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**LEGISLATIVE ASSEMBLY
MANAGEMENT COMMITTEE**

ANNUAL REPORT

1995

Fourth Session

Thirty-fifth Parliament

Legislative Assembly of British Columbia

**Honourable Emery O. Barnes
Speaker**





April 23, 1996

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 8, 1994 to March 31, 1996, pursuant to section 5 (9) of the *Legislative Assembly Management Committee Act*.

Respectfully submitted on behalf of the Committee,

A handwritten signature in cursive script, appearing to read "Emery Barnes".

Honourable Emery O. Barnes
Speaker



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COMPOSITION OF THE COMMITTEE

Membership as at April 25, 1996

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

Honourable Joy MacPhail
Government House Leader
(Vancouver-Hastings)

Honourable Lois Boone
Minister of Municipal Affairs and Housing
(Prince George-Mount Robson)

Mr. Leonard Krog, MLA
Government Caucus Chair
(Parksville-Qualicum)

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

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

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

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 two meetings on the following dates to consider various items contained within its terms of reference:

Date	Location	Purpose
Tuesday, January 31, 1995	Victoria	Human resources, Furniture and equipment
Tuesday, March 21, 1995	Victoria	Budget - FY95/96

This is the Committee's third annual report to the Legislative Assembly.

CUMULATIVE LIST OF DECISIONS

1994 - 1995

1. *Human Resources* - That two persons (one male, one female) be appointed by the Legislative Assembly Management Committee to hear complaints surrounding questions relating to the conduct of statutory officers of the House and to collaborate with the Legislative Assembly Director of Human Resources on the matter of creating consistent and equitable guidelines applicable to employees of statutory officers of the House; such draft policies and guidelines to be approved by the Legislative Assembly Management Committee. Guidelines for the precinct managers and staff to be developed within the precinct under the guidance of the Legislative Assembly Director of Human Resources.
2. *Equipment and Furniture* - That all equipment and furniture purchased in whole or in part with public funds by MLA's for use in their constituency office(s) remain the property of the Legislative Assembly.
3. *Supplies* - That effective February 1, 1995 expenses associated with the supply of paper and toner for constituency office facsimile machines be incorporated into the *communications and other centralized expenses* category in Vote 1.
4. *Security* - That effective February 1, 1995 MLA's wishing to install security systems in their constituency offices be reimbursed for the installation to a maximum of \$800.00 and for monitoring charges of the security system to a maximum of \$50.00 per month.
5. *Parliamentary Dining Room* - That the Parliamentary Dining Room present the Legislative Management Committee with a business plan.
6. *Budget* - That the budget for the Legislative Assembly (Vote 1) be approved for fiscal year 1995/96.

1993 - 1994

(from the 1994 LAMC Annual Report)

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.

1992 - 1993

(from the 1993 LAMC Annual Report)

1. Effective February 1, 1993, the Constituency Assistant and Office Allowance was increased by 2%, or \$72.00, for a total of \$3,672.00 per month (or \$44,064.00 per fiscal year) per Member.
2. Effective April 1, 1993, the Communication Allowance (householder) was increased by 2%, for a total of \$6,120.00 per Member per annum.
3. Effective April 1, 1992, the Committee agreed that the Vote 1 Budget will incur the cost of Opposition Leaders' office space in Vancouver, at an estimated annual cost of \$36,000.00 for the Official Opposition space. (The cost of the Third Party space is not reflected in this year's budget).
4. The Committee agreed to the appointment of a Legislative Assembly Personnel Advisor, at a salary

level of approximately \$60,000.00 per annum.

The following LAMC decisions were made after submission of the budget of Treasury Board for inclusion in the Blue Book, and therefore are not reflected in the current estimates.

5. **Capital-Constituency Allowance:** Members are permitted 52 return trips per fiscal year when there is one sitting during the year and 60 return trips when there are two sittings during the year (eg spring and fall sitting). This is an increase of 8 return trips per Member per year
(Decision of June 3, 1993)
6. **Capital-Constituency Allowance:** Members who hold executive positions within their caucus may claim an additional five trips per fiscal year.
(Decision of April 15, 1993).
7. **In Constituency Travel:** The Committee has reviewed and modified riding categories and in so doing, adjusted the in-constituency travel allowance as follows:

Urban \$	2,900.00
Semi-Urban	3,960.00
Semi-Rural	5,280.00
Rural	5,940.00
Coastal-Remote	6,600.00

(Decision of May 27, 1993)
8. **Legislative Assembly Systems Local Area Network:** The committee has agreed in principle to proceed with the implementation of a local area network for Assembly offices and caucuses to accommodate systems connectivity with the phasing out of WANG.
(Decision of April 15, 1993).
9. **Legislative Dining Room:** The committee agreed to retain a management consultant to undertake an efficiency review of the Dining Room operation. This study will cost a maximum of \$5,000.00.
(Decision of May 27, 1993).
10. **Constituency Telephone Bills:** The Committee agreed that Constituency telephone bills related to lines and equipment only be paid out of Vote 1 retroactive to April 1, 1993, to a maximum yet to be determined.
(Decision of April 15, 1993).
11. **Constituency Office Rent:** The Committee agreed that an accountable expense advance be made available to members to offset current rent payment discrepancies.
(Decision of April 15, 1993).
12. **Worker's Compensation Contributions:** The committee agreed that MLA's be reimbursed out of Vote 1 for Workers' Compensation coverage they have arranged for their Constituency Assistants
(Decision of April 15, 1993).

MINUTES

1

Legislative Assembly Management Committee

Tuesday, January 31, 1995

9:00 a.m.

Hemlock Room
Parliament Buildings
Victoria, British Columbia

Members Present:

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

Observer

Mr. Jack Weisgerber, MLA

1. **Resolved**, That two persons (one male, one female) be appointed by the Legislative Assembly Management Committee to hear complaints surrounding questions relating to the conduct of statutory officers of the House and to collaborate with the Legislative Assembly Director of Human Resources on the matter of creating consistent and equitable guidelines applicable to employees of statutory officers of the House; such draft policies and guidelines to be approved by the Legislative Assembly Management Committee. Guidelines for the precinct managers and staff to be developed within the precinct under the guidance of the Legislative Assembly Director of Human Resources.
2. **Resolved**, That all equipment and furniture purchased in whole or in part with public funds by MLA's for use in their constituency office(s) remain the property of the Legislative Assembly.
3. **Resolved**, That effective February 1, 1995 expenses associated with the supply of paper and toner for constituency office facsimile machines be incorporated into the *communications and other centralized expenses* category in Vote 1.
4. **Resolved**, That effective February 1, 1995 MLA's wishing to install security systems in their constituency offices be reimbursed for the installation to a maximum of \$800.00 and for monitoring charges of the security system to a maximum of \$50.00 per month.
5. **Resolved**, That the Speaker advise all MLA's in writing with respect to the following policies:

1. Clarification of the ownership of constituency office furniture and equipment,
 2. Availability of security system installation and monitoring for constituency offices, and
 3. Facsimile machine paper and toner expenses.
6. The Committee adjourned at 11:10 a.m. to the call of the Chairperson.

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MINUTES

Legislative Assembly Management Committee

Tuesday, March 21, 1995
12:00 noon

Douglas Fir Room
Parliament Buildings
Victoria, British Columbia

Members Present:

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

1. **Resolved**, That the Minutes of the Legislative Assembly Management Committee meeting of Tuesday, January 31, 1995 be approved, as amended.
2. Members expressed an interest in having the Legislative Assembly Management Committee meet on a more regular basis.
3. **Resolved**, That the Parliamentary Dining Room present the Legislative Management Committee with a business plan.
4. **Resolved**, That the budget for the Legislative Assembly (Vote 1) be approved for fiscal year 1995/96.
5. The Committee adjourned at 1:05 p.m. to the call of the Chairperson.

LEGISLATIVE ASSEMBLY MANAGEMENT COMMITTEE ACT

CHAPTER 75

Assented to July 3, 1992.

Printed in this Report for convenience only - not an official version

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2. Establishment of the committee
3. Powers and duties of the committee
4. Powers and duties of the Speaker
5. Proceedings and business
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- 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
- © 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;
 - © 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
 - © 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,
 - © 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
 - © 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.]