

HOUSE OF ASSEMBLY MANAGEMENT COMMISSION

MINUTES

The twenty-first meeting of the House of Assembly Management Commission was held in the Legislative Chamber, on Thursday, January 21, 2016, at 10:15 a.m.

Present were: Chair, Hon. Kevin Murphy, Hon. Michel Samson, Mr Iain Rankin, Hon. Labi Kousoulis, Hon. Chris d'Entremont, Mr Larry Harrison, Hon. David Wilson and Mr Neil Ferguson, Chief Clerk.

Also present were Gordon Hebb, Q.C., Counsel to the Commission, Deborah Lusby, Director of Administration, Office of the Speaker and Annette M. Boucher, Q.C., Assistant Clerk.

Currently the position of Deputy Speaker is vacant.

1) Minutes of the September 10, 2015 meeting

It was moved by Hon. David Wilson and seconded by Hon. Chris d'Entremont that the minutes of the September 10, 2015 House of Assembly Management Commission meeting be approved as circulated.

CARRIED

2) House of Assembly Management Commission 2015 Annual Report

The 2015 draft report was circulated to Commission members in advance of the meeting. In accordance with clause 11(1)(f) of the *House of Assembly Management Commission Act*, the report is to be tabled in the House of Assembly once approved by the Commission.

It was moved by Hon. Chris d'Entremont and seconded by Mr Iain Rankin that the 2015 Annual Report of the House of Assembly Management Commission be approved as circulated and be tabled by the Speaker in the House of Assembly.

CARRIED

3) House of Assembly Management Commission Audit Committee 2015 Annual Report

The report was circulated to the members of the Commission in advance of the meeting.

It was moved by Hon. Chris d'Entremont and seconded by Hon. David Wilson that the 2015 Audit Committee annual report be accepted by the Commission.

CARRIED

4) 2014-15 Auditor General audit update

Ms Lusby informed the members of the Commission that the 2014-15 audit was completed on November 6, 2015. The Auditor General's reporting letters can be found as Appendices to the Commission's 2015 Annual Report.

It was moved by Hon. Labi Kousoulis and seconded by Hon. Chris d'Entremont that the 2014-15 audit update as provided be accepted by the Commission.

CARRIED

5) 2015-2016 2nd and 3rd Quarter Financials

Ms Lusby provided an update for the Commission members. She identified two areas of concern:

- (a) Hansard is shown as having surpassed their budget – this is due to the hosting of an international conference in the summer of 2015 and the recoveries from the international organization have not as yet been received; and
- (b) Legislative T.V. has modestly surpassed their budget as expected due to the extended hours the House of Assembly sat in the Fall 2015 sitting.

6) Changes to *House of Assembly Management Commission Regulations*

Six proposed amendments to the *House of Assembly Management Commission Regulations* were presented to the Commission for consideration. Five were in response to the Auditor General's observations during the most recent audit:

1 Be it resolved that subsection 28(2) of the *House of Assembly Management Commission Regulations* be repealed and the following subsection substituted

(2) On May 1, 2015, and every subsequent May 1st thereafter, each non-outside member who has claimed reimbursement in accordance with subsection (1) shall

(a) where the House of Assembly is sitting, provide to the Speaker, who shall table in the House; or

(b) where the House is not sitting, file with the Clerk of the House

a report setting out the dates and the reason in each case for the overnight hotel stays for the fiscal year ending March 31st in the year the report is tabled.

2 Be it resolved that clause 26A(1)(a) of the *House of Assembly Management Commission Regulations* be amended by striking out “**a maximum of \$153.00 per night**” and substituting “**the government rate for the establishment where the member stayed**”.

3 Be it resolved that clause 27(4)(a) of the *House of Assembly Management Commission Regulations* be amended by adding “**at a rate not exceeding the government rate for the establishment where the member stayed**” immediately after “**hotel accommodations**”.

4 Be it resolved that subsection 28(1) of the *House of Assembly Management Commission Regulations* be amended by adding “, **at a rate not exceeding the government rate for the establishment where the member stayed,**” immediately after “**in Halifax**”.

5 Be it resolved that clause 44(1)(b) of the *House of Assembly Management Commission Regulations* be amended by striking out “**charges incurred,**” in the fourth line and substituting “**at a rate not exceeding the government rate for the establishment where the member stayed,**”.

The following amendment had been requested by MLAs to provide flexibility regarding constituency open houses and was separate from the Auditor General’s recommendations noted from 1-5 above.

6 Be it resolved that subsection 21(1) of the *House of Assembly Management Commission Regulations* be amended by adding immediately after clause (j) the following clause:

(ja) no more than four constituency open houses annually and the annual cost of the total number of open houses, other than the advertising costs for the event, not exceeding ten per cent of the monthly amount allowed under subsection 43(3).

Hon. Michel Samson requested that this item be deferred to a future meeting as the proposed amendments had not been distributed to committee members in advance of the meeting for discussion with their caucus colleagues.

7) Frequency and scheduling of Commission meetings

Hon. Chris d'Entremont indicated that this topic had been deferred from the last Commission meeting and that the motion he had put forward at the last meeting was that the Commission schedule meetings in advance quarterly in January, March, September and December annually.

Hon. Michel Samson responded that the Commission meets as necessary and when business items require a meeting, a meeting is scheduled. He noted this approach has functioned well in the past. He stated that a rigid meeting schedule is not in the best interests of the continued cooperation that has existed to date with the setting of Commission meetings. He indicated there are costs involved if a meeting is held and no business is transacted. He is of the view that the present system is working very well and that the motion put forward by Hon. d'Entremont would not be supported.

The motion was put to the vote and was **DEFEATED**.

8) *In Camera* session

An *in camera* session was held from 10:35 a.m. to 10:52 a.m. Pursuant to subsection 9(2) of the *House of Assembly Management Commission Regulations*, any decisions made during an *in camera* meeting are to be recorded and form part of the public record. The following motion was adopted by the Commission during the *in camera* session:

The Contract of Service of Constituency Assistant was changed as follows:

- paragraph 1(c) – delete the words “term of” in the first line and insert the words “end of employment under”.
- delete paragraph 4 and substitute: “The employment commencement date under this Agreement is _____”.
- paragraph 5(a)
 - delete the “s” at the end of the word “subparagraph” in the first line;
 - delete “and (c)” in the first line; and
 - delete the words “before the end of its term” in the second line.
- paragraph 5(b) delete and re-letter remaining clauses in paragraph 5.

These minutes were approved by the Management Commission on July 28, 2016.

Certified

Speaker

Chief Clerk