



PROVINCE OF NEWFOUNDLAND AND LABRADOR
HOUSE OF ASSEMBLY

HOUSE OF ASSEMBLY
MANAGEMENT COMMISSION

Fiftieth Meeting

Tuesday, May 26, 2015

HANSARD

Speaker: Honourable Wade Verge, MHA

The Management Commission met at approximately 6:00 p.m. in the House of Assembly Chamber.

MR. SPEAKER (Verge): Welcome, members of the Commission. We have a couple of members just walking in there. We will be set to go in a minute.

Before we start the actual business of this meeting, I will ask people to introduce themselves. I will start with myself. I am Wade Verge, the Member for Lewisporte district and Chair of the Commission.

MR. LITTLEJOHN: Glen Littlejohn, MHA, Port de Grave.

MR. HUTCHINGS: Keith Hutchings, MHA, Ferryland.

MR. A. PARSONS: Andrew Parsons, MHA, Burgeo – La Poile.

MR. POLLARD: Kevin Pollard, MHA, Baie Verte – Springdale.

MS MICHAEL: Lorraine Michael, MHA, Signal Hill – Quidi Vidi.

MR. KING: Darin King, MHA, Grand Bank.

MS KEEFE: Marie Keefe, Clerk's Office.

CLERK: Sandra Barnes, Clerk.

MR. SPEAKER: There has been an update to some material that was sent out to you. I think Marie is making sure all of you have that now. We did notice a couple of small numerical errors. They do not make a whole lot of difference to what is there, but the total budget was increased by \$500, I believe. We just wanted to make sure that you do have that.

The first order of business is the minutes for the last Commission meeting that we had on May 13, 2015. The minutes for the in camera and the public session have been distributed.

I would entertain a motion to accept them.

Moved by Mr. Pollard; seconded by Ms Michael that the minutes be approved.

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

MR. SPEAKER: All those against, 'nay.'

Carried.

On motion, minutes adopted as circulated.

MR. SPEAKER: The main item of business that brings us here today really deals with business that is flowing out of the changes that are coming to the Electoral Boundaries Act.

The legislation that we passed in January reduces the number of seats from forty-eight to forty. In our own legislation that governs members in the way in which they are paid to do their services through various allowances, that piece of legislation identifies forty-eight districts. These districts are named in that piece of legislation. One of the things that we have to do is we have to change that legislation in order for the new forty districts to actually be able to receive allowances.

That is the sum substance of it. If you look in your materials, I will just take you through what is listed there. Number one, this is BN 2015-018, I am looking at, "1. The concept of a capital region is used throughout the Rules to determine Members' eligibility for certain expenses. That definition [paragraph 2(d)] must be amended to reflect the names of the proposed districts encompassed in the capital region."

Then we have number, "2. Members from districts within close proximity to the capital region have the option of claiming mileage to return to their permanent residence, as opposed to saying in the capital region, when the House is in session." Those districts are specifically named in the current legislation. We would need to change those names to reflect the new forty districts.

"Schedule A of the Rules outlines the allocations for Intra-Constituency Costs for each district. Should the new electoral boundaries come into effect, Schedule A will need to be amended to reflect the names of the 40 districts and give authority to pay expenditures under this allocation."

The amendments are really consequential amendments to the Electoral Boundaries Act. I do not know if that is the right title –

CLERK: (Inaudible) should the electoral boundary changes come forward, it would be amendments to the House of Assembly Act.

MR. SPEAKER: It is the House of Assembly Act.

Thank you.

Also, if you look at your information that we have circulated, in recognition of the fact that instead of forty-eight districts there will now be forty districts, a significant number of those districts have become larger. So, we have done a comparison of the size of districts prior to this proposed change and what it would be after. The information we got on the new roads was from Economics and Statistics and the Department of Finance.

We are not suggesting that this is a final measure, but what we need to do here is we want to make sure that after the next election, members have the ability to receive an allowance to do their work. There are adjustments that we have made and we are suggesting here – and if you look at the rationale, we have established several benchmarks. For example, if a district increased in its total road allocation by less than 100 kilometres, then we did not put in any extra resource. If it is between 100 and 200 then we allocated, I think, an extra \$700; between 200 and 300, it is an extra \$1,000; between 300 and 400, there is an extra \$1,400.

That is it in a nutshell and any member who feels like they do not have enough of a resource or they want to appeal that after the fact, they still have that opportunity. However, what this does is that it enables people, after the next election, to avail of an allowance that is not unlike what they currently have; but the next MCRC would really do a thorough analysis of this and adjustments will be made, I guess, depending on the recommendations of the next MCRC – which brings me to another thing I want you to consider, is that given the changing in the districts and the need that this should be looked at in a timely manner, the Commission

might want to consider passing a motion that says that after the next election, it would be expected that the MCRC would meet within six months.

That was done for the forty-seventh General Assembly but it only applied to that Assembly. The previous Commission actually made a motion that said the MCRC would meet within six months following this past election, and I would think that given these changes it certainly would be my position that we should meet in a timely manner.

That is my say on that, and I will open up the floor now for any questions you may have.

Ms Michael.

MS MICHAEL: I think it does say it somewhere in the document – I did read the words “in principle,” and I guess I want to make the point that obviously we can only approve this in principle; we do not know what is going to be the report of the electoral boundaries commission. We may know the forty seats because we legislated that already, but everything else is going to be new. So we have to be open to that, and I think it is important for us to say that clearly. I guess we also then need to look at what the process would be when the report comes out, how much time we will have for you to make the changes, et cetera, if changes were required.

I think I am correct in saying that we can only approve this in principle today.

MR. SPEAKER: Absolutely, and I actually meant to include that with my opening dialogue there.

We have made these decisions based on the proposal that has come out right now, and of course we know that the Commission or the committee has gone back and sought consultations around the Province. Then they will submit their final report June 9 or if they need the extra days, I think they have until June 19. We are not expecting, or I should say I am not expecting that there will be huge changes to what they have done.

There may be some name changes, there may be some boundaries that get moved, but we are still going to end up with forty districts, that was their mandate. Given the timeliness of this that we have to have this amendment ready, put through the proper channels and ready to go to the House the same time that the electoral boundaries comes in with their report and the House of Assembly Act is actually amended, I am asking you to look at what is here and you decide if there are changes, are you comfortable with giving the Speaker the authority to juggle things around – like, for example, if there are name changes, then obviously what we have here, if the new district, for example, Baie Verte – Green Bay comes in as Baie Verte – Triton, for example, then I am not sure that we would need to schedule a Management Commission meeting to come back to have that kind of thing cleared. If there is slight boundary changes and if somebody's total road allocation changes slightly, if we make the adjustment that we have made in accordance with the principles that we have here, do we need to come back and meet again?

Consider that in your discussion and as you are thinking through this now.

Mr. Parsons.

MR. A. PARSONS: Further to that, I am trying to make sure I understand the timelines. June 9 is the date we are hearing, so what we are saying is we have to have this ready to go at the same time. So we are still going to be here in the House at that time is my understanding, obviously, debating that.

I would have no problem with the Management Commission coming back again to sit down and discuss that, even if the changes are minute I think I would feel more comfortable – this is certainly nothing to do with the Speaker, but just as an all-party committee to come back – if there are changes they are going to have to be put together for us to have a look at, I do not think that will take a lot of time. It may be nothing, it may be minute, but there may possibly be something that we unprepared for. I would feel more comfortable just still having that meeting, given the fact that we are not all going to be hauled in out of our districts and we will be here in the area, I think.

MR. SPEAKER: Fair.

Ms Michael.

MS MICHAEL: I think I take the same position because this is such an important piece that we are doing. While I have every bit of trust in the Speaker and in the Clerk and the offices, we all know that we have had times when something has been passed in the House and we find there is an error. With all eyes of the committee, we are all responsible for it and so I think in that way it would be better if we did come back in person, have it ahead of time and really make sure – yes, I do not need to say more.

MR. SPEAKER: So regardless of what changes here, what I am hearing is that we should come back. So once the electoral boundaries report comes in and we are getting ready to bring this to the House, we would probably need to call a Management Commission meeting on short notice.

Any further comment on that?

MS MICHAEL: Just one more question.

MR. SPEAKER: Yes.

MS MICHAEL: Right now this is something that is in legislation, so we are proposing changes that will have to come into the House to be voted on as part of the new changes that are going to happen from the report. In actual fact, this has to go to whoever is in charge of the writing of legislation. It is not just in the hands of your office, but it also – I guess that is in Department of Justice is it, that is ultimately in charge of legislation?

MR. SPEAKER: Yes, go ahead Sandra.

CLERK: You are right. It has to go to Legislative Counsel because it becomes a consequential amendment to any changes that may be made to the House of Assembly Act.

MS MICHAEL: Right.

CLERK: The important piece for us right now is to make sure that the Management Commission is onside with the approach we have taken, because we do not have time on

June 9 to rethink the approach. So if everybody is okay with this approach, then when we get new boundaries, Economics and Statistics can turn around some data fairly quickly for us. We can do a quick analysis on any changes, as long as everybody is onside with this approach.

MS MICHAEL: Well I agree with the logic of how you have done the allotment. You used the same principle that had been used by the – I guess it was the committee that made changes the last time, the members' commission, was it?

CLERK: Yes, there have been a few changes. The original template was set up by Green and it is actually in the appendix of the report. Then MCRC 2012 made some minor changes.

MS MICHAEL: That is right.

CLERK: They took the helicopters out and gave some extra kilometres. Then in the Budget process, remember we had some districts that were really pressured in terms of the I&E, and we just did a little bit of redistribution. So that is the series of changes. Actually if you go back and look at the schedules, you will see that. Of course, our act is a bit unique in that the rules have to go through the House as well as the act itself.

MS MICHAEL: Right, thank you.

MR. SPEAKER: Where we are not privy to the full rationale or all the thinking that went in when Justice Green did an allocation for forty-eight districts, what we did to try and keep as much as possible in line with the legislation that is there, if there is a district with an allocation now that is similar to the new district, then we just gave that new district the allocation that was given before.

For example, there are going to be two new districts if the boundaries stay the way they are now. Grand Falls-Windsor and Corner Brook basically become two very confined districts. So we said, well the proper appropriation to give those two districts should be probably the same as what is given to districts in the capital region.

If there is \$7,000, for example, given to a member who lives in St. John's and his or her district is in that confined area, then that should

be the same that we would give to Grand Falls-Windsor or Corner Brook. Then the rest of it, we just looked at it. If there was an increase, then we made the adjustment fairly to all the affected districts and equitably. Having said that, there is still, I believe, a need for the MCRC to take a tighter and closer look at this as soon as possible.

Any further comment?

I am going to read a motion here now. If you are comfortable with it then I would invite a mover and a seconder.

Pursuant to Section 64 of the House of Assembly Accountability, Integrity and Administration Act, the Commission hereby gives approval in principle to the attached proposed amendments to the Members' Resources and Allowances Rules, subject to determination of the allocations upon issuance of the final electoral boundaries report and final wording by the Office of the Legislative Counsel and approval of the House of Assembly.

Mr. Parsons.

MR. A. PARSONS: I would like to move that, Mr. Speaker.

MR. SPEAKER: Moved by Mr. Parsons, seconded by Ms Michael.

Am I getting a sense that we are in agreement that the MCRC should meet within six months after the next election?

I will read the following motion: The Commission hereby gives approval to the attached proposed amendments to the House of Assembly Accountability, Integrity and Administration Act subject to the final wording by the Office of the Legislative Counsel and approval of the House of Assembly.

Subsection 16(1.1) of the House of Assembly Accountability, Integrity and Administration Act is repealed and the following is substituted: The Members' Compensation Review Committee first appointed under subsection (1) during the forty-eighth General Assembly shall be appointed not more than six months after the election of members to that General Assembly.

Moved by Mr. Hutchings; seconded by Mr. Parsons.

That concludes the business.

I will entertain a motion for adjournment.

Moved by Ms Michael; seconded by Mr. Hutchings.

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

MR. SPEAKER: All those against, 'nay.'

Carried.

I will be in touch once we get the final report.

On motion, meeting adjourned.