

HOUSE OF ASSEMBLY MANAGEMENT COMMISSION

MINUTES

The nineteenth meeting of the House of Assembly Management Commission was held in the Johnston Building, Room 233A, on Tuesday, March 3, 2015, at 11:00 a.m.

Present were: Chair, Hon. Kevin Murphy, Ms Margaret Miller, Hon. Michel Samson, Hon. Frank Corbett, Mr Terry Farrell, Mr Lloyd Hines, Hon. Chris d'Entremont, Mr Larry Harrison and Mr Neil Ferguson, Chief Clerk. Also present were Gordon D. Hebb, Q.C., Counsel to the Commission, Annette M. Boucher, Q.C., Assistant Clerk and Deborah Lusby, Director of Administration, Office of the Speaker.

The Chief Clerk informed the Commission members that an appeal had been received the day previous from former MLA Gary Ramey regarding a denial to reimburse a portion of his retraining allowance expenses. This item of business will be discussed at the next Commission meeting.

1) Minutes of the January 15, 2015 meeting

It was moved by Ms Margaret Miller and seconded by Hon. Frank Corbett that the minutes of the January 15, 2015 House of Assembly Management Commission be approved as circulated.

CARRIED

2) Amendments to the *House of Assembly Management Commission Regulations*

(a) Franking and Travel

The Chief Clerk indicated that the transcript from the last meeting was reviewed regarding proposed amendments to the *House of Assembly Management Commission Regulations* on the use of the MLA franking and travel allowance. As a result two different amendment options are being presented to the Commission for consideration.

The first option removes the ear-marking of the franking and travel allowance for those exclusive expenses and replaces the allowance with an equivalent annual allowance that may be used by MLAs for both constituency-related expenses and for franking and travel. The allowance could be used at any time during the fiscal year all at once or over the entire year. The allowance would not be pro-rated for

a member who ceases to be a member during a fiscal year and the allowance could be used during the three months immediately following the member ceasing to be a member.

The second option does not make any changes to the franking and travel allowance but permits a member who exceeds the monthly constituency expense allowance to claim the extra expenses from the member's franking and travel allowance if funds are still available in that fund.

Discussion followed the Chief Clerk's explanation of both options for amending the *House of Assembly Management Commission Regulations*. Hon. Chris d'Entremont expressed his concern for transparency all the while stating there should be flexibility to respond to the financial challenges of MLAs with large constituencies requiring more than one office to service constituents. For these reasons he indicated he agreed with the first option rather than the second option. Hon. Michel Samson responded that transparency was assured by MLAs posting their expenses online and that the first option does not increase the budget as these funds are currently available to MLAs. Hon. Chris d'Entremont expressed concern about the possibility of a large sum of money being spent for an expense such as advertising while other MLAs were struggling to meet their financial obligations to have barrier free offices or to simply keep their offices open.

It was moved by Hon. Michel Samson and seconded by Mr Lloyd Hines that

1 (1) Subsection 42(1) of the *House of Assembly Management Commission Regulations* is amended by striking out "in a total amount not exceeding \$14,059.00".

(2) Subsections 42(2) and (4) of the Regulations is repealed.

2 Subsection 43(3) of the Regulations is amended by striking out "and 23" and substituting ", 23 and 42".

(3) The Regulations are further amended by adding immediately after Section 43 the following Section:

43A (1) In addition to the amounts set out in subsections 43(3) and (6), each member is entitled to be reimbursed in an additional total annual amount, net of sales tax, not exceeding \$14,059.00 for expenses incurred on account of the member's constituency duties in that member's constituency in accordance with those subsections.

- (2) Instead of the amount set out in subsection (1),
- (a) the members for
 - (i) Antigonish,
 - (ii) Chester-St.Margaret's,
 - (iii) Cumberland North,

- (iv) Eastern Shore,
- (v) Hants West,
- (vi) Kings West,
- (vii) Lunenburg West,
- (viii) Pictou East,
- (ix) Pictou West, and
- (x) Sydney River-Mira-Louisbourg,

are each entitled to be reimbursed in a total annual amount not exceeding \$15,184.00;

- (b) the members for
 - (i) Argyle-Barrington,
 - (ii) Cape Breton-Richmond,
 - (iii) Hants East,

are each entitled to be reimbursed in a total annual amount not exceeding \$16,309.00;

- (c) the members for
 - (i) Clare-Digby, and
 - (ii) Colchester-North

are each entitled to be reimbursed in a total annual amount not exceeding \$17,434.00;

- (d) the members for
 - (i) Annapolis,
 - (ii) Colchester-Musquodoboit Valley,
 - (iii) Cumberland South,
 - (iv) Guysborough-Eastern Shore-Tracadie,
 - (v) Inverness,
 - (vi) Queens-Shelburne, and
 - (vii) Victoria-The Lakes,

are each entitled to be reimbursed in a total annual amount not exceeding \$18,558.00.

(3) The amounts payable pursuant to subsection (1) or (2) to a person who becomes a member during the year must be reduced proportionally to the percentage of the year that the person is a member.

CARRIED

- (b) Increases pursuant to the House of Assembly Management Commission Regulation 52(1)

The Chief Clerk informed the Commission members that the amendment circulated for consideration accomplished two things: firstly, on a go-forward basis CPI increases to expenses would only occur on a resolution of the Commission rather than be automatic and secondly, the increases for fiscal year 2013-14 and 2014-15 were waived.

It was moved by Hon. Michel Samson and seconded by Hon. Frank Corbett that

1 Subsection 52(1) of the *House of Assembly Management Commission Regulations*, as amended on April 27, 2011, is further amended by striking out “The” in the first line and substituting “Subject to the approval of the Commission, the”.

2 Section 52 of the *House of Assembly Management Commission Regulations*, as amended on April 27, 2011, is further amended by adding immediately after subsection (2) the following subsection:

(3) Notwithstanding subsection (1), the fixed amounts set out in these Regulations are not increased for the fiscal year 2013-14 and 2014-15.

CARRIED

3) Student employment funding for MLA constituency offices – summer 2015

Hon. Michel Samson advised the Commission members that there were funds available in the Department of Economic and Rural Development and Tourism’s summer program to offer student employment in MLA constituency offices.

The Chief Clerk pointed out that the *House of Assembly Management Commission Act* requires this type of resolution to be laid before the House of Assembly for approval if adopted by the Commission.

It was moved by Hon. Michel Samson and seconded by Mr Terry Farrell that

Subject to a motion of approval being adopted by the House of Assembly pursuant to subsection 11(5) of the *House of Assembly Management Commission Act*, be it resolved that the House of Assembly Management Commission

(a) accept a transfer of \$290,000.00 from the Department of Economic and Rural Development and Tourism to create one summer student position in each of the 51 members’ constituency offices for the summer of 2015;

(b) direct that the term of employment for each summer student be 14 weeks for 35 hours per week at an hourly rate of pay, subject to clause (c), of \$10.60 per hour paid from the transferred funds; and

(c) authorize any member who wishes to pay the summer student he or she employs in his or her constituency office pursuant to this resolution at an hourly rate in excess of \$10.60 to access the additional funds

required from his or her monthly constituency allowance for expenses if there are funds available in that allowance.

CARRIED

Hon. Michel Samson indicated that it would also be possible for an MLA to employ the student for more than 14 weeks, but that the extra funds required would come from the MLA's constituency budget and that any unused funds remaining at the end of the summer were to be transferred back to the Department of Economic and Rural Development and Tourism.

4) MLA training allowance – Mr Gary Ramey

The Chair requested that this item be deferred until the next meeting.

Hon. Michel Samson requested that the documentation submitted by Mr Ramey be redacted by the Chief Clerk to ensure personal information such as VISA numbers be removed and then the material can be re-circulated to the members of the Commission prior to the next meeting.

The meeting adjourned at 11:27 a.m.

These minutes were approved by the Management Commission on September 10, 2015.

Certified

Speaker

Chief Clerk