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**LEGISLATIVE ASSEMBLY  
MANAGEMENT COMMITTEE**

***ANNUAL REPORT***

**1994**

**Third Session**

**Thirty-fifth Parliament**

**Legislative Assembly of British Columbia**

**Honourable Emery O. Barnes  
Speaker**



July 7, 1994

To the Honourable,  
The Legislative Assembly of the  
Province of British Columbia  
Parliament Buildings  
Victoria, B.C.

Honourable Members:

I have the honour to present herewith, the Legislative Assembly Management Committee **Annual Report** for the period July 22, 1993 to July 7, 1994, pursuant to section 5 (9) of the *Legislative Assembly Management Committee Act*.

Respectfully submitted on behalf of the Committee,

Honourable Emery O. Barnes  
Speaker

## CONTENTS

	Page
Letter of Transmittal	ii
Composition of the Committee	4
Method of Operation	5
Decisions	6
Minutes of Proceedings	8
<i>Legislative Assembly Management Committee Act</i>	13

## COMPOSITION OF THE COMMITTEE

*Membership as at July 7, 1994*

Honourable Emery O. Barnes  
*Speaker*  
(Vancouver-Burrard)  
**Chairperson**

Honourable Robin Blencoe  
*Minister of Government Services*  
(Victoria-Hillside)

Mr. Val Anderson, MLA  
*Official Opposition Caucus Chair*  
(Vancouver-Langara)

Mr. Lyall Hanson, MLA  
*Third Party House Leader*  
(Okanagan-Vernon)

Honourable Glen Clark  
*Government House Leader*  
(Vancouver-Kingsway)

Mr. Ujjal Dosanjh, MLA  
*Government Caucus Chair*  
(Vancouver-Kensington)

Mr. Gary Farrell-Collins, MLA  
*Official Opposition House Leader*  
(Fort Langley-Aldergrove)

Mr. Gerard Janssen, MLA  
*Government Whip*  
(Alberni)

*Clerk to the Committee*  
Mr. Craig James  
Clerk of Committees and  
Clerk Assistant

## METHOD OF OPERATION

The Committee scheduled six meetings on the following dates to consider various items contained within its terms of reference:

<b>Date</b>	<b>Location</b>	<b>Purpose</b>
Friday, October 22, 1993	Victoria	Members' Services
Monday, February 14, 1994	Victoria	Budget
Monday, February 28, 1994	Victoria	Budget
Monday, May 30, 1994	Victoria	Administrative
Tuesday, July 5, 1994	Victoria	Administrative

As drafted and presented in this year's report, the Minutes of Proceedings reflect the Committee's departure from an earlier informal method of operation to one more aligned with the established practice of Select Standing and Special Committees of the Legislative Assembly, involving the use of motions and voting in its decisionmaking. Minutes of Proceedings were compiled for all but the meeting of Monday, February 14, 1994 which was an informational session relating to the fiscal year 1994/95 Legislative Assembly budget (Vote 1).

This is the Committee's second annual report.

## DECISIONS

1. **Constituency Office Rent** -- the Committee decided to create an envelope for payment of Members' constituency office rents, separate from the monthly constituency office allowance. Under the new system, Members provide the Legislative Comptroller with copies of their rental agreements for payment.
2. **Reduction in Constituency Office Allowance** -- pursuant to #1 above, the Committee decided to reduce Members' constituency office allowance by \$500.00 per month, from \$3672 to \$3172. This reduction takes into account the removal of rent from the costs traditionally covered by the monthly allowance into its separate envelope.
3. **Accountable Advance Program** -- pursuant to #1 and #2 above, the Committee decided to terminate the accountable advance program, which had been instituted earlier in the year to assist Members experiencing a shortfall due to high rents. It was decided that the advances would be repaid to the Legislative Comptroller over a reasonable period of time.
4. **Sessional Employee Benefits Package** -- the Committee approved the extension of employee benefits to eligible sessional staff.
5. **Constituency Assistant In-constituency Travel Allowance** -- the Committee decided to implement an allowance for Members' constituency assistants to undertake business travel within the constituency. The allowance will be equal to one-third the annual amount paid to Members for in-constituency travel. The amounts provided for the assistants are as follows:

<i>Constituency Type</i>	<i>Annual Amount</i>
Semi-Urban	\$1320
Semi-Rural	\$1760
Rural	\$1980
Coastal/Remote	\$2200

For determining in-constituency travel amounts for both Members and their assistants, constituencies are divided into five categories, according to the difficulty of the terrain and number of communities served. No allowance is provided for constituency assistants located in "Urban" constituencies.

6. **Budget (Vote 1)** --The House Leaders or designated caucus representatives meet to determine budget allocations for the Legislative Assembly to a maximum of \$24.5 million for the fiscal year 1994-5.
7. **Administrative** -- Ms. Lynn Smith, Q.C., Dean of Law at the University of British Columbia be appointed to recommend a process for considering complaints relating to statutory officers of the Legislative Assembly, to hear facts and report thereon to the Legislative Assembly Management Committee.
8. **MLA Business Trips** -- Dependent children of MLA's can travel with them on trips classified as "business" although each trip under this category taken by the dependent child is deducted from the remaining balance accorded to the Member.

9. ***Public Accounts Committee*** -- A one-time provision to enable the Chairperson and Deputy Chairperson to have their companion's transportation and accommodation paid for as it relates to their attendance at the annual meeting of the Canadian Council of Public Accounts Committees.

# MINUTES

## Number One

### Legislative Assembly Management Committee

Friday, October 22, 1993

10:00 a.m.

Oak Room  
Parliament Buildings  
Victoria, British Columbia

#### Members Present:

Hon. Joan Sawicki, Speaker and Chairperson  
Hon. Moe Sihota, Government House Leader  
Hon. Robin Blencoe, Minister of Government Services  
Mr. Frank Garden, Acting Government Caucus Chairperson  
Mr. Gerard Janssen, Government Whip  
Mr. Dan Jarvis, Official Opposition Caucus Chairperson  
Mr. Art Cowie (designated by Mr. J. Dalton, Official Opposition House Leader)  
Mr. Lyall Hanson, Third Party Caucus Chairperson  
Ms. Jan Pullinger (designated by the Hon. M. Sihota at various times during the meeting)

1. The Agenda for this meeting of LAMC was adopted as follows:
  - 1.1 *Constituency Office Rent Review,*
  - 1.2 *Dining Room Operational Review,*
  - 1.3 *Sessional Employee Benefits Package (information only),*
  - 1.4 *Constituency Assistant In-constituency Travel Allowance.*
2. During consideration of the *Constituency Office Rent Review* it was moved by the Government House Leader that;

*A separate Constituency Office Rent Envelope System be established and that each MLA forward a copy of their respective Constituency Office lease or rent documents to the Legislative Comptroller who shall pay the charges indicated in the documents on behalf of the MLA; where the current market lease or rent rate is in excess of those rates established by the British Columbia Buildings Corporation, the excess amount shall be paid by the MLA out of their respective Constituency Allowance.*

A debate arising and the question being put it was agreed to.

3. Arising out of the implementation of the Constituency Office Rent Envelope System it was moved by the Government Whip that;

*The MLA Constituency Allowance be reduced by \$500.00 per month.*

A debate arising and the question being put it was agreed to.

4. The Committee having agreed that the previous two decisions effectively terminated the accountable advances program made available to Members, effective April 1, 1993, to provide temporary financial rent or lease assistance, it was moved by the designated Official Opposition House Leader that;

*Fiscal year 1993-94 accountable advances provided to MLA's respecting their Constituency Office leases or rents be repaid to the Legislative Comptroller by those MLA's in receipt of same and over a reasonable period of time.*

A debate arising and the question being put it was agreed to.

5. During consideration of the **Dining Room Operational Review** it was moved by the Third Party Caucus Chairperson that;

*The mandate of the Legislative Dining Room is for the service of MLA's, Officers of the House and Precinct Staff when the House is in Session, and shall be accompanied by proper financial and administrative controls.*

The debate continuing on the motion it was moved by designated Official Opposition House Leader that;

*The debate be now adjourned.*

The question being put on the adjournment of debate, it was agreed to.

6. The Speaker advised the Committee she had approved the extension of employee benefits to eligible sessional staff. It was agreed that further information related to the **Sessional Employee Benefits Package** be provided, including the number of employees and total costs, when the package is implemented.
7. During consideration of **Constituency Assistant In-constituency Travel Allowance** it was moved by the Government House Leader that;

*An amount equivalent to one-third of the yearly sum, paid as Member in-constituency travel, be made available for Constituency Assistant travel, currently as follows:*

<i>Semi-Urban</i>	<i>\$3960.00 (Member)</i>	<i>\$1320.00 (CA)</i>
<i>Semi-Rural</i>	<i>\$5280.00 (Member)</i>	<i>\$1760.00 (CA)</i>
<i>Rural</i>	<i>\$5940.00 (Member)</i>	<i>\$1980.00 (CA)</i>
<i>Coastal/Remote</i>	<i>\$6600.00 (Member)</i>	<i>\$2200.00 (CA)</i>

A debate arising and the question being put it was agreed to.

8. The Committee adjourned at 12:43 p.m. to the call of the Chairperson.

**Number Two**

**Monday, February 28, 1994**

**2:30 p.m.**

**Hemlock Room  
Parliament Buildings  
Victoria, British Columbia**

**Members Present:**

Hon. Joan Sawicki, Speaker and Chairperson  
Hon. Robin Blencoe, Minister of Government Services  
Mr. David Schreck (substituting for the Hon. Glen Clark, Government House Leader)  
Ms. Sue Hammell (substituting for Mr. Ujjal Dosanjh, MLA, Government Caucus Chairperson)  
Mr. Gerard Janssen, Government Whip  
Mr. Val Anderson, Official Opposition Caucus Chairperson  
Mr. Gary Farrell-Collins, Official Opposition House Leader  
Mr. Lyall Hanson, Third Party Caucus Chairperson

1. **Resolved**, That the House Leaders or their designates meet to determine budget allocations to a maximum of \$24.5 million for Vote 1(Legislative Assembly) for the fiscal year 1994-95.
2. The Committee adjourned at 3:30 p.m. to the call of the Chair.

**Number Three**

**Monday, May 30, 1994**

**10:30 a.m.**

**Oak Room  
Parliament Buildings  
Victoria, British Columbia**

**Members Present:**

Hon. Emery Barnes, Speaker and Chairperson  
Hon. Glen Clark, Government House Leader  
Hon. Robin Blencoe, Minister of Government Services  
Mr. Ujjal Dosanjh, MLA, Government Caucus Chairperson  
Mr. Gerard Janssen, MLA, Government Whip  
Mr. Fred Gingell, MLA (substituting for Mr. Val Anderson, MLA, Official Opposition Caucus Chairperson and, in the afternoon, substituting for Mr. Gary Farrell-Collins, MLA, Official Opposition House Leader)

Mr. Gary Farrell-Collins, MLA, Official Opposition House Leader  
Mr. Val Anderson, MLA (Official Opposition Caucus Chairperson)  
Mr. Jack Weisgerber, MLA (substituting for Mr. Leonard Fox, MLA, Third Party House Leader)

1. The Committee considered its jurisdiction on a matter related to statutory Officers of the Legislative Assembly.
2. **Resolved**, That the Committee recess from 11:10 a.m. until 4:00 p.m. today in the Oak Room.
3. The Committee reconvened at 4:00 p.m. in the Oak Room.
4. **Resolved**, That the Legislative Assembly Management Committee authorize the Speaker to retain the services of an independent legal counsel to develop and recommend a process for considering complaints relating to statutory Officers of the Legislative Assembly and that counsel's report be submitted to the Committee as soon as possible for its approval. (*nemine contradicente*)
5. The Committee adjourned at 4:45 p.m. to the call of the Chairperson.

**Number Four**

**Tuesday, July 5, 1994**

**10:30 a.m.**

**Hemlock Room  
Parliament Buildings  
Victoria, British Columbia**

**Members Present:**

Hon. Emery Barnes, Speaker and Chairperson  
Hon. Glen Clark, Government House Leader  
Hon. Penny Priddy, Minister of Women's Equality (substituting for Hon. Robin Blencoe, Minister of Government Services)  
Mr. Ujjal Dosanjh, MLA, Government Caucus Chairperson  
Mr. Gerard Janssen, MLA, Government Whip  
Mr. Fred Gingell, MLA (substituting for Mr. Val Anderson, MLA, Official Opposition Caucus Chairperson)  
Mr. Lyall Hanson, MLA, Third Party House Leader

1. **Resolved**, That the Speaker appoint Ms. Lynn Smith, Q.C. or another person if she is unavailable, for the purpose of hearing complaints relating to statutory officers of the Legislative Assembly and report to the Legislative Assembly Management Committee her, or their, findings and recommendations.
2. **Resolved**, That the conditions related to "MLA Business Trips" be amended to enable Members of the Legislative Assembly of British Columbia to have their dependent children accompany them on business

trips and that the number of business trips so used be deducted from the number of business trips allocated Members per year.

3. **Resolved**, That the respective companions of the Chairperson and Deputy Chairperson of the Select Standing Committee on Public Accounts be reimbursed for transportation and accommodation costs associated with their attendance at the Canadian Council of Public Accounts Committees annual meeting in Charlottetown, Prince Edward Island, July 10-12, 1994.
4. The Committee adjourned at 11:45 a.m. to the call of the Chairperson.

# LEGISLATIVE ASSEMBLY MANAGEMENT COMMITTEE ACT

## CHAPTER 75

Assented to July 3, 1992.

### Contents

#### Section

1. Definitions
2. Establishment of the committee
3. Powers and duties of the committee
4. Powers and duties of the Speaker
5. Proceedings and business
6. Dissolution of Parliament
7. Conflicts
8. Transitional
- 9 - 14. [Spent]

#### Definitions

1. In this Act

"additional party" means a political party with 4 or more members in the Legislative Assembly but does not include the government party or official opposition party;

"chair of the Government Caucus" means the member of the Legislative Assembly designated as such by the government party;

"chair of the Official Opposition Caucus" means the member of the Legislative Assembly designated as such by the official opposition party;

"committee" means the Legislative Assembly Management Committee established by section 2;

"Government House Leader" means the member of the Executive Council named as such by the Premier;

"Legislative Precinct" means

(a) the Parliament Buildings,

(b) other buildings in Victoria or parts of them that are from time to time occupied and used by members of the Legislative Assembly for the purpose of their parliamentary duties including any premises from time to time occupied by officers and staff of the Legislative Assembly, and

(c) other land or buildings or both, other than constituency offices, designated by minute of the committee;

"Opposition House Leader" means the member of the Legislative Assembly named as such by the Leader of the Official Opposition;

"Speaker" means, subject to section 6, the person holding office as such under section 42 of the Constitution Act.

**Historical Note:** 1992-75-1.

### **Establishment of the committee**

2. (1) The Legislative Assembly Management Committee is established consisting of the following members of the Legislative Assembly:

- (a) the Speaker;
- (b) the minister;
- (c) the Government House Leader;
- (d) the chair of the Government Caucus;
- (e) the Opposition House Leader;
- (f) the chair of the Official Opposition Caucus;
- (g) one member appointed from each additional party by the members of that party;
- (h) for each member appointed under paragraph (g) one additional government member from the Government Caucus appointed by the Government House Leader.

(2) The members of the committee referred to in subsection (1) (g) and (h) must be appointed within 45 days from the polling day for the general election that preceded the Parliament.

(3) The first meeting of the committee must be held within 14 days of the appointment of the members referred to in subsection (1) (g) and (h).

(4) A member of the committee referred to in subsection (1) (b) to (h) may appoint a designate to take the member's place at a meeting of the committee.

(5) The Speaker is the chair of the committee and in the Speaker's absence the Deputy Speaker may act as chair and, with respect to the business of the committee, exercise the powers of the Speaker.

(6) A quorum of the committee is 5 members of the committee consisting of

- (a) the Speaker, or in the Speaker's absence, the Deputy Speaker,

- (b) 3 of the persons referred to in subsection (1) (b), (c), (d) or (h), and
- (c) one of the persons referred to in subsection (1) (e), (f) or (g).

(7) Each member of the committee other than the chair has a vote, and if the votes are equal the chair shall have a deciding vote.

(8) The members of the committee or their designates must attend all meetings of the committee as and when called by the chair, unless prevented from so doing by reason of illness or for other unavoidable reason.

**Historical Note:** 1992-75-2.

### **Powers and duties of the committee**

3. (1) The committee has jurisdiction to deal with all matters affecting

(a) subject to any other enactment and any rules of conduct established by the Legislative Assembly, policies for the administration of the Legislative Assembly and for the conduct of the members of the Legislative Assembly,

(b) the provision of security, facilities and services, including allocation within the Legislative Precinct, that are required for the effective functioning of the Legislative Assembly,

(c) the appointment, supervision and management of staff of the Legislative Assembly, other than permanent officers of the Legislative Assembly,

(d) review of estimates of expenditure for the Legislative Assembly for Vote 1 including the preparation of forecasts and analyses of expenditures and commitments of the Legislative Assembly,

(e) payments to members of the Legislative Assembly to defray expenses in the performance of their duties including

(i) expenses for residence in Victoria during the legislative session and for any additional periods specified by the committee, and

(ii) other expenses associated with travel, service on legislative committees when the Legislative Assembly is not in session and protocol expenses,

(f) payments or services to members for constituency offices, including payments or services for staffing, maintaining the offices, communication expenses and travel expenses, and

(g) other matters necessary for the efficient and effective operation and management of the Legislative Assembly.

(2) Subsection (1) (b) does not empower the committee to allocate space or provide services within the Legislative Precinct that are necessary for

- (a) ministerial offices,

- (b) ministerial administration and support staff, or
- (c) the functioning of Executive Council.

**Historical Note:** 1992-75-3.

#### **Powers and duties of the Speaker**

4. (1) Subject to any direction of the committee, the Speaker is responsible for the day to day administration of the Legislative Assembly.

(2) The committee may delegate any of its powers to the Speaker.

**Historical Note:** 1992-75-4.

#### **Proceedings and business**

5. (1) The committee may determine its own procedures.

(2) The committee shall speak by minute duly adopted by the committee.

(3) The committee may authorize payment of reasonable and actual expenses incurred by its members

(a) for attendance at meetings of the committee while the Legislative Assembly is adjourned or prorogued, or

(b) while engaged in the work of the committee while the Legislative Assembly is adjourned or prorogued.

(4) The committee shall cause its accounts or financial procedures to be examined and reported on each fiscal year by a qualified person or firm appointed by the committee.

(5) No member of the Public Service is eligible to be appointed under subsection (4).

(6) The Auditor General may examine the accounts and financial procedures of the committee and report to the Speaker at the times that the Auditor General considers appropriate.

(7) Subsection (6) does not restrict the Auditor General from reporting to the Legislative Assembly on any other matter that the Auditor General considers to be in the public interest including the matters within the jurisdiction of the committee under section 3.

(8) The committee shall promptly file its minutes and the reports referred to in subsections (4) and (6) with the Clerk of the Legislative Assembly who shall

(a) make the minutes and reports available to any person for inspection without charge and during normal business hours, and

(b) provide a copy of the minutes and reports on payment of a reasonable copying

charge.

(9) The committee shall report annually to the Legislative Assembly on the decisions made by the committee during the previous year and the report shall include the reports referred to in subsections (4) and (6).

**Historical Note:** 1992-75-5.

### **Dissolution of Parliament**

6. (1) After ordinary polling day in a general election, the person holding the office of Speaker immediately before ordinary polling day shall for the purposes of this Act be deemed to continue in office as Speaker until a Speaker designate is named.

(2) Subsection (1) does not apply if the Speaker is not re-elected at the general election, and in that event the person who last held the office of Deputy Speaker shall for the purposes of this Act be deemed to be the Speaker until a Speaker designate is named.

(3) If a Speaker designate is named, he or she is deemed to be Speaker for the purposes of this Act.

(4) If neither the Speaker nor the Deputy Speaker is re-elected at the general election, a committee consisting of the minister, the Government House Leader and the Opposition House Leader shall carry on the day to day administration of the Legislative Assembly until a Speaker designate is named.

**Historical Note:** 1992-75-6.

### **Conflicts**

7. If there is any conflict or inconsistency between

(a) this Act or a minute of the committee issued under this Act, and

(b) the Financial Administration Act or any regulation or directive made or given under it,

then, despite the Financial Administration Act, this Act or the minute of the committee prevails.

**Historical Note:** 1992-75-7.

### **Transitional**

8. Despite section 2 (2), when this Act comes into force the members of the committee referred to in section 2 (1) (g) and (h) must be appointed within 14 days.

**Historical Note:** 1992-75-8.

**NOTE: Section(s) Repealed, Not In Force, Spent**

**9 to 14. [Repeal and consequential amendments. Spent. 1992-75-9 to 14.]**