



PROVINCE OF NEWFOUNDLAND AND LABRADOR
HOUSE OF ASSEMBLY

HOUSE OF ASSEMBLY
MANAGEMENT COMMISSION

Sixty-sixth Meeting

Wednesday, April 18, 2018

HANSARD

Speaker: Honourable Perry Trimper, MHA

The Management Commission met at 5:15 p.m. in the House of Assembly.

MR. SPEAKER (Trimper): First of all, I'd like to welcome everyone who is viewing at home and from away. My name is Perry Trimper; I'm the MHA for Lake Melville. I'm also the Speaker of the House of Assembly and thereby the Chairman of the Management Commission.

I will now ask the Members of the Management Commission and staff – and we do have one Member of the Commission online. Perhaps I'll start with the gentleman online. Go ahead.

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

MR. SPEAKER: Okay.

Now I'll turn to those in the room.

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

Paul Davis, MHA for Topsail - Paradise.

MR. HUTCHINGS: Keith Hutchings, MHA, Ferryland.

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

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

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

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

CLERK (Barnes): Sandra Barnes, Clerk.

MS. RUSSELL: Bobbi Russell, Policy and Communications Officer.

MR. SPEAKER: Thank you very much.

All Members of the Commission have received background materials. I'd now like to walk through the agenda. Do I need to have the agenda approved? Do we do that? No, we don't. Okay. Forgive me; I'll go right on to the minutes.

Okay, so the first action then is to approve two sets of minutes. One is for the meeting we had on February 13, 2018. A copy has been provided. Is there any discussion about those minutes?

Seeing no discussion, I will ask for a motion to approve those minutes.

Moved by MHA Coady; seconded by MHA Michael.

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

The minutes for February 13 are approved.

On motion, minutes adopted as circulated.

MR. SPEAKER: Similarly for the minutes for March 14, 2018, is there any discussion on those minutes?

I'm not seeing any indication. I'll ask for a mover, please.

MR. HUTCHINGS: So moved.

MR. SPEAKER: Moved by MHA Hutchings; seconded by MHA Parsons.

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

The minutes for the March 14 meeting are also approved.

On motion, minutes adopted as circulated.

MR. SPEAKER: Moving on to Tab 2, please.

This is for information purposes only. It is regarding – the Clerk has authorization to approve expenditures in each of the constituency offices up to a limit of \$1,000 per item. What you see before you is tracking expenditures up to April 12, since the last reporting period. So it is again for your information purposes only.

Not seeing any questions or comments, I'm going to move on to Tab 3.

MR. P. DAVIS: Mr. Speaker –

MR. SPEAKER: I'm sorry.

MHA Davis has a question.

MR. P. DAVIS: These expenditures of furniture and other equipment to a maximum of \$1,000 –

MR. SPEAKER: Per item.

MR. P. DAVIS: Oh, per item.

So this is –

MR. SPEAKER: A collection of items.

MR. P. DAVIS: Okay.

MR. SPEAKER: I had a similar question earlier.

MR. P. DAVIS: Because they are listed as a single item. It was listed as a single cost, but the single cost is for several items each.

CLERK: (Inaudible) ergonomic assessments, so it was equipment needed but no single item was more than \$1,000.

MR. SPEAKER: I had a similar question. Yes, just on the format it's somewhat misleading.

MR. P. DAVIS: Oh yes, okay.

MR. SPEAKER: Any further discussion on that?

I'll ask Members to move on to Tab 3, please. We have a series of appeals that we're dealing with today. This first one refers to appeals for the Members for Cape St. Francis and Conception Bay East - Bell Island. The materials have been provided. Perhaps what I will do, instead of repeating anything in front me, I'll open it up for discussion or comments from the Management Commission.

They are both of the same nature.

MHA Coady.

MS. COADY: First of all, I'm going to make a general observation around advertising. We need to do a better job of explaining to MHAs and their staff the rules around them. I know the rules have changed and they've changed significantly, been reverted and come back again.

I would like to request that we ensure that MHAs and their constituency assistants are fully apprised of the rules. I think that there has been some confusion, that we're seeing this on a regular basis. There are a number of instances here today, so I'm asking if we can make a concerted effort to ensure that there's clarity and certainty around those rules.

That's the first thing. The second is, on this specific instance, we did ask for clarification on some of the information. I note from the note that was the Briefing Note received, it says there are about 100 instances related to challenges with the advertising expenses. That's significant and that relates to the problem that we're having, I think. There is quite a lot of uncertainty and confusion about what should be included, and I think that's why we're having the appeals.

MR. SPEAKER: Yes, and on the first point I'd like to respond that I would note the point on the confusion. However, and indifference to what's gone on before I've become the Speaker and the Chair of the Commission, sort of the basic premise has always been to approach Corporate & Members' Services with any kind of interest, or ask or a proposal around advertising to ensure that you do have approval, that you are doing that and so on.

MHA Parsons.

MR. A. PARSONS: But in that case I think if we're looking at all these across the board, they are all similar. The one by MHA from St. John's Centre, I think, actually asks for – if I read that right, didn't Gerry ask for – what can I do? This is not good enough, what can I do, and can't get that direction. I think John Finn may have been in the same situation.

This is not people going out and purchasing something that's clearly against the rules. We have an issue here when it comes to the rules and MHAs being forced to pay out-of-pocket for

ads that may have been approved at one point and there is two days difference here and there. That's the bigger issue that I have here.

I look at what Gerry's got with the Householder where she indicates she looked for direction and couldn't get it. John Finn, when we look at it, it's a small, little ad in the bottom there where I think he had – I don't know if it says here that he never went for approval. I think at some point he was told that he –

MR. SPEAKER: I would propose we hold that umbrella thought and try to walk through them because there are different circumstances with each one of these appeals.

MS. COADY: (Inaudible.)

MR. SPEAKER: Yes, certainly.

MHA Coady.

MS. COADY: Thank you.

While it's important for MHAs to reach out and get clarity and certainty, I also think it's incumbent upon us to ensure that we remind MHAs and their constituency assistants, first of all, that level of service is available to them, to remind them of that; and secondly, to remind them the rules so that we're not tying up staff from your department and your divisions in looking at all these ads. They should come in, in proper format. If we don't go out there and proactively tell them what formats, what's required, and then, secondly, that you would be happy to review them to ensure compliance, I think we're going to continue to have these problems.

MR. SPEAKER: Point noted.

So looking at the first appeal that's here for the Members for Cape St. Francis and Conception Bay East - Bell Island, the points are that the submitted advertising items that are before us were not submitted for approval before they were actually published, and they incurred the cost.

I'll look to staff to help me with these items here, but these were items they indicated they have done in previous years. They went forward

assuming they were under a similar circumstance. Only after they had actually incurred the cost did we receive notice they were proceeding and we were able to advise them they were not meeting the specification.

I'll look the Clerk.

CLERK: If I may.

All of these occurred at a time where there was a lot of confusion, because we did have proposed changes to – and as a result of MCRC 2016, that the Management Commission adopted. Then, as the Members will recall, we went back to the old policies while the ad hoc committee on advertising did its work. So there was a period of uncertainty.

I will say, though, directives have been sent and the guide and everything has been updated. The staff do work with, particularly, the constituency assistants. But in this case, these ads occurred at a time where they never had to seek prior approval. I think it was standard ads that the Members ran on an annual basis. As it happened, the business card size was the piece that was in effect at the time –

MR. SPEAKER: Sorry. Yeah, right.

CLERK: – because that got removed by the ad hoc advertising committee when it reported and the Management Commission accepted its recommendation. Unfortunately, it all occurred – the costs were incurred around the same time that the new proposal from the committee came forward to the Management Commission for approval.

It was confusing, I'll be the first one to admit that but we were in this state of flux. We're left with, we have to go with the policy and the rules that are in place at the time and we no ability to vary from that, which is why we suggest to Members if we can't approve it they have every right to appeal to the Management Commission.

MR. SPEAKER: MHA Parsons.

MR. A. PARSONS: I guess being general here; when we think about the purpose of what we do, the reason this Commission was created was in response to monies that were quite

inappropriately used, used for things that they should not have been.

In this case, we all know there's advertising allowed. I look at the first two here, but for the timelines here, I think there's a responsibility on us and on the House of Assembly to ensure that – I don't think there was any malicious intent. We're dealing with monies that, but for the rules being changed, would have been approved.

I just think we really have to look here. In my opinion – this stuff is confusing. It's certainly confusing to every Member, whether you've been here a year or 10 years, and their constituency assistants. In this case, in the last two years there have been multiple changes. I think we're spending an inordinate amount of time here debating this, which is fine, but I almost think we have to find a way to lay out what the rules are, send it off and we need an acknowledgement back from each Member saying: yes, I received these rules, I understand the new rules.

It's like when you put in a claim, you sign off on that saying: yes, I certify what is in here. To me, that would be a better protection going forward. Right now, we're spending a lot of time dealing with this which, in some cases, I look at it – depending on what standard you use, I don't know how you can rule against some of these. That's just how I feel. We're not talking about somebody that went out and spent money on something that was never right in the first place.

Advertising is something that there's clearly an expenditure of money that's allowed to be used. I hate to see Members penalized, having to pay out of pocket for something that – but for rule changes that they may or may not have been aware of, now they're going to be penalized for that.

MR. SPEAKER: I'll look to any comments from our staff further to it.

Obviously, the Management Commission has the ability – that's why we're here. If it's deemed to have been unjustly determined or as of a consequence of, as you say, the confusion around the rules, then, obviously, this Commission has the ability to grant the appeal.

From the perspective of the staff, they're following to the letter of the law, as it were, the guidance they have provided. It's been debated by previous folks.

MHA Michael.

MS. MICHAEL: I'm looking at the briefing note prepared by the staff. A telling point for me, and I think it relates to what Mr. Parsons has been saying, is the very last bullet which says: "Should the commission wish to approve the appeal, it must consider whether, in accordance with subsection 24(9) of the Act," – that's the act that covers us – "not approving it would 'in the opinion of the commission, be unjust.'"

I think that's the point that Mr. Parsons is making, what's just, what's unjust.

When I read that, both the Member for Cape St. Francis and Conception Bay East - Bell Island, apparently they used this before under the previous rule prior to the business card change, I guess.

CLERK: (Inaudible) yeah, this was basically – and that happens a lot with Members. They have typical recurring advertising.

MS. RUSSELL: In the previous year, the business card size would not have been in effect. It didn't come into effect until December when the decision was made by the Commission to accept that recommendation.

CLERK: No, no. A decision was made by the Commission to accept the business card after the MCRC report in December 2016. Then, just after that in March, the ad hoc advertising committee – because there was so much confusion and, I guess, unhappiness, generally, with the new advertising approach, this happened last October, November time frame. It just coincidentally happened around the same time that the ad hoc advertising committee reported back to the Commission and there was a decision subsequent to revert and allow for ads larger than the business card size again.

MR. SPEAKER: MHA Michael.

MS. MICHAEL: I thought that while that committee was doing its work we were under

the old regime, which would not have been the business card size, would it?

CLERK: That was for newsletters and other publications.

MS. MICHAEL: Oh, that's all it was for.

CLERK: Yes. And coincidentally, they included that business card ad when they brought forward the recommendations.

MS. MICHAEL: Okay.

Thank you.

MR. SPEAKER: MHA Warr.

MR. WARR: My only concern was (inaudible) just thinking that over previous meetings that we not approve or disapprove advertising for the same reason.

MR. SPEAKER: MHA Michael.

MS. MICHAEL: I think the briefing note refers to one appeal that was not approved, which was similar.

CLERK: Mr. Dean, the Member for Exploits.

MR. SPEAKER: MHA Davis.

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

I don't know if the Clerk knows offhand. Can you remind me of who's on the committee? Do you remember who was on that ad hoc –

MR. SPEAKER: Ad hoc advertising committee.

CLERK: Mr. King, Mr. Holloway, Mr. Brazil, Ms. Rogers –

MS. MICHAEL: (Inaudible.)

CLERK: Yeah, but I think they were ex officio type thing, right.

MR. P. DAVIS: Do you remember if Mr. Brazil or Mr. Kevin Parsons were on that committee? I don't remember.

CLERK: Mr. Brazil was.

MR. P. DAVIS: I raise it because – I understand everyone's concerns and there's been a ton – as the minister said, there's been a ton of confusion over what the policies were and what's happening.

I know the practice I have now with my constituency assistant, I tell her before we finalize something check it with the House. That's the only way we can find out if it meets their requirements or not, check it with the House or staff of House. Get something from somebody who says, yes, this meets the approval.

What we're talking about here as well, we're talking about an ad for Mr. Brazil, Conception Bay East - Bell Island, and an ad for Kevin Parsons, the District of Cape St. Francis. These are November 11 ads recognizing Remembrance Day. In Brazil's ad he says the soldiers who gave the ultimate sacrifice and so on. That's what we're talking about, but the issue here is the ads are too big. It's the size of the ads. There's no issue with what the content is or anything like that, it's the size of the ads.

I know from talking to Mr. Parsons on this today, he said one of the challenges for them – this is a monthly publication that comes out and they knew the changes were happening as well.

MS. MICHAEL: But the November 11 ad wasn't monthly.

MR. P. DAVIS: No. The publication that it's in is a monthly publication.

MS. MICHAEL: Yes, okay.

MR. P. DAVIS: It's not like it's a weekly or bi-weekly and so on. It's a monthly publication and it's the same ad, as I understand it, that's ran year over year.

I also get the fact that we've rejected others in the past if it didn't conform to the size. So with all the confusion that's happened here, it's a difficult one. They relatively expected some change was coming. The dates are within a couple of days of when the change happened and when they were actually ordered and

published. One of them was part of the process that was making recommendations on the change to the rules.

Anyway, I don't know if that makes a difference or not. I mention it because I think it's part of what transpired here. We have to deal with each one of them on their own merits, on their own circumstances. If there was one other that was turned down, if we made a different decision on this one, there was one other turned down. We've changed the rule after that this ad now would be acceptable.

I understand the retroactivity of it, but there was also an anticipation change was coming. I just throw that out for information purpose, Mr. Speaker. I don't know if it makes a difference to anybody. Whatever the Commission decides we'll –

MR. SPEAKER: If I may, just in my role as Chair.

I sense in the Commission there certainly is a level of sympathy for those who've met some unfortunate decisions in this whole context. Regardless, though, we do have this issue of precedent and we do have the fact that there was direction made, and until the new policy was implemented we were still under the former one which said business card size was the limit. So that's sort of the black and white objective part of it and it's the unfortunate part of what all went through from that first year.

I seek for a motion in one way or the other.

MHA Hutchings.

MR. HUTCHINGS: Referencing what my colleagues said in regard to not approving it would be, in the opinion of the Commission, unjust. They have to make consideration to that in regard to section 24(9). There was reference made to similar advertising which the content was within the guidelines but simply the size was the issue.

Do we have an understanding of how many appeals like that, that we've visited through here in the Management Commission?

CLERK: We don't keep records. If somebody comes forward to Corporate Members' Services and has an inquiry or brings in a sample and they're told it doesn't meet guidelines, we don't have a record. All we have is the anecdotal advice.

There was a lot of consternation and confusion during that summer and Corporate Members' Services figure that there was probably in the order of about 100 inquiries from various Members about whether or not proposed advertising would meet the guidelines. Some of that could have been for they had already paid it and planned to send it in on an expense claim. We would have said, no, it's not eligible. Because we don't keep those records, we can only go by what the staff – we did go back to the staff and they said to the best of their knowledge they felt it was in the order of about 100.

That doesn't mean 100 denials. That could have been 100 that there were costs incurred. That was cases where there was just an inquiry and said, no, this is not eligible.

MR. HUTCHINGS: Okay. So that's the normal, that you made reference to today with your consistency assistant and say give someone at the House a call, check it out to see if this is applicable or not. If it's not, well you don't put it in and it's not paid for.

CLERK: Yes. There could have been some that were turned down but, like I said, we don't keep records of those.

MR. HUTCHINGS: Yes, but how many appeals came in exactly like this particular issue that were denied by the Management Commission?

CLERK: There was one, one previous.

MR. HUTCHINGS: Okay.

MR. SPEAKER: MHA Michael.

MS. MICHAEL: It's just one point, and I'm listening to what everybody is saying and I agree with things that we're saying, but the one thing that confuses me is the business size card was in place. That rule was in place for a while then because we followed it and we measured.

It's been in place for about a year. So unless this was a recurring ad from one year to the next year, I would have to question, if all of their ads were that size every month, they were using the wrong size for a whole year. Pardon?

AN HON. MEMBER: It was an annual thing.

MS. MICHAEL: So this was just for this one thing and nobody thought about checking it.

CLERK: That's our understanding.

MS. MICHAEL: That's the understanding and that's what's being presented to us.

CLERK: They place it there every year.

MS. MICHAEL: Right, because otherwise we were a whole year under that rule and abiding by it really strictly, the business card size.

MR. SPEAKER: MHA Coady.

MS. COADY: Thank you very much.

I have empathy and that's why I said upfront, we really have to make sure people understand the rules and understand they can go and receive guidance and advice. I'll again say that.

As you pointed out, Mr. Speaker, we do have precedence where we denied an appeal, and that bothers me. I can't recall the exact circumstances. Perhaps we can get some advice on that, but we did deny, previously, someone who submitted – again, in good intent. Clearly not trying to circumvent any rules, but in good intent put forward a similar, I believe, kind of confusion and concern and we denied it. I'm concerned that we are now saying it's okay when previously we said it wasn't.

Can I ask for guidance?

MR. SPEAKER: I look to the Clerk, please.

CLERK: The appeal went to the Management Commission actually on November 8, 2017. The Commission met at 2017; 064 refers to the decision on that.

MR. SPEAKER: MHA Coady.

MS. COADY: Okay, thank you.

Perhaps it was, again, for just a civic award ceremony. It was even a slightly larger ad, wishing them well in their – congratulating the civic awards banquet. It was, again, a community-minded event. It was slightly larger than the business-size ad, and we declined it because it was not meeting with the rules that were in place at the time.

So I am concerned about – even though I have great empathy for all of them because they're civic-minded ads, they're not trying to circumvent any rules, it's just that they are falling in this. If we approve these now, I think we would almost need to come back and change our decision back then as well.

Do you want to circulate this?

MR. SPEAKER: I'd suggest the sentiment we're all feeling is perhaps the reason why the ad hoc advertising committee came together out of that frustration to say no, we got that pendulum swung too far, we need to pull it back and find a reasonable approach.

MHA Michael.

MS. MICHAEL: Well, I think specifically it came out of more the Householders rather than the ads, although they did deal with more once they started their work I understand. I wasn't on it.

This is a hard thing to put out here, but it was raised by Mr. Davis. He asked a question about who was on the committee. Somebody being on a committee and their knowledge of what was happening shouldn't influence another action. I cannot say that somebody acted that way. It's just that we have to deal with the facts as they are, I think, not what was happening in that committee.

MR. SPEAKER: Uh-huh.

MS. MICHAEL: Because what was happening in that committee was the work of a committee and had not been brought here to the Commission up to that time.

MR. SPEAKER: Any further comments?

I'd seek a motion from a Member of the Commission one way or the other regarding this appeal.

MHA Coady.

MS. COADY: With regret, I think I have to motion to be consistent and consistent with the rules, but again, I have great empathy that the appeal is denied. That would be my motion.

MR. SPEAKER: Do I have a seconder?

MHA Michael.

All those in favour of that motion?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Against?

Showing no against, the motion is carried.

The appeal is denied and that would be for both MHAs.

CLERK: They are both covered in the same (inaudible).

MR. SPEAKER: Yeah, both covering the same.

I move on now to the next item. This is the Member for Stephenville - Port au Port.

Different circumstances, this is a situation – and I'll refer to my earlier comment when I suggested and I apologized, the issue, as I say, on the first one was regarding the size of the ad. In this situation, it was the fact that the ad which appeared had not been submitted for approval. It would have been caught immediately, but there were issues around that.

Any discussion?

MHA Michael.

MS. MICHAEL: I find this one to be different from the one we just discussed because it's not just that they didn't consult. If they had consulted, maybe the point about the contact information would have been picked up. But I find it really problematic that a public meeting that was informing the public of pre-budget

consultations, hosted by the Member – not hosted by government, but hosted by the Member. It's the ad of a pre-budget consultation hosted by the Member. I guess the Member for Stephenville - Port au Port and the Member for St. George's - Humber, but the ad itself has in it information for the Department of Finance, not constituency. To me, that's the key thing.

An MHA, no matter what the stripe, we are MHAs, we're not part of government. When we hold public events in our district, we can't in any way be referencing our party or anything. It's MHA and it may have been accidental, but it's problematic that the ad publicly – this is what the ad said, the Department of Finance, and I think that's really problematic.

MR. SPEAKER: MHA Parsons – no, you didn't have a comment or question?

Any further comments?

I guess my key opening remark was, again, had the Member sought approval before submitting this, that it would have been caught.

No further discussion, I look to one of the Members for a motion either way regarding the acceptance of this appeal or denial.

MR. HUTCHINGS: Move to deny.

MR. SPEAKER: Motion to deny by MHA Hutchings.

I need a seconder.

MS. MICHAEL: Seconded.

MR. SPEAKER: Seconded by MHA Michael.

All in favour of that motion?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Against?

The motion is carried.

The appeal is denied.

Moving on to the next item, this is relating to newsletter, flyer from the Member for St. John's

Centre. It's also an appeal, and I look for the Commission now to open some discussion on this point.

MHA Coady.

MS. COADY: Thank you very much, Mr. Speaker.

This one I think is problematic because the Member actually did seek Corporate Members' Services advice and was advised that it is not eligible for reimbursement. That was in February of 2017, and then subsequently when a purchase order was being considered in March of 2017 was again told it wasn't eligible, and it wasn't eligible for a multitude of reasons, some along partisan lines, as was referred to previously by the Member for St. John's East - Quidi Vidi.

This one worries me because they sought the advice and the advice was please do not move forward with this and now they're coming to us to appeal that. I can't see how we can do so when it clearly doesn't meet the specifications and requirements under our guidelines.

MR. SPEAKER: MHA Michael.

MS. MICHAEL: This is discussion and I just want to respond to one thing. I think what is written in the second main paragraph of the letter says: "I am also appealing on the basis that Corporate Members Services (CMS) said my 'Householder' could not be approved as written, and that although my office inquired a number of times, asking for clarification as to what was exactly problematic" – that's my understanding, I was just told it was problematic – "so it could be corrected, no answer was provided to identify the problematic content."

MR. SPEAKER: I'll refer to staff. We actually do have a copy of the correspondence. Perhaps you can just read it, ask the Clerk.

CLERK: On February 17, 2017 there was an email to Corporate Members' Services from the CA asking if the PO for the newsletter had been issued. There was a response back about half an hour later saying no, as we have not received a copy of the newsletter to ensure that it is eligible to be covered. As well, we are waiting on the

graphic designer to confirm the work has not been completed and provide a quote rather than an invoice.

That same day, about a couple of hours later, there was an email exchange again informing that the office had followed the same format for past eight newsletters and attached a copy of the most recent one to the requisition that was sent. The graphic designer has not even received the photos, the text or any material. So they were just confirming that no work had been done.

Anyway, back then, half an hour after that, there was an exchange saying the graphic designer provided an invoice rather than a quote. Therefore, we require confirmation no work has been done to ensure we are not in contravention of government policy, and then asked to review the content of the newsletter. Then the CA did send a draft of the newsletter and indicated that they needed it approved as quickly as possible in order to get it to the print shop. That's common, there's nothing wrong with that. That was on February 28, about 10 in the morning.

Corporate Members' Services did go back and said: As we just had discussed, the newsletter cannot state political positions and must be constituency related. The length that all newsletters are viewed with is that a section of Ms. Rogers's newsletter must be able to be used in a newsletter for any other MHA.

That's kind of a rule of thumb. Basically, you can't make any political or partisan statements and one of the easy ways is put anybody's name on top and if it fits you can send it out. It's usually a good rule of thumb, which seems is not the case with the majority of the newsletter content.

The current advertising policy states it's not allowable, which also applies to newsletters, statements of a partisan nature, advertising which advocates a particular position or attempts to influence public opinion on a matter before the House of Assembly and content that disparages any political position or Member.

That's what was communicated back to the office. Usually when that happens the office will come, and, if need be, the staff – and I've done it myself – we've sat with the Members and gone

down through the newsletters to identify exactly what we see as problematic. As a matter of fact, we had one Member that spent about three weeks coming back and forth meeting with the former law clerk and myself trying to get the language proper. That was okay because we can't write it for them.

That was the situation in this case. We never had anything from the office until around the 17th of March when they asked for the PO to be issued. At which point we had gone back again and said: Well, is there a new draft, we haven't seen it. The draft was sent in, it hadn't changed. So we went back and said, we can't approve this in its current form.

MR. SPEAKER: MHA Parsons.

MR. A. PARSONS: Unless there's more discussion, I'll make the motion to deny.

MR. SPEAKER: Do we have a seconder?

MR. P. DAVIS: Seconded.

MR. SPEAKER: MHA Davis.

Moved by Mr. Parsons, seconded by Mr. Davis.

All those in favour of the motion.

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Against?

The motion is carried.

The appeal is denied.

Finally, we have an appeal from the MHA for Mount Pearl - Southlands. This relates to a charge that was incurred but due to invoicing issues the item arrived after the time frame that's indicated for submission, the 60-day submission.

I'll open it up to the Commission for any comment. The expenditure is eligible. The problem is the expense claim was submitted –

MS. MICHAEL: (Inaudible) actually been recognized.

MR. SPEAKER: MHA Michael.

MS. MICHAEL: I move acceptance because this is normal. So many of them are like this. It's not the fault of the MHA that the invoice is coming late.

MR. P. DAVIS: Seconded.

MR. SPEAKER: The motion has been seconded by MHA Davis.

All in favour of accepting the appeal.

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Against?

CLERK: Accepted the two-day waiver.

MR. SPEAKER: Yeah, I'm sorry.

Also, a second point; that motion is carried, but I also would ask the Commission to approve the two-day waiver given this has to be filed within the previous fiscal year.

MR. A. PARSONS: So moved.

MR. HUTCHINGS: Seconded.

MR. SPEAKER: I see a motion from MHA Parsons, seconded by MHA Hutchings.

All in favour of waiving the two-day waiver?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Against?

The motion is carried. The two-day waiting period is waived.

This concludes our business.

I thank the Commission.

I'm sorry; MHA Parsons.

MR. A. PARSONS: Thank you.

I'll just come back to the first four things that we debated here today. We're dealing with it every day. I think it's incumbent on all of us here that maybe we can find some way to very clearly get across to every Member and their assistant what

the rules are and an acknowledgement from every office coming back that, yes, we understand the rules – because I think that will help us going forward.

It's one thing to send out an email. That could be deleted. Somebody might have – God forbid, an MHA delete it or a CA delete it and they're blaming each other. I think we should have an acknowledgement back that here's what the rules are, here's where you find them. Because it will help us avoid dealing with this.

We don't want any Member to spend their personal money on stuff that should be allowed, and I think that will be a good practice for us maybe.

MR. SPEAKER: As the Speaker, I take the request very seriously. We'll confer with staff and we'll come back to the Commission with a proposal.

Thank you very much.

The Management Commission meeting, I look for a motion to adjourn.

MR. A. PARSONS: So moved.

MR. HUTCHINGS: Seconded.

MR. SPEAKER: Moved by MHA Parsons, seconded by MHA Hutchings.

Thank you very much.

On motion, meeting adjourned.