



PROVINCE OF NEWFOUNDLAND AND LABRADOR
HOUSE OF ASSEMBLY

HOUSE OF ASSEMBLY
MANAGEMENT COMMISSION

Fifty-Ninth Meeting

Monday, February 27, 2017

HANSARD

Speaker: Honourable Tom Osborne, MHA

The Management Commission met at 10:15 a.m. in the House of Assembly.

MR. SPEAKER (Osborne): All right, folks, we are ready to roll.

I'd like for Members to introduce themselves. For anybody who is viewing at home, this is a Management Commission meeting. I'm Tom Osborne, Speaker and Chair of the Management Commission meeting.

We'll start on my far left with the – I'm not sure if I should say that. We'll start on my left with the Leader of the Opposition, Mr. Davis.

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

Paul Davis, the MHA for the District of Topsail – Paradise.

MR. HUTCHINGS: Keith Hutchings, the Member for the District of Ferryland.

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

MS. DEMPSTER: Lisa Dempster, Deputy Speaker.

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

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

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

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

MR. SPEAKER: And the Clerk has just run out on an errand, Sandra Burke. She'll be back momentarily. I think here she comes – or sorry, Sandra Barnes.

Okay, so before we begin today's meeting, I remind Members that we require another meeting next week to finalize the approval of legislative amendments which have timelines, and to deal with the following MCRC recommendations which have not yet been addressed by the Commission: expenses for MHA travel incurred by request of the House of

Assembly, recommendation 22; use of rental vehicles and related fees, recommendation 23; expenses incurred when a Member is vacating their office, 25; operations of the House of Assembly Management Commission, recommendations 49 to 55; and further, MCRC recommendations 56 to 59, as well as additional legislative amendments, 45 to 48.

For the benefit of those who are viewing, Members are aware that the *House of Assembly Accountability, Integrity and Administration Act* require that the substance of any decisions made at an in-camera meeting be reported at the next public meeting of the Commission.

At an in-camera meeting held just before this televised meeting, the Commission made the following decision: the Commission approved the proposed budget of the Office of the Seniors' Advocate and waives the usual two-day waiting period for Management Commission decisions to give immediate effect to that decision.

The Commission was also provided the report of non-compliance for a pre-commitment of funds. The Office of the Citizens' Representative last hosted the meeting of the Canadian Council of Parliamentary Ombudsman in 2007, and it is committed to hosting again in 2017. In June of 2016, the OCR solicited three quotations to provide a meeting venue, nutritional breaks and lunches for this meeting and entered into a contract with the lowest bidder. OCR did not realize that a pre-commitment of funds was needed as the last time the office hosted this meeting, the arrangements were made within the same fiscal year as the pre-commitment and, therefore, the pre-commitment was not necessary.

The *Financial Administration Act* requires that deputy ministers or, in this particular case, the commissioner obtain an approval prior to entering any contract requiring a commitment of funds in a subsequent fiscal year; if not, the non-compliance or the pre-commitment must be reported the Management Commission.

So prior to moving to Tab 2 and new business, I will distribute to – Marie, if you could – each of the Members. I received a letter from Mr. Edmunds – actually, I'll hold one of those. We

received a letter from Mr. Edmunds, so we'll provide those to all Members –

CLERK (Barnes): Tabling that (inaudible).

MR. SPEAKER: Yeah, tabling that. I think this has actually been tweeted on and so on. For the benefit of those at home, I will read this and then we'll move directly into new business.

Pension plan for Members of the House of Assembly: Speaker Osborne, government caucus respectfully request that the House of Assembly Management Commission explore moving to a defined contribution pension plan for Members elected in 2015 and beyond. This would have the effect of an approximate \$5.2 million reduction in the province's aggregate liability, whereas the recommendation pertaining to pensions by the Members' Compensation Review Committee represents an approximate \$3.6 million reduction. Government caucus believes that such a move would be appropriate, given the province's current fiscal situation. I am tabling that, as I received it prior to this meeting. We can deal with that later in the agenda.

Under Tab 2, approval of minutes; there are decisions required. There are three sets of minutes in Tab 2 which require approval of the Commission. The minutes of the November 30, 2016 meeting require approval of the Commission. So I'll ask for a motion to approve those minutes. Prior to, are there any questions or discussion on this item?

Okay. Do we have a motion to approve the minutes? The proposed motion would be the Commission approves the minutes of the November 30, 2016 meeting.

Moved by Lorraine Michael; seconded by Mark Browne.

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

Carried.

On motion, minutes adopted as circulated.

MR. SPEAKER: There are the minutes of the December 7, 2016 meeting also require approval of the Commission.

I'll ask for a motion to approve those. Any comments or questions on these minutes?

Okay, the proposed motion is that the Commission approves the minutes of the December 7, 2016 meeting. Do we have a mover and/or a seconder?

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

Carried.

On motion, minutes adopted as circulated.

MR. SPEAKER: The minutes of the February 1, 2017 meeting require approval of the Commission. The proposed motion is that the Commission approves the minutes of the February 1, 2017 meeting.

Any questions or comments? Do we have a mover and/or seconder?

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

Approved.

On motion, minutes adopted as circulated.

MR. SPEAKER: Okay, Tab 3.

CLERK: (Inaudible.)

MR. SPEAKER: Pardon me?

CLERK: The report, the Speaker's Report (inaudible).

MR. SPEAKER: Yes, that's under Tab 3, I believe.

CLERK: No, it's under Tab 2.

MR. SPEAKER: Oh, I'm sorry, I'm sorry.

CLERK: (Inaudible.)

MR. SPEAKER: Yes, absolutely, my apologies.

Okay, so my apologies. I had that listed under Tab 3 in my notes.

So there are letters of appeal. So the Member for Waterford Valley is appealing the denial of payment by Corporate and Members' Services of certain allowable expenses.

CLERK: (Inaudible) this is a report on the Rules on Allowance Use. This is a 60-day –

MR. SPEAKER: Sorry, omitted. So it is under Tab 3; I'm jumping ahead. Sorry, the Rulings on Allowance Use.

The process for Rulings on Allowance Use is outlined in section 24 of the *House of Assembly Accountability, Integrity and Administration Act*. The act gives authority for the Speaker to make rulings when expenditures of Members have been rejected for payment provided that the ruling is distributed to and receives concurrence of the Management Commission.

The following are, the report below provides the details with respect to all such rulings for the period ended February 20, 2017. These expenditures were rejected for payment because they were not submitted within 60 days of being made; however, they are permitted and are in compliance with all of the provisions of the *Members' Resources and Allowance Rules*.

CLERK: (Inaudible.)

MR. SPEAKER: Yes, concurrence was received. So we're just reporting. Any comments or questions?

We'll now move to item 3. That proves that even the Speaker is (inaudible).

Mr. Parsons.

MR. A. PARSONS: Yes, now that we're moving to the new business I'd like to, if it's at all possible, given the time, and I don't know – we've got quite a busy agenda here today, and I don't know if we're going to get it all accomplished, but I'd like to speak to the content of Tab 9, especially considering the letter that's been submitted.

MR. SPEAKER: Okay.

MR. A. PARSONS: I'd like to – looking at Tab 9, I'd like to move that the decisions – and I understand that this may require unanimous consent. I'd like to move that the decisions made on December 7 in respect to recommendations 43 and 44 be rescinded.

MR. SPEAKER: Okay.

MR. A. PARSONS: Secondly, I have a motion to make upon that.

MR. P. DAVIS: Mr. Speaker –

MR. SPEAKER: Yes, Mr. Davis.

MR. P. DAVIS: Does it matter that a request to be added to the agenda. I would have thought it would be in keeping with the process that I'd be allowed to address the matter before we enter into debate on it. I know we generally follow the rules of the House. So if a Member brings forward a matter to the House of Assembly, the Member bringing the matter forward generally would have the first opportunity to speak to it.

MR. SPEAKER: Yeah, I mean – well, it's on the agenda and I guess any Member can make a motion, but before we vote on a motion, by all means, any Member who wishes an opportunity to speak to this particular item.

So, Mr. Davis.

MR. P. DAVIS: Thank you.

CLERK: (Inaudible.)

MR. SPEAKER: Yeah. Do we have agreement, actually, to move to Tab 9?

MS. MICHAEL: I need to hear again what was said because I really didn't get everything that Mr. Parsons said.

MR. SPEAKER: I think if I can put it in a nutshell, and correct me if I'm wrong –

MS. MICHAEL: Yes, to hear what the final thing was.

MR. SPEAKER: – is based on the time and the fact that there are a number of items on the agenda, this is an item that the Member for Burgeo – La Poile wanted dealt with immediately in case we don't get to the other items. Am I correct in saying that?

Okay. So any questions or concerns? Are we in agreement to deal with this item before we deal with the others?

MR. P. DAVIS: Only as previously commented.

MR. SPEAKER: Okay.

Yeah, by all means, Mr. Davis.

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

Tab 9 is in respect to decisions made by the Management Commission at its meeting of December 7. I brought this to the attention of the Commission, myself and my colleague the MHA for Ferryland, Mr. Hutchings.

This was initiated by correspondence on the morning of December 12 to Mr. Speaker and to other Members of the Commission in which I wrote:

“Mr. Speaker ... On Wednesday December 7, 2016 the Management Commission considered and passed an amended resolution on Recommendations 43 and 44 of the Members' Compensation and Review Committee,” also known as the MCRC. “This is to advise that MHA Keith Hutchings and I will at the next meeting of the Management Commission” – this being it – “bring forward a motion to rescind the

said previous decisions on Recommendation 43 and 44.”

Mr. Speaker, I understand from officials in the House, for the Management Commission as well, and as indicated in the notes that are attached to it, that it be required that we have unanimous consent to bring forward a motion today. So I would first of all ask for unanimous consent to bring forward a motion that, as the Member for Topsail – Paradise, I move that the motion carried during the Commission meeting of December 7, 2007 – I'm sorry, December 7, 2016 – that being that the Commission accepts Recommendation 44 and directs that the pension recommendations shall not apply to Members of the House of Assembly who were elected before December 7, 2016 be rescinded. And it be seconded by my colleague, the Member for Ferryland.

So I'd ask for unanimous consent that that motion be brought forward today. And I've copies if you wish, Mr. Speaker.

MR. SPEAKER: Yeah. The motion is already on the floor.

MR. P. DAVIS: My understanding is it requires unanimous consent before the motion is on the floor, from officials.

MS. MICHAEL: (Inaudible) he needs unanimous consent.

MR. SPEAKER: Okay. I'm confused.

MS. MICHAEL: To discuss it –

MR. SPEAKER: Yes, no – absolutely. I think that motion – am I correct? Is that the motion? So are you seconding the motion, Mr. Davis?

MR. P. DAVIS: I'm moving the motion as –

MR. HUTCHINGS: – as the agenda indicated.

MR. P. DAVIS: As the agenda indicated.

MR. SPEAKER: Okay. I'm going to seek the guidance of the Clerk on this because I'm not sure; I think we have two of the same motions.

MS. MICHAEL: If I could ask a question. This is what I was trying to point out, Mr. Speaker. I did not hear what Mr. Parsons said. I did not know that he was moving what was already on the agenda to be moved by Mr. Davis. So that was what I was trying to get clarity on. So I didn't understand that.

MR. P. DAVIS: If I may, Mr. Speaker. The other aspect is I'm advised by the House that we first have to ask for unanimous consent before a motion would be in order, so I'm asking for unanimous consent.

MR. SPEAKER: I'm going to ask the Clerk to intervene for a moment.

CLERK: The proposal as presented, based on the email from Mr. Davis in December, would allow us at this meeting to give notice of motion, similar to giving notice in the House. If you want to move further, okay, you would need unanimous consent to vote on that motion – to move that motion and vote on it. So as we have it on the agenda now, if we don't unanimous consent, we would bring the motion back to the next meeting for discussion and vote.

Am I making myself clear? It works the same as in the House when we bring forward a resolution. We give notice one day, vote on the next. With consent, we can do both.

MR. SPEAKER: Yeah, absolutely, okay.

Mr. Hutchings.

MR. HUTCHINGS: So in accordance with that explanation certainly and as being on the agenda under Tab 9, I guess we'll now look for unanimous to move forward on that motion as presented by my colleague, Mr. Davis.

MR. SPEAKER: Okay. Do we have unanimous consent to deal with this issue? I'm recommending that I guess the Member for St. John's West and the Member for Placentia West – Bellevue have recused yourselves from the previous vote, and I guess it's appropriate for me to recommend that they recuse themselves from this vote.

MR. A. PARSONS: Yeah, I will have a question on it after. Because I think there are

other motions that have been considered by this committee that involved Members where they supported motions that dealt with them. I think we dealt with that before Christmas in fact, right. There was no recusal there.

So do they need to recuse themselves in order to support the rescinding of a motion? That's where I am.

MR. SPEAKER: Okay. Do we have unanimous consent? Okay. So we do have unanimous consent to deal with this issue. I believe it's been moved by two individuals. Do we have a seconder?

Mr. Parsons is seconding. So we'll record that Mr. Davis moved; Mr. Parsons seconded. Are you okay with this?

MR. P. DAVIS: Yes, Sir.

MR. SPEAKER: Okay. All right. Further discussion on this issue?

MR. P. DAVIS: (Inaudible) we didn't give notice on a seconder.

MR. SPEAKER: Pardon me?

MR. P. DAVIS: I don't know of the implications, but we did give a notice that Mr. Hutchings would be seconding the motion.

MR. SPEAKER: Okay.

CLERK: He just asked for a seconder and –

MR. P. DAVIS: I am just clarifying.

MR. SPEAKER: Yeah, we have a mover: Mr. Davis; a seconder: Mr. Parsons.

Any further discussion on this issue?

MS. MICHAEL: And that's the motion to have the discussion today?

MR. SPEAKER: Yes.

MS. MICHAEL: Yes, okay.

MR. SPEAKER: All right. Are we ready for the vote on this issue then?

Okay. All those in favour of the motion to rescind?

Mr. Parsons. Okay.

Anybody against?

The motion is approved.

MR. P. DAVIS: The next item on my notice, Mr. Speaker, deals with recommendation 43. As the Member for Topsail – Paradise to move that the motion carried during the Commission meeting of December 7, 2016, that the Commission accepts recommendation 43, that the defined benefit plan, as outlined in appendix h of the Morneau Shepell report, option 2 shall apply to Members of the House of Assembly who were first elected on or after December 7, 2016 be rescinded.

Again, seconded by the Member for Ferryland, and I ask for unanimous consent to have that motion debated at today's meeting.

MR. SPEAKER: Okay.

MR. A. PARSONS: No.

MR. SPEAKER: No. Okay, we don't have unanimous consent on that.

Do we have any questions or comments?

CLERK: We will have to take that as a notice now and put it on for the next agenda.

MR. SPEAKER: On next week's agenda.

Okay. I believe both these items are dealt with. I'm not sure if we can invite the two Members back.

MR. A. PARSONS: I do have a motion to make if you're allowed to make a motion here.

MR. SPEAKER: Yes, absolutely. Well, notice of motion.

MR. A. PARSONS: Or I can put it out there, and again, I understand the motion is made and then there's discussion, right?

MR. SPEAKER: Notice of motion, indeed.

MR. A. PARSONS: Yes.

I want to move that the House of Assembly Management Commission explore the moving to a defined contribution pension plan for Members elected in 2015 and beyond. And I'd like to have that discussed and explored by the Management Commission.

MR. SPEAKER: Okay, it's moved.

CLERK: You're giving notice as well?

MR. A. PARSONS: Yes.

CLERK: Okay.

MR. SPEAKER: Moved. Do we have a seconder?

AN HON. MEMBER: That's not necessary, that's just a notice.

MS. MICHAEL: No, that's just a notice.

MR. SPEAKER: That's just a notice.

MS. MICHAEL: So we don't have to move a notice.

MR. SPEAKER: Okay. Yeah, okay.

CLERK: So we got two notices.

MR. SPEAKER: So we have two notices.

MR. HUTCHINGS: It will appear on the next meeting.

MR. SPEAKER: Yes. So both notices will appear on the next meeting.

Yes, so both of these notices will appear at the next meeting, hopefully, next week.

CLERK: As agenda items.

MR. SPEAKER: As agenda items. And they'll be appropriately dealt with at that time.

MR. P. DAVIS: Mr. Speaker, on the first motion that has been passed unanimously by the Management Commission to rescind motion 44, on clarification, and I've briefly spoke with

officials before the meeting today to discuss this. My understanding is that on December 7, recommendation 44, there was actually two motions brought to the Management Commission and passed. The first one was to pass recommendation 44 as recommended by the MCRC. And then there was a motion following that to amend recommendation 44.

So my question for the House, or for the Management Commission, is now that we have rescinded the motion to amend recommendation 44, does the original motion that had been passed by the Management Commission on December 7 now carry? And I believe it does, and I would ask that the Management Commission make a ruling that the original motion of recommendation 44 is now in effect.

MR. SPEAKER: The Clerk.

CLERK: Okay, if I may. What the Management Commission just did is rescinded its direction on these matters. You rescinded the management minute 2016-061 and 2016-070. So what happens now – sorry, 2016-061 –

MR. SPEAKER: 062.

CLERK: – and 62. So what happens now is that those MCRC recommendations move back into a – basically –

MR. SPEAKER: A recommendation to the Management Commission.

CLERK: Yes, they're outstanding recommendations.

MR. P. DAVIS: My understanding was – and I ask this for clarification; I ask the Clerk. My understanding was is that when a decision was made, then if that decision's rescinded, the fallback position would be the previous position. What I would suggest to the Management Commission, that the fallback position was that we had passed the recommendation prior to amending 44, that we passed the original recommendation and that that would be the fallback position.

MR. SPEAKER: Yeah, I don't believe so. I'm going to ask the House's Law Clerk to step into this, but I believe both these recommendations

43 and 44 now are simply recommendations now, from the MCRC, that support has been rescinded. I'll ask our Law Clerk to –

MS. MICHAEL: I have both of them rescinded.

MS. PROUDFOOT: Essentially, you know, maybe the procedure was less than ideal, but if you passed an amended version of the recommendation, you are now back at the recommendation, the original recommendation. You're not back at what was passed. Really, an amended resolution or recommendation is an amended recommendation. You have nothing to go back to other than the original recommendation of MCRC.

MR. P. DAVIS: Mr. Speaker, I think I can speak for my colleague. I mean, that's our intention. Our intention is to go back to the recommendations as made by the MCRC, to accept the recommendations of the MCRC as they've been presented and not to amend them or not to change them and to respect the work that they've done. To respect the decisions and the recommendations they made. And that's our intention today, is to do that.

That's why I asked the question because we did originally support recommendation 44 as it came from the MCRC. So there are two ways that it could happen. My understanding was it would fall back to the original recommendation. If it's not, then we would have to vote on accepting the original recommendation, which we're prepared to do that as well today if we (inaudible).

CLERK: We'd have to vote on it.

MR. SPEAKER: Yes, but my understanding is that now that that support has been rescinded, we have to vote on the original recommendations. So that has –

MR. P. DAVIS: That's what it sounds like, yes.

MR. SPEAKER: That has not yet taken place, so my recommendation here is, considering the notice put forward by the Member for Burgeo – La Poile, considering that the decision has been rescinded, that we deal with this issue in its entirety at next week's meeting.

MR. P. DAVIS: Okay. And that being the case, Mr. Speaker, I would then also ask for unanimous consent today to hold a debate and a vote on accepting recommendation 44 of the MCRC as we had originally passed. So I'd ask for unanimous consent for us to go back to accept that original recommendation. And, if not, we'll serve it as a notice of motion for the next meeting.

MR. SPEAKER: Yeah.

MR. P. DAVIS: But I ask for unanimous consent.

MR. SPEAKER: Well, I'll take it as a notice of motion. I mean, it's not on today's agenda.

MR. P. DAVIS: Yes.

MR. SPEAKER: I believe I'm correct in doing that. So we'll take it as a notice of motion for next week's agenda.

MR. P. DAVIS: I would ask for unanimous consent to discuss that today, to debate that today.

AN HON. MEMBER: (Inaudible.)

MR. A. PARSONS: Given what we've put out here, no. I think it's a notice of motion that should be discussed at the next meeting, along with the motion that I put forward here, which I think is quite important.

MR. SPEAKER: Okay.

All right, any further questions or comments or discussion?

We'll revert to Tab 3. Okay, so under Tab 3 the Member for Waterford Valley is appealing a denial of payment by Corporate and Members' Services of certain allowances and expenditures incurred by the minister. The expenses submitted totalling \$91.86 are permitted under the rules, but could not be approved for payment because they were incurred more than 60 days prior to the claim being made.

So I ask: Any questions or comments?

MR. P. DAVIS: Mr. Speaker, just one question. Can we get an indication of what the expense was?

MR. SPEAKER: I don't recall, but –

CLERK: It's your expense.

MR. P. DAVIS: Sorry, I didn't mean to put you on the spot, Mr. Speaker, but there are several of these. I'll be asking the same question for all of them, just to clarify.

MR. SPEAKER: No, we'll find out. I don't recall what the expense was.

CLERK: I'll ask Wanda (inaudible). They are allowable expenses.

MR. SPEAKER: They're allowable expenses, I know that.

MR. P. DAVIS: Yes. Maybe the Clerk can let the Commission Members know via email afterwards. We –

CLERK: Yeah, we normally – whatever was in the appeal letter, unless Corporate Members' Services indicated they had a problem with it.

MR. P. DAVIS: Yes.

CLERK: Typically, the Speaker will approve 60-day claims –

MR. SPEAKER: For everybody else but I can't for myself.

CLERK: – however, he can't approve for himself.

MR. SPEAKER: So I can approve yours but I can't approve mine.

MR. P. DAVIS: Right. Yes.

CLERK: So his got to come to the Commission.

MR. P. DAVIS: I don't have – I support the motion, I just –

CLERK: I will find out for you, okay?

MR. P. DAVIS: All of these, I intended to ask more details on the expense, that's all.

CLERK: No problem.

MR. P. DAVIS: Just the type of expense, but that's fine.

MR. SPEAKER: Okay. So do we have a motion to approve?

MS. MICHAEL: Moved.

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

All those in favour?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: All those against?

Approved.

Next, the Member for St. John's East – Quidi Vidi is appealing denial of a payment by Corporate Members' Services as the payment was made within 30 days of the end of the year.

CLERK: Humber – Bay of Islands is next.

MR. SPEAKER: Oh, I'm sorry, Humber – Bay of Islands. My apologies. Yes, I skipped one.

The Member for Humber – Bay of Islands is appealing the denial of payment by Corporate Members' Services for two expenses relating to advertising. The first expense is \$250 for an advertisement which appeared in the Humber Arm South medical travel fund five to 10 kilometre walk and run. The second advertising expense, totalling \$400, was for an advertisement which appeared at the Steers Insurance Charity Golf Tournament.

Both expenses were incurred in August 2016 prior to the recommendations of the Members' Compensation and Review Committee with respect to advertising, which were accepted by the Commission at the December 7, 2016, meeting. Corporate and Members' Services Division determined that they were not eligible for reimbursement as they do not comply with the provisions of section 4.1.2 of the advertising

policy, specifically that costs should be reasonable and in relation to the type of advertising that should be generally comparable to commercial rates and should not present as a donation to an organization.

There is further detail in the Briefing Note 2017-004. There's an appeal letter from the Member where he explains the purpose of the expenses. I'm presuming all Members have read the briefing note.

Any comments or questions or discussion?

Ms. Michael.

MS. MICHAEL: I don't think – Mr. Joyce makes reference to the previous events where he says that he did similar advertising and they were covered, but he doesn't seem to indicate what the events were that he was refused. He refers to them, talks about the amount of money, but he doesn't say what the events were.

MR. SPEAKER: I've just outlined those. One was advertising, which appeared in the Humber Arm South medical travel for a five to 10 kilometre walk and run. The other was for an advertisement which appeared at the Steers Insurance Charity Golf Tournament.

MR. P. DAVIS: (Inaudible) Steers.

CLERK: The advertising in question, Mr. Joyce has a sign with his contact information, and he put it in place as advertising for the run and then the sign was also used for the charity golf tournament.

MR. SPEAKER: Mr. Parsons.

MR. A. PARSONS: Just looking at 4.1.2, there are four bullets there that says that it should. Like, was there a specific bullet used to deny these or was it all of them?

CLERK: No, no, just –

MR. SPEAKER: Just the final bullet.

CLERK: I mean the contact information was fine. If you recall, there has been some signage permitted and the MCRC report indicated no

signage on a go-forward basis. However, these particular –

MR. A. PARSONS: These would have been incurred before the MCRC, am I correct?

CLERK: Yes, but these two particular ones were turned down on the fourth bullet. Costs should be reasonable in relation to the type of advertising and should be generally comparable to commercial rates. That is the cost should not represent a donation to the organization.

MR. A. PARSONS: Well, I mean the last part – okay, if you want to break that down, the cost should not represent a donation to the organization. I would say that any money spent on any advertising, if I'm putting a book in Port aux Basques – or an advertisement in Port aux Basques Minor Hockey, that could be seen as a donation to that organization or the ones that are listed here in his letter. I think they're all, in this case it was – you know, you have charities, you have minor hockey, you have whatever. I don't know how one differs from the other in regard to that specific part of the sentence.

In regard to: cost should be reasonable in relation to the type of advertising and should be generally comparable to commercial rates. Was there a ruling that they weren't? What's the cost? If we're talking about \$250 for a medical travel fund advertisement versus \$250 for an Etcetera 29 Concert Program, what – I need to understand how this works.

CLERK: Okay. Well, the difference in this case, it was a – they're both single events. Both of the events were held over one day. It was signage. It wasn't a booklet, it was signage. He brought his own signage and put it in place for the day. Whenever we've had signage, we don't have a whole lot of it, but typically it costs, depending on the location, it will cost anywhere from \$100 per a month if it stays in place to anywhere – it tends to be done over, like, three months or six months when we do signage. So it's –

MR. A. PARSONS: But that argument doesn't stand when we look at some of these ones that are referenced. And you know what? These apply for all of us.

CLERK: Yes, understood.

MR. A. PARSONS: A wall calendar, yeah, that's 12 months, right. But an annual night-out brochure would imply one day.

CLERK: The advertising policy is structured to focus on print media, in terms of booklets and brochures, that sort of thing. As I said, even though signage has been allowed, it's typically been used in arenas and community billboards, where the cost is based on like a rental period of a month – well, usually six months, three months, six months, that sort of thing.

MR. SPEAKER: If I could – as Chair, I very seldom inject myself into debate. I generally hear from Members.

I find that's a very fine line here. With the new rules through MCRC, it's much more clear. It should eliminate any of these situations. But I find that it's a very fine line. And in looking at a school concert program for the same amount of money as the \$250 walk, did the school concert program reach more or less people than the walk? Apparently there were hundreds of people at the walk. So it's very difficult to justify one and not the other.

But I understand the members' compensation and resources division, the difficulty they had, because it is such a fine line in determining what's approved and what's not approved. So I don't say this as a reflection on them, because it is a fine line. It's a difficult decision. When Mr. Joyce appealed to me, I looked at it, and my own personal thought is it is a very fine line. How do you justify a program booklet, but not a sign that took place at a run?

It's difficult. The new rules overlook this. I understand Mr. Joyce's concerns, I understand the difficulty that the members' compensation and review – or sorry, Corporate and Members' Services had in making this decision as well. But I find it difficult to justify one and not the other.

MR. A. PARSONS: I look at –

MR. SPEAKER: Mr. Davis.

MR. A. PARSONS: Sorry. I look at again, like talking about it didn't reach enough constituents,

but I mean, I don't know. That's referenced in the letter. Is that an actual –

CLERK: What happened there is we did have a discussion with Mr. Joyce and we were talking about the elements of the advertising policy, and one of the conditions, it has to reach a goodly number of constituents. However, that's not the reason this was turned down.

MR. A. PARSONS: Okay. So the reason is point four.

CLERK: It was turned down because of the nature of the – it was turned down on element four of that advertising policy.

MR. A. PARSONS: Which, you know, I'm just looking at the wording: should be reasonable in relation to the type and should be generally comparable to commercial rates. So there was a decision made that these were not –

CLERK: Well, as I said, whenever we'd done signage type of advertising, the cost has been substantially less than what was paid for signage advertising at these two events, and that's all we had to go on.

MR. SPEAKER: Okay, we have Mr. Davis and then Ms. Coady.

Mr. Davis.

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

This matter too, I give this very serious consideration and a fair bit – as it sounds like my colleagues have as well. I just want to go to Mr. Joyce's letter of January 11, 2017 on the second page because the second paragraph begins with: In reviewing – I'll go to the end of the paragraph first because he says, "All these events offered advertising to businesses as a means to raise funds for groups involved"

My understanding is that it's not our place to put a view on advertising as money raised for a group or organization. Our view is to put it as an opportunity to advertise and make the contact information available for the particular MHA. So people know and remind them, here's your MHA, here's how to reach their MHA and that's

the lens that we should put out on these types of things when we advertise.

I advertise in *The Shoreline News* every week. I do it from the perspective, not to support a business or organization, but I do it from the perspective of letting people know that I'm here. It's a community paper and it's a way for people to regularly know that I'm there and so on. I've had many people say to me: Paul, I gave you a call – I grabbed *The Shoreline* and pulled your number out of the back of it.

So I point that one out first that the view, the lens should be about your constituents, people of the province, being aware of how to contact you. The second part in the same paragraph that I want to deal with – because the Member here makes a comparison and he has gone through the trouble to review claims by other MHAs; he names the Member for Mount Pearl – Southlands and he names the Member for Topsail, being me. He says that these Members' advertising expenses were claimed for organization events such as, and he lists a list of them here. There are some of these that I believe are accurate, but some are worthy of comment.

Mount Pearl Frosty Festival, a \$250 advertisement in the Mount Pearl Frosty Festival, I would suggest to the Commission, is a book that potentially is seen by not hundreds but I'd say well into the thousands of people who would have an opportunity to view that advertisement.

He mentions here the Mount Pearl Intermediate 2016 Etcetera 29 Concert Program. And he says \$250 for both MHAs. Mr. Speaker, I received my material on the weekend. So I haven't had opportunity to thoroughly dive into this. But my recollection is that I did not advertise in the 2016 Etcetera. I did find an email from April 6 where we declined advertising in the 2016 Etcetera Concert Program.

Etcetera, by the way, is not just a school concert. They're generally held at the stadium; they sell out night after night after night, and hundreds and hundreds of people go to see the Etcetera program every year. For an advertisement for \$250 I think is on a different scale. But in this one, my records so far – I guess I have to confirm it through the House – that I didn't even

buy the ad for this year for Etcetera. So it adds complication to the decision we have to make because I think the comparisons, there may be a level of fairness in there, but also a level of unfairness or potentially inaccuracy for what has been presented by the Member.

So I think we have to be careful considering that as well. But the lens is the big one for me. If it's a \$400 advertisement at a golf tournament, I think at least we should know what came with that \$400. When you sign up for \$400, what was the agreed contract? For \$400, you just got to put a sign up. Is that the end of it? How many people attended the golf tournament? How many people would potentially have seen the signage I think are important factors for us to consider, especially because the House officials have raised the issue of value of the ad: "... costs should be reasonable in relation"

And if we're going to approve this, before we do, I think we have to conclude that it was reasonable and there are a lot of things we don't know about it. How many people were at that walk? I think it looks like a good walk, a good event, an important fund. That one I'm not so much worried about. The golf tournament is a bit more problematic because it's a higher value. How many people were at the golf tournament? Was there 30? Or was there 200? And that may make a difference. If there were 25 or 30 people for a \$400 ad, it's probably not a good use of your ad. So I think we need a little more information on it.

MR. SPEAKER: Okay.

Mr. Parsons – actually, Ms. Coady first and then Mr. Parsons.

MS. COADY: Thank you very much.

I think this is a very good debate and a very interesting debate. I think, as you indicated, Mr. Speaker, that rules are changing. We're now looking at this in a different lens. Of course, since the MCRC has come forward with their recommendations, it will be a different lens that we will put forward, so I don't know if we need to delve into too much looking backward.

Looking forward, this will be a completely different scenario. It seems to me it's subjective.

Mr. Davis is talking about a cost-benefit analysis; I understand his point of view. I think on this particular case, however, we're looking at it subjectively rather than objectively. I think that was your point that you made earlier. You know, would it be different – because this was a sign held in place during a particular event versus a booklet, we shouldn't look at it in two different ways.

And that's kind of the lens that I'm putting on this. Going forward, we have clarified the rules. MCRC has made certain requirements now, going forward, for MHAs. Looking backwards, whether or not it was a sign held at an event or an advertisement in a booklet, that kind of cost-benefit analysis would be important; however, we don't want to make it subjective versus objective in analyzing this.

Thank you.

MR. SPEAKER: Mr. Parsons.

MR. A. PARSONS: No, I agree with actually a lot of what Mr. Davis said that you need context on some of this. And you can argue either way. I mean, I look at some of these – and that's why I said in my comments: We all have these. This is not just limited to this. Every single one of us has these that can be looked at. And we need some of that information. I agree with that. We need to know.

I look especially at a charity – was it the medical fund travel? I mean, that seems like something that was maybe just as worthwhile as a pee-wee provincial B championship. And it's hard to gauge the numbers or the people that actually got some value out of it. I don't know.

MR. SPEAKER: Do we have a ...?

Ms. Michael.

MS. MICHAEL: Just to get, I guess, my thoughts in. It is a difficult one. And all the points that have been raised, I totally understand all of the points. And it is the subjective nature that is the issue here.

There have been times that personally I have said no to ads. I asked for the distribution, for example, of a magazine and when I found out

what the distribution was in our province – it was a national Aboriginal magazine actually. But when I saw what the distribution was in our province, I said no.

I've looked at ads that I've considered too expensive, but I feel very uncomfortable being and sitting in judgement on another MHA in decisions that that MHA made. And I like the fact that we have major changes coming in, and I'll be happy to make decisions based on that. But right now, I feel like I'm being asked to make a decision on the judgement of another MHA. Having said that, I will be voting to go ahead and approve this because of that.

Thank you.

MR. SPEAKER: Any other comments or questions?

Okay. Do we have a motion and/or a – Mr. Browne, moved?

MR. BROWNE: I move.

MR. SPEAKER: Do we have a seconder?

Mr. Parsons; Ms. Michael as well.

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

Approved.

Okay, the next is for the Member for St. John's East – Quidi Vidi. It was appealing the denial of a payment by Corporate and Members Services' Division of certain expenses incurred by the Member. The expenditures were rejected as they were incurred in the 2015 fiscal year, but not submitted for payment within 30 days of the end of the year as required under the act.

The invoice is totalling \$53.18. It's a permitted expense under the rules, but could not be approved for payment as per the provisions of 7(2) because of the 30 days.

CLERK: (Inaudible.)

MR. SPEAKER: Okay.

CLERK: May I speak?

I do have the information from Corporate and Members' Services. The claim from the Member for the District of Waterford Valley was for supplies for a district meeting. The claim for the Member for the District of St. John's East – Quidi Vidi was for office supplies. And the claim for the Member for the District of Bonavista was for Christmas greetings, when we were allowed to do them. Again, it's a prior year claim.

MR. SPEAKER: Okay.

So on the item for the Member for St John's East – Quidi Vidi, any questions?

Mr. Parsons.

MR. A. PARSONS: Moved.

MR. SPEAKER: Moved.

Seconded?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

Carried.

So the Member for Bonavista, the next one is appealing the denial of payment by Corporate and Members' Services of certain expenses incurred by the Member. The expenditures were rejected. Basically, it is the same situation as the Member for Signal Hill – Quidi Vidi because of the 30-day rule at the end of the year. The expenses totalled \$120. They were permitted under the rules, but could not be approved for payment as per provision, subsection 7(2).

Do we have any comments or questions?

Mr. Parsons.

MR. A. PARSONS: I would say that while I think it was a very long time in between here, it was from 2015-16 and not paid until 2016, I

would still move for acceptance because I think it still would fall within the rules without 7(2).

CLERK: It's just the timeline that's the issue.

MR. A. PARSONS: Yes.

MR. SPEAKER: Just the timeline.

Any other comments? Mover? Seconder?
Moved, seconded –

CLERK: Mr. Hutchings.

MR. SPEAKER: – by Ms. Coady.

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

Carried.

The next item is Tab 4, and this is the Transfer of Funds Policy, April 2008, which requires that the House of Assembly Management Commission approve the transfer of funds to or from the Grants and Subsidies Main Object of an expenditure – transfer of funds as required by the Office of the Chief Electoral Officer for grants and subsidies to provide additional funding for the candidate and auditor subsidies. In 2015-16 budget submission the candidate and auditor subsidies were expected to total \$650,000, with \$500,000 being payable in 2015-16 and \$150,000 in 2016-17.

As the election was held on November 30, 2015, the filing deadline for a candidate and auditor subsidies was March 30, 2016, which was significantly later than expected; \$500,000 has already been approved in the 2016-17 budget process. The additional \$74,000 was requested and approved on August 24, 2016. Based on the file reviews by the office, an additional \$500 is requested for candidate and auditor subsidies.

Any questions or comments?

So the proposed motion is to approve the following transfer of funds from Subdivision 1.1.04.09 Members' Resources – Allowances and Assistance, \$500, to Subdivision 3.1.01.10

Office of the Chief Electoral Officer – Grants and Subsidies, \$500.

Do we have a mover and seconder?

Mr. Hutchings moved?

MR. HUTCHINGS: Yes.

MR. SPEAKER: Ms. Michael seconded.

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

Carried.

Tab 5 – we may actually get through all of this. So Tab 5: Proposed legislative amendments. 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 either the *House of Assembly Accountability, Integrity and Administration Act* or the *Members' Resources and Allowances Rules*.

The Law Clerk has drafted the proposed wording for the required amendments, which require the approval of the Commission. The amendments to the rules will be tabled by the Speaker in the House and brought to the next meeting of the Management Commission for final approval. Those amendments will establish new allowances, which will also be subject to a resolution of the House.

The Government House Leader will be asked to bring the proposed amendments to the act forward to Cabinet for approval subject to the final drafting by the Office of Legislative Counsel and the presentation to the House of Assembly as a bill.

The attached Briefing Note, 2017-009, contains the proposed wording for the various amendments. I trust all Members have had an opportunity to review the wording. Do we have any comments or questions?

So the proposed motion would be: Pursuant to subsections 15(5) and 20(7) of the *House of Assembly Accountability, Integrity and Administration Act*, the Commission approves the proposed amendments to the *House of Assembly Accountability, Integrity and Administration Act* and to the *Members' Resources and Allowances Rules* subject to final wording by the Office of Legislative Counsel.

Do I have a mover and/or seconder?

Ms. Michael moved; seconded Ms. Coady.

All those in favour, 'aye.'

MR. P. DAVIS: Mr. Speaker.

MR. SPEAKER: Mr. Davis.

MR. P. DAVIS: Yes, can I just speak to that, please, just momentarily.

I raised this before with MCRC, so I'm not sure how this is going to work. Under recommendations 1 and 2, section 11, "(1.1) Notwithstanding subsection (1), after the coming into force of this section, member salaries shall be adjusted within 30 days of the implementation of salary adjustments under the last negotiated collective agreement" That part of it, are you with me?

MR. SPEAKER: I think so.

MR. P. DAVIS: Okay. Under "the following public sector entities (a) general service; (b) health professionals; (c) registered nurses; and (d) Royal Newfoundland Constabulary." The Royal Newfoundland Constabulary don't negotiate increases.

MR. SPEAKER: No, that was understood. I spoke to the Chair of the MCRC, Ms. Burke, on that and we had a conversation on that. The other three are negotiated. I think the Royal Newfoundland Constabulary was put in there as well. I think that's by arbitration.

MR. P. DAVIS: No, they have a – there's a formula in place. I'm sure the minister could speak to it, but there's a formula in place that's updated effective April 1 of each year. So with the others, generally speaking, general service,

health professionals, registered nurses and so on, there's a contract for three years or four years or five years and the increases are known for years out. But when it comes to the Royal Newfoundland Constabulary, it's quite often not known until sometime after April what their impact on their compensation is –

MR. SPEAKER: Yes.

MR. P. DAVIS: – effective April 1. Sometimes it's as late as June before, or later. The minister can probably speak to it better, but –

MR. SPEAKER: No, I will defer – hopefully, the Clerk and or Marie Keefe will recall, but I believe this discussion was had at a Management Commission meeting regarding this; and, in fact, I believe you raised it. You were on teleconference at the time. This issue was raised and if there were changes, based on the fact I believe Ms. Burke had indicated that the changes to Members' compensation, whether it's an increase or a decrease based on the RNC negotiations would be retroactive. Was that your question?

MR. P. DAVIS: Yeah, that was my question. I wasn't sure how it was going –

MR. SPEAKER: You know, I think that was addressed during one of the meetings by teleconference.

MR. P. DAVIS: Yes, and I apologize, but my recollection was that she was going to consider it and have further discussion on it.

MR. SPEAKER: No, I don't think so. I –

MR. P. DAVIS: That's what – maybe that was a previous meeting.

MR. SPEAKER: If I understand correctly, she said that it would be retroactive, any changes would be retroactive. I believe, my understanding –

MR. P. DAVIS: Okay, as long as there's a process.

MR. SPEAKER: I see Ms. Michael nodding her head. I think that was your understanding as well?

MS. MICHAEL: That was my understanding too, and it may have been – my recollection is that it may have been the meeting where you were on the line –

MR. SPEAKER: Yes, you were on teleconference with us.

MS. MICHAEL: – and you may have missed that in the discussion, but that’s my recollection too. I don’t know if there are others but I certainly remember it that way.

MR. P. DAVIS: Yeah, when I was online I was actually listening on TV and then talking on the phone and there was delay and so on because of it, but I couldn’t hear. But as long as there’s a process that the intention of the MCRC – and our position is we should follow the recommendations of the MCRC. So as long as the Management Commission or the officials of the House that –

MR. SPEAKER: Well, we can make sure that it’s on record as of this meeting, that the intention is that because the Royal Newfoundland Constabulary is negotiated differently, that any changes there, whether it’s an increase or a decrease –

MR. P. DAVIS: Yeah, would be included.

MR. SPEAKER: – would be included and effective retroactively as of the date of the increase or decrease to the RNC.

MR. P. DAVIS: Okay. It probably won’t make a big difference but it will be included, that’s the main thing.

MR. SPEAKER: Yes.

MR. P. DAVIS: Okay.

Yes, thank you.

MR. SPEAKER: Okay. So we all have that understanding that that will be the process.

Agree or disagree?

Agree. Okay. Satisfied?

MR. P. DAVIS: Absolutely.

MR. SPEAKER: Okay. So the motion, do we have a – I think we had a mover and a seconder to the motion.

All those in favour, ‘aye.’

SOME HON. MEMBERS: Aye.

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

Carried.

Under Tab 6, update on the implementation of recommendations 19-21 respecting temporary accommodations. At its meeting on November 30, 2016, the Management Commission accepted recommendations 19, 20 and 21 respecting an RFP for temporary accommodations and the option of a lump sum payment for Members for temporary accommodations.

In developing the RFP, the House of Assembly Service consulted with the Government Purchasing Agency, who advised that while an RFP process would create an eligibility list, under the *Public Tender Act*, MHAs would be required to select the least cost accommodation available. Consequently, this could considerably limit choice of accommodation. We also had some discussion on security issues if everybody was in the one location.

In a subsequent discussion between the MCRC Chair and the Clerk of the House, the Chair advised that the recommendation was not intended to be restrictive and agreed that the RFP would not yield the intended result.

The House of Assembly Service looked at other options that might fulfill the intent of the recommendations to provide a transparent process and establish a mechanism for calculating the lump sum.

Before we begin discussion, I would ask Members to refer to Briefing Note 2017-012 at Tab 6, which contains detailed information about the various options. There are two proposed motions for the issue. The first motion provides direction on the manner in which Members are to book temporary accommodations. The second motion provides direction respecting the nightly amount to be

used to calculate the lump sum taxable benefit which was recommended by MCRC and approved by the Commission at its November 30 meeting. The Commission will also need to provide direction as to whether or not it will be permissible for a Member who returns to his or her district to hold a room unoccupied over the weekend.

And I believe it was practiced by many of the hotels not to charge an additional amount over the weekend, but to hold the room if they could.

CLERK: They were informal arrangements.

MR. SPEAKER: They were informal arrangements.

So motion 1: The Commission directs that either: the House of Assembly adopt the use of government's travel management agreement for booking accommodations in the capital; or that Members will continue to make individual temporary accommodations arrangements in the Capital Region.

If option 2 is considered, the Commission will need to rescind CM 2016-044 which adopted recommendations 19 and 20.

Do we have any questions or comments?

Mr. Browne.

MR. BROWNE: I have a question. So if we were to go with number two, Members will continue to make individual temporary accommodations arrangements in the Capital Region, will we still proceed with the lump sum option or will we just go with the status quo as to what people are doing now?

CLERK: Well, the Management Commission would have to make a direction but my understanding is that what the recommendation did was introduce another option for Members for those who chose to take the lump sum option for leased accommodations could do that. So, yes, that would be part and parcel but we still need a decision by the Management Commission. (Inaudible) both motions.

MR. BROWNE: Okay, that's number two.

MR. SPEAKER: Then we'll (inaudible).

CLERK: Two different motions.

MR. SPEAKER: Okay.

Any further comments or questions?

Okay. Do we have a motion either for the House to adopt the use of government's travel management agreement for booking accommodations or the direction that Members will continue to make individual temporary accommodations arrangements in the capital region?

Mr. Parsons.

MR. A. PARSONS: I don't know, Mr. Davis can go if he –

MR. SPEAKER: Okay.

Were you going to say something, Mr. Davis?

MR. P. DAVIS: Sorry. I thought there were two proposals. The first one included adopt government's travel management or continue to make individual temporary arrangements in the capital region. I thought that was a singular.

CLERK: That's one motion.

MR. SPEAKER: Yes.

MR. P. DAVIS: That's one motion.

CLERK: One or the other.

MR. SPEAKER: Yeah.

MR. P. DAVIS: That's one motion.

CLERK: Yes, and then the lump sum is a separate motion.

MR. P. DAVIS: Right. Yeah, so we're voting on what is motion one and then motion two, right?

CLERK: Yes.

MR. SPEAKER: So my understanding is we select one or the other. If we select item two, we

have to rescind recommendations 19 and 20.
That's my understanding.

MR. A. PARSONS: Then we vote on Motion 2.

CLERK: Yes.

MR. SPEAKER: Exactly. So –

MS. MICHAEL: (Inaudible) we have to make motions on both of them. If the first one passes, then the second one would be gone. Or we choose one motion. But that's my understanding.

MR. SPEAKER: Yeah, we can only choose one or the other; you're absolutely right.

MS. MICHAEL: Yeah, the two things aren't in the one motion.

MR. SPEAKER: Yes.

Mr. Parsons.

MR. A. PARSONS: If I understand what's going on here – and that's debatable – I would make Motion 1 that Members will continue to make individual temporary accommodations arrangements in the capital region.

MR. SPEAKER: Yes. So is that your motion?

MR. A. PARSONS: That would be my motion, yes.

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

Seconded.

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

SOME HON. MEMBERS: Nay.

MR. SPEAKER: Approved.

Okay. So Motion 2 is that the Commission directs that either – pardon me?

CLERK: Now you need to have a motion to rescind the previous one, 2016-044?

MR. SPEAKER: No, we went with option one.

MS. MICHAEL: It was number two that was moved.

CLERK: Number two.

MR. SPEAKER: I'm sorry, I apologize. I thought it was option one. Okay, so we now need to have a motion to rescind recommendations 19 and 20. Do we have any comments or questions on that? Okay.

MR. P. DAVIS: Just one comment, Mr. Speaker, I would just like to point out again that it is noted in our note here that there was subsequent discussions – the Clerk of the House had subsequent discussions with the chair of MCRC. And these recommendations as a result of those discussions, these were done in consultation with the chair of the MCRC. Is that correct?

MR. SPEAKER: Yes.

CLERK: Yes. I actually sent her a copy of this Briefing Note to make sure that I reflected her views properly.

MR. SPEAKER: For greater clarity, for anybody who's viewing, yes, this was done in complete consultation. So we're not simply rescinding something that the MCRC directed. The chair of the MCRC had determined that it would be restrictive and had given leeway to the Clerk of the House to make the necessary changes so that it wasn't restrictive on Members. So this is not voting against something proposed by the MCRC; the MCRC chair is actually in favour of these changes. Can I –

CLERK: As I said, I sent the chair a copy of this Briefing Note and I did have return correspondence from her that said the note did reflect her understanding of the matter.

MR. P. DAVIS: And on that then, I move rescinding of 2016-044.

MR. SPEAKER: Okay. Do we have a seconder to rescind that?

Mr. Hutchings and Mr. Parsons.

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

Carried.

CLERK: Now we have to deal with the lump sum.

MR. SPEAKER: So Motion 2, the Commission directs that either in absence of an RFP, the lump sum taxable benefit will be calculated using the average cost of temporary accommodations booked through the travel management system for the previous calendar year; or, alternatively, that in the absence of an RFP, the lump sum taxable benefit will be calculated using the average cost of MHA temporary accommodations during the previous calendar year.

Does everybody understand the two options?

Any comments or questions?

Okay. Do we have a motion for either option one or option two?

MS. MICHAEL: I'll move it. I mean, it's simply the wording that's there. I move that the lump sum taxable benefit will be calculated using the average cost of MHA temporary accommodations during the previous calendar year, because it reflects the decision we just made.

MR. SPEAKER: Yes.

Do we have a seconder?

MR. A. PARSONS: I'll second that.

MR. SPEAKER: Mr. Parsons.

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

Carried.

So Tab 7; Update on the Sub-Committee for I/E Allowances, which is Briefing Note 2017-011.

At its November 23, 2016 meeting, the Management Commission accepted recommendation 28 of the MCRC report that a sub-committee be appointed to assess the realistic level of I/E allowances for all districts under the terms and conditions outlined by the MCRC, and that the sub-committee include MHA representation.

During the discussion, the Commission raised the following points: The sub-committee is to include MHA representation, which will be determined by the Commission. We'll deal with who that representation is as well.

The Commission is to be provided with interim reports on the composition and the progress of the sub-committee; the proposed allocations recommended by the sub-committee are to be based on the fixed characteristics of the district rather than the travel and spending patterns of individuals representing the district, which may vary.

I refer Members to Briefing Note 2017-011, at Tab 7, which provides information on the composition of the sub-committee, the committee's progress with respect to the development of a formula for the calculation of I/E amounts for each district. The Commission is requested to provide direction with respect to the proposed approach and formula. Direction will also be needed with respect to MHA representation on the sub-committee.

Do we have any questions or comments?

Ms. Coady.

MS. COADY: I just note that the MHA representation was supposed to be on the Commission. I'd like an update on where we are on that because they're making –

MR. SPEAKER: That's to be decided here today.

MS. COADY: But we're making recommendations without that representation.

CLERK: This is only to provide an update of the work that we conducted thus far. We're not bringing forward a recommendation at this point.

MR. SPEAKER: Simply looking for direction.

CLERK: Yes. I mean, we would need the MHA representation to conclude the piece of work. But I would, at this point, like to acknowledge and thank the people in Economics and Statistics. They do wonderful work, and they actually took every electoral district and mapped every address in every district to every other address to get an idea of just how dispersed the districts were.

It was a really fascinating piece of work, and a good basis because it removed – you know, with population, you don't know how many households there are, that sort of thing. So in terms of the whole piece around the number of communities and the dispersion and that sort of thing, it was a really interesting piece of work that they did.

MR. SPEAKER: That chart is in your (inaudible).

CLERK: And the chart at the end actually shows that dispersion. And to nobody's surprise, the Cartwright – L'Anse au Clair has the highest dispersion index.

MS. COADY: Next to Burgeo – La Poile, my colleague to my right.

CLERK: Well, that's the nice part about it. Because in Mr. Parsons's district you have the issue of the Burgeo Highway and which district is it in and parts of the districts are only accessible that way, and this takes that into account.

MR. A. PARSONS: I'll just clarify – everybody down there thinks it's all mine.

MR. SPEAKER: Ms. Coady again.

CLERK: But that's an interesting piece that needs to be taken into, and this work did that sort of thing.

MR. SPEAKER: Ms. Coady.

MS. COADY: My thought is we would want to have the MHA representation review this work as part of bringing it forward to this committee. That was –

MR. SPEAKER: Absolutely. Well, there's no decision today. It's just direction –

MS. COADY: Well, I guess the direction –

MR. SPEAKER: – and part of that direction will come –

MS. COADY: I guess the direction is I would like to hear from the MHA as well as part of the thinking around this before we make any direction here at this Commission.

MR. SPEAKER: Okay.

Mr. Browne.

MR. BROWNE: How many times have this group of individuals met or have they met at all yet to form this, what we have here?

CLERK: I think we had two meetings and a number of phone calls back and forth with Economics and Statistics to get the initial – the initial analysis takes a fair bit of time, so we wanted to look at what options were available and the level of analysis they could actually do so that we could sit down with the Members then and have a discussion on what a formula should look like.

MR. SPEAKER: Yes. There's no decision on the final outcomes yet. The work had to start somewhere, so some of the work has started to compile statistics and so on. And, at this point, one of the things we're looking for is direction as to MHA representation on the committee, and any decisions or any further direction will include MHA representation.

CLERK: If I may, they did look at the patterns of spending but you can't draw any kind of conclusion from it because it's really different.

MR. SPEAKER: Yeah, it's a foundation from which to start from, essentially.

Okay. Do Members of the Commission which wish to put forward – I mean, do we want

representation, one from each party? Do we want one person representing all of the Members in the Legislature? Just looking for some direction?

MR. P. DAVIS: Mr. Speaker, I think there's value in hearing from or having a broad range of MHAs to have a review on this. Just to the Clerk's point, a moment ago, on expenditures as well. Like, you could have an MHA in a district at some point in time that has a certain level of expenditures. After an election, by-election or general election a different person comes in and they can have a completely different pattern of expenditures depending on how that MHA –

MR. SPEAKER: Yeah, that's been addressed. I raised that concern, Mr. Davis, at a previous meeting. So it's the composition of the district –

MR. P. DAVIS: Right.

MR. SPEAKER: – that will determine as opposed to spending habits –

MR. P. DAVIS: Yeah, I'm agreeing with you. But my point is that I think there's value in having an opportunity for as many MHAs as possible to have some input or have some discussion on this, instead of just having one from each party or a couple, like a small number. I think if there was an arrangement made for a larger number, I think there would be value in it.

MR. SPEAKER: Okay.

Mr. Parsons.

MR. A. PARSONS: I agree somewhat with that. I don't think we can just leave it open and have everybody because we'd be at this forever. I mean, there are obvious differences. Like, looking at the NDP, obviously there are two Members, both urban. I'm sure one Member can put forward the position.

I look at our caucus, which we have city Members, we have completely rural Members, we need more than one. I'm sure there might be – you guys have divergent points of view too; you have rural Members and urban Members. So even if we found a way to have five or six people on the committee – I don't think we can

have everybody. I think that is the point of these committee Members, is they have to listen to our caucuses.

But if I put forward someone – if I put forward me, I'm not going to do a great job explaining what Bernie Davis deals with. The same thing here, I don't think that Tracey Perry would do a great job of talking about what you have to do and vice versa. So I think we need to find a way there, but I think we need to put a number there so there's a committee that can actually –

MR. SPEAKER: Can I make a recommendation?

Okay, Ms. Michael.

MS. MICHAEL: Maybe you'll make a similar recommendation, I don't know. We want a variety of experiences, so I'm thinking there are four categories and maybe we'll say at least one MHA from each of the categories. That's just a suggestion. That way, you'd have a real variety of experience, you know, with regard to the size and the travel that's involved.

MR. SPEAKER: Yes.

MS. MICHAEL: That's a suggestion.

MR. SPEAKER: Yes, absolutely.

I was going to suggest actually two Members from the government caucus, two from the Opposition caucus, one from the NDP, considering both Members are urban Members with the NDP. And between the three caucuses, maybe we can ensure that each of the four categories is filled.

MR. A. PARSONS: Sure. I have no problem with that.

MR. SPEAKER: Okay.

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

Carried.

CLERK: Mr. Speaker, this is time sensitive so we –

MR. SPEAKER: Yes, absolutely.

The Clerk just advised as well, this is time sensitive. We need to get this – I mean not only because it's MCRC recommendations, but it's time sensitive for budgeting and so on. So if we could get the Members of the committee from each of the caucuses done fairly quickly – there's a 120-day time limit on this so we need to –

MR. A. PARSONS: Can staff send an email to all of us with when you need it back and we'll all get it back by the time you tell us to.

MR. SPEAKER: Okay.

MR. A. PARSONS: Perhaps that's the best bet.

In relation to – I'm looking at the clock and I apologize, but I do have to be somewhere else. I'm looking at – and I know we have one thing left but it's something that may promote some debate. I'm not prepared to have that debate right now and I'm also not prepared to rush it. I think we have to meet again fairly soon. So I'm fine with this group continuing on, but I have to step out.

MS. COADY: Yes, I have to –

MR. SPEAKER: Okay. We've got two government Members – are we okay – there's one item left to deal with; it's item eight. We can put that forward to next week's meeting, if all are in favour. It will require some discussion. I don't think it's necessarily contentious, but it requires discussion.

So everybody in favour of doing that?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Okay.

All those against, 'nay.'

Okay. Do we have a motion to adjourn?

Mr. Parsons; Mr. Davis.

Thank you, ladies and gentlemen, we will – oh, before we go, we do need to set a time for next week.

MR. A. PARSONS: Put it in that email that you're going to send around looking for Members and –

MR. SPEAKER: Okay.

Thank you.

On motion, meeting adjourned.