



**House of Assembly
Newfoundland and Labrador**

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

Date: December 2, 2009

Location: House of Assembly Chamber

Time: 5:30 p.m.

Members Present:

Hon. Roger Fitzgerald, Speaker

Mr. William MacKenzie, Clerk of the House of Assembly

Hon. Joan Burke, Government House Leader

Mr. Kelvin Parsons, Opposition House Leader

Ms. Beth Marshall, MHA (PC) Topsail

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

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

Other:

Ms. Marie Keefe, Policy and Communications Officer

Regrets:

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

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

CM 2009-068

The minutes of the House of Assembly Management Commission meeting held on November 18, 2009 were approved as read.

CM 2009-069

The Commission approved the recommendations of the Members' Compensation Review Committee regarding salaries with the following proposed legislative amendments, with the words "in arrears" to be added at the end of 11(1) and subject to final wording by the Office of Legislative Counsel:

1. Subsection 11(1) of the *House of Assembly Accountability, Integrity and Administration Act* is repealed and the following is substituted:

Salaries, expenses, severance and pensions

11(1) A member is entitled to be paid an annual salary of \$95,357 payable in 26 equal installments, in arrears

2. Subsection 12(1) of the Act is repealed and the following is substituted:

Other remuneration

12(1) A member who also holds one of the following positions shall be paid an additional salary as follows:

- (a) speaker, \$54,072;
- (b) deputy speaker and chair of committees, \$27,033;
- (c) deputy chair of committees, \$13,517;
- (d) leader of the opposition, \$54,072;
- (e) opposition house leader, \$27,033;
- (f) deputy opposition house leader, \$18,457;
- (g) leader of a third party, \$18,918;
- (h) party whip, \$13,517;
- (i) caucus chairperson, \$13,517;
- (j) chairperson, public accounts committee, \$13,517; and
- (k) vice chairperson, public accounts committee, \$10,333.

3. Subsections 15(2) and (3) of the Act are repealed and the following is substituted:

(2) The salary of a member under subsection 11(1) and the salaries for positions referred to in subsection 12(1) shall

not be adjusted except in accordance with recommendations of the first members' compensation review committee appointed after the coming into force of this subsection.

- (3) The appropriateness of the manner of providing for periodic increases for members' salaries during the period between the appointments of subsequent members' compensation review committees shall be dealt with by those committees.

4. The Law Clerk, in consultation with the Office of Legislative Counsel, to draft amendments to the *House of Assembly Accountability, Integrity and Administration Act* to provide that the next Members' Compensation Review Committee be appointed within 6 months of the next General Assembly.

CM 2009-070

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 Office of 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. The allowance should not to be tied to the ministerial allowance and is to be initially set at a comparable rate. Adjustments to the allowance may be made in response to recommendations by Members' Compensation Review Committees.

CM 2009-071

The Commission approved the recommendations of the Members' Compensation Review Committee regarding pensions with the following proposed legislative amendments, subject to final wording by the Office of Legislative Counsel:

1. Paragraph 2(1)(g) of the *Members of the House of Assembly Retiring Allowances Act* is repealed and the following substituted:
 - (g) "MHA salary" means
 - (i) for members elected before the 46th General Assembly

- (A) the salary authorized by the Legislature to be paid to an MHA up to June 30, 2007,
 - (B) with respect to time served as a member after June 30, 2007, 81.2% of the salary to be paid to an MHA under subsection 11(1) of the *House of Assembly Accountability, Integrity and Administration Act* as may be varied by that Act, and
 - (C) an amount that the Minister of Finance may prescribe in a directive under this Act,
- (ii) for members elected for the first time to the 46th General Assembly before January 1, 2010
- (A) with respect to time served as a member after June 30, 2007, 81.2% of the salary to be paid to an MHA under subsection 11(1) of the *House of Assembly Accountability, Integrity and Administration Act* as may be varied by that Act, and
 - (B) an amount that the Minister of Finance may prescribe in a directive under this Act, and
- (iii) for members elected for the first time after December 31, 2009
- (A) the salary authorized to be paid to an MHA under subsection 11(1) of the *House of Assembly Accountability, Integrity and Administration Act* as may be varied by that Act, and
 - (B) an amount that the Minister of Finance may prescribe in a directive under this Act;

2. Section 19 of the Act is amended by adding immediately after subsection (2) the following:

(2.1) Notwithstanding subsections (1) and (2), a vested member elected after December 31, 2009 who is no longer an MHA or a minister may, on application, receive a supplementary allowance if

(a) the member has paid the contributions for service required under this Act; and

(b) the member has reached the age of 55 years.

(2.2) Notwithstanding subsection (2.1), a vested member elected after December 31, 2009 who is no longer an MHA or a minister may, on application, receive a reduced supplementary allowance calculated in accordance with subsection 20(2.2) if

(a) the member has paid the contributions for service required under the Act; and

(b) the member has reached the age of 50 years.

3. Section 20 of the Act is amended by adding immediately after subsection (2) the following:

(2.1) Notwithstanding subsection (2), the annual amount of the supplementary allowance paid to a member who first served as an MHA or minister after December 31, 2009 shall be calculated by adding the following amounts:

(a) for each year of MHA service, 3.5% of his or her base MHA salary;

(b) for each year of minister's service, 3.5% of his or her base minister's salary; and

(c) for each year of other service, 2% of his or her base MHA salary.

(2.2) For the purposes of subsection 19(2.2), the retiring allowance awarded under subsection (2.1) shall be

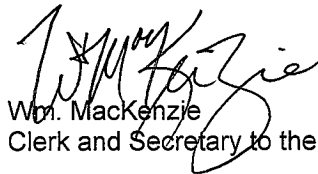
reduced by 6% for each year that the member's age is less than the age of 55 years.

CM 2009-072

The Commission waived the two day waiting period for decision confirmation for **CM 2009-069, CM 2009-070 CM and 2009-071** to expedite the letter to the Government House Leader respecting proposed amendments to be introduced in the current sitting of the House.

Adjournment: 7:00 p.m.

Hon. Roger Fitzgerald, MHA
Speaker and Chair

A handwritten signature in black ink, appearing to read 'Wm. Mackenzie', is written over the typed name.

Wm. Mackenzie
Clerk and Secretary to the Commission