



PROVINCE OF NEWFOUNDLAND AND LABRADOR  
HOUSE OF ASSEMBLY

HOUSE OF ASSEMBLY  
MANAGEMENT COMMISSION

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Sixtieth Meeting

Wednesday, March 15, 2017

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**HANSARD**

Speaker: Honourable Tom Osborne, MHA

The Management Commission met at 6 p.m. in the House of Assembly.

**MR. SPEAKER (Osborne):** All right, folks, is everybody ready?

Okay. Welcome to the Management Commission meeting for March 15, 2017.

Before we begin, I'll start on my far left with Ms. Michael and I'll ask each Member to introduce themselves.

**MS. MICHAEL:** Lorraine Michael, St. John's East – Quidi Vid.

**MR. P. DAVIS:** Paul Davis, MHA for Topsail – Paradise.

**MS. DEMPSTER:** Lisa Dempster, Deputy Speaker.

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

**MR. BROWNE:** Mark Browne, Placentia West – Bellevue.

**MS. KEEFE:** Marie Keefe, Clerk's Office.

**CLERK (Ms. Barnes):** Sandra Barnes, Clerk.

**MR. SPEAKER:** Tom Osborne, Speaker.

So we had an in camera meeting prior to the start of this televised meeting. We have to report on the decision at the in camera meeting and that is that there was an approved payment of \$400 for annual registration fee to the Newfoundland and Labrador Association of Social Workers for the Child and Youth Advocate. That's for reporting purposes only.

On Tab 2 of your books, we require the approval of the Commission for the minutes dated February 27, 2017. The proposed motion would be that the Commission approves the minutes of February 27, 2017, meeting.

Do we have a mover and/or seconder, or any questions?

Moved by Ms. Michael; seconded by Mr. Parsons.

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

**MR. SPEAKER:** Approved.

On motion, minutes adopted as circulated.

**MR. SPEAKER:** Did you have question on it?

**MR. P. DAVIS:** Just a quick comment. It refers to the MHA for Topsail there a couple of times in the minutes. It should be Topsail – Paradise.

**MR. SPEAKER:** Okay, so noted.

For the minutes it should be Topsail – Paradise, not Topsail.

Okay. Item 2, under Tab 2 is a letter of appeal. There is a decision required. The Member for Grand Falls-Windsor – Buchans is appealing the denial of payment by Corporate Members' Services for expenses incurred by that Member. The expenditures were rejected as they were incurred in the 2015-16 fiscal year, but not submitted for payment within the 30 days, by the end of the year. The expenses are totalling \$67.80. While there is sufficient funds remaining in the Member's allocation to pay for the expenses had they been submitted in time – so this is pretty much procedural.

The proposed motion, the Commission approves the payment of expenses totalling \$67.80 for the Member for Grand Falls-Windsor – Buchans with the expenses to be paid within the appropriate allocation for the 2016-17 fiscal year.

Any questions or comments?

Moved, seconded.

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

Tab 3, there are two financial matters under Tab 3. The first requires the Commission's approval

and the second is for reporting purposes only. The Budget Transfers Ratification, which is the one we need a decision on. The Transfer of Funds Policy, April 2008 requires the House of Assembly Management Commission approval to transfer funds to or from the grants and subsidies main object of expenditure. If a meeting cannot be scheduled, authority is delegated to a quorum of four members to approve the transfer of funds prior to processing the transaction but the approval must be ratified at the next Commission meeting.

The two transfers were approved by a quorum of at least four members. The first budget transfer was required for the transfer of funds to the Third Party caucus salaries to provide funds to process severance and paid leave costs. The second was required to transfer funds to the Legislative Library and Records Management salaries, the Office of the Child and Youth Advocate salaries, and the Office of the Official Opposition caucus salaries to provide funds to process severance and paid leave costs.

There's a briefing note with greater detail, Members I'm sure have read. The proposed motion is that the Commission ratifies the approval of the following transfer of funds, budget transfer number HOABT2017-015 to transfer funds to the Third Party caucus salaries to provide funds to process severance and paid leave.

Budget transfer HOA – did you want to do those individually or as a group?

**CLERK:** One is fine.

**MR. SPEAKER:** One is fine, okay.

So budget transfer number HOABT2017-22 to transfer funds from the Legislative Library and Records Management salaries, the Office of the Child and Youth Advocate salaries, and the Official Opposition caucus salaries to provide funds to process severance and paid leave costs.

Do we have a mover and or a seconder?

Moved.

Anybody seconded?

Seconded.

All those in favour?

**SOME HON. MEMBERS:** Aye.

**MR. SPEAKER:** Against?

Carried.

The financial information where there is no decision required, the *House of Assembly Accountability, Integrity and Administration Act* requires that financial information be reported to the Commission on a regular basis. This is for reporting purposes only. The financial statements provided to the House of Assembly service, caucus offices and the statutory offices are for the fiscal year April 1, 2016 to December 31, 2016. The Member accountability and disclosure reports outlining expenditures of each Member are provided for the same period.

Any questions or comments, concerns?

Okay. So under Tab 4, we have Legislative Amendments. There are two items under Tab 4 regarding proposed legislative changes and both require the approval of the Commission. Item number 1, is the proposed legislative amendments for final approval at meetings held on November 30, 2016 and December 7, 2016. The House of Assembly Management Commission approved a number of recommendations of the 2016 MCRC review, which required amendments to the *Members' Resources and Allowances Rules*. The proposed wording for the amendments received first approval of the Commission at its February 27, 2017 meeting.

In accordance with the *House of Assembly Accountability, Integrity and Administration Act*, the proposed amendments were tabled by me in the House of Assembly on March 7 and distributed to each Member. A notice of the amendments was posted on the House of Assembly website. Once final approval by the Commission is received, amendments which establish new allowances will be brought to the House as a resolution. All other amendments will be forwarded to the Office of Legislative Counsel in preparation for publication in the

Newfoundland and Labrador Gazette, at which date they will become effective.

There's an attached briefing note which contains the proposed wordings. The proposed motion is that pursuant to subsections 15(5) and 20(7) of the *House of Assembly Accountability, Integrity and Administration Act*, the Commission gives final approval to the proposed amendments to the *Members' Resources and Allowances Rule* subject to final wording by the Office of Legislative Counsel.

Do we have any questions or comments?

Do we have a mover or seconder?

**MR. P. DAVIS:** Just one question, Mr. Speaker. On 29 and 30, proposed amendments. I'm just looking for a little further explanation on the change that's taking place.

**MR. SPEAKER:** Okay.

For those who are viewing, that is: "the purchase of food, non-alcoholic beverages and other supplies for meetings with constituents or other members of the public in relation to constituency business and food and non-alcoholic beverages for other constituency related events provided that the member or his or her constituency assistant is in attendance at those events."

So my understanding is if you were to supply pizza to a school class, for example, coming in to do a tour of the House of Assembly, that would be approved, but either the Member or the Member's constituency assistant would have to be present. I mean, there are other examples, but that's an example.

Am I correct in – Mr. Parsons.

**MR. A. PARSONS:** Okay, so basically what we're saying is that the purchase – it's hard to look at it and not have the context of the whole thing. So if I take a constituent to a restaurant, it's not covered.

**MR. SPEAKER:** Not covered, no.

**MR. A. PARSONS:** But if I go out and buy food and bring it to someone –

**MR. SPEAKER:** If it's a constituency meeting or a constituency event or, for example, a school class coming –

**MR. A. PARSONS:** What if I have a constituent here in St. John's who is in for medical treatment, because I deal with – which I have all the time. There are guaranteed citizens from my district down there now.

Again, I want to make sure that we have a full understanding. If I go down to the hospital and I take them and their spouse for a meal, which used to be per the rules, is that covered? So are we saying I can bring them food from the grocery store or a pizza but if I sit down at the Tim Hortons and have something – I'm just wondering about how this works.

Again, it's different than me taking the Speaker out because you're not a constituent but if it's a constituent –

**CLERK:** It's food for meetings with constituents or a constituency event. So as long as you're meeting with a constituent and if you brought a plate of sandwiches to that meeting –

**MR. A. PARSONS:** But you can't have that meeting in a place, you –

**CLERK:** You can't go to a restaurant and have that meeting.

**MR. SPEAKER:** You can't go to a restaurant or a pub or –

**MR. A. PARSONS:** I can go to the store – I'm trying to understand; sometimes the logic is escaping me here.

**MR. P. DAVIS:** So you can go to a deli and buy it at the counter and go out in the car and eat it, but you can't eat it in the deli.

**CLERK:** The big issue around this one was, in some cases, Members were attending community-based events that were not necessarily a constituency meeting and looking to bring – different community groups were bringing food like sandwiches or soft drinks or something like that to it, and that's really the aim of this.

Nothing changed in terms of food for meeting with constituents. That's always been on the books. This was the ability to bring it a community-based event in your constituency.

**MR. A. PARSONS:** I don't know, maybe I'm being – sorry; you had your hand up.

**MS. MICHAEL:** I was going to do something I understand which clarifies it for me; it might help you – if my light is on.

My understanding would be, for example, if a community group, I'm going to say Chalker Place because that's a community group. If Chalker Place were to call me and say we're having an event, Lorraine, can you send stuff? The answer would be no. But if I were going to be going or Marianne were going to be going and actually be there at the event with them, then we can cover it. That's my understanding.

**MR. SPEAKER:** That's the intent of the –

**MS. MICHAEL:** Yeah, and that's how it was written in the recommendations, I remember, of the Commission.

**MR. P. DAVIS:** If at the event, if I may, you conducted constituency business.

**MS. MICHAEL:** No, the fact that –

**MR. SPEAKER:** No, just that you need to be there.

**MS. MICHAEL:** My understanding is the fact that it's constituents in the constituency who are having the event is what makes it valid.

**MR. SPEAKER:** It's designed, I believe, to prevent you from just sending a tray of sandwiches to an event but not showing up. So if you show up to the event, you can send a tray of sandwiches.

**CLERK:** Excuse me, Mr. Speaker, the issue before was that you had to host the meeting in order to bring the food –

**MS. MICHAEL:** That's right.

**CLERK:** – what this amendment does, it allows you to participate in a community event and

bring the food as long as you or your constituency assistant – in terms of the ability to provide food for a meeting with constituents, nothing has changed there. That's always been on the books and that remains in place.

**MR. P. DAVIS:** You just can't do it at a restaurant.

**CLERK:** You just can't meet at a restaurant.

**MS. MICHAEL:** Can't do it at a restaurant.

**MR. A. PARSONS:** Okay, and maybe this sort of the closing the barn door after the horse is gone because I get the whole point about sending food off and I'm not showing up. I get that, but I have some places where it's hard to get food. I just find it hard to find the difference between going out and getting a plate of sandwiches at Breen's and going to the grocery store and getting a plate of sandwiches, what is the actual difference? Some places it's harder to do that than others, right. Like I have some places where there might be an actual restaurant where we can have the meeting but there's no store where I can go get a plate of sandwiches, so I can go get bags of chips.

Do you see what I'm – I get the whole point, but I'm thinking that the wording is very restrictive when it doesn't need to be restrictive. I get the logic but – do you see what I'm saying?

**MR. SPEAKER:** To your point, the MCRC did specifically make a recommendation that would prevent Members from hosting a dinner at a restaurant and paying for the dinner. I mean, that was specifically ruled against –

**MR. A. PARSONS:** Yes. But if I'm going to my constituency – and again, it's different because I spend half my time in here and I have lots of constituents in here; it's just the nature of it. I can't go to a certain spot and get a plate of sandwiches, I can't go to a Manna Bakery or a Breen's or wherever, I got to go to the grocery store?

**MR. SPEAKER:** No, no.

**MR. A. PARSONS:** It says meal expenses from restaurants, pubs, delis – so we're cool?

**MR. SPEAKER:** Yes.

**CLERK:** This amendment just gives effect to recommendations 29 and 30 of MCRC 2016; 29 is the recovery of meal expenses from restaurants, pubs, delicatessens and the like under the constituency allowance shall be prohibited. Members shall not be permitted to claim this expense as part of their meal per diem. If incurring an expense as an adjunct to a community event in the district, the Member or his or her constituency assistant is required to be present at the event but is not required to host the event. Those were the two recommendations, and this is how it translates into the rules.

**MR. SPEAKER:** The difference in the deli, I mean if you brought sandwiches to a meeting, you're fine. If you sat in a deli at a table and got table service, you're not.

**MR. A. PARSONS:** And the cost is the same?

**MR. BROWNE:** Mr. Speaker, when you submit the receipt, how would Corporate Members' Services know where you were? So if I go to the Robin's in Arnold's Cove, I have a receipt there for sandwiches, how do they know if I took them to a meeting or if I ate them in the Robin's?

**MR. SPEAKER:** I guess we're relying on your honesty.

Lorraine Michael.

**MS. MICHAEL:** It seems to me that we already accepted the recommendation. So if we reject this, we still have accepted the recommendation, unless we want – I mean, I can't see undoing that, but we did accept the recommendation.

**MR. A. PARSONS:** We'll deal with this in four years and see what the next MCRC says.

**MR. BROWNE:** Bring it on.

**MR. SPEAKER:** Any other questions or comments?

**CLERK:** Want me to answer your –

**MR. BROWNE:** Yes, I am interested to know.

**CLERK:** Members are responsible for the accuracy of their claims. That's actually a section in the rules. So Corporate and Members' Services would – in completing your claim, if the deli is the only option for food, a tray of sandwiches brought to a meeting at whatever. Okay?

**MR. BROWNE:** Thank you.

**MR. SPEAKER:** Do we have mover and/or a seconder?

Pardon me?

**MR. A. PARSONS:** (Inaudible) motion?

**MR. SPEAKER:** Yes.

Moved.

Anybody seconded?

Seconded.

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

Item two is "Approval of proposed amendment to the *Members' Resources and Allowances Rules* establishing a lump sum taxable benefit for accommodations."

At its meeting held on December 7, 2016, the House of Assembly Management Commission accepted recommendation 21 of the 2016 MCRC Report to establish an annual lump sum taxable benefit for private and temporary accommodations in the capital region. At the February 27, 2017 meeting, the Commission confirmed the mechanism for calculating the lump sum taxable benefit.

An amendment will be required to the *Members' Resources and Allowances Rules* to establish the annual lump sum as a taxable benefit. In accordance with the *House of Assembly Accountability, Integrity and Administration Act*, the proposed amendment requires approval of

the Management Commission before being brought forward as a resolution to the House.

The Law Clerk drafted the proposed amendment which should have been attached as a briefing note – and it is now. I think you have it. That was omitted originally but I think you have it.

So the proposed motion: Pursuant to subsections 15(5) and 20(7) of the *House of Assembly Accountability, Integrity and Administration Act*, the Commission approves the proposed amendment to the *Members' Resources and Allowances Rules* establishing a lump sum taxable benefit for accommodations subject to final wording by the Office of the Legislative Counsel.

Any questions or comments?

Do we have a mover and/or seconder?

Moved by Mr. Parsons; seconded by Mr. Browne.

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

Under tab 5, at the meetings on November 30 and on December 7, the Management Commission accepted recommendations 11 through 15 of the MCRC Report respecting MHA advertising. As a result, amendments are required to the advertising policy for Members of the House of Assembly, March 2011.

A summary of the amendments required to the policy are included as briefing note 2017-008 in tab 5: "The House of Assembly is recommending additional amendments to include guidelines for publications such as newsletters, posters, door hangers, post cards and other householders" which is in section 7.0, "and recommends the title of the policy be amended to Advertising and Publications Policy for Members of the House of Assembly to more fully reflect the revised content.

"Section 7.0 will also address the issue raised by the Member for St. John's East-Quidi Vidi in her correspondence of February 8, 2017. While Members are not permitted to pay for advertisements via a private medium with a meeting notice unless it complies with the business card format and size, they are permitted to create and distribute posters with such notices provided it complies with the provisions of the policy related to publications.

"The draft Advertising and Publications Policy for Members of the House of Assembly is attached."

The proposed motion is the Commission approves the proposed Advertising and Publications Policy for Members of the House of Assembly, dated February 2017.

Any questions or comments?

Ms. Michael.

**MS. MICHAEL:** I presume we're going to be going to this draft. Because this is where my comments are coming from, is going to be the draft guidelines.

**MR. SPEAKER:** Yes.

**MS. MICHAEL:** Okay. Previously, we had Advertising Policy. Now it's Advertising and Publications Policy, and we really looked at it very carefully.

First of all, there's stuff in here in this draft that we hadn't talked about when the draft was being presented to us, and I think there's some stuff that is quite unclear. Already our caucus have run into problems with interpretations that are being based on this draft, which we haven't even approved yet. I don't want to go there. I wanted to say that we have to have the discussion here on this, and it's very disturbing, some of the interpretations that are happening.

First of all, putting publications in with advertising; it is two totally different things. I want to speak generally first to the issue, the fact that under Publications, which is section 7 of the draft guidelines, it includes: notice of meetings; messages of welcome; messages of greetings; messages of congratulations; recognition of

special weeks/days/events at the national/provincial/ constituency level. That the primary purpose of the publications – publications such as newsletters, posters, door hangers, post cards – is to provide constituents with contact information, constituency office hours, location, and other information such as what I just read out.

I don't know who did the drafting, but I don't think those who drafted it fully understand what I believe the role of what we call our householders is. I fully understand that householders cannot be partisan politically. I fully understand that they're not there for the parties that we are Members of, they are there for us as MHAs, but when I read section 7 and I also read that in relationship to section 5.2, which is extremely important, because at the end of section 7 it says, "Costs for publications containing any of the non-allowable content outlined in section 5.2 of this policy cannot be reimbursed."

When I go to 5.2, there's a statement there that says: "Statements which advocate a particular position, or attempt to influence public opinion on a matter before the House of Assembly." I believe there's an interpretation in that, that is implying – and when you look at number 7 and you see what it says is allowed – you can't deal with issues. And when I say deal with issues, is if something is coming up in the district that is an issue for people and they want information on it, I think your householder, that's what it's there for.

I agree, I don't think it's there to say: Oh, Lorraine Michael did this private Members' motion in the House of Assembly and blah, blah, blah. I don't think it's there for that; however, if there's an issue that's an issue of the constituency, than I think you should be able to have a paragraph on the issue.

In the one I'm working on right now, I don't have an issue per se, but I'm saying that I am going to be holding a meeting in May for the constituents. Here are issues that have been presented to me, get back in touch with me – and my constituents are going to be given different ways to get back in touch with me – to let me know which one is important to you. When they

do that, I'll make a decision on the type of meeting I'm going to have and the topic.

If that's not covered, I'll pay for it out of my own pocket, but that should be what my householder is about. My householder should be a communication back and forth and it's more than – and this is what's upsetting me, you can tell I'm upset – notice of meetings and a message of welcome, or a message of greetings, or a message of congratulations or recognition of special weeks. It's more than that. It's how I communicate.

I've seen householders. I've seen Speaker's householders, I've seen my own. I don't know if I've seen others at the table out, but I've seen others. I got my own from my MHA – no, I didn't, I mean from the MP. I'm my own MHA, but I'm seeing the next door MHA.

I mean, if we're not using our householders to communicate, and this is all we're doing, then it's a waste of bloody money for us to be doing it. I'm sorry; it's a waste of money. We shouldn't even be spending the money on them if that's all that we're doing, what is written there.

So I'm very disturbed by this. My colleague, right now, has not been able to put out her householder knowing that it's going to get covered, because she's been told just about everything in it doesn't fit – doesn't fit from something that we haven't even discussed yet and passed. Now, that's a reality of what's happening. I'm really upset.

**MR. SPEAKER:** Yes, I think this wording has been there for some time, but I hear your point because I've had other Members approach me with the same concerns. I'm not sure –

**MS. MICHAEL:** Well, I was waiting for our public meeting to have the discussion. This is where we're supposed to be discussing stuff.

**MR. SPEAKER:** Yes, I'm not sure if it used to be more broadly interpreted and it's more tightly interpreted now, but I understand your concern.

I know Mr. Davis wanted to make a comment.

**MR. P. DAVIS:** Yes.



**MR. SPEAKER:** Before we hear Mr. Davis's comment, at this table, at the Management Commission, do Members have the flexibility to change the draft policy here?

We do? Okay. Well, that's the answer. Maybe this item gets deferred until the next meeting and Members get together, come up with a policy, bring it back to the table and see if it's acceptable to the Management Commission.

Mr. Davis.

**MR. P. DAVIS:** Yes, Mr. Speaker, thank you.

I think that may be a good idea, because there are several areas here of concern that I have.

To your comment, Ms. Michael, on your colleague afraid of a reimbursement, I can tell you there are cartloads of flyers gone out from the Government Members' Office this week already. Loads of them gone out. So they're continuing, the Government Members are continuing to send out flyers under what we know exist as parameters today.

But the number of areas of concern, Mr. Speaker, is for me – and I differ a little bit from Ms. Michael in what the publication – and a publication that she spent a fair bit of her time talking about was the newsletters, posters, door hangers, post cards, et cetera. Because I think that it is a valuable way to communicate. For many Members, it's a very important way to communicate with their constituents.

I do think there is a level of partisanship that exists by the very job that we do, because we're in partisan positions, we have circumstance where government on a regular basis utilizes public funds to promote, advertise, discuss, share, provide information on programs and services provided by government, new programs that the government has worked on.

And it may be a program where an MHA had a significant issue in her district or problem with the program rolled out where it may have had a negative impact, or didn't have the positive impact that constituents wanted in his or her district, and a newsletter or flyer or postcard might be an important way to communicate with your constituents of how: Why is that program

the way it is? Why did you not defend it or why did you not ask for this piece of information? It may be an important way for an MHA to communicate an alternate viewpoint on a particular program or service or policy of the government.

I see what appears, to me, to be an unfairness, where government MHAs – I'm not targeting government, just whoever happens to be in government – have the ability to communicate those types of positions, but MHAs who have an alternate view are prohibited from communicating a viewpoint or political viewpoint or what may be an important issue for their constituents, which is partisan in nature in some respects but is, more importantly, something that has an impact or importance to that Member's particular district.

There is a whole number of other issues that I have, or concerns or questions that I have. When you look at 5.2, section 5 is about content: criteria on allowable and non-allowable content. Section 5.1 is allowable content; 5.2 is non-allowable content. Another very simple example is 5.1 allows for official symbols advertising of social media presence such as Facebook, Twitter, Instagram or Snapchat and those types of things.

So a person can put that symbol on but they actually can't put their Snapchat address – it's actually prohibited. Social media handles and links to social media pages are prohibited. So if someone says: Oh, good, you're on Facebook; I can communicate with you on Facebook.

**AN HON. MEMBER:** Can't find you.

**MR. P. DAVIS:** They can't find you because it's prohibited from being included in your information. So if a person does a flyer and sends out a flyer and their Facebook address or their Twitter address, or handle or Snapchat or whatever is listed there, then what this says is that the House can deny the cost of that publication because a non-allowable item has been included in it.

The other topic here, which I think we need some discussion about, is about advertising. That's under section 6 under advertising. Advertising a message of welcome and

congratulations are not permitted, unless the purpose recognizes a week, a day, an event at a national, provincial or constituency level. I raise it here because I think it's worthy of clarification and understanding.

In most areas of the province, I would think, a 100th birthday of somebody would be an important event. In some communities, it would be a huge event. It might be the event of the year in a small community or small location. Where the House may determine well, that's not a national, provincial or constituency level – it's a town, but it's not a constituency level; it's an event. But some may interpret it as being something very important, which I would, and my fear is what if the House says no, that's not really the intention of it. So I think there's some clarification and discussion needed.

Your suggestion that you just made, Mr. Speaker, that maybe we have some informal discussions where we can go through this in an in-depth format and see if we can come back with a recommendation as Members of the House and the Management Commission, I think it would be a good process.

**MR. SPEAKER:** The only caution that I would make is – I mean, the MCRC has identified informal discussion of the Management Commission as an issue. I would ask that each party just send representatives – not as the Management Commission –

**MR. P. DAVIS:** Yes.

**MR. SPEAKER:** – but representatives of parties to talk about draft wording and bring it back.

**MR. P. DAVIS:** And to bring it back. Yes, absolutely.

**MR. SPEAKER:** Lorraine Michael.

**MS. MICHAEL:** Because of the fact that people are at different points maybe in the process of doing householders – this is not an approved document and I think that we should go with what our practice has been under whatever our rules are at this moment.

**MR. SPEAKER:** Until such time – if we could move on this expeditiously. I know we've got a constituency week coming up next week; hopefully, we'll have a Management Commission meeting the following week prior to the Easter break. I'm hoping that maybe it's possible to have draft wording for this for the next Management Commission meeting. Everybody –

**MS. MICHAEL:** Further to my point, though, we are coming to the end of the fiscal year and so the householders that are going out now are in the budget for this year.

**MR. SPEAKER:** Yes.

**MS. MICHAEL:** If allowing for the time – it even takes 10 days now for us get stuff printed –

**MR. SPEAKER:** I'll accept the motion to that extent in a second.

I think what Ms. Michael is proposing is that the current rules for householders apply until this draft wording – that would just be the case anyway, I think, would it?

**CLERK:** Well, the issue we have is that the Commission already accepted the MCRC recommendations regarding the advertising.

**MS. MICHAEL:** No, I'm not talking about the advertising. This stuff that's here about the householder, the publications, that was not in any recommendation. This is interpretation.

**MR. SPEAKER:** So I'm not even sure if we need a motion, Ms. Michael. I think we just operate under the former rules for householders.

**MR. P. DAVIS:** If I can just make a further comment to that, Mr. Speaker.

A little bit further to what Ms. Michael had raised, the other aspect of it is I know of Members right now who have this kind of work that's at certain stages. And I think it would be fair as well that once we adopt this new policy that we allow a period of time for someone who has work in progress, or they have a printing order in and that type of thing, to allow that process to finish. So if it be 30 days or 45 days

or 60 days after the implementation, after it's passed, before it becomes effective.

**MR. SPEAKER:** That seems reasonable.

I think, Clerk, with this, the Management Commission does have the ability to edit the draft proposal.

**CLERK:** Oh, goodness, yes. That's why it comes here.

**MR. SPEAKER:** That's why it comes here, okay.

So do I have a motion to defer this? We can have the same composition, one Member, two Members from the Official Opposition, three from government, if that's acceptable, but have a group of Members outside of the Management Commission work on the draft.

**MS. MICHAEL:** Yes.

**MR. P. DAVIS:** Yes, certainly.

**MR. SPEAKER:** Okay.

**MR. P. DAVIS:** The only other question on that before we get off topic, Mr. Speaker, is I've heard some discussions that the new rules are now being interpreted by staff in the House of Assembly. So are we under the understanding that right now the old rules are still in place until this policy –

**MR. SPEAKER:** For householders?

**MR. P. DAVIS:** Yes.

**MR. SPEAKER:** Yes, I –

**MR. P. DAVIS:** For the items covered under the draft policy, under advertising and publication policy.

**MR. SPEAKER:** Well, if somebody wants to make that motion I'll certainly –

**MS. MICHAEL:** I'll make that motion.

**MR. SPEAKER:** So the motion –

**MS. MICHAEL:** That at this moment we are under –

**MR. SPEAKER:** The old rules.

**MS. MICHAEL:** – the old rules with regard to householders.

**MR. SPEAKER:** Until the next Management Commission, at which time we will adopt –

**MS. MICHAEL:** Until we come to an agreement on document guidelines.

**MR. P. DAVIS:** (Inaudible.)

**MS. MICHAEL:** Under the advertising and publications policy.

**MR. SPEAKER:** Okay. Do we have a seconder?

**MR. P. DAVIS:** I'll second.

**MR. SPEAKER:** Seconded.

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Approved.

Okay, Tab 6: motions respecting recommendations 43 and 44 of the MCRC report.

At its February 27, 2017 meeting, the MHA for Topsail received unanimous consent to table a motion to rescind the following decisions, which were made on December 7, 2016 meeting of the Commission with respect to the MCRC. And those were recommendations 43 and 44.

I can read those out if Members wish, but I think we're familiar with the recommendations.

**MR. P. DAVIS:** I'd like to speak to that, Mr. Speaker.

**MR. SPEAKER:** Yes, give me a moment.

**MR. P. DAVIS:** Oh, I'm sorry.

**MR. SPEAKER:** “The motion carried and recommendations 43 and 44 reverted to being outstanding.

“The MHA for Topsail also gave notice that at the next meeting of the Commission he would put forward a motion to adopt recommendations 43 and 44, as presented by the MCRC.

“The MHA for Burgeo – La Poile also gave notice that at the next meeting of the Commission he would put forward a motion requesting the Management Commission to explore the option of moving to a defined contribution pension plan for Members elected in 2015 and beyond.

“At the December 7, 2016 meeting, the Commission adopted recommendations 31-38 respecting the severance provisions for MHAs. Those Decisions are in effect.” However, the grandfathering provision needs to be dealt with; that’s recommendation 44. Whatever we do with 43, we can choose to deal with or not deal with 44. I think 43 is the one that’s under discussion right now.

The Member for Topsail – Paradise.

**MR. P. DAVIS:** Thank you, Mr. Speaker.

So Mr. Speaker, this is a matter now that’s been discussed here, and discussed publicly for some time. I’ve given a considerable amount of thought to this before coming here today. Prior to 2003, by way of a little bit of background, the books of the House of Assembly were closed to scrutiny, and we know that there were many changes that occurred. MHAs made up their own rules on remuneration and we all know what the consequences of that were.

During the 2000s, the Auditor General came in and subsequently that led to Justice Green, who came and made recommendations on how – a full overhaul of how the House of Assembly operates. Judge Green was very, very clear. He was crystal clear, in fact, that he wanted an independent body to make recommendations on MHA pensions.

He actually stated in Recommendation 79: “In the future, matters of pension policy related to the pension benefit structure for MHAs should

be referred to the review committee on Members’ salaries, benefits and allowances constituted under the new House of Assembly Accountability, Integrity and Administration Act as recommended elsewhere in this report, as part of the committee’s mandate as a matter of course so that they can be addressed in the same context as salaries and other key compensation arrangements for MHAs.”

Judge Green wrote that the *House of Assembly Accountability, Integrity and Administration Act* is legislation that created the Management Commission, which we are Members of here today. I think it’s important for us not to forget why that was created. In his report on page 3-62 Judge Green described the very thing that concerned him.

So just think about this. “It appears that, with the changes in the *Internal Economy Commission Act* in May 1999 and May 2000, the concept of parliamentary autonomy in Newfoundland and Labrador attained a new level: The IEC had been freed from the constraint of being bound by recommendations of an independent commission in relation to MHA compensation allowances. Through legislative change, such recommendations were no longer binding on the House.”

And again on page 4-49, “The requirement that the recommendations of an independent commission be binding has been repealed. The IEC now has the power to amend the recommendations of an independent commission be binding had been repealed. The IEC now has the power to amend the recommendations of the independent commission as it sees fit,” is what Justice Green wrote.

The thing that bothered him exactly is what we’re discussing here today and is before us today. He also stated: “It is time to return to a more principle-based system. The need to rebuild public confidence requires it.” I fully agree with that statement to this very day. “As had been stressed many times throughout this report, transparency and accountability are essential to the maintenance of public confidence. A compensation-setting process is engaged in under a veil of secrecy, by people who make the decision in the context of a conflict of self-interest and public duty, will not

pass muster. An independent review process that takes place in the light of public scrutiny is the least that is required.”

Under section 16 of Judge Green’s bill, required an appointment of an independent committee. In his words, he called it the Members’ Compensation Review Committee, which we are discussing responses from that committee today. And they had to spend up to 120 days preparing a report respecting pensions for Members, among other things, and the operative word here is “independent.” He used the word “independent” over 100 times in his report. He intended for pensions and other remuneration to be dictated, not by us, by an independent body.

Mr. Speaker, when the Management Commission made its decision on December 1 and considered those decisions very soon after, I respectfully submit that what we did was wrong. The public knew it and we quickly heard about it, and so we should have. The public told us that we need to listen, that we should have accepted the recommendation of the independent committee established under Judge Green’s legislation and we should have done it then, and we need to do it now.

The Members’ Compensation Review Committee was created to take the politics out of these matters. To do anything other than accept the recommendation of the independent committee, I believe would be a further error by this Commission and by Members of the House.

If we as Members are accepting the committee’s recommendation and want to call for a further study, then we have the option to do that under the act, but it must be in compliance with the act. Section 16 of the act deals with this by saying the House of Assembly shall at least once – key word is at least once – during each General Assembly by resolution appoint, upon those terms and conditions that are set out in the resolution, an independent committee to be called a Members’ Compensation and Review Committee, and here’s the work that they did.

It was called that, the Members’ Compensation Review Committee; not more than three persons, none of whom shall be a Member, to conduct an inquiry and prepare a report on salaries, allowances, severance and pensions to be paid to

Members. So at “least once” means that it can be done again if we so desire and, in fact, I believe that the MCRC, we still have access to today. The report was in November, and I believe we’re still within the timelines of accessing advice and work of that Commission.

There’s no provision in the act for any process, other than the one laid out in section 16, to make recommendations on MHA pensions. Any other process is really what I believe to be out of line or out of context, or out of what should be allowable.

If any one group of Members, in this case the government caucus, sets out to orchestrate a process, then, again, I would submit, it’s not going to pass the smell test. It’s completely out of line with the letter and spirit. If we want to do something further than the MCRC recommendation, we as a Commission have the authority to go down that road and to seek that advice.

So, Mr. Speaker, that’s why my recommendation is being made. That recommendation 43: The Defined Benefit Plan as outlined in Appendix H of the Morneau Shepell Report, Option 2, as outlined by the Members’ Compensation Review Committee, “shall apply to Members of the House of Assembly who were first elected on or after November 30, 2015” as the motion which I’ve already given notice of.

**MR. SPEAKER:** I do feel compelled – I agree with much of what you’ve said there, but as one of the Members of the Assembly – and there’s always great value in having longevity, because you remember things. I remember the Green report, as we called it, the Accountability and Integrity Act.

Just to guide Members; my comments are meant to guide Members. Decisions of the Members’ Compensation Review Committee, and I believe that’s probably why the public were upset, the Management Commission can’t give a greater benefit than what the MCRC proposes, but the Management Commission is quite capable and within its bounds to give a lesser benefit than what the MCRC proposes.

So I think the decision – and part of the reason I think there was public backlash, was by grandfathering the 2015 Members, it was giving a greater benefit than the MCRC proposed. It's up to Members of the Management Commission – I'm not going to say whether the proposal by the Member for Burgeo – La Poile is greater, the same or lesser. That's for Members of the Management Commission to decide, but the Green report, the Green act did allow for the MCRC to make recommendations and the Management Commission could adopt and accept lesser than what the MCRC reported, but not greater.

**MR. P. DAVIS:** Right and I understand your position. Justice Green, with respect to his report, was very clear on the need for independence and referred to it many, many times during his report, that the independence, the decisions should be done independently away from Members. That's how we ended up with the Members' Compensation Review Committee.

**MR. SPEAKER:** Yes, there are –

**MR. P. DAVIS:** So I get that, Mr. Speaker, but what I'm suggesting is we should accept what the MCRC had recommended. If the Management Commission decides: Well, let's have a further discussion or a further new process, then let's go back to the MCRC that's in place right now and have that discussion with them or adopt a new one to make further reviews. I think the current one could probably do that.

**MR. SPEAKER:** I'm going to recognize Mr. Parsons now in a moment. Before I do that, I'll make one final comment on this and I won't insert myself into the debate any further.

I am aware that subsequent Management Commissions had not accepted certain MCRC recommendations on increasing MHA salaries over the years and MHA salaries stayed the same. That was publicly acceptable because it was a lesser amount than recommended by the MCRC.

**MR. P. DAVIS:** I understand that.

**MR. SPEAKER:** Mr. Parsons.

**MR. A. PARSONS:** Yes, I guess what this comes down to is there was the recommendation to accept, I think it's 43. What I've presented here today, that's tabled and is on the record, is a letter from Morneau Shepell who is also the same group that did the work, I think, for the previous MCRC on the pension recommendation.

What I've presented here now, as it says in the letter that's attached, a high-level comparison of the key benefit provisions recommended by the MCRC and those proposed by the caucus. Basically, it's the MCRC was to continue to provide benefits on a defined benefit basis versus the defined contribution basis.

I recognize the fact that this information was just presented to all the Members here now and to the staff, but there are some highlights in there which I think need to be put out there, that basically it does offer a greater savings of taxpayer money. It results in the crystallization of the unfunded pension liability. It also results in millions in savings.

I have to be honest; I wouldn't expect anybody to sit here now and to maybe vote on this right now, based on the fact that it's just been presented. I don't think that's fair, but I think it's important that I put it out there.

I would also suggest that I don't support voting for something now when there's been another very, I think, strong proposal that is put forward. I know everybody needs time to look.

I know what Chief Green said, and I think the main policy goal that Chief Green had was to prevent politicians from taking greater benefit from themselves, especially quietly. I don't think there was a policy goal of Chief Green to allow for Members to take steps through the Management Commission to do less than maybe what was recommended. I don't think that was to be avoided.

What we're presenting here actually represents a reduction of the resources that are allocated. I would suggest going back to the public commentary, I think this is something the public may be very interested in seeing and having considered.

There is a legal opinion out there that pensions can be amended. In fact, section 16 of the act, also presented by Green, says amendments to pensions are allowed. It clearly says that as long as you don't exceed, you can look at it. He also said pensions can be amended – also comes from Green. So that's the same accountability, integrity act.

What I'm suggesting, I understand the motion that's put forward fully, but I think given what we've presented here, I think there's nothing that prevents the Management Commission from perhaps taking the time to look at something that may be in the best interest of the public and of Members. I don't support voting on a motion when there's another proposal put forward that at least should be looked at and examined. Again, that comes down to we also vote on these things.

I realize it can't be done now. I also think we should – I don't believe in voting on anything without giving it due diligence and proper scrutiny. That's why I would suggest we will be having a meeting very shortly to talk about some other issues that I think may have been recommended by the MCRC that we're also proposing to change.

So I think my suggestion and my commentary here is that we take the time to at least look at this proposal which represents savings to taxpayers, and that it is not contrary to the policy or the legislation put forward by Chief Green.

**MR. P. DAVIS:** Okay. Mr. Browne is with us today. I know he's declared a conflict of interest, I think at least twice on this previously.

**MR. A. PARSONS:** (Inaudible.)

**MR. P. DAVIS:** Well, just on a point of order. He removed himself from the Chamber, and I'll leave it to your discretion, Mr. Speaker, but I just point out that –

**MR. A. PARSONS:** Maybe Mr. Browne can go up and watch it on TV.

**MR. P. DAVIS:** Sorry, I wasn't finished.

**MR. SPEAKER:** Okay.

**MR. P. DAVIS:** Sorry, Mr. Speaker, but my point is – I'll try again. My point is that Mr. Browne had removed himself from the Chamber and the discussions on this on at least two occasions. I just point out to the Speaker that he's in the room now. He's declared a conflict in the past, and I'd ask you to determine if that conflict still exists or if –

**MR. SPEAKER:** Mr. Browne.

**MR. BROWNE:** Thank you, Mr. Speaker.

If Mr. Davis was paying closer attention, he would have noticed that I did consult the Law Clerk and asked should I leave and she said I could stay here and just not vote. Now, if it's your will, I will certainly leave the room, that's not a problem.

**MR. SPEAKER:** Okay. I will consult the Law Clerk for my own benefit.

**MS. MURPHY:** He cannot vote.

**MR. SPEAKER:** He cannot vote. He can sit in the room but not vote? Okay.

Ms. Michael.

**MS. MICHAEL:** Well, then to speak to the point of order – no, it's sort of a different point of order I guess.

If Mr. Browne is not voting, then I'm not sure we have the capacity to vote on anything with regard to this because there has to be two government Members, I think, present and at least one Opposition voting.

**MR. SPEAKER:** The only way that can happen – and I can put it out there for government's consideration, but the only way we're going to get two government Members on this particular vote is if a Member of the Management Commission were replaced.

**MR. A. PARSONS:** Well, it will have to be voted on first. Have we not voted on other things where two government Members recused themselves and we voted previously where there was one government Member and say three Opposition Members? I think we –

**MS. MICHAEL:** Did we?

**MR. A. PARSONS:** I'm pretty sure. Because we dealt with this topic back in December, and there was a vote and the two government Members recused themselves. Now, I don't know, if he removes himself do we have quorum to vote? I don't know how that works.

**MS. MICHAEL:** The quorum is done according to the numbers of government and –

**MR. SPEAKER:** Yes, we still have a quorum. I'm being told by the Law Clerk and the Clerk that we would still have a quorum.

**MS. MICHAEL:** Okay. Well, then speaking to Mr. Parsons, I'm glad he said he doesn't expect us to deal with this tonight. I'm not prepared to get this document and deal with it this evening.

**MR. SPEAKER:** It's reasonable to – can we have a motion to defer 43 again then? Is that acceptable, to give people an opportunity to look at this?

**MR. A. PARSONS:** If I may, I think that's what I suggested, is that there are two motions and that the one I've put forward contains significant information which I fully realize requires time. This is a significant decision and I don't agree on voting on one when there are two present and we're coming back in a couple of weeks' time anyway. I think the smart move here is to defer both to allow proper consideration of this pretty significant proposal so that we can have a proper vote based on two actual motions.

**MR. SPEAKER:** Can we have a seconder for that motion?

**MS. MICHAEL:** I'll second it.

**MR. SPEAKER:** Seconded.

All those in favour, 'aye.'

**MR. P. DAVIS:** (Inaudible.)

**MR. SPEAKER:** Pardon me?

**MR. P. DAVIS:** (Inaudible.)

**MR. SPEAKER:** Okay. By all means, yes, before we vote.

**MR. P. DAVIS:** Thank you.

We just got this passed to us at the start of the meeting. It's a 13-page document, it looks like. I'm actually just turning the cover now and looking at it for the first time. I had a couple questions. I wasn't sure how this was generated and if we're going to have a discussion on the contents of this report, I think it would be valuable to have a little bit of a discussion on that as well.

**MS. MICHAEL:** That's right.

**MR. P. DAVIS:** It appears to me that this is a report that was provided to government and it references a proposal by the Liberal caucus. I'm just wondering if you, Mr. Speaker, or maybe if Mr. Parsons can give us a little bit of background of the origin of this report and how it –

**MR. SPEAKER:** Yes, absolutely.

Before we do that, can I consider this tabled by all Members? I know Mr. Parsons distributed it earlier.

**MR. P. DAVIS:** Yes, sure.

**MR. SPEAKER:** But it officially has to be considered tabled.

**MR. P. DAVIS:** Absolutely, yes.

**MS. MICHAEL:** Yes.

**MR. SPEAKER:** Okay.

**MR. A. PARSONS:** What I can say is two things. Members of the caucus have gone out and led this proposal and gone out and done the work. I realize it needs some work to be done, but I would also suggest further to that, that arrangements can be made to have officials available to answer questions from all people so that we have a full understanding of the genesis of this, an explanation of this, whether it be Morneau Shepell, whether it be the Department of Finance who obviously administer our



pensions. I think that can all be arranged and I think it's actually a good idea.

We wanted this out there because it needs to be looked at, but we also need the time to do it. I agree with the Member for St. John's East – Quidi Vidi. I fully expected this needed time but it's better to have the time and do it right.

**MR. SPEAKER:** Yes.

Lorraine Michael, and then Mr. Davis.

**MS. MICHAEL:** I would like to say that in doing our, whatever we decide we're going to do, I still think we should be looking at the MCRC Report which has a substantial section on the pensions and what they went through in coming to the recommendation that they did. We really didn't do that.

We voted on the recommendations and got to the state we're in today, but if we're going to use this document, I think we should also be using the documentation that was used by the MCRC as well.

I have to say, I'm really glad the government caucus is large enough that they can afford to do this, but there's no way our caucus would have been able to go out and pay for this kind of work.

**MR. SPEAKER:** Mr. Davis.

**MR. P. DAVIS:** Thank you.

I was going to ask the question actually, if this is actually caucus funds that are being used for this or is this a government expense?

**MR. SPEAKER:** Mr. Parsons.

**MR. A. PARSONS:** I'll be happy to have all that answered by the individuals that have led it. Again, I'm a Member of the Management Commission but I'm not the Member who led this. In fact, I don't even know if this would apply to the three of us that are sitting here. So I'm prepared to offer up people to answer every single question that gets asked about this proposal and everything else, not a problem.

**MR. P. DAVIS:** My point for having that information, I think it's important information. I'd like to know who ordered it, who authorized it and how is it being paid for? Because we as a caucus had discussions – not to breach any caucus discussions – but we had discussions amongst ourselves about looking at alternative plans as well. It sounds like Ms. Michael has made a similar comment.

We don't have the caucus funds to do it, but if government is providing a service to a caucus to provide reports to them – so my point would be is that my caucus, and arguably Ms. Michael's caucus, should be afforded the same opportunity to engage with an actuary to ask for a report – again, I haven't looked at it, so I really don't know what's contained in it at this point in time – but a report on possible pension arrangements.

It seems a little bit odd for me that a caucus of the House of Assembly can direct a government department to engage with an actuarial study – and I don't know what it cost. My experience has been that actuarial studies generally come with a price tag. So anyway, I just make that point. If that's what we're doing here and the caucuses are entitled to do that, we'd like to have the opportunity potentially to do the same.

**MR. SPEAKER:** It wouldn't be the first time it's happened.

Mr. Parsons.

**MR. A. PARSONS:** Again, we've got a proposal here that saves the taxpayers plenty of money, and I'll be happy to offer up everybody that's necessary to answer any questions that come up to deal with this. But I come back to the main point, which is I don't agree on voting on A if we have B that's there ready to be looked at and examined. We're talking about something that's pretty significant and can save money. I think we should take the time to ask all the questions and get all the information and do it right.

**MR. SPEAKER:** Ms. Michael.

**MS. MICHAEL:** I think before if we decided on that kind of a meeting, I still think that – this is a document that was presented by Mr. Parsons to the Management Commission, and I think

there should have been a covering letter explaining more than what we have.

He can't tell us what the process was, he can't tell us where it has come from in that sense, and for that reason I think there should be a letter from the Liberal caucus to the House of Assembly Management Commission. I think they're the ones who should have presented this as the Liberal caucus with a covering letter explaining what this is about.

**MR. SPEAKER:** Mr. Parsons.

**MR. A. PARSONS:** If I may, we've put a proposal out there because we want – again, this is something that will save the taxpayers millions of dollars. It's put out there. I wanted it on the table right now. You'll notice the date on it is March 15. We wanted it there now so that we wouldn't vote on something, knowing that there's something here. I'm sure caucus, Morneau Shepell, anybody that's anybody will be happy to answer all the questions whatsoever.

**MR. SPEAKER:** Mr. Davis.

**MR. P. DAVIS:** Mr. Speaker, I'm not questioning that; I don't think Ms. Michael is questioning that either. We appreciate anybody who brings a report and asks us to act on a report should be prepared to come to the House of Assembly and defend or answer questions on the report.

The question for me is: If this was done for the government caucus, who is paying for it? Is it coming out of caucus funds, or is the government paying for it? It's addressed to Maureen McCarthy, the director of Pension Administration Division, Department of Finance. That, to me, looks like this was asked for by the Department of Finance.

If that's the case, then I would like the opportunity – well, first of all, I want to know: How did that happen? How does a caucus direct a department of government to engage with an actuary on a proposed question for the Management Commission? There are three tiers of governance in our society, and two of them are the House of Assembly, which is separate from government. Government is separate from the House of Assembly. So if Members of the

House – caucus of the House of Assembly ask for government, then that's an interesting question for me, which I think is important for us to have answered.

Secondly, I'd like to know what the cost of it was. And I get what Mr. Parsons is saying; it's going to create savings. Well, if my caucus wants to engage with an actuary, we may be able to create savings as well, in a different way. But we don't have the capacity as a caucus to do that. We don't have the funds as a caucus to do that. I'm not sure that all of us running out asking for actuarial reports in any way we want and having them is probably the best way to approach this. That's why, one of the reasons I argued earlier, the MCRC is the independent voice who is asked to look at these matters.

Now we have a caucus, a Liberal caucus – the front page of the letter twice refers to the Liberal caucus presentation – directing government to do an actuarial study. Brought to us at 6:05 this evening, at the start of the meeting. So my question is, before we go further on the discussion, I think it's important for us to know – Mr. Parsons can't provide the information – who ordered the study, what was the cost, what was the condition of the order of the study, and does the same access to actuarial experts exist for my caucus, or for the Third Party caucus, or to the Management Commission to look at other potential scenarios.

**MR. SPEAKER:** Ms. Michael.

**MS. MICHAEL:** Putting it very clearly the way Mr. Davis did, I want to know who directed Maureen McCarthy to have this done. Very, very specifically who directed because – and I'm probably repeating in a different way what's been said. I'm not saying this shouldn't have been done but if it were going to be done, it should have been something that came from the Management Commission. We should have been the ones who are asking for this kind of thing. Who directed Maureen McCarthy, because we didn't? So who directed her to do this because somebody did – somebody did.

**MR. SPEAKER:** Okay.

All right. I understand from Mr. Parsons that he said he would ensure that – am I hearing you

that the pensions division or whomever will be available at our next Management Commission meeting?

**MR. A. PARSONS:** It's my understanding – I mean if there are questions it should be – yeah, by all means. I'm the vessel through which this report travelled. I presented it here, but I'll make sure all of it's answered.

**CLERK:** (Inaudible.)

**MR. SPEAKER:** Yes, absolutely.

The Clerk just suggested that we arrange a technical briefing for all Members of the Management Commission on not only – well, the MCRC report, Ms. Michael had raised earlier that she wanted to talk a little bit more about what's in the report and the work that was done there, and this letter from Morneau Shepell.

So are Members agreeable, we've got a mover and a seconder, to postpone the vote on 43? Can we arrange, prior to the next Management Commission meeting, or even during that Management Commission meeting, to have a technical briefing on not only the pension aspect of the MCRC but the Morneau Shepell? Are Members agreeable to that?

**MS. MICHAEL:** If I know ahead of time the answers to some of the questions that we've put – I want to know where it came from. I want to know who ordered it. I want to know that ahead of time.

**MR. SPEAKER:** Okay. All right. Would you be satisfied with a technical briefing prior to the next Management Commission meeting?

**MS. MICHAEL:** Yes.

**MR. SPEAKER:** Okay.

Mr. Davis.

**MR. P. DAVIS:** I think that would be beneficial, but I think this whole process really starts to speak to the difficulty of the process that's been undertaken by the Liberal caucus.

**MR. SPEAKER:** Okay.

**MR. P. DAVIS:** I'm okay with the technical briefing.

**MR. SPEAKER:** Mr. Davis, I'm going to stop you here. The Management Commission is non-political. As Chair of the Management Commission, I'm going to ensure that it's non-political. Mr. Parsons said he would get you the answer to that question.

**MR. P. DAVIS:** I agree.

**MR. SPEAKER:** I'm not going to have a political debate at the Management Commission.

**MR. P. DAVIS:** I agree with you, Mr. Speaker. I agree with you. And one of the problems is twice on the front page of this it refers to a caucus, and that's the problem.

**MR. SPEAKER:** I'm going to shut it down. We're not having a political debate at the Management Commission.

Mr. Parsons, I understand you said you'd get that information?

**MR. A. PARSONS:** Not a problem.

**MR. SPEAKER:** We can't provide the information here today, but the information will be provided.

Okay. We have a mover and seconder. Do we have a vote?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

Motion 43 is deferred until we have a technical briefing and it will be dealt with at the next Management Commission meeting.

Mr. Browne.

**MR. BROWNE:** I want to ensure that the record shows I recused myself from the vote and did not vote.

Thank you.

**MR. SPEAKER:** Okay. Recommendation 44: “The Commission accepts recommendation 44 that the severance and pension recommendations shall not apply to Members of the House of Assembly who are elected before November 30, 2015.”

**MS. MICHAEL:** I move deferral of this discussion until we deal with the issues that have come up in the discussion around number 43.

**MR. SPEAKER:** Okay.

**MS. MICHAEL:** (Inaudible) we have to defer all the discussion until we have (inaudible).

**MR. SPEAKER:** Okay.

**MS. MICHAEL:** I need a seconder.

**MR. P. DAVIS:** I’ll second it.

**MR. SPEAKER:** Okay.

It is moved and seconded that we defer 44 as well.

Ms. Keefe has just advised me – they’d like to deal with this in the event – if somebody resigns or retires or passes away or whatever, they’d like to have 44 dealt with. Is 44 connected to 43? I mean, can we have a decision on how to move forward for new Members?

**MS. MICHAEL:** Oh right, I’m sorry. I jumped too quickly, yeah.

**MR. SPEAKER:** So I want to go back, before we vote on that, 44 doesn’t affect Members elected November 30, 2015 and beyond.

**MS. MICHAEL:** No, that’s right.

**MR. SPEAKER:** So 44 would be basically saying that older Members such as – you’re collecting, but Mr. Davis is not yet, or other Members, so if we –

**MS. MICHAEL:** Yeah, I jumped too quickly; I got it.

**MR. SPEAKER:** Okay. So you retract your –

**MS. MICHAEL:** I retract my motion for deferral; I’m ready to make a decision on that one. Sorry.

**MR. SPEAKER:** Okay. So proposed motion 2, recommendation 44. Do we have a mover?

Moved and seconded.

All those in favour, ‘aye.’

**SOME HON. MEMBERS:** Aye.

**MR. SPEAKER:** All those against, ‘nay.’

Carried.

**MR. P. DAVIS:** Just to be clear, we can always change that date to another different date, sometime in the future.

**MR. SPEAKER:** Exactly.

**MR. P. DAVIS:** Number 44 – no, we can’t. No, that’s right. No, we can’t. Only on the matters that we’re discussing.

**MS. MICHAEL:** Yeah, we got quite confused.

**MR. SPEAKER:** So 43 will deal with Members elected November 30, 2015.

**MS. MICHAEL:** That’s right.

**MR. P. DAVIS:** Right.

**MR. SPEAKER:** Right?

**MR. P. DAVIS:** Yes.

**MR. SPEAKER:** Once we deal with 43, we’ll know what –

**MR. P. DAVIS:** Yes. We agree on that much.

**MR. SPEAKER:** Okay.

Under Tab 7: the appointment of Officers of the House in an acting capacity. This basically deals with the Table Clerks, the Law Clerk and so on. If one of these individuals were to retire –

**CLERK:** Get sick.

**MR. SPEAKER:** – get sick, or whatever the case may be. The Management Commission, there's no mechanism in place to appoint a temporary Clerk or Law Clerk, for example, until the House sits again. So if it happens during summer months, we do without a Law Clerk until the House sits again and appoint the Law Clerk.

So the proposed motion on this is: Pursuant to subsection 20(1) of the *House Of Assembly Accountability, Integrity and Administration Act*, the Commission approves the proposed amendment to the act to include provisions for the appointment of House Officers in an acting capacity, subject to final wording by the Office of Legislative Counsel.

Do we have any comments or questions?

People have the Briefing Note and should have read it.

Mr. Browne?

Moved. Seconded?

Seconded.

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

Tab 8: MCRC recommendations. On October 28, the 2016 MCRC presented its report on the review of Members' salaries, pension, severance allowances. The report contained 59 recommendations which are required to be brought to the Management Commission for review and decision.

As outlined in section 16(5) and 16(6) of the *House of Assembly Accountability, Integrity and Administration Act* the Commission shall accept or modify recommendations. If the Commission wishes to modify a recommendation, it does not have the authority to exceed the maximum amounts recommended by the MCRC.

MCRC recommendations have been considered by the Commission at meetings held at November 23 and November 30 of 2016, December 7 of 2016, February 27, 2017. Today, we will be considering the remaining recommendations of the MCRC, which are under Tab 8.

Recommendation 22, which is travel to the capital region at the request of the House of Assembly, is Briefing Note 2017-014. The MCRC made the following recommendation regarding travel to the capital region, that travel expenses incurred by an MHA at the request of the House of Assembly for purposes other than the usual duties of an MHA, shall be paid by the House of Assembly and shall not count as one of the 20 House-not-in-Session trips allocated to the Member.

Currently, expenses are reimbursed for Members travelling to the capital region for the purposes outlined above, but they are required to use one of their 20 House-not-in-Session trips.

The MCRC 2016 reviewed this matter and it's recommending that travel by MHAs at the request of the House of Assembly for purposes other than their usual duties be paid by the House of Assembly and not count as one of the HNIS trips.

Do we have any questions or comments before we get to the proposed motion?

Okay. So the proposed motion is: The Commission accepts recommendation 22 that travel expenses incurred by an MHA at the request of the House of Assembly for the purposes other than the usual duties of an MHA, shall be paid by the House of Assembly and shall not count as one of the 20 House-not-in-Session trips allocated to the Member.

Moved by Mr. Browne; seconded –

**MS. MICHAEL:** I have a question of clarification because Mr. Davis just asked me a question. I'll use a practical example of something that had happened. So when we had the All-Party Committee on Northern Shrimp and we were all on that at the request of the House of Assembly, but when we travelled to Ottawa, I think the department had to pay our

travel, didn't it? Would this say that that would change?

**MR. SPEAKER:** No, this is trips to the capital region.

**MS. MICHAEL:** Oh, I'm sorry, just to capital region?

**CLERK:** If I might explain. This would mainly apply following a general election, or a by-election, where we deliver training to new Members. Right now, in order to come in to do that, the only way they can do it is with the House-not-in-Session trip, which is really not fair.

**MS. MICHAEL:** Right. Okay.

**CLERK:** So this is something that would allow us to do the training without the Member having to expend one of their trips.

**MS. MICHAEL:** So it's very particular. And it's to the capital region. I just saw that now. I thought it was up above. Sorry about that.

**CLERK:** It doesn't apply to committee work.

**MS. MICHAEL:** Right. Okay.

Thank you.

**MR. SPEAKER:** Do we have a seconder then?

**MS. MICHAEL:** I'll second.

**MR. P. DAVIS:** Is that the only example? I'm just trying to think of examples, where maybe people that might be watching might be saying what would be the purpose of it.

**CLERK:** That is about the only example, if there's training. It happens right after the general election; we had to coordinate with the caucuses to see when Members were coming in, and actually we tied it into the swearing-in. And especially where the election happened in November, the swearing-in was late December. It was kind of tight to fit everything in. But if we had the flexibility that we could bring the Members in independently of that, it would be better for everyone. Everything else –

**MR. SPEAKER:** For example if there's a by-election and a Member gets elected, they can't come in unless they use one of their 20 House-not-in-Session trips to get the proper training and so on. So that's –

**MR. P. DAVIS:** Sworn-in and so on. Okay.

**MR. SPEAKER:** It's unfair to the Member because they've got to use one of their personal trips as opposed to coming in for training for the purposes of the House of Assembly.

**MR. P. DAVIS:** When you say personal trips, you mean a trip for attending the sitting of the House, yes.

**MR. SPEAKER:** Yes.

**MR. P. DAVIS:** I understand.

**MR. SPEAKER:** Okay.

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

Recommendation 23.

**MR. A. PARSONS:** I will jump in on that one because (inaudible).

**MR. SPEAKER:** On 23?

**MR. A. PARSONS:** Yes.

**MR. SPEAKER:** Yes, absolutely.

**MR. A. PARSONS:** This one's about the rental car, right? Where it says Members who use the rental car in their districts must utilize I&E– and this is the second one, and again, in the grand scheme of things it's small. If parking fees are incurred in relation to the primary vehicle while using a rental in the district, the parking fee is not an eligible expense for reimbursement.

So just to toss out a specific example. I drive from Port aux Basques to St. John's with my personal vehicle. I've got to fly home for the

weekend so I drive to the airport, park my car, fly back to Deer Lake, get a rental car, and then use that for that weekend, fly back to St. John's. I've got to pay parking at St. John's International Airport – that parking fee is not covered? So I need to understand the logic behind that.

**MR. SPEAKER:** It's one of the recommendations of the MCRC report, unfortunately.

**MR. A. PARSONS:** Again, so I did read it right then?.

**MR. SPEAKER:** Yes, you did. So in that particular case you park your car at the Confederation Building, you get a cab to the airport, they'll cover your cab fee, you fly home and rent a car.

**MR. A. PARSONS:** Okay. Anyways, I'm ready to vote; I just wanted to make sure I understood that. It seems –

**MR. SPEAKER:** I mean, unfortunately – that was raised by several Members from all caucuses. The MCRC doesn't always fully understand the life of an MHA. This may be one of those cases; but unfortunately, it is a recommendation. Whether we like it or not, it's a recommendation. We can make it more stringent; we have that ability, under the rules, to make it more stringent, but we can't make it less stringent.

**MR. A. PARSONS:** I have no problem; I'll move it now that I understand it.

**MR. BROWNE:** Seconded.

**MR. SPEAKER:** Moved and seconded.

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

Recommendation 25: Travel to the capital region for the purpose of vacating office. So, essentially here, the Member will be granted one

day to vacate his or her office. The Member will be permitted to be reimbursed for travel and accommodation expenses for the day before and the day after attending at their office, and be permitted meal allowance for that period of time.

The proposed recommendation is: "The Commission accepts Recommendation 25 that a Member be granted one day to vacate his/her office. The Member will be permitted to be reimbursed for travel and accommodation expenses for the day before and the day after attending at their office, and be permitted the meal allowance for that period of time."

Any questions or comments?

Moved and seconded.

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

Recommendations 49 through 55; the 2016 MCRC made seven recommendations regarding the operations of the House of Assembly Management Commission. If the Commission accepts the recommendations, seven separate motions will be required.

I'm guessing that all Members read the recommendations?

**MS. MICHAEL:** Yes.

**MR. SPEAKER:** I'll just get straight to the point and read the proposed motion, if that's okay.

So the proposed motion 1: "The Commission adopts recommendation 49 and directs that the Management Commission, officers of the House and staff of the House of Assembly administration shall be responsible and accountable to ensure that all advice, deliberations, decisions and recommendations of the Management Commission (whether such advice deliberations, decisions and recommendations are the result of informal or

formal meetings of the members of the Commission) are properly documented.”

Any questions or comments?

A mover?

Moved; seconded by Lorraine Michael.

All those in favour, ‘aye.’

**SOME HON. MEMBERS:** Aye.

**MR. SPEAKER:** All those against, ‘nay.’

Carried.

Motion 2: “The Commission adopts recommendation 50 that it is an offence to fail to so document, or to destroy documentation recording decisions and recommendations or the advice and deliberations leading up to those decisions and recommendations.”

Any questions or comments?

Do we have a mover?

**MR. P. DAVIS:** So moved.

**MR. SPEAKER:** Moved by Mr. Davis; seconded by Mr. Parsons.

All those in favour, ‘aye.’

**SOME HON. MEMBERS:** Aye.

**MR. SPEAKER:** All those against, ‘nay.’

Carried.

Motion 3: “The Commission adopts recommendation 51 that the role of the House of Assembly Management Commission Audit Committee be expanded to specifically review compliance by the Speaker and each member of the Management Commission regarding the requirement to review and make decisions on all MCRC recommendations.”

Any questions or comments?

**MR. A. PARSONS:** I was just going to suggest, Mr. Speaker, for the sake of time, that I think

we’ve all taken the time to review these and I’m wondering if we can do 49 through 55 or whatever – that’s the number I’m looking at here – as a block, unless there are questions specifically to be asked. I’ve reviewed all mine.

**MR. SPEAKER:** Have all Members reviewed their –

**MR. P. DAVIS:** Mr. Speaker, we have, but you’re still going to run through all the motions individually.

**MR. SPEAKER:** Yes, and for the sake of viewers, so that they know what we’re doing.

**MS. MICHAEL:** I think so, yes.

**MR. P. DAVIS:** Absolutely, that’s exactly my point.

**MR. SPEAKER:** So do we have a mover and/or a seconder for motion 3?

**MS. MICHAEL:** Moved.

**MR. SPEAKER:** Moved by Ms. Michael; seconded by – does anybody want to second?

**MR. P. DAVIS:** I will second it.

**MR. SPEAKER:** Seconded by Mr. Davis.

All those in favour, ‘aye.’

**SOME HON. MEMBERS:** Aye.

**MR. SPEAKER:** All those against, ‘nay.’

Carried.

The next motion is: “The Commission adopts recommendation 52 and directs that the Speaker shall: (a) not set Management Commission meetings that conflict with Cabinet meetings; (b) no later than September 15 of each year, set a fixed schedule of a minimum of three (3) Management Commission meetings for the Fall, which all members shall make a priority in attending; (c) no later than January 15 each year, set a fixed schedule of a minimum of three (3) Management Commission meetings for the Spring, which all members shall make a priority in attending.”



Do we have a mover and/or seconder?

**MR. P. DAVIS:** So moved.

**MR. SPEAKER:** Moved by Mr. Davis; seconded by Ms. Michael.

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

The next motion: "The Commission adopts recommendation 53 and directs that no member shall be permitted to be absent from any Management Commission meeting without good cause and prior approval of the Speaker."

Do we have a mover and a seconder?

Moved; seconded by Mr. Browne.

All those in favour, 'aye.'

**MR. P. DAVIS:** Sometimes, Mr. Speaker, it's not always a circumstance where someone can seek prior approval, depending on their circumstances. That's the only comment I'd make on it where you're requiring prior approval of the Speaker. There may be emergent circumstances in an MHA's life that would, at the last minute, prevent them from being able to attend the meeting.

I know this is a recommendation from MCRC. I make the point and I can think of many circumstances where that could happen, and I'm sure the Speaker would use discretion.

**MR. SPEAKER:** To the best degree possible.

Moved by Ms. Parsons; seconded by Mr. Browne.

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

Motion 3: "The Commission adopts recommendation 54 and directs that subsection 18(8) of the Act be amended to permit that a quorum shall consist of a simple majority of members of the Commission, without reference to government or opposition members, but a quorum must include the Speaker."

Any questions or comments?

**MR. P. DAVIS:** The only comment, Mr. Speaker, is I understand sometimes there are challenges in setting Management Commission meetings and that's the nature sometimes of what happens. But I would expect that what happens right now is Management Commission and the Clerk and the Clerk's Office sometimes go to some length to make sure that the meeting can accommodate as many Members as possible, and I certainly appreciate it. I'm sure all Members appreciate it and I'm sure that tradition will continue, even though we're moving to a simple majority of the Members.

I don't think it's an issue; I just say that I know the intention all along was to get as many Members as possible to attend, and I'm sure that will continue.

**MR. SPEAKER:** Any other comments or questions?

Do we have a mover?

Moved by Ms. Michael; seconded by Mr. Davis.

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

The next proposed motion is: "The Commission adopts recommendation 55 that the Management Commission review its function and the breadth of its authority."

Any questions or comments?

**MS. MICHAEL:** Yes, I can't remember if Ms. Burke spoke to this, but I just find it curious that there's no timeline or anything. It's very, very

open-ended. It doesn't say within a session, or within a year. I'm not saying we don't do it, but I just find it strange that it's so open-ended.

**MR. SPEAKER:** Yes, we can put a timeline on it, if you wish. Within 12 months, if you wish.

**MS. MICHAEL:** I mean, it just seems like there should be something else there, besides – I don't know if anybody else feels the same way. Should it be in between sessions or should it be within – I don't know.

**MR. SPEAKER:** If you want to put a timeline, 12 months gives a fair bit of flexibility, understanding that we're heading into – I mean, we're in the spring session and then we're followed by summer. I think six months would be very restrictive, because –

**MS. MICHAEL:** Oh, too restrictive. And the thing is, if we are to do a review – I think what we'd be setting would only be the beginning, but maybe we should just say within the session, like in between MCRC there should be review done –

**MR. SPEAKER:** During the General Assembly?

**MS. MICHAEL:** Yes.

**MR. SPEAKER:** If you wanted to make that amendment –

**MS. MICHAEL:** I will make that motion, yes.

**MR. SPEAKER:** Okay. Can you note that to Marie that the same motion to be completed within this General Assembly?

Okay. Moved by Ms. Michael; seconded by – do we have a seconder?

Mr. Parsons.

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

The next motion is: "The Commission accepts recommendation 56 that if the intention is to have healthy and robust public input and participation, we recommend that future MCRCs be given options in a timelier manner as to the preparation and publication of notices, active engagement with the media, the creation of webpages and the use of social media."

Any questions or comments?

**MS. MICHAEL:** Where is that?

**MR. SPEAKER:** That's recommendation 56.

**MS. MICHAEL:** Oh, right, if I just turned the page. No, I already saw that, yeah.

**MR. SPEAKER:** Okay. Any questions or comments?

Do we have a mover?

**MR. P. DAVIS:** So moved.

**MR. SPEAKER:** Moved.

Seconded?

Mr. Parsons.

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

The next motion: "The Commission accepts recommendation 57 that some care should be taken in the timing of the official commencement of the MCRC so that public engagement can occur when most members of the public are available to attend public meetings (e.g. during non-summer months, hearings to be held during evening hours, etc.)."

Any questions or comments?

Moved by Ms. Michael; seconded by Mr. Parsons.

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye

**MR. SPEAKER:** All those against, ‘nay.’

Carried.

I’m not sure, maybe the next MCRC will get quite a shock when they get the same number of people showing up to the meetings if it’s during non-summer months.

**MS. MICHAEL:** I think it’s a very good point to make.

**MR. SPEAKER:** Yeah.

The next motion; the Commission accepts recommendation 58 that some care should be taken in the timing of the official commencement of the MCRC so that –

**AN HON. MEMBER:** That’s duplicated.

**MR. SPEAKER:** Pardon me? Okay. All right.

Yeah, I’m not sure; we may have a typo here because we have the same motion for 57 and 58. We’ll defer 58 until the next meeting I think, because there’s a typo and it’s the same motion.

**CLERK:** We can read back from 56 to 59, Speaker.

**MR. SPEAKER:** Yeah, I think we’ll defer. I’d rather defer 58 and have Members have it in front of them as opposed to reading it out.

**CLERK:** Yeah, it’s in the front part of the note. It’s just the back part of the note didn’t (inaudible).

**MR. SPEAKER:** Okay. We’re going to defer 58, though.

**CLERK:** Okay.

**MR. SPEAKER:** So 57 is accepted; 59: “The Commission accepts recommendation 59 that to aide future MCRCs with their work, they should be informed more promptly of the resources available to them, including the availability of the House of Assembly staff to provide consultation.”

Any questions or comments?

All those in favour, ‘aye.’

**MS. MICHAEL:** You need the motion.

**MR. SPEAKER:** Sorry, yes.

Moved by Ms. Michael; seconded by Mr. Parsons.

All those in favour, ‘aye.’

**SOME HON. MEMBERS:** Aye.

**MR. SPEAKER:** Against.

Carried.

The next motion is: “The Commission accepts recommendation 45 that the heading of Section 16 of the Act be amended as follows: ‘Inquiry re: MHA Compensation’ or such similar wording as to capture the entirety of the remuneration that forms part of the Inquiry.”

Any questions or comments?

Do we have a mover?

Moved by Mr. Parsons; seconded by Ms. Michael.

All those in favour, ‘aye.’

**SOME HON. MEMBERS:** Aye.

**MR. SPEAKER:** Against.

Carried.

The next motion: “The Commission accepts recommendation 46 that paragraph 16(5)(a) of the Act be amended to delete the reference to ‘non-taxable allowances’ and to properly reference severance and pension.”

Any questions or comments?

Do we have a mover?

Moved by Mr. Browne; seconded by Mr. Parsons.

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

The next motion: "The Commission accepts recommendation 47 that subsection 16(6) of the Act be amended to delete the reference to 'non-taxable allowances' and to properly reference severance and pension."

**MS. MICHAEL:** But it's a different section, Mr. Speaker.

**MR. SPEAKER:** Yes.

**MS. MICHAEL:** So moved.

**MR. SPEAKER:** Moved by Ms. Michael; seconded by Mr. Parsons.

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

The next motion: "The Commission modifies recommendation 48 that Section 17 of the Act be amended to properly reference severance, but that it not include a reference to pensions as they are not paid out of the consolidated revenue fund."

Any questions or comments?

Moved by Mr. Parsons; seconded by Mr. Browne.

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

The final recommendation: "The Commission approves proposed amendments to subsection

16(1) and (2) of the Act to remove references to the 46th and 47th General Assemblies as they are no longer necessary."

**MS. MICHAEL:** Moved.

**MR. SPEAKER:** Moved by Ms. Michael; seconded by Mr. Parsons.

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

**MR. P. DAVIS:** Mr. Speaker?

**MR. SPEAKER:** Mr. Davis.

**MR. P. DAVIS:** I know we deferred 58, I believe it was –

**MS. MICHAEL:** Yes.

**MR. P. DAVIS:** Yes, but I don't have any difficulty if you we want to pass that today.

**MR. SPEAKER:** If all Members do. I just wanted to make sure that Members –

**MR. P. DAVIS:** It's the right motion on the front page of the note; it's the wrong motion in the back page of the note.

**MS. MICHAEL:** Yes, that's right.

**MR. P. DAVIS:** The front page – I've got the MCRC with me, and 58 as on the front page of the briefing note is the same as it is contained in the report. That's the one I had gone by, and I'm okay with that if you wanted to – I can move passage of recommendation 58 if you so desire.

**MR. SPEAKER:** Okay.

Mr. Browne.

**MR. BROWNE:** So that's the one with the intention is to have healthy and robust public input and participation?

**MS. MICHAEL:** Yes.

**MR. BROWNE:** Yes, I would assume it is.

**MR. SPEAKER:** Yes. “If the intention is to have healthy and robust public input and participation ....”

**CLERK:** Yes, it’s these four, 56 – you got it there.

**MR. SPEAKER:** Yes.

**MR. BROWNE:** I second that.

**MR. SPEAKER:** So I think 58 may have been right; 57 was wrong, was it?

**MS. MICHAEL:** So 58 of the note is different than what’s over here as 58, isn’t it? So the 58 on page 1 is the correct recommendation; is that right, Ms. Barnes?

**MR. SPEAKER:** Okay. So I think when read – 57 and 58 were the same, so we passed 57 which should have been 58. Because the cut-and-paste 57 was the same as 58. So I’m going to do these two again. So 57 –

**MS. MICHAEL:** If we look at page 1 of the Briefing Note, would that make it clear for us?

**MR. SPEAKER:** Yes.

So Marie, did you want to read out 57 again, if you would?

**MS. KEEFE:** 57?

**MR. SPEAKER:** Yes.

**MS. KEEFE:** “While we recognize that the requirement for appointing a Members’ Compensation Review Committee is legislated, some care should be taken in the timing of the official commencement of the MCRC so that public engagement can occur when most members of the public are available to attend public meetings (e.g. during non-summer months, hearings to be held during evening hours, etc.).”

**MR. SPEAKER:** Okay, so we voted on that.

**MS. MICHAEL:** That is 57 and we passed that.

**MR. SPEAKER:** We passed that. I just want it for clarification, because on the back of the Briefing Note, 57 and 58 were the same. So –

**MR. P. DAVIS:** Different from 57 in the book.

**MR. SPEAKER:** Yes, exactly.

So Marie, for greater clarification, can you read 58?

**MS. KEEFE:** Sure.

“If the intention is to have healthy and robust public input and participation, we recommend that future MCRCs be given options in a timelier manner as to the preparation and publication of notices, active engagement with the media, the creation of webpages and the use of social media.”

**MR. SPEAKER:** Moved? Seconded by Mr. Browne and Mr. Parsons.

All those in favour, ‘aye.’

**SOME HON. MEMBERS:** Aye.

**MR. SPEAKER:** All those against, ‘nay.’

Carried.

Can you read 59 because I believe that was what was in the back of the note, is 59, Marie, if I’m not mistaken.

**MS. KEEFE:** Recommendation 59: “To aide future MCRCs with their work, they should be informed more promptly of the resources available to them, including the availability of the House of Assembly staff to provide consultation.”

**MR. SPEAKER:** We voted on that.

Can you read 56 again, please?

**MS. KEEFE:** Recommendation 56: “Any relevant materials relating to the work of future MCRCs (such as the Green Report, past reports of MCRCs, the Members’ Administration Guide, Provincial and National reports dealing with similar issues, etc.) be delivered to the members of future MCRCs as soon as they are

appointed, to allow them time to read and prepare for the work before them.”

**MR. SPEAKER:** Okay.

And that was done as well. So I think we’re as clear as mud.

**MS. MICHAEL:** We got it now.

**MR. SPEAKER:** Okay. Do we have any other comments, questions, any concerns by Members before we call for a motion to adjourn?

Do we have a motion to adjourn?

Mr. Parsons; seconded by Mr. Browne.

All those in favour, ‘aye.’

**SOME HON. MEMBERS:** Aye.

All those against, ‘nay.’

Carried.

Meeting is adjourned.

On motion, meeting adjourned.