

HOUSE OF ASSEMBLY MANAGEMENT COMMISSION

MINUTES

The twenty-third meeting of the House of Assembly Management Commission was held in the Legislative Committees office, on Tuesday, November 29, 2016 at 1:00 p.m.

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

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

1) **Minutes of the July 28, 2016 meeting**

It was moved by Hon. Chris d'Entremont and seconded by Mr Gordon Wilson that the minutes of the July 28, 2016 meeting be approved as circulated.

CARRIED

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

Three proposed amendments to the *Regulations* were presented to the Commission members by Assistant Clerk, Annette M. Boucher, Q.C.

She informed members that Amendment #1 expands the allowable constituency office expenses at subsection 18(1) to include office moving expenses when an office move was required to comply with 1) federal, provincial or municipal regulations regarding safety, health or accessibility or 2) the requirements for constituency office space set out in the *House of Assembly Management Commission Regulations*.

Amendment #2 expands allowable leased accommodation expenses at Section 27 to include moving from one apartment to another with the prior approval of and for a reason acceptable to the Speaker.

Amendment #3 expands allowable overnight hotel stays for inside members at subsection 28(1) to include the hotel stay for the night before an early morning sitting of the House, a meeting of one of its committees or a caucus meeting due to inclement weather, time of day or another reason.

There were questions as to whether amendment #3 would apply retroactively – the Chief Clerk responded that authority has to be provided in the enabling act, the *House of Assembly Management Commission Act*, to permit the making of retroactive regulations and that there is no such authority, thus the amendment cannot be made retroactive but rather would apply on a move forward basis from this meeting date.

It was moved by Hon. Labi Kousoulis and seconded by Hon. Chris d'Entremont as follows:

1 Subsection 18(1) of the *House of Assembly Management Commission Regulations* is amended by

(a) adding “or a necessary move” immediately after “renovations” in the first line of clause (h);

(b) striking out “and” at the end of clause (h); and

(c) adding immediately after clause (h) the following clause:

(ha) a constituency office accommodation move if necessary to respond to requirements set out in these Regulations respecting constituency office space; and

2 Section 27 of the *House of Assembly Management Commission Regulations* is amended by adding immediately after subsection (4) the following subsection:

(4A) With the prior approval of and for a reason acceptable to the Speaker, where a member who has not ceased to be a member, moves from one accommodation rental to another accommodation rental, the member may claim reimbursement for the moving expenses associated with the move.

3 Subsection 28(1) of the *House of Assembly Management Commission Regulations* is amended by striking out the last two lines and substituting the following:

the member

(d) is unable to return to the member’s ordinary residence following a sitting of the House, a meeting of one of its committees or a caucus meeting; or

(e) is required to be in Halifax the night before an early morning sitting of the House, a meeting of one of its committees or a caucus meeting.

CARRIED

3) 2015-16 Auditor General Report and Recommendations

Mr Ferguson referred Commission members to the Annual Audit Results for the year ending March 31, 2016 prepared by the Auditor General and noted the report was a “clean” report without any recommendations requiring action. Nonetheless there were two observations noted in the report:

a) the frequency of Audit Committee meetings – Clause 18(2)(a) of the *House of Assembly Management Commission Act* requires the Committee meet at least four times a year and the Auditor General observed that this requirement was not always being followed. In response, the Audit Committee has informed the Auditor General that on a go-forward basis the Committee will be meeting quarterly to coincide with the House of Assembly Management Commission’s quarterly Statements.

b) the frequency of House of Assembly Management Commission meetings – Clause 11(3)(b) of the *House of Assembly Management Commission Act* requires the Commission meet at least quarterly and the Auditor General observed that this requirement was not always being followed. The Commission members discussed whether a fixed meeting schedule should be set in advance as to ensure compliance with the statutory requirement. The challenge with a fixed schedule is that it would need to be changed because of conflicts with House sittings and minister’s schedules, therefore it would not be advantageous to setting an advanced fixed scheduled for meetings.

The Speaker indicated he would ensure there would be another Commission meeting before the end of the present fiscal year and that he felt there were no current concerns about the meeting frequency.

It was agreed that no set advance schedules would be observed at this time and meetings would be called as required by the Speaker.

It was moved by Hon. Labi Kousoulis and seconded by Hon. Chris d’Entremont that the 2015-16 Auditor General’s Report be accepted.

CARRIED

4) Appointment of auditors for 2016-17

It was moved by Hon. Labi Kousoulis and seconded by Hon. Chris d’Entremont that the office of the Auditor General be appointed as auditors pursuant to subsection 22(2) of the *House of Assembly Management Commission Act* for the fiscal year ending March 31, 2017.

CARRIED

5) Risk Assessment

Mr Ferguson informed the Commission that the Audit Committee recommended that this agenda item be a standing item on both the Audit Committee and House of Assembly Management Commission agendas, notwithstanding that at times there may not be anything to report.

Ms Lusby provided an update regarding business continuity – the House of Assembly will be participating in a tabletop exercise with government departments in the Spring of 2017. The exercise will involve a catastrophic event requiring the evacuation of the Halifax Peninsula and generate response from municipal, provincial and federal agencies. This will test the House of Assembly emergency management and business continuity plan.

6) 2016-17 2nd Quarter Financials

Ms Lusby reported the expenses are in line with the budget.

It was moved by Hon. Chris d'Entremont and seconded by Hon. Labi Kousoulis that the financials as presented be accepted.

CARRIED

The meeting adjourned at 1:31 p.m.

These minutes were approved by the Management Commission on January 24, 2017.

Certified

Speaker

Chief Clerk