



PROVINCE OF NEWFOUNDLAND AND LABRADOR  
HOUSE OF ASSEMBLY

HOUSE OF ASSEMBLY  
MANAGEMENT COMMISSION

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Fifty-Seventh Meeting

Wednesday, November 30, 2016

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**HANSARD**

Speaker: Honourable Tom Osborne, MHA

The Management Commission met at 5:30 p.m. in the House of Assembly Chamber.

**MR. SPEAKER (Osborne):** Welcome everybody to the Management Commission meeting, I guess an extension of the meeting that we had last week.

We have a number of items on the agenda. Item number one was the budget transfer request. I imagine Members have a copy of the briefing note for the budget transfer request.

Oh, sorry, the hon. the Clerk just reminded me to do introductions.

First of all, I welcome Ms. Sandra Burke, Chair of the Members' Compensation Review Committee, who's joining us here and available to provide clarification if needed. We will ask, on my far left, Mr. Keith Hutchings to start the introductions and we'll go down the line.

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

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

**MS. DEMPSTER:** Lisa Dempster, MHA, Cartwright – L'Anse au Clair and Deputy Speaker in the House of Assembly.

**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.

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

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

Okay, so item number 1.

**MR. P. DAVIS:** And Paul Davis.

**MR. SPEAKER:** And Paul Davis joining us over the telephone. For anybody who's watching

via television, Mr. Davis has had an injury and he's recovering.

So item number 1, Budget Transfer Request. There is a decision required on this particular item. It is office renovations were required for the government-owned building in Stephenville Crossing to accommodate the constituency office for the Member for the District of St. George's – Humber.

The renovations were required to ensure the space met the constituency office specifications. As the new office is located in a government-owned building, there will be no long-term costs. In fact, there will be long-term cost savings. The transfer of funds as required from Members' Resources Allowances to assist the Member's resource Purchased Services to provide additional funding to support this renovation.

The transfer of funds policy, April 2008, requires the House of Assembly Management Commission provide approval to the transfer of funds to or from the Grants and Subsidies main object of expenditure.

It's \$26,500 to bring that office up to the required specifications. Do we have somebody move the proposed motion that the Commission approves the following transfer of funds, or?

**MS. MICHAEL:** So moved.

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

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Approved.

Okay. Any other questions or comments on that item before we move on?

We are now at Tab 8 of last week's binder, which are the recommendations from the MCRC, and Members will be dealing with those items tonight.

**CLERK:** We have additional copies if anyone needs them.

**MR. SPEAKER:** Okay. Anybody needing additional copies?

On October 28, for anybody who didn't see last week's meeting, the MCRC presented its report on the review of the Members' salaries, pensions, severance and allowances. The report contained 59 recommendations, which are required to be brought to the Management Commission for review and decision.

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

There are 10 items under Tab 8 dealing with the various MCRC recommendations. The first recommendation, recommendation 28, is the appointment of a subcommittee on I&E Allowances, and that was dealt with at last week's meeting.

Today, we're considering the remaining items under Tab 8. Recommendations 19 and 20 are for an RFP for accommodations in the capital region. The MCRC made the following recommendation regarding accommodations for Members when the House is in session, or when the House is not in session.

Recommendation 19: "Within 60 days of the receipt of this report, the Management Commission shall place a request for proposals (RFP) for hotel and apartment-type accommodations in the Capital Region. The RFP shall provide for the Member keeping his/her room available for the duration that the House is in Session (as that term is defined in paragraph 28 (c) of the Rules)."

Item 20: "Members who wish to occupy a hotel or apartment-type accommodations, whether the House is in Session or whether the House is not in Session, will be required to use the accommodations acquired through the RFP process."

This recommendation was made to ensure that the best rate for Members, and Members who wish to occupy a hotel or apartment-type accommodation, whether the House is in Session or whether the House is not in Session, will be required to use the accommodation selected through the RFP process.

Are there any questions or comments?

Mr. Parsons.

**MR. A. PARSONS:** When it comes to this one, the sense that I've gathered from looking at it is that people understand and agree with the concept of trying to get best value for the accommodations that we're staying in.

One of the issues that has been expressed to me, and I think actually it was expressed in the statement last night, was the possibility of there may be some privacy/security/safety concerns about 19 and 20 – or, I guess, this process. Having this expressed to me – it's not something I thought of, but after hearing it and it's been discussed, I do sense the merit in that.

It's not a disagreement of the process, the value; it's figuring out how do we find a way to find accommodations that are best value. But, at the same time, we don't want a situation where it becomes common knowledge where a number of MHAs stay, for a whole plethora of reasons.

**MR. SPEAKER:** I agree.

Members have brought the same concerns to me. I have had conversations with my staff, the Clerk and so on. I think there may be a way we can accommodate this without having everybody staying at the same location, which I agree, would create security concerns if somebody were aware that you had 25 or 26 Members staying in the same hotel or the same apartment complex.

Mr. Parsons.

**MR. A. PARSONS:** I guess just further to this, coming back to the fact that we want to get best value. Is there a way that if there are options a, b and c all coming in around the same amount, would there be the possibility of using either

option? We don't want the option of – I defer to the chair of the –

**MR. SPEAKER:** Sandra Burke has a comment. I think you had indicated last night you may make some amendment to this.

**MS. BURKE:** In making this recommendation, it was not the Committee's intent to limit the selection of one hotel or one apartment-type complex. Certainly, it would not be recommended that it would be the lowest bid. We recognize there are a great variety of accommodations in the city, so accommodations should be reasonable accommodations for the Members, given the length of time they're going to be in the hotels and the impact on them on their lifestyles.

So in that regard, we would further clarify our recommendation by saying there may be an RFP to a number – there may be an accepted number of hotels or apartment-type places within the capital region, that a number of them, as long as they're within a reasonable spectrum of prices, would be fine.

Like I said, the intent is not that all MHAs be in one hotel. I recognize there is a safety issue, potentially, with that. We're trying to balance the taxpayers' monies to ensure that taxpayers understand that there is a process that has been gone through to ensure that the hotels that MHAs are staying in are appropriated at the best rate.

**MR. SPEAKER:** Andrew Parsons, followed by Siobhan Coady.

**MR. A. PARSONS:** I was going to say I'll defer to Siobhan here; I've already spoken.

**MS. COADY:** Thank you for this, and I thank you for the clarification.

I think it's very important that the clarification is there. I hear that as more of a standing offer by appropriate levels of hotels. There has to be some choice. There are safety and privacy concerns, so I'm glad to hear that clarification to being a standing offer and the lowest, best price in the reasonable range I think is a good compromise.

**MR. SPEAKER:** Okay.

Any other questions or comments?

**MS. COADY:** Can I just add to that, if I may? It has to be a range, though. We don't want all of our MHAs and for safety and security reasons staying in two hotels. It has to be a broad enough range to give some appropriate attention, but understanding the standing offer would be within the same range.

Thank you.

**MR. SPEAKER:** I agree.

If I could make a recommendation on a proposed motion. We have a proposed motion here but we'll ask Marie, in consultation with Ms. Burke, to put the appropriate wording in to ensure that there are a number of possible locations from which Members can choose to stay, based on an RFP.

So the Commission accepts the recommendations 19 and 20 and directs the House officials to issue a request for proposals for a number of hotels and/or apartment-type accommodation in the capital region with the terms and conditions outlined in these recommendations. Is that acceptable?

Do I have a mover and a seconder for that motion?

**MR. HUTCHINGS:** Can I ask a question?

**MR. SPEAKER:** Yes.

Keith Hutchings.

**MR. HUTCHINGS:** So if I could, Mr. Speaker, what you're recommending in the motion – is the RFP giving a definitive rate or a definitive range that will be used as an offer after the RFP? I think we need to clarify.

**MR. SPEAKER:** Sandra Burke.

**MS. BURKE:** Again, the Committee's intent is not to limit the Members to one accommodation, one hotel. There are a number of hotels that provide a standing offer rate that is a reasonable range. So if hotel A is a \$120 and hotel B is a

\$130 and hotel C is at \$140, for example, then I would not see that, that one hotel, the lowest hotel be selected.

All three hotels would be available but, again, the Management Commission would determine what hotels would be appropriated and what the reasonable range would be, bearing in mind that these are taxpayers' dollars we're dealing with.

Does that answer your question?

**MR. SPEAKER:** Keith Hutchings.

**MR. HUTCHINGS:** Yes, thank you.

So the point is the standing offers would be respective of the response of the RFP and, from there, a decision would be made whether that was in the context of a good execution of the taxpayers' money. So that's fine; that answers the question.

Thank you.

**CLERK:** May I ask a question?

**MR. SPEAKER:** Yes.

**CLERK:** My understanding is that Members would have the right to pick from the list, right? We would not be sending out an RFP to reserve a block of rooms like we would for a conference. This would be a list of hotels and Members would individually select their preferences from that list.

**AN HON. MEMBER:** (Inaudible.)

**CLERK:** Yes.

**AN HON. MEMBER:** (Inaudible.)

**CLERK:** Correct.

**MR. SPEAKER:** Yes. Members would still have the choice from a list to choose from, so it would be the Members' choice which location they choose.

So I think the proposed motion that I put forward would work for that.

Do we have a mover and a seconder for the proposed motion?

Moved by Andrew Parsons; seconded by Keith Hutchings.

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

Recommendations 1 and 2, the MCRC made the following recommendations regarding MHA salaries: "1. Commencing with the completion of the next public sector union negotiations, MHA salaries shall be adjusted in accordance with the average negotiated percentage adjustments related to the following collective agreements: a. General Service Contract; b. Health Professionals Contract; c. Registered Nurses Union Contract; d. Royal Newfoundland Constabulary Association Contract.

"2. The adjustment to MHA salaries shall occur within 30 days of implementation of the adjustments to the last of these four collective agreements."

The Committee made the recommendations to provide an adjustment mechanism for MHA salaries which would be fair and in line with adjustments in the public sector and also consider the economic climate of the province.

I did speak with the chair of the MCRC and once the four collective agreements are negotiated and agreed upon, within 30 days – it would be an automatic implementation within 30 days of the average. It would not be brought to the House for a vote. It would be automatic. The implementation would be based on the average of these four negotiated contracts. I'm correct in –

**MS. BURKE:** Yes.

**MR. SPEAKER:** Sandra Burke, okay.

Are Members in agreement? Any comments or questions?

Mr. Hutchings.

**MR. HUTCHINGS:** Just a little clarity. It's four contracts – incrementally, over a period of time these could be settled in regard to a new collective agreement. Is there a period of time that you would average the four out or would you wait an extended period of time? Then, at that time, would it be retroactive to when the first contract – I just need some clarity in regard to your thoughts on that.

**MR. SPEAKER:** Okay.

Sandra Burke, if you could clarify.

**MS. BURKE:** As the recommendations indicate, we had chosen those particular contracts because they were usually negotiated between March and June of each period. Now, granted, there may be some time in terms of how they're finally negotiated, but our thought would be is that the average of those – the implementation of any adjustments in salaries would occur when the last contract was done.

**MR. SPEAKER:** Okay. So if I understand Mr. Hutchings's question, the effective date of the implementation of the increase of the average of those four public sector unions would be the –

**MS. BURKE:** The last.

**MR. SPEAKER:** The implementation date of the last contract?

**MS. BURKE:** Right. For example, if the RNC Association contract was the last one to be negotiated and settled of the four that are there, that date would be the implementation date for the MHAs adjustments.

**MR. SPEAKER:** Okay. So it's the date of the negotiated contract not the date of the implementation of the wage for the last, is it?

**MS. BURKE:** It would be the date of the contract when it's negotiated.

**MR. SPEAKER:** Okay.

**MS. BURKE:** When the contract is settled, it's 30 days from there, the MHAs would have their –

**MR. SPEAKER:** Yes. I think it's important to make sure that that's clear. So if I'm clear, you can correct me Ms. Burke if I'm not, but the implementation date would be the date of the agreement of the last negotiated contract.

**MS. BURKE:** Right.

**MR. SPEAKER:** Correct, okay.

So are all Members – Mr. Davis.

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

I hope everybody can hear me okay. I apologize for the echo a few minutes ago. There was a bit of a delay between how I can hear you and how I can speak to you.

I just raise one matter pertaining to the Royal Newfoundland Constabulary Association. When their contracts are done, what's been in place for maybe the last 10 years, is that their contracts don't include specifics of their negotiated increases; in fact, no negotiated increases at the time of signing the contract. The increases are implemented on an annual basis, based on a formula which is determined based on existence of other contracts throughout the country, of March 31 of each year.

Sometimes – and the minister can speak to this probably a little bit further than I can and get us more up to date than I can. But sometimes it may take two or three months before the actual salary for the members of the RNC Association are known. So it may take until June, for example, before it's known what those increases would be effective April 1, and that's done an annual basis.

I'm wondering if the intent of the committee was to do this on an annual basis, and, if so, we could structure it so the RNC Association annual increases would be included. Of course, they won't be known at the time of signing. So was the intention to do it on annual basis or just do it once when the contracts are signed?

**MR. SPEAKER:** I'll ask the question to Ms. Burke as well. For example, a public sector union, if the negotiated wage – and I'm not putting out any suggestions here or have any knowledge of what – but if a public sector

negotiation is zero, zero, two and two, for example, that would be factored in so that the increase to MHA salaries would then be zero, zero, two and two. That calculation for that one union would factor in – we'd base it on an annual basis of the average increase of the four unions for each of those years.

**MS. BURKE:** Each year. So if it's zero, zero, two, two for the general service, and if it was one, one, one, one for the health, then you would average those contracts each year.

**MR. SPEAKER:** Yes.

**MS. BURKE:** Okay.

**MR. SPEAKER:** So if you had two at zero and two at one, then the average –

**MS. BURKE:** Is half.

**MR. SPEAKER:** – would be 0.5 of a per cent.

**MS. BURKE:** Right, over the year.

**MR. SPEAKER:** Over the year.

Does that answer your question, Mr. Davis?

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

I think it does, but just to point out, the increases for that particular contract are not known until quite often early summer. The minister can comment. I think it was early June or even July this year before it was finalized, what the calculations were going to finalize and approve.

So as long as we realize, and the process would include all four. If it's done on an annual basis, there may be a little bit of work to go back to make it effective from, for example, April 1 each year or whatever date is chosen. But as long as it's realized that one's done a little bit differently, it's not done on the signing of the contract.

**MR. SPEAKER:** Yes. Mr. Davis, there may be, in some cases, a lag, for example, with the RNC Association in determining what that raise is.

For example, if the RNC would be the last one, and it's effective the signing date of the contract,

but it takes the RNC Association a month or two. Presumably, their increases would be retroactive to the date of the contract. So, presumably, Members' increases would be retroactive to the date of the contract as well.

Is that correct, Ms. Burke?

**MS. BURKE:** That's exactly right.

**MR. SPEAKER:** Okay. So does that answer your question?

**MR. P. DAVIS:** It does, but now the contract with the RNC expires in June and salary becomes effective in April. But I'm sure we can work that out, as long as it's understood that – I think we have an understanding there.

**MR. SPEAKER:** Yes.

**MR. P. DAVIS:** I just wanted to make sure that what the intention of the committee was would fit the circumstances, bearing in mind that the RNC do not negotiate their salaries, which is referenced in (inaudible).

**MR. SPEAKER:** Yes. Their contract is done a little differently than the public sector union. That's understood. I guess the thing is the date of the agreement is the effective date of the calculation.

**MR. P. DAVIS:** Yes, I think we're saying the same thing.

**MR. SPEAKER:** Yes, okay.

With that being said, any other questions or comments?

Siobhan Coady.

**MS. COADY:** Thank you very much.

I support the concept of this. I know as a former Member of Parliament, the Member of Parliament is pegged to an indicator as well. So I'm supportive of the indicator.

I would note for the public, MHAs have not received any increase in their salary since 2008 and currently rank ninth. That's in the report. I just wanted to point it out so the general public

is aware of where we rank and the current salary levels.

Thank you.

**MR. SPEAKER:** Okay.

Lorna Proudfoot.

**MS. PROUDFOOT:** There will be an amendment that is required to the act because right now the act states a fixed amount. What the amendment would be is not the new amount. It would be the manner of fixing the amount.

**MR. SPEAKER:** Yes, that's understood. That would probably be brought in in the spring session or whenever officials, legislation writers write the legislation.

Okay. If there are no further questions or comments, the proposed motion would be: "The Commission accepts recommendations 1 & 2 and direct that MHA salaries shall be adjusted in accordance with those recommendations."

Do we have a mover and a seconder?

Moved by Lorraine Michael; seconded by Keith Hutchings.

All those in favour?

**SOME HON. MEMBERS:** Aye.

**MR. SPEAKER:** Those against?

Carried.

Okay, item 4, Recommendations 3-6, Legislative Office Holder Salaries. The MCRC made the following recommendations regarding salaries paid to legislative office holder positions:

"3. Legislative Office salaries shall not be adjusted in accordance with the Committee recommendations regarding MHA salaries during the 48th General Assembly;

"4. Subsection 12(1) of the Act be amended to change the salaries of the following Legislative Offices, effective April 1, 2017: a. Speaker of the House – \$48,665; b. Deputy Speaker and

Chair of Committees – \$12,166; c. Leader of the Official Opposition – \$48,665; d. Opposition House Leader – \$24,330; e. Leader of the Third Party – \$24,330; f. Chair of the Public Accounts Committee – \$12,166; g. Vice-Chair of the Public Accounts Committee – \$9,300.

"5. Subsection 12(1) of the Act be amended such that there be no salary for the following Legislative Offices, effective April 1, 2017: a. Deputy Chair of Committees; b. the Deputy Opposition House Leader; c. Party Whip; and d. Caucus Chair.

"6. Subsection 12(1) of the Act be amended to add a Legislative Office position and salary as follows: a. Third Party House Leader – \$12,166."

So all of these following positions, I guess for anybody watching at home, have been decreased. We won't go into what they were but they've been decreased with the exception of the Third Party House Leader. Currently, the Third Party Leader doesn't sit in the House and that salary wouldn't apply unless that changes.

Any comments or questions?

Mark Browne.

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

I note that, as you just stated, the majority of these positions will be facing mostly a 10 per cent cut with the exception of the position of the Leader of the Third Party. I just have a question on number 6: "Subsection 12(1) of the Act be amended to add a Legislative Office position and salary as follows" which is the Third Party House Leader. Am I correct in saying that's not a position at present?

**MR. SPEAKER:** No, that position currently isn't covered under the act.

**MR. BROWNE:** Okay.

Is that position recognized in the Standing Orders? Would that have any bearing on attaching a salary to it?

**MR. SPEAKER:** Sandra?



**MS. BURKE:** No. Neither is the Deputy Chair of Committees position recognized, but we pay that position. We go by what's outlined in the legislation.

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

Mark Browne.

**MR. BROWNE:** So, Mr. Speaker, I guess my question would be – just for clarity for the purpose of those watching at home and Members of the Committee – given that the majority of these positions are seeing a cut, what was the rationale behind the creation of that position?

**MR. SPEAKER:** I'm not sure.

Ms. Burke.

**MS. BURKE:** The rationales for all of the recommendations that are made by the Committee are set out in quite a lot of detail in the report. In relation to this particular legislative office position, if you turn to page 35 at the bottom: "Upon review of the various Legislative roles, we noted that there is no role for a Third Party House Leader. Similar to the role of the Opposition House Leader, we have concluded that a Third Party House Leader would contribute towards the effective governance of the province. As a Third Party, the Leader would not be entitled to the same remuneration as the Opposition House Leader." Therefore, we're recommending the salary that we did.

So in terms of striking balance in the House with respect to the House Leader positions, we felt that it would be appropriate to create that position for the Third Party.

**MR. SPEAKER:** Lorraine Michael.

**MS. MICHAEL:** Thank you, Mr. Speaker.

I am making this statement totally objectively because I don't care who sits in the Third Party. With the changes to the Party Whip and caucus Chair, where there is no money, those salaries would be taken away which I absolutely agree with.

My understanding – because I think there's something about this in your rationale as well in another section. My understanding is that the Commission realized that with a Third Party, if there's also no Whip and there's no caucus Chair, that the Third Party would be – no position would be getting any money for the work that's being done that is also being done by the other parties. I understand that is the rationale.

Based on that, I certainly see the reasoning for it. The Leader of the Third Party, no matter who it is, is in charge of the running of that party in the House of Assembly, meets with the Government House Leader and the Opposition House Leader, is part of the decision making that goes on with regard to what's happening in the House and the role of the party in the House.

So that's my understanding of the rationale. It doesn't matter to me who's in the position. I hope you do realize I am speaking objectively here.

**MR. SPEAKER:** Mark Browne.

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

I thank the Chair and I thank Ms. Michael for her comments of clarification.

My questions were not rooted in anything but trying to seek a clearer understanding. I noticed, as the report laid out every other position, that one wasn't as well laid out as the other positions.

I thank the Chair and Ms. Michael for that clarification. I guess as a new Member I just wanted to make sure that those – not a position recognized in Standing Orders, that we're doing something that was on the up and up.

Thank you, Mr. Speaker.

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

**MR. A. PARSONS:** I'd like to ask Ms. Burke how come there's no raise for the Government House Leader.

**MS. COADY:** And Deputy.

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

I should point out, in the event – and I’m not suggesting – that the Third Party would have just one Member, it would just be, presumably, the Leader of the Opposition. Unless the Leader is not an elected Member, at which point the Member would undoubtedly be the House Leader.

Any other questions or comments?

Okay, the proposed motion is that the Commission accepts Recommendations 19 and 20 and directs the officials – sorry. Yeah, the Commission accepts Recommendation 3 that the legislative office salaries shall not be adjusted in accordance with the Committee recommendations regarding MHA salaries during the 48th General Assembly.

Do I have a mover and a seconder?

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

All those in favour?

**SOME HON. MEMBERS:** Aye.

**MR. SPEAKER:** Those against?

Carried.

Motion 2, the Commission accepts Recommendation 4 that: “Subsection 12(1) of the Act be amended to change the salaries of the following Legislative Offices, effective April 1, 2017: a. Speaker of the House – \$48,665; b. Deputy Speaker and Chair of Committees – \$12,166; c. Leader of the Official Opposition – \$48,665; d. Opposition House Leader – \$24,330; e. Leader of the Third Party – \$24,330; f. Chair of the Public Accounts Committee – \$12,166; g. Vice-Chair of the Public Accounts Committee – \$9,300.

**MR. P. DAVIS:** Just one question, Mr. Speaker.

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

**MR. P. DAVIS:** I take it that under Recommendation 6, would the effective date be

the same as it is for Recommendation 5 and 4 even though it’s not indicated, or it would be immediate?

**MR. SPEAKER:** That would be the House Leader for the Third Party?

**MR. P. DAVIS:** Yes. There are effective dates under Recommendation 4 and 5, just not for 6. I just thought we should clarify that.

**MR. SPEAKER:** Okay.

**AN HON. MEMBER:** That would be April 1 as well.

**MR. SPEAKER:** Okay, so I’ll add that to the motion once we get to that. Motion 2 would be these positions.

Do we have a mover and a seconder?

Moved by Lorraine Michael.

**MR. P. DAVIS:** Seconded.

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

All those in favour?

**SOME HON. MEMBERS:** Aye.

**MR. SPEAKER:** Those against?

Carried.

Motion 3 that the Commission accepts Recommendation 5 that: “Subsection 12(1) of the Act be amended such that there would be no salary for the following Legislative Offices, effective April 1, 2017: a. Deputy Chair of Committees’ b. Deputy Opposition House Leader; c. Party Whip; and d. Caucus Chair.

Do I have a mover and a seconder?

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

All those in favour?

**SOME HON. MEMBERS:** Aye.

**MR. SPEAKER:** Those against?

Carried.

Motion 4, the Commission adopts Recommendation 6 that Subsection 12(1) of the act be amended to add a legislative office position, effective April 1, 2017, with a salary as follows: Third Party House Leader, \$12,166.

Do we have a mover and a seconder?

**AN HON. MEMBER:** (Inaudible.)

**MR. SPEAKER:** That's the Third Party House Leader, effective April 1.

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

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

Recommendation 10, 11 and 17, Seasonal and Special Occasion Cards & Greetings; Office Operations, Supplies & Communications: "The 2016 MCRC made the following recommendation respecting seasonal and special occasion cards and greetings (under Office Operations, Supplies & Communications): 10. The recovery of expenses incurred for seasonal and special occasion cards is prohibited. Paragraph 24(j) of the Rules is to be repealed. 11. Recovery of expenses incurred for advertising of messages of welcome, greetings and congratulations is prohibited, except for the recognition of national, provincial, constituency level weeks, days and events. Members may still include messages of welcome, greetings and congratulations in MHA newsletters."

"The 2016 MCRC recommends that Section 24 of the Rules be amended such that recovery of expenses (postage, photography, printing, etc.) incurred for seasonal and special occasion cards be prohibited. It also recommends that recovery of expenses for advertising of messages of welcome, greetings and congratulations be prohibited, except for those events identified in recommendation 11.

"The rationale is that seasonal greetings and the marking of special events can be accommodated in MHA newsletters, or should come from an MHA's personal resources should he/she wish to send seasonal/special occasion cards or greetings.

"Although the Committee has recommended that some expenses under this category of allowances be eliminated, the Committee recommends that the allowance amount of \$12,000 remain the same."

Are there any questions or comments?

Siobhan Coady.

**MS. COADY:** This is to the Chair; it just occurred to me, the cap remaining at \$12,000, is that taking into consideration the change in structure of the new configuration for the MHA districts?

I'm sure you've discussed it. Could you just elaborate on that?

Thank you.

**MS. BURKE:** It doesn't primarily take into account the changes in the districts, but we felt that \$12,000 would accommodate the change in the districts, so it wasn't our only factor. The primary driver in leaving the allowance as it was, with the decrease in the advertising and the special occasion cards, we recognized in the production of newsletters, for example, postage would still be required. So that's why we left it at that level.

**MR. SPEAKER:** It is a valid point; districts are approximately 20 per cent larger, I think, or 15 to 20 per cent larger. Obviously, there will be a greater number of newsletters and a greater expense to get this newsletter distributed. There may be other expenses and so on. It's perhaps too early to tell. We're a year in and I'm not sure if the accounting has been done to accommodate – I'll ask the Clerk, on the allowances, has there been an increase in allowances based on –

**CLERK:** I don't have that information. I have the information in that particular allowance category updated to the end of October. I know nobody has exhausted their funds in that

particular allowance. It's a capped allowance so we do monitor that. Actually, there are only a couple of Members who use the full allocation anyway. There's usually some residual funds left in everybody's allowance.

I can certainly get that information for you either after the meeting or in the morning because I do update it regularly.

**MR. SPEAKER:** We have almost half of the fiscal year remaining.

**CLERK:** We have seven months.

**MR. SPEAKER:** I wouldn't want to see Members shortchanged because of an increase in their district size. While greeting cards and so on are no longer permitted, there are an additional number of newsletters and the cost of getting those newsletters distributed.

Prior to recognizing Ms. Burke, I wonder is there a way – within the MCRC recommendation, should it be that because of the increase in district sizes that the \$12,000 allowance should need to be adjusted? Is there a way we can make an allowance for that under your recommendation?

**MS. BURKE:** Before I address that particular issue, when we looked at the Office Operations, Supplies & Communications, we noted that in each fiscal year, from 2007 onward, Members, generally speaking, have not utilized all of this allowance in any event.

This is a budgeting concern, I think, for the House. We haven't been clear as to why all of the allowances have not been utilized. So it was the Committee's view that \$12,000 seemed an appropriate level, despite the fact that there was an increase in the district sizes, given that MHAs were not using the full amount of the allowance that was given to them in any event.

Again, this is a Management Commission issue. If it is shown that a Member has reasonably used his allowance in terms of sending out newsletters, things of that nature, in compliance with the legislation and due to the increased size in the district, there's a legitimate need to increase that allowance for that particular district, then similar to what we've done with the

I&E, I would see no issue with the Management Commission dealing with that issue.

Again, the legislation allows the Commission to review these matters as long as it's done in a thoughtful way that is realizing that these are taxpayers' dollars.

**MR. SPEAKER:** I just wanted to clarify where the Commission had recommended that the allowance remain at \$12,000, I wanted to ensure that the Management Commission still – chances are maybe it's adequate based on the fact that Members hadn't used it in the past, but I wouldn't want to find out in six or eight months from now that we're capped at \$12,000 for the remainder of the General Assembly with no way of changing it.

If there's a particular district because of the change in geography and population, if the Management Commission is equipped with the ability to deal with that district over the course of the next three years –

**MS. BURKE:** We didn't have the time to review the resources in relation to the districts. We felt comfortable with the \$12,000 cap because of the fact that the Members had not used a significant amount. I mean, it's a substantial amount that they hadn't used in previous years. But, as I said, it's in my view that the Commission can, in accordance with the legislation, deal with these issues, if there is a rationale put to the Commission by each Member to add to that –

**MR. SPEAKER:** Okay, that answers the question.

My concern was that it wouldn't be carved in stone, capped at \$12,000, should there be a need to review it.

**MS. BURKE:** As long as it's in contemplation with the legislation –

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

**MS. BURKE:** – and the restrictions placed on the Management Commission in dealing with those changes, there shouldn't be an issue.

**MR. SPEAKER:** Perfect. I know some of the rural districts may need to be looked at, so I just wanted to make sure that those particular Members wouldn't have been put at a disadvantage. The urban Members, such as myself, generally don't require that amount, but there are some Members that it may affect.

Any questions?

Mark Browne.

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

Just for the record, this allowance, in my case for instance, probably much of it would be unused. I guess as a new Member, I have been seeing how things go as we move along. I wanted to put out a newsletter to my district, which I have not done yet, so there's probably a large portion of mine that is unspent.

To your comments, for those of us in large, rural districts, it's very difficult to be in 20 places at once, so we do rely on informing our constituents as to what's happening, what we're doing and how to contact us. So I think it would be prudent and wise to have a review done of the allowance there to ensure that in view of the larger districts that it's an amount that is befitting of those larger districts.

**MR. SPEAKER:** Perfect.

Any other comments or questions?

Okay.

The proposed motion is, "The Commission accepts recommendation 10 and 11 that the recovery of expenses incurred for seasonal and special occasion cards and messages of welcome, greetings and congratulations are prohibited."

Do we have a mover and seconder?

Moved by Lorraine Michael; seconded by Keith Hutchings.

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

Motion 2, the proposed motion is that the Commission accepts recommendation 17 that the Office Operations, Supplies & Communications capped at \$12,000, inclusive of HST. We just dealt with that. That would probably work but I mean if there is a need to adjust it, the Management Commission has the ability to adjust it, which is the reason I raised it.

So should we put that in the wording of the motion?

**AN HON. MEMBER:** (Inaudible.)

**MR. SPEAKER:** Not necessary. Okay.

Do I have a mover and seconder?

Moved by Andrew Parsons; seconded by Keith Hutchings.

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

Recommendation 16 – Promotional Items. "The 2016 MCRC made the following recommendation with respect to promotional items supplied to MHAs by the House of Assembly: 16. Upon determination by the HOA as to the promotional items it has budgeted, such promotional items shall be made available to the MHAs based on the population in the respective districts, on a pro rata basis.

"The HOA supplies MHAs with promotional items for use in districts. Such materials including lapel pins, provincial flags, certificates, certificate holders, business cards and letterhead.... The HOA, as with Government departments, must budget its needs. While it is important that all Members have access to promotional items provided by the HOA, it is equally important to accept that there are a limited means by which such material can be supplied."

The MCRC “recommends that upon determination by the HOA as to the promotional items it has budgeted, such promotional items shall be made available to MHAs based on the population for their district ....”

Are there any questions or comments?

The proposed recommendation is that: “The Commission accepts recommendation 16 that, upon determination by the HOA as to the promotional items it has budgeted, such promotional items shall be made available to the MHAs based on the population in their respective districts, on a pro rata basis.”

**MR. BROWNE:** So moved.

**MR. SPEAKER:** Moved by Mark Browne; seconded by Lorraine Michael.

All those in favour, ‘aye.’

**SOME HON. MEMBERS:** Aye.

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

Carried.

Recommendation 18 – item seven in your books – Definition of Private Accommodations.

“The 2016 MCRC made the following recommendation regarding the definition of private accommodations (under Travel and Living Allowance): 18. Paragraph 28(e) ‘Private Accommodations’ shall be amended to delete the reference to Members’ children.”

“The 2016 MCRC is recommending that the definition of private accommodations be amended to remove the reference to Members’ children, allowing them to claim the nightly per diem for private accommodations when staying with their children.”

Are there any questions or comments?

The proposed motion is: “The Commission accepts recommendation 18 that Paragraph 28(e) ‘Private Accommodation’ shall be amended to delete the reference to Members’ children.”

Do I have a mover?

Moved by Lorraine Michael; seconded by Andrew Parsons.

All those in favour, ‘aye.’

**SOME HON. MEMBERS:** Aye.

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

Carried.

Recommendation 21 – Annual Lump Sum for Temporary Accommodations in Capital Region.

“The 2016 MCRC made the following recommendation regarding the option for Members to choose an annual lump sum for temporary accommodations in the Capital Region (under Travel and Living Allowance):

“21. A Member may opt to receive a lump sum for his/her accommodations rather than avail of the Secondary Accommodation, Private Accommodation or Temporary Accommodation: a. such lump sum shall be a taxable benefit to the Member; b. shall apply to the Capital Region only, for the entire fiscal year, whether the House in Session or the House not in Session; c. the Member must elect this option no later than 30 days before the commencement of the fiscal year. If he/she does not so elect, the Member will not be permitted this option and shall have to choose from the Secondary Accommodation, Private Residence or Temporary Accommodation options;

“d. The lump sum will be calculated as follow: i. Using the average number of days the House was in Session calculated over an 8 year period (2008/09 to 2015/16 the average sitting days of the House was 51) multiplied by ii. the Temporary Accommodation rate (at the RFP price). e. the Member may not seek other accommodation expense reimbursement for the remainder of that fiscal year; f. if the Member leaves office prior to the end of the fiscal year, the Member must repay the lump sum on a pro rata basis.”

Andrew Parsons.

**MR. A. PARSONS:** Just two questions, one of them might be not even relevant. I’m just wondering now – I’m in here, I guess, in my

ministerial role quite a bit. This doesn't apply to that, obviously.

**MR. SPEAKER:** (Inaudible.)

**MR. A. PARSONS:** Okay. I just wanted to double check because that would be not good.

The second part, now that we've announced we are moving to a parliamentary calendar, is there a way that we can link that in where we have – when that hand goes up, I'm going to sit down.

**MR. SPEAKER:** Sandra Burke.

**MS. BURKE:** I wish I had that power all the time.

Yes, I was advised there is a new Standing Order, I believe, that sets the number of parliamentary days. When we wrote the report we were not aware of that. So I think it would be reasonable, instead of saying using the average number of days the House is in session calculated over an 8-year period that we use whatever the Standing Orders determine.

**MR. A. PARSONS:** The Standing Order also says that, I guess, in my role as Government House Leader, I set the calendar by Jan. 31, theoretically. So that will allow the spring and the fall, but we all know that sometimes it goes later for various reasons. We don't want a situation where we have to sit two extra weeks to deal with an emergency and we end up, because of the way this is worded, that Members can't be compensated because – I understand what we're trying to do here. I just want to make sure we word it, because I agree with the principle.

**MR. SPEAKER:** If I could make a recommendation, based on the new information that there will be a sitting calendar, are we able to tie the recommendation to the number of the days in the sitting calendar or the number of days sat in that particular year, because we know there's going to be a calendar with a set number of days. But if there's an emergency debate, or if for some reason – I know that over the years Members have been called in from time to time for debates that are not anticipated.

**MS. MICHAEL:** (Inaudible.)

**MR. SPEAKER:** Or business is not completed and you need to extend –

**MR. A. PARSONS:** (Inaudible) where I had anticipated that perhaps I might be done by December 8, it's not going to happen, out of my control. The fact is there's legislation coming in and you have to deal with that. We might be here until the 15th; we might be here until the 20th. That's not anybody else's fault except perhaps mine or government's. It's one of those things; I don't think we want more than what we should get, but I also don't think Members should be out of pocket for nights that are out of their control because the House is in session.

So I agree with the concept completely, which is a lump sum and it should be based on – we have to find some kind of calculation where we can accommodate the nights that are here and if it goes up, if it goes down, nobody should get more or less. It should be what it is. I think I'm making sense.

**MR. SPEAKER:** You are, yes, absolutely.

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

**MR. SPEAKER:** Mr. Davis, go ahead.

**MR. P. DAVIS:** Just if I can add another nuance to that. Earlier I think we made a decision that on the temporary accommodation rate it could be actually a variety of rates or a level of rates. Under d.ii. it references, "the Temporary Accommodation rate (at the RFP price)." So if we have a variety of prices in the RFP, does Ms. Burke have a recommendation of how we would determine what that rate would be?

**MR. SPEAKER:** Okay. One second.

Ms. Burke.

**MS. BURKE:** Just bear with me a moment.

**MR. SPEAKER:** Okay.

You'll have to hold your question for a moment, Mr. Davis.

**MR. P. DAVIS:** No problem.

**MR. SPEAKER:** Siobhan Coady.

**MS. COADY:** Thank you.

I think my colleague is making a very valuable point. Justice Green, in his Green Report, did specifically say he did not want to cause undue hardship to MHAs so that we don't discourage people to run for politics. I think this is in that spirit, to make sure that we accommodate when the House is sitting that they have accommodation.

Thank you.

**MR. SPEAKER:** Okay.

Mr. Davis had a question for you before you – Mr. Davis.

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

Sorry, I didn't realize she was doing some other work there.

In our earlier discussion on the temporary rate – or temporary accommodations, sorry – we discussed that there could be a variety of rates. There could be two or three or four different temporary accommodations that have been accepted through an RFP. I'm just wondering if she had a recommendation on how you would actually set the RFP price or the temporary accommodation rate?

**MS. BURKE:** I would think that it would be at the average price.

**MR. SPEAKER:** The average, yes.

**MS. BURKE:** And in relation to Mr. Parsons's question, what I would see happening there is if a Member wished to opt for this option they would have to make their claim once they knew what the set parliamentary calendar was and then if there were additional days, then those additional days would be paid at the RFP rate.

**MR. SPEAKER:** And if there are less days it would be deducted at the RFP rate.

**MS. BURKE:** No, because the parliamentary calendar is set. You're actually sitting that number of days. Because we're not actually sitting that number of days, we're back to the recommendation.

**MR. SPEAKER:** Yes. It is possible, though, that we could sit fewer days than the parliamentary calendar.

**MR. A. PARSONS:** I would suggest that will be – again, time will tell. I'm going to suggest that would be extremely rare in that most situations the House goes longer. I haven't seen a situation where – there has been no calendar in place but I haven't seen a situation where we sit less than what we anticipated, it is always more.

I think the principle is getting through here, that we're all on the same page with the principle, and if that situation arises there must be some kind of way to have a claw back.

**MR. SPEAKER:** Okay.

Could I ask Ms. Burke, if you could modify your recommendation to reflect what you just said for the ease of the motion?

The proposed motion is that the Commission accepts Recommendation 21, that Members be provided the option to choose an annual lump sum for temporary accommodations in the capital region under Travel and Living Allowance with the terms and conditions provided for in that recommendation.

Ms. Burke is going to modify her recommendation to reflect what we just discussed.

**MS. BURKE:** Okay, so we can take that and say: Except that the lump sum shall be calculated based upon the number of days in the sitting calendar, or the actual number of days sat, and the average rate of temporary accommodations resulting from the RFP. So we're basing it on the actual number of days sat.

The Member has to make the claim first. There has to be a deadline by which the Member must make the claim. Then, they would be provided with the lump sum based upon the parliamentary calendar. So the lump sum will be calculated based on the number of days in the sitting calendar.

If the House sits longer than the parliamentary sitting calendar, then those additional days shall be paid at the average rate of the temporary



accommodations in the RFP. If the number of sitting days is less than the parliamentary calendar, then the Member will have to repay the amount of money based upon the average RFP rate.

**MR. A. PARSONS:** That makes sense to me. I don't know what my colleagues feel. I think we're achieving the principle here.

**MR. SPEAKER:** Sandra Barnes.

**CLERK:** Ms. Michael wants to speak as well.

I just note that the amendments to the Standing Orders, which were passed by the House, are provisional. So I would probably have to include the formula and the rule under the Standing Orders. We just can't make the assumption that the parliamentary calendar will be in place.

**MS. COADY:** We'll have to make it subject to.

**CLERK:** Yes.

**MR. SPEAKER:** I think Lorraine Michael was next.

**MS. MICHAEL:** Thank you.

Just to answer the Chair's question, yes, it makes sense to me. My one concern would be – well, I think this takes care of it actually – if we use the sitting calendar as the base, then people can apply immediately for the allowance. I think that's what's important, so that people aren't paying out of pocket without having the allowance.

**MR. SPEAKER:** I have a potential proposed motion: The Commission accepts Recommendation 21 that Members be provided the option to choose an annual lump sum for temporary accommodations based on the parliamentary calendar in the capital region under Travel and Living Allowance. Should the number of days be greater than the parliamentary calendar, the rate will be adjusted based on the RFP rate and subject to the terms and conditions provided for in the recommendation. Does that make sense?

We have another: The Commission accepts Recommendation 21 that Members be provided

the option to choose an annual lump sum for temporary accommodations in the capital region under Travel and Living Allowance, with the terms and conditions provided for in that recommendation, except that lump sum will be calculated based on the number of sitting – I would change that to say, based on the parliamentary calendar or the actual number of days sat and the average rate. I'm going to go back to mine. I'm going to read that again.

The Commission accepts Recommendation 21 that the Members be provided the option to choose an annual lump sum for temporary accommodations based on the parliamentary calendar in the capital region under Travel and Living Allowance. Should the number of days be greater than the parliamentary calendar, the rate will be adjusted based on the RFP rate and subject to the terms and conditions provided for in the recommendation. Does that make sense to everybody?

Lorna.

**MS. PROUDFOOT:** There was no reference to should the days be fewer. That needs to be added: should the days be fewer.

**MR. SPEAKER:** The last part of that, should the number of days be greater than or fewer than the parliamentary calendar, the rate will be adjusted based on the RFP rate.

That covers us off in the event that it is fewer. I know it's unlikely.

**MR. A. PARSONS:** I always get worried when we're debating multiple motions. I want this done just as well as everybody, but even if it takes us to come back – and this is not about Ms. Burke coming back. I realize we're here, I think we're on the same page, and maybe Ms. Burke can look at the – because we're going to have lots of Management Commission meetings where Ms. Burke is not here.

Even if we come back in a week from now and have a motion that we have some time, instead of sitting here and doing something where we might even get a word wrong. Does that make sense? Because we're all on the same page, it's just doing the wording correctly.

**MR. SPEAKER:** Let's have the motion written clearly so that everybody can read it. I'm going to propose that we sit again next Wednesday to deal with other recommendations. We'll defer this particular recommendation until next Wednesday, have it put in writing so that all Members can see the writing and base their decision on what's in writing.

Do we have an agreement on that?

All those in favour?

**SOME HON. MEMBERS:** Aye.

**MR. SPEAKER:** Those against?

Carried.

Recommendation 24, Mileage Allowance within Commuting Distance. The MCRC made the following recommendations regarding Members' ability to claim mileage allowance when travelling within commuting distance (60 km zone). 24. There will be no mileage allowance for any Member travelling within the 60 km zone (commuting distance). This restriction does not apply to Intra/Extra Constituency Allowance."

Currently "Members who live within commuting distance may not claim mileage and those who reside outside commuting distance may claim mileage. The view of the Committee was that there is little fairness between Members who are 'close' to the commuting distance, and people in this province travel far greater distances to and from their place of work and receive no benefit for such travel.

"The Committee recommended that there be no mileage allowance for any Member travelling with 60 km zone, which they felt would place all Members who travel within the 60 km zone on the same footing."

Any comments or questions?

Andrew Parsons.

**MR. A. PARSONS:** I sort of have been looking at this one, Recommendation 24, and I looked at Recommendation 27 at the same time. That's how I've been dealing with it; Recommendation

27 being the allowance there. I think there's been some concern expressed about Recommendation 24.

Maybe I don't understand it correctly. Maybe it is not in my head the right way. So if I travel from my home to St. John's for House of Assembly or not House of Assembly, for whatever reason, once you hit the 60 km zone, then it's not claimable I guess is the word – am I right there?

**MR. SPEAKER:** Ms. Burke.

**MS. BURKE:** I am going to have to defer to the Clerk because it's late and I had a long day. Maybe we could defer this to the following week, but with my briefing with the Members last night, I need to be absolutely clear about I&E and the 60 km zone because it's late, so I'm getting quite tired.

**MR. SPEAKER:** I'm going to make a recommendation – I mean, Ms. Burke wants to do an additional piece of work on this particular recommendation.

**MS. BURKE:** Yes.

**MR. SPEAKER:** I know Members have questions; we'll defer this particular recommendation until next week as well.

All Members in agreement?

**MR. A. PARSONS:** (Inaudible) I think there is a relation there.

**MR. SPEAKER:** Okay.

**MS. BURKE:** I am not sure that there is, but I think that is a good – if you want to have them at the same time, that's fine.

**MR. SPEAKER:** Mr. Hutchings.

**MR. HUTCHINGS:** In regard to Recommendation 27, I'll just share my personal experience. My district is part capital region and also part outside the capital region. So there are some nuances to that as well that I'd like to have a look at – or anybody else who is that position.

Thank you.

**MR. SPEAKER:** Okay.

Recommendation 24 and 27 are deferred until next week.

Do we have agreement that the Management Commission will meet again at 5:30 p.m. next Wednesday?

All those in agreement?

**SOME HON. MEMBERS:** Aye.

**MR. SPEAKER:** 5:15 p.m.?

**MR. A. PARSONS:** The only issue with 5:15 p.m. is that (inaudible).

**CLERK:** Usually we can figure them out in 15 to 20 minutes. It's just if they run into a little hiccup, we'll have to push it.

**MR. A. PARSONS:** Let's say 5:30 (inaudible).

**MR. SPEAKER:** So the Management Commission is meeting next Wednesday at 5:30 p.m.

All those in agreement?

**SOME HON. MEMBERS:** Aye.

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

Carried.

That concludes our business for today. Do we have any other comments or questions before I put a motion to adjourn?

Do we have a motion to adjourn?

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

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

**MR. SPEAKER:** This meeting is now adjourned.

On motion, meeting adjourned.