

HOUSE OF ASSEMBLY MANAGEMENT COMMISSION

MINUTES

A meeting of the House of Assembly Management Commission was held in the Legislative Chamber, on Tuesday, April 4, 2017 at 11:00 a.m.

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

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

1) Minutes of the January 24, 2017 meeting

It was moved by Mr Gordon Wilson and seconded by Hon. Chris d'Entremont that the minutes of the January 24, 2017 meeting be approved as circulated.

CARRIED

2) Resolution regarding overnight stays - House of Assembly sitting postponement on February 13, 2017

Chief Clerk Neil Ferguson set out the circumstances for the resolution and indicated that the *House of Assembly Management Commission Regulations* did not currently allow non-outside members to claim reimbursement for expenses because of the major blizzard forecast in advance of the scheduled sitting of the House of Assembly on February 13, 2017 that caused the postponement of the sitting until February 14, 2017. Additionally, there is no provision authorizing the Commission to make retroactive regulations.

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

WHEREAS on Saturday, February 11, 2017, the Speaker of the House of Assembly issued a notice of commencement of the House on Monday, February 13, 2017, at 8 p.m.;

AND WHEREAS on Sunday, February 12, 2017, winter blizzard warnings were issued by Environment Canada forecasting a major winter blizzard for Nova Scotia commencing in the early hours of February 13 and continuing for at least 24 hours;

AND WHEREAS the Speaker on Sunday, February 12, 2017, directed the Chief Clerk to contact the three House Leaders and the Independent member to encourage them to request that the non-outside caucus members and the Independent member for health and safety reasons arrange to arrive and stay overnight in hotels within proximity of Province House on Sunday, February 12, 2017;

AND WHEREAS on Monday, February 13, 2017, in the early afternoon, because of continuing blizzard conditions and the forecast of additional snow fall, the commencement of the House scheduled for 8 p.m. was postponed until Tuesday, February 14, 2017, at 8 p.m.;

THEREFORE, BE IT RESOLVED as follows:

- 1) non-outside members be reimbursed on presenting claims with supporting receipts for the cost of the overnight hotel stay in Halifax on February 12, 2017, at a rate not exceeding the government rate for the establishment where the member stayed;
- 2) non-outside members may include in the claim an evening meal allowance of \$20.00 without receipts for February 12, 2017, being the same supper amount that is paid to civil servants;
- 3) non-outside members be reimbursed on presenting claims with supporting receipts for the cost of the overnight hotel stay in Halifax on February 13, 2017, at a rate not exceeding the government rate for the establishment where the member stayed; and
- 4) non-outside members be paid the daily per diem rate of \$50.00 for February 13, 2017.

CARRIED

3) *House of Assembly Management Commission Regulations* amendments

Assistant Clerk Annette M. Boucher informed the Commission members that amendments were being proposed to a number of subsections in Section 23 to reflect the changes in names of departments and titles of individuals responsible for asset disposal directives and to clarify that when disposing of computing devices MLAs have the option of repurchasing the device or allowing the device to be disposed of in accordance with current asset disposal processes.

It was moved by Mr Gordon Wilson and seconded by Hon. David Wilson that:

- (1) Subsection 23(6) of the *House of Assembly Management Commission Regulations* is amended by adding immediately after "Officer" in the

last line “, or any other department responsible and any other person responsible for making asset disposal directives”.

- (2) Subsections 23(8) and (9) of the *House of Assembly Management Commission Regulations* are repealed and the following subsections substituted:
 - (8) The member shall return the item to the House to be disposed of or otherwise comply with the Clerk’s directions, at which time the item will be removed from the member’s inventory.
 - (9) When disposing of computing devices, the member may exercise one of the following options:
 - (a) repurchase the device at the then fair-market value as determined by the Clerk or a person designated by the Clerk, for the item; or
 - (b) allow the item to be disposed of in accordance with the asset disposal process.
- (3) Subsection 23(11) of the *House of Assembly Management Commission Regulations* is amended by striking out “consult with Procurement Services, Department of Internal Services, to” in the third and fourth lines.
- (4) Subsection 23(12) of the *House of Assembly Management Commission Regulations* is amended by striking out “return it to the Department of Transportation and Infrastructure Renewal for disposal” in the first and second lines and substituting “follow the asset disposal process”.
- (5) Subsection 23(13) of the *House of Assembly Management Commission Regulations* is repealed.

CARRIED

Ms Boucher presented the second proposed amendment to the members of the Commission. These amendments are to subsection 28(1) regarding reimbursement of overnight hotel stays for non-outside members. The current *Regulations* are too restrictive to cover the weather-related situation that arose in February 2017 and that was the subject of the resolution approved item 2) of this meeting. The amendments allow non-outside members to claim overnight hotel stays due to inclement weather, time of day or another reason acceptable to the Speaker to stay in Halifax the night before and the night of a sitting of the House, a meeting of one of its committees or a caucus meeting. The non-outside member who claims these overnight hotel stays continues to be responsible for tabling in the House each fiscal

year a report setting out the number of nights claimed and the reason in each case for the overnight stay.

It was moved by Mr Larry Harrison and seconded by Hon. David Wilson that:

Subsection 28(1) of the *House of Assembly Management Commission Regulations* is amended by

- (a) adding “acceptable to the Speaker” immediately after “reason” in the first line of clause (c);
- (b) striking out “is required” in the first line of clause (e) and substituting “needs”;
- (c) adding “for” immediately after “Halifax” in the first line of clause (e); and
- (d) striking out “an early morning” in the first line of clause (e) and substituting “a”.

CARRIED

4) Risk Assessment, Internal Control Review and 2016-17 Audit Update

- (a) risk assessment - Ms Lusby informed members that the preparation for the business continuity tabletop exercise Staunch Maple was continuing and the exercise is scheduled to take place on April 24, 2017. She will report at the next commission meeting on how the exercise unfolded.
- (b) internal control review - Ms Lusby indicated that the internal control review for 2016-17 has been completed and there are no significant findings to report and the review has been provided to the Auditor General's Office.
- (c) 2016-17 Audit update - Ms Lusby noted that representatives from the office of the Auditor General had been at the Speaker's Administration office in the past week and would be there for at least another week completing the 2016-17 audit. The report is expected in May which is earlier than in past years.

5) Other

Hon. Chris d'Entremont presented a request on behalf of MLA John Lohr to purchase his apartment furnishings.

Mr Lohr moved his residence and this resulted in him becoming a non-outside member and thus he moved out of his apartment in Halifax. When he initially took the apartment in 2013 he spent \$1,628.00 of the \$2,550.00 allowance available

for the purchase of furnishings pursuant to the *Regulations* when setting up an apartment and he is seeking permission to keep the items and pay the full amount of \$1,628.00 to the Province.

Chief Clerk Ferguson indicated that Mr Lohr's request to the Commission is really an appeal pursuant to Section 14 of the *Regulations* of his decision to refuse Mr Lohr's request. He indicated that his refusal was based on *Regulation 27(6A)* which states that the assets purchased by MLAs for their accommodation rental premises are assets of Her Majesty in right of the Province.

There was some discussion about the depreciated value of the assets, but Mr Ferguson pointed out that Mr Lohr's offer of purchase was for the full price paid for the items in 2013.

It was moved by Hon. Chris d'Entremont and seconded by Hon. Labi Kousoulis that notwithstanding *Regulation 27(6A)* Mr Lohr be permitted to purchase the apartment furniture for the stated value of \$1,628.00.

CARRIED

The House of Assembly Management Commission went into an *in camera* meeting at 11:20 a.m. pursuant to Section 9 of the *House of Assembly Management Commission Act*. At 11:54 a.m. the meeting was adjourned by the chair and as no decision had been made in the *in camera* meeting no decision was reported.

These minutes were approved by the Management Commission on September 12, 2017.

Certified

Speaker

Chief Clerk