



PROVINCE OF NEWFOUNDLAND AND LABRADOR
HOUSE OF ASSEMBLY

HOUSE OF ASSEMBLY
MANAGEMENT COMMISSION

Sixty-second Meeting

Wednesday, November 8, 2017

HANSARD

Speaker: Honourable Perry Trimper, MHA

The Management Commission met at 5:45 p.m. in the House of Assembly.

MR. SPEAKER (Trimper): Thank you, everyone, and welcome to this meeting of the Management Commission. My name is Perry Trimper; I'm the MHA for Lake Melville and I chair the Commission as the Speaker of the House of Assembly. I guess I will now turn, if I could, to the other Members of the Management Commission to introduce themselves.

I'll start with my left.

MR. HUTCHINGS: Keith Hutchings, MHA, District of Ferryland.

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

MS. MICHAEL: Lorraine Michael, MHA for St. John's East – Quidi Vidi.

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

MS. COADY: Siobhan Coady, MHA, St. John's West.

MR. WARR: Brian Warr, MHA, Baie Verte – Green Bay.

MR. SPEAKER: Thank you.

Do we need to introduce our staff?

Oh, we have one more gentleman. You need to introduce yourself, Sir.

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

MR. SPEAKER: Our staff, do we introduce? Yes, there you go.

CLERK (Barnes): Sandra Barnes, Clerk.

MS. RUSSELL: Bobbi Russell, Policy, Planning and Research Analyst, Clerk's Office.

MR. SPEAKER: Okay, thank you very much.

As is appropriate, we need to reveal that we have had in camera meetings, and I would like

to report on those decisions. We had an in camera meeting that was held on May 30 and September 7, and we've just had another. I have those decisions and I'm going to, for the record, read those into the record.

If I may: The Commission recommended the appointment of Ms. Sandra Russell, CPA, CA, in an acting capacity as Auditor General, until such time as the position is filled on a permanent basis. Remuneration is set at EP-10, Step 18.

The next decision: The Commission approved a pre-commitment of funds up to \$20,000 for the Canadian Conference of Election Officials.

The third decision: The Commission approved a pre-commitment of funds up to \$20,000 for the Canadian Conflict of Interest Network conference.

The fourth decision: The Commission approved a pre-commitment of funds for the 2017-18, 2018-19 and 2019-20 budget appropriations for consulting services for the audit of the Office of the Auditor General. The next decision: In order to give immediate effect to this decision, the Commission waved the usual two-day waiting period for the Management Commission decisions.

The next decision: The Commission approved a pre-commitment of funds for the 2017-18, 2018-19 and 2019-20 budget appropriations for consulting services for the management certification process. The final decision: In order to give immediate effect to this decision, the Commission waived the usual two-day waiting period for the Management Commission decisions.

As required by the *House of Assembly Accountability, Integrity and Administration Act*, I will now report decisions made at in camera meetings held on May 30, 2017 and September 7, 2017, specifically. The ones I just read were ones that we just decided in camera today.

Back for the May and September meetings, the first decision report, the Commission, at an in camera meeting held on May 30, 2017, approved the compensation level for the position of the Seniors' Advocate at EP-29 of the Executive Pay Plan.

The Commission, at an in camera meeting held on September 7, 2017, approved the appointment of Ms. Kim Hawley George as Law Clerk in a temporary capacity effective October 2, 2017 for a period not to exceed 12 consecutive months or until the position is permanently filled.

I've just recorded the other decisions, so now I would ask that we turn to Tab 2. This is regarding approval of the minutes of the last Management Commission meeting. All the Members of the Commission have had these materials with them for some time. Do I have any discussion on the minutes? No.

Seeing no discussion, do I have a mover to accept these minutes?

Andrew Parsons.

Do I have a seconder?

Lorraine Michael.

All those in favour of the minutes?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Against?

This motion is carried.

On motion, minutes adopted as circulated.

MR. SPEAKER: The next item is a Speaker's report on rulings on allowance use. This report is for information purposes only and there is no decision required. I just present that there.

Is there any discussion on this item? No. Okay.

I will move on to Tab 3. Tab 3 before you, these are budget transfers reports. They represent the period from April 1, 2016 through to March 31, 2017. They're all budget transfers that have been processed during that fiscal year. There are further details here and there's certainly lots of information. There is no decision required; these are here for your information.

The next item under Tab 3 is financial reports. They are for the fiscal year April 1, 2016 through to March 31, 2017. They're a review of

financial performance of the Legislature and approved allocations and actual expenditures of the Members of the House of Assembly. There's a full year there. They are provided for your information. There is also no decision required.

We next have financial reports for April 1, 2017 through to June 30, 2017. So it's all of last year and the first quarter of this current year. This information is also provided to you. These are, by the way, the financial performance of the Legislature and the approved allocations and actual expenditures of the Members of the House of Assembly. They are also here for your information purposes.

Seeing no discussion, I'm going to move us on to Tab 4. Tab 4 deals with the various operational funding grants that are extended to the various caucuses that function here. There is no decision required in these; the information is presented to you for your use. You can see the status of these various accounts.

Seeing no discussion, I'm going to move us on to Tab 5. Tab 5 relates to an appointment of the auditor for the House of Assembly and the Statutory Offices. In your binders you'll see a letter from Mark Browne, who's the Chair of the Audit Committee, from June 16, 2017. The Audit Committee had met the previous day on June 15 and recommends that the Auditor General be appointed as the auditor for the House of Assembly and related offices for the fiscal year ending March 31, 2018. There's a letter there in your tab.

Is there any discussion, or I can go to the motion? Seeing none, the motion is: pursuant to subsection 43(2) of the *House of Assembly Accountability, Integrity and Administration Act* the Commission appoints the Auditor General as auditor of the House of Assembly and Statutory Offices for the year ending March 31, 2017.

Do I have a mover?

MR. BROWNE: So moved.

MR. SPEAKER: Moved by Mark Browne.

MS. MICHAEL: Seconded.

MR. SPEAKER: Seconded by Lorraine Michael.

All those in favour of the motion?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Against?

This motion is carried.

The next item under Tab 5 is the 10th report of the Audit Committee. I was asking earlier why 10, understanding now that we're going back to 2007 when this was first struck, so we've had 10 years thence. This is the 10th report. It is provided in your binders for information purposes.

Is there any discussion? If not, we can move on to Tab 6.

Under Tab 6 we have two issues for consideration. The first is the audited financial information for the fiscal year ending March 31, 2017. It's the House of Assembly and Statutory Offices. It does not include the Office of the Auditor General.

Pursuant to section 43(6) of the *House of Assembly Accountability, Integrity and Administration Act*, an annual audit is required of the House of Assembly and those Statutory Offices. You will see there a letter from the Audit Committee which is chaired by Mark Browne.

There is a decision required here approving these statements. So if you've had a chance to review them, I would seek a motion to approve these statements.

MR. HUTCHINGS: Mr. Speaker.

MR. SPEAKER: Discussion, yes.

MR. HUTCHINGS: As a Member of the Audit Committee, I know at the time when we went through and approved the statement, there was reference to a couple of items that I don't think was in the purview of what was reviewed. There was a letter that was to be written, maybe the Department of Finance and another department,

to have those items referred for discussion or direction.

MR. SPEAKER: Okay, I understand that Mark Browne can speak to this.

MR. BROWNE: Yes, thank you, Mr. Speaker.

When we met with Grant Thornton, as part of their audit there were two issues identified: one pertaining to the self-service leave approval system and one to the –

CLERK: Do you want me to speak to it?

MR. BROWNE: No, it was to the HR system.

CLERK: The payroll.

MR. BROWNE: The payroll system and the ability – there were some gaps that they identified that could cause potential for unauthorized access. They were not within the purview of the House of Assembly or the Audit Committee, so the Committee resolved a motion to write a letter to the Department of Finance.

That letter was written, signed and sent. The Clerk might have an update on that, but the Committee did its work on that.

MR. SPEAKER: Okay, to the Clerk – oh, sorry. Go ahead.

MR. HUTCHINGS: Is the letter a part of what we're seeing here today or ...?

MR. SPEAKER: Off to the Clerk, please, the microphone.

CLERK: No, because those are the statements from the Auditor General. The letter that you were speaking about was generated by Grant Thornton who conducted the certification review. It's the review of the control systems at play in the House, so that's why it's not covered by the Auditor General. It's a separate process; it's a separate review.

Now, the Auditor General does take the certification as part of his audit, but this was an issue that, as Mr. Browne pointed out, Grant Thornton identified that was beyond the control system of the House but could impact it. So the

letter was written and sent. We haven't received a response as yet, but we can follow up on that.

MR. HUTCHINGS: Okay, if I could have a final comment just for a sense of openness and transparency, anybody that's listening to this. We're referencing a letter. At some point is it presented – is the letter here or is it presented here in the Commission at some point?

CLERK: Well, it was sent from the Audit Committee. I would anticipate that the response would come back to the Audit Committee and then it would be included in the next report of the Audit Committee. So, yes, it will end up in the –

MR. SPEAKER: In the record.

CLERK: – at this level.

MR. HUTCHINGS: Okay.

MR. SPEAKER: Can we make a note, somehow, in the minutes that we would anticipate seeing same in the next Management Commission or –

CLERK: When the Audit Committee reports in.

MR. SPEAKER: – when appropriate when it comes in?

Any further discussion? Seeing no further discussion, I'm looking for approval of these statements.

I need a mover.

MS. MICHAEL: Moved.

MR. SPEAKER: Moved by Lorraine Michael.

MR. HUTCHINGS: Seconded.

MR. SPEAKER: Seconded by Keith Hutchings.

All those in favour?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Against?

This motion is carried.

Now to sign these with the Commission to –

CLERK: You can sign right here as Chair.

MR. SPEAKER: Okay and I'll require someone else to witness.

CLERK: Ms. Michael, you moved it so ...

MR. SPEAKER: Just the one signature?

CLERK: It's only one.

MR. SPEAKER: Yeah, okay. No, that's it.

CLERK: Okay, that's great.

Thank you very much.

MR. SPEAKER: Thank you.

The next item under Tab 6 is –

CLERK: (Inaudible) we feel that the request for the audited financial information (inaudible).

MR. SPEAKER: Yeah. So you'll see this is, again, an item for your information. It is the report, the audited financial information for the Office of the Auditor General. Work is completed by Grant Thornton and it's provided here for your information. There is no decision required on that.

Seeing no discussion, I'm going to move us to Tab 7. We have two items in here; both are appeals. The first is regarding an appeal from the Member for Bonavista. It's regarding payment of an invoice from the previous fiscal year.

It relates to expenses that occurred last year that were submitted after the 30-day, end-of-the-year window that is required under the Members' rules. The expenses are, however, in compliance with all of the provisions of the Rules. If approved, these expenses would be paid out of the appropriate allocation for that Member for this current fiscal year.

There's further information there. I look for any discussion around the matter.

MR. BROWNE: I'll move to accept it.

MR. SPEAKER: Okay, I have a mover to accept the recommendation to support these expenses, to support this appeal.

Can I have a seconder for Mark Browne?

MR. P. DAVIS: I'll second it, Mr. Speaker.

MR. SPEAKER: Okay.

MR. P. DAVIS: I just want to make a brief comment.

MR. SPEAKER: Okay, go ahead.

MR. P. DAVIS: Yeah, I'll second it. Just to point out – because people may be wondering what it is – I understand from reading material here it's an invoice that was received late as part of office rentals for a constituency office, is what I understand.

MR. SPEAKER: Thank you for that. That's right.

All those in favour of the motion?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Against?

This motion is carried. That appeal is approved.

The second relates to an appeal from the Member for Exploits. It's dealing with an appeal of ruling on payment of advertising expenses. The problem was that the expense was not approved originally because it did not comply with the accepted recommendation of the 2016 MCRC that all advertising be restricted to the size of a business card. There are details that are included in your package here.

I'm wondering if there's any discussion around this point.

MR. A. PARSONS: I apologize. Is this one that the policy changed?

MR. SPEAKER: That's correct. But I would remind all Members of the Management

Commission that we need to make a decision based on the rules that were in place at that time.

MR. A. PARSONS: I'm just wondering how much time there was between the change in policy and the expenditure, the –

MR. SPEAKER: That's right. The policy has not been changed.

MR. A. PARSONS: Okay.

MR. BROWNE: But it was changed when we accepted the MCRC recommendation.

MR. SPEAKER: No.

MS. MICHAEL: We're voting on it today.

MR. BROWNE: I believe what the minister is saying is that something larger than business card size was allowable until we accepted the MCRC recommendation. So how close to that acceptance of that recommendation was this expenditure made or this commitment made?

CLERK: In May. In the Member's letter to the Speaker, he indicated that the invoice was dated May 1, 2017.

MR. A. PARSONS: And the change was made when? In December?

CLERK: The policy change was made in December to restrict to the business card size.

MR. A. PARSONS: So policy change in December, expenditures in May and appeals in August.

MR. SPEAKER: That's right.

MS. MICHAEL: Question.

MR. SPEAKER: Yes, please, Lorraine Michael.

MS. MICHAEL: The Member for the District of Exploits does say that: I have enclosed a copy of the invoice and the ad which was just slightly bigger than the business card size. There is nothing here showing us the ad and the size of the business card.

CLERK: We'll get a copy.

MS. MICHAEL: Okay.

CLERK: We typically don't put all that detail in.

MS. MICHAEL: Right.

CLERK: But we can certainly get a copy. Bobbi?

MS. MICHAEL: If I may continue, if my light is still on, because if it is that he says slightly bigger, I mean I know this is one of the reasons why we have change coming in later on in this meeting. It's not always possible to get the exact size when you're dealing with some of the things that are being printed.

I suspect the Member had a difficulty, so I do need to see the size of it. If it's really, you know, almost like a business card, then I'm willing to say an exception to the rule.

MR. SPEAKER: I think the exhibit will be very useful.

MR. BROWNE: Will we come back to this?

MR. SPEAKER: Pardon?

MR. P. DAVIS: I missed your comment.

MR. SPEAKER: I said I think that the exhibit that Bobbi Russell has gone to collect is his actual presentation of his ad in comparison to other ads that were there. It will be helpful.

MR. P. DAVIS: Okay.

MR. SPEAKER: Will we pause or we can move on to the agenda and come back to this item?

Let's do that. She may be a few minutes.

I'm going to carry us on to Tab 8, if I may. This relates to the severance policy for Members of the House of Assembly.

Let me just go back through some of my notes to refresh us. At its meeting on December 7, 2016, the Commission accepted recommendations of

the 2016 MCRC with respect to severance for the Members of the House of Assembly first elected on or after November 30, 2015.

The severance provisions in place previous to November 30, 2015, applied to those Members first elected before that date. So we have two time frames that we're dealing with here in terms of the severance policy. For ease of reference, we've put together a policy document that has been developed that consolidates both sets of the severance provisions for those elected, both before and after that November 30, 2015 date.

The Commission is being asked to approve the consolidation. Essentially, all the items in here have been discussed and approved before, but we needed to seek approval from the Commission for the consolidation into one policy document. The provisions themselves all have been addressed individually prior.

I need to have a mover on that decision to accept the consolidation of them.

CLERK: I think as the transition period appears in the policy document –

MR. SPEAKER: Okay, we should deal with that as well?

CLERK: – we need to deal with what the transition period is going to be for the post-November 2015.

MR. SPEAKER: Right, so this may garner some discussion, I'm sure. In terms of the transition period, I would ask you to refer to the bottom – well, within Tab 8, it's your first page at the bottom.

CLERK: I'm just going to pass these out while you're doing that.

MR. SPEAKER: Okay.

There are options presented there. If you see that final bullet, the "Possible definitions which the Commission may wish to consider include the following," and this is a transition period within which a Member of the House of Assembly has ended that position. It's a transition period over which they would be paid severance.

The suggestions are that period would represent the same number of months, three or six, for all Members regardless of years of service. That's option one.

Option two: "The transition period will be the number of months equal to the amount of the dollar value of the severance (e.g. A Member who serves 2 General Assemblies will be entitled to severance payment of \$47,678, which is 50% of the current annual salary for Members. As this is the equivalent of 6 month's salary, the transition period in this scenario will be 6 months."

Then there's a comment there: "Due to the difficulty in monitoring actions of former Members during the transition period, it is the duty of outgoing Members to notify the Legislature should one of those circumstances occur. Members will be required to sign an affidavit to this effect."

Do I have any discussion on this point? We essentially need to choose the transition period.

MS. MICHAEL: Administratively, does it make any difference?

I'll repeat that: Administratively, does it make any difference? Is it easier for the administration one way or the other? No.

CLERK: It doesn't make any difference administratively.

MR. SPEAKER: So we have essentially three or six months for all Members regardless of years of service, or a period that would be the number of months equal to the amount of the dollar value of this severance.

MS. MICHAEL: I'm inclined to go with (b).

MR. HUTCHINGS: Can I just ask a question, Mr. Speaker?

MR. SPEAKER: Yes, certainly.

Keith Hutchings.

MR. HUTCHINGS: Just for clarity, based on the selection of option, the dollar value is the same, right?

CLERK: The dollar value is the same; it's just that if it's paid out –

MR. SPEAKER: Installments.

CLERK: – the amount paid out would be different, depending on the duration. The total amount is the same.

MR. SPEAKER: Remains the same. Yeah, that's right.

CLERK: But it's just if you pay it out over three months, you're going to get more per month than if you pay it out over six months or 12 months.

MR. HUTCHINGS: Sure, yeah.

MR. SPEAKER: That's the real issue.

CLERK: It doesn't change the dollar value.

MS. RUSSELL: It doesn't change the calculations (inaudible).

MR. HUTCHINGS: Okay. Thank you.

MR. SPEAKER: I mean the implication, just to discuss it a little bit – of course, if that former Member is now engaged in some other employment, there are tax implications and some savings or things to consider there, right. You've got more income coming out at one time perhaps.

I would suggest and I'd just look to the Commission for suggestions as to it.

MR. A. PARSONS: I like (a) because it seems simpler. Pick one, stick to it.

MS. MICHAEL: I think for the Member – (a) doesn't apply to me. I usually go for lump sums, personally, but some people don't like it because of taxes, actually. We're making a decision for the Members.

MR. SPEAKER: So they can choose three or six months.

CLERK: They can choose –

MS. RUSSELL: Or longer than that if they wanted eight, 12. It's up to the Commission that number, but it would be fixed for everybody, yeah.

MR. SPEAKER: I'll just look to Members of the Commission to make the motion on one of the two options; then, we'll go from there.

Yes, Siobhan Coady.

MS. COADY: I concur with my colleague. I really think (a) is the easiest, cleanest and most comprehensive view here.

MR. P. DAVIS: Mr. Speaker.

MR. SPEAKER: Paul Davis.

MR. P. DAVIS: I'm just thinking is there an option for us, as a Commission, to make it optional for Members to decide?

MR. SPEAKER: There is.

MS. MICHAEL: That's what I was thinking, too.

MR. P. DAVIS: But could a Member who is retiring or leaving make the decision or make a choice of which way they want to follow?

MS. MICHAEL: That's what I was wondering.

MR. P. DAVIS: Based on their own personal circumstances. The cost is the same. If there are implications, depending on the Member's personal circumstances and there are two –

MS. MICHAEL: Sorry, go ahead.

MR. P. DAVIS: Yeah, if there are two different ways to do it and we're kind of sitting here like six and one, a half a dozen in the other. But, anyway, I don't know if that's an option where we could –

MR. SPEAKER: I'll recognize next Andrew Parsons.

MR. A. PARSONS: As long as there's no extra cost to it, I'm totally supportive of that. That seems to be best for each Member who – as Mr. Davis said, their circumstances, everybody is

different. It's not costing the taxpayer any more; it's just what's best for them. It seems fair. I would definitely support that as long as there's no administrative something.

MS. MICHAEL: She said there isn't.

CLERK: The only –

MR. SPEAKER: Then I next go to Lorraine Michael.

MS. MICHAEL: There is, in our practice with regard to reimbursements, a precedent. We can make a choice. For those of us who can get a car allowance or not and how you get it, we get to choose if the car allowance is going to be paid in a lump sum or is it going to be paid spread out. The precedent for doing that kind of thing is there, so if it's not causing any problems, I like the idea of the Members being able to choose.

CLERK: The only restriction would be it would not be able to be paid out in a single payment because the MCRC had said that it can't be paid out as a lump sum. So it would have to be over like a minimum of two months and –

MS. MICHAEL: No, but that's it. Those two options, we accept both those options, but allowing that the Member can choose one of those two options, the individual Members.

CLERK: Do you mean choose either (a) or (b)?

MR. SPEAKER: (a) or (b)?

MS. MICHAEL: Yes.

CLERK: (Inaudible) the Member would elect. These are the options available and they can elect.

MS. RUSSELL: But in (a), we don't give them the number of months. You have to define number of months in (a), whether it be three or six.

MR. SPEAKER: Yeah.

MS. MICHAEL: I didn't hear that.

MR. SPEAKER: Okay. So the point is if you look at the options that are listed on page 2,

under (a) we just had suggested three or six months.

MS. MICHAEL: Oh, I see. Yeah.

MR. A. PARSONS: I'm just going to toss something out, Mr. Speaker. I think we're all on the same page. Could we come back? Could we defer this until the next meeting? I don't know if it's urgent.

Come back with one option saying the transition period will depend on the Member with a minimum of three, maximum of, say, six or whatever, and the Member's option. That way there's no rush here to come up with wording that satisfies.

I think we're all in agreement. That way we get the proper wording. The next time we have a meeting we –

MR. SPEAKER: Is that acceptable?

CLERK: Yeah, not a problem at all.

MR. SPEAKER: Yes, Paul Davis.

MR. P. DAVIS: Yeah, I mean, I'd concur with that. Maybe staff could, knowing what our desire is, then they can go off and come back with some type of suggested wording for us.

MR. SPEAKER: Perfect. Do we need to – so, therefore, we would not approve the consolidation of the policy document yet because we'll work with that a little later.

Okay, fine, we'll defer that to the next meeting.

Thank you. Good discussion.

The next: Tab 9. We have two issues in this tab; they deal with advertising and publications policy. At the meetings on November 30 and December 7, 2016, the Commission accepted recommendations of the 2016 MCRC respecting MHA advertising and Member-created householders/publications.

As a result of accepting these recommendations, the necessary amendments were made to the Advertising Policy for Members of the House of Assembly and brought forward at the March 15,

2017 meeting. At that meeting, the Commission directed that an Ad Hoc Committee be formed with representation from each of the three caucuses to review the draft policy and provide recommendations to the Commission.

Further details, including the recommendations of the Ad Hoc Committee, are included in your materials. Should the Commission accept the recommendation of the Ad Hoc Committee to remove the restriction of business card size for print media, the Commission minute which adopted recommendation 12 of that 2016 MCRC will need to be rescinded. I note for your information that all Members of the Ad Hoc Committee were unanimous in moving in that direction.

We need a decision here. First of all, the first decision to consider is with respect to the restriction on business card size ads, whether to rescind the recommendation 12 of the MCRC.

Now, I apologize, but I'm feeling that maybe we should go back and deal with the item that we had before we come back to this. Is that the sense of everybody? I think I've jumped us ahead too quickly.

I'm going to take us back, if I could just pause that discussion. I apologize to those at home. I'm going to go back to the appeal for the Member for Exploits. You've been provided with a copy of the MHA's ad that was in question, was denied because he had not elected to use a business card size, and you can see his ad in relation to the other smaller business card sizes there.

I put it to the Commission for further discussion.

Lorraine Michael.

MS. MICHAEL: I think this question was asked by Mr. Parsons before, but I want to be clear. When this card was done, it was prior to the ruling that no messages or anything could be included. When this was done in May, I take it the ruling that our ads could not have messages in them was not in place yet, was it? Because if it was, there is also a message here.

CLERK: This ad followed the acceptance of the MCRC decision.

MS. MICHAEL: That said clearly that we couldn't put any messages on the card.

MR. SPEAKER: Correct.

MS. MICHAEL: Only contact information.

CLERK: Yes.

You're allowed messages, but there's a restriction on the type of message that you can provide.

MS. MICHAEL: Congratulations on your current achievements.

CLERK: You're allowed to do that. No, you're not –

AN HON. MEMBER: (Inaudible.)

CLERK: Yes, you're right.

MS. MICHAEL: The only point I'm trying to make, it's not just the size of it; it's also that it went against that ruling. That's why it's bigger than it should be because it went against the ruling, basically.

I'm sorry; I don't think I can approve it personally, nothing against the Member.

MR. SPEAKER: Mr. Hutchings.

MR. HUTCHINGS: Mr. Speaker, is this the only example of an appeal of this kind that we've –?

CLERK: We have had to reject other claims. The act does provide the ability for any Member to appeal a decision from Corporate and Members' Services. So others have chosen, I guess, not to appeal, but there have definitely been other –

MR. P. DAVIS: Rejections?

CLERK: Rejections, yes.

MR. SPEAKER: So there's the issue of a precedent here to consider.

MR. HUTCHINGS: Okay.

MR. P. DAVIS: Absolutely.

MR. SPEAKER: I look for a motion and based on the discussion, it appears, if I may paraphrase this recent discussion, that the appeal would not be approved.

I look for a mover and a seconder.

MS. MICHAEL: I move not to accept the original decision.

MR. SPEAKER: Okay.

And a seconder? Keith Hutchings.

All those in favour?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Against?

The motion is approved. The appeal is denied.

Now I'll take us back, if I may – thank you for your indulgence – to Tab 9, which is now dealing with a new way to look at advertising.

MS. MICHAEL: (Inaudible.)

MR. SPEAKER: Yeah. Essentially, the cumbersome aspect that we had there before, now we are essentially leaving it to the Member to – with their own realization of their budget – make their own decisions as to how they would choose to advertise.

The first decision that I need to secure from the Commission is with respect to the restriction of business card sized ads and whether to rescind Recommendation 12 of the MCRC.

MS. MICHAEL: With all due respect to the MCRC, I would move to rescind our original adoption.

AN HON. MEMBER: (Inaudible.)

MS. MICHAEL: Pardon?

MR. SPEAKER: Yeah. The first decision is whether or not to rescind the previous decision of the MCRC which described the business card

–

AN HON. MEMBER: (Inaudible.)

MS. MICHAEL: Rescind the adoption of it is what we're rescinding, because we adopted it.

MR. SPEAKER: That's right.

MS. MICHAEL: So now we have to rescind the adoption.

MR. SPEAKER: That's right. We need to take it out.

MS. MICHAEL: Yes. That's why I said with all due respect to the MCRC, I'd be moving rescinding the adoption of the recommendation.

MR. SPEAKER: I have a mover to that. I need a seconder to rescind the limitation around business card size.

Thank you, Andrew Parsons.

All those in favour of rescinding?

MS. MICHAEL: Could we just have a moment to speak to it?

MR. SPEAKER: A discussion? Sure.

MS. MICHAEL: Because the public watching may think that we're just being careless here. I understand what the MCRC was doing and I really respect that. But the restriction of a business card size, it's very, very hard to stick to that. If, for example, that hadn't been in place, we wouldn't have just made the decision that we did with regard to the Member for –

MR. SPEAKER: Exploits.

MS. MICHAEL: I want to say Botwood – Exploits, right.

Watching since that came in, it has been almost ludicrous a little bit. For that reason, I made the motion and I will vote for it.

MR. P. DAVIS: Mr. Speaker.

MR. SPEAKER: Yes, Paul Davis.

MR. P. DAVIS: Thank you.

Sometimes you look at a policy – and we accepted this policy and we understood the basis for it. We had discussions with the drafter of the recommendations, so we understood what the intention of it was. But as Ms. Michael just alluded to, sometimes you take those principles and when you put them into reality, into effect, you sometimes will start to find challenges that weren't previously anticipated.

As you mentioned, we just had one here now, which was a little bit larger than a business card size but didn't meet with the requirements. Therefore, there are other circumstances where an advertisement of a business card size – I remember earlier we talked about one as an example where someone may want to put a sign in a public bulletin board where there may be lots of other notifications that are 8½ by 11 or 8½ by 14 or 11 by 17, which are three very standardized sizes for posters.

If we're only limited to putting a business card ad – it could be to hold a public meeting to have a discussion in your district or to meet with your constituents – then it's really not conducive to the intention of advertising, which is about communicating with your constituents.

So I just point it out because that's why we're here changing this already because once it's put into practice it's learned or experienced that it's really not feasible.

MR. SPEAKER: Thank you.

Further discussion?

We do have a mover and a seconder to rescind that motion.

All those in favour?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Against.

That motion is carried.

The second motion that I need to have put forward regards the approval of the proposed advertising and publications policy with the changes as directed by the Commission including that Ad Hoc Committee. As Ms.

Michael has been very conscientious of, I believe we should read into the record, for those watching now or later, a couple of the key points. It is recommending that the Commission also reconsiders a decision to allow Members for their recovery expenses relating to greeting cards.

CLERK: That's the second (inaudible).

MR. SPEAKER: I'm sorry. I apologize, I've jumped ahead.

We're just talking about the advertising and publications policy as directed by the Commission. It's this table here, sorry.

CLERK: That's a summary of all the (inaudible).

MR. SPEAKER: Yeah, so this is a rather handy table, actually. It's from the Ad Hoc Committee and then the implementation considerations for our Management Commission here. You can see what the Ad Hoc Committee came up with and how we propose to implement it.

Any discussion on this?

Go ahead, Siobhan Coady.

MS. COADY: I just wanted to understand, are you dealing with these as a whole table or one by one? How do you wish to proceed, Mr. Speaker?

We can deal with them one by one –

CLERK: We dealt with it as a package, but there's nothing stopping the Management Commission from going one by one.

MS. COADY: No, as a package is fine.

MR. SPEAKER: Okay.

MS. COADY: I just wanted to make sure I understood we are dealing with this in conglomerate or as one by one.

Thank you.

MR. SPEAKER: Would you like me to walk us through or do you want to ...?

CLERK: If I might, Mr. Speaker.

MR. SPEAKER: Sure.

CLERK: Normally, we would come forward with the recommendations and then, at a later date, come forward with a draft policy. We combined both steps just simply because it's been some time and Members are anxious to get some direction on what the advertising rules will be.

MR. SPEAKER: Would you like me to just walk us through the points or ...?

Okay, go ahead, Lorraine Michael.

MS. MICHAEL: This would be a recommendation of the Ad Hoc Committee to allow advertising on signs/banners; for example, arenas, sports field, advertising in community billboards, et cetera.

I do have a bit of a problem with it and it's from the perspective, yes, as MHAs, we have a certain amount of money that we're allotted, we can use; but if I'm reading this correctly, the size of these things – I just question our using the money for really large billboard-sized things, if that's what this is recommending. I have a problem with it.

MR. SPEAKER: If I may, and it's interesting, I've been in the Speaker's office now for three months, but some of the costs associated with advertising in an arena are dramatically less than a single publication.

MS. MICHAEL: Oh really?

MR. SPEAKER: Yeah, so it's quite surprising, the bang for your buck that one can attain by – I look to the staff to concur.

CLERK: Yes, actually we pulled a lot of the advertising expenses when the Members indicated the issues they had. The Speaker is quite right: billboard advertising in arenas is probably some of the cheapest advertising that we get. They're probably paying in the order of \$400 to \$600 for six months. So you have contact information displayed 24/7.

MR. SPEAKER: A few puck marks against your face, but other than that you're up there for quite a while.

MS. MICHAEL: That's my only issue; it's not something that we would really be using in the city as much as rurally, actually.

MR. SPEAKER: Sure, yeah.

Any further discussion on this compilation of changes here?

I think as Paul Davis had indicated, some of these comments about – for example, define what is meant by brief message in radio advertising. We're really leaving it up to the Member. It seemed like the pendulum needs to swing sometimes and, in previous decisions, we are really about correcting past situations and practicality is that we could really leave it up to the Member to watch their budget and work within these rules.

Andrew Parsons.

MR. A. PARSONS: Just looking at the back of that chart showing the different changes, I just want to clarify to make sure I understand and I'm reading this correctly.

So the Ad Hoc Committee did recommend that we make, prior approval, mandatory of advertising in memberships created, householders, publications. So any of us to go and try to get an ad done, we need the approval first, which is great and, to me, a safety mechanism to ensure Members are not doing – I think that's important to note. Because I just agree with that totally.

Also, as with this or anything else, I like their recommendation here about outlining the appeal process. We know that it's already in the legislation but to also add it to the draft policy I think is a positive move. Members need to know what the rules are and then how do they appeal a decision made. Because, in some cases, it is not black and white; there is some discretion there. So they need to know what they can do.

I appreciate those, especially the safety one. I've always said that for all Members, even when we look at things like claims, it's nice knowing that

it goes through that rigour because, in a lot of cases, it's very complicated. It's nice to know that there's somebody outside looking through that. So it's the same thing here; I think all of us can appreciate that.

MR. SPEAKER: Lorraine Michael.

MS. MICHAEL: Just to add to what Mr. Parsons is saying there, coming back to the first page, removing the definition. It says provide a broader definition of a significant group/segment, and that's the kind of thing that causes problems with interpretation. A Member might think that it was a significant group or segment of the population and somebody in the administration office says, no, we don't agree with that definition. So I think removing those two or three places – the other one was brief message – that kind of loose language, I think, is really important so that we have clarity and it's not open to interpretation.

The reason the Committee was set up was because that's what happened. We were getting into different understandings of language between a Member and the administration. So I'm glad to see those recommendations taken care of.

MR. SPEAKER: Thank you.

Paul Davis.

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

There's a full attached draft, advertising, publication policy, just on section 6.1 under Print Media – I want to give everyone just a chance to go to it – “Print media includes newspapers, magazines, event program/calendars, signs/banners and other third-party publications.”

So we just discussed banners and as the officials of the House of Assembly have learned that sometimes banners, such arenas, soccer fields or other public places can be more cost effective than having the regular publication. But then it says: “The following criteria must be followed when advertising in print media: Be in business card format as per the attached template.”

So does that indicate that if banner advertising is being a choice of a Member that it has to be in a business card format when it could be a large banner in a public space?

CLERK: Yes. For example, the banners that are put up in arenas or community bulletin boards would include the Coat of Arms, a picture of the Member, the Member's name and contact information in the business card format. That's been done consistently since the advertising policy was first adopted. We've had a number of Members have these banners at ball fields, arenas, community bulletin boards and those sorts of things –

MR. P. DAVIS: Right.

CLERK: – but it's consistently been in that format.

MR. P. DAVIS: Okay. I raise it because I had one myself –

CLERK: It was in the right format.

MR. P. DAVIS: – on a soccer field in Topsail, which has thousands of cars that drove by it, and generally had the basic format, but the size and shape of it, the dimensions –

MS. RUSSELL: You're not restricted to size.

MR. P. DAVIS: You're not restricted to size?

MS. RUSSELL: You are just restricted to the format in terms of content, the photo, the contact information.

MR. P. DAVIS: So format is content, not size.

MS. RUSSELL: Yeah, and the attached template gives an example of that content. There's certain content that has to be in an ad, so you have to have your contact information.

MR. P. DAVIS: Right, absolutely.

MS. RUSSELL: There's other stuff that you can choose, whether you want to put your social media handles, your photo or the Coat of Arms.

MR. P. DAVIS: Okay.

MS. RUSSELL: In the template that's attached to the policy, it clearly outlines what's required and what the choices are.

MR. P. DAVIS: I'm glad you said because when I read "be in business card format," formatting usually means the actual structure of –

MS. RUSSELL: No, the size is not the format.

MR. P. DAVIS: Okay.

MR. SPEAKER: Good discussion. Further points?

I'm looking for a motion to approve the proposed advertising and publications policy with the changes as directed by the Commission.

Moved by Mark Browne; seconded by Lorraine Michael.

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

This motion is carried.

Tab 10 – no, I am sorry; one more. Now we're talking about cards. I need a decision here. At the previous meetings, the one in November 30, 2016, the Commission accepted the recommendation of the 2016 MCRC that the recovery expenses related to seasonal and special occasion cards be prohibited; however, during their deliberations, the Ad Hoc Committee on advertising – and this is where my reference was that they all agreed. They also discussed the restriction with respect to seasonal and special occasion cards. They recommended that the Commission reconsider that earlier decision and do allow Members to recover expenses related to greeting cards for the following occasions only: anniversary, birthday and sympathy. So these are sort of individual cards that will be given on special occasions to constituents for that MHA.

This is put forward for your consideration. Any discussion? This is essentially to overturn the previous decision.

Lorraine Michael.

MS. MICHAEL: I like the recommendation of the Ad Hoc Committee when it comes to the recovery of expenses related to seasonal greetings.

I've certainly had lots of comments from constituents over the years seeing it as a real waste of money. I have to say, I haven't. I have always not done it. I've always done a householder instead, sort of around that time.

It was already prohibited. The Ad Hoc Committee did study it and I agree with them. I just think it is a waste of money for us to be spending on seasonal cards like that. That's a lot of money that goes out, plus the fact they also get mailed. So when you put all of it together, it's a big expense.

MR. SPEAKER: Do you have a comment on the suggestion, though, to allow recovery of expenses for those three situations –

MS. MICHAEL: For the others I agree, because you're getting notifications of 50th wedding anniversaries and 100th birthdays and that kind of thing. So it's not like you're doing hundreds or thousands; you're not doing thousands of cards, whereas with the others you're doing thousands of cards.

MR. SPEAKER: Yeah.

MS. MICHAEL: Literally mailing out thousands of cards. So from that perspective –

MR. SPEAKER: I'm seeing plenty of agreement.

Any further discussion around this point?

So I need a motion then to accept the recommendations that –

MS. MICHAEL: I move the second option.

MR. SPEAKER: There are a couple of elements here. We need to repeal section 24 of the *Members' Resources and Allowances Rules*, that that be repealed and then substituted by the text that is there. So it's on the bottom of page 2 and 3. It describes how that text should be

presented in consideration of this recommendation, which is to focus solely on sympathy, anniversary and birthday.

I could read that through, but it will be entered into the minutes, I'm assured, but just in the interest of being succinct.

Do I have a mover to accept this new section 24?

MS. MICHAEL: Yes, I move.

MR. SPEAKER: Thank you, Lorraine Michael.

Do I have a seconder?

MR. A. PARSONS: I'll second.

MR. SPEAKER: Andrew Parsons.

All those in favour of the motion?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Against?

This motion is carried.

Our final item on our agenda is in Tab 10, and it deals with the standard office allocation package. It's designed for MHAs and it details the office furniture, equipment and services which are provided for constituency offices.

So there are two issues here that I need to bring to the attention of the Commission. The first relates to the fact that the Clerk of the House of Assembly can preapprove the purchase of furniture and equipment up to a maximum of \$500, and all such approvals must be reported at a future meeting of the Commission. The maximum has not been increased since it was established in 2007. So we are essentially asking to increase the approval by the Clerk, in advance of any purchase, to \$1,000. That's one item.

The second item relates to an invoice for the constituency office for the District of Placentia – St. Mary's regarding a table that was purchased, and it was in the amount of \$792.26.

Two decision points here. First of all, I'm looking for discussion around the approval to

approve the invoice for the constituency office table for the District of Placentia – St. Mary’s, because the Clerk is unable to approve that.

MS. MICHAEL: I move that acceptance.

MR. SPEAKER: Okay, moved by Lorraine Michael, seconded by Mark Browne.

Okay, Siobhan Coady.

MS. COADY: It’s a different – okay, it’s not your district. Sorry, it is Sherry’s. Okay.

MR. BROWNE: No, I’m not the Member for Placentia.

MR. SPEAKER: Okay.

All those in favour, ‘aye.’

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Against?

That motion is carried.

Finally, it’s to amend the standard office allocation package, which would increase the – this decision, I guess, the limit was based on 2007; \$500, prices are going up somewhat. It’s suggested here today before the Commission to increase the previous authorization for the Clerk for these expenditures up to \$1,000.

Do I have any discussion on that point? No.

Okay, go ahead. The Clerk would like to make a comment.

CLERK: I would like to note that this is not used a whole lot. Every now and again, a Member has a need for an extra filing cabinet, or a table may break and need to be replaced or something like that. Those are the situations it is used. I remember one time we had something as small as a clock, it was about \$10, but we did approve it and we did report it.

It’s not a big expenditure item; however, if a table breaks and needs to be replaced, the Member actually does need it for his or her office and the only other way would be to come to the Commission to get it approved.

MR. SPEAKER: Okay. Do I have a mover to increase the authorization?

So moved by Siobhan Coady.

I need a seconder.

MR. HUTCHINGS: Seconded.

MR. SPEAKER: Keith Hutchings.

All those in favour of the motion?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Against?

That motion is carried.

That concludes the business before us of the Management Commission for today. I thank everyone for their attention and discussion.

I have a request from Andrew Parsons.

MR. A. PARSONS: Just while we’re here, Mr. Speaker. I don’t know if we need – like when the next meeting is scheduled for, maybe while we’re all here.

MR. SPEAKER: I have one here. I have a proposal.

MR. A. PARSONS: Okay, perfect. That’s what I was just wondering.

MR. SPEAKER: It is proposed that our next meeting occur on December 6 – that’s a Wednesday – 2017. This office has some events planned for that day. I would propose that we would meet at 1800 hours – that’s 6 p.m. – on that Wednesday.

We’ll be concluding business here at 5 p.m. There is to be a reception in the lobby, and then at 6 p.m. we would convene back into the Management Commission.

MR. A. PARSONS: Did you say we’re going to do the reception then the meeting?

MR. SPEAKER: It may be quicker than this one did. (Inaudible) Wednesday, December 6.

MR. A. PARSONS: Would your staff be able to send out a calendar invite to us or –?

MR. SPEAKER: We will certainly do that.

MR. A. PARSONS: All right.

Thank you.

MR. SPEAKER: Seeing no further business, I seek a motion to adjourn.

Moved by Paul Davis; seconded by Mark Browne.

All those in favour, ‘aye.’

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Against?

This meeting is adjourned, and theoretically we will see you on December 6.

Thank you all very much.

On motion, meeting adjourned.