL: Thank you.

I do have questions about the second part of your recommendation. I am glad you just gave the explanation you gave, because at least it explains to me where this came from, because I cannot find any precedence for this kind of thing anywhere that I have looked.

I think we are into a serious human rights issue here in what you are suggesting. For example, the privacy issues around illness are very serious in our society and in our

own legislation around privacy issues. If an MHA has to reveal either his or her own serious illness, or one in the family, I really do think we are into serious privacy.

In considering this - we obviously have to consider it because you have put it forward - I certainly am going to be asking for a lot of input from others who have more information than I do, both with regard to the privacy issues as well as the human rights issues. I think this recommendation, given your explanation, is still problematic.

Your explanation itself also - I know that MHAs are elected, parliamentarians are elected, but surely individuals do have the right to make a decision about a choice. It was an employment choice to run, if an MHA runs and gets elected. It is an employment choice. There could be other serious reasons why a person might, in midstream, decide to have to step down that are not related to an illness but still related to something very serious in the person's life. Severance is something that does recognize work that has been done. That is what severance is about.

So, even with your explanation, I still find this recommendation fairly problematic.

MR. SPEAKER: Further commentary?

Ms Burke.

MS BURKE: I guess I share Ms Michael's concerns regarding illness and the disclosure in particular if it was with a family member. The other recommendation that I look at here is the fact that, unless it is a serious illness, if somebody leaves during a term, that there is no severance.

My biggest concern in that regard is - and I understand where you are coming from, if someone leaves for employment purposes or some other reasons. If there is no employment attached to it, but there are some very serious issues they have to leave for, they are not entitled to EI either. So you

are kind of, all of a sudden, cutting off, I suppose, even a bridging to another form of income or something. So that part concerns me.

You could conceivably have a situation where somebody has served for twenty years, they are nowhere near fifty-five to collect a pension, but there were compelling reasons why they had to leave. In saying that, maybe at some point there could be more parameters put around it. I know when I was with the public service in the federal government, if you left for political reasons there was no severance. So, MHAs could be leaving the provincial Legislature to run federally. So there could be other circumstances - whether it is employment or political reasons - that would not sit well, that you collect your severance and move on. I think right now, what you are getting at here, obviously, you have explained about the employment and being able to move on, but I think there is still a gap right now that we are not addressing with the present recommendation.

MR. SPEAKER: Ms Marshall.

MS E. MARSHALL: Thank you, Mr. Speaker.

For this recommendation here, it was different from the previous two. The one on salaries and also the one on pensions, they will come into effect either immediately or some time in the near future, but this one does have almost a retroactive implication. So it does seem unfair in a way because we would have MHAs who have served three or four terms. The life of an MHA is sometimes very difficult and, of course, the longer you are in this business it probably gets a little bit more difficult.

I can see a scenario happening whereby someone who has served three terms and goes into a fourth term and halfway through decides, for family reasons or reasons other than medical, that it is time to exit and move on to something else; yet, the severance that

has been accumulated in three previous full Assemblies will no longer be paid out to that individual. It seems that this recommendation is unfair, can be unfair, in a number of instances. That was my primary concern with it, that it sort of has a retroactive application.

I did also want to make the same point that I made with the pensions. The accrual rate, we are talking about like a month for each year of service. When you take our gross salary and you reduce it according to Justice Green's formula, it actually does not work out to be a full month, so that is also an issue for me. Of course, I do have the same concerns that Ms Michael and Ms Burke mentioned with regard to serious illness. I mean, how are we going to police that? How are we going to patrol it and who, which individual or which panel of individuals, is going to decide whether the illness is serious enough to warrant the payout of severance? So I think there a number of issues there with regard to that recommendation.

Thank you, Mr. Speaker.

MR. SPEAKER: Mr. Osborne.

MR. T. OSBORNE: Thank you, Mr. Speaker.

When I read the recommendations regarding severance initially, my thought was that - because of in part what you had explained, Mr. O'Neill, that there was a cost if a member leaves prior to the completion of a term in regard to a by-election and other reasons that you have explained, but I did have a concern; and I would see your point and the point of the Commission in that regard, but I do have a concern. If a member is elected and serves out an entire term, I would feel that member has earned severance for that particular term. If a member then runs for re-election and serves only part of the following term, I see your point, but I think that a member who serves out a complete term should be entitled to the

severance for that particular term. That would be my recommendation.

MR. SPEAKER: Mr. Parsons.

MR. KELVIN PARSONS: Thank you.

I am a little bit lost here. My understanding is that the first part of the recommendations here leaves the severance provisions unchanged, so anyone who serves out a full term or whatever, there is no issue here because the committee has not recommended anything. It is only in the event, as I see it, that someone voluntarily resigns prior to a general election for reasons other than his or her own illness or a serious illness that it becomes an issue. Other than that, there is no change here. Am I correct in that understanding?

MR. SPEAKER: Mr. O'Neill.

MR. O'NEILL: That is right, Mr. Parsons. If a member, for example, is elected in an election and, coming up to the next election – we have elections every four years – the member decides that they are not going to stand for election, or is defeated, then that member would receive severance pay.

MR. SPEAKER: Mr. Parsons.

MR. KELVIN PARSONS: Yes, that is my understanding. So it only becomes an issue if you have gone through a general election and, before the next general election takes place, you decide that you voluntarily resign - is what you are saying - for reasons other than illness. So that is my understanding. I have a problem as well with that piece about voluntarily resigning because again severance is based upon what you earn for time worked. There may be very, very legitimate reasons why one might need to leave that employment, whether you are working as a lawyer or you are working as a cook, or whether you are working as a politician. I do not think you should tie the severance to whether someone voluntarily leaves it or not and only allow them to be

entitled to their severance because of sickness. There could be all kinds of reasons why someone legitimately leaves their employment before the term is actually up.

The other thing is, I think by having such a provision here, it could lead to abuses in the system. I submit that if someone has a legitimate reason to leave, other than illness, yet they know this provision is there, all you are going to do is encourage people to hang around just to get their severance. I mean, if I have a legitimate reason to leave in 2010 but you are telling me that I have got seventeen years' service, that I am not going to get it because I voluntarily leave, all of a sudden you are going to see people say: Well, that is fine; I will sit out for the next twelve months. I think that perverts the course of what democracy is all about.

You are here because people elect you and, like anybody else in the world, we should not be treated any better but we should not be treated any differently either. That is my view. If you decide to leave, that is up to the individual to change their employment, and politicians should not be treated any differently than anyone else. That is why we have provisions for by-elections.

MR. SPEAKER: Ms Michael.

MS MICHAEL: Thank you.

I just want to get clarification, because I am not sure that I am clear about your answer to Mr. Parsons, Mr. O'Neill. Are you saying that this second recommendation means that they would not get severance, only for the term during which they resigned? So, for example, if you use the example that Mr. Osborne used, if you had somebody who had twenty years in, and in the middle of the last term, which is to say the next Assembly, after already working twenty, that you are only talking about they are not getting severance for that term, or do you mean for their whole twenty? It is not clear to me what you meant. I agree with what Mr.

Osborne recommended. Are you saying that is what you intended, was what Mr. Osborne recommended?

MR. SPEAKER: Mr. O'Neill.

MR. O'NEILL: Thank you, Mr. Speaker.

The intent was that if an MHA resigns, regardless of how much time they have served, if an MHA resigns mid-term, and as a result of that causes a by-election to be held in the Province, if the MHA resigns to take on other employment, full-time employment, then the MHA would not receive severance.

MS MICHAEL: No matter how many years they have worked?

MR. O'NEILL: That is right.

MS MICHAEL: Well, I find that very problematic for the reasons that have been outlined by Ms Marshall, because that work has been done and that is what severance is all about. There is more discussion to be had on it, but I just wanted to be clear what you meant.

Thank you.

MR. SPEAKER: Mr. Osborne.

MR. T. OSBORNE: Ms Michael just made a point that I was going to make as well.

MR. SPEAKER: The Clerk.

CLERK: Yes, thank you, Mr. Speaker.

I just wanted to go back to Mr. O'Neill's introductory comments on the severance pay issue. As I understood it, the committee's key issue was simply voluntary leaving the MHA duties to go to alternate employment. The reason, outside of seeking alternate employment, was not a huge concern for the committee, whether it was illness, family related or otherwise.

It is conceivable - I could talk to the law clerk. There may be a way of talking about - if the key issue is moving to alternate employment, we may be able to draft something which addresses that issue of resigning as a member, causing a by-election, as the Committee said, for purposes of going to alternate employment. If that is the heart of the issue, there may be another way of drafting that for the Commission's consideration.

MR. SPEAKER: Ms Bennett.

MS BENNETT: Just for information, there is a jurisdiction in Canada that has already implemented a similar policy to this with regard to severance pay; I believe it is Manitoba.

I guess, just to explain the mindset of the committee when we were making this recommendation, we looked at severance pay as the bridging pay from one position to another position. We felt that if an individual who had served in the House of Assembly was successful in immediately moving to another position, and left the House of Assembly position that they put themselves forward for, and caused a by-election at a \$100,000 cost to the public purse, that we felt that was a reasonable expectation by the taxpayer that the severance would not be paid.

So one of the differences, I think, that is significant from the commentary that I have heard this morning is, in our minds, that we were looking at severance pay as not something that was earned but something that was there to bridge the gap between one position and another position, and that was just some explanation.

MR. SPEAKER: Mr. Osborne.

MR. T. OSBORNE: I guess the only comment that I would make on that is, if a member were to not offer for re-election they would get their severance pay. If they walked into a job the following day, they are

still entitled to their severance pay. If a member of the public service reached retirement and left, they would get their severance pay, and if they walked into a job the following day they still get their severance pay.

So I do find your recommendation still somewhat problematic, and again go back to the recommendation that I made that if a member serves out an entire term they should be entitled to that. If they leave partway through the following term, then only the term that they have left partway through - I agree that if a punitive measure is to be put in place, that it is put in place for the term that you leave through.

MR. SPEAKER: Further commentary? Questions?

Mr. O'Neill.

MR. O'NEILL: If I could, Mr. Speaker, I guess I just want to go back to, as an independent review committee, when we conducted this inquiry, as you know, we received many representations from the general public. Part of the discussion that we had as a committee around this issue had to necessarily take into consideration the views of the electorate as well as the impact that any recommendations we would have, if implemented, would have on the forty-eight elected officials in the House of Assembly.

So it was for that reason, when we looked at that recommendation, it was our view that if an MHA decided to leave, thereby costing the taxpayers of the Province approximately whatever a by-election costs - I am told it is in the vicinity of \$100,000 a year - if that MHA was going on to further full-time employment then, as Cathy just explained, it was our view that our recommendation would be that consideration should be given then as to whether or not that MHA would receive a severance package while leaving to take up full-time employment and thereby causing a by-election. That is simply, I guess, the principle behind it, Mr. Speaker.

The fact that implementing this sort of a provision is wrought with all kinds of challenges is not lost on the committee as well. We know that there are issues around this and that, no doubt, perhaps a great deal of discussion needs to be had with regard to how to implement this. For example, how do you determine serious illness? What is serious illness, and illness in a member's family?

The fact that this recommendation could have some real complexities, and as Mr. Parsons has indicated, certainly causing an MHA just to sit around so they can collect their pension is an issue, that could be a side issue with regard to something like this. So, for that reason, we recognize that a lot of discussion would necessarily need to be had around the practical application of this recommendation if it was accepted.

Clearly, as the committee Chair, I would want to clarify that the clear intent when we looked at it from the committee's perspective, taking into account the balance between the public, the electorate of the Province and the forty-eight MHAs, that was the rationale for us making the recommendation that we did.

MR. SPEAKER: I understand, if I am correct here, I am hearing that Item 2 under severance pay probably needs some further clarification and needs different language in order to portray even the intent of the committee here. Is that correct?

I think the committee will make themselves available to the Commission for a six-month period after the report is delivered. Are we suggesting that maybe we leave this item for further discussion and bring it back to the committee and have the House of Assembly staff work on a statement here, or something else on severance pay that the committee would agree to, or would clarify and accept and bring back to the Commission?

Mr. O'Neill.

MR. O'NEILL: Yes, Mr. Speaker, absolutely. We would be more than happy to engage in further discussions with the House of Assembly staff with regard to the practical application of the recommendation, should it receive some favour with the Commission.

I absolutely agree with Mr. Parsons. Having spent thirty-five years in the public service, I am not a proponent of putting a policy or a regulation or a law in place that basically you cannot apply. It is better that you not do it at all, in my view.

MR. SPEAKER: Further commentary?

Does the Clerk need any further clarification? The Clerk indicates that he is fine with that.

The next item on the agenda will be the recommendation under allowances. Since there are five particular items here, I think what we will do is take each one of those individually and that way we can move from Item 1 to Item 2, because they are completely different standing alone. So we will take each one individually, and I will ask Mr. O'Neill if he would start providing us with an explanation and with a commentary on Item 1 under allowances.

MR. O'NEILL: Thank you, Mr. Speaker.

As you know, of course, much of the discussion the committee had with regard to the allowances component of our inquiry, of our terms of reference, we had with MHAs who met with us. There was not very much discussion with members of the general public. So, in our discussions – because part of what we wanted to do as a committee when we invited MHAs to meet with us was to, in fact, seek the views of MHAs with regard to the application of the new allowance regime that had only been in place since 2007 – and, in fact, in place for, as we understand, just one full fiscal year. So we felt it was important to engage that discussion with MHAs.

What you will see following, Mr. Speaker, is an analysis of some of the key issues; we heard a number of issues. We obviously did not deal with all of them, but we felt that it was important that we deal with some of the key ones in the allowance section.

The first one, Mr. Speaker, deals with an issue that we heard from MHAs, which relates to if an MHA – and the way we framed the recommendation follows, I guess, the course of the discussion, Mr. Speaker, we had with the respective MHAs. The issue was this: that if the House is in session and an MHA living in a rural area that is a significant driving distance from the capital region has to leave on a Thursday evening to drive to his or her district, then if they encounter adverse weather conditions or severe driving conditions, they would have to seek the permission of the Speaker to take overnight accommodation. It was felt that this was challenging, it was problematic, and that the MHA should, in fact, have the opportunity to make that decision of their own accord, and obviously make their submission with regard to expenditures following taking that accommodation.

When we looked at it as a committee we saw that, from our perspective, there was a potential safety issue there that the – it probably was not really fair to the Speaker of the House of Assembly for an MHA to call from a distance and advise the Speaker of situations with regard to adverse weather conditions and dangerous driving conditions, and seek the permission of the Speaker to grant permission for overnight accommodation. So it was our recommendation, Mr. Speaker, that an MHA, for example, we felt, whose district is in excess of four hours' driving time from the capital region by the most direct route, shall be entitled to one night accommodation while en route to his or her district while the House is in session.

Now, we said while the House is in session, Mr. Speaker, because that is the way it was

characterized to us, that if the House - my understanding is that the House convenes in the afternoons, and the concern that was expressed to us by MHAs is that on a Thursday evening when the House clues up, and rural MHAs who live quite a distance from the capital region need to get back to their districts, it would be appropriate if they could leave the capital region on a Thursday evening, at least get a head start towards their districts, so that by the next morning they can finish their journey and conduct business in their district on a Friday. That is the way it was characterized to us, Mr. Speaker, and hence the reason for the recommendation.

MR. SPEAKER: Commentary?

Mr. Parsons.

MR. KELVIN PARSONS: Thank you.

I understand that it was the Member for Fortune Bay-Cape la Hune who might have made this concern known to you. I probably should have made it known myself - I thought it was going to be presented to your committee in a more general sense - because I am probably one of the few MHAs who run into this quite often. She presented it to you, I understand, from the point of view of the House was in session. If she left here to go to her district, for example, she might travel as far as Grand Falls on a Thursday night and then she could finish the trip the next morning, which was not allowed previously. She wanted some way to do that properly.

I saw it as a safety issue, myself, and not only when the House was in session. Like, I could be in here for either - I am a member of the Audit Committee of the management committee. I could be here because of the management committee. I might be in here because of the Public Accounts Committee. I might be in here just simply because I am on MHA business, or I may be in here because the House is in session, and to restrict it as to when you can or cannot look

after your safety does not make any sense to me. If I leave here, for example, to drive home on a Thursday and I hit a snowstorm in January when the House is not in session, or I hit a snowstorm in March when the House is in session, it is irrelevant to me. I still need to look after my safety. So, if I had to stop for the night because of a snowstorm, I just think that your provision - I understand why you said while the House is in session. I just think the whole rule does not make sense. If you are looking at it from a safety perspective, which it should be, you should not put that safety there only when the House is in session. That happens any time of the year.

MR. SPEAKER: Further commentary or questions?

Ms Michael.

MS MICHAEL: Thank you.

It seems to me that what we are trying to get at here - and I agree with what you are trying to get at - is that it really does not matter. If travel means that on a given night the person is not home, whether the person is still in St. John's or whether the person is en route, there is a night's accommodation that is allowed for. So it does not matter whether they are en route or in St. John's; if that is a legitimate not-at-home accommodation, it should be covered. I think that is probably what Mr. Parsons is saying, and that makes sense to me. Maybe there needs to be a rewriting to reflect that, if we all agree that is what is trying to be gotten at here. In your preamble in your report, that is what you talk about.

MR. SPEAKER: Ms Marshall.

MS E. MARSHALL: Yes, Mr. Speaker, I have two questions. The first one is: my understanding is that this recommendation would not result in providing an additional night's accommodations to the members. Is my understanding correct, that this would be within the current allocation? My second

question relates to: it is speaking about while en route to the district from St. John's. Was it the intent of the committee that it would be only going in one direction or would the recommendation also apply in reverse, somebody going from their district into St. John's?

MR. SPEAKER: Mr. O'Neill.

MR. O'NEILL: If you look at the way it was characterized to the committee, you would suggest that it would be going in one direction, but I go back to Mr. Parsons' comments which I think are very valid; because when we looked at it, and examined it in detail, we did see it first and foremost as a potential safety issue. Any rural MHA who has to travel – I guess, when you look at, as well, the geography of this Province, the capital region happens to be on the eastern-most part of a fairly large Island, whereas if you look at the Legislature, for example, in Nova Scotia, it is in Halifax; in New Brunswick, it is in Fredericton. So I think it becomes rather unique in this Province that you have rural MHAs who live quite a long distance from the capital region.

So I think, Ms Marshall, it would only be appropriate, and I am sure Cathy and Brian can speak to it as well, but from the committee's perspective, if it creates an issue of safety, whether it is going to the district or coming back from the district, whether it is when the House is session or the House is not in session, the bottom issue is if this creates a safety issue, first of all, it is not really appropriate to have to call the Speaker and have the Speaker make that determination from the House of Assembly or from the capital region. So an MHA needs to be able to make that determination regardless of the conditions. The fact that they live so far from the capital region, I think, is key and they need to be able to make that determination of their own accord and have that accommodation. As Ms Michael has indicated, once you leave your district then you are having accommodations

somewhere, whether it is halfway or whether it is in the capital region.

So we think it is certainly very - the commentary from Commission members, Mr. Speaker, is very appropriate.

MR. SPEAKER: Mr. Parsons.

MR. KELVIN PARSONS: Clarification. Ms Marshall asked: Would this night come out of your given allocation? That causes me, again, some confusion; because if I come from my district - I live in Port aux Basques - if I come in here, for example, right now under the current rules I am allowed fifty nights per year when the House is not in session. We are talking here about a situation where I have been in town, I have done my business, and I am leaving to go home tomorrow morning. I run into a snowstorm and I stop in Grand Falls. Are you suggesting that because I stopped in Grand Falls, because of a snowstorm, for the night, that night now comes off of my fifty nights?

MR. SPEAKER: Mr. O'Neill.

MR. O'NEILL: No, I am sorry. Obviously, that would have to be in addition because you are now incurring. So, from that perspective, where that is incurred, that would be an additional cost.

MR. SPEAKER: Mr. Parsons.

MR. KELVIN PARSONS: Thank you.

Would it be fair to say, then, or can the committee say, or are you prepared to say, that this recommendation was very prescriptive because, for example, of the use of the words, while the House is in session; but, is it appropriate for the committee to say you have reflected upon this, or can you reflect upon this to say that there are other circumstances that it would be permissible? Because otherwise, you see, the public are going to say, if I get caught in a snowstorm: Mr. Parsons, pay for it out of your pocket.

It has gotten to that point now, in the public perception, that, regardless if Chief Justice Green does not say it or you do not say it as a committee, if we say it ourselves, they are going to say: Tough! You are in a snowstorm; pay it yourself.

I am just wondering for some guidance here from you people. Does it make any difference now that you understand fuller what the circumstances might be, that we can get some further advice from you people?

MR. SPEAKER: Ms Bennett.

MS BENNETT: Two points. One: I think, from our perspective, one of the things that we learned as we went through this process from July to the end of October was that there is a mechanism in place right now for those decisions to be made; and, quite frankly and bluntly, and dare I say somewhat directly, it is the Management Commission's responsibility to make some of those decisions on policies, and they do have the ability to do that.

We are very cognizant, as a committee, of the sensitivity that, so close to Green, very few changes are being permitted by the public and certainly by the Management Commission and by the Legislature as a whole. As a committee, though, looking at the details of these allowances, it is apparent to us that the tendency not to make the changes, and deferring those to a commission or a committee like ours, is going to continue to create a lot of time and energy that is not necessarily productive.

Mr. Parsons, the other thing I will add, too, is: As a committee, one of the things we were vehemently adamant on was that we wanted to meet with MHAs. It was very, very unfortunate that those meetings were characterized the way that they were characterized; because, for us to make informed decisions, in particular on the one that we are talking about now - we are not living the life of an MHA, we are not

dealing with the expenditures and the expenses and the things that you have to deal with - we needed to hear that information.

One of the things I would personally say is, when we get to this next committee there is going to have to be an understanding from the public and from the House of Assembly members that the committee needs to hear from the members; and, secondly, that decisions like this that require maybe a small policy change at the Management Commission need to happen at the Management Commission, and the Commission needs to be empowered to do that.

MR. SPEAKER: Members' allowances and benefits are certainly complex, and I would think that Chief Justice Green, in his recommendations, probably was of the understanding when he suggested that the Members' Compensation Review Committee remain available to the Commission for six months was probably a reflection of what he experienced himself in putting forward recommendations and suggestions and the wherewithal of the House to be able to work within that and allow members to represent their constituencies and to be available to their constituents. Hence the reason why we are dealing with some of those issues here today and seeking further clarification.

Further commentary on Item 1?

Here again I think there needs to be clarification, and I think it needs to be done with the involvement of House of Assembly staff and the committee. I guess it would be advisable to me to say again that the House of Assembly will work with and make suggestions back to the committee to have them look at this particular recommendation, where we can fine-tune it and make it workable in order for members to be able to carry out their due diligence as elected officials.

The next item would be Item 2.

Mr. O'Neill.

MR. O'NEILL: Thank you, Mr. Speaker.

The next item deals with the accommodation for MHAs in a secondary residence. When an MHA is required to be in the capital region attending to constituency business, the committee recommends that that expense be fixed at \$53 per night.

MR. SPEAKER: Commentary?

Ms Marshall.

MS E. MARSHALL: One question. This does not provide for an increase in the number of nights, does it? So when the House is not in session your cap is your fifty nights, is that correct?

MR. SPEAKER: Mr. O'Neill.

MR. O'NEILL: That is correct, Mr. Speaker.

MR. SPEAKER: Further commentary?

Mr. Parsons.

MR. KELVIN PARSONS: Mr. Speaker, I wonder if the House staff could explain, because the public probably – I am a bit foggy myself on this issue of secondary residence. I currently live in the district, and whenever I come in here I usually get temporary accommodations, which would be like a hotel. Are we suggesting here now that if I were to live in my District of Burgeo & LaPoile permanently, but rent an accommodation in here, say rent an apartment, is this saying now that – and if I live in that apartment eight nights a month, ten nights of a month - I would charge \$53 per night for each of those nights? Is that the way the system works right now, and is that what is happening here?

MR. SPEAKER: Ms Lambe.

MS LAMBE: Yes, I would assume that is what is being suggested by this recommendation, that instead of the prorated amount that a member would receive now, based on the cost as outlined in the rules and prorated for each night, in lieu of that, you would get the set \$53 for each night you actually occupy that residence.

MR. SPEAKER: Mr. Parsons.

MR. KELVIN PARSONS: So in a nutshell again, to use an example, I live in Burgeo & LaPoile, permanently. I rent a place in here in St. John's, and I am here ten nights of a month in January. I would charge \$530 for those accommodations that I would use to help pay my rent here, and that is it you are saying?

MR. SPEAKER: Ms Lambe.

MS LAMBE: Yes, that would be my reading of the recommendation. Really, the only thing changed from the old rule is the amount that you can claim for each night that you are in the secondary residence.

MR. SPEAKER: Mr. Parsons.

MR. KELVIN PARSONS: For clarification again: Is there any crossover between this figure that is being suggested here for secondary residence, because it is identical to the amount that you currently are allowed to claim for your per diem for meals, \$53. So that is two different issues we are talking here. So if I were to come into St. John's, you are saying, and have an apartment in here, I would get \$53 per day for a secondary residence, and I would also get \$53 for that day for meal allowance, \$106 in total.

MR. SPEAKER: Ms Lambe.

MS LAMBE: The meal allowance is actually \$50 a day. So it would be the \$50 - but it would be the \$50 plus the \$53 for the secondary residence.

MR. SPEAKER: Further commentary?

Mr. Kennedy.

MR. KENNEDY: Yes, thank you, Mr. Speaker.

I think this is one that is good common sense. If we are paying for our MHAs to come into a hotel, spend \$150 a night, for example, in St. John's in a hotel - and my understanding is some of these can go up to 100 nights a year, between your fifty nights and your nights when the House of Assembly is sitting. So if you just do the math on it, we are going from \$15,000, \$16,000 a year it is costing the taxpayers, whereas if we do it at 100, even if it is the same 100 nights at \$53 a night, that is \$5,000. So we are saving the taxpayers money.

I also think that there is a health issue, too, Mr. Speaker. Anyone who has spent time living in hotels, it is not fun. You do not eat as well, you do not sleep as well, or at least I do not. I do not know about other people. So it seems to me we are allowing our rural MHAs to have a place in St. John's, if they wish to do it that way, to call their own, but, more importantly, or just as importantly, we are saving taxpayers money. That is the one thing that is always, on this one, I have been strong about, is that it comes down to savings that could be up to \$10,000 a year per MHA, from what I understand. I do not know if those figures are correct, and I thought I had read them somewhere. It might have been Mr. MacKenzie's memo he gave. So I am strongly supportive of something like this simply because, one, it is better for the MHAs, and, two, it saves the taxpayers money.

MR. SPEAKER: Further commentary?

Ms Burke.

MS BURKE: I would like to comment that - agreeing with what Mr. Kennedy just said - if an MHA determines that they are going to

stay in a secondary residence as opposed to a hotel, it is cost-effective, but I think we should do some analysis as we move forward to see if the \$53 a night is an appropriate incentive that people would do that; because when we look at some of the analysis we have here, the monthly average is about \$508 and I do not know how many apartments you are going to get in St. John's right now for \$500.

So if we can continue to do the analysis - and I would not suggest at this point that we change the \$53, but we may need to close the gap a bit more and then we could truly encourage MHAs to look at secondary residences as opposed to hotels, because right now where the rationale - and I understand your logic. I do not know if the incentive at this time, based on the rental properties in St. John's, is going to actually encourage the MHAs to make the change, so we are still probably going to be spending thousands of dollars more than necessary because we are looking at \$53 probably versus \$70 or something like that. I think we need to do an ongoing analysis, and at this point I would not suggest that we change that number.

MR. SPEAKER: Further commentary?

Just for explanation, presently Members of the House of Assembly determine their secondary residence either in the capital region or in their constituency. We do have some members that have a secondary residence in the constituency that they represent.

While we are talking about the capital region here, was it the committee's wish as well that if the secondary residence is in the member's constituency that the member would still be allowed to claim the \$53 a night as they can presently do?

Mr. O'Neill.

MR. O'NEILL: To be honest, Mr. Speaker, I do not know that we got into it in that

detail. The issue that was framed to the committee was the issue around residence and staying in the capital region.

MR. SPEAKER: Mr. Kennedy.

MR. KENNEDY: Yes, I know there is at least one, if not a couple of MHAs who come to my mind whose secondary residence would be in the district. For example, the Member for Grand Bank, I know. He is driving four hours, and if he goes out there he either has to stay in a hotel or in a private residence. So I do not know if there would be any difference in that respect, if you have a secondary residence in the district.

MR. SPEAKER: So was it the committee's understanding or thought that this would still remain the same, that the member with his secondary residence in his or her constituency would still be able to access the \$53 per night for the number of trips that they would ordinarily be allowed to claim?

Mr. O'Neill.

MR. O'NEILL: I think certainly if it follows the same general application as Mr. Kennedy has just outlined, then there is no reason why he should not apply.

MR. SPEAKER: Thank you.

Further commentary or questions on Item 2?

The next item on the agenda will be Item 3.

Mr. O'Neill.

MR. O'NEILL: Thank you, Mr. Speaker.

This issue relates to the individual specific constituency allowance amounts that are currently contained in the schedule to the rules which were, as the committee understands, allocated coming out of the Green report. Our understanding, of course, is that when those amounts were allocated in 2007 they were basically a snapshot in time

and it is certainly reasonable to assume that those amounts will necessarily change, based on the experiences that the MHAs are having in regard to the new constituency allowance amounts, either up or down. When we reviewed the expenditure statements, for example, for the rural and the urban MHAs, we did notice that in the first fiscal year of operation there were certainly discrepancies with regard to the amounts that were used. For example, in the capital region it was noticed by the committee that very little of the - I think it was a \$7,500 total amount actually used.

So, based on those observations, Mr. Speaker, we made a recommendation that those specific amounts in the schedules be reviewed on an annual basis, and that any changes to be made would be made on the basis of a submission made by the respective MHA outlining the rationale for requesting a change in that amount, any changes of an unforeseen nature that may have occurred in a specific district that is likely to have a significant impact on a district and its constituents, and that is further explained in the lead-up to the recommendation.

The appropriateness of the existing specific district allocation, based on the experience of MHA expenditure in the previous year, and that, Mr. Speaker, relates to what I indicated just earlier in terms of our observation of the current \$7,500 that is provided to MHAs within the capital region, did not show that very much of that expenditure was used. So, on that basis we made that recommendation.

MR. SPEAKER: Commentary?
Questions?

There being none, we can move to Item 4 under allowances.

Mr. O'Neill.

MR. O'NEILL: Thank you, Mr. Speaker.

On Item 4, Mr. Speaker, this is an issue that, while it has limited application, it was characterized to this committee that there are districts in the Province which require the use of other modes of travel other than are currently outlined in the legislation and in the rules. Our understanding of the issue is that an MHA who from time to time is required to use other modes of transportation, must, prior to using those modes of transportation, seek the prior approval of the Speaker.

We felt that if an MHA is required to move around his or her district using other modes of travel, then it should be left to the MHA to make that determination without having to require the prior approval of the Speaker. Certainly, any modes of travel that are used, whether it is a snowmobile or whether it is a helicopter or a boat, then obviously the MHA would have to submit the necessary invoices acceptable to the House of Assembly for reimbursement.

MR. SPEAKER: Commentary?
Questions?

There being none, we will move to Item 5 under allowances.

Mr. O'Neill.

MR. O'NEILL: Thank you, Mr. Speaker.

The final recommendation on the allowances deals with the automobile allowance that was in place for the Office of the Speaker, the Leader of the Opposition and the Leader of the Third Party before 2007.

This issue, of course, was addressed in the terms of reference to the committee. When the committee looked at the correspondence and the documentation around this issue, including correspondence between the Clerk of the House of Assembly, the Comptroller General's office, the wording in the legislation and, I might say, Mr. Speaker, more particularly, the Green Report itself, as

indicated in our commentary, again leading up to the recommendation, one of the observations that we made as a committee with regard to the Green Report is that if Mr. Justice Green meant to indicate something then he was generally very clear on it. We did not find that clarity in the Green Report.

So based on our review and analysis of the documentation we had before us, it was our view that there was never any intent to remove the current automobile allowance that was in place for the Office of the Speaker, the Leader of the Opposition, the Leader of the Third Party, and accordingly, we made the recommendation.

MR. SPEAKER: Commentary?

Ms Burke.

MS BURKE: I guess my question is along the lines, is it being recommended that it is a non-accountable allowance or a non-taxable allowance because it is taxable, from my understanding, for ministers who receive it.

MR. SPEAKER: The Clerk.

CLERK: Yes, thank you, Mr. Speaker.

The current wording, which was why the Comptroller General and the Department of Justice had problem is: non-accountable. So, that is what the Act says now, but the Green Report speaks of it as non-taxable. I think to implement this we would have to amend the act, delete the term: non-accountable, and substitute: non-taxable. Because the automobile allowance is taxable, ministers pay tax on it, party leaders would pay tax on it. Then the prohibition against new non-taxable allowances would not apply to the automobile allowance. So that would simplify, as much it is needed, to clarify the situation.

Fifteen has a prohibition against certain types of allowances. We just need to apply that to non-taxable, so there is a prohibition against new non-taxable allowances.

MR. SPEAKER: Ms Burke.

MS BURKE: So we would bring in a non-taxable allowance as taxable?

CLERK: No. The automobile allowance is taxable for ministers and it would be for the Speaker and the leaders of the Opposition parties as well. It is the fact that section 15 is written in the negative that the only way to bring in one of these allowances is with the Members' Compensation Review Committee recommending it.

The offending word is: non-accountable, from the perspective of the Department of Justice and Comptroller General. If that says non-taxable, then it does not include the automobile allowance because that is taxable.

MR. SPEAKER: Ms Burke.

MS BURKE: I would have to see it written.

MR. SPEAKER: Further commentary on Item 5 under allowances? If not, we will move on to other recommendations as suggested by the Members' Compensation Review Committee.

Mr. O'Neill.

MR. O'NEILL: Thank you, Mr. Speaker.

Yes, Mr. Speaker, in the course of conducting our work, we felt that it hopefully might be helpful and instructive to the House of Assembly if we made certain recommendations with regard to, in the first case, MHA information that is available and accessible to the public. I certainly do not want to spend very much time on this, Mr. Speaker.

For the record, I would like to say that one of the things that we found, I guess, interesting when we conducted our public presentations was the lack of clarity and the lack of information available – not available to the public, but that the public was aware

of that was currently available with regard to accountability and transparency with regard to the House of Assembly since 2007.

We would certainly hope that efforts can be made, on a go-forward basis, certainly between now and the appointment of the next Members' Compensation Review Committee, that the greater awareness, that the public be made more aware of just exactly what is available to them today. It was our finding, in talking to the public, that there was not a great awareness of what was there.

In terms of the information, we suggested that the information on the House of Assembly Web site would contain the MHAs total compensation, including the amounts received for performing additional duties. That a copy of the MHAs' declaration of attendance, which is currently required in the act, and the current member accountability and disclosure reports be continued, with detailed notes ensuring the expenditures are easily understood by the electorate. And that this information be readily accessible to any member of the public, and that the information, except as otherwise stated, should be updated on a quarterly basis.

Mr. Speaker, one of the things, I think, perhaps for Cathy, Brian and I, would like to place before the House of Assembly Management Commission and the House of Assembly itself is that we have started on a process and we have addressed it in our report that the world has changed substantially since the Green report in 2007 with regard to the House of Assembly, with regard to accountability, with regard to transparency. Any effort that can be made to make a greater awareness to the electorate of the Province, to the general public, to show clearly how things have substantially changed since 2007, we believe, would be very helpful.

MR. SPEAKER: Commentary?
Questions?

Seeing none, are there any concluding remarks, Mr. O'Neill, or any members of the committee?

MR. O'NEILL: I will just make a couple of remarks, Mr. Speaker, and I will certainly invite my colleagues on the committee to make concluding remarks as well. Again, we want to thank you for giving us what I consider to be an honour to do this particular piece of work.

Perhaps if we had known going into it the challenges that came before us, we may have made different decisions, but we did not do that. We accepted the task. The task became a challenging one. The recommendations we made were certainly not made lightly as we indicated.

Mr. Speaker, again, for the record, and as chair of the first members' compensation independent review committee, I would like to say that I think the single biggest gap in what we have now is a lack of appreciation by the public of the Province, by the electorate, of the role and responsibilities, the duties that are served by the forty-eight elected officials in this House of Assembly, number one. Number two, as I just indicated, the significant shift that has occurred since 2007. We have mentioned it in our report.

I think, unfortunately, reports generally get read beginning at the back. The executive summary gets read and the recommendations get read. I would certainly encourage the members of the public to read our report to gain a greater appreciation of the difficulties that elected officials in this Province, the challenges that they have, that we heard, and also to encourage the electorate to become more aware of those things and to encourage a greater exchange of communication so that when the next - if the next Members' Compensation Review Committee is in fact appointed within two year's time, which we strongly recommend, Mr. Speaker, that we have that greater appreciation, because as

Cathy indicated, one of the concerns we had was the characterization of our request to meet with MHAs. MHAs did not request to meet with us. We requested that we meet with MHAs because we needed to have that information. We needed to meet in that forum to get that information and, unfortunately, I believe it got wrongly characterized. So I believe that if we can work towards creating a greater understanding of the process, a greater understanding of what occurs and a great understanding of, in fact, how the world has changed since 2007 with regard to this House of Assembly, I think we would all be the beneficiary.

So with that, Mr. Speaker, I turn it over to my colleagues, and I thank you very much.

MR. SPEAKER: Further commentary?

MS BENNETT: We will leave it there.

MR. SPEAKER: On behalf of the Management Commission and on behalf of the Members of the House of Assembly I would like to thank Mr. O'Neill, Ms Bennett and Mr. Barry for your work. It was a monumental task. It was the first time that members went out and polled the general public. I followed some of your meetings. I know that they were not well attended at times but I think that is a reflection of what the piece of work was all about. I thank the committee. I thank you for submitting your report on time, in a timely manner. It is obvious that further clarification is needed. So we will work out a way of dealing with the points of clarification and the recommendations to have it brought back to the Commission knowing full well, either by a meeting or by some other way or means of the Commission, knowing full well that this is the understanding of the recommendation as brought forward by the committee. Thank you very much for your work, and thank you.

Maybe we can just excuse the committee and just take a few minutes to wrap up our

meeting here. I understand that is the book of business that we had intended to do today. Members have other commitments as well.

If it is okay with the Commission, we can now take the information that we have heard and take it back to our individual caucuses, get input from the members, have the staff work on the clarifications of what we heard today and what we understand to be the intent of the commission, and make it available to the Commission members and to members so that we might be able to discuss it knowing full well what the recommendations should be.

With that, adjournment is in order. We will ask the members again to come forward and have another meeting at the earliest time possible because there are some changes that have to be made by changes in legislation on at least two particular items.

I thank Commission members; I thank staff of the House of Assembly.

It is moved by Ms Burke, seconded by Ms Marshall, that this meeting do now adjourn.

All those in favour, 'aye'.

SOME HON. MEMBERS: Aye.

MR. SPEAKER: All those against, 'nay'.

This meeting now stands adjourned.

On motion, meeting adjourned.

**House of Assembly Management Commission
Briefing Note**

Title: Members' Compensation Review Committee Recommendations

Issue: Proposed Rule Amendment – Overnight Accommodations

Background:

- The first MCRC recommendation under **Allowances** states: “An MHA whose district is in excess of 4 hours driving time from the capital region by the most direct route shall be entitled to one night accommodation while enroute to his/her district while the House is in session”.
- This proposed amendment to the Rules relates to overnight accommodation for MHAs when traveling to the Member's District or permanent residence when the House is in session. Under the current rules, an MHA is entitled to one return trip per week to his or her permanent residence or district when the House of Assembly is in session but is prohibited from being reimbursed for overnight accommodation while traveling unless the MHA receives permission from the Speaker.
- The MCRC received representation from a Member respecting leaving the capital region when the House of Assembly adjourns Thursday at 5:30 p.m. and traveling part way to the District, staying overnight with temporary accommodations reimbursed, and concluding the trip on Friday. The MCRC also noted that MHAs may have to drive long distances after normal working hours, often at night, in less than ideal driving conditions, so the issue of safety arises. As temporary accommodations would have been reimbursed in the capital region for that night, the MCRC concluded that the request was a reasonable one and made the above recommendation.
- At the November 18 meeting of the Commission and the MCRC, discussion occurred respecting other travel between the capital region and district/permanent residence (Hansard, p 16 ff.). The MCRC recommendation was specific to travel to the district while the House was in session. The MCRC Chair, Mr. O'Neill, agreed that the safety issue applies to all travel of a certain duration. This was confirmed in Mr. O'Neill's letter of December 01 on behalf of the MCRC.
- In light of the November 18 discussion and the subsequent correspondence, the proposed amendment to the Members' Resources and Allowances Rules, attached below, applies this recommendation to travel to and from the capital region whether or not the House is in session.

- The qualification of “4 hours driving time” is an imprecise and potentially troublesome means of applying this recommendation as driving speed is unknown and the legal range for driving speed is quite broad. Similarly, applying a certain distance to equate to “4 hours driving” (e.g., 400 km.) is also inaccurate in that it does not account for secondary road speed limits, road conditions, etc. For clarity, the proposed amendments suggest that specific districts be identified to address the spirit of the four hours qualification, rather than using either hours or kilometers.

Action Required:

Pursuant to paragraph 15(5)(c) of the *House of Assembly Accountability, Integrity and Administration Act*, the Commission gives 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 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-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 Bay;
 - (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.

Drafted by: Marie Keefe
Date: January 18, 2010

Approved by: Wm. MacKenzie

**House of Assembly Management Commission
Briefing Note**

Title: Members' Compensation Review Committee Recommendations

Issue: Proposed Rule Amendment – Secondary Residences

Background:

- The second recommendation of the Members' Compensation Review Committee (MCRC) under **Allowances** states: “the allowable expense for an MHA for accommodation in a secondary residence should be fixed at \$53 per night for each night the MHA is required to be in the capital region attending to constituency business”.
- This recommendation relates to expenses for overnight accommodations in secondary residences in the capital region. Under the current rules, an MHA may claim a prorated daily amount for accommodation in a secondary residence based on an estimated annual cost of defined expenses for that secondary residence for each night the secondary residence is actually used. (The other two accommodation options are temporary accommodations (e.g., hotel) which is reimbursed in full with receipts or private accommodation for which an MHA may claim \$53 per day.)
- The MCRC report noted that this issue “generated a great deal of discussion with House of Assembly staff and MHAs”. The renting of hotel rooms is costly and not a suitable form of accommodation for lengthy periods of time. When the House is in session, hotel accommodation usually means checking into a hotel on Sunday night and checking out on Thursday or Friday every week. MHAs would prefer an apartment type arrangement, but the current Rules respecting secondary accommodations result in substantial personal cost to an MHA who chooses this option.
- Secondary residences are most often used in the capital region by Members who reside outside the capital. However, a Member who resides in the capital region is also entitled to have a secondary residence in his or her district if that district is outside the capital region. Although the MCRC recommendation specified in the capital region, subsequent discussion (Hansard, p. 20 ff.) and correspondence from the MCRC clarified that the proposal respecting secondary residence expenses would apply whether the secondary residence was located in the capital region or the district. The proposed amendments, attached below, give effect to this.

- If the flat rate of \$53 per night is accepted, subsections 41(2), (3) and (4) of the Rules, respecting the calculation of secondary expenses, will have to be repealed. This is incorporated in the proposed amendments.
- Directives **2007-002** and **2007-004** (attached) were issued by the Commission following its first meeting on August 29, 2007 to address certain omissions and deficiencies in the Rules respecting receipts, private accommodations and secondary residences. The Comptroller General has recommended that the matters addressed by these two Directives be incorporated into the Rules. In addressing the sections of the Rules which require amendment as a result of the MCRC recommendation respecting secondary residence expenses, we have addressed the Comptroller General's recommendation.

Action Required:

Recommended Minutes:

1. Directives **2007-002** and **2007-004** are repealed upon the coming into force of the approved rule amendments.
2. Pursuant to paragraph 15(5)(c) of the *House of Assembly Accountability, Integrity and Administration Act*, the Commission gives 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.

Drafted by: Marie Keefe
Date: January 18, 2010

Approved by: Wm. MacKenzie



HOUSE OF ASSEMBLY MANAGEMENT COMMISSION

DIRECTIVE

Directive Number 2007 – 002

<u>Effective Date:</u> October 9, 2007	<u>Commission Minute:</u> CM 2007 - 004	
<u>Subject:</u> Clarification of Rules - Travel and Living Allowances	<u>Reference:</u> HOAMC Meeting, August 29, 2007 Agenda Item No. 8	
<u>Issued To:</u> All Members of the House of Assembly; Comptroller General; Directors of Government Accounting, Professional Services and Internal Audit, OMSP, and Corporate Services; Office of the Auditor General; Office Managers of Government Caucus, Official Opposition Caucus, NDP Caucus; Director of Information Management; Assistant Deputy Clerk, Executive Council	<u>Contact:</u> Marlene Lambe Chief Financial Officer 729 – 2923	

BACKGROUND

Amendments are required on three issues related to Travel and Living Allowances to ensure the intent of the *Members' Resources and Allowances Rules* is maintained regarding the requirement for receipts under subsection 32(2)(b)(i); the inclusion of private accommodations under subsection 31(1); and the provision of maximum reimbursement amounts for temporary accommodations under 35 (b)(i).

Pursuant to subparagraph 20(6)(b)(i) of the *House of Assembly Accountability, Integrity and Administration Act*, the Commission directed that the following interpretation Directive be issued with respect to Sections 31, 32 and 35 of the *Members' Resources and Allowances Rules*.

DIRECTIVE

Subsection 31(1) should be interpreted as if the words “or private” appeared after the word “temporary”, such that subsection 31(1) reads

“A member who travels from his or her permanent residence outside the capital region to temporary or private accommodation or a secondary residence in the capital region to attend a sitting of the House of Assembly may claim reimbursement for the following cost:”

Subparagraph 32(2)(b)(i) should be interpreted as if the words “with receipts” appeared after the word “accommodation”, such that subparagraph 32(2)(b)(i) reads

“the actual costs of temporary accommodation, with receipts, in the constituency up to a maximum of \$125 a night actually spent in the constituency, or”

Subparagraph 35(b)(i) should be interpreted as if the words “up to a maximum” appeared after the word “region”, such that paragraph 35(b)(i) reads

“with receipts, temporary accommodations in the capital region up to a maximum of \$125 a night for every night the accommodations are actually occupied by the member, or”

William MacKenzie
Clerk of the House of Assembly



Newfoundland & Labrador

HOUSE OF ASSEMBLY MANAGEMENT COMMISSION

DIRECTIVE

Directive Number 2007 – 004

Effective Date: October 9, 2007	Commission Minute: CM 2007 - 007	
Subject: Clarification of Rules - Secondary Residence	Reference: HOAMC Meeting, August 29, 2007 Agenda Item No. 9	
Issued To: All Members of the House of Assembly; Comptroller General; Directors of Government Accounting, Professional Services and Internal Audit, OMSP, and Corporate Services; Office of the Auditor General; Office Managers of Government Caucus, Official Opposition Caucus, NDP Caucus; Director of Information Management; Assistant Deputy Clerk, Executive Council	Contact: Marlene Lambe Chief Financial Officer 729 – 2923	

BACKGROUND

The types of accommodation expenses that may be claimed by a Member are outlined in Section 41 of the *Members' Resources and Allowances Rules*. A review of the Rules shows that the word "secondary" was omitted from seven sections which detail expenses related to travel and living allowances that are eligible for reimbursement. Therefore, these sections should be interpreted as if they included references to secondary residence accommodations.

DIRECTIVE

Pursuant to subparagraph 20(6)(b)(i) of the *House of Assembly Accountability, Integrity and Administration Act*, the Commission directed that the following interpretation Directive be issued with respect to Sections 31, 32, 33, 35, 36, 37 and 38 of the *Members' Resources and Allowances Rules*:

Subparagraph 31(1)(b)(i) should be interpreted as if the words "or secondary residence" appeared after the Word "temporary", such that subparagraph 31(1)(b)(i) reads

“the actual cost of temporary or secondary residence accommodations, with receipts, up to a maximum of \$125 a night for every night the accommodations are actually occupied by the member, or”

Subparagraph 32(2)(b)(i) should be interpreted as if the words “or secondary residence” appeared after the word “temporary “, such that subparagraph 32(2)(b)(i) reads

“the actual cost of temporary or secondary residence accommodations, with receipts, in the constituency up to a maximum of \$125 a night actually spent in the constituency, or”

Paragraph 33 (b)(i) should be interpreted as if the words “or secondary residence” appeared after the word “temporary “, such that paragraph 33(b)(i) reads

“the actual cost of temporary or secondary residence accommodations, with receipts, in the constituency up to a maximum of \$125 a night actually spent in the constituency, or”

Paragraph 35 (b)(i) should be interpreted as if the words “or secondary residence” appeared after the Word “temporary “, such that paragraph 35(b)(i) reads

“with receipts, temporary or secondary residence accommodations in the capital region up to a maximum of \$125 a night for every night the accommodations are actually occupied by the member, or”

Subparagraph 36(2)(b)(i) should be interpreted as if the words “or secondary residence” appeared after the word “temporary “, such that subparagraph 36(2)(b)(i) reads

“temporary or secondary residence accommodations, with receipts, in the constituency up to a maximum of \$125 a night for each night actually spent in the constituency, or”

Paragraph 37 (b)(i) should be interpreted as if the words “or secondary residence” appeared after the word “temporary “, such that paragraph 37(b)(i) reads

“with receipts, temporary or secondary residence accommodations in the constituency up to a maximum of \$125 a night for every night the accommodations are actually occupied by that member, or”

Paragraph 38(2)(b) should be interpreted as if the words “or secondary residence” appeared after the word “temporary “, such that paragraph 38(2)(b) reads

“the actual cost of temporary or secondary residence accommodations, with receipts, up to a maximum of \$125 a night, or a daily amount, without receipts, of \$25 when staying in private accommodation; and”

**House of Assembly Management Commission
Briefing Note**

Title: Members' Compensation Review Committee Recommendations

Issue: Proposed Rule Amendment – Modes of Travel

Background:

- The Members' Compensation Review Committee (MCRC) made the following recommendation respecting modes of travel: "MHAs whose districts require the use of modes of travel other than those expressly outlined in the Rules should be permitted to use those modes of travel without having to seek the prior approval of the Speaker provided the necessary funding exists in the MHA's budget. Reimbursement for the use of such modes of travel will be made following the submission of acceptable receipts in accordance with the Rules". This recommendation relates to intra-constituency travel.
- Paragraph 38 (2) (a) of the Rules permits a Member to travel within his or her district by fixed wing aircraft (charter), helicopter, boat, snowmobile and all-terrain vehicle. However, the approval of the Speaker is required prior to travel.
- The proposed amendment to paragraph 38(2)(a) removes the requirement for Speaker approval for alternative modes of travel within a Member's district. Each Member has a fixed allocation (budget) for intra-constituency travel and thus this amendment would not require any increase in the total budget for Members' allowances.
- MCRC did not make any specific recommendation regarding a Member's travel by other modes between his or her constituency or permanent residence and the capital region. However, there may be circumstances, (e.g. unavailability of regular scheduled commercial flights) when a Member requires other modes of travel on a regular basis in order to carry out their constituency business or attend sittings of the House of Assembly.
- Subsection 40(1) of the Rules permits Members to travel between their constituency or permanent residence and the capital region by motor vehicle, rental vehicle, commercial fixed wing aircraft, bus, ferry and taxi. If Members propose to travel by charter, boat or any other means not listed in S. 40(1), the approval of the Speaker is required prior to travel.

- The requirement under subsection 40(1) for the Speaker's approval for alternative modes of travel would remain for travel between the capital region and a Member's district/permanent residence. Each Member does not have a specific allocation for this travel and thus any approvals for other modes of travel could only be made provided funds exists in the overall Members' Allowances and Assistance budget for the House of Assembly.
- The proposed new subsection 40 (3.1) would allow the Commission, by Directive, to authorize an alternative mode of travel for a Member between the capital region and the district/permanent residence on a continuing basis without the Speaker's approval for each trip. These authorizations would be considered subject to the availability of funds within the overall Members' Allowances and Assistance budget and the particular Directive for a Member would set out the terms and conditions for the travel.

Action Required:

Pursuant to paragraph 15(5)(c) of the *House of Assembly Accountability, Integrity and Administration Act*, the Commission gives 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).

Drafted by: Marie Keefe
Date: January 18, 2010

Approved by: Wm. MacKenzie

**House of Assembly Management Commission
Briefing Note**

Title: Members' Compensation Review Committee Recommendation

Issue: Severance Pay Policy

Background:

- Paragraph 11 (3) (a) of the *House of Assembly Accountability, Integrity and Administration Act* authorizes the Commission to establish by directive a policy respecting severance pay for Members of the House of Assembly. The current policy, established by the Internal Economy Commission in 1999, provides for one month's salary for each year of service, with a minimum of three months and a maximum of 12 months.
- Since July 2007, House of Assembly staff have applied Recommendation 62 (1) of the 'Green Report' in calculating severance payments by applying the same 81.2% of salary interpretation applied to pension calculations:
 - 62 (1) *The rules with respect to calculation of severance payments for MHAs should be adjusted to ensure that the amount of severance a retiring MHA will receive will not be greater, in absolute terms as a result of implementation of a fully taxable salary for MHAs, than it would be under the existing payment arrangement of an indemnity plus a non-taxable allowance.*
- The Members' Compensation Review Committee (MCRC), in its October 2009 Report, made the following recommendations respecting severance pay:
 1. The current provisions for the payment of severance to an MHA remain unchanged.
 2. An MHA who voluntarily resigns prior to a general election for reasons other than his or her own serious illness or a serious illness in his or her immediate family shall not be eligible for severance pay.
- The severance pay recommendations, particularly #2, were discussed with the MCRC at the 18 November 2009 meeting of the Commission (Hansard, p. 10 ff.) and the Speaker wrote the MCRC on 19 November, outlining the issues raised by Commission members.

- The Chair of the MCRC replied to the Speaker’s letter on 01 December 2009, indicating that severance pay recommendation #2 was based on two principles:
 1. That severance pay is not warranted if a Member resigns to take gainful employment elsewhere; and,
 2. An MHA resignation (except just before a general election) imposes the cost of a by-election upon taxpayers.

- The *House of Assembly Accountability, Administration and Integrity Act* authorizes the Commission to “accept or modify” MCRC recommendations. Subsection 16(6) states:

(6) A modification of the recommendations of a members' compensation review committee which may be made by the commission with respect to salaries, non-taxable allowances or other amounts for which a member may be entitled to claim reimbursement or payment on his or her behalf for reasonable and legitimate expenses, shall not exceed the maximums recommended by the committee in that regard.

- With respect to the limitations placed on the Commission by subsection 16(6) [“shall not exceed the maximums”], the Law Clerk advises that this statutory limitation addresses only dollar amounts or levels. The essence of that subsection reads as follows

A modification ...which may be made by the commission with respect to salaries, non-taxable allowances or other amount... shall not exceed the maximums recommended.... [emphasis added]:

This interpretation is supported by Green’s Recommendation 63(5), which led to subsection 16 (6) of the Act:

The Commission should have the power to modify the review committee’s recommendations, but only in a manner that would not exceed the maximum amounts recommended by the committee to be paid. [p. 9-48; emphasis added]

- Therefore, the amounts recommended by the MCRC (one month salary per year; minimum 3 months; maximum 12 months) cannot be exceeded. The Commission does, however, have the authority to amend the application of the policy.
- The 18 November meeting discussion and the subsequent exchange of correspondence indicate that MCRC Recommendation #2 may be difficult to implement. The Commission may wish to consider other options to address this recommendation:

1. Accept Recommendation as written.

This option will apply the “serious illness” qualification irrespective of number of terms completed by an MHA, in keeping with the MCRC view that severance pay is not an “earned benefit”. The policy to be drafted will have to address various administrative difficulties respecting the definition and certification of “serious illness” for both Member and family.

2. Amend Recommendation - Completed Terms of Office.

This option will amend the application of Recommendation #2 such that years of completed terms of office will be eligible for severance pay, but not those years when a term of office was not completed. The definition/certification of “serious illness” is still an issue. As noted in the 01 December correspondence from the MCRC Chair, a “grandfathering” provision could be applied to MHAs elected under the current severance policy.

3. Amend Recommendation – Expand Acceptable Reasons.

This option will allow other acceptable reasons (beyond “serious illness”) for an MHA resignation without impacting severance pay eligibility. It will be difficult to establish a fully comprehensive list of acceptable reasons and a more general rationale might be required. Some individual or entity will have to be authorized to decide on individual cases.

- Once the Commission establishes the general parameters of the policy in response to the MCRC recommendations, House of Assembly staff will prepare a draft severance pay policy for consideration by the Commission.

Action Required:

- The Commission’s direction is requested.

Drafted by: Wm. MacKenzie
Date: January 27, 2010

House of Assembly Management Commission

Briefing Note

Title: House of Assembly Compliance Review

Issue: Correction of Duplicate Minute Numbers

Background:

- The House of Assembly Compliance Review Part Two (Rule Amendments/Directives/Decisions Process) by the Professional Services and Internal Audit Division identified duplicate Commission Minute numbers **CM 2007-013** and recommended that steps be taken to correct the error and to prevent further reoccurrences.
- Decisions of the Commission are termed Commission Minutes (CM) and the identification system uses the calendar year in four-digit format, followed by sequential numbering for that calendar year.
- The duplication of the Commission Minute numbers occurred following the first meeting of the Commission in August 2007. The decision related to **CM 2007-013** was initially omitted when the decisions were circulated to the Commission members for approval.
- When the omission was discovered, **CM 2007-013** was circulated to Commission members as a separate memo, instead of re-issuing the full set of Decisions.
- When the Commission Minutes were later drafted for tabling at the November 28, 2007 meeting of the Commission, the decisions from the first memo were included but not the decision from the second memo.
- Subsequently, the first Decision from the November 28, 2007 meeting was numbered **CM 2007-013** instead of **CM 2007 -014**.
- To correct this error, the second **CM 2007-013** will be renumbered **CM 2007-013A**. The attached Minutes for the August 29, 2007 are revised to include **CM 2007-013**. The attached Minutes of the November 28, 2007 meeting are revised to reflect **CM 2007-013A**. The revised Minutes for both meetings need to be approved again by the Commission.

- Minutes of all Commission meetings held since August 29, 2007 have been reviewed to ensure there is no other duplication of numbers. The Clerk's Office has set up a program to track all Commission Minutes effective 2010.

Action Required:

Recommended Minute:

- The Commission approves the revised Minutes for meetings of August 29, 2007 and November 28, 2007.

Drafted by: Marie Keefe
Date: December 14, 2009

Approved by: Wm. MacKenzie



**House of Assembly
Newfoundland and Labrador**

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

Date: August 29, 2007

Location: House of Assembly Chamber

Time: 9:00 – 3:00

Members Present:

Hon. Harvey Hodder, Speaker

Mr. William MacKenzie, Clerk of the House of Assembly

Hon. Tom Rideout, Government House Leader

Mr. Kelvin Parsons, Opposition House Leader

Hon. Tom Marshall, Minister of Finance

Ms. Beth Marshall, MHA (PC) Topsail

Mr. Gerry Reid, MHA (L) Twillingate-Fogo

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

Other:

Ms. Marlene Lambe, Chief Financial Officer, House of Assembly

Regrets:

None

Decisions of the Management Commission:

Decision CM 2007 – 001

Agenda Item 3: House of Assembly Management Commission Policy and Procedures Manual

The proposal from the Clerk respecting adoption of the August 21, 2007, version of a House of Assembly Management Commission Policy and Procedures Manual was considered. The Commission decided the following:

1. The August 21 version of the House of Assembly Management Commission Policy and Procedures Manual is approved, in principle, with the understanding that amendments will continue to be made to this version.

2. Policy 5.4.1 (respecting Quorums for Commission meetings) of the August 21 Draft of the Policy and Procedures Manual is amended by adding the words “and one member of the government” after the words “opposition to the government” such that 5.4.1 reads: “A quorum of the Commission shall be 50% of its members. At least one member representing a party in opposition to the government and one member of the government must be present along with the Speaker or Deputy Speaker, during the meeting of the Commission.”
3. A draft amendment to Subsection 18(8) of the *House of Assembly Accountability, Integrity and Administration Act* which would give effect to the policy decision of Item 2 (above) is to be presented to the Commission at its next meeting.

CM 2007 - 002

Agenda Item 5: Constituency Business during Election Writ Period

The Commission considered the August 24, 2007, Memo to all Members from the Speaker respecting Constituency Business during the Election Writ period and decided the following:

1. Members of the Commission representing all parties in the House of Assembly agreed to recommend to their caucuses that Members would not submit expense claims for constituency business conducted during the election writ period.
2. A draft amendment to Section 14 of the *House of Assembly Accountability, Integrity and Administration Act* which would remove the right to be reimbursed for constituency business expenses incurred during an election writ period is to be presented to the Commission at its next meeting.
3. Members of the Commission representing all parties in the House of Assembly agreed to recommend to their caucuses that Members assume responsibility for all charges related to cell phone or blackberry calls during the election writ period, with the Clerk's Office to explain to Members the process to be followed.

CM 2007 – 003

Agenda Item 7: Clarification of Rules – Harmonized Sales Tax

The Commission considered the proposal from the Clerk addressing the Clarification of Rules respecting Harmonized Sales Tax and decided the following:

Pursuant to subparagraphs 20(6)(b)(i) and 20(6)(b)(ii) of the *House of Assembly Accountability, Integrity and Administration Act*, the Commission directed that the following interpretation Directive be issued:

The Clerk is authorized, for tracking and reporting purposes only, to interpret and restate The maximums for the various Members' allowances as net of HST, rather than inclusive of HST, as currently listed in the Members' Resources and Allowances Rules.

CM 2007 – 004
Agenda Item 8:

Clarification of Rules – Travel and Living Allowances

The Commission considered the proposal from the Clerk respecting Clarification of Rules – Travel and Living Allowances and decided the following:

Pursuant to subsection 20(6)(b)(i) of the House of Assembly Accountability, Integrity and Administration Act, the Commission directed that the following interpretation Directive be issued with respect to Sections 31, 32 and 35 of the Members' Resources and Allowances Rules.

Subsection 31(1) should be interpreted as if the words "or private" appeared after the word "temporary", such that subsection 31(1) reads

"A member who travels from his or her permanent residence outside the capital region to temporary or private accommodation or a secondary residence in the capital region to attend a sitting of the House of Assembly may claim reimbursement for the following cost:"

Subparagraph 32(2)(b)(i) should be interpreted as if the words "with receipts" appeared after the word "accommodation", such that subparagraph 32(2)(b)(i) reads

"the actual costs of temporary accommodation, with receipts, in the constituency up to a maximum of \$125 a night actually spent in the constituency, or"

Paragraph 35 (b)(i) should be interpreted as if the words "up to a maximum" appeared after the "region", such that paragraph 35(b)(i) reads

"with receipts, temporary accommodations in the capital region up to a maximum of \$125 a night for every night the accommodations are actually occupied by the member, or"

CM 2007 – 005
Agenda Item 9:

Clarification of Rules - Standard Office Allocation

The Commission considered the proposal from the Clerk respecting Clarification of Rules Standard Office Allocation and decided the following:

Pursuant to subsection 25(1) of the Members' Resources and Allowances Rules, the Commission directed that the standard office allocation shall consist of:

Office Furniture, Equipment and Services package - for Member and Constituency Assistant

1. Office Furniture:

- > One L-shaped desk, wood, veneer
- > One credenza, wood veneer
- > One bookcase, wood veneer
- > Chair, executive (high/low back) with wheels
- > Four visitor chairs without wheels
- > One L-shaped workstation with hutch
- > One chair with wheels
- > One TV Stand
- > One coffee table for waiting area

- > Two lockable four drawer lateral/vertical filing cabinets
- > Three wastepaper baskets
- > Two recycling boxes
- > Three coat racks
- > Water cooler
- > One wall clock

2. Equipment:

- > One photocopier
- > One scanner
- > One facsimile
 - Or a combination photocopier, scanner and facsimile machine
- > Two desk-top printers
- > Cross-hatch shredder
- > One 20 inch television
- > One VCR or DVD recorder or one combination unit
- > One camera and accessories
- > Two calculators
- > Two desk-top computers
- > One lap-top computer
- > Two telephones for constituency office
- > Two Cell phones or blackberries

Other furniture and equipment items as approved by Directive of the Commission.

3. Services

Telephone services:

- > Message manager
- > Call display
- > Long distance plan
- > A 1-800 number (if requested)

Cell phone or blackberry services:

- > Message Manager
- > Call Display

Facsimile services:

- > The installation and maintenance of a facsimile line
- > Internet and intranet services:
 - Access provided through the government network (where possible)

Cable Service includes:

- > The installation and maintenance of the most basic channel package which includes the local news channels and the House of Assembly broadcast. Satellite services are not permitted

Calling card

- > A Member and his/her constituency assistant are entitled to a calling card, if requested.

CM 2007 – 006

Agenda Item 9: Clarification of Rules – Start-up Allowance

The Commission considered the proposal from the Clerk respecting Clarification of Rules – Start-up Allowance and decided the following:

1. Pursuant to subsection 19(4) of the Members' Resources and Allowances Rules, a member may claim against the \$1,000 start up amount for reimbursement to cover initial start-up expenses related to establishing a constituency office for the following expenses:
 - (a) Office supplies, such as paper trays, 3 hole punch, staplers, pencil holders, scissors, hanging folders, kettle, coffee maker; and
 - (b) Office Equipment, such as computer monitor stand, non-glare screen, blackberry or cell phone accessories; and
 - (c) Any other non-consumable items directly related to establishing a constituency office
2. The Clerk was directed to obtain a legal opinion on Subsection 19 (4) of the Members' Resources and Allowances Rules to determine if a Directive of the Commission, under Subparagraph 20(6)(b)(i) of the Act, could amplify or interpret Subsection 19(4) such that it would become effective beginning with the 47th General Assembly.

CM 2007 – 007

Agenda Item 11 Clarification of Rules – Secondary Residence

The Commission considered the proposal from the Clerk respecting Clarification of Rules – Secondary Residence and decided the following:

Pursuant to subsection 20(6)(b)(i) of the House of Assembly Accountability, Integrity and Administration Act, the Commission directed that the following interpretation Directive be issued with respect to Sections 31, 32, 33, 35, 36, 37 and 38 of the Members' Resources and Allowances Rules:

Subparagraph 31(1)(b)(i) should be interpreted as if the words "or secondary residence" appeared after the word "temporary ", such that subparagraph 31(1)(b)(i) reads

"the actual cost of temporary or secondary residence accommodations, with receipts, up to a maximum of \$125 a night for every night the accommodations are actually occupied by the member, or"

Subparagraph 32(2)(b)(i) should be interpreted as if the words "or secondary residence" appeared after the word "temporary ", such that subparagraph 32(2)(b)(i) reads

"the actual cost of temporary or secondary residence accommodations, with receipts, in the constituency up to a maximum of \$125 a night actually spent in the constituency, or"

Paragraph 33 (b)(i) should be interpreted as if the words "or secondary residence" appeared after the word "temporary ", such that paragraph 33(b)(i) reads

“the actual cost of temporary or secondary residence accommodations, with receipts, in the constituency up to a maximum of \$125 a night actually spent in the constituency, or”

Paragraph 35 (b)(i) should be interpreted as if the words “or secondary residence” appeared after the word “temporary “, such that paragraph 35(b)(i) reads

“with receipts, temporary or secondary residence accommodations in the capital region up to a maximum of \$125 a night for every night the accommodations are actually occupied by the member, or”

Subparagraph 36(2)(b)(i) should be interpreted as if the words “or secondary residence” appeared after the word “temporary “, such that subparagraph 36(2)(b)(i) reads

“temporary or secondary residence accommodations, with receipts, in the constituency up to a maximum of \$125 a night for each night actually spent in the constituency, or”

Paragraph 37 (b)(i) should be interpreted as if the words “or secondary residence” appeared after the word “temporary “, such that paragraph 37(b)(i) reads

“with receipts, temporary or secondary residence accommodations in the constituency up to a maximum of \$125 a night for every night the accommodations are actually occupied by that member, or”

Paragraph 38(2)(b) should be interpreted as if the words “or secondary residence” appeared after the word “temporary “, such that paragraph 38(2)(b) reads

“the actual cost of temporary or secondary residence accommodations, with receipts, up to a maximum of \$125 a night, or a daily amount, without receipts, of \$25 when staying in private accommodation; and”

CM 2007 – 008

Agenda Item 12: Clarification of Rules – Memorial Wreaths

The Commission considered the proposal from the Clerk respecting Clarification of Rules – Memorial Wreaths and decided the following:

Pursuant to paragraph 46(3)(g) of the Members’ Resources and Allowances Rules, the Commission hereby authorizes and directs that the following expense necessarily incurred by a member to carry out his or her constituency business may be reimbursed:

Memorial Wreaths used to commemorate veterans and others who served in the armed forces, peace officers, workers killed on the job or who died as a result of work-related illness, and similar memorial commemorations of a public nature.

CM 2007 – 009

Agenda Item 13: Clarification of Rules – Advertising

The Commission considered the proposal from the Clerk respecting Clarification of Rules – Advertising and decided the following:

1. Pursuant to subsection 20(6)(b)(i) of the House of Assembly Accountability, Integrity and Administration Act and in relation to section 24(i) of the Members' Resources and Allowances Rules, the Commission hereby makes the following clarification with respect to advertisements:
 - The purpose behind any advertising expenses shall be solely to assist Members to convey contact information along with advertising messages of welcome or congratulations
2. The Clerk was directed to consult with the Office of the Comptroller General on the appropriate documentation to be required for reimbursement of expenses respecting advertising.

CM 2007 – 010
Agenda Item 16: Code of Conduct for Officers and Staff

The Commission considered the proposal from the Clerk respecting a Code of Conduct for Officers and Staff and adopted the following Code of Conduct for officers and staff of the House of Assembly, pursuant to S.35 (3) of the House of Assembly Accountability, Integrity and Administration Act:

As Officers and Staff of the House of Assembly:

1. We will serve the aims and objectives of the House of Assembly and insure that personal interests and activities do not interfere, or appear to interfere, with this obligation.
2. We will perform our duties honestly, faithfully, ethically, impartially and efficiently, respecting the rights of the public and our colleagues. We will refrain from conduct that might impair our effectiveness or that would compromise our integrity.
3. We will ensure that we maintain the confidence and trust of Members of the House of Assembly and provide fair, confidential and impartial service equally to Members and staff of all parties.
4. We will treat colleagues, Members and the public with courtesy and respect.
5. We will avoid circumstances in which personal interests compromise or conflict with the interests of the House of Assembly and avoid circumstances in which there will be the appearance of a compromise or conflict. We are subject to the provisions of the Conflict of Interest Act, 1995.
6. We will not abuse our official position for personal gain. We will not accept any gift or other benefit that could be seen as an inducement or reward that might place us under an obligation to a third party. We will follow all requirements and policies of the House of Assembly service with respect to gifts and rewards.
7. We will exercise due care and control of records created or collected in the exercise of our responsibilities, ensuring that they are organized, secured and managed according to applicable policy and legislation.
8. We will ensure that any contribution we make to public debate or discussion on matters of government or House of Assembly policy is appropriate to the position we hold and is compatible with our obligation to be politically impartial.

9. We will ensure that our participation in public bodies and voluntary associations does not create a conflict of interest or the appearance of a conflict of interest with our duty to act in a politically impartial manner.

CM 2007- 011

Agenda Item 17: **Audit Committee of the Commission**

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

CM 2007- 012

Agenda Item 18: **Request for Special Warrant Funding (in camera session)**

The Commission, in an in camera session, authorized the Speaker to refer to the Attorney General a Special Warrant funding request to cover unanticipated costs of the Special Ballot process for the 2007 General Election under the Legislature Head of Expenditure.

CM 2007 – 013

Agenda Item 14

The Commission considered the proposal from the Clerk respecting the proration of meal allowances and decided the following:

Pursuant to subsection 29(7) of the Members' Resources and Allowances Rules, the Commission directed that meal allowances for Members will be prorated so as to provide \$10 for breakfast, \$15 for lunch and \$25 for dinner.

Adjournment: 3:00

Hon. Harvey Hodder, 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: November 28, 2007

Location: House of Assembly Chamber

Time: 9:00 – 5:15

Members Present:

Hon. Roger Fitzgerald, Speaker

Mr. William MacKenzie, Clerk of the House of Assembly

Hon. Tom Rideout, Government House Leader

Mr. Kelvin Parsons, Opposition House Leader

Hon. Tom Marshall, Minister of Finance

Ms. Beth Marshall, MHA (PC) Topsail

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

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

Mr. Jack Byrne, Deputy Speaker

Other:

Ms. Marie Keefe, Policy & Communications Officer

Ms. Marlene Lambe, Chief Financial Officer, House of Assembly

Ms. Lorna Proudfoot, Law Clerk

Regrets:

None

Decisions of the Management Commission:

CM 2007 – 013A

Agenda Item 2:

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

CM 2007 – 014
Agenda Item 3-1:

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

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

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

shall be present during a meeting of the commission.”

CM 2007 – 015
Agenda item 3-2:

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

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

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

CM 2007 – 016
Agenda Item 3-3:

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

CM 2007 – 017
Agenda Item 3-4:

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

CM 2007 – 018
Agenda Item 7:

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

CM 2007 – 019
Agenda Item 6:

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

1. The Leader of the Official Opposition moved:

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

The motion was carried.

2. The Hon. Tom Marshall moved:

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

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

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

The Opposition House Leader moved the following amendment:

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

This amendment was defeated.

Ms. Elizabeth Marshall moved the following amendment:

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

The amendment carried.

The main motion, as amended, was carried.

3. The Hon. Tom Marshall moved that :

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

Ms. Michael moved the following amendment:

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

The amendment was defeated.

The main motion was carried.

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

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

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

CM 2007 – 020
Agenda Item 10-2:

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

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

CM 2007 – 021
Agenda Item 10-2:

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

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

CM 2007- 022
Agenda Item 10-2:

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

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

CM 2007- 023
Agenda Item 10-2:

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

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

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

“and”; and

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

“(f) taxis.”

CM 2007- 024
Agenda item 10-2:

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

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

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

CM 2007- 025
Agenda Item 10-2:

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

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

CM 2007 – 026
Agenda Item 10-2

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

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

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

Adjournment: 5:15
Hon. Roger Fitzgerald, MHA
Speaker and Chair

Wm. MacKenzie
Clerk and Secretary to the Commission

**House of Assembly Management Commission
Briefing Note**

Title: Financial Reports - April 1, 2009 to December 31, 2009

Issue: Review of:

1. Financial Performance of the Legislature; and
2. Approved Allocations and Actual Expenditures of Members of the House of Assembly.

Background:

- Paragraph 20(5)(a) of the *House of Assembly Accountability, Integrity and Administration Act* (the Act) states that the House of Assembly Management Commission shall “regularly, and at least quarterly, review the financial performance of the House of Assembly as well as the actual expenditures of members compared with approved allocations.”
- The details of the financial performance of the Legislature (excluding the Office of the Auditor General) are included in the Statement of Revenue and Expenditure for the nine-month period ended December 31, 2009. The reports show the actual expenditures, encumbered amounts and revenues for the first three quarters of the year. All known savings or overruns over budgeted amounts to date (January 2010) are identified in the report and explanations are provided for significant amounts.
- The details of the financial performance of the Office of the Auditor General are shown separately in the Statement of Revenue and Expenditure for the nine-month period ended December 31, 2009. The reports show the actual expenditures, encumbered amounts and revenues for the first three quarters of the year. All known savings or overruns over budgeted amounts are identified in the report and explanations are provided for significant amounts.
- The actual expenditures compared with the approved allocations for each Member are included in the Members’ Expenditures Summarized by Category reports for the period April 1, 2009 to December 31, 2009. The Reports include the expenditures for December in the column entitled “Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)” and the expenditures for the first three quarters of the year in the column entitled “Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)”.

Action Required:

- For review purposes.

Drafted by: Virginia English
Date: January 24, 2010

Approved by: William MacKenzie



LEGISLATURE (excluding The Office of the Auditor General)
STATEMENT OF REVENUE AND EXPENDITURE
For the Period 1 April 2009 to 31 December 2009
Unaudited

	Original Estimates	Operating Budget	Expenditures Plus Encumbrances & Revenues	Projected Total Expenditures & Revenue	Projected Savings (Over-runs) from Original Budget		Projected Savings (Over- runs) from Operating Budget
1.1.01. ADMINISTRATIVE SUPPORT							
01. Salaries	1,744,700	1,744,700	1,258,960	1,644,700	100,000	1	100,000
02. Employee Benefits	11,000	11,000	3,386	8,000	3,000	2	3,000
03. Transportation and Communications	64,800	64,800	53,727	64,800	-		-
04. Supplies	46,200	50,200	48,896	54,200	(8,000)	3	(4,000)
05. Professional Services	220,000	464,300	359,632	533,700	(313,700)	4	(69,400)
06. Purchased Services	226,000	221,500	152,618	221,500	4,500	5	-
07. Property, Furnishings and Equipment	165,000	121,300	36,347	121,300	43,700	6	-
	2,477,700	2,677,800	1,913,566	2,648,200	(170,500)		29,600
02. Revenue - Provincial	(23,800)	(23,800)	-	(9,674)	(14,126)	7	(14,126)
Total: Administrative Support	2,453,900	2,654,000	1,913,566	2,638,526	(184,626)		15,474

1 Projected savings as delayed hirings for new permanent positions, offset by hiring of temporary replacement staff.

2 Projected savings as tuition reimbursement costs are lower than anticipated at budget.

3 Projected overruns as cost of supplies (printer cartridges, signs and general office supplies) are higher than anticipated.

4 Projected overruns primarily related to the unbudgeted investigation completed by the Centre for Innovative Dispute Resolution and contractual & legal fees for Justice O'Neill to undertake the O'Neill Review.

5 Projected savings as printing costs are lower than anticipated, offset by \$7,000 in unbudgeted operating costs (rental space, printing, etc). for Justice O'Neill to undertake the O'Neill Review.

6 Funds were available for transfer to Broadcast Center to cover costs of equipment as the Property, Furniture and Equipment block is budgeted for the HOA Service, Caucus Operations and equipment for the four Statutory Offices.



LEGISLATURE (excluding The Office of the Auditor General)
STATEMENT OF REVENUE AND EXPENDITURE
For the Period 1 April 2009 to 31 December 2009
Unaudited

7 Revenues are lower than anticipated at budget time.



LEGISLATURE (excluding The Office of the Auditor General)
STATEMENT OF REVENUE AND EXPENDITURE
For the Period 1 April 2009 to 31 December 2009
Unaudited

	Original Estimates	Operating Budget	Expenditures Plus Encumbrances & Revenues	Projected Total Expenditures & Revenue	Projected Savings (Over-runs) from Original Budget		Projected Savings (Over- runs) from Operating Budget
1.1.02. LEGISLATIVE LIBRARY AND RECORDS MANAGEMENT							
01. Salaries	682,100	682,100	554,462	677,900	4,200	1	4,200
02. Employee Benefits	3,700	3,700	2,683	2,500	1,200	2	1,200
03. Transportation and Communications	16,700	16,700	10,932	12,700	4,000	3	4,000
04. Supplies	59,400	59,400	16,629	59,400	-		-
05. Professional Services	22,200	22,200	2,500	2,200	20,000	4	20,000
06. Purchased Services	22,900	22,900	11,279	22,900	-		-
07. Property, Furnishings and Equipment	5,000	5,000	2,270	5,000	-		-
Total: Legislative Library and Records Management	812,000	812,000	600,755	782,600	29,400		29,400

1 Projected savings as vacancies during the year.

2 Projected savings as fewer conferences attended thus registration fees were less than anticipated.

3 Projected savings as fewer conferences attended thus travel costs were less than anticipated.

4 Projected savings as consultant for records management was not required, and web development expenditures are less than anticipated.



LEGISLATURE (excluding The Office of the Auditor General)
STATEMENT OF REVENUE AND EXPENDITURE
For the Period 1 April 2009 to 31 December 2009
Unaudited

	Original Estimates	Operating Budget	Expenditures Plus Encumbrances & Revenues	Projected Total Expenditures & Revenue	Projected Savings (Over-runs) from Original Budget	Projected Savings (Over- runs) from Operating Budget
1.1.03. HANSARD AND THE BROADCAST CENTRE						
01. Salaries	595,200	595,200	489,342	597,200	(2,000) ¹	(2,000)
02. Employee Benefits	1,500	1,500	807	1,500	-	-
03. Transportation and Communications	40,000	37,000	9,318	9,000	31,000 ²	28,000
04. Supplies	7,000	10,000	7,948	10,000	(3,000) ³	-
06. Purchased Services	297,700	297,700	199,531	223,700	74,000 ⁴	74,000
07. Property, Furnishings and Equipment	10,000	53,700	48,112	90,000	(80,000) ⁵	(36,300)
Total: Hansard and the Broadcast Centre	951,400	995,100	755,058	931,400	20,000	63,700

1 Projected overruns as Sessional Technologist remained on payroll to complete other projects, offset by vacancies and other savings.

2 Projected savings in Webstreaming as estimated sitting days for the House of Assembly were less than anticipated at budget time.

3 Projected overruns due to increased costs for office and broadcasting supplies.

4 Projected savings in satellite charges as estimated sitting days for the House and for Commission meetings were less than anticipated at budget time.

5 Overruns in Broadcast related to equipment budgeted in 2008-09 but delays in shipment resulted in receipt of equipment in 09-10; additional broadcast equipment purchased in 2009-10.



LEGISLATURE (excluding The Office of the Auditor General)
STATEMENT OF REVENUE AND EXPENDITURE
For the Period 1 April 2009 to 31 December 2009
Unaudited

	Original Estimates	Operating Budget	Expenditures Plus Encumbrances & Revenues	Projected Total Expenditures & Revenue	Projected Savings (Over-runs) from Original Budget	Projected Savings (Over- runs) from Operating Budget
1.1.04. MEMBERS' RESOURCES						
01. Salaries	6,524,900	6,524,900	5,089,979	6,324,900	200,000	200,000
03. Transportation and Communications	20,000	20,000	13,764	20,000	-	-
04. Supplies	-	1,000	749	800	(800)	200
05. Professional Services	60,000	77,300	77,238	80,200	(20,200)	(2,900)
06. Purchased Services	-	27,100	26,090	26,100	(26,100)	1,000
09. Allowances and Assistance	3,134,000	2,737,400	1,192,830	1,734,000	1,400,000	1,003,400
	9,738,900	9,387,700	6,400,650	8,186,000	1,552,900	1,201,700
02. Revenue - Provincial	-	-	-	(25,435)	25,435	25,435
Total: Members' Resources	9,738,900	9,387,700	6,400,650	8,160,565	1,578,335	1,227,135

- 1 Projected savings as lower than anticipated expenditures for secretarial pool and Constituency Assistant replacement block, and salary reduction for Members; offset by severance payments to former Members and salary for administrative support staff for the Members' Compensation Review Committee.
- 2 Overruns as unbudgeted supplies required for the Members' Compensation Review Committee.
- 3 Overruns as contractual fees for members of the Members' Compensation Review Committee were higher than anticipated at budget time.
- 4 Projected overruns related to unbudgeted operating costs for the Members' Compensation Review Committee, and unbudgeted renovations to a Crown owned building to provide constituency office space.
- 5 Projected savings as expenditures for Allowances & Assistance are expected to be less than budgeted as Members have not availed of maximum allowable funds.
- 6 Revenues due to receipt of Aliant mobility credits from the previous year, credited to revenue as per Government accounting policy.



LEGISLATURE (excluding The Office of the Auditor General)
STATEMENT OF REVENUE AND EXPENDITURE
For the Period 1 April 2009 to 31 December 2009
Unaudited

	Original Estimates	Operating Budget	Expenditures Plus Encumbrances & Revenues	Projected Total Expenditures & Revenue	Projected Savings (Over-runs) from Original Budget		Projected Savings (Over- runs) from Operating Budget
1.1.05. HOUSE OPERATIONS							
01. Salaries	305,800	305,800	206,553	265,800	40,000	1	40,000
02. Employee Benefits	9,900	9,900	6,946	9,900	-		-
03. Transportation and Communications	162,700	120,000	82,752	90,000	72,700	2	30,000
04. Supplies	20,500	20,500	16,511	20,500	-		-
05. Professional Services	3,900	3,900	-	3,900	-		-
06. Purchased Services	43,000	43,000	21,569	36,000	7,000	3	7,000
07. Property, Furnishings and Equipment	1,700	1,700	-	1,700	-		-
10. Grants and Subsidies	1,200	1,200	1,029	1,300	(100)	4	(100)
Total: House Operations	548,700	506,000	335,360	429,100	119,600		76,900

- 1 Projected savings as car allowance and automobile expense payments to the Speaker and payments to external committee members were lower than anticipated, offset by delayed hirings.
- 2 Projected savings as fewer conferences attended thus registration fees were less than anticipated.
- 3 Projected savings as printing and other expenditures were less than anticipated at budget time.
- 4 Overruns as Consumer Price Index adjustment was not factored into budget calculation.



LEGISLATURE (excluding The Office of the Auditor General)
STATEMENT OF REVENUE AND EXPENDITURE
For the Period 1 April 2009 to 31 December 2009
Unaudited

	Original Estimates	Operating Budget	Expenditures Plus Encumbrances & Revenues	Projected Total Expenditures & Revenue	Projected Savings (Over-runs) from Original Budget		Projected Savings (Over- runs) from Operating Budget
1.1.06. GOVERNMENT MEMBERS CAUCUS							
01. Salaries	716,700	716,700	470,764	646,700	70,000	1	70,000
02. Employee Benefits	2,000	2,000	-	2,000	-		-
03. Transportation and Communications	32,000	32,000	19,302	32,000	-		-
04. Supplies	14,600	14,600	6,781	10,600	4,000	2	4,000
06. Purchased Services	24,000	24,000	15,625	20,000	4,000	3	4,000
07. Property, Furnishings and Equipment	5,000	5,000	1,486	5,000	-		-
10. Grants and Subsidies	51,900	51,900	44,238	53,100	(1,200)	4	(1,200)
Total: Government Members Caucus	846,200	846,200	558,196	769,400	76,800		76,800

1 Projected savings as less administrative and research staff hired than anticipated.

2 Projected savings as expenditures for supplies were less than anticipated at budget time.

3 Projected savings as copier meter charges and training requirements were less than anticipated at budget time.

4 Overruns as Consumer Price Index adjustment was not factored into budget calculation.



LEGISLATURE (excluding The Office of the Auditor General)
STATEMENT OF REVENUE AND EXPENDITURE
For the Period 1 April 2009 to 31 December 2009
Unaudited

	Original Estimates	Operating Budget	Expenditures Plus Encumbrances & Revenues	Projected Total Expenditures & Revenue	Projected Savings (Over-runs) from Original Budget		Projected Savings (Over- runs) from Operating Budget
1.1.07. OFFICIAL OPPOSITION CAUCUS							
01. Salaries	653,800	653,800	533,202	676,800	(23,000)	1	(23,000)
02. Employee Benefits	1,500	4,200	2,117	4,200	(2,700)	2	-
03. Transportation and Communications	65,400	64,700	49,843	64,700	700	3	-
04. Supplies	12,500	15,500	13,196	19,500	(7,000)	4	(4,000)
06. Purchased Services	16,500	13,500	9,763	13,500	3,000	5	-
07. Property, Furnishings and Equipment	3,200	1,700	-	1,700	1,500	6	-
10. Grants and Subsidies	9,700	9,700	8,230	9,900	(200)	7	(200)
Total: Official Opposition Caucus	762,600	763,100	616,352	790,300	(27,700)		(27,200)

- 1 Projected overruns related to unbudgeted cost of additional Caucus member, summer student and severance payments.
- 2 Projected overruns as number of conferences attended by Caucus staff were higher than anticipated at budget time.
- 3 Projected savings as travel was less than anticipated.
- 4 Projected overruns as cost of office supplies was higher than anticipated at budget time.
- 5 Projected savings as cost of copier meter charges was less than anticipated at budget time.
- 6 Projected savings as cost of replacement blackberries was lower than anticipated at budget time.
- 7 Overruns as Consumer Price Index adjustment was not factored into budget calculation.



LEGISLATURE (excluding The Office of the Auditor General)
STATEMENT OF REVENUE AND EXPENDITURE
For the Period 1 April 2009 to 31 December 2009
Unaudited

	Original Estimates	Operating Budget	Expenditures Plus Encumbrances & Revenues	Projected Total Expenditures & Revenue	Projected Savings (Over-runs) from Original Budget	Projected Savings (Over- runs) from Operating Budget
1.1.08. THIRD PARTY CAUCUS						
01. Salaries	303,200	303,200	244,195	323,200	(20,000) ¹	(20,000)
02. Employee Benefits	800	800	-	800	-	-
03. Transportation and Communications	20,000	20,000	18,038	20,000	-	-
04. Supplies	7,800	7,800	5,564	7,800	-	-
06. Purchased Services	4,000	4,000	1,690	4,000	-	-
07. Property, Furnishings and Equipment	1,800	1,800	-	1,800	-	-
10. Grants and Subsidies	9,700	9,700	8,230	9,900	(200) ²	(200)
Total: Third Party Caucus	347,300	347,300	277,718	367,500	(20,200)	(20,200)
<p>1 Projected overruns related to unbudgeted costs of Leader's car allowance, summer student and severance payments.</p> <p>2 Overruns as Consumer Price Index adjustment was not factored into budget calculation.</p>						
TOTAL HOUSE OF ASSEMBLY	16,461,000	16,311,400	11,457,654	14,869,391	1,591,609	1,442,009



LEGISLATURE (excluding The Office of the Auditor General)
STATEMENT OF REVENUE AND EXPENDITURE
For the Period 1 April 2009 to 31 December 2009
Unaudited

	Original Estimates	Operating Budget	Expenditures Plus Encumbrances & Revenues	Projected Total Expenditures & Revenue	Projected Savings (Over-runs) from Original Budget	Projected Savings (Over- runs) from Operating Budget
3.1.01. OFFICE OF THE CHIEF ELECTORAL OFFICER						
01. Salaries	828,900	828,900	696,006	860,900	(32,000)	(32,000)
02. Employee Benefits	4,200	4,200	3,175	4,200	-	-
03. Transportation and Communications	72,000	72,000	54,055	63,000	9,000	9,000
04. Supplies	10,100	10,100	8,049	15,100	(5,000)	(5,000)
05. Professional Services	170,000	155,000	-	113,000	57,000	42,000
06. Purchased Services	163,000	178,000	174,284	198,000	(35,000)	(20,000)
07. Property, Furnishings and Equipment	22,300	22,300	4,086	22,300	-	-
10. Grants and Subsidies	-	-	-	8,100	(8,100)	(8,100)
	1,270,500	1,270,500	939,655	1,284,600	(14,100)	(14,100)
02. Revenue - Provincial	-	-	-	(8)	8	8
Total: Office of the Chief Electoral Officer	1,270,500	1,270,500	939,655	1,284,592	(14,092)	(14,092)

- 1 Projected overruns for the two unbudgeted by-elections partially offset by savings related to delay in hiring of TRIM information management analyst and reduced overtime payments.
- 2 Projected savings as employee travel costs were less than anticipated, offset by unbudgeted cost of two by-elections.
- 3 Projected overruns related to unbudgeted cost for two by-elections.
- 4 Projected savings as legal expenses budgeted for the Chief Electoral Officer in his role as Commissioner of Legislative Standards and for IT support were less than anticipated, offset by the unbudgeted cost of two by-elections.
- 5 Projected overruns related to unbudgeted cost for two by-elections, partially offset by savings on advertising and training expenditures.
- 6 Projected overruns for grant payments related to the unbudgeted cost of two by-elections.



LEGISLATURE (excluding The Office of the Auditor General)
STATEMENT OF REVENUE AND EXPENDITURE
For the Period 1 April 2009 to 31 December 2009
Unaudited

	Original Estimates	Operating Budget	Expenditures Plus Encumbrances & Revenues	Projected Total Expenditures & Revenue	Projected Savings (Over-runs) from Original Budget		Projected Savings (Over- runs) from Operating Budget
4.1.01. OFFICE OF THE CITIZENS' REPRESENTATIVE							
01. Salaries	566,000	602,000	505,605	614,000	(48,000)	¹	(12,000)
02. Employee Benefits	2,000	2,000	1,800	2,000	-		-
03. Transportation and Communications	64,200	64,200	17,105	30,200	34,000	²	34,000
04. Supplies	10,000	10,000	2,562	4,000	6,000	³	6,000
05. Professional Services	10,000	123,600	123,420	185,000	(175,000)	⁴	(61,400)
06. Purchased Services	79,500	79,500	53,484	79,500	-		-
07. Property, Furnishings and Equipment	5,000	5,000	2,443	5,000	-		-
Total: Office of the Citizens' Representative	736,700	886,300	706,419	919,700	(183,000)		(33,400)

- 1 Projected overruns as investigator seconded from OIPC and administrative support hired to assist with the investigation under the Whistleblower provision of the *House of Assembly Accountability, Integrity and Administration Act* (HOAAIA Act).
- 2 Projected savings as costs for travel were less than anticipated at budget time.
- 3 Projected savings as cost of supplies were less than anticipated at budget time.
- 4 Projected overruns of \$70,000 related to the unbudgeted professional fees for the Acting Citizens' Representative to conduct the investigation under the Whistleblower provisions of the HOAAIA Act; and projected overruns of \$105,000 related to other unbudgeted legal fees relating to the investigation of the Office of the Child and Youth Advocate.



LEGISLATURE (excluding The Office of the Auditor General)
STATEMENT OF REVENUE AND EXPENDITURE
For the Period 1 April 2009 to 31 December 2009
Unaudited

	Original Estimates	Operating Budget	Expenditures Plus Encumbrances & Revenues	Projected Total Expenditures & Revenue	Projected Savings (Over-runs) from Original Budget		Projected Savings (Over- runs) from Operating Budget
5.1.01. OFFICE OF THE CHILD AND YOUTH ADVOCATE							
01. Salaries	836,400	836,400	435,327	956,400	(120,000)	1	(120,000)
02. Employee Benefits	3,000	3,000	3,667	4,700	(1,700)	2	(1,700)
03. Transportation and Communications	85,000	85,000	21,695	62,000	23,000	3	23,000
04. Supplies	10,700	10,700	3,630	10,700	-		-
05. Professional Services	12,000	12,000	-	25,000	(13,000)	4	(13,000)
06. Purchased Services	175,400	175,400	132,150	171,400	4,000	5	4,000
07. Property, Furnishings and Equipment	6,200	6,200	1,482	6,200	-		-
Total: Office of the Child and Youth Advocate	1,128,700	1,128,700	597,951	1,236,400	(107,700)		(107,700)

1 Projected overruns related to the appointment of the Acting Child and Youth Advocate, offset by savings due to vacancies.

2 Projected overruns as conference fees were higher than anticipated at budget time.

3 Projected savings as travel for advocacy clinics by staff and conferences by the Advocate was lower than anticipated at budget time.

4 Projected overruns due to unbudgeted costs of counselling/development for employees.

5 Projected savings as printing costs are lower than anticipated at budget time.



LEGISLATURE (excluding The Office of the Auditor General)
STATEMENT OF REVENUE AND EXPENDITURE
For the Period 1 April 2009 to 31 December 2009
Unaudited

	Original Estimates	Operating Budget	Expenditures Plus Encumbrances & Revenues	Projected Total Expenditures & Revenue	Projected Savings (Over-runs) from Original Budget		Projected Savings (Over- runs) from Operating Budget
6.1.01. OFFICE OF THE INFORMATION AND PRIVACY COMMISSIONER							
01. Salaries	767,200	767,200	549,542	740,200	27,000	1	27,000
02. Employee Benefits	13,500	18,700	16,669	21,500	(8,000)	2	(2,800)
03. Transportation and Communications	99,300	94,100	34,405	44,900	54,400	3	49,200
04. Supplies	12,300	17,300	14,451	25,500	(13,200)	4	(8,200)
05. Professional Services	80,000	80,000	37,982	80,000	-		-
06. Purchased Services	139,400	134,400	127,491	173,000	(33,600)	5	(38,600)
07. Property, Furnishings and Equipment	13,000	13,000	9,543	17,000	(4,000)	6	(4,000)
	1,124,700	1,124,700	790,083	1,102,100	22,600		22,600
02. Revenue - Provincial	(8,800)	(8,800)	-	(6,505)	(2,295)		(2,295)
Total: Office of the Information and Privacy Commissioner	1,115,900	1,115,900	790,083	1,095,595	20,305		20,305

- 1 Projected savings as replacement for seconded Assistant Commissioner is on a lower pay scale; vacancies and delayed hiring of new positions; offset by temporary hirings.
- 2 Projected overruns as conference fees related to Personal Health Information Act (PHIA) training were budgeted in Transportation and Communications.
- 3 Projected savings as travel requirements are lower than anticipated.
- 4 Savings as budgeted translation services for the National Information and Privacy Commissioners' conference were provided by the Canadian Intergovernmental Conference Secretariat.
- 5 Projected overruns due to unbudgeted renovations to office space.
- 6 Projected overruns as furniture costs are higher than anticipated at budget time.

TOTAL LEGISLATURE (Excluding the Office of the



LEGISLATURE (excluding The Office of the Auditor General)
STATEMENT OF REVENUE AND EXPENDITURE
For the Period 1 April 2009 to 31 December 2009
Unaudited

Auditor General)

20,712,800	20,712,800	14,491,762	19,405,678	1,307,122	1,307,122
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**OFFICE OF THE AUDITOR GENERAL
STATEMENT OF REVENUE AND EXPENDITURE
For the Period 1 April 2009 to 31 December 2009
Unaudited**

	Original Estimates	Operating Budget	Expenditures Plus Encumbrances & Revenues	Projected Total Expenditures & Revenue	Projected Savings (Over- runs) from Original Budget		Projected Savings (Over- runs) from Operating Budget
OFFICE OF THE AUDITOR GENERAL							
2.1.01. EXECUTIVE SUPPORT							
01. Salaries	218,900	218,900	169,518	218,700	200		200
01. Salaries (Statutory)	152,900	152,900	118,409	152,711	189		189
02. Employee Benefits	5,000	5,000	1,716	1,716	3,284	1	3,284
03. Transportation and Communications	27,000	27,000	8,753	13,800	13,200	2	13,200
05. Professional Services	10,000	10,000	-	2,500	7,500	3	7,500
06. Purchased Services	11,000	11,000	5,054	10,000	1,000	4	1,000
Total: Executive Support	424,800	424,800	303,450	399,427	25,373	#	25,373

- 1 Projected savings as registrations for conferences and seminars are less than anticipated.
- 2 Projected savings as travel expenditure for Executive is less than anticipated.
- 3 Projected savings as requirement for legal opinions is less than anticipated.
- 4 Projected savings as expenditures are less than anticipated.



OFFICE OF THE AUDITOR GENERAL
STATEMENT OF REVENUE AND EXPENDITURE
For the Period 1 April 2009 to 31 December 2009
Unaudited

	Original Estimates	Operating Budget	Expenditures Plus Encumbrances & Revenues	Projected Total Expenditures & Revenue	Projected Savings (Over- runs) from Original Budget		Projected Savings (Over- runs) from Operating Budget
OFFICE OF THE AUDITOR GENERAL							
2.1.02. ADMINISTRATIVE SUPORT							
01. Salaries	240,200	235,200	172,798	224,100	16,100	1	11,100
02. Employee Benefits	8,500	8,500	5,914	9,600	(1,100)	2	(1,100)
03. Transportation and Communications	38,000	38,000	25,532	41,300	(3,300)	3	(3,300)
04. Supplies	156,700	156,700	68,807	160,000	(3,300)	4	(3,300)
05. Professional Services	11,500	16,500	13,770	13,800	(2,300)	5	2,700
06. Purchased Services	204,700	204,700	173,404	204,900	(200)	6	(200)
07. Property, Furnishings and Equipment	50,900	50,900	33,854	39,100	11,800	7	11,800
Total: Administrative Support	710,500	710,500	494,079	692,800	17,700	# 8	17,700

- 1 Savings as Information Resources Management Technician position classified at a lower level than anticipated.
- 2 Projected overruns as additional Information Technology and Information Management training was provided.
- 3 Projected overruns as OAG domain costs were higher than anticipated.
- 4 Projected overruns as TRIM and software license expenditures are higher than anticipated.
- 5 Projected overruns as costs for Triware - e-mail migration to MS Exchange are higher than anticipated.
- 6 Projected overruns as printing and recycling costs are higher than anticipated.
- 7 Projected savings as office furniture and IT hardware expenditures are less than anticipated.



**OFFICE OF THE AUDITOR GENERAL
STATEMENT OF REVENUE AND EXPENDITURE
For the Period 1 April 2009 to 31 December 2009
Unaudited**

	Original Estimates	Operating Budget	Expenditures Plus Encumbrances & Revenues	Projected Total Expenditures & Revenue	Projected Savings (Over- runs) from Original Budget	Projected Savings (Over- runs) from Operating Budget	
OFFICE OF THE AUDITOR GENERAL							
2.1.03. AUDIT OPERATIONS							
01. Salaries	2,393,000	2,318,000	1,697,472	2,212,700	180,300 ¹	105,300	
02. Employee Benefits	43,500	43,500	23,879	48,700	(5,200) ²	(5,200)	
03. Transportation and Communications	72,500	72,500	44,987	90,500	(18,000) ³	(18,000)	
05. Professional Services	10,000	85,000	71,118	71,200	(61,200) ⁴	13,800	
	2,519,000	2,519,000	1,837,456	2,423,100	95,900	95,900	
02. Revenue - Provincial	(226,400)	(226,400)	(72,000)	(226,400)	-	-	
Total: Audit Operations	2,292,600	2,292,600	1,765,456	2,196,700	95,900	95,900	
<p>1 Projected savings due to position vacancies during the period of April to August.</p> <p>2 Projected overruns as training costs for CaseWare and CCAF are higher than anticipated.</p> <p>3 Projected overruns as travel costs for Corner Brook staff and CCOLA conferences are higher than anticipated.</p> <p>4 Projected overruns due to requirements for contractual Audit Services due to staff shortages in period of June - July.</p>							
Total:	OFFICE OF THE AUDITOR GENERAL	3,427,900	3,427,900	2,562,985	3,288,927 #	138,973 #	138,973

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House of Assembly
Newfoundland and Labrador
Member Accountability and Disclosure Report
Expenditures Summarized by Category
01-Dec-09 to 31-Dec-09

BAKER, JIM, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	6,195.00	0.00	0.00	6,195.00	0.0%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	--	0.00	0.00	--	--
Office Operations	13,274.00	100.92	1,370.55	11,903.45	10.3%
Total Office Allowances		100.92	1,370.55		
Operational Resources					
Operational Resources	--	235.09	1,859.89	--	--
Total Operational Resources		235.09	1,859.89		
Travel & Living Allowances					
House in Session	--	4,516.63	16,865.71	--	--
House Not in Session	--	0.00	6,057.90	--	--
Intra & Extra-Constituency Travel	8,496.00	0.00	0.00	8,496.00	0.0%
Total Travel & Living Allowances		4,516.63	22,923.61		
Constituency Allowance					
Constituency Allowance	2,655.00	40.36	40.36	2,614.64	1.5%
Total Constituency Allowance		40.36	40.36		
Total Expenditures		4,893.00	26,194.41		

---- End of Report ----



House of Assembly
Newfoundland and Labrador
Member Accountability and Disclosure Report
Expenditures Summarized by Category
01-Dec-09 to 31-Dec-09

BUCKINGHAM, Ed

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	6,195.00	0.00	0.00	6,195.00	0.0%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	642.00	0.00	0.00	642.00	0.0%
Office Operations	13,274.00	451.79	942.89	12,331.11	7.1%
Total Office Allowances		451.79	942.89		
Operational Resources					
Operational Resources	--	228.02	1,756.46	--	--
Total Operational Resources		228.02	1,756.46		
Travel & Living Allowances					
House in Session	--	0.00	0.00	--	--
House Not in Session	--	0.00	0.00	--	--
Intra & Extra-Constituency Travel	6,637.00	0.00	62.21	6,574.79	0.9%
Total Travel & Living Allowances		0.00	62.21		
Constituency Allowance					
Constituency Allowance	2,655.00	0.00	512.74	2,142.26	19.3%
Total Constituency Allowance		0.00	512.74		
Total Expenditures		679.81	3,274.30		

---- End of Report ----



House of Assembly
Newfoundland and Labrador
Member Accountability and Disclosure Report
Expenditures Summarized by Category
01-Dec-09 to 31-Dec-09

BURKE, JOAN, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	6,195.00	0.00	0.00	6,195.00	0.0%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	--	0.00	0.00	--	--
Office Operations	13,274.00	216.20	1,395.54	11,878.46	10.5%
Total Office Allowances		216.20	1,395.54		
Operational Resources					
Operational Resources	--	441.32	2,064.14	--	--
Total Operational Resources		441.32	2,064.14		
Travel & Living Allowances					
House in Session	--	2,570.63	12,884.26	--	--
House Not in Session	--	0.00	0.00	--	--
Intra & Extra-Constituency Travel	8,496.00	174.84	1,468.88	7,027.12	17.3%
Total Travel & Living Allowances		2,745.47	14,353.14		
Constituency Allowance					
Constituency Allowance	2,655.00	0.00	600.00	2,055.00	22.6%
Total Constituency Allowance		0.00	600.00		
Total Expenditures		3,402.99	18,412.82		

---- End of Report ----



House of Assembly
Newfoundland and Labrador
Member Accountability and Disclosure Report
Expenditures Summarized by Category
01-Dec-09 to 31-Dec-09

BUTLER, ROLAND, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	10,468.00	857.08	7,893.72	2,574.28	75.4%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	--	0.00	0.00	--	--
Office Operations	13,274.00	2,831.20	5,899.68	7,374.32	44.4%
Total Office Allowances		3,688.28	13,793.40		
Operational Resources					
Operational Resources	--	294.13	2,066.04	--	--
Total Operational Resources		294.13	2,066.04		
Travel & Living Allowances					
House in Session	--	1,904.59	7,827.06	--	--
House Not in Session	--	0.00	1,852.68	--	--
Intra & Extra-Constituency Travel	8,496.00	27.68	1,290.79	7,205.21	15.2%
Total Travel & Living Allowances		1,932.27	10,970.53		
Constituency Allowance					
Constituency Allowance	2,655.00	0.00	427.32	2,227.68	16.1%
Total Constituency Allowance		0.00	427.32		
Total Expenditures		5,914.68	27,257.29		

---- End of Report ----



House of Assembly
Newfoundland and Labrador
Member Accountability and Disclosure Report
Expenditures Summarized by Category
01-Dec-09 to 31-Dec-09

COLLINS, FELIX, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	6,195.00	0.00	0.00	6,195.00	0.0%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	--	0.00	0.00	--	--
Office Operations	13,274.00	1,106.10	4,747.82	8,526.18	35.8%
Total Office Allowances		1,106.10	4,747.82		
Operational Resources					
Operational Resources	--	255.51	1,124.08	--	--
Total Operational Resources		255.51	1,124.08		
Travel & Living Allowances					
House in Session	--	26.78	468.75	--	--
House Not in Session	--	80.34	2,283.92	--	--
Intra & Extra-Constituency Travel	12,743.00	0.00	1,871.46	10,871.54	14.7%
Total Travel & Living Allowances		107.12	4,624.13		
Constituency Allowance					
Constituency Allowance	2,655.00	0.00	0.00	2,655.00	0.0%
Total Constituency Allowance		0.00	0.00		
Total Expenditures		1,468.73	10,496.03		

---- End of Report ----



House of Assembly
Newfoundland and Labrador
Member Accountability and Disclosure Report
Expenditures Summarized by Category
01-Dec-09 to 31-Dec-09

COLLINS, SANDY, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	2,138.00	500.00	500.00	1,638.00	23.4%
Rental of Short-term Accommodations	229.00	0.00	0.00	229.00	0.0%
Office Start-up Costs	880.00	0.00	0.00	880.00	0.0%
Office Operations	4,582.00	1,585.62	1,585.62	2,996.38	34.6%
Total Office Allowances		2,085.62	2,085.62		
Operational Resources					
Operational Resources	--	0.00	0.00	--	--
Total Operational Resources		0.00	0.00		
Travel & Living Allowances					
House in Session	--	0.00	0.00	--	--
House Not in Session	--	0.00	0.00	--	--
Intra & Extra-Constituency Travel	3,910.00	0.00	0.00	3,910.00	0.0%
Total Travel & Living Allowances		0.00	0.00		
Constituency Allowance					
Constituency Allowance	916.00	0.00	0.00	916.00	0.0%
Total Constituency Allowance		0.00	0.00		
Total Expenditures		2,085.62	2,085.62		

---- End of Report ----



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CORNECT, TONY, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	11,748.00	979.00	8,811.00	2,937.00	75.0%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	--	0.00	0.00	--	--
Office Operations	13,274.00	2,048.54	3,166.89	10,107.11	23.9%
Total Office Allowances		3,027.54	11,977.89		
Operational Resources					
Operational Resources	--	464.36	3,839.28	--	--
Total Operational Resources		464.36	3,839.28		
Travel & Living Allowances					
House in Session	--	2,936.32	14,127.72	--	--
House Not in Session	--	0.00	4,161.97	--	--
Intra & Extra-Constituency Travel	7,522.00	0.00	1,609.50	5,912.50	21.4%
Total Travel & Living Allowances		2,936.32	19,899.19		
Constituency Allowance					
Constituency Allowance	2,655.00	0.00	68.69	2,586.31	2.6%
Total Constituency Allowance		0.00	68.69		
Total Expenditures		6,428.22	35,785.05		

---- End of Report ----



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Expenditures Summarized by Category
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DALLEY, DERRICK, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	12,000.00	1,000.00	9,000.00	3,000.00	75.0%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	265.00	0.00	6.18	258.82	2.3%
Office Operations	13,274.00	1,882.60	4,328.37	8,945.63	32.6%
Total Office Allowances		2,882.60	13,334.55		
Operational Resources					
Operational Resources	--	716.02	4,534.12	--	--
Total Operational Resources		716.02	4,534.12		
Travel & Living Allowances					
House in Session	--	0.00	7,753.97	--	--
House Not in Session	--	1,234.12	6,487.09	--	--
Intra & Extra-Constituency Travel	10,885.00	194.18	2,650.24	8,234.76	24.3%
Total Travel & Living Allowances		1,428.30	16,891.30		
Constituency Allowance					
Constituency Allowance	2,655.00	38.36	776.39	1,878.61	29.2%
Total Constituency Allowance		38.36	776.39		
Total Expenditures		5,065.28	35,536.36		

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Expenditures Summarized by Category
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DEAN, MARSHALL, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	2,648.00	0.00	0.00	2,648.00	0.0%
Rental of Short-term Accommodations	284.00	0.00	0.00	284.00	0.0%
Office Start-up Costs	880.00	0.00	0.00	880.00	0.0%
Office Operations	5,673.00	413.64	413.64	5,259.36	7.3%
Total Office Allowances		413.64	413.64		
Operational Resources					
Operational Resources	--	1,076.95	1,156.90	--	--
Total Operational Resources		1,076.95	1,156.90		
Travel & Living Allowances					
House in Session	--	0.00	0.00	--	--
House Not in Session	--	0.00	0.00	--	--
Intra & Extra-Constituency Travel	4,766.00	0.00	0.00	4,766.00	0.0%
Total Travel & Living Allowances		0.00	0.00		
Constituency Allowance					
Constituency Allowance	1,135.00	0.00	0.00	1,135.00	0.0%
Total Constituency Allowance		0.00	0.00		
Total Expenditures		1,490.59	1,570.54		

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Expenditures Summarized by Category
01-Dec-09 to 31-Dec-09

DENINE, DAVID, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	6,195.00	0.00	0.00	6,195.00	0.0%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	--	0.00	0.00	--	--
Office Operations	13,274.00	1,866.50	2,251.59	11,022.41	17.0%
Total Office Allowances		1,866.50	2,251.59		
Operational Resources					
Operational Resources	--	266.57	2,420.04	--	--
Total Operational Resources		266.57	2,420.04		
Travel & Living Allowances					
House in Session	--	0.00	0.00	--	--
House Not in Session	--	0.00	0.00	--	--
Intra & Extra-Constituency Travel	6,637.00	0.00	0.00	6,637.00	0.0%
Total Travel & Living Allowances		0.00	0.00		
Constituency Allowance					
Constituency Allowance	2,655.00	98.39	463.18	2,191.82	17.4%
Total Constituency Allowance		98.39	463.18		
Total Expenditures		2,231.46	5,134.81		

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DINN, JOHN, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	6,195.00	0.00	0.00	6,195.00	0.0%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	--	0.00	0.00	--	--
Office Operations	13,274.00	1.00	67.30	13,206.70	0.5%
Total Office Allowances		1.00	67.30		
Operational Resources					
Operational Resources	--	142.33	931.99	--	--
Total Operational Resources		142.33	931.99		
Travel & Living Allowances					
House in Session	--	0.00	0.00	--	--
House Not in Session	--	0.00	0.00	--	--
Intra & Extra-Constituency Travel	7,965.00	0.00	0.00	7,965.00	0.0%
Total Travel & Living Allowances		0.00	0.00		
Constituency Allowance					
Constituency Allowance	2,655.00	0.00	0.00	2,655.00	0.0%
Total Constituency Allowance		0.00	0.00		
Total Expenditures		143.33	999.29		

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DUNDERDALE, KATHY, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	6,195.00	0.00	0.00	6,195.00	0.0%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	--	0.00	0.00	--	--
Office Operations	13,274.00	54.48	54.48	13,219.52	0.4%
Total Office Allowances		54.48	54.48		
Operational Resources					
Operational Resources	--	143.07	1,019.94	--	--
Total Operational Resources		143.07	1,019.94		
Travel & Living Allowances					
House in Session	--	0.00	0.00	--	--
House Not in Session	--	0.00	0.00	--	--
Intra & Extra-Constituency Travel	6,637.00	0.00	0.00	6,637.00	0.0%
Total Travel & Living Allowances		0.00	0.00		
Constituency Allowance					
Constituency Allowance	2,655.00	0.00	0.00	2,655.00	0.0%
Total Constituency Allowance		0.00	0.00		
Total Expenditures		197.55	1,074.42		

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FITZGERALD, ROGER, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	6,195.00	0.00	0.00	6,195.00	0.0%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	--	0.00	0.00	--	--
Office Operations	13,274.00	2,024.94	3,375.56	9,898.44	25.4%
Total Office Allowances		2,024.94	3,375.56		
Operational Resources					
Operational Resources	--	1,178.31	2,900.38	--	--
Total Operational Resources		1,178.31	2,900.38		
Travel & Living Allowances					
House in Session	--	1,363.90	4,555.35	--	--
House Not in Session	--	0.00	1,641.01	--	--
Intra & Extra-Constituency Travel	11,150.00	183.53	6,762.91	4,387.09	60.7%
Total Travel & Living Allowances		1,547.43	12,959.27		
Constituency Allowance					
Constituency Allowance	2,655.00	0.00	109.98	2,545.02	4.1%
Total Constituency Allowance		0.00	109.98		
Total Expenditures		4,750.68	19,345.19		

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FORSEY, CLAYTON, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	6,195.00	0.00	0.00	6,195.00	0.0%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	--	0.00	0.00	--	--
Office Operations	13,274.00	53.48	2,433.78	10,840.22	18.3%
Total Office Allowances		53.48	2,433.78		
Operational Resources					
Operational Resources	--	588.51	3,700.29	--	--
Total Operational Resources		588.51	3,700.29		
Travel & Living Allowances					
House in Session	--	904.85	4,677.67	--	--
House Not in Session	--	323.90	3,798.40	--	--
Intra & Extra-Constituency Travel	11,150.00	415.96	4,826.07	6,323.93	43.3%
Total Travel & Living Allowances		1,644.71	13,302.14		
Constituency Allowance					
Constituency Allowance	2,655.00	220.67	1,359.72	1,295.28	51.2%
Total Constituency Allowance		220.67	1,359.72		
Total Expenditures					
		2,507.37	20,795.93		

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FRENCH, TERRY, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	6,195.00	0.00	0.00	6,195.00	0.0%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	--	0.00	0.00	--	--
Office Operations	13,274.00	100.00	1,097.42	12,176.58	8.3%
Total Office Allowances		100.00	1,097.42		
Operational Resources					
Operational Resources	--	199.87	2,019.89	--	--
Total Operational Resources		199.87	2,019.89		
Travel & Living Allowances					
House in Session	--	0.00	0.00	--	--
House Not in Session	--	0.00	0.00	--	--
Intra & Extra-Constituency Travel	7,965.00	0.00	234.16	7,730.84	2.9%
Total Travel & Living Allowances		0.00	234.16		
Constituency Allowance					
Constituency Allowance	2,655.00	0.00	587.85	2,067.15	22.1%
Total Constituency Allowance		0.00	587.85		
Total Expenditures		299.87	3,939.32		

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HARDING, HARRY, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	6,195.00	0.00	0.00	6,195.00	0.0%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	--	0.00	0.00	--	--
Office Operations	13,274.00	0.00	229.75	13,044.25	1.7%
Total Office Allowances		0.00	229.75		
Operational Resources					
Operational Resources	--	211.76	2,728.48	--	--
Total Operational Resources		211.76	2,728.48		
Travel & Living Allowances					
House in Session	--	0.00	4,338.68	--	--
House Not in Session	--	1,516.78	4,388.87	--	--
Intra & Extra-Constituency Travel	11,150.00	448.92	1,903.26	9,246.74	17.1%
Total Travel & Living Allowances		1,965.70	10,630.81		
Constituency Allowance					
Constituency Allowance	2,655.00	35.29	170.15	2,484.85	6.4%
Total Constituency Allowance		35.29	170.15		
Total Expenditures		2,212.75	13,759.19		

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HEDDERSON, TOM, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	8,964.00	747.00	6,723.00	2,241.00	75.0%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	--	0.00	0.00	--	--
Office Operations	13,274.00	800.39	2,251.69	11,022.31	17.0%
Total Office Allowances		1,547.39	8,974.69		
Operational Resources					
Operational Resources	--	357.69	2,040.43	--	--
Total Operational Resources		357.69	2,040.43		
Travel & Living Allowances					
House in Session	--	0.00	0.00	--	--
House Not in Session	--	0.00	0.00	--	--
Intra & Extra-Constituency Travel	7,611.00	350.53	820.75	6,790.25	10.8%
Total Travel & Living Allowances		350.53	820.75		
Constituency Allowance					
Constituency Allowance	2,655.00	121.07	281.94	2,373.06	10.6%
Total Constituency Allowance		121.07	281.94		
Total Expenditures		2,376.68	12,117.81		

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HICKEY, JOHN, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	6,195.00	0.00	0.00	6,195.00	0.0%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	--	0.00	0.00	--	--
Office Operations	13,274.00	554.42	2,607.04	10,666.96	19.6%
Total Office Allowances		554.42	2,607.04		
Operational Resources					
Operational Resources	--	545.71	3,983.01	--	--
Total Operational Resources		545.71	3,983.01		
Travel & Living Allowances					
House in Session	--	1,091.20	8,902.56	--	--
House Not in Session	--	0.00	0.00	--	--
Intra & Extra-Constituency Travel	8,850.00	0.00	203.09	8,646.91	2.3%
Total Travel & Living Allowances		1,091.20	9,105.65		
Constituency Allowance					
Constituency Allowance	2,655.00	0.00	0.00	2,655.00	0.0%
Total Constituency Allowance		0.00	0.00		
Total Expenditures		2,191.33	15,695.70		

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HUNTER, RAY, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	6,195.00	0.00	0.00	6,195.00	0.0%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	--	0.00	0.00	--	--
Office Operations	13,274.00	1,658.85	5,020.92	8,253.08	37.8%
Total Office Allowances		1,658.85	5,020.92		
Operational Resources					
Operational Resources	--	427.05	4,639.54	--	--
Total Operational Resources		427.05	4,639.54		
Travel & Living Allowances					
House in Session	--	576.71	4,306.41	--	--
House Not in Session	--	0.00	4,569.34	--	--
Intra & Extra-Constituency Travel	7,965.00	512.07	5,626.09	2,338.91	70.6%
Total Travel & Living Allowances		1,088.78	14,501.84		
Constituency Allowance					
Constituency Allowance	2,655.00	189.09	1,930.24	724.76	72.7%
Total Constituency Allowance		189.09	1,930.24		
Total Expenditures		3,363.77	26,092.54		

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HUTCHINGS, KEITH, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	6,195.00	0.00	0.00	6,195.00	0.0%
Rental of Short-term Accommodations	664.00	0.00	145.53	518.47	21.9%
Office Start-up Costs	--	0.00	0.00	--	--
Office Operations	13,274.00	83.87	3,469.17	9,804.83	26.1%
Total Office Allowances		83.87	3,614.70		
Operational Resources					
Operational Resources	--	192.83	1,347.36	--	--
Total Operational Resources		192.83	1,347.36		
Travel & Living Allowances					
House in Session	--	25.82	649.69	--	--
House Not in Session	--	254.90	1,462.48	--	--
Intra & Extra-Constituency Travel	11,150.00	465.65	3,485.33	7,664.67	31.3%
Total Travel & Living Allowances		746.37	5,597.50		
Constituency Allowance					
Constituency Allowance	2,655.00	26.16	960.22	1,694.78	36.2%
Total Constituency Allowance		26.16	960.22		
Total Expenditures		1,049.23	11,519.78		

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01-Dec-09 to 31-Dec-09

JACKMAN, CLYDE, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	6,195.00	250.00	2,250.00	3,945.00	36.3%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	--	0.00	0.00	--	--
Office Operations	13,274.00	116.64	1,744.78	11,529.22	13.1%
Total Office Allowances		366.64	3,994.78		
Operational Resources					
Operational Resources	--	272.65	3,495.43	--	--
Total Operational Resources		272.65	3,495.43		
Travel & Living Allowances					
House in Session	--	0.00	2,350.07	--	--
House Not in Session	--	0.00	0.00	--	--
Intra & Extra-Constituency Travel	9,027.00	246.42	790.95	8,236.05	8.8%
Total Travel & Living Allowances		246.42	3,141.02		
Constituency Allowance					
Constituency Allowance	2,655.00	35.31	116.47	2,538.53	4.4%
Total Constituency Allowance		35.31	116.47		
Total Expenditures		921.02	10,747.70		

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JOHNSON, CHARLENE, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	6,195.00	0.00	0.00	6,195.00	0.0%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	--	0.00	0.00	--	--
Office Operations	13,274.00	175.33	679.33	12,594.67	5.1%
Total Office Allowances		175.33	679.33		
Operational Resources					
Operational Resources	--	532.15	2,604.97	--	--
Total Operational Resources		532.15	2,604.97		
Travel & Living Allowances					
House in Session	--	0.00	172.89	--	--
House Not in Session	--	0.00	83.98	--	--
Intra & Extra-Constituency Travel	9,558.00	88.71	360.99	9,197.01	3.8%
Total Travel & Living Allowances		88.71	617.86		
Constituency Allowance					
Constituency Allowance	2,655.00	33.24	144.67	2,510.33	5.4%
Total Constituency Allowance		33.24	144.67		
Total Expenditures		829.43	4,046.83		

---- End of Report ----



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JONES, YVONNE, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	6,195.00	0.00	0.00	6,195.00	0.0%
Rental of Short-term Accommodations	664.00	0.00	125.00	539.00	18.8%
Office Start-up Costs	--	0.00	0.00	--	--
Office Operations	13,274.00	189.74	3,173.60	10,100.40	23.9%
Total Office Allowances		189.74	3,298.60		
Operational Resources					
Operational Resources	--	1,637.43	4,659.83	--	--
Total Operational Resources		1,637.43	4,659.83		
Travel & Living Allowances					
House in Session	--	1,500.16	7,160.73	--	--
House Not in Session	--	2,427.01	10,446.38	--	--
Intra & Extra-Constituency Travel	43,540.00	-2,350.95	34,087.02	9,452.98	78.3%
Total Travel & Living Allowances		1,576.22	51,694.13		
Constituency Allowance					
Constituency Allowance	2,655.00	0.00	1,922.01	732.99	72.4%
Total Constituency Allowance		0.00	1,922.01		
Total Expenditures		3,403.39	61,574.57		

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Expenditures Summarized by Category
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KELLY, DARRYL, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	17,750.00	1,479.17	13,312.53	4,437.47	75.0%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	79.00	0.00	75.07	3.93	95.0%
Office Operations	13,274.00	1,927.01	3,648.81	9,625.19	27.5%
Total Office Allowances		3,406.18	17,036.41		
Operational Resources					
Operational Resources	--	756.18	5,558.50	--	--
Total Operational Resources		756.18	5,558.50		
Travel & Living Allowances					
House in Session	--	4,239.34	12,969.57	--	--
House Not in Session	--	0.00	5,656.73	--	--
Intra & Extra-Constituency Travel	13,274.00	545.64	3,631.26	9,642.74	27.4%
Total Travel & Living Allowances		4,784.98	22,257.56		
Constituency Allowance					
Constituency Allowance	2,655.00	0.00	171.84	2,483.16	6.5%
Total Constituency Allowance		0.00	171.84		
Total Expenditures		8,947.34	45,024.31		

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01-Dec-09 to 31-Dec-09

KENNEDY, JEROME, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	6,195.00	0.00	0.00	6,195.00	0.0%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	880.00	0.00	0.00	880.00	0.0%
Office Operations	13,274.00	90.00	804.00	12,470.00	6.1%
Total Office Allowances		90.00	804.00		
Operational Resources					
Operational Resources	--	622.06	5,500.29	--	--
Total Operational Resources		622.06	5,500.29		
Travel & Living Allowances					
House in Session	--	0.00	110.60	--	--
House Not in Session	--	0.00	328.64	--	--
Intra & Extra-Constituency Travel	8,496.00	0.00	653.83	7,842.17	7.7%
Total Travel & Living Allowances		0.00	1,093.07		
Constituency Allowance					
Constituency Allowance	2,655.00	0.00	41.56	2,613.44	1.6%
Total Constituency Allowance		0.00	41.56		
Total Expenditures		712.06	7,438.92		

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KENT, STEVE, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	6,195.00	0.00	0.00	6,195.00	0.0%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	646.00	0.00	33.25	612.75	5.1%
Office Operations	13,274.00	870.35	4,723.51	8,550.49	35.6%
Total Office Allowances		870.35	4,756.76		
Operational Resources					
Operational Resources	--	306.36	3,555.97	--	--
Total Operational Resources		306.36	3,555.97		
Travel & Living Allowances					
House in Session	--	0.00	0.00	--	--
House Not in Session	--	0.00	0.00	--	--
Intra & Extra-Constituency Travel	6,637.00	0.00	32.92	6,604.08	0.5%
Total Travel & Living Allowances		0.00	32.92		
Constituency Allowance					
Constituency Allowance	2,655.00	0.00	420.50	2,234.50	15.8%
Total Constituency Allowance		0.00	420.50		
Total Expenditures		1,176.71	8,766.15		

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KING, DARIN, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	6,195.00	1,766.24	1,766.24	4,428.76	28.5%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	806.00	0.00	0.00	806.00	0.0%
Office Operations	13,274.00	403.70	2,268.70	11,005.30	17.1%
Total Office Allowances		2,169.94	4,034.94		
Operational Resources					
Operational Resources	--	898.29	10,493.84	--	--
Total Operational Resources		898.29	10,493.84		
Travel & Living Allowances					
House in Session	--	281.36	2,671.21	--	--
House Not in Session	--	834.58	4,335.10	--	--
Intra & Extra-Constituency Travel	13,274.00	1,351.13	4,279.45	8,994.55	32.2%
Total Travel & Living Allowances		2,467.07	11,285.76		
Constituency Allowance					
Constituency Allowance	2,655.00	31.79	328.13	2,326.87	12.4%
Total Constituency Allowance		31.79	328.13		
Total Expenditures		5,567.09	26,142.67		

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LODER, TERRY, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	13,473.00	1,001.00	10,470.00	3,003.00	77.7%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	244.00	0.00	0.00	244.00	0.0%
Office Operations	13,274.00	2,473.50	4,160.45	9,113.55	31.3%
Total Office Allowances		3,474.50	14,630.45		
Operational Resources					
Operational Resources	--	530.11	3,063.41	--	--
Total Operational Resources		530.11	3,063.41		
Travel & Living Allowances					
House in Session	--	0.00	7,430.56	--	--
House Not in Session	--	2,016.38	7,361.74	--	--
Intra & Extra-Constituency Travel	13,805.00	157.00	2,516.18	11,288.82	18.2%
Total Travel & Living Allowances		2,173.38	17,308.48		
Constituency Allowance					
Constituency Allowance	2,655.00	0.00	0.00	2,655.00	0.0%
Total Constituency Allowance		0.00	0.00		
Total Expenditures		6,177.99	35,002.34		

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MARSHALL, ELIZABETH, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	6,195.00	0.00	0.00	6,195.00	0.0%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	--	0.00	0.00	--	--
Office Operations	13,274.00	275.00	1,596.96	11,677.04	12.0%
Total Office Allowances		275.00	1,596.96		
Operational Resources					
Operational Resources	--	74.47	473.97	--	--
Total Operational Resources		74.47	473.97		
Travel & Living Allowances					
House in Session	--	0.00	0.00	--	--
House Not in Session	--	0.00	0.00	--	--
Intra & Extra-Constituency Travel	6,637.00	0.00	0.00	6,637.00	0.0%
Total Travel & Living Allowances		0.00	0.00		
Constituency Allowance					
Constituency Allowance	2,655.00	0.00	239.45	2,415.55	9.0%
Total Constituency Allowance		0.00	239.45		
Total Expenditures		349.47	2,310.38		

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MARSHALL, THOMAS, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	6,195.00	0.00	0.00	6,195.00	0.0%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	--	0.00	0.00	--	--
Office Operations	13,274.00	0.00	384.24	12,889.76	2.9%
Total Office Allowances		0.00	384.24		
Operational Resources					
Operational Resources	--	318.41	1,494.20	--	--
Total Operational Resources		318.41	1,494.20		
Travel & Living Allowances					
House in Session	--	0.00	7,646.92	--	--
House Not in Session	--	0.00	0.00	--	--
Intra & Extra-Constituency Travel	6,991.00	594.65	594.65	6,396.35	8.5%
Total Travel & Living Allowances		594.65	8,241.57		
Constituency Allowance					
Constituency Allowance	2,655.00	0.00	0.00	2,655.00	0.0%
Total Constituency Allowance		0.00	0.00		
Total Expenditures					
		913.06	10,120.01		

---- End of Report ----



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MICHAEL, LORRAINE, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	6,195.00	0.00	0.00	6,195.00	0.0%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	--	0.00	0.00	--	--
Office Operations	13,274.00	1,199.62	1,713.28	11,560.72	12.9%
Total Office Allowances		1,199.62	1,713.28		
Operational Resources					
Operational Resources	--	297.90	1,567.92	--	--
Total Operational Resources		297.90	1,567.92		
Travel & Living Allowances					
House in Session	--	0.00	0.00	--	--
House Not in Session	--	0.00	0.00	--	--
Intra & Extra-Constituency Travel	6,637.00	-2,579.20	-2,383.68	9,020.68	-35.9%
Total Travel & Living Allowances		-2,579.20	-2,383.68		
Constituency Allowance					
Constituency Allowance	2,655.00	0.00	0.00	2,655.00	0.0%
Total Constituency Allowance		0.00	0.00		
Total Expenditures		-1,081.68	897.52		

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O'BRIEN, KEVIN, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	6,195.00	0.00	0.00	6,195.00	0.0%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	--	0.00	0.00	--	--
Office Operations	13,274.00	2,387.00	3,949.97	9,324.03	29.8%
Total Office Allowances		2,387.00	3,949.97		
Operational Resources					
Operational Resources	--	863.81	9,297.43	--	--
Total Operational Resources		863.81	9,297.43		
Travel & Living Allowances					
House in Session	--	0.00	5,472.86	--	--
House Not in Session	--	0.00	0.00	--	--
Intra & Extra-Constituency Travel	8,496.00	640.95	4,798.32	3,697.68	56.5%
Total Travel & Living Allowances		640.95	10,271.18		
Constituency Allowance					
Constituency Allowance	2,655.00	0.00	156.79	2,498.21	5.9%
Total Constituency Allowance		0.00	156.79		
Total Expenditures		3,891.76	23,675.37		

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ORAM, PAUL, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	6,195.00	0.00	4,000.00	2,195.00	64.6%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	--	0.00	0.00	--	--
Office Operations	13,274.00	393.76	745.56	12,528.44	5.6%
Total Office Allowances		393.76	4,745.56		
Operational Resources					
Operational Resources	--	565.83	7,109.59	--	--
Total Operational Resources		565.83	7,109.59		
Travel & Living Allowances					
House in Session	--	0.00	4,389.60	--	--
House Not in Session	--	0.00	0.00	--	--
Intra & Extra-Constituency Travel	11,327.00	747.11	6,926.54	4,400.46	61.2%
Total Travel & Living Allowances		747.11	11,316.14		
Constituency Allowance					
Constituency Allowance	2,655.00	0.00	551.71	2,103.29	20.8%
Total Constituency Allowance		0.00	551.71		
Total Expenditures		1,706.70	23,723.00		

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OSBORNE, SHEILA, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	6,195.00	0.00	0.00	6,195.00	0.0%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	--	0.00	0.00	--	--
Office Operations	13,274.00	1,586.14	1,770.88	11,503.12	13.3%
Total Office Allowances		1,586.14	1,770.88		
Operational Resources					
Operational Resources	--	118.80	1,288.06	--	--
Total Operational Resources		118.80	1,288.06		
Travel & Living Allowances					
House in Session	--	0.00	0.00	--	--
House Not in Session	--	0.00	0.00	--	--
Intra & Extra-Constituency Travel	6,637.00	0.00	0.00	6,637.00	0.0%
Total Travel & Living Allowances		0.00	0.00		
Constituency Allowance					
Constituency Allowance	2,655.00	0.00	0.00	2,655.00	0.0%
Total Constituency Allowance		0.00	0.00		
Total Expenditures		1,704.94	3,058.94		

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OSBORNE, TOM, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	6,195.00	0.00	0.00	6,195.00	0.0%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	--	0.00	0.00	--	--
Office Operations	13,274.00	1,595.66	3,832.94	9,441.06	28.9%
Total Office Allowances		1,595.66	3,832.94		
Operational Resources					
Operational Resources	--	893.23	3,431.16	--	--
Total Operational Resources		893.23	3,431.16		
Travel & Living Allowances					
House in Session	--	0.00	0.00	--	--
House Not in Session	--	0.00	0.00	--	--
Intra & Extra-Constituency Travel	6,637.00	0.00	0.00	6,637.00	0.0%
Total Travel & Living Allowances		0.00	0.00		
Constituency Allowance					
Constituency Allowance	2,655.00	88.90	419.75	2,235.25	15.8%
Total Constituency Allowance		88.90	419.75		
Total Expenditures		2,577.79	7,683.85		

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PARSONS, KELVIN, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	12,000.00	1,000.00	9,000.00	3,000.00	75.0%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	--	0.00	0.00	--	--
Office Operations	13,274.00	2,443.91	5,252.96	8,021.04	39.6%
Total Office Allowances		3,443.91	14,252.96		
Operational Resources					
Operational Resources	--	539.29	3,888.59	--	--
Total Operational Resources		539.29	3,888.59		
Travel & Living Allowances					
House in Session	--	1,491.71	12,834.44	--	--
House Not in Session	--	169.91	7,701.57	--	--
Intra & Extra-Constituency Travel	12,478.00	200.11	3,933.97	8,544.03	31.5%
Total Travel & Living Allowances		1,861.73	24,469.98		
Constituency Allowance					
Constituency Allowance	2,655.00	60.00	1,209.28	1,445.72	45.5%
Total Constituency Allowance		60.00	1,209.28		
Total Expenditures					
		5,904.93	43,820.81		

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PARSONS, KEVIN, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	6,195.00	0.00	0.00	6,195.00	0.0%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	814.00	0.00	0.00	814.00	0.0%
Office Operations	13,274.00	184.74	614.73	12,659.27	4.6%
Total Office Allowances		184.74	614.73		
Operational Resources					
Operational Resources	--	177.59	2,991.39	--	--
Total Operational Resources		177.59	2,991.39		
Travel & Living Allowances					
House in Session	--	0.00	0.00	--	--
House Not in Session	--	0.00	0.00	--	--
Intra & Extra-Constituency Travel	7,965.00	99.40	710.79	7,254.21	8.9%
Total Travel & Living Allowances		99.40	710.79		
Constituency Allowance					
Constituency Allowance	2,655.00	0.00	239.29	2,415.71	9.0%
Total Constituency Allowance		0.00	239.29		
Total Expenditures		461.73	4,556.20		

---- End of Report ----



House of Assembly
Newfoundland and Labrador
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Expenditures Summarized by Category
01-Dec-09 to 31-Dec-09

PEACH, CALVIN, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	6,195.00	0.00	0.00	6,195.00	0.0%
Rental of Short-term Accommodations	664.00	0.00	546.96	117.04	82.4%
Office Start-up Costs	245.00	0.00	0.00	245.00	0.0%
Office Operations	13,274.00	319.89	1,210.72	12,063.28	9.1%
Total Office Allowances		319.89	1,757.68		
Operational Resources					
Operational Resources	--	475.13	3,629.37	--	--
Total Operational Resources		475.13	3,629.37		
Travel & Living Allowances					
House in Session	--	0.00	5,840.87	--	--
House Not in Session	--	455.60	2,556.78	--	--
Intra & Extra-Constituency Travel	14,513.00	416.82	6,732.78	7,780.22	46.4%
Total Travel & Living Allowances		872.42	15,130.43		
Constituency Allowance					
Constituency Allowance	2,655.00	258.00	1,172.99	1,482.01	44.2%
Total Constituency Allowance		258.00	1,172.99		
Total Expenditures		1,925.44	21,690.47		

---- End of Report ----



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Expenditures Summarized by Category
01-Dec-09 to 31-Dec-09

PERRY, TRACEY, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	9,228.00	769.00	6,921.00	2,307.00	75.0%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	15.00	0.00	0.00	15.00	0.0%
Office Operations	13,274.00	652.53	4,096.19	9,177.81	30.9%
Total Office Allowances		1,421.53	11,017.19		
Operational Resources					
Operational Resources	--	730.53	4,458.64	--	--
Total Operational Resources		730.53	4,458.64		
Travel & Living Allowances					
House in Session	--	4,613.51	11,913.65	--	--
House Not in Session	--	1,661.92	5,134.25	--	--
Intra & Extra-Constituency Travel	52,743.00	843.82	4,179.94	48,563.06	7.9%
Total Travel & Living Allowances		7,119.25	21,227.84		
Constituency Allowance					
Constituency Allowance	2,655.00	103.43	970.65	1,684.35	36.6%
Total Constituency Allowance		103.43	970.65		
Total Expenditures		9,374.74	37,674.32		

---- End of Report ----



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Newfoundland and Labrador
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Expenditures Summarized by Category
01-Dec-09 to 31-Dec-09

POLLARD, KEVIN, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	12,000.00	1,000.00	9,000.00	3,000.00	75.0%
Rental of Short-term Accommodations	664.00	0.00	150.00	514.00	22.6%
Office Start-up Costs	682.00	0.00	0.00	682.00	0.0%
Office Operations	13,274.00	103.64	2,645.67	10,628.33	19.9%
Total Office Allowances		1,103.64	11,795.67		
Operational Resources					
Operational Resources	--	247.51	2,044.58	--	--
Total Operational Resources		247.51	2,044.58		
Travel & Living Allowances					
House in Session	--	195.75	8,866.51	--	--
House Not in Session	--	2,058.88	3,126.23	--	--
Intra & Extra-Constituency Travel	11,150.00	1,681.88	5,140.12	6,009.88	46.1%
Total Travel & Living Allowances		3,936.51	17,132.86		
Constituency Allowance					
Constituency Allowance	2,655.00	140.23	887.86	1,767.14	33.4%
Total Constituency Allowance		140.23	887.86		
Total Expenditures		5,427.89	31,860.97		

---- End of Report ----



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Expenditures Summarized by Category
01-Dec-09 to 31-Dec-09

POTTLE, PATTY, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	6,195.00	0.00	0.00	6,195.00	0.0%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	816.00	0.00	78.71	737.29	9.6%
Office Operations	13,274.00	0.00	332.34	12,941.66	2.5%
Total Office Allowances		0.00	411.05		
Operational Resources					
Operational Resources	--	146.53	2,660.08	--	--
Total Operational Resources		146.53	2,660.08		
Travel & Living Allowances					
House in Session	--	3,581.61	11,178.55	--	--
House Not in Session	--	0.00	0.00	--	--
Intra & Extra-Constituency Travel	40,619.00	1,633.90	5,278.43	35,340.57	13.0%
Total Travel & Living Allowances		5,215.51	16,456.98		
Constituency Allowance					
Constituency Allowance	2,655.00	0.00	0.00	2,655.00	0.0%
Total Constituency Allowance		0.00	0.00		
Total Expenditures		5,362.04	19,528.11		

---- End of Report ----



House of Assembly
Newfoundland and Labrador
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Expenditures Summarized by Category
01-Dec-09 to 31-Dec-09

RIDGELY, BOB, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	6,195.00	0.00	0.00	6,195.00	0.0%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	--	0.00	0.00	--	--
Office Operations	13,274.00	2,531.91	3,472.58	9,801.42	26.2%
Total Office Allowances		2,531.91	3,472.58		
Operational Resources					
Operational Resources	--	112.79	823.87	--	--
Total Operational Resources		112.79	823.87		
Travel & Living Allowances					
House in Session	--	0.00	0.00	--	--
House Not in Session	--	0.00	0.00	--	--
Intra & Extra-Constituency Travel	6,637.00	0.00	0.00	6,637.00	0.0%
Total Travel & Living Allowances		0.00	0.00		
Constituency Allowance					
Constituency Allowance	2,655.00	0.00	0.00	2,655.00	0.0%
Total Constituency Allowance		0.00	0.00		
Total Expenditures		2,644.70	4,296.45		

---- End of Report ----



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Expenditures Summarized by Category
01-Dec-09 to 31-Dec-09

SKINNER, SHAWN, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	6,195.00	0.00	0.00	6,195.00	0.0%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	--	0.00	0.00	--	--
Office Operations	13,274.00	0.00	0.00	13,274.00	0.0%
Total Office Allowances		0.00	0.00		
Operational Resources					
Operational Resources	--	99.02	1,468.95	--	--
Total Operational Resources		99.02	1,468.95		
Travel & Living Allowances					
House in Session	--	0.00	0.00	--	--
House Not in Session	--	0.00	0.00	--	--
Intra & Extra-Constituency Travel	6,637.00	0.00	0.00	6,637.00	0.0%
Total Travel & Living Allowances		0.00	0.00		
Constituency Allowance					
Constituency Allowance	2,655.00	0.00	0.00	2,655.00	0.0%
Total Constituency Allowance		0.00	0.00		
Total Expenditures		99.02	1,468.95		

---- End of Report ----



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Expenditures Summarized by Category
01-Dec-09 to 31-Dec-09

SULLIVAN, SUSAN, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	6,195.00	0.00	0.00	6,195.00	0.0%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	755.00	0.00	0.00	755.00	0.0%
Office Operations	13,274.00	108.10	3,058.36	10,215.64	23.0%
Total Office Allowances		108.10	3,058.36		
Operational Resources					
Operational Resources	--	169.82	2,381.53	--	--
Total Operational Resources		169.82	2,381.53		
Travel & Living Allowances					
House in Session	--	0.00	7,793.90	--	--
House Not in Session	--	0.00	216.98	--	--
Intra & Extra-Constituency Travel	10,088.00	859.41	1,578.13	8,509.87	15.6%
Total Travel & Living Allowances		859.41	9,589.01		
Constituency Allowance					
Constituency Allowance	2,655.00	17.86	593.17	2,061.83	22.3%
Total Constituency Allowance		17.86	593.17		
Total Expenditures		1,155.19	15,622.07		

---- End of Report ----



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Expenditures Summarized by Category
01-Dec-09 to 31-Dec-09

TAYLOR, TREVOR, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	6,195.00	0.00	2,400.00	3,795.00	38.7%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	--	0.00	0.00	--	--
Office Operations	13,274.00	0.00	850.68	12,423.32	6.4%
Total Office Allowances		0.00	3,250.68		
Operational Resources					
Operational Resources	--	179.70	2,944.75	--	--
Total Operational Resources		179.70	2,944.75		
Travel & Living Allowances					
House in Session	--	0.00	1,223.69	--	--
House Not in Session	--	0.00	5,131.80	--	--
Intra & Extra-Constituency Travel	11,150.00	0.00	1,796.82	9,353.18	16.1%
Total Travel & Living Allowances		0.00	8,152.31		
Constituency Allowance					
Constituency Allowance	2,655.00	0.00	70.62	2,584.38	2.7%
Total Constituency Allowance		0.00	70.62		
Total Expenditures		179.70	14,418.36		

---- End of Report ----



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Expenditures Summarized by Category
01-Dec-09 to 31-Dec-09

VERGE, WADE, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	6,195.00	0.00	0.00	6,195.00	0.0%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	186.00	0.00	0.00	186.00	0.0%
Office Operations	13,274.00	518.61	2,450.72	10,823.28	18.5%
Total Office Allowances		518.61	2,450.72		
Operational Resources					
Operational Resources	--	423.19	3,461.10	--	--
Total Operational Resources		423.19	3,461.10		
Travel & Living Allowances					
House in Session	--	2,788.40	10,413.00	--	--
House Not in Session	--	981.93	8,555.30	--	--
Intra & Extra-Constituency Travel	10,177.00	192.72	1,487.88	8,689.12	14.6%
Total Travel & Living Allowances		3,963.05	20,456.18		
Constituency Allowance					
Constituency Allowance	2,655.00	0.00	372.85	2,282.15	14.0%
Total Constituency Allowance		0.00	372.85		
Total Expenditures		4,904.85	26,740.85		

---- End of Report ----



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Expenditures Summarized by Category
01-Dec-09 to 31-Dec-09

WHALEN, DIANNE, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	6,195.00	0.00	0.00	6,195.00	0.0%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	--	0.00	0.00	--	--
Office Operations	13,274.00	150.00	1,706.00	11,568.00	12.9%
Total Office Allowances		150.00	1,706.00		
Operational Resources					
Operational Resources	--	51.71	108.49	--	--
Total Operational Resources		51.71	108.49		
Travel & Living Allowances					
House in Session	--	0.00	0.00	--	--
House Not in Session	--	0.00	0.00	--	--
Intra & Extra-Constituency Travel	8,496.00	0.00	0.00	8,496.00	0.0%
Total Travel & Living Allowances		0.00	0.00		
Constituency Allowance					
Constituency Allowance	2,655.00	63.00	169.00	2,486.00	6.4%
Total Constituency Allowance		63.00	169.00		
Total Expenditures		264.71	1,983.49		

---- End of Report ----



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01-Dec-09 to 31-Dec-09

WILLIAMS, DANNY, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	6,195.00	0.00	0.00	6,195.00	0.0%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	--	0.00	0.00	--	--
Office Operations	13,274.00	0.00	0.00	13,274.00	0.0%
Total Office Allowances		0.00	0.00		
Operational Resources					
Operational Resources	--	0.00	0.00	--	--
Total Operational Resources		0.00	0.00		
Travel & Living Allowances					
House in Session	--	0.00	0.00	--	--
House Not in Session	--	0.00	0.00	--	--
Intra & Extra-Constituency Travel	9,027.00	0.00	0.00	9,027.00	0.0%
Total Travel & Living Allowances		0.00	0.00		
Constituency Allowance					
Constituency Allowance	2,655.00	0.00	0.00	2,655.00	0.0%
Total Constituency Allowance		0.00	0.00		
Total Expenditures		0.00	0.00		

---- End of Report ----



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Expenditures Summarized by Category
01-Dec-09 to 31-Dec-09

WISEMAN, ROSS, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	11,293.00	1,506.67	4,520.01	6,772.99	40.0%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	--	0.00	0.00	--	--
Office Operations	13,274.00	223.04	2,766.09	10,507.91	20.8%
Total Office Allowances		1,729.71	7,286.10		
Operational Resources					
Operational Resources	--	209.91	13,193.44	--	--
Total Operational Resources		209.91	13,193.44		
Travel & Living Allowances					
House in Session	--	863.28	3,864.92	--	--
House Not in Session	--	165.16	562.42	--	--
Intra & Extra-Constituency Travel	9,027.00	472.85	2,316.53	6,710.47	25.7%
Total Travel & Living Allowances		1,501.29	6,743.87		
Constituency Allowance					
Constituency Allowance	2,655.00	154.61	277.17	2,377.83	10.4%
Total Constituency Allowance		154.61	277.17		
Total Expenditures		3,595.52	27,500.58		

---- End of Report ----



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Member Accountability and Disclosure Report
Expenditures Summarized by Category
01-Dec-09 to 31-Dec-09

YOUNG, WALLACE, MHA

Allowance Category	Expenditure Limit for Fiscal Year 2009/10 (Net of HST)	Expenditures Processed 01-Dec-09 to 31-Dec-09 (Net of HST)	Expenditures Year to Date 01-Apr-09 to 31-Dec-09 (Net of HST)	Funds Available (Net of HST)	Percent Expended to Date
Office Allowances					
Office Accommodations	6,195.00	0.00	0.00	6,195.00	0.0%
Rental of Short-term Accommodations	664.00	0.00	0.00	664.00	0.0%
Office Start-up Costs	--	0.00	0.00	--	--
Office Operations	13,274.00	60.00	893.11	12,380.89	6.7%
Total Office Allowances		60.00	893.11		
Operational Resources					
Operational Resources	--	386.47	2,588.39	--	--
Total Operational Resources		386.47	2,588.39		
Travel & Living Allowances					
House in Session	--	0.00	6,002.97	--	--
House Not in Session	--	1,267.12	13,908.98	--	--
Intra & Extra-Constituency Travel	11,150.00	1,167.55	7,784.32	3,365.68	69.8%
Total Travel & Living Allowances		2,434.67	27,696.27		
Constituency Allowance					
Constituency Allowance	2,655.00	0.00	1,139.45	1,515.55	42.9%
Total Constituency Allowance		0.00	1,139.45		
Total Expenditures		2,881.14	32,317.22		

---- End of Report ----

**House of Assembly Management Commission
Briefing Note**

Title: Budget Transfer Request

Issue: Approval of Transfer of Funds – Caucus Operational Grants

Background:

- The Transfer of Funds Policy, April 2008 requires Management Commission approval for the transfer of funds to or from the Allowances and Assistance main object of expenditure.
- Commission Minute 2008-085 approved operational funding entitlements of \$100 per month for each Member, with a monthly minimum of \$800 per Caucus, including the Speaker. The allocation was to be adjusted based on the provincial Consumer Price Index (CPI) for the prior calendar year. However, the adjustments for the CPI were not factored into the budgetary allocations for fiscal 2009-10, and insufficient funds exist to make the approved grants payments for the full fiscal year.
- A \$1,700 transfer is required in order to provide funds for the grant payments to the appropriate Caucuses and Office of the Speaker.
- An analysis of funds expended in fiscal 2008-09 and year-to-date in fiscal 2009-10 indicates that requirements for Allowances and Assistance in the Members' Resources Activity will be less than anticipated in fiscal 2009-10, and therefore permanent savings are available in this Activity/Main Object for transfer.

Action Required:

- The Commission's approval of the following transfer of funds is requested.

From:

Subdivision 1.1.04.09 (HOA) Members' Resources - Allowances and Assistance \$1,700

To:

Subdivision 1.1.01.10 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

Drafted by: Virginia English
Date: January 24, 2010

Approved by: Wm. MacKenzie

**House of Assembly Management Commission
Briefing Note**

Title: Budget Transfer Request

Issue: Approval for a Transfer of Funds – Office of the Chief Electoral Officer

Background:

- The Transfer of Funds Policy, April 2008 requires Management Commission approval for the transfer of funds to or from the Allowances and Assistance main object of expenditure.
- The Office of the Chief Electoral Officer (OCEO) has conducted two unanticipated by-elections to date in this fiscal year. The *Elections Act, 1991* provides that a candidate in an election who receives at least 15% of the popular vote in their district is entitled to reimbursement of up to one third of qualifying election expenses. Payment of the subsidy occurs after the candidate has filed the required financial statements relating to the campaign and the Chief Electoral Officer has reviewed and approved the filing.
- The financial statement filings are due within four months of polling day and while it is difficult to predict just when the filings will actually be received, historically they tend to be filed towards the end of the allowable period. For the two by-elections held in fiscal 2009-10, the filing deadlines are February 27, 2010 for The Straits - White Bay North by-election and March 26, 2010 for the Terra Nova by-election.
- The review and approval process typically takes two to three weeks to complete once the filing has been received. A candidate has filed financial statements and thus a subsidy payment of \$8,100 will be required in the current fiscal year.
- While the OCEO has identified savings to cover operating costs for these two unanticipated by-elections out of the existing budget, the Office does not have available funds to cover this required Grant payment.
- An analysis of funds expended in fiscal 2008-09 and year-to-date in fiscal 2009-10 indicates that requirements for Allowances and Assistance in the Members' Resources Activity will be less than anticipated in fiscal 2009-10, and therefore permanent savings are available in this Activity/Main Object for transfer.

Action Required:

- The Commission's approval of the following transfer of funds is requested.

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

Drafted by: Virginia English
Date: January 24, 2010

Approved by: Wm. MacKenzie

**House of Assembly Management Commission
Briefing Note**

Title: Budget Transfers

Issue: Ratification of Approval of Transfer of Funds

Background:

- Section 5 of the Transfer of Funds Policy, April 2008 states “

“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 a quorum of four members (must include one member representing Government and one member representing a party in opposition to the Government) to approve the transfer of funds prior to processing of the transaction. The transfer of funds approval will be ratified at the next Commission meeting.”

- In accordance with Section 5 of the Transfer of Funds Policy, the two following transfers were approved by a quorum of at least four members of the House of Assembly Management Commission:

1. HOABT2009-0012

Additional funds of up to \$199,800 were required for professional fees for services and legal costs related to the O’Neill review and the investigation by the acting Citizens’ Representative under the Whistleblower provisions of the *House of Assembly Accountability, Integrity and Administration Act*.

From:

Subdivision 1.1.04.09 Members’ Resources – Allowances and Assistance \$199,800

To:

Subdivision 1.1.01.05 Administrative Support – Professional Services \$192,400

Subdivision 4.1.01.05 Office of the Citizens’ Representative – Professional Services \$ 7,400

HOABT2009-0012 was approved by Commission Members: Ms. L. Michael, Ms. E. Marshall, Ms. J. Burke, Mr. J. Kennedy and the Chair, Mr. R. Fitzgerald.

2. HOABT2009-0015

Funds were required for payment of renovations to a Crown-owned building in order to provide adequate constituency office space for a Member of the House of Assembly.

From:

Subdivision 1.1.04.09 Members' Resources – Allowances and Assistance \$22,800

To:

Subdivision 1.1.04.06 Members' Resources – Purchased Services \$22,800

HOABT2009-0015 was approved by Commission Members: Ms. L. Michael, Ms. E. Marshall, Mr. K. Parsons, Ms. J. Burke and the Chair, Mr. R. Fitzgerald.

Action Required:

The Commission ratifies the approval of the following transfers of funds:

- 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.
- 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.

Drafted by: Virginia English
Date: January 24, 2010

Approved by: Wm. MacKenzie

**House of Assembly Management Commission
Briefing Note**

Title: Budget Transfers Report

Issue: Budget Transfers Processed During the Period - October 1, 2009 to January 15, 2010

Background:

- The Transfer of Funds Policy, April 2008 requires only certain budget transfers to be approved by the Commission. However, to ensure transparency, it was proposed that all transfers of funds should be reported to the Commission.
- In accordance with Section 4.1.1 of the Transfer of Funds Policy, the following twelve (12) transfers were approved by the Clerk of the House of Assembly and the applicable Statutory Officer or Chief Financial Officer (or designate):
 - HOABT2009-0004
 - HOABT2009-0006 to HOABT2009-0011
 - HOABT2009-0013 to HOABT2009-0014
 - HOABT2009-0016 to HOABT2009-0018
- In accordance with Section 4.2.1 of the Transfer of Funds Policy, the following two (2) transfers of funds were approved by the House of Assembly Management Commission:
 - HOABT2009-0003 approved per Commission Minutes CM2009-046 and CM2009-047
 - HOABT2009-0005 approved as per Commission Minute CM2009-058.
- In accordance with Section 5 of the Transfer of Funds Policy, the following two (2) transfers were approved by a quorum of at least four members of the House of Assembly Management Commission:
 - HOABT2009-0012
 - HOABT2009-0015

These two Budget Transfers will be presented in a separate Briefing Note for ratification of the approval in accordance with the Transfer of Funds Policy.

Action Required:

- For information purposes only.

Drafted by: Virginia English
Date: January 24, 2010

Approved by: Wm. MacKenzie

LEGISLATURE

Budget Adjustment No.: HOABT2009-0003

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0241	120	0580	B051	000000	4.1.01.05 Office of the Citizens' Representative – Professional Services	\$43,700
0201	120	0400	B051	000000	1.1.01.05 (House of Assembly) Administrative Support – Professional Services	\$26,500

FUNDS REQUIRED FOR:

Additional funds are required for unbudgeted, unanticipated expenditures for professional fees.

\$43,700 is required for legal costs related to various matters at the Office of the Citizens' Representative.

\$26,500 is required for professional fees relating to the investigation by The Centre for Innovative Dispute Resolution of the complaint of harassment by the Child and Youth Advocate against the Speaker of the House of Assembly.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0206	130	0410	B091	000000	1.1.04.09 (House of Assembly) Members' Resources – Allowances and Assistance	\$70,200

REASON FUNDS ARE AVAILABLE:

An analysis of funds expended in fiscal 2008-09 and year-to-date in fiscal 2009-10 indicates that requirements for Allowances and Assistance will be less than anticipated in fiscal 2009-10, and therefore permanent savings are available in this Activity/Main Object.

<p>VERIFIED BY:</p> <p><i>Marlene Lambie</i></p> <p>Chief Financial Officer</p> <p>Date: <u>2009-09-30</u></p>	<p>APPROVED BY:</p> <p><i>CM 2009-046 and CM 2009-047</i></p> <p>House of Assembly Management Commission</p> <p>Date: <u>October 7, 2009</u></p>
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LEGISLATURE

Budget Adjustment No.: HOABT2009-0004

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0249	110	0450	B023	000000	6.1.01.02 Office of the Information & Privacy Commissioner – Employee Benefits	\$5,200

FUNDS REQUIRED FOR:

Conference registration for six staff to attend a Conducting Regulatory Investigation Conference. Staff will also attend meetings with staff of other jurisdictions who already have personal health information legislation in place to discuss their experiences.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0249	110	0450	B031	000000	6.1.01.03 Office of the Information & Privacy Commissioner – Transportation & Communications	\$5,200

REASON FUNDS ARE AVAILABLE:

Funds that were budgeted in T&C for travel re PHIA are now being utilized to attend related conferences.

<p>VERIFIED BY:</p> <p align="center"><u>M. Lambie</u></p> <p>Chief Financial Officer</p> <p>Date: <u>2009-10-21</u></p>	<p>APPROVED BY:</p> <p align="center"><u>[Signature]</u></p> <p>Clerk of the House of Assembly</p> <p>Date: <u>2009. 10. 22</u></p>	<p>APPROVED BY:</p> <p align="center"><u>[Signature]</u></p> <p>Statutory Officer</p> <p>Date: <u>22 Oct 2009.</u></p>
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LEGISLATURE

Budget Adjustment No.: HOABT2009-0005

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0241	100	0580	B012	000000	4.1.01.01 Office of the Citizens' Representative – Salaries	\$36,000
0241	120	0580	B051	000000	4.1.01.05 Office of the Citizens' Representative – Professional Services	\$62,500
0206	110	0410	B041	000000	1.1.04.04 (House of Assembly) Members' Resources – Supplies	\$1,000
0206 T	110	0410	B061	000000	1.1.04.06 (House of Assembly) Members' Resources – Purchased Services	\$4,300

FUNDS REQUIRED FOR:

\$62,500 is required for payment of professional fees to the Acting Citizens' Representative to conduct the investigation under the Whistleblower provisions of the *House of Assembly Accountability, Integrity and Administration (HOAAlA)* Act; \$36,000 is required for unbudgeted salary expenditures for an investigator seconded from the Office of the Information and Privacy Commissioner and an administrative support person to work with the Acting Citizens' Representative.

\$5,300 is required for operating expenditures incurred by the Members' Compensation and Review Committee (MCRC) in this fiscal year (Supplies - \$1,000; Purchased Services - \$4,300).

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0206	130	0410	B091	000000	1.1.04.09 (House of Assembly) Members' Resources – Allowances and Assistance	\$103,800

REASON FUNDS ARE AVAILABLE:

An analysis of funds expended in fiscal 2008-09 and year-to-date in fiscal 2009-10 indicates that requirements for Allowances and Assistance will be less than anticipated in fiscal 2009-10, and therefore permanent savings are available in this Activity/Main Object.

<p>VERIFIED BY:</p> <p align="center"><i>Marilyn Lumbe</i></p> <p>Chief Financial Officer</p> <p>Date: <u>2009-10-27</u></p>	<p>APPROVED BY:</p> <p align="center"><u>CM-2009-0005</u></p> <p>House of Assembly Management Commission</p> <p>Date: <u>November 9, 2009</u></p>
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LEGISLATURE

Budget Adjustment No.: HOABT2009-0006

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0249	110	0450	B041	000000	6.1.01.0 Office of the Information & Privacy Commissioner – Supplies	\$5,000

FUNDS REQUIRED FOR:

Funding is required to cover the costs of Commissioner's National Conference supplies which were budgeted in Purchased Service main object but appropriately charged to Supplies main object.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0249	110	0450	B061	000000	6.1.01.06 Office of the Information & Privacy Commissioner – Purchased Services	\$5,000

REASON FUNDS ARE AVAILABLE:

Total funding for the Commissioner's National Conference hosted by OIPC (including cost of supplies) was budgeted in Purchased Services main object. However, supplies for the conference have been appropriately charged to the Supplies main object.

<p>VERIFIED BY:</p> <p><u>M. Lambe</u></p> <p>Chief Financial Officer</p> <p>Date: <u>2009-10-30</u></p>	<p>APPROVED BY:</p> <p><u>[Signature]</u></p> <p>Clerk of the House of Assembly</p> <p>Date: <u>2009.10.30.</u></p>	<p>APPROVED BY:</p> <p><u>[Signature]</u></p> <p>Statutory Officer</p> <p>Date: <u>30 Oct 2009.</u></p>
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LEGISLATURE

Budget Adjustment No.: HOABT2009-0007

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0203	110	04B0	B041	000000	1.1.07.04 Official Opposition Caucus – Supplies	\$3,000

FUNDS REQUIRED FOR:

Supplies for regular office operations. The original budget of \$12,500 was an estimate based on the percentage of overall funding received by the Caucus for staffing.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0203	110	04B0	B061	000000	1.1.07.06 Official Opposition Caucus – Purchased Services	\$3,000

REASON FUNDS ARE AVAILABLE:

Expenditures for purchased services are less than estimated.

<p>APPROVED BY:</p> <p align="center"><u>M. Lambie</u></p> <p>Chief Financial Officer</p> <p>Date: <u>2009-11-13</u></p>	<p>APPROVED BY:</p> <p align="center"><u>[Signature]</u></p> <p>Clerk of the House of Assembly</p> <p>Date: <u>2009. 11. 13.</u></p>
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LEGISLATURE

Budget Adjustment No.: HOABT2009-0008

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0203	110	04B0	B023	000000	1.1.07.02 Official Opposition Caucus – Employee Benefits	\$700

FUNDS REQUIRED FOR:

Employee Benefits for reimbursement of conference fees paid by employees. The original budget of \$1,500 was an estimate based on the percentage of overall funding received by the Caucus for staffing.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0203	110	04B0	B031	000000	1.1.07.03 Official Opposition Caucus – Transportation and Communications	\$700

REASON FUNDS ARE AVAILABLE:

Expenditures for transportation and communications are less than estimated.

<p>APPROVED BY:</p> <p align="center"><i>M. Lamb</i></p> <hr/> <p>Chief Financial Officer</p> <p>Date: <u>2009-11-16</u></p>	<p>APPROVED BY:</p> <p align="center"><i>[Signature]</i></p> <hr/> <p>Clerk of the House of Assembly</p> <p>Date: <u>2009.11.17.</u></p>
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LEGISLATURE

Budget Adjustment No.: HOABT2009-0009

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0245	120	0590	B051	000000	5.1.01.05 Office of the Child and Youth Advocate – Professional Services	\$8,000

FUNDS REQUIRED FOR:

Professional services required for the provision of personal lifestyle coaching for employees.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0245	110	0590	B032	000000	5.1.01.05 Office of the Child and Youth Advocate – Transportation and Communications	\$8,000

REASON FUNDS ARE AVAILABLE:

Expenditures for transportation and communications are less than estimated.

<p>VERIFIED BY:</p> <p><u>M. Lambie</u></p> <p>Chief Financial Officer</p> <p>Date: <u>2009-11-23</u></p>	<p>APPROVED BY:</p> <p><u>[Signature]</u></p> <p>Clerk of the House of Assembly</p> <p>Date: <u>2009.11.23.</u></p>	<p>APPROVED BY:</p> <p><u>[Signature]</u></p> <p>Statutory Officer</p> <p>Date: <u>NOV. 26, 2009</u></p>
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LEGISLATURE

Budget Adjustment No.: HOABT2009-0010

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0201	120	0400	B051	000000	1.1.01.05 (House of Assembly) Administrative Support – Professional Services	\$25,400
0206	120	0410	B051	000000	1.1.04.06 (House of Assembly) Members' Resources – Professional Services	\$17,300

FUNDS REQUIRED FOR:

\$25,400 is required for legal fees concerning on-going matters related to the Office of the Child and Youth Advocate.

\$17,300 is required for payment of professional fees for the Members' Compensation and Review Committee (MCRC) members.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0202	110	0420	B032	000000	1.1.05.03 House Operations – Transportation and Communications	\$42,700

REASON FUNDS ARE AVAILABLE:

Expenditures for transportation and communications related to conferences are less than estimated.

<p>APPROVED BY:</p> <p align="center"><i>M. Lambie</i></p> <hr/> <p>Chief Financial Officer</p> <p>Date: <u>2009-11-25</u></p>	<p>APPROVED BY:</p> <p align="center"><i>[Signature]</i></p> <hr/> <p>Clerk of the House of Assembly</p> <p>Date: <u>2009. 11. 26.</u></p>
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LEGISLATURE

Budget Adjustment No.: HOABT2009-0011

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0245	120	0590	B051	000000	5.1.01.05 Office of the Child and Youth Advocate – Professional Services	\$4,800

FUNDS REQUIRED FOR:

Professional services required for the provision of counselling/development for employees.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0245	110	0590	B032	000000	5.1.01.05 Office of the Child and Youth Advocate – Transportation and Communications	\$4,800

REASON FUNDS ARE AVAILABLE:

Expenditures for transportation and communications are less than estimated.

<p>VERIFIED BY:</p> <p><u>M. Lambie</u></p> <p>Chief Financial Officer</p> <p>Date: <u>2010-01-08</u></p>	<p>APPROVED BY:</p> <p><u>W. M. [Signature]</u></p> <p>Clerk of the House of Assembly</p> <p>Date: <u>2010.01.08.</u></p>	<p>APPROVED BY:</p> <p><u>[Signature]</u></p> <p>Statutory Officer</p> <p>Date: <u>2010.01.12</u></p>
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LEGISLATURE

Budget Adjustment No.: HOABT2009-0012

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0201	120	0400	B051	000000	1.1.01.05 (House of Assembly) Administrative Support – Professional Services	\$192,400
0241	120	0580	B051	000000	4.1.01.05 Office of the Citizens' Representative – Professional Services	\$7,400

FUNDS REQUIRED FOR:

Additional funds are required for unbudgeted, unanticipated expenditures for professional fees.

\$172,400 is required in Administrative Support for professional and legal fees relating to the review into the circumstances of Fraser March's removal from office.

Up to \$20,000 is required in Administrative Support for legal fees incurred on behalf of Mr. Fraser March, as approved by CM2009-067.

\$7,400 is required in the Office of the Citizens' Representative for payment of legal fees to Ottenheimer Baker related to the investigation conducted under the Whistleblower provision of the *House of Assembly Accountability, Integrity and Administration Act*.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0206	160	0410	B091	000000	1.1.04.09 (House of Assembly) Members' Resources – Allowances and Assistance	\$199,800

REASON FUNDS ARE AVAILABLE:

An analysis of funds expended in fiscal 2008-09 and year-to-date in fiscal 2009-10 indicates that requirements for Allowances and Assistance will be less than anticipated in fiscal 2009-10, and therefore permanent savings are available in this Activity/Main Object.

<p>VERIFIED BY:</p> <p><u>M. Lambe</u></p> <p>Chief Financial Officer</p> <p>Date: <u>2009-12-17</u></p>	<p>APPROVED BY:</p> <p><u>[Signature]</u></p> <p>House of Assembly Management Commission</p> <p>Date: <u>Dec 16/2009</u></p>
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LEGISLATURE

Budget Adjustment No.: HOABT2009-0013

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0201	110	0400	B041	000000	1.1.01.04 (House of Assembly) Administrative Support – Supplies	\$4,000

FUNDS REQUIRED FOR:

Expenditures related to the Clerks-at-the-Table conference that were budgeted in Purchased Services but purchased in Supplies.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0201	110	0400	B061	000000	1.1.01.06 Administrative Support – Purchased Services	\$4,000

REASON FUNDS ARE AVAILABLE:

Expenditures for purchased services related to the Clerks-at-the-Table conference and printing costs are less than estimated.

<p>APPROVED BY:</p> <p align="center"><i>M. Lamb</i></p> <hr/> <p>Chief Financial Officer</p> <p>Date: <u>2009-12-21</u></p>	<p>APPROVED BY:</p> <p align="center"><i>[Signature]</i></p> <hr/> <p>Clerk of the House of Assembly</p> <p>Date: <u>2009.12.21.</u></p>
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LEGISLATURE

Budget Adjustment No.: HOABT2009-0014

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0208	110	0430	B041	000000	1.1.03.04 Hansard and the Broadcast Centre - Supplies	\$3,000

FUNDS REQUIRED FOR:

Expenditures for Supplies in the Broadcast Centre are higher than anticipated.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0208	110	0430	B032	000000	1.1.03.03 Hansard and the Broadcast Centre - Transportation and Communications	\$3,000

REASON FUNDS ARE AVAILABLE:

Expenditures for travel to conferences is less than anticipated.

<p>APPROVED BY:</p> <p align="center"><u>M. Lambe</u></p> <p>Chief Financial Officer</p> <p>Date: <u>2009-12-21</u></p>	<p>APPROVED BY:</p> <p align="center"><u>[Signature]</u></p> <p>Clerk of the House of Assembly</p> <p>Date: <u>2009.12.21</u></p>
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LEGISLATURE

Budget Adjustment No.: HOABT2009-0015

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0206	110	0410	B061	000000	1.1.04.06 (House of Assembly) Members' Resources – Purchased Services	\$22,800

FUNDS REQUIRED FOR:

Renovations to a Crown-owned building are required to provide adequate constituency office space, as approved by the House of Assembly Management Commission. No funds are available for this purpose.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0206	130	0410	B091	000000	1.1.04.09 Members' Resources – Allowances and Assistance	\$22,800

REASON FUNDS ARE AVAILABLE:

An analysis of funds expended in fiscal 2008-09 and year-to-date in fiscal 2009-10 indicates that requirements for Allowances and Assistance will be less than anticipated in fiscal 2009-10, and therefore permanent savings are available in this Activity/Main Object.

<p>VERIFIED BY:</p> <p align="center"><i>M. Lambie</i></p> <p>_____ Chief Financial Officer Date: <u>2009-12-21</u></p>	<p>APPROVED BY:</p> <p align="center"><i>[Signature]</i> <i>[Signature]</i></p> <p>_____ House of Assembly Management Commission Date: <u>Dec 22/09</u></p>
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LEGISLATURE

Budget Adjustment No.: HOABT2009-0016

TRANSFER TO:

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	\$15,000

FUNDS REQUIRED FOR:

Supplies and Purchased Services expenditures relating to two unbudgeted by-elections.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0211	120	0600	B051	000000	3.1.01.05 Office of the Chief Electoral Officer – Professional Services	\$15,000

REASON FUNDS ARE AVAILABLE:

Expenditures for professional services related to the Commission of Legislative Standards are less than estimated.

<p>VERIFIED BY:</p> <p align="center"><u>M. Lambie</u></p> <p>Chief Financial Officer</p> <p>Date: <u>2008-01-08</u></p>	<p>APPROVED BY:</p> <p align="center"><u>[Signature]</u></p> <p>Clerk of the House of Assembly</p> <p>Date: <u>2008.01.08.</u></p>	<p>APPROVED BY:</p> <p align="center"><u>[Signature]</u></p> <p>Statutory Officer</p> <p>Date: <u>Jan 12/10</u></p>
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LEGISLATURE

Budget Adjustment No.: HOABT2009-0017

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0203	110	04B0	B023	000000	1.1.07.02 Official Opposition Caucus – Employee Benefits	\$2,000

FUNDS REQUIRED FOR:

Employee Benefits for reimbursement of conference fees paid by employees. The original budget of \$1,500 was an estimate based on the percentage of overall funding received by the Caucus for staffing.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0203	110	04B0	B071	000000	1.1.07.03 Official Opposition Caucus – Property, Furnishings and Equipment	\$1,500
0201	110	0400	B061	000000	1.1.01.06 Administrative Support – Purchased Services	\$ 500

REASON FUNDS ARE AVAILABLE:

Expenditures for property, furnishings and equipment are less than estimated. Funds are available in Administrative Support due to lower than anticipated printing costs.

<p>APPROVED BY:</p> <p><u>M. Lambie</u></p> <p>Chief Financial Officer</p> <p>Date: <u>2010-01-15</u></p>	<p>APPROVED BY:</p> <p><u>W. M. Kuzie</u></p> <p>Clerk of the House of Assembly</p> <p>Date: <u>2010.01.15.</u></p>
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LEGISLATURE

Budget Adjustment No. **HOAET2009-1011**

TRANSFER TO:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0241	120	0580	B051	000000	4.1.01.05 Office of the Citizens' Representative -- Professional Services	\$2,100

FUNDS REQUIRED FOR:

Additional funds are required for unbudgeted, unanticipated expenditures for legal fees relating to the on-going investigation under the Whistleblower provisions of the *House of Assembly Accountability, Integrity and Administration (HOAIA)* Act.

TRANSFER FROM:

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0201	110	0400	B061	000000	1.1.01.06 Administrative Support - Purchased Services	\$2,100

REASON FUNDS ARE AVAILABLE:

Funds are available due to lower than anticipated printing costs.

<p>VERIFIED BY:</p> <p><i>M. Lumbis</i></p> <p>Chief Financial Officer</p> <p>Date: <u>2010-01-14</u></p>	<p>APPROVED BY:</p> <p><i>[Signature]</i></p> <p>Clerk of the House of Assembly</p> <p>Date: <u>2010-01-14</u></p>	<p>APPROVED BY:</p> <p><i>[Signature]</i></p> <p>Statutory Officer</p> <p>Date: <u>January 19, 2010</u></p>
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House of Assembly Management Commission

Briefing Note

Title: Telephone Policy

Issue: Cellular and Landline Phone Services Policy for Employees of the House of Assembly Service, Caucus Offices and Statutory Offices

Background:

- Subsections 20(1) and 20(3) of the *House of Assembly Accountability, Integrity and Administration Act* states that

20. (1) The commission is responsible for the financial stewardship of all public money, within the meaning of the *Financial Administration Act*, that may be voted by the House of Assembly for the use and operation of the House of Assembly and statutory offices, and for all matters of financial and administrative policy affecting the House of Assembly, its members, offices and staff and in connection with them and, in particular, the commission shall

(c) implement and periodically review and update financial and management policies applicable to the House of Assembly service and statutory offices;

(3) Notwithstanding paragraph (1)(c), where a financial or management policy has not been established by the commission for the House of Assembly and statutory offices, the financial and management policies of the government shall apply.

- A Treasury Board Directive 2008-002 was issued in 2008 which updated the General Policies for Cellular Phones (including Blackberry units) for the Executive branch of government. However, the policy does not address landline phone services.
- The Commission adopted a telephone policy for Members of the House of Assembly and their Constituency Assistants at its May 13, 2009 meeting. **CM 2009-027 refers.** The policy includes processes for landline phones and cellular phones. However, a different policy is required for employees of the House of Assembly Service, Caucus Offices and Statutory Offices.
- Attached is a proposed Cellular and Landline Phone Services Policy for employees of the House of Assembly Service, Caucus Offices and Statutory Offices. The policy provides direction regarding services for both cellular phones and landline long distance services.

- The policy details processes for the acquisition of cellular phones, defines acceptable incidental usage of cellular phones; provides guidelines for accessing the need for cellular phones and the related approval process; outlines the responsibilities for landline phone usage and processes for managerial review of all phone bills.

Action Required:

- Pursuant to subparagraph 20(6)(b)(ii) of the *House of Assembly Accountability, Integrity and Administration Act*, the Commission adopts the Cellular and Landline Phone Services Policy for employees of the House of Assembly Service, Caucus Offices and Statutory Offices

Drafted by: Marlene Lambe
Date: January 19, 2010

Approved by: Wm. MacKenzie



Cellular and Landline Telephone Services Policy

for

**Employees of the House of Assembly Service,
Caucus Offices and Statutory Offices**

February 2010

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1.0 Approval

Under the authority of subparagraph 20(6)(b)(ii) of the *House of Assembly Accountability, Integrity and Administration Act* (the Act), the House of Assembly Management Commission establishes this policy respecting services for cellular phones and landline phones for employees of the House of Assembly Service, Caucus Offices and Statutory Offices as defined by the Act.

2.0 Purpose

To provide direction to employees of the House of Assembly Service, Caucus Offices and Statutory Offices regarding cellular phone and landline long distance services.

3.0 General

The policy provides processes for the acquisition of cellular phones, defines acceptable incidental usage of cellular phones; provides guidelines for accessing the need for cellular phones and the related approval process; outlines the responsibilities for landline phone usage and processes for review of all phone bills.

4.0 Process

4.1 Applicability

This policy applies to all cellular phone and landline long distance services which are paid by the Legislature for employees of the House of Assembly Service, Caucus Offices, and Statutory Offices.

4.2 Definitions

For the purposes of this policy:

“Cellular phone” refers to analog and digital cellular phones, as well as blackberry units and similar electronic devices that provide data and/or phone communications.

“Landline phone” refers to the office phone of the user.

“Users” mean the employees of the House of Assembly Service, Caucus Offices and Statutory Offices.

“Responsible individual” means the individual designated by the Clerk of the House of Assembly or Statutory Officer (as applicable) as having responsibility for review of phone invoices for his/her Division or Office.

4.3 Restrictions

This policy does not apply to any cellular or landline phone services provided by the Executive Branch of government.

4.4 Cellular Phones

4.4.1 Acquisition

1. The Statutory Officer or Clerk of the House of Assembly (as applicable) must approve the purchase of all new cellular phones.
2. Cellular phones must only be considered for users where the need is established by the requirements of the job. Need may not be based on past usage only and should be reviewed periodically to ensure continued need is established.
3. The type of cellular phone to be provided will be determined by the particular circumstances and the judgment of the Clerk of the House of Assembly or the Statutory Officer.
4. Users must be issued the most economical and efficient service package and hardware which is available under any government standing offer agreements and which meets the particular requirements of the job.
5. General guidelines for assessing need are:
 - There is an essential need for a user to be in contact with other employees, the Clerk or Statutory Officer, or the public during working hours when the employee is not accessible by land line phone.
 - There is an essential need for a user to be in contact with other employees, the Clerk or Statutory Officer, or the public after hours or on weekends.

- There is a significant safety issue which dictates a requirement for a user to have a cellular phone and no other viable option is available.
 - The user's position will not be the sole reason for being assigned a cellular phone.
 - The user's job can be more effectively and efficiently carried out.
6. The purchase of unnecessary technology and/or features is prohibited (for example, camera phones) if extra cost is involved.

4.4.2 General Usage

1. Cellular phones are to be formally assigned to users and reassigned as appropriate.
2. Users are responsible for the security of their cellular phones and should be aware that cellular phone conversations may not always be secure and confidential.
3. Users are responsible for ensuring that their cellular phones are used in a manner that is consistent with this policy.
4. Cellular phones are intended for business purposes only. However, it is recognized that some incidental personal usage may occur as a result of the user not being accessible by landlines on a regular basis. It is also recognized that the requirement to carry a cellular phone for government business purposes may at times be an intrusion of a user's personal time.
5. Users should not widely distribute their cellular phone numbers unless it is necessary for business purposes.
6. Users should avail of "temporary suspension of service" or "seasonal suspension" options where appropriate.
7. Land lines should be used instead of cellular phones whenever it is convenient to do so.

4.5 Landline Phones

1. Users are responsible for ensuring that the long distance charges on each landline phone assigned for his/her use were incurred by the user for business purposes.
2. Users are responsible for reimbursing to the Newfoundland Exchequer Account through the Central Cashier's Office the cost of personal long distance calls.

4.6 Administrative Matters

- Users are not required to reimburse Government for incidental personal phone or data usage on cellular phones. Personal usage that exceeds what is considered "incidental" must be reimbursed to Government.
- The Clerk of the House of Assembly or the Statutory Officer (as applicable) has the authority to determine the acceptable threshold for incidental usage for their individual users. Some general guidelines would be: personal usage that exceeds 10% of the monthly airtime/data usage costs; airtime exceeding 80 minutes per month; or some other reasonable basis that is consistent with the business demands placed upon the cellular phone holder.
- For those users without a government issued cellular phone, occasional business usage of personal cellular phones may be reimbursed if general policies and procedures regarding reimbursement of business use of personal property are followed, including approval by the user's supervisor. Original cellular phone invoices identifying charges are required for reimbursements. Reimbursement is for per minute charges only and monthly system access fees or other recurring charges for personal cellular phones will not be reimbursed.
- Each user should avail of temporary cellular phone packages when travelling to the United States. Contact Corporate and Members' Services Division (CMS) staff to arrange the period of coverage.
- The Clerk of the House of Assembly or the Statutory Officer (as applicable) will designate a "responsible individual" for each division/office of the Legislature to perform a monthly review of phone bills.

- Each billing period, CMS will send copies of all phone invoices for the Division or Statutory office to the “responsible individual”. The “responsible individual” must review the invoices and sign a statement each billing period to indicate that the invoices have been reviewed and are reasonable and in accordance with any applicable contracts or policies. All signed statements must be forwarded to CMS on a timely basis. The statement must also note any matters for follow-up or attention by CMS staff.
- A detailed review may not be feasible for cellular phone invoices, given the nature of cellular phones, the inherent difficulty in identifying the nature of certain phone calls (especially incoming calls due to lack of detail on the bill), and the relatively insignificant amounts involved in some cases. Therefore, a reasonable review of the invoice details is acceptable.



GOVERNMENT OF
NEWFOUNDLAND AND LABRADOR

DEPARTMENT OF FINANCE

Directive Number 2008-002

TREASURY BOARD DIRECTIVE

Date : 30 April 2008	File No.	Division: Professional Services & Internal Audit
T.B.M. No. 2008-103	M.C. No. N/A	O.C. No. N/A
<u>Issued To:</u> Deputy Ministers & Equivalents/ Directors of Finance and General Operations	<u>Reference:</u>	
<u>Subject:</u> General Policies for Cellular Phones (including Blackberry Units)	<u>Department of Finance</u> Name Telephone Ron Williams 729-5926 David Hill 729-0702	

BACKGROUND

Revised 2006 General Policies for Cellular Phones (including Blackberry Units) were previously issued pursuant to Treasury Board Directive (TBD) 2006-004. Revisions have now been made to these Policies including: allowing users acceptable incidental personal use with acceptable to be determined by the Deputy Minister; discretion for Ministers to select their own hardware, packages and to set the threshold for their own incidental use; and the Directors of Finance will be required to complete an annual cellular phone analysis for review by their Deputy Ministers. Treasury Board Minute (TBM) 2008-103 authorized the 2008 General Policies for Cellular Phones (including Blackberry Units) which replaces those issued under TBM 2006-115.

DIRECTIVE

Treasury Board has approved the attached 2008 General Policies for Cellular Phones (including Blackberry Units) for implementation by departments.

This Directive replaces TBD 2006-004 issued on 4 May 2006.

TERRY PADDON
Deputy Minister

Enclosure

General Policies for Cellular Phones (including Blackberry Units)

1.0 General

1. For the purposes of these policies the term "cellular phones" refers to traditional analog and digital cellular phones, as well as Blackberry units and similar electronic devices that provide text and/or phone communications.
2. Deputy Ministers include equivalents or Chief Operating Officers, Chief Executive Officers reporting to a Minister.
3. These policies are applicable to all Ministers and political support staff, Executive, management and staff of the Executive branch of Government. However, in the selection of cellular phones and packages for Ministers, the Minister may select the phone and package appropriate for their use. In addition, the Minister may determine their threshold for incidental usage (see section 4.6).

2.0 Acquisition of cellular phones

1. Deputy Minister or designate approval is required for both deployment of new cellular phones and for purchase of new cellular phone packages.
2. Cellular phones must only be considered for an employee where the need is established by the requirements of the job and approved by the Deputy Minister or designate. Need must not be based upon past usage only. Once approved, continued availability will depend upon continuing need to be reviewed annually.
3. The type of cellular phone (digital cellular or, analog cellular, blackberry etc.) to be provided would be determined by the particular circumstances and judgement of the Deputy Minister or designate.
4. If there are choices available under a Government standing offer agreement for airtime and/or data packages for cellular phones, the user must select the most economical and efficient service package and hardware to meet the demonstrated requirements. The choice of air time packages must be based upon required business use.
5. The following general guidelines must be utilized by departments to assess the need for cellular phones and to promote consistency within departments.
 - a. There is an essential need for an employee to be in contact with other departmental employees or the public during working hours when the employee is not accessible via a land line. For example, occasionally being away from one's desk or in frequent meetings does not normally qualify as an essential need.

- b. There is an essential need for an employee to be in contact with other departmental employees, the Minister, or the public after hours or on weekends (infrequent need is not essential, employees should avail of floater phones for infrequent needs).
 - c. There is a significant safety issue that dictates a requirement for an employee to have a cellular phone available and no other viable option is available.
 - d. Employees should not be assigned a cellular phone solely because they are in a particular position.
 - e. The employee's job can be more effectively and efficiently carried out.
6. Purchase of unnecessary technology and/or features is prohibited (i.e. camera phones, etc.) if extra cost is involved.

3.0 General usage of cellular phones

1. Cellular phones are to be formally assigned to an individual and reassigned as appropriate. The user of the cellular phone is responsible for the security of the cellular phone and should be aware that cellular phone conversations may not always be confidential.
2. The user is responsible to ensure that the cell phone provided is used in a manner that is consistent with these guidelines and any other guidelines issued specifically by their department.
3. Cellular phones are intended for business purposes only. However, it is recognized that some incidental personal usage may occur as a result of individuals not being accessible by land lines on a regular basis. It is also recognized that the requirement to carry a cellular phone for Government business purposes may at times be an intrusion of an individual's personal time. (see section 4.6 for guidance on reimbursements)
4. Users should not widely distribute their cellular phone numbers unless it is necessary for business purposes.
5. A floater pool of cellular telephones should be available in each department and must be used on a shared/pooled basis when usage patterns permit and it is otherwise practical.
6. Cell phone users must avail of "temporary suspension of service or seasonal suspension" options when appropriate.
7. A land line should be used wherever it is convenient to do so.

4.0 Other administrative matters

1. The user is responsible to review and sign off their cellular phone invoice each billing period to ensure that the services billed for are reasonable and in accordance with any applicable contract.
2. After review and sign off by the user, the invoice must be reviewed and approved by the employee's immediate supervisor (or other appropriate official) to ensure that the use is appropriate and warrants the continued use of the equipment. It is recognized that given the nature of the business purpose of the cellular phones, the inherent difficulty of identifying the nature of certain phone calls (especially incoming calls due to lack of detail on invoice), and the relatively insignificant amounts involved in some cases, a reasonable review of invoice detail is acceptable.
3. When a new Standing Offer Agreement for cellular phones is issued:
 - a. The Director or Assistant Deputy Minister of the department responsible for such contractual agreements should notify all Directors of Finance of the change within a reasonable advance time of the new agreement taking effect in order to facilitate the departments' notification of their cellular phone holders of the change. The notification should clearly indicate the key features of the new agreement and options available to cellular phone holders; and
 - b. Cellular phone users, upon receiving notification of change in agreement from their Director Finance, must re-assess their existing packages considering the options available and business requirements. Cellular phone users are responsible to initiate any changes and seek appropriate approvals from the Deputy Minister or delegate.
4. An inventory record of cellular phones must be maintained along with a directory (internal to your department) of phone numbers. The inventory must include all phones, assigned users, current package, serial number of phone and should be updated as changes occur, with inventories verified at least annually. Annual inventories must be signed off for approval by the Deputy Minister or designate. The Director of Finance is responsible to maintain this information and to provide the inventory report to the Deputy Minister or designate.
5. The Director of Finance is responsible to undertake an annual analysis of cellular phone allocations and usage and assess the results considering this policy each fiscal year. The analysis and related advice must be provided to the Deputy Minister for his/her approval within 90 days of fiscal year end.
6. Cellular phone users are not required to reimburse Government for incidental personal phone and data usage. Personal usage that exceeds what is considered "incidental" should be reimbursed to Government. The Deputy Minister or designate has the authority to determine what this acceptable threshold for incidental usage is

for their individual departmental users. Some general guidelines would be: personal usage that exceeds 10% of the monthly airtime/data usage costs; airtime exceeding 80 minutes per month; or some other reasonable basis that is consistent with the business demands placed upon the cellular phone holder.

7. For those employees without a Government issued cellular phone, occasional business usage of personal cellular phones may be reimbursed if general policies and procedures concerning reimbursement of business use of personal property are followed, including approval by the employee's immediate supervisor. Original cellular phone invoice identifying charges is required for reimbursements. Reimbursement will be strictly on a per minute basis. Government is not responsible for monthly system access fees or any other recurring charges for personal cellular phones.
8. A specific account has been established in the financial accounting system and must be used for recording charges related to cellular phone air time, 0342. Departments must ensure that charges for cellular phone hardware (including Blackberry hardware and Blackberry usage fees) are charged to their proper accounting distribution. For example, identifiable costs for new cellular phones would be charged to property, furniture and equipment 0710, not 0342.
9. Departments may develop their own policies/procedures encompassing without change to the principles in this Policy with wording reflective of the departments' operations. The departmental policy/procedures must specifically reference these general policies for the information of the employees. Departmental policies/procedures must be accessible by employees through the use of intranet and/or other means.

February, 2008

**House of Assembly Management Commission
Briefing Note**

Title: Printing Services for Members of the House of Assembly

Issue: Proposed Printing Policy for Members of the House of Assembly

Background:

- The *Members' Resources and Allowances Rules* (the Rules) provide an annual amount of \$15,000 for office operations, supplies and communications. Eligible expenditures include the purchase or printing of greeting, Christmas, sympathy or other similar cards and other printing such as newsletters to be sent to constituents relating to the Member's constituency work.
- Subsection 48(2) of the *House of Assembly Accountability, Integrity and Administration Act* (the Act) states

“(2) The Public Tender Act and the Conflict of Interest Act, 1995 shall apply to the House of Assembly and the statutory offices except to the extent that the application may be modified by a rule or directive of the commission putting in place alternative and more appropriate requirements dealing with tendering processes and the conflict of interest of persons employed in the House of Assembly and statutory offices.”

- Section 9 of the *Public Tender Act* states where a tender is not required to be invited because the good or service is less than \$10,000, the government funded body shall obtain quotations from at least 3 legitimate dealers, suppliers, contractors or lessors by direct quotation or establish for the circumstance a fair and reasonable price.
- The Government Purchasing Agency Customer Manual (the Manual) provides further guidance with respect to requests for printing services. Paragraph 3.2.7 states

“Requests for printing services shall be initially forwarded to the Queen's Printer. If the Queen's Printer is unable to provide the service as required, approval shall be granted by the Queen's Printer authorizing service to be procured from outside sources. A copy of this approval shall be maintained on file in addition to all other documentation.”

- Members have encountered difficulties with this process. If a Member's office is located in the Member's District, coordination with the Queen's Printer presents a challenge with respect to proofing and delivery of documents being printed. Costs are **not always** competitive with outside sources and delays in printing occur when the Queen's Printer is unable to provide a quick turnaround due to other pressing priorities.

- A proposed Printing Policy for Members of the House of Assembly and Constituency Assistants is attached. The policy recommends that paragraph 3.2.7 of the Government Purchasing Agency Customer Manual not apply. Members will not be required to initially forward requests for printing services to the Queen's Printer. While the Queen's Printer may be one of the quotes, the Member may obtain the 3 quotes from outside sources. The Member will be required to obtain three quotations in accordance with the policies prescribed for the majority of other purchases of goods in the Government Purchasing Agency Customer Manual.
- The Purchasing Policy – under \$200, dated November 2008 includes a restriction that Members “may not purchase printing services without prior authorization from the Queen's Printer to procure from outside sources”. If the Commission approves the proposed Printing Policy, this restriction will need to be removed from the Purchasing Policy.

Action Required:

Recommended Minutes:

- Pursuant to subparagraph 20(6)(b)(ii) of the *House of Assembly Accountability, Integrity and Administration Act*, the Commission approves the Printing Policy for Members of the House of Assembly and Constituency Assistants, dated February, 2010.
- The Commission amends 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.

Drafted by: Marlene Lambe
Date: January 20, 2010

Approved by: William MacKenzie



House of Assembly

Printing Policy for Members of the House of Assembly

and

Constituency Assistants

February 2010

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5.0 References

1. 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 establishes this policy respecting printing services for Members of the House of Assembly and Constituency Assistants.

2. Purpose

To provide direction to Members of the House of Assembly and Constituency Assistants regarding printing services.

3. General

The *Members' Resources and Allowances Rules* (the Rules) provide an annual amount of \$15,000 for office operations, supplies and communications. Eligible expenditures include the purchase or printing of greeting, Christmas, sympathy or other similar cards and other printing such as newsletters to be sent to constituents and others relating to the Member's constituency work.

Members of the House of Assembly and Constituency Assistants must ensure that the printing services provided are eligible for reimbursement under the *House of Assembly Accountability, Integrity and Administration Act*, the *Members' Resources and Allowances Rules*, and Directives of the Commission.

4. Process

4.1. Applicability

This policy applies to all printing services for Members of the House of Assembly and Constituency Assistants which are paid by the Legislature.

4.2. Restrictions

This policy does not apply to any printing services provided by the Executive Branch of government.

4.3. Printing

- All printing must be purchased in compliance with Section 9 of the Public Tender Act.
- Paragraph 3.2.7 of the Government Purchasing Agency Customer Manual, which requires that requests for printing services shall be initially forwarded to the Queen's Printer, **does not** apply.
- The Member is required to obtain three quotations in accordance with the policies prescribed for the majority of other purchases of goods in the Government Purchasing Agency Customer Manual.
- The Member may obtain the 3 quotes from outside sources; however, the Queen's Printer may be one of the quotes.

4.4. Administrative Matters

Requests for printing services, or reimbursement of costs of printing services, shall comply with the *Members' Resources and Allowances Rules*.

5. References

Members' Resources and Allowances Rules

House of Assembly Accountability, Integrity and Administration Act

House of Assembly Management Commission

Briefing Note

Title: Letter of Appeal - 60 Days Submission Deadline

Issue: Appeal of Travel Claim Ruling – Member for St. John’s East

Background:

- The Member for St. John’s East is appealing the denial of payment by Corporate and Members’ Services Division of certain allowable expenses incurred by the Members because the expenditures were incurred more than 60 days prior to the claim being made.
- Subsection 7(6) of the *Members Resources and Allowances Rules* states that
 - (6) A claim against an allowance for payment or reimbursement shall not be made more than 60 days after the date on which the expenditure was made.
- Subsections 24(1) and 24(8) of the *House of Assembly Accountability, Integrity and Administration Act* (the Act) state
 - 24(1) Where a member incurs an expense and a claim for reimbursement, or payment has been rejected by an officer or staff member of the House of Assembly service, or the member is unsure as to whether an expense, if incurred, will qualify for reimbursement or payment, he or she may request a ruling from the speaker.
 - (8) 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.
- Section 24 of the Act was amended in December 2008 to include subsection 24(9) which states
 - (9) Notwithstanding that an expense claim has been denied by an officer, staff member or the speaker, in accordance with the rules,

where there is an appeal to the commission under this section and the commission determines that that claimed expense amount

- (a) has been incurred by the member; and
- (b) is a permitted expense under the Act and rules; and
- (c) does not exceed an expense amount or allowance allocation permitted under the rules,

and a denial of payment of the expense amount would, in the opinion of the commission, be unjust, the commission may approve the expenditure for the claimed expense to the extent that the commission considers to be just and the decision of the commission is final.

- The expenses submitted are permitted expenses under the *Members' Resources and Allowances Rules*.
- The attached letter from the Member for St. John's East provides further details.

Action Required:

- The decision of the Commission is requested.

Drafted by: Marie Keefe
Date: January 24, 2010

Approved by: Wm. MacKenzie



OFFICE OF THE SPEAKER

NOV 05 2009

HOUSE OF ASSEMBLY
Newfoundland and Labrador

November 2, 2009

COPY

Speaker Roger Fitzgerald
Chair
The House of Assembly Management Commission
Confederation Building
St. John's, NL A1B 4J6

Dear Speaker:

As you are aware, on May 14, 2009, there was a *Proclamation for War Brides* in the House of Assembly in recognition of their contribution to our Province. Pursuant to this event, M.H.A. Tom Osborne and myself had agreed to provide lunch to the War Brides and their families, and had requested to the provider, Stella Burry Community Services, that the *Bill* be split and each *invoiced* for their portion.

Time passed, and I did not receive an *invoice*, and while pursuing this matter on several occasions, it was discovered that the total invoice was firstly sent by Stella Burry in error to the PC Caucus. Following more inquiries on my part, it was not until October 2, 2009, that the matter was finalized. The note from Stella Burry on the Invoice will reflect this information, and they revised same on October 2, 2009.

My portion in the amount of \$118.75 has now been paid, and in this regard, I am seeking reimbursement. Under Subsection 7(6), the invoice, dated May 14, 2009 (revised Oct. 2/09) has exceeded the allowance of sixty days for reimbursement, and thus my claim was rejected.

All pertinent information is attached, and I ask the Commission's every consideration of my request for reimbursement of this amount. Thank you.

Sincerely yours,

ED BUCKINGHAM, M.H.A.
St. John's East District

Enclosures



INVOICE

Number: IN000003582

Page: 1

Date: 5/14/09

Stella Burry Community Services

142 Military Rd

St. John's, NL A1C 2E6

Phone: (709) 738-7805 Fax: (709) 738-7808

1ST # 89833 3562 RT0001

Sold To: MHA•ED BUCKINGHAM

3rd Floor, East Block

PO Box 8700

St. John's, NL A1B 4J6

Attention: GAIL BLACKWOOD

Ship To: 3rd Floor, East Block

PO Box 8700

St. John's, NL A1B 4J6

Attention: GAIL BLACKWOOD

Reference:

Due Date: 5/14/09

PAID OCT 20/09 RW

** INVOICE REVISED * OCT 2/09*

CONFUSION OF ORIGINAL BILL TO

Option

Amount

Tea Sandwiches

7

Sandwiches 1/4 Cut

3

Delivery Fees

1

HUNGRY HEART CAFE
 142 MILITARY RD
 ST. JOHN'S NL A1C
 00
 PK # 000801365972 E
 # : 019638
 : 013
 TRANS #: 0006895

 DIT/USA 2009/10/20 15:04:30
 - AT 75135301-001-
 CHASE \$11
 UNT
 AL 118.75
 TRANSACTION
 APPROVED - AF
 THANK YOU
 CUSTOMER COPY

(per Ed Buckingham's portion/responsibility) of overall amount of \$237.50

*Re: luncheon for War Brides
Family per proclamation
in House of Assembly - Thursday,
May 14th /09*

Subtotal before taxes	118.75
Total taxes	0.00
Total amount	118.75
Payment received	0.00
Amount due	118.75

118.75

Thank you for choosing Hungry Heart Cafe for your catering needs.
Please make cheques payable to Stella Burry Community Services.

House of Assembly Management Commission

Briefing Note

Title: Letters of Appeal - 60 Days Submission Deadline

Issue: Appeal of Travel Claims Ruling - Member for Torngat Mountains

Background:

- The Member for Torngat Mountains is appealing the denial of payment by Corporate and Members' Services Division of certain allowable expenses incurred by the Member's Constituency Assistant as the expenditures were incurred more than 60 days prior to the claim being made.
- Subsection 7(6) of the *Members Resources and Allowances Rules* states that
 - (6) A claim against an allowance for payment or reimbursement shall not be made more than 60 days after the date on which the expenditure was made.
- Subsections 24(1) and 24(8) of the *House of Assembly Accountability, Integrity and Administration Act* (the Act) state
 - 24(1) Where a member incurs an expense and a claim for reimbursement, or payment has been rejected by an officer or staff member of the House of Assembly service, or the member is unsure as to whether an expense, if incurred, will qualify for reimbursement or payment, he or she may request a ruling from the speaker.
 - (8) 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.
- Section 24 of the Act was amended in December 2008 to include subsection 24(9) which states
 - (9) Notwithstanding that an expense claim has been denied by an officer, staff member or the speaker, in accordance with the rules,

where there is an appeal to the commission under this section and the commission determines that that claimed expense amount

- (a) has been incurred by the member; and
- (b) is a permitted expense under the Act and rules; and
- (c) does not exceed an expense amount or allowance allocation permitted under the rules,

and a denial of payment of the expense amount would, in the opinion of the commission, be unjust, the commission may approve the expenditure for the claimed expense to the extent that the commission considers to be just and the decision of the commission is final.

- The expenses submitted are permitted expenses under the *Members' Resources and Allowances Rules*.
- The attached letters from the Member for Torngat Mountain provide further details.

Action Required:

- The decision of the Commission is requested.

Drafted by: Marie Keefe
Date: January 24, 2010

Approved by: Wm. MacKenzie



HOUSE OF ASSEMBLY
Newfoundland and Labrador

PATTY POTTLE, M.H.A.
District of Torngat Mountains

OFFICE OF THE SPEAKER

DEC 08 2009

December 8, 2009

Hon. Roger Fitzgerald
Chair, Management Commission
House of Assembly
1st Floor, East Block

Dear Speaker:

I hereby appeal to the Management Commission for re-imbusement for expenses paid personally for travel expenses incurred by my constituency assistant, Martha Winters-Abel, for the purpose of constituency business.

It was intended that Martha would claim these expenses and reimburse me; however, she has yet to receive training on the new ECMS system and was off sick for that period when she was scheduled to travel to St. John's for that purpose.

The expenses include:

\$113.00 - I&E Const. Accommodations, Advavik Inn, Makkovik, Sept 28th '09
\$ 37.74 - I&E Const. Accommodations, Labrador Marine Services, September 29th '09
\$122.04 - I&E Const. Airfare, Provincial Airlines, September 28th '09
\$69.80 - I&E Const. Other Modes of Travel, Labrador Marine, September 29th '09
\$265.10 - I&E Const. Airfare, Provincial Airlines, October 1st '09

These expenses total \$607.68. As these expenses were paid personally, I request that I can be approved for reimbursement past the 60 day period. I look forward to your reply.

Sincerely,

PATTY POTTLE, MHA
Torngat Mountains District
Minister of Aboriginal Affairs

cc. William MacKenzie

DEC 16 2009



HOUSE OF ASSEMBLY
Newfoundland and Labrador

PATTY POTTLE, M.H.A.
District of Torngat Mountains

December 16th 2009

Hon. Roger Fitzgerald
Chair, Management Commission
House of Assembly
1st Floor, East Block

Dear Honourable Fitzgerald:

I hereby appeal to the Management Commission for re-imbusement for constituency travel expenses for my Constituent Assistant, Martha Winters-Abel.

Martha is based in my constituency office in Hopedale and for both personal and medical reasons, she was not trained in the ECMS system and many of her claims fell past the 60 day period.

The expenses include:

- \$10.00 – I&E Travel meals, Aug 6th '08
- \$ 71.00 - I&E Travel Accommodations, Aug 6th '08
- \$ 192.10 - I&E Travel Air Fare, Aug 6th '08
- \$ 25.00 – I & E Const. Dinner, Sept 28th '09
- \$ 50.00 – I & E Const per diem, Sept 29th '09
- \$ 140.35 – I & E Const Airfare, Aug 10th '09
- \$ 15.00 – I & E Const. Lunch, Aug 10th '09
- \$ 15.00 – I & E Const. Lunch, Oct 1st '09
- \$ 25.00 – I & E Const. Dinner, Oct 1st '09
- \$10.00 – I & E Const. breakfast, Oct 2nd '09
- \$ 15.00 – I & E Const. Lunch, Oct 2nd '09

These expenses total \$568.45. I respectfully request that she can be approved for reimbursement past the 60 day period. I look forward to your reply.

Sincerely,

A handwritten signature in cursive script that reads "Patty Pottle".

PATTY POTTLE, MHA
Torngat Mountains District
Minister of Aboriginal Affairs

cc. William MacKenzie