



**House of Assembly
Newfoundland and Labrador**

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

Date: February 17, 2010

Location: House of Assembly Chamber

Time: 9:00 a.m.

Members Present:

Mr. William MacKenzie, Clerk of the House of Assembly

Mr. Kelvin Parsons, Opposition House Leader

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

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

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

Regrets:

Hon. Roger Fitzgerald, Speaker

Hon. Joan Burke, Government House Leader

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

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

Other:

Ms. Marlene Lambe, Chief Financial Officer

Ms. Marie Keefe, Policy and Communications Officer

CM 2010-023 The minutes of the House of Assembly Management Commission meeting held on February 3, 2010 were approved with the typographical error of 2009 amended to 2010.

CM 2010-024 Pursuant to paragraph 15(5)(c) of the *House of Assembly Accountability, Integrity and Administration Act*, the Commission gave **final** 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 *Members' Resources and Allowances Rules* are amended by adding the following immediately after section 37:

Accommodations when traveling long distances

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

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

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

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

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

- (a) Baie Verte-Springdale;
- (b) Bay of Islands;
- (c) Bonavista North
- (d) Burgeo-La Poile;

- (e) Cartwright-L'anse au Clair;
- (f) Exploits;
- (g) Fortune Bay-Cape LaHune
- (h) Grand Bank;
- (i) Grand Falls-Winsor-Buchans;
- (j) Grand Falls-Windsor-Green Bay South;
- (k) Humber East;
- (l) Humber Valley;
- (m) Humber West;
- (n) Labrador West;
- (o) Lake Melville;
- (p) Lewisporte;
- (q) Port au Port;
- (r) St. Barbe;
- (s) St. George's-Stephenville East;
- (t) The Isles of Notre Dame;
- (u) The Straits-White Bay North; and
- (v) Torngat Mountains.

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

CM 2010-025

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

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

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

(b) for each day that the House of Assembly is in session,

(i) with receipts, the actual cost of temporary standard room accommodations for each night the member actually occupies the accommodations, or

- (ii) without receipts, a daily amount, of \$53 on the island portion of the province and \$71 in Labrador when staying in private accommodations, or
 - (iii) without receipts, \$53 for each night the member actually occupies his or her secondary residence; and
- (3) Subsection 31(2) of the Rules is repealed.
- 2. Paragraph 32(2(b) of the Rules is repealed and the following is substituted
 - (b) for a maximum of 3 nights during a trip,
 - (i) with receipts, the actual cost of temporary standard room accommodations for each night the member actually occupies the accommodations, or
 - (ii) without receipts, a daily amount, of \$53 on the island portion of the province and \$71 in Labrador when staying in private accommodations, or
 - (iii) without receipts, \$53 for each night the member actually occupies his or her secondary residence; and
- 3. Paragraph 33(b) of the Rules is repealed and the following is substituted
 - (b) for a maximum of 3 nights during a trip,
 - (i) with receipts, the actual cost of temporary standard room accommodations for each night the member actually occupies the accommodations, or
 - (ii) without receipts, a daily amount, of \$53 on the island portion of the province and \$71 in Labrador when staying in private accommodations, or

- (iii) without receipts, \$53 for each night the member actually occupies his or her secondary residence; and
- 4. Paragraph 35(b) of the Rules is repealed and the following is substituted
 - (b) for not more than 50 nights
 - (i) with receipts, the actual cost of temporary standard room accommodations for each night the member actually occupies the accommodations, or
 - (ii) without receipts, a daily amount, of \$53 on the island portion of the province and \$71 in Labrador when staying in private accommodations, or
 - (iii) without receipts, \$53 for each night the member actually occupies his or her secondary residence; and
- 5. Paragraph 36(2)(b) of the Rules is repealed and the following is substituted
 - (b) for not more than 50 nights
 - (i) with receipts, the actual cost of temporary standard room accommodations for each night the member actually occupies the accommodations, or
 - (ii) without receipts, a daily amount, of \$53 on the island portion of the province and \$71 in Labrador when staying in private accommodations, or
 - (iii) without receipts, \$53 for each night the member actually occupies his or her secondary residence; and
- 6. Paragraph 37(b) of the Rules is repealed and the following is substituted

- (b) for not more than 50 nights
 - (i) with receipts, the actual cost of temporary standard room accommodations for each night the member actually occupies the accommodations, or
 - (ii) without receipts, a daily amount, of \$53 on the island portion of the province and \$71 in Labrador when staying in private accommodations, or
 - (iii) without receipts, \$53 for each night the member actually occupies his or her secondary residence; and

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

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

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

CM 2010-026

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

1.(1) Paragraph 38(2)(a) of the Rules is amended by deleting the comma, words and number “, in accordance with section 40”.

2. Section 40 of the Rules is amended by adding immediately after subsection (3) the following:

(3.1) Notwithstanding subsection (2), where, on a regular basis, a member proposes to travel by means other than the means mentioned in subsection (1), the member may make a proposal to the commission respecting that travel and the commission may, by directive approve that travel upon those terms and conditions that the commission considers to be appropriate without further need for the member to make an application under subsection (2).

CM 2010-027

The Commission approved the following transfer of funds:

From:

Subdivision 1.1.04.09 (HOA) Members Resources' – Allowances and Assistance \$151,800

To:

Subdivision 4.1.01.05 Office of the Citizens' Representative – Professional Services \$64,100

Subdivision 1.1.01.05 Administrative Support – Professional Services \$87,700

CM 2010-028

The Commission appointed Mr. Bob Ridgley as the new member of the Audit Committee, effective immediately.

CM 2010-029

The Commission appointed Mr. Bob Ridgley as the new Chair of the Audit Committee, effective immediately.

Adjournment: 9:30 a.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: March 17, 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: March 17, 2010**

DISTRICT	MEMBER	TYPE OF EXPENDITURE	COSTS	DETAILS
Fortune Bay-Cape La Hune	Ms. Tracey Perry	Aircraft Charter from Conne River to Francois February 11, 2010	\$4793.04	Member required the charter to travel to the area to meet with the Town and constituents on outstanding issues on February 11, 2010.
Fortune Bay-Cape La Hune	Ms. Tracey Perry	Aircraft Charter to from St. Alban's to McCallum, Rencontre East, Gaultois and Francois March 9, 2010	\$8,106.00 (Estimated Cost)	Member required the charter to travel to the area to meet with the Town and constituents on outstanding issues on March 9, 2010.

To: House of Assembly Management Commission
From: Speaker of the House of Assembly
Date: March 17, 2009
Subject: Report on Section 18(4) – *Members’ Resources and Allowances Rules*

Section 18 of the *Members’ Resources and Allowances Rules* provides a maximum allowance of \$7000 (\$6,140, plus HST) for constituency office accommodations. Under the Rules, a Member may make application in writing to the Speaker requesting permission to exceed the maximum when accommodations can not be obtained within the maximum guidelines. The Speaker must report, in writing, to the Commission any authorizations made under this section of the rules.

Report on Section 18(4) – **Period Ending: March 17, 2009**

DISTRICT	MEMBER	AMOUNT APPROVED	REASON
Humber Valley	Mr. Darryl Kelly	\$1398.00	Security issues at the Member’s office.

To: House of Assembly Management Commission
From: Clerk of the House of Assembly
Date: March 17, 2010
Subject: Report on Authorizations for Furniture and Equipment Expenditures

The Commission, through Directive Number **2008 – 004**, pursuant to S. 20 (4) of the *House of Assembly Accountability, Integrity And Administration Act*, delegated authority to the Clerk to pre-approve expenditures for furniture and equipment under Subsection 25(1) of the Members' Resources and Allowances Rules to a maximum of \$500.00, with the Clerk to report all such approvals to the Commission.

Report for Period Ending: March 17, 2010

DISTRICT	MEMBER	TYPE OF EXPENDITURE	COST	DETAILS
Port au Port	Tony Cornect	Office Furniture	\$459.00	3-Drawer Lateral Filing Cabinet,

**House of Assembly Management Commission
Briefing Note**

Title: Constituency Assistants

Issue: Consultations on the Implications of Transferring Constituency Assistants on Departmental Payrolls to House of Assembly Payroll

Background:

- Subsections 26(4) and 26(5) of the *Members' Resources and Allowances Rules* suggest that Constituency Assistants be part of the House of Assembly payroll group:

(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.

- At its November 4, 2009 meeting, the Commission considered proposed amendments to these subsections which would have confirmed the payroll *status quo* and also would have corrected the error of subsection (5) respecting 'reimbursement' to a Member. The Commission deferred a decision and requested additional information respecting the implications of transferring Constituency Assistants to the House of Assembly payroll. **CM 2009 – 060 refers.** (Briefing note attached)
- At its February 3, 2010 meeting, the Commission was provided with the requested information and directed that Constituency Assistants be given the opportunity to provide feedback on the implications of transferring Constituency Assistants currently on departmental payrolls to the House of Assembly payroll. **CM 2010 – 007 refers.** (Briefing note attached)
- A discussion document and questionnaire (attached) was sent to all Constituency Assistants on February 25, 2010. Twenty-three responses were received and a summary of responses is attached for the Commission's consideration.

OPTIONS

Option 1. Constituency Assistants in Departments Remain on Department Payrolls – maintain internal competition rights

Legislative

Considerations: Subsections 26(4) and 26(5) of the *Members' Resources and Allowances Rules* related to payment of salaries for Constituency Assistants will need to be amended.

Option 2. Constituency Assistants in Departments Remain on Department Payrolls - forfeit internal competition rights

Legislative

Considerations: Subsections 26(4) and 26(5) of the *Members' Resources and Allowances Rules* will need to be amended. The Commission will need to request Executive Council to amend the *Public Service Commission Act*.

Option 3. Constituency Assistants in Departments Transfer to House of Assembly Payroll

Legislative

Considerations: As the authority to transfer positions rests with Cabinet per *Executive Council Act*, the Commission will need to request Cabinet to take the appropriate action.

Option 4. Constituency Assistants are provided with internal competition rights, whether on **(a)** departmental or **(b)** House of Assembly payroll.

Legislative

Considerations: The Commission will need to request Executive Council to amend the *Public Service Commission Act*.

Action Required:

- The direction of the Commission is requested.

Drafted by: Marie Keefe
Date: March 10, 2010

Approved by: Wm. MacKenzie

Attachments:

1. Consultation Summary Report
2. Discussion Document and Questionnaire
3. Briefing note – February 3, 2010 (**BN 2010-004**)
4. Briefing note – November 4, 2009



**House of Assembly
Newfoundland and Labrador**

CONSULTATION SUMMARY REPORT

Constituency Assistants

CONSULTATION SUMMARY

The attached discussion document and questionnaire were distributed by email to 47 Constituency Assistants on February 25, 2010 with a requested deadline of March 10, 2010 for submissions of responses. A reminder email was sent to Constituency Assistants on Monday, March 8, 2010.

This document is a consultation summary of the responses from the Constituency Assistants. The number of responses per question varied as all Constituency Assistants did not complete all questions.

Summary Of Responses

A total of 23 (49%) responses were received by Friday, March 12, 2010 as follows:

Constituency Assistants on House of Assembly Payroll	10
Constituency Assistants on department Payrolls	12
Not identified	<u>1</u>
Total Responses	23

Summary of Support for Possible Options

1. Constituency Assistants in departments remain on departmental payrolls	10
2. Constituency Assistants in departments transfer to the House of Assembly payroll	4
3. New option – transfer to HOA payroll but with eligibility to apply internally; if not, then remain on department payroll)	1
4. No option selected	<u>8</u>
Total	23

Summary Of Responses To Individual Questions

QUESTION 1

What are the HR impacts if all Constituency Assistants are on the House of Assembly payroll?

Summary of Responses

There was consensus that if all Constituency Assistants are placed on the House of Assembly payroll, everyone will be treated the same with respect to job eligibility. However, most responses indicated concern about loss of rights to internal competitions for transferring Constituency Assistants. Some noted Constituency Assistants may have accepted the position with the understanding they would be eligible to apply on internal competitions and felt it would be unfair to change the rules at this point. If eligibility is removed, it may affect whether a Constituency Assistant continues in the position. The majority of respondents indicated that, regardless of payroll, all Constituency Assistants should be given the right to apply for internal competitions

QUESTION 2

What are the impacts for Constituency Assistants located in departments if furniture and equipment must be purchased by the House of Assembly?

Summary of Responses

While some respondents felt this option would ensure all Constituency Assistants were treated fairly by being provided with a standard package, other respondents felt it would be “a logistical nightmare”. Some respondents felt that because Ministers and their Assistants have furniture provided by their respective departments, it creates an unfair perception that “Ministers, in their capacity as MHA, spend less on furniture than other MHAs who are not appointed to a department”. Some respondents expressed concern about the standard package being suitable for all workspaces, given the various configurations in departments. Concern was also expressed about timeliness if all furniture and equipment requests must be processed by HOA.

QUESTION 3

What are the impacts for Constituency Assistants located in departments if they are responsible to keep inventory of furniture and equipment separate from department inventory and report back annually to the House of Assembly?

Summary of Responses

Some respondents felt there was little change as all Government furniture and equipment must be inventoried regardless of who pays for it. Other responses indicated concern it would create inefficiencies and confusion, especially when Constituency Assistants moved from one department to another.

QUESTION 4

What are the impacts for Constituency Assistants located in departments if office supplies must be purchased by the House of Assembly?

Summary of Responses

Some respondents thought this process would prove to be beneficial to Government and would increase accountability. Most seem to feel it would be “extremely inconvenient”, and time consuming” and “would interfere with daily business”. Respondents noted when MHAs are acting as Ministers, Operational Allowances for MHAs are not accurately reflecting expenses because office supplies are purchased by the department and not HOA.

QUESTION 5

What are the impacts for Constituency Assistants located in departments if requests for services, or service related problems, must be directed to the House of Assembly?

Summary of Responses

Several respondents felt this would be a “more centralized, service-oriented system”. Most respondents indicated that “departmental service staff handle the problem in a timely and efficient manner. Directing requests to HOA could cause possible delays in service and lead to delays/frustrations in responding to inquiries.”

QUESTION 6

What are other potential impacts if Constituency Assistants located in departments are transferred to the payroll of the House of Assembly?

Summary of Responses

Many of the responses again referred to the loss of internal competition rights for Constituency Assistants on departmental payroll as being the major impact. Concern was expressed that additional responsibilities for the Constituency Assistants regarding ordering of furniture, equipment, office supplies, etc. would “certainly have a great amount of work added to an already hectic workload” which could affect the number of clients they are able to serve.

COMMENTS

Please provide any other comments which you feel will be helpful to the Commission in considering this issue.

Summary of Responses

This section received the most comments and the responses mostly focused on the rights to apply on internal competitions. There was consensus that all Constituency Assistants should be considered equally. Constituency Assistants on the House of Assembly payroll felt “the ineligibility to compete on Internal Competitions is completely unfair....Constituency Assistants in departmental offices have the same responsibilities and job duties”. Among those who felt that Constituency Assistants in departments should transfer, there was no desire to see them transfer and lose their rights to internal competitions. Suggestions included transferring all Constituency Assistants to HOA payroll and giving all rights to apply on internal competitions or leave Constituency Assistants on their current payroll and take whatever measures are needed to ensure internal competition rights are available for all Constituency Assistants regardless of where they are paid.

OTHER ISSUES

While this was not part of the consultation issue, several respondents noted the difference in pension and drug coverage benefits provided to Constituency Assistants and to Government employees. One respondent felt that “while reviewing the CA entitlements, I suggest a full review of CA benefits be conducted to be fair to the work done in these positions”.



**House of Assembly
Newfoundland and Labrador**

**Discussion Document and Questionnaire
Regarding Constituency Assistants**

Discussion Document

Possible Transfer of Constituency Assistants From Departments to House of Assembly Payroll

The House of Assembly Management Commission has directed the Clerk's office to consult with all Constituency Assistants respecting the possible transfer of Constituency Assistants from departmental payrolls to the House of Assembly payroll.

This discussion document and questionnaire is being sent to all Constituency Assistants to give a brief overview of the issue and provide an opportunity for you to give feedback to the Commission. If you require additional information, you may find it helpful to refer to the briefing materials for the Management Commission meetings of November 4, 2009 and February 3, 2010. The materials can be found on the House of Assembly website, www.assembly.ca.

BACKGROUND

Currently, the Constituency Assistants to Ministers and the Constituency Assistants to Parliamentary Secretaries are on the respective departmental payrolls, while all other Constituency Assistants are on the payroll of the House of Assembly.

Subsection 26 (4) of the *Members' Resources and Allowances Rules* suggests that all Constituency Assistants should be on the House of Assembly payroll. The actual wording of s. 26 (4) is as follows:

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

The Office of the Comptroller General conducted an internal audit of the House of Assembly's payroll processing function and recommended that salaries for all Constituency Assistants should be paid by the House of Assembly to comply with the *Members' Resources and Allowances Rules*.

Either subsection 26(4) of the *Members' Resources and Allowances Rules* will have to be changed or Constituency Assistants currently on departmental payrolls will have to be transferred to the House of Assembly payroll.

AUTHORITY

The authority to amend the *Members' Resources and Allowances Rules* lies with the Management Commission. However, the authority to transfer staff positions and appropriations of related salary dollars resides with the Lieutenant-Governor in Council (Cabinet) under the *Executive Council Act*. If approved by Cabinet, the salaries and other budgeted amounts which apply to Constituency Assistants would be transferred to the House of Assembly in compliance

with the *Executive Council Act*. To amend any legislation, such as the *Public Service Commission Act*, requires the approval of Cabinet.

STATUS

At its November 4, 2009 meeting, the House of Assembly Management Commission considered proposed amendments to the *Members' Resources and Allowances Rules* related to this issue. The Commission deferred a decision and requested additional information respecting the implications of transferring Constituency Assistants to the House of Assembly payroll. This information was provided to the Commission at its meeting of February 3, 2010 summarized as three issues: (1) Internal Control and Administrative Implications; (2) Human Resources Implications - *Public Service Commission Act*; and (3) Restructuring under the *Executive Council Act*. The Commission deferred a decision and directed that Constituency Assistants be consulted on the matter.

HUMAN RESOURCE IMPLICATIONS

Salary and Benefits

Salary and benefits are the same for all Constituency Assistants whether on departmental payrolls or on the House of Assembly payroll.

Eligibility to Compete on Internal Competitions

Currently, Constituency Assistants on departmental payroll may apply on internal public service competitions. However, 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. If the departmental Constituency Assistants are transferred from departmental payrolls to the House of Assembly payroll, they will no longer be eligible to apply on internal public service competitions under the existing *Public Service Commission Act*.

QUESTION

What are the HR impacts if all Constituency Assistants are on the House of Assembly payroll?

ADMINISTRATIVE IMPLICATIONS

(Please note that only those CAs on departmental payrolls who are physically located in government departments will be impacted by the administrative matters of this section. However, all CAs are invited to provide feedback on this section, if they wish.)

Property, Furniture, Equipment (PFE)

Constituency Assistants on departmental payrolls who are physically located within the department, are currently provided with furniture, equipment, phone (excluding blackberries or cell phones), fax machine and related services by the department in which they are located.

If Constituency Assistants on departmental payrolls are moved to the House of Assembly payroll, a Constituency Assistant to a Minister or Parliamentary Secretary, located in a government department, will have to avail of the standard MHA office furniture and equipment package purchased by the House of Assembly for constituency offices, and will not have access to departmental furniture and equipment. All requisitions for purchases of such items will have to be completed and forwarded to the Corporate and Members' Services Division (CMS) of the House of Assembly for processing and delivery.

QUESTION

What are the impacts for Constituency Assistants located in departments if furniture and equipment must be purchased by the House of Assembly?

Inventory Control of Property, Furniture, Equipment (PFE)

Members of the House of Assembly are responsible for all inventoried items (including Constituency Assistant items) assigned to them under 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. All these inventoried items must be kept separate from departmental assets. The Member or the Constituency Assistant will be required to keep track of inventory items and report confirmation of the items to CMS on an annual basis.

QUESTION

What are the impacts for Constituency Assistants located in departments if they are responsible to keep inventory of furniture and equipment separate from department inventory and report back annually to the House of Assembly?

Office Supplies

If Constituency Assistants on departmental payrolls are moved to the House of Assembly payroll, a Constituency Assistant to a Minister or Parliamentary Secretary, located in a government department, will have to complete requisitions for purchases of regular office supplies and forward the requisitions to the Corporate and Members' Services Division (CMS) of the House of Assembly for processing and delivery. The requested supplies will be delivered to the respective government department and invoices forwarded from CMS to the Constituency Assistants for verification that the goods were received. It is expected that the Constituency Assistant will retain an inventory of supplies separate from departmental supplies.

QUESTION

What are the impacts for Constituency Assistants located in departments if office supplies must be purchased by the House of Assembly?

Services

If Constituency Assistants on departmental payrolls are moved to the House of Assembly payroll, a Constituency Assistant to a Minister or Parliamentary Secretary, located in a government department, will have to complete and forward requests for new services such as phone lines, computer hook-ups, fax services, etc. to Corporate and Members' Services Division of the House of Assembly for processing. As well, any service problems will have to be reported to CMS for follow-up. Departmental staff will no longer handle these requests.

OPTIONS

Please indicate which one of the following options you support:

- Constituency Assistants in departments remain on departmental payrolls
- Constituency Assistants in departments transfer to the House of Assembly payroll

Please indicate your current payroll status

- Constituency Assistant on department payroll
- Constituency Assistant on House of Assembly Payroll

If you have any questions or need assistance in completing the above questionnaire, please contact the following:

Marie Keefe
Policy & Communications Officer
House of Assembly
P.O. Box 8700
St. John's NL
A1B 4J6
Telephone: 729-6943
Fax: 729 - 4820
Email: mariekeefe@gov.nl.ca

Please return your completed questionnaire, by mail, fax or email, to the Policy and Communications Officer at the above address by Wednesday, March 10, 2010.

INDIVIDUAL RESPONSES WILL BE KEPT CONFIDENTIAL. A SUMMARY OF RESPONSES WILL BE PROVIDED TO THE HOUSE OF ASSEMBLY MANAGEMENT COMMISSION.

**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

**House of Assembly Management Commission
Briefing Note**

Title: Publication Scheme Amendments

Issue: Amendments in Response to Recommendations of Members' Compensation Review Committee

Background:

- At its January 23, 2008 meeting, the Commission approved the House of Assembly Publication Scheme as required by subsection 49(1) of the *House of Assembly Accountability, Integrity and Administration Act*. **CM 2008-008** refers.
- The Members' Compensation Review Committee recommended (p.45) that:

The following information should be placed on the House of Assembly website;

- The MHAs' total annual compensation including amounts received for performing additional duties on committees etc.
 - A copy of the MHAs' declaration of attendance in the House of Assembly as required by subsection 13(5) of the Act.
 - The current Member Accountability and Disclosure Reports be continued with detailed notes ensuring the expenditures are easily understood by the electorate.
- Subsequent correspondence from the Members' Compensation Review Committee clarified that a table summarizing Members' attendance would be an acceptable alternative to posting PDF files for each of the 48 Members.
 - Amendments to the House of Assembly Publication Scheme are required respecting the publishing of MHAs' total compensation and MHAs' declaration of attendance. The recommendation respecting Member Accountability and Disclosure Reports requires no action. With the implementation of the Expense Claim Management System, the detailed information is now included in the Member Accountability and Disclosure Reports.

Action Required:

- The Commission amends the House of Assembly Publication Scheme as follows:
 - Section 2.0 is renamed **Members' Financial and Other Reports**.
 - Section 2.1 is added and entitled **2.1. Members' Accountability and Disclosure Reports**. The description of financial reports currently in section 2.0 will apply to this category.
 - Sections 2.2 and 2.3 are added as follows:

2.2 Total Annual Compensation Report –

- Report 1: A report of: salaries authorized under s. 11(1) and 12(1) of the Act; committee allowances under s. 46 of the *Members' Resources and Rules*; and, salaries authorized by the Lieutenant-Governor-in-Council for the Premier, Ministers, Parliamentary Secretaries and the Parliamentary Assistant, as provided by Executive Council
- Report 2: An annual report of actual compensation paid to Members by the House of Assembly in a fiscal year.

Responsibility: Corporate and Members' Services Division

Official Version: Paper

Permanent Retention: Legislative Library

Online Version: Report 1: Posted following any amendments;

Report 2: Posted 90 days after the end of the fiscal year

Online Retention: Current General Assembly + two years

2.3 Members' Declarations of Attendance – A report, in table form, reflecting Members' Declarations of Attendance in the House of Assembly as required by subsection 13(5) of the Act.

Responsibility: Corporate and Members' Services Division

Official Version: Paper

Permanent Retention: Legislative Library

Online Version: Posted by 31 March each year

Online Retention: Current General Assembly + two years

Drafted by: Kimberley Hammond
Date: 16 March 2010

Approved by: Wm. MacKenzie

**House of Assembly Management Commission
Briefing Note**

Title: Automobile Allowance and Expense Policy

Issue: Proposed Automobile Allowance and Expense Policy for the Speaker, the Leader of the Official Opposition and the Leader of the Third Party

Background:

- The Commission, by **CM 2008-010** and **CM 2008-020**, adopted the Ministerial Expenses Reimbursement Policies to address expenses incurred by the Speaker, the Leader of the Opposition and the Leader of the Third Party while performing the duties of these offices, separate from their duties as Members, in the same manner as Ministers.
- At its December 2, 2009 meeting, 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 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. Adjustments to the allowance may only be made in response to recommendations by Members' Compensation Review Committees. **CM 2009-070 refers.**
- The amendments to the *House of Assembly Accountability, Integrity and Administration Act* received Royal Assent on December 22, 2009. Section 15 provided clarity on the entitlement of the three officers to receive an allowance or expense amount and establishes authority for the Commission to make rules and directives on the entitlement.
- The attached Automobile Allowance and Expense Policy replaces section 2.1 to 2.6 and 2.9 to 2.13 of the Ministerial Expenses Reimbursement Policies adopted by **CM 2008-010** and **CM 2008-020**.

Action Required:

Recommended Minute:

The Commission approves the Automobile Allowance and Expense Policy, dated March, 2010.

Drafted by: Marie Keefe
Date: March 12, 2010

Approved by: Wm. MacKenzie



House of Assembly

Automobile Allowance and Expense Policy

**For the Speaker, the Leader of the Official Opposition
and the Leader of the Third Party**

March, 2010

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7.1 Option 1: Reimbursement of Expenses

7.2 Option 2: Reimbursement of Expenses

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 Automobile Allowance and Expense Policy for the Speaker, the Leader of the Official Opposition, and the Leader of the Third Party, who for the purpose of this Automobile Policy will be referred to as “an officer” or “officers”.

2.0 Purpose

The purpose of this policy is to establish parameters regarding the automobile allowance and expenses for the three officers.

3.0 Policy

This policy replaces **section 2.1 to 2.6 and 2.9 to 2.13** of the Ministerial Expenses Reimbursement Policies as adopted by the Commission. Sections 2.7, 2.8, 2.14 and 2.15 of this policy regarding rental vehicles and use of taxis continue in force.

4.0 General

The officers may, with respect to duties related to their offices, choose for each fiscal year one of the following reimbursement methods:

- Option 1. Automobile Allowance and Consumable Liquids; or
- Option 2. Automobile Expense Reimbursement Based on Mileage Claims

The option selected for an upcoming fiscal year must be made not later than March 31 of the previous fiscal year. The selected option will be effective for the duration of the fiscal year.

If an officer assumes office after the commencement of a fiscal year, one of the options must be chosen for the remainder of the fiscal year.

5.0 Option 1: Automobile Allowance and Consumable Liquids

Where an officer chooses the automobile allowance, he or she is not eligible for reimbursement of automobile expenses referred to in Option 2 when carrying out the duties of his or her office or when carrying out constituency or other duties as a Member of the House of Assembly.

5.1 Automobile Allowance

The annual automobile allowance shall be \$8,000 payable as a lump sum at the commencement of the fiscal year or throughout the fiscal year as a prorated portion of the allowance.

5.2 Consumable Liquids

In addition to the automobile allowance, the officer is entitled to claim the cost of the following consumable liquids:

- (a) gasoline;
- (b) oil;
- (c) windshield washer fluid;
- (d) brake fluid; and
- (e) expenses directly related to the consumable liquids referred to in (a) to (d), such as labour costs for completing an oil change.

5.3 Taxable Benefits

The automobile allowance under 5.1 and reimbursed expenses under 5.2 are taxable benefits under the *Income Tax Act* (Canada).

5.4 Discontinuance of the Automobile Allowance

Officers who leave office for any reason shall retain their entitlement for a period of 3 months following the date of departure. The officer must repay the balance of money received during the fiscal year prorated for the period following the expiration of his/her entitlement.

5.5 Adjustments to Allowance

Adjustments to the allowance can only be made in response to recommendations by Members' Compensation Review Committees.

6.0 Option 2: Automobile Expense Reimbursement Based on Mileage Claims

An officer who chooses reimbursement based on mileage claimed is not entitled to the \$8,000 annual automobile allowance or to reimbursement for consumable liquids.

6.1 Entitlement

An officer is entitled to be reimbursed for travel in his/her own vehicle in order to carry out duties related to his or her office. The officer may claim reimbursement for the number of kilometers reasonably necessary to accomplish the travel objectives multiplied by the rates payable to government employees who are required to use private vehicles as a condition of employment (i.e. the two-tiered rate).

6.2 Logged Distances

The logged distances must approximate distances calculated in accordance with the Newfoundland and Labrador Road distance data base.

6.3 Vehicle Travel Log

In order to claim an automobile expense, a vehicle travel log shall be maintained detailing the automobile usage related to the duties of the officer. The officer shall record the dates and destinations of a trip, including the number of kilometres actually and reasonably traveled in connection with the trip.

7.0 Administrative Matters

7.1 Option 1: Reimbursement of Expenses

When claiming reimbursement of consumable liquids and related expenses, detailed original receipts indicating proof of payment must be forwarded to Human Resources Services and Payroll Administration, Corporate and Members' Services Division.

7.2 Option 2: Reimbursement of Expenses

When claiming reimbursement for the use of private automobiles, an officer must provide the detailed Private Vehicle Usage information on, or attached to, an Expense Claim and forward to Accounts Payable, Corporate and Members' Services Division.

**House of Assembly Management Commission
Briefing Note**

Title: Constituency Duty Absence from House

Issue: Directive Regarding Speaker Approval for Member's Absence from House of Assembly

Background:

- Under paragraph 13(3)(e) of the *House of Assembly Accountability, Integrity and Administration Act*, a member may be absent from the House of Assembly when attending to constituency duties within the precincts of the House of Assembly and not be penalized by the deduction of \$200 per absence from his or her salary.
- Under subsection 13(3.1), attendance at constituency duties outside the House precincts may be approved by the Speaker under paragraph 13 (3) (g) when the Speaker considers it necessary and in accordance with directives of the Management Commission.
- A Directive will provide direction to Members with respect to the manner in which they may seek the permission of the Speaker to be absent from the House of Assembly, without penalty, in order to carry out constituency duties outside the House of Assembly precincts.

Action Required:

- Recommended Minute

Pursuant to 13(3.1) of the *House of Assembly Accountability, Integrity and Administration Act*, the Commission approves the following Directive:

- 1) A member who must be absent from the House of Assembly in order to carry out constituency duties must request approval for that absence, in advance and in writing, from the Speaker.
- 2) Where circumstances do not allow a Member to make his or her request for an absence from the House of Assembly in advance, that request must be made, in writing, as soon as is practicable after that absence.
- 3) Upon receipt of a request for an absence from the House of Assembly the Speaker shall determine whether or not the absence is justified and, in writing, approve or not approve that request.

Drafted by: Marie Keefe
Date: March 16, 2010

Approved by: Wm. MacKenzie



FOURTH REPORT
OF
THE AUDIT COMMITTEE
TO
THE HOUSE OF ASSEMBLY MANAGEMENT COMMISSION
PURSUANT TO
PARAGRAPH 23 (8) (c)
OF THE
HOUSE OF ASSEMBLY ACCOUNTABILITY, INTEGRITY AND
ADMINISTRATION ACT

March, 2010

The Audit Committee of the House of Assembly was established under the authority of Section 23 of the *House of Assembly Accountability, Integrity and Administration Act* (the Act) which was enacted on June 14, 2007. Section 23 outlines the responsibilities of the Committee. Included in these responsibilities is the requirement under Section 23(8)(c) to report regularly to the House of Assembly Management Commission (the Commission) with respect to its activities.

The Audit Committee has submitted three Reports and a Memo to the Commission regarding its activities. This Report, the fourth, covers the period January to March 2010.

On January 29th the former Chair of the Committee, Elizabeth Marshall, C.A. resigned her seat in the House of Assembly upon her appointment to the Senate of Canada. The Committee thanks Ms. Marshall for her diligent work as Chair of the Committee and wishes her well in her new endeavour.

On February 17th the undersigned was appointed Chair of the Committee by the House of Assembly Management Commission. In order to inform myself about the work and mandate of the Committee I met with the former Chair, the Comptroller General, the Auditor General, the Clerk of the House and the Clerk of the Committee.

The Committee has met twice since the tabling of the last report: on January 14th and March 11th. There were a number of matters outstanding from previous meetings of the Committee which have been dealt with to the satisfaction of the Committee. The summary of these matters is attached as Appendix A.

There are however some matters outstanding which the Audit Committee wishes to bring to the attention of the Commission:

Accrued overtime and annual leave expenditures

At its meeting of January 14th the Committee discussed the tax implications of the House of Assembly policy relating to accrued overtime and annual leave. The Committee has been advised that there is e-mail correspondence from the Canada Revenue Agency stating that the practice complies with federal taxation requirements.

However the Audit Committee is not satisfied that the practice is appropriate notwithstanding its legality and the fact that it is in effect throughout Government generally.

The matter was raised by the Auditor General in his annual report for the fiscal year ended 31 March 2009 in relation to overtime. The Auditor General recommended that Government consider implementing a policy which requires employees either to use or be paid for overtime within a specific period of time. It is the opinion of Committee members that banked overtime and annual leave should be paid at the rate at which it was

earned rather than the rate in effect when it is paid. The Committee therefore recommends that the Commission review the overtime and annual leave payout policy of the House of Assembly with a view to considering whether payments should be made at the rate earned and paid within a specific period of time.

Supporting documentation for Members' claims

The Auditor General in his management letter dated November 24, 2009, stated that the supporting documentation for Members' claims did not comply with the Rules. It appears in fact that the documentation, an e-mail, is compliant. However the Committee recommends that for the avoidance of doubt Rule 16 be amended to require that the "explanation in writing" referenced in the rule emanate from the Member.

Personnel files prior to 2006

The Auditor General recommended in the above-noted Management Letter that personnel files predating 2006 be updated. The Committee agrees with this recommendation recognizing that it will have to be done as time permits and so recommends.

Signing off on financial statements

The Auditor General recommended that the financial statements of the House be signed off in a timely fashion for submission to the Commission quarterly. The Audit Committee is of the opinion that this practice is prudent and recommends that it be adopted.

Compliance Audit Plan

The Auditor General stated at the meeting of January 14th that he would provide the Committee with his plan for the Compliance Audit required by subsection 43(9) of the Act. The Auditor General undertook to submit the plan to the Committee by July of 2010. The audit will commence in January of 2011.

Briefing note format

The Comptroller General in his Report entitled "House of Assembly Compliance Review – Part Two (Rule Amendments/Directives/Decisions Process)" recommended that the Commission adopt a more comprehensive form of briefing note for the Commission than the format being used. The Committee agrees that a format similar to the one found in the appendix to the above-noted Report should be used. The Committee

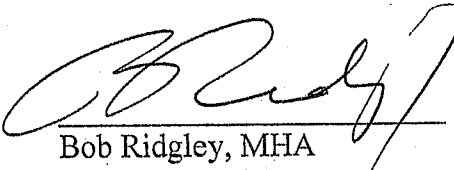
therefore recommends that the Commission adopt the briefing note format appended by Comptroller General to the Compliance Review.

Duplicate/Double Billing Reports

The Duplicate/Double Billing Reports for the periods April to June, July to September and October to December 2009 were tabled at the meeting of March 11th. See Appendix B.

Cost in staff salaries of oversight of Members' expenditures

At its meeting of January 14th the Committee discussed the cost of overseeing Members' expenditures. At the request of the Committee the Clerk of the House provided it with information on the House of Assembly budget. See Appendix C.



Bob Ridgley, MHA
Chair

March 16th, 2010

APPENDIX A

Chart of Audit Committee Issues For Follow-up

AUDIT COMMITTEE
ISSUES FOR FOLLOW UP

NO.	REF.	SOURCE	ISSUE	REMARKS
1	Comp. Gen.	AC..Oct. 20/09 (Min.9) AC..Jan.14/10 (Bus. Arising)	No letter from CRA re our policy on payment of accrued overtime and annual leave.	Jan. 14/10 e-mail from CRA attached.
2	Comp. Gen. Clerk	CG..HOA Com. Review Oct. 2009 HOA Response AC..Jan.14/10 (Min.10-6)	(6) Briefing note format for Management Com. is not adequate, according to Comp. Gen.. HOA reviewing recommended format.	Comp. Gen. says the format should draw out the necessary information. Clerk does not see value in rigid format. Sections included as required.
3	Comp. Gen. Clerk	CG..HOA Com. Review Oct. 2009 HOA Response AC..Jan.14/10 (Min.10-7)	(7) Central filing system needed for Directives, etc. of Management Com. HOA says not efficient to apply this on a universal basis. Audit Committee has indicated agreement with Comp. Gen.	Comp. Gen. would not revisit; it is not of a "critical nature".
4	Comp. Gen.	AC..Jan.14/10 (Min.12)	Comp. Gen. intends to do an audit of HOA service overtime and Financial Management Governance	He is presently doing the audit of travel logs, so the audit referred to is not imminent.

5	Comp. Gen.	AC..Jan.14/10 (Min. 13)	Comptroller General needs 2 additional positions.	Discussed with Comp. Gen..... will be addressed as part of discussion of Minute 15 of AC meeting of Jan.14/10
6	Auditor Gen. Clerk	Aud. Gen. Mgm't Letter Nov.24/09 AC..Jan.14/10 (Min. 7-4)	Difference of opinion between AG and HOA re supporting documentation for Member's claims (s.16) Audit Com. supported AG (Mr. Warr suggested clarification of the rule.) Chair to discuss with Management Com.	AG indicated that the only documentation they had was an e-mail from an assistant; there was nothing signed by the Member. Clerk says S.16 authorizes him to accept the e-mail. Rule does not specifically require statement from Member.
7	Auditor Gen. Clerk	Aud. Gen. Mgm't Letter Nov.24/09 AC..Jan.14/10 (Min. 7-5)	Updating of personnel files prior to 2006 Chair to discuss with Management Com.	AG says that the number of files is "finite" and this could be accomplished. Clerk indicates this would not be a prudent use of resources.

8	Auditor Gen. Clerk	Aud. Gen. Mgm't Letter Nov.24/09 AC..Jan.14/10 (Min. 7-6)	Signing off on financial results.	AG maintains that the Management Com. cannot properly review the financial performance of the House quarterly unless there is timely sign-off. Clerk indicates that the Financial Management Analysts review every single transaction as evidenced by the JVs. Any discrepancy in the quarterly reports would be immaterial.
9	Auditor Gen.	AC..Jan. 14./10 (Min. 8)	AG to provide Audit Com. with plan for the compliance audit of HOA.	AG indicated that this audit would not take place much before Jan. 2011. Chair suggested that plan be available for Audit Com. meeting of summer 2010. AG agreed to this timeline.
10	Clerk	Aud. Gen. Mgm't Letter Nov.24/09	Management Certification Contract... HOA in process of drafting guidelines	Clerk referenced 28 (3) (1) of the Act. HOA staff will adopt <u>Guidelines for Hiring of External Consultants to Legislature</u> . OCG has declined to provide their draft revision to the Guidelines.

11	Clerk	AC..Oct.20/09 (Min.19) AC....Jan.14/10 (Bus. Arising)	Management Com. has not yet formulated a policy on unanticipated legal expenses.	To be dealt with at next Management Commission meeting.
12	Clerk	AC..Jan.14/10 (Min.15)	Chair to provide Audit Com. with budget figures re staff salaries for overseeing MHA expenditures relative to budget the staff is overseeing.	Request made to Clerk on March 3, 2010. Clerk to draft memo to Chair.
13	Clerk	Comp. Gen. Audit Oct. /08 AC Report ..July 9/09	Declaration of attendance in the House to be done ASAP after Member returns	No action taken.
14	Clerk	Aud. Gen. Letter Oct. /09 AC Report ..July 9/09	\$400 to be recovered from a Member re insurance costs claimed beyond time of resignation.	Clerk advised that this has been recovered.
15	Clerk	Comp. Gen. Review Feb./09 AC Report..July /09	Review of Member's Travel Logs should be conducted	Presently being completed by Comptroller General
16	Clerk	Comp. Gen. Review Feb./09	Verification of receipt of goods and services	Corporate Member Services does verification via e-mail to Member
17	Clerk	Comp. Gen. Review Feb./09	One MHA without a lease agreement for constituency office	Clerk advised that issue has been resolved.

18	Clerk	Comp. Gen. Review Oct. /09 HOA Response AC..Jan.14/10 (Min.10-1)	Review of Directives. Directives 2007-002 and 2007-004 need Rule amendment.	Directives were rescinded by Directive 2010-005. Rule amendments were gazetted.
19	Clerk	Comp. Gen. Review Oct. /09 HOA Response AC..Jan.14/10 (Min.10-3)	HOA is contemplating producing a status report of Commission Minutes as recommended by Comptroller General	In effect as of 2010.

APPENDIX B

Duplicate/Double Billing Reports

April to June

July to September

October to December

2009

DUPLICATE/DOUBLE BILLINGS REVIEW PROCESS

April to June 2009 Results

As indicated by the attached document, 220 claims were reviewed by the Office of the Comptroller General (OCG) for the 1st quarter of fiscal 2009-10 (April – June, 2009). 7 claims out of a population of 220 claims involved duplicates or errors

1. In the first claim, a Member claimed dinner on his HOA claim and on his Ministerial claim. After consulting with the Member's constituency assistant it was determined that the Member should not have claimed the amount as it was a Ministerial expense. The HOA was notified and a \$25 adjustment was placed on the next HOA claim (as the HOA claim had already been paid).
2. In the second claim, a Member claimed a dinner per diem and for a dinner meeting on the same claim. Upon further review it was determined that the dinner per diem should have been a lunch per diem. The claim was cancelled and resubmitted with the correction made. A \$10 adjustment was made.
3. In the third claim, a Member claimed a daily per diem on his HOA claim and on his Ministerial claim. Upon further review it was determined that the Member should not have claimed the amount as it was a Ministerial expense. The HOA was notified and a \$50 adjustment was made on the next HOA claim (as the HOA claim had already been paid).
4. In the fourth claim, a Member claimed dinner twice for the same date. Upon further review it was determined that an error had been made with the date of the second dinner. The claim was cancelled and resubmitted with the corrected date.
5. On the fifth claim, a Member claimed a daily per diem on his HOA claim and on his Ministerial claim. Upon further review it was determined that the Member should not have claimed the amount as it was a Ministerial expense. The HOA was notified and the Member issued a cheque for the \$50 as the amount related to old year funds (as the HOA claim had already been paid in the old year).
6. On the sixth claim, the Member's private vehicle usage report on the claim had been revised by CMS. When CMS revised the mileage rates an error was made in the calculation which resulted in the Member being owed an additional \$24.16. CMS was contacted and an additional amount was paid on a subsequent claim.
7. On the seventh claim, the Member claimed accommodations for two hotels. Due to problems with his available funds CMS reduced one of the invoices to nil and increased the amount payable for the other hotel by \$46.79. As the second hotel bill was \$118.65 it could not be increased to \$165.44 as the amount would not match the supporting documentation. As such they should have reduced the first hotel to \$46.79 (from \$67.80); CMS agreed and the claim was rescanned to correct the line distribution.

The errors were communicated to, and corrected by, Legislature financial staff. It is understood that the Members were notified by the Legislature financial staff.

Background on Process

In response to the recommendations of the Green Report, the Office of the Comptroller General initiated a process (effective October 9, 2007) whereby claims submitted by MHA's (both in their role as Member and as Minister - as applicable) would be reviewed and analyzed to determine if any duplicate amounts existed. All MHA's are subject to this review - those who are Ministers have HCA and Ministerial claims cross-checked.

This process does not in any way replace or mitigate the responsibilities of the claimants or the applicable HCA/departments in taking applicable measures to prevent/detect duplicate/double billings.

This function does not include any procedures which involve the review of claims for compliance against Ministerial, MHA or other expense reimbursement policies.

This process involves the capturing of details from each physical claim into an electronic database by Member/Minister. Each expense element of the claim is compared to the details of prior claims. Where potential duplicates are suspected as a result of this analysis, the applicable claims are accessed via the TRIM software application for further review. If confirmed as a duplicate, staff will review subsequent transactions (credit memos, offsets to subsequent claims, etc) to determine if the amount has been recovered. The Director of Government Accounting is consulted as to the status of such instances prior to other parties being consulted - and to discuss course of action.

Currently, this function is performed by a staff complement of three (one supervisor; two clerks).

Prepared by: Bruce Chaulk, Manager -- Transactional Review and Compliance

Approved by: Paul Smith, Director - Government Accounting Division

DUPLICATE/DOUBLE BILLINGS REVIEW PROCESS House of Assembly

July to September 2009 Results

As indicated by the attached document, 144 claims were reviewed by the Office of the Comptroller General (OCG) for the second quarter of fiscal 2009-10 (July - September, 2009). Three claims out of a population of 144 claims involved duplicates or errors:

1. In the first claim, a Member claimed breakfast on his HOA claim and on his Ministerial claim. After consulting with the Member's constituency assistant it was determined that the Member should not have claimed the amount as it was a Ministerial expense. The HOA was notified and a \$10 adjustment was made to the HOA claim. The Member was aware of the duplicate.
2. In the second claim, a Member claimed airport parking. However, on the expense claim it was recorded as gas. The claim was withdrawn and resubmitted with the correction made.
3. In the third claim, a Member claimed for a rental car. Upon further review of the documentation provided it was determined that the receipt was not the final receipt. CMS were contacted and a receipt with exact totals was requested. Rather than withdraw and resubmit the claim, the Member claimed the additional amount owing on a subsequent claim (\$153.62).

The errors were communicated to, and corrected by, Legislature financial staff. Any corrections requires the claim to be withdrawn and resubmitted by the Member or delegate in order for the correction to be made. As part of the process confirmation is requested that the Member has been informed of any issues found in the review of their claims.

Background on Process

In response to the recommendations of the Green Report, the Office of the Comptroller General initiated a process (effective October 9, 2007) whereby claims submitted by MHA's (both in their role as Member and as Minister -- as applicable) would be reviewed and analyzed to determine if any duplicate amounts existed. All MHA's are subject to this review - those who are Ministers have HOA and Ministerial claims cross-checked.

This process does not in any way replace or mitigate the responsibilities of the claimants or the applicable HOA/departments in taking applicable measures to prevent/detect duplicate/double billings.

This function does not include any procedures which involve the review of claims for compliance against Ministerial, MHA or other expense reimbursement policies.

October 12, 2016

This process involves the capturing of details from each physical claim into an electronic database by Member/Minister. Each expense element of the claim is compared to the details of prior claims. Where potential duplicates are suspected as a result of this analysis, the applicable claims are accessed via the TRIM software application for further review. If confirmed as a duplicate, staff will review subsequent transactions (credit memos, offsets to subsequent claims, etc) to determine if the amount has been recovered. The Director of Government Accounting is consulted as to the status of such instances prior to other parties being consulted and to discuss course of action.

Currently, this function is performed by a staff complement of three (one supervisor, two clerks).

Prepared by: Bruce Chaulk, Manager - Transactional Review and Compliance

Approved by: Paul Smith, Director - Government Accounting Division

January 8, 2010

DUPLICATE/DOUBLE BILLINGS REVIEW PROCESS House of Assembly

October to December 2009 Results

182 claims were reviewed by the Office of the Comptroller General (OCG) for the third quarter of fiscal 2009-10 (October – December, 2009). There were no claims involving duplicates or errors:

Background on Process

In response to the recommendations of the Green Report, the Office of the Comptroller General initiated a process (effective October 9, 2007) whereby claims submitted by MHA's (both in their role as Member and as Minister – as applicable) would be reviewed and analyzed to determine if any duplicate amounts existed. All MHA's are subject to this review - those who are Ministers have HOA and Ministerial claims cross-checked.

This process does not in any way replace or mitigate the responsibilities of the claimants or the applicable HOA/departments in taking applicable measures to prevent/detect duplicate/double billings.

This function does not include any procedures which involve the review of claims for compliance against Ministerial, MHA or other expense reimbursement policies.

This process involves the capturing of details from each physical claim into an electronic database by Member/Minister. Each expense element of the claim is compared to the details of prior claims. Where potential duplicates are suspected as a result of this analysis, the applicable claims are accessed via the TRIM software application for further review. If confirmed as a duplicate, staff will review subsequent transactions (credit memos, offsets to subsequent claims, etc) to determine if the amount has been recovered. The Director of Government Accounting is consulted as to the status of such instances prior to other parties being consulted – and to discuss course of action.

Currently, this function is performed by a staff complement of three (one supervisor; two clerks).

Prepared by: Bruce Chaulk, Manager – Transactional Review and Compliance

Approved by: Paul Smith, Director – Government Accounting Division

APPENDIX C

Information on House of Assembly Budget Oversight of Members' Expenditures



HOUSE OF ASSEMBLY
Newfoundland and Labrador

MEMO

To: Bob Ridgley
Chair, Audit Committee

From: Clerk of the House of Assembly

Date: March 8, 2010

Subject: Legislature Administration Costs

At our meeting of 02 March 2010, you requested that I provide some information on the above referenced matter, particularly as it relates to the *Members' Resources and Allowances Rules* and the administrative changes since 2006.

For the purposes of this memo, I will interpret "administration costs" as those covered within the budget Activity, House of Assembly – Administrative Support (1.1.01): "appropriations provide for the Office of the Clerk and the financial, human resource and administrative activities of the Legislature". (There are some administrative-type matters managed within the Legislative Library and Records Management Activity [1.1.02], such as ATIPP requests and web site maintenance.)

The Legislature is a Head of Expenditure, as defined by the *Financial Administration Act*, which encompasses the House of Assembly and all its constituent elements, as well as five Statutory Offices of the House. The *House of Assembly Accountability, Integrity and Administration Act* (the Act) defines Statutory Office so as to exclude the Office of the Auditor General (OAG). Therefore, the administrative duties of the House of Assembly Service with respect to the Statutory Offices do not, for the most part, apply to the OAG. Using 2009/10 figures, and excluding OAG, the Legislature's budget is \$20,745,400. The majority of administrative costs are in the Salaries Main Object of the House Administration Activity, within the Corporate & Members' Services Division: \$902,655 for 17 positions (attached).

Corporate & Members' Services Division (CMS) provides the administrative services for the entire Legislature (the House of Assembly Service, all Members and their Constituency Assistants, the three Caucus Offices, and the four Statutory Offices),

totaling 220 employees. The Legislature includes 169 permanent employees; however, CMS Division also provides administrative support respecting the *Rules* for the 26 Members and 25 Constituency Assistants who are on departmental payrolls.

While the *Members' Resources and Allowances Rules* have certainly created additional duties, it is not accurate to say the *Rules* are solely responsible for the increase in staff numbers from the pre-Green era. Many of the administrative tasks are dictated by the Act and good internal control procedures, rather than the *Rules*. One of the main reasons for the increase is the recommendation by Chief Justice Green that the HoA Service assume responsibility for administrative and financial management of the Office of the Chief Electoral Officer/Commissioner for Legislative Standards, Office of the Citizens' Representative, Office of the Information and Privacy Commissioner, and Office of the Child and Youth Advocate. These responsibilities are included in the Clerk's responsibilities under S.28(3) of the Act, in effect since June 2007. Formerly, these Offices handled the majority of their administrative matters and were subject to a number of Auditor General Reports for poor management practices.

Other administrative tasks requiring additional staff resources include matters respecting Members' attendance, Leaders' allowances, Management Commission agenda matters, budget preparation (including assistance to/commentary on Statutory Offices budgets), support to internal and external auditors, the various Member reports required by S. 51 of the Act and other requirements laid out in the Clerk's statutory duties under S. 28 of the Act.

Perhaps the most significant result of Green's recommendations is the statutory requirement for annual management certification. No other part of the entire Government sector or any other public entity in Newfoundland and Labrador undergoes this scrutiny. Resources must be available to implement and monitor the internal controls required to annually comply with this statutory requirement. The Audit Committee may wish to review the information provided annually to the Clerk by Grant Thornton in the last two years.

The Auditor General pointed out in his various Reports there was insufficient staff in the House of Assembly to segregate duties or to have any reasonable financial management regime or systems of internal controls; hence, the ease within which criminal activity took place. The current division of duties among the four Sectional Managers in CMS - Financial Planning and Reporting, Accounts Payable, Purchasing and General Operations, and Human Resources and Payroll Administration - as well as among the staff of each section, is necessary for internal control purposes, irrespective of any specific details within the *Members' Resources and Allowances Rules*.

The perception that the majority of CMS staff are occupied by Members' expense claims is not supported, as evidenced by the following:

- ◆ In the Accounts Payable Section, there is one Manager and three AP clerks, one of which is fully-funded by the Opening Doors Program. These four positions process

all AP transactions within the entire Legislature, in addition to all Members' claims. If the *Rules* were simplified, it may be that two AP clerks could handle the transactions within the Legislature Head of Expenditure, with the Manager signing off.

- ◆ In the Human Resources and Payroll Administration Section (one Manager, one HR Services Coordinator, one Payroll Administrator, one Ass't Payroll Administrator), there are a few matters within the *Rules* which might impact staff levels. For example, every Member can hire temporary Constituency Assistants during the course of a year. Significant work is required to add these staff to the payroll system, to sign them on as vendors in FMS, ECMS Training, etc. Other impacts on the staffing requirements for this section result from improvements to existing procedures, including a fully functioning HR section. CMS is also now responsible for the Legislature's payroll function, which was previously performed by the Central Payroll Office.
- ◆ In the General Operations and Purchasing Section (one Manager, two Purchasing Officers, one Members' Service Officer), various *Rules* have created significant demands. For example, the leasing requirements for Member Constituency Offices now require *Public Tender Act* compliance and have brought with them a number of operational duties for House staff which were formerly undertaken by Members themselves. Chief Justice Green's principle that HoA Service staff should handle purchasing for Members, rather than have Members seek reimbursement, has resulted in at least one additional FTE position, beyond what would be required to support the entire Legislature. Similarly, the requirement to maintain a comprehensive inventory system (not present in government departments) requires considerable resources.
- ◆ The Financial Planning and Reporting Section (one Manager, two Financial Management Analysts) handles all Member Reports (approx 5000 per annum), as well as all budgetary development, monitoring, transfers, etc., for all units within the Legislature Head of Expenditure.

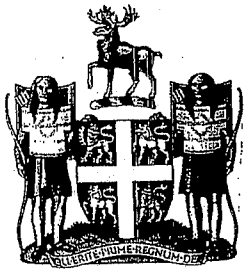
In summary, although amendments to some elements of the *Rules* would have some impact on staffing requirements in CMS and, hence, administrative costs, much of its responsibility emanates from the Act and the implementation of good internal control practices. It is conceivable that significant Rule amendments may reduce staffing requirements in CMS by one or two FTEs, but this would not fundamentally alter the administrative costs without changes to the legislative requirements under the Act.

I have appended two documents which summarize the changes in the Legislature's budget in recent years and which may be of interest to the Audit Committee. One of these is a Power Point presentation entitled "Funding Increases since 2006-07"; the other is a spreadsheet itemizing the increases each year by Activity and Main Object.

I am available to discuss any of the matters noted above at the Committee's convenience.

Corporate & Members' Services Division Positions 2009/10

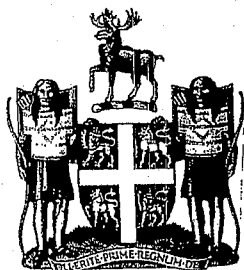
1. Chief Financial Officer
2. Manager, Accounts Payable
 3. Accounts Payable Clerk
 4. Accounts Payable Clerk
(plus, Opening Doors AP Clerk)
5. Mgr, Hr & Payroll Administration
 6. Human Resources Services Coordinator
 7. Payroll Administrator
 8. Assistant Payroll Administrator
9. Mgr, Financial Planning & Reporting
 10. Financial Management Analyst
 11. Financial Management Analyst
12. Manager, General Operations & Purchasing
 13. Members' Services Officer
 14. Purchasing Officer
 15. Purchasing Officer
16. General Office Clerk
17. Secretary to Chief Financial Officer



Legislature

Summary of Key Funding Increases - 2006-07 to 2009-10

	Estimates 2009-10	Estimates 2006-07	Funding Increases 2006-07 to 2009-10
	000's	000's	000's
Salaries	14,524.9	8,687.9	5,837.0
Allowances and Assistance - Members	3,134.0	2,014.4	1,119.6
Administrative Support - Professional Services	220.0	38.0	182.0
House of Assembly Service - Telecommunications	226.0	118.0	108.0
Office of the Information and Privacy Commissioner - General Operating and Professional Services	357.5	99.2	258.3
All Other	2,250.4	2,095.6	154.8
	\$20,712.8	\$13,053.1	\$7,659.7



Legislature

Funding Increases - Salaries - 2006-07 to 2009-10

	Estimates 2009-10	Estimates 2006-07	Increases 2006-07 to 2009-10
	000's	000's	000's
Administrative Support	1,744.7	548.1	1,196.6
Legislative Library and Records Management	682.1	229.7	452.4
Hansard and Broadcast	595.2	481.8	113.4
House Staff			1,762.4
Members' Resources (excludes Ministerial Const. Assts.)	6,524.9	4,721.3	1,803.6
House Operations and Caucus Offices	1,979.5	1,278.4	701.1
Members/Political Staff			2,504.7
House of Assembly	\$11,526.4	\$7,259.3	\$4,267.1
Office of the Information and Privacy Commissioner	828.9	346.7	482.2
Office of the Chief Electoral Officer	566.0	305.8	260.2
Office of the Child and Youth Advocate	836.4	543.6	292.8
Office of the Citizens' Representative	767.2	232.5	534.7
Statutory Offices	\$2,998.5	\$1,428.6	\$1,569.9
Total Legislature	\$14,524.9	\$8,687.9	\$5,837.0

New Positions Since 2006-07



Clerk's Office

- Law Clerk
- Policy and Communications Officer
- Policy Officer ✓
- Committee Researcher ✓



Corporate and Members' Services Division

- Manager, Financial Planning and Reporting
 - Financial Management Analyst (2)✓
- Secretary to Chief Financial Officer
- Manager, Human Resources Services and Payroll Administration
 - Payroll Administrator
 - Human Resources Services Coordinator
 - Assistant Payroll Administrator✓
- Manager, General Operations and Purchasing
 - Purchasing Officer (2)
 - Members Services Officer
- Accounts Payable Clerk (2)
- General Office Clerk



Legislative Library and Records Management

- Information Specialist (Client Services)
- Web Developer
- Manager, Records Management
 - Records Management Specialist
 - ATIPP Coordinator/Privacy Analyst
 - Records Technician



Hansard and Broadcast Centre

- Sessional Broadcast Technologist



Office of the Chief Electoral Officer

- Voter Registry Coordinator (4)
- Communications/Training Officer
- Business Analyst
- Administrative Assistant
- Records Management Analyst ✓



Office of the Child and Youth Advocate

- Review/Research Assistant
- Advocacy Services Specialist (3)
- Systemic Advocacy Consultant (2)



Office of the Citizens' Representative

- Assistant Citizens' Representative
- Executive Secretary



Office of the Information and Privacy Commissioner

- Access and Privacy Analyst (2)✓
- Senior Access and Privacy Analyst
- Administrative Assistant
- Communications and Mediation Officer✓





Legislature
Funding Increases - 2006-07 to 2009-10

	Estimates 2009-10	Estimates 2008-09	Estimates (Restated from 2006-07) 2007-08	Estimates 2006-07	Increase (Decrease) 2006-07 to 2009-10
1.1.01 ADMINISTRATIVE SUPPORT					
01. Salaries	1,744,700	1,493,700	1,126,000	548,100	1,196,600
02. Employee Benefits	11,000	9,000	3,000	5,000	6,000
03. Transportation and Communications	64,800	56,800	53,000	40,700	24,100
04. Supplies	46,200	40,000	50,000	55,000	(8,800)
05. Professional Services	220,000	1,043,500	221,000	38,000	182,000
06. Purchased Services	226,000	371,000	617,000	118,000	108,000
07. Property, Furnishings and Equipment	165,000	199,000	70,000	110,000	55,000
	2,477,700	3,213,000	2,140,000	914,800	1,562,900
02. Revenue - Provincial	(23,800)	-	-	-	(23,800)
Total: Administrative Support	2,453,900	3,213,000	2,140,000	914,800	1,539,100
1.1.02 LEGISLATIVE LIBRARY AND RECORDS MANAGEMENT					
01. Salaries	682,100	640,700	344,600	229,700	452,400
02. Employee Benefits	3,700	3,500	1,500	1,500	2,200
03. Transportation and Communications	16,700	15,800	5,000	7,000	9,700
04. Supplies	59,400	56,300	50,000	35,000	24,400
05. Professional Services	22,200	184,200	-	-	22,200
06. Purchased Services	22,900	13,300	11,500	11,500	11,400
07. Property, Furnishings and Equipment	5,000	12,000	5,000	2,500	2,500
	812,000	925,800	417,600	287,200	524,800
Total: Legislative Library	812,000	925,800	417,600	287,200	524,800
1.1.03 HANSARD AND THE BROADCAST CENTRE					
01. Salaries	595,200	531,600	502,800	481,800	113,400
02. Employee Benefits	1,500	2,500	1,500	3,700	(2,200)
03. Transportation and Communications	40,000	44,600	469,500	207,000	(167,000)
04. Supplies	7,000	7,000	6,200	28,300	(21,300)
05. Professional Services	-	10,000	-	30,300	(30,300)
06. Purchased Services	297,700	351,900	31,000	10,000	287,700
07. Property, Furnishings and Equipment	10,000	720,600	10,000	-	10,000
	951,400	1,668,200	1,021,000	761,100	190,300
Total: Hansard and the Broadcast Centre	951,400	1,668,200	1,021,000	761,100	190,300
1.1.04 MEMBERS' RESOURCES					
01. Salaries	6,524,900	5,982,500	7,048,700	4,721,300	1,803,600
03. Transportation and Communications	20,000	20,000	32,000	20,900	(900)
04. Supplies	-	-	30,000	-	-
05. Professional Services	60,000	36,000	-	-	60,000
06. Purchased Services	-	-	186,000	38,000	(38,000)
07. Property, Furnishings and Equipment	-	-	30,000	30,000	(30,000)
09. Allowances and Assistance	3,134,000	3,554,700	2,059,500	2,014,400	1,119,600
10. Grants and Subsidies	-	-	36,000	36,000	(36,000)
	9,738,900	9,593,200	9,422,200	6,860,600	2,878,300
Total: Members' Resources	9,738,900	9,593,200	9,422,200	6,860,600	2,878,300



Legislature
Funding Increases - 2006-07 to 2009-10

	Estimates	Estimates	Estimates (Restated from 2006-07)	Estimates	Increase (Decrease)
3.1.01 OFFICE OF THE CHIEF ELECTORAL OFFICER					
01. Salaries	828,900	806,500	3,553,100	346,700	482,200
02. Employee Benefits	4,200	4,200	3,200	1,700	2,500
03. Transportation and Communications	72,000	88,800	752,700	42,000	30,000
04. Supplies	10,100	20,100	80,500	7,100	3,000
05. Professional Services	170,000	208,000	99,800	30,000	140,000
06. Purchased Services	163,000	200,000	1,490,700	247,500	(84,500)
07. Property, Furnishings and Equipment	22,300	16,800	83,800	1,500	20,800
10. Grants and Subsidies	-	140,000	873,000	55,000	(55,000)
Total: Office of the Chief Electoral Officer	1,270,500	1,484,400	6,936,800	731,500	539,000
4.1.01 OFFICE OF THE CITIZENS' REPRESENTATIVE					
01. Salaries	566,000	526,300	369,200	305,800	260,200
02. Employee Benefits	2,000	2,000	2,000	4,700	(2,700)
03. Transportation and Communications	64,200	64,200	64,200	64,200	-
04. Supplies	10,000	10,000	10,000	10,000	-
05. Professional Services	10,000	10,000	10,000	20,000	(10,000)
06. Purchased Services	79,500	105,000	106,000	92,300	(12,800)
07. Property, Furnishings and Equipment	5,000	5,000	5,000	5,000	-
Total: Office of the Citizens' Representative	736,700	722,500	566,400	502,000	234,700
5.1.01 OFFICE OF THE CHILD AND YOUTH ADVOCATE					
01. Salaries	836,400	705,800	597,000	543,800	292,800
02. Employee Benefits	3,000	3,000	3,000	2,000	1,000
03. Transportation and Communications	85,000	85,000	100,000	100,000	(15,000)
04. Supplies	10,700	10,000	10,000	10,000	700
05. Professional Services	12,000	42,000	30,000	30,000	(18,000)
06. Purchased Services	175,400	201,800	147,300	133,300	42,100
07. Property, Furnishings and Equipment	6,200	17,500	5,000	5,000	1,200
Total: Office of the Child and Youth Advocate	1,128,700	1,065,100	892,300	823,900	304,800
6.1.01 OFFICE OF THE INFORMATION AND PRIVACY COMMISSIONER					
01. Salaries	767,200	566,700	340,000	232,500	534,700
02. Employee Benefits	13,500	6,500	2,200	2,500	11,000
03. Transportation and Communications	99,300	49,700	29,200	22,200	77,100
04. Supplies	12,300	8,500	7,000	2,000	10,300
05. Professional Services	80,000	85,000	20,000	20,000	60,000
06. Purchased Services	139,400	124,200	37,800	50,500	88,900
07. Property, Furnishings and Equipment	13,000	25,500	5,000	2,000	11,000
	1,124,700	866,100	441,200	331,700	793,000
02. Revenue - Provincial	(8,800)	-	-	-	(8,800)
Total: Office of the Information and Privacy Commissioner	1,115,900	866,100	441,200	331,700	784,200
TOTAL LEGISLATURE	20,712,800	21,677,500	22,642,600	13,053,100	7,669,700



Legislature
Funding Increases - 2006-07 to 2009-10

	Estimates	Estimates	Estimates (Restated from 2006-07)	Estimates	Increase (Decrease)
Reconciliation					
Add: OAG	3,427,900	2,981,300	3,426,800	2,585,600	
Total	24,140,700	24,658,800	26,069,300	15,638,700	
from CFS		(712,300)	(1,356,900)		
	24,140,700	23,946,500	24,712,400	15,638,700	

House of Assembly Management Commission

Briefing Note

Title: Budget Transfer

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, Budget Transfer HOABT2009-0031 was approved by a quorum of at least four members of the House of Assembly Management Commission. The transfer, with details as follows, was required for the payment of election subsidies relating to the unbudgeted by-election in the district of The Straits – White Bay North:

From:
Subdivision 1.1.02.03 House Operations – Transportation & Communications \$9,100

To:
Subdivision 3.1.01.10 Office of the Chief Electoral Officer – Grants & Subsidies \$9,100

HOABT2009-0031 was approved by the following Commission Members via e-mail:
Ms. Joan Burke, Mr. Kelvin Parsons, Mr. Bob Ridgley, and Ms. Yvonne Jones.

Action Required:

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

- Budget Transfer HOABT2009-0031 for the transfer of funds of \$9,100 from House Operations – Transportation and Communications to the Office of the Chief Electoral Officer – Grants and Subsidies for election subsidies.

Drafted by: Virginia English
Date: March 11, 2010

Approved by: Wm. MacKenzie