



**House of Assembly
Newfoundland and Labrador**

**Minutes of the House of Assembly
Management Commission**

Date: February 13, 2018

Location: Committee Room

Time: 1:05 p.m.

Members Present:

Hon. Perry Trimper, Speaker (Chair)
Ms. Sandra Barnes, Clerk of the House of Assembly
Hon. Andrew Parsons, Government House Leader
Mr. Keith Hutchings, Opposition House Leader
Mr. Paul Davis, MHA (PC) Topsail-Paradise
Ms. Lorraine Michael, MHA (NDP), St. John's East-Quidi Vidi
Mr. Mark Browne, MHA (Lib) Placentia West - Bellevue
Hon. Siobhan Coady, MHA (Lib), St. John's West
Mr. Brian Warr, Deputy Speaker

Other

Ms. Bobbi Russell, Policy, Planning & Research Analyst
Ms. Wanda Lee Mercer, Chief Financial Officer
Ms. Julia Mullaley, Auditor General
Mr. Gregg Griffin, Director of Administration, Office of the Auditor General
Mr. Bruce Chaulk, Chief Electoral Officers
Mr. Barry Fleming, Citizens' Representative
Ms. Jackie Lake-Kavanagh, Child and Youth Advocate
Ms. Suzanne Brake, Seniors' Advocate

CM 2018-004 The Commission, at an *in-camera* meeting, approved the 2018-2019 estimates for the following Activities, to be forwarded to the Minister of Finance for inclusion in the 2018 Estimates and voted on in the Legislature:

- Office of the Auditor General
- Office of the Chief Electoral Officer
- Office of the Citizens' Representative
- Office of the Child and Youth Advocate
- Office of the Information and Privacy Commissioner
- Office of the Seniors' Advocate

- Administrative Support
- Legislative Library and Records Management
- Members' Resources
- House Operations
- Government Members' Caucus
- Official Opposition Caucus
- Third Party Caucus

CM 2018-005 The Commission, at an *in-camera* meeting, deferred a decision with respect to a one-time funding request for the Office of the Child and Youth Advocate, pending consultation between the Office of the Speaker/Clerk and the Clerk of Executive Council.

CM 2018-006 To give effect to the Budget decisions, the Commission, at an *in-camera* meeting, approved the organizational chart for the Office of the Seniors' Advocate to include the following positions:

- Creation of the position of Administrative Officer at a pay scale and level to be determined by the House of Assembly Classification Committee.
- Creation of two Seniors' Systemic Advocacy Consultant positions at a pay scale and level to be determined by the House of Assembly Classification Committee.

CM 2018-007 The Commission, at an *in-camera* meeting and subsequent to further information provided by the Clerk, approved the 2018-2019 estimates for the Hansard and Broadcast Centre Activity, to be forwarded to the Minister of Finance for inclusion in the 2018 Estimates and voted on in the Legislature.

Adjournment: 2:51 p.m.

Hon. Perry Trimper, MHA
Speaker and Chair of the Commission

Sandra Barnes
Clerk and Secretary to the Commission



**House of Assembly
Newfoundland and Labrador**

**Minutes of the House of Assembly
Management Commission**

Date: March 14, 2018

Location: House of Assembly Chamber

Time: 5:20 pm

Members Present:

Hon. Perry Trimper, Speaker (Chair)

Ms. Sandra Barnes, Clerk of the House of Assembly

Hon. Andrew Parsons, Government House Leader

Mr. Keith Hutchings, Opposition House Leader

Mr. Paul Davis, MHA (PC) Topsail-Paradise

Ms. Lorraine Michael, MHA (NDP), St. John's East-Quidi Vidi

Mr. Mark Browne, MHA (Lib) Placentia West - Bellevue

Hon. Siobhan Coady, MHA (Lib), St. John's West

Other

Mr. Brian Warr, Deputy Speaker

Ms. Bobbi Russell, Policy & Communications Officer

As required by the *House of Assembly Accountability, Integrity and Administration Act*, the Speaker reported a Decision made at an *in camera* meeting on February 13, 2018:

The Commission, at an *in camera* meeting, approved the 2018-2019 estimates for the Legislature, to be forwarded to the Minister of Finance for inclusion in the 2018 Estimates and voted on in the Legislature.

CM 2018-008 The Commission, at an *in-camera* meeting, approved a one-time funding request as part of the 2018-2019 estimates for the Office of the Child and Youth Advocate, to be forwarded to the Minister of Finance for inclusion in the 2018 Estimates and voted on in the Legislature. The Commission also waived the 2-day waiting period for this decision to expedite provision of the information to the Department of Finance in advance of Budget 2018.

- CM 2018-009** The Minutes of the Management Commission meeting held on February 1, 2018 were approved as read.
- CM 2018-010** The Commission approved the payment of expenses totaling \$490.00 and \$1,333.40 for the Member for Lake Melville.
- CM 2018-011** The Commission deferred a decision with respect to appeals for the Member for Cape St. Francis and the Member for Conception Bay East-Bell Island pending further analysis to be brought back to the Commission for consideration at a future meeting.
- CM 2018-012** The Commission approved the Office of the Seniors' Advocate as a Category 3 entity for the purposes of applying the *Transparency and Accountability Act*, as recommended in the categorization assessment form dated March 1, 2018.
- CM 2018-013** The Commission approved the expenditure to install video security intercoms with door releases for the constituency offices located in leased premises.
- CM 2018-014** The Commission did not approve the request from the Member for Mount Pearl-Southlands to allow replacement Members for meetings of the Management Commission. The current provisions of the *House of Assembly Accountability, Integrity and Administration Act*, prohibiting alternate members will continue.

Adjournment: 6:01 p.m.

Hon. Perry Trimper, MHA
Speaker (Chair)

Sandra Barnes
Clerk and Secretary to the Commission



To: House of Assembly Management Commission
From: Clerk of the House of Assembly
Date: April 12, 2018
Subject: Report on Authorizations for Furniture and Equipment Expenditures

The Standard Office Allocation Package for Members and Constituency Assistants delegates authority to the Clerk to pre-approve expenditures for other furniture and equipment to a maximum of \$1000.00 (per item), with the Clerk to report all such approvals at a subsequent meeting of the Management Commission.

The following report details the approvals of the Clerk under the Standard Office Allocation Package up to April 12, 2018.

DISTRICT	MEMBER	TYPE OF EXPENDITURE	COST	DETAILS
Burgeo-LaPoile	Mr. Andrew Parsons	Office equipment/ furniture	\$1,679.09	Items include: <ul style="list-style-type: none">- ergonomic chair- 3-drawer mobile pedestal- Monitor arm- Gel wrist pad- Headset
St. George's-Humber	Mr. Scott Reid	Office equipment/ furniture	1,437.50	Items include: <ul style="list-style-type: none">- Document holder- Compact keyboard- Wireless headset- Keyboard tray- Multi-tilter chair

House of Assembly Management Commission

Briefing Note

Title: Request for Appeal – Member for Cape St. Francis & Member for Conception Bay East-Bell Island

Issue: Appeal of ruling on payment of advertising expenses.

Background:

- The Members for Cape St. Francis and Conception Bay East-Bell Island have submitted appeals to the Management Commission related to advertising expenses that were rejected for payment by Corporate and Members' Services.
- Both Members purchased ads which appeared in the Northeast Avalon Times in honour of Remembrance Day. At the time the service was rendered (the ads were invoiced on November 11, 2017; the paper was printed on November 14, 2017), all print advertising was restricted to the size of a business card (as a result of the Commission's acceptance of recommendation 12 of the 2016 Members' Compensation Review Committee).
- While the business card size restriction for print advertising was rescinded by the Management Commission at its November 8, 2017 meeting, the new provisions did not come into effect until November 15, 2017 (**Directive 2017-005 refers**).
- The period of time between the decision being made by the Management Commission and its coming into effect, is a policy requirement for all Commission decisions unless it is explicitly directed that the waiting period be waived (which was not done in this particular case). The policy stipulates that decisions of the Commission are not considered final until "two clear business days" following their distribution in draft form to Commission members.
- Both the Member for Cape St. Francis and Conception Bay East-Bell Island are appealing the decision to reject payment of their advertising expenses and have made requests to the Management Commission in accordance with Section 24 *House of Assembly Accountability, Integrity and Administration Act* (the Act). The attached correspondence from the Members provide further detail.
- The Commission considered these requests its March 14, 2018 meeting, but deferred a decision pending provision of further information.
- The Commission requested House officials to provide statistics respecting the number of advertising expenses rejected during the period of time the business card size restriction was in effect (December 2016 to November 2017). The House does not keep records on rejected expenses unless they are appealed to the Management Commission. However, Corporate and Members Services estimates that there were in the order of 100 instances

(either via claims for reimbursement; invoices for direct payment; or inquiries from Members) related to the business card size restriction where Members were advised that the expenditure in question could not be reimbursed. There is no way of knowing if a Member proceeded with the advertising using personal funds.

- Besides the appeals being considered here for the Members for Cape St. Francis and Conception Bay East-Bell Island, there was only one other instance where a rejected advertising expenditure which did not comply with the business card size restriction was appealed to the Management Commission. It was not approved for payment (**CM 2017-064 refers**).
- The law clerk advises that the revised Advertising & Publications Policy was effective only as of November 15, 2017 (after the 2 day waiting period), and that there is no authority to apply the new policy with retroactive effect. There is a strong presumption against retroactivity in law. It is presumed that the Legislature does not intend legislation to be applied retroactively; that is, to be applied so as to change the past legal effect of a past situation.
- Ruth Sullivan is the leading author on the matter, and in “Sullivan on Construction of Statutes” she says:

“This presumption is strong. Normally it can be rebutted only if the statute or regulation in question contains language clearly indicating that it, or some part of it, was intended to apply retroactively.”

- Law and policy operate prospectively – looking forward, not looking back. In this case, the *Members’ Resources and Allowances Rules* (the Rules) are made by the Management Commission under the authority of section 64 of the *House of Assembly Accountability, Integrity and Administration Act* (the Act). There is no explicit authority for retroactivity in this section. Further, the policy in question is made under paragraph 24(i) of the *Rules*. Again, no retroactivity is authorized.
- The presumption against retroactivity has been determined to extend to policy matters. A review of various judgements in the area of workers’ compensation, for example, makes it clear that there is a presumption against retroactive application of policy. In order to rebut the presumption, it must be shown that the governing legislation expressly authorizes retroactivity, or that it is authorized by necessary implication.
- In this appeal, the presumption applies to a Commission policy because the policy is more than an informal guideline; the Commission is required to apply the policy as it exists within the legislative scheme. There is no indication in the policy either explicitly or by necessary implication which would authorize the retroactive application of the new policy to claims incurred before it was effective.
- The ability to approve the appeal does, however, exist in section 24 of the Act which states:

(9) *Notwithstanding that an expense claim has been denied by an officer, staff member or the speaker, in accordance with the rules, where there is an appeal to the commission under this section and the commission determines that that claimed expense amount*

(a) *has been incurred by the member; and*

(b) *is a permitted expense under the Act and rules; and*

(c) *does not exceed an expense amount or allowance allocation permitted under the rules,*

and a denial of payment of the expense amount would, in the opinion of the commission, be unjust, the commission may approve the expenditure for the claimed expense to the extent that the commission considers to be just and the decision of the commission is final.

- Should the commission wish to approve the appeal, it must consider whether, in accordance with subsection 24(9) of the Act, not approving it would “in the opinion of the commission, be unjust”.

Analysis:

Legal Consultation:

Law Clerk

Internal Consultation(s):

Corporate and Members’ Services Division

External Consultation(s):

Not applicable.

Comparison to Government Policy:

Not applicable.

Financial Impact:

Not applicable.

Legislative Impact:

Not applicable.

Options:

1. Approve the payment of the advertising expenses totaling \$258.75 each for the Member for Cape St. Francis and the Member for Conception Bay East-Bell Island.
2. Do not approve the payment of the advertising expense \$258.75 each for the Member for Cape St. Francis and the Member for Conception Bay East-Bell Island.

Status:

- Not applicable.

Action Required:

- The decision of the Commission is requested.

Prepared by: Bobbi Russell
Date: April 9, 2018

Approved by: Sandra Barnes

Attachments:

1. Correspondence dated November 30, 2017 from the Member for Cape St. Francis to the Speaker.
2. Correspondence dated November 30, 2017 from the Member for Conception Bay East-Bell Island to the Speaker.

From: Cadigan, Barbara
Sent: Thursday, November 30, 2017 9:56 AM
To: Trimper, Perry <PerryTrimper@gov.nl.ca>
Subject: Management Commission for appeal for November add MHA Kevin Parsons

Good day Mr. Trimper,

I am writing this letter to you as directed to appeal to you for the payment of our November add in our North East Times Local Paper. We have a monthly add running(business card size) in this small paper, as respect to our veterans and their families our add for Remembrance Day was as normal to previous years put in the paper. Apparently with new regulations the size was as small bit larger than the business card size, but was the normal for previous years. I appeal to you at this time in all due to respect this was an error and request you cover the cost for our add. It was not done for selfish reasons but as respect .
I take this time in advance to thank you for your consideration and attention to this request.

Respectfully,
Barbara Cadigan CA
For :
Mr. Kevin Parsons MHA
District of Cape St Francis
709-729-6979

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November 11th is a day devoted to respectfully honouring those who have sacrificed for us and to show our appreciation for those who continue to serve Canadians and help those in other countries. Today and every day we must acknowledge the strength, sacrifice and valour of those who serve and protect us. You have our utmost respect, admiration and gratitude. Thank you all.



Kevin Parsons, MHA

District of Cape St. Francis

ph: 729-6979 fax: 729-5774

e-mail: kevinparsons@gov.nl.ca

5th Floor East Block





HOUSE OF ASSEMBLY
Newfoundland and Labrador

David Brazil, M.H.A.
District of Conception Bay East - Bell Island

November 30, 2017
Honourable Perry Trimper
Office of the Speaker
Main floor, East Block
Confederation Bldg.
P.O. Box 8700
St. John's, NL
A1B 4J6

Dear Honourable Trimper:

Please accept this letter of appeal for invoice # 5919 dating November 17, 2017 for Remembrance Day ad in the Northeast Avalon Times. We have a monthly ad (business card size) in this newspaper.

We always ran a Remembrance Day ad as in previous years an annual acknowledgment of Remembrance Day. Apparently with new regulations the size of the ad was a bit larger. The reason that this was that was the normal size previous years before the new regulations. I would like this to be considered an official appeal to the Management Commission to cover the cost of the ad as it was done in error for size. Thanking you in advance for your consideration to this request.

Sincerely,

A handwritten signature in cursive script that reads "David Brazil".

David Brazil, MHA
Conception Bay East-Bell Island

"Working for the People of the District of Conception Bay East - Bell Island"

on Bell Island collects the used needles themselves, and drops them off at the home of a group member. Then they are taken to the SWAP office in St. John's and new needles are brought back.

"So last month we had a three-month supply of used needles saved up to bring to the SWAP to be disposed of properly. They were collected by users on the island and brought to a lady's home. She is not a user. She is try-

The ADDS Committee of Newfoundland and Labrador, suggested the residents open a SWAP satellite office on Bell Island.

Boone says she approached the head of Tourism Bell Island first and asked if they could use a room at the group's office one day a week for a few hours for the

also a Wabana town councillor, said renovations at the building meant there wasn't enough space for the group.

"It was like a kick in the face," Boone says. "My daughter and other users are important to me. I want to keep them alive until they

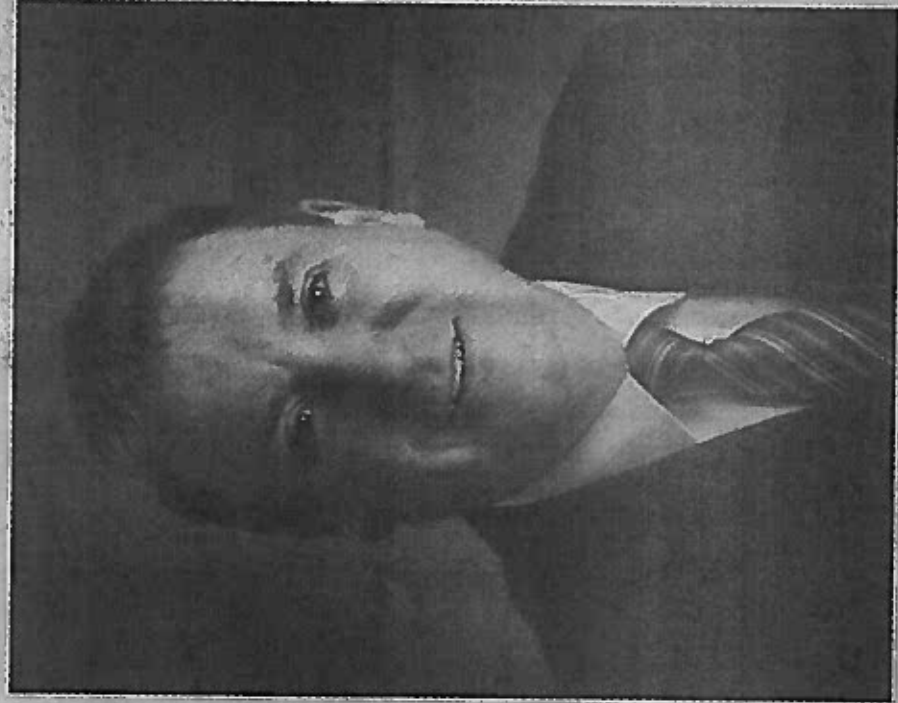
Boone says to use the motorhome as a needle exchange office, the group needs electricity. She called Gosine and they came up with a location on town land across from the hospital.

"It's centrally located. As soon as it gets here we will have it up

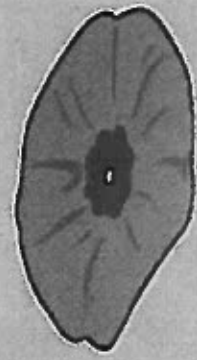
Boone says the motorhome is currently in New Brunswick being repaired, and he expects it to arrive on the island soon.

"We are hoping to have it on display in our Santa Clause parade on December 3," Gosine says.

is common sense



I wish to recognize Remembrance Day, and the soldiers who gave the ultimate sacrifice so that we may enjoy our Freedom, Peace and democratic way of life.



Lest We Forget

**David Brazil, MHA
District of Conception Bay East-Bell Island
For information or assistance, please call:
Office: 709-729-0334; Fax: 709-729-5774
Email: davidbrazil@gov.nl.ca**



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House of Assembly Management Commission

Briefing Note

Title: Request for Appeal – Member for Stephenville-Port au Port

Issue: Appeal of ruling on payment of advertising expenses.

Background:

- The Member for Stephenville-Port au Port is appealing the denial of payment by Corporate and Members' Services Division of expenses totaling \$977.52 for an advertisement which appeared in the Western Star (on multiple days) for the purpose of informing the public of pre-budget consultations hosted by the Member and the Member for St. George's-Humber.
- MHAs are permitted to conduct advertising in print media provided it complies with the provisions of the Advertising and Publications Policy for Members of the House of Assembly dated November 2017.
- Following a review of the expenses, the Corporate and Members' Services Division determined they are not eligible for reimbursement as the ads did not comply with the Sections 4.0 and 8.0 of the policy.
- In accordance with Section 4.0 (Principles), all advertising must include contact information of the Member to assist constituents. While the ad in question included contact information, it was information for the Department of Finance, not the Member's constituency office.
- Additionally, Section 8.0 states that all advertising and publications must be submitted for pre-approval to the Corporate and Members' Services Division (CMS) to ensure it complies with the provisions of the policy prior to any costs being incurred. Pre-approval of the advertisement was not sought in this case, which would have alerted the Member to the issue and allowed for a correction prior to costs being incurred.
- The Member for Stephenville-Port au Port is appealing this decision and has made a request to the Management Commission in accordance with Section 24 *House of Assembly Accountability, Integrity and Administration Act* (the Act). Further details are outlined in the Member's correspondence attached.
- The Commission may make a ruling on these expenses as per subsection 24(9) of the Act which states:

(9) *Notwithstanding that an expense claim has been denied by an officer, staff member or the speaker, in accordance with the rules, where there is an appeal to*

the commission under this section and the commission determines that that claimed expense amount

- (a) has been incurred by the member; and*
- (b) is a permitted expense under the Act and rules; and*
- (c) does not exceed an expense amount or allowance allocation permitted under the rules,*

and a denial of payment of the expense amount would, in the opinion of the commission, be unjust, the commission may approve the expenditure for the claimed expense to the extent that the commission considers to be just and the decision of the commission is final.

Analysis:

Legal Consultation:

Not applicable.

Internal Consultation(s):

Corporate and Members' Services Division

External Consultation(s):

Not applicable.

Comparison to Government Policy:

Not applicable.

Financial Impact:

Not applicable.

Legislative Impact:

Not applicable.

Options:

1. Approve the payment of the advertising expenses totaling \$977.52 for the Member for Stephenville-Port au Port.
2. Do not approve the payment of the advertising expense \$977.52 for the Member for Stephenville-Port au Port.

Status:

- Not applicable.

Action Required:

- The decision of the Commission is requested.

Prepared by: Bobbi Russell
Date: April 4, 2018

Approved by: Sandra Barnes

Attachments:

1. Correspondence dated March 2, 2018 from the Member for Stephenville-Port au Port to the Speaker.



HOUSE OF ASSEMBLY
Newfoundland and Labrador

John Finn, M.H.A.
Stephenville – Port Au Port

March 2, 2018

To: Speaker of the House of Assembly

RE: Invoices – The Western Star

Mr. Speaker,

I am writing you regarding Invoices I received from The Western Star. Attached you will see four invoices as well as a printed copy of the advertisement as ran in The Western Star. The purpose of running this advertisement was to inform the public of a pre-budget consultation that was being hosted by me and MHA Reid. Our consultation took place on Tuesday, January 30, 2018 and in an effort to publicize the session; our ad ran on Friday, January 26, Saturday, January 27, Monday, January 29 and Tuesday, January 30.

When consulting with The Western Star on this particular ad, the Sales rep and I did not anticipate any concern with it, given it does contain contact information for the Department of Finance as it relates to the Budget and providing input. However, upon submitting the invoice to Corporate & Member Services, I was informed that these invoices have been rejected due to the advertisement not containing specific "contact information" for my constituency office. Leaving the constituency office contact information off of the ad was not intentional and clearly an oversight on behalf of both the Sales rep and I. Upon learning of the rejection of the invoices, I did follow up and speak with the Sales rep to discuss and he indicated that he was of the impression that as there was contact information on the ad then it should be fine. Also noteworthy, is that both I and MHA Reid's contact information is printed in the Western Star on a regular basis and in the days in which this ad ran you can actually find our contact business card information printed on the opposite page of where this ad ran.

As per Section 24 of the *House of Assembly, Accountability, Integrity and Administration Act*, please consider my appeal of this decision.

Sincerely,

A handwritten signature in blue ink, appearing to read "John Finn", written over a horizontal line.

John Finn

MHA – District of Stephenville-Port au Port

Real news



GARY KEAM/ THE WESTERN STAR
Troy Turner, The Western Star's managing editor, was guest speaker at the Rotary Club of Corner Brook's weekly meeting Thursday. He discussed how news outlets like The Western Star remain a trusted source of news in the modern era of social media rife with satire, opinionated and even just plain bogus articles.

ENERGY

PUB orders more info from N.L. Hydro

FROM PAGE 1

Having reviewed the decision, Browne said he and his office were satisfied much of what was sought will be included in the documents and responses now ordered by the PUB.

"The Board recognized that this (Consumer Advocate) application has delayed the scheduled start of the hearing of Hydro's general rate application and that production of additional information may result in further delays. Nevertheless the Board is satisfied that, in the circumstances, additional information should be filed," the PUB states in the order.

"The public hearing was scheduled to start at the end of January. The schedule is now under review.

The Consumer Advocate said he based the original application for the rate increases to be incomplete, lacking evidence. But he also said the application is just one concern.

"There is an ongoing concern now for costs and regulation as the Muskrat Falls hydroelectric project comes online.

"Everyone's time would be better spent if we all start planning for the future," he said, adding he would like to see a reference made to the PUB, to address these concerns.

For its part, Hydro is co-operating with the Board to determine next steps, according to a statement in response to questions.

"Hydro fully understands that our customers are concerned about electricity rates and we

share those concerns. The Off Island Deferral Account was one option proposed by Hydro to help smooth in future rates related to Muskrat Falls. Hydro wishes to reiterate that its proposal would have resulted in no benefit to the company as all funds in the proposed deferral account were intended to be returned to customers under the Board's oversight," the statement reads.

However, as stated by the Board, 2018 and 2019 are transition years. As we move towards a fully interconnected electricity system there continues to be a great deal of uncertainty, therefore we understand both the Consumer Advocate, and other intervenors' requests for more information."

The Telegram

IN SOCIETY

All data is relevant

Data Privacy Day highlights impact of technology on our everyday lives

BY SARAH MCCREESH
THE TELEGRAM

In all aspects of your life, your information is your information.

It doesn't matter if you are at a grocery store, ordering an item in an online shopping forum, registering for school or university, or providing information to a health-care institution, your expectations are that this information will remain confidential.

Each of us, as individuals, businesses and federal institutions, now more than ever have to be aware of the changing challenges we are faced with and the need to foster awareness of privacy rights and obligations.

To highlight these and a host of other issues surrounding data privacy, Data Privacy Day 2018 will take place across Canada on Sunday and around the globe as provinces, territories, states and countries work in unison to create or step the data breaches that have become more and more globally prevalent.

Data Privacy Day raises awareness of the impact of technology on our right to privacy, including the many ways personal information is collected, stored, used, disclosed and shared. It underlines the importance of protecting personal information.

On Friday, the Office of the Information and Privacy Commissioner for Newfoundland and Labrador reported that from October through the end of 2017, there were 59 privacy

breaches reported from 30 public bodies. This was an increase of more than 30 per cent since the previous reporting period, which saw 40 breaches reported from 15 public bodies.

Of those breaches, 10 came from Service NL and seven from Advanced Education, Skills and Labour. In total, 22 were related to email, 12 each were classified as other and mail outs, eight were in-person breaches, three were dubbed intentional or willful breaches, and two were due to technical malfunctions.

Working together will improve privacy protection in all public bodies across Newfoundland and Labrador, bodies that individually and collectively value personal information, and bring privacy responsibilities to the forefront.

The Office of the Information and Privacy Commissioner is leading the charge to partner with other countries around the world in celebrating Data Privacy Day.

The OIPC is developing a Privacy Management Program framework that public bodies and custodians can use to demonstrate responsibility for the protection of personal information and/or personal health information.

Privacy management programs ensure privacy is being built into all initiatives, programs or services, and assists organizations in meeting their legislative privacy obligations.

The Telegram

ENERGY

PUBLIC NOTICE



Commission of Inquiry Respecting the Muskrat Falls Project

Commissioner Richard LeBlanc is calling for submissions with respect to the interpretation of the Terms of Reference for the Commission of Inquiry Respecting the Muskrat Falls Project. The Terms of Reference can be found at:

www.releases.gov.nl.ca/releases/2017/exsc/NL6171120.pdf

As the Commissioner cannot amend or expand on the Commission's Terms of Reference, submissions should only address the interpretation of the Terms of Reference as they currently exist.

Submissions must be in writing and should not exceed 20 pages of minimum 11-point font, double-spaced. Submissions can be made by email to admin@muskratfallsinquiry.ca or delivered by hand or mail to the Commission's offices at:

5th Floor, Suite 502, Beothuck Building
20 Crosbie Place
St. John's, NL A1B 3Y8

Submissions must be received by no later than
February 15, 2018 at 3:00 p.m. (NST)

Persons or organizations of similar interest are encouraged to make joint submissions.

All submissions will be reviewed and considered by the Commissioner. Following his consideration he will issue a public decision with respect to the interpretation he will give to the Terms of Reference in carrying out the Inquiry. His decision will only be an interpretation of the wording concerned and will not be an explanation of the work to be undertaken by the Commission relevant to each Term of Reference or a determination of any matter to be inquired into.

The Commissioner's decision as to the interpretation of the Terms of Reference will be made public prior to applications being made for standing and funding.

Commission of Inquiry Respecting the Muskrat Falls Project
5th Floor, Suite 502, Beothuck Building
20 Crosbie Place, St. John's, NL A1B 3Y8

www.muskratfallsinquiry.ca

Telephone Number: (709) 729-6078
Toll-free Number: 1-833-235-7702
Facsimile Number: (709) 729-6070
Email: admin@muskratfallsinquiry.ca

ENERGY

Husky Energy to resume SeaRose operations

THE TELEGRAM

Husky Energy is resuming SeaRose operations, the Canada-Newfoundland and Labrador Offshore Petroleum Board (CNLOPB) announced late Friday afternoon.

The CNLOPB ordered Husky Energy to suspend operations on Jan. 17 because of an incident in March 2017 when the SeaRose vessel did not discontinue oil operations and sail away after an iceberg had entered its quarter-mile exclusion zone, a violation of its Ice Management Plan.

The board announced Friday afternoon it had lifted the suspension order.

"We could have and should have responded differently according to the pre-existing plan, and have learned from this incident," stated Husky Energy CEO Rob Peabody. "We will apply these lessons and share the learnings broadly in the region and across the company."

"Our engagement with the CNLOPB was constructive and co-operative. We share the same objective. The safety of our people and the protection of the environment is our first priority and in this case we let ourselves down."

Related stories:
Husky Energy replaces Atlantic region vice president
Husky's response 'encouraging': CNLOPB

Husky Energy moving to suspend operations on SeaRose in N.L. offshore

The Telegram

The resumption of operations at the White Rose offshore oilfield came with several conditions, including a shake-up at the executive level.

Thomas Pritchard was appointed senior vice-president for the Atlantic region of Husky Energy's operations, where he previously worked as the company's head of safety.

Peabody says he is "pleased" that Pritchard agreed to move from his previous position leading process and occupational safety for the whole of Husky Energy "to return to a province where I know he has strong ties."

Other actions taken by Husky in order to resume operations include making improvements to their ice management and emergency response plans, completing an emergency response drill observed by CNLOPB, industry partners and the offshore facilities certifying authority, and communicating the importance of following procedure to offshore and onshore employees.

The CNLOPB's chief safety officer and chief conservation officer say they are satisfied Husky has taken appropriate action to address the deficiencies that were identified within the safety culture of their organization.

However, the CNLOPB's enquiry remains open as it continues to monitor the implementation of these changes.

Budget 2018
Join the Process and Share your Ideas

We Want To Hear What You Have To Say

As part of the budget process, our Government is engaging with people and organizations throughout Newfoundland and Labrador to help identify spending priorities for Budget 2018. Please join us for an in-person consultation session.

Tuesday, January 30, 2018
Arts & Culture Centre
St. John's
7:00 - 9:00 PM

Feedback accepted until February 2, 2018

You can also go to www.engageni.ca and follow the link to the questionnaire. If you have any questions or require additional information, please contact us at Budget2018@gov.nl.ca, phone (709) 729-4166, or call your MHA.

IN BUDGET

Having a say

Pre-budget consultation held in Corner Brook on Thursday night

BY CHRIS QUAGLEY
THE WESTERN STAR

CORNER BROOK

Though only nine people — excluding those directly involved — were present, Gerry Byrne said Thursday night's pre-budget consultation was a vital step towards solving the challenging fiscal situation the province currently finds itself in.

"It's really important to allow everyone an opportunity to provide input," the minister of Fisheries and Land Resources said to those gathered in the Corner Brook Civic Centre meeting room.

Government has a significant spending problem that must be addressed, he said.

Government faced a deficit of \$777.6M in the 2017 Budget, and as of the latest update in November, that was up to \$852.4M. The province's net debt is now at a record level of \$13.6B.

Pre-budget consultations this year will focus on spending. Rather than making major cuts to services, the government is seeking input into ways to find efficiencies in service delivery.

Those in attendance were divided into two tables, where they were asked to vote electronically on a few questions, while discussing the issues amongst themselves.

There are 10 different services most of the money goes into, with the health and sector receiving the lion's share



Minister of Fisheries and Land Resources and Corner Brook MHA Gerry Byrne speaks during Thursday night's pre-budget consultation at the civic centre.

at 41.6 per cent (\$2,988,186), according to Estimates Budget 2017. Newfoundland and Labrador leads the entire country in provincial per capita health care spending.

In response to the question of where they thought government could spend less money, but maintain the current level and quality of programs or services, 24 per cent voted Health Care Sector, with 15 per cent

answering Other General Government Sectors, and a 14 per cent tie for third place between Post-Secondary Education and Transportation and Works.

The next question was, if they had to choose, what area did they feel should not be subject to reductions at all.

Post-Secondary Education led the way at 24 per cent, with Other Resource Sectors following at 17 per cent, and Health

Care Sector, Education Sector, and Municipal Support all coming in at 14 per cent.

The other question was, if reductions in spending are required, where would they think reductions could be made.

Other Government Sector was the top answer at 23 per cent, with Health Care Sector in second at 18 per cent.

All information gathered at the session was collected with

the purpose of obtaining the public's views to help inform the 2018 Budget process.

Feedback can also be provided by emailing Budget2018@gov.nl.ca.

The next public consultation is slated for 7 p.m. at Hotel North Two in Happy Valley-Goose Bay on Monday.

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IN QALIPU SEPARATION

Former Qalipu chief attends exploration meeting on separation

Sheppard still against a split by Flat Bay Band from Qalipu

BY FRANK GALE
THE WESTERN STAR

QALIPU

Even after attending a meeting for exploration into the Flat Bay Band Inc. separation from the Qalipu First Nations Band, Brendan Sheppard, past-chief of Qalipu feels such a split would not be a good thing.

He was in attendance at the Tuesday evening meeting at the People's Complex in Flat Bay that he said was well attended.

As a resident of Flat Bay, which

is self-governed by Flat Bay Band Inc. Sheppard praised Chief Lis Lesage for the good work she's doing in the community getting programs that create jobs for people in Flat Bay, the Bay St. George area and even as far as Corner Brook.

"She's doing a great job at that and should continue as it has been trying to separate from Qalipu, frankly, I don't think it's going to happen," he said.

Sheppard said looking to separate is a major step for the community and is not doing anything

for the Qalipu organization.

He said trying for an Indian Status Band is only going to cause dissension amongst the people in the community and he doesn't believe the federal government will be providing core funding to a community of somewhere between 152 to 172.

Sheppard stands by Chief Brendan Mitchell and Qalipu as one band, which was implemented under his (Sheppard's) term as chief, for all wards in the province.

He doesn't believe the federal

government will set a precedent by allowing this separation, resulting in other communities across the province wanting to do the same.

Sheppard said Lesage was quoted as saying the Qalipu Band was going to fall apart but Sheppard said he doesn't believe that will happen.

He said at this point in time, Flat Bay Band is hoping to separate from Qalipu but Qalipu being totally excited because not all applicants have been informed of whether or not their

membership has been accepted or denied.

Sheppard believes the agreement that was made could be better but he's sure that people who have their cards and got them while he was chief feel good to have them.

He's hoping Qalipu will send out a letter to the people of Flat Bay outlining the need for them to stay together for the unity of the Qalipu First Nations Band.

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IN TRANSPORTATION

Marine Atlantic increasing fuel surcharge by three per cent in April

PORT FEE INCREASES

Marine Atlantic has announced it will increase its fuel surcharge by three per cent on April 1.

The corporation released its 2018-19 schedule and rate structure on Thursday for travel between April 1, 2018, and March

31, 2019. The increase, the first since 2011, will bring the fuel surcharge to 18 per cent.

According to a news release from Marine Atlantic, the hike is needed to cover increased fuel costs associated with the move to more expensive marine diesel fuel to meet new international

Sulphur Emission Control Area (SECA) environmental regulations adopted by the federal government.

"Marine Atlantic's internal fuel management measures, hedging program and the price of fuel enabled the corporation to maintain or decrease the fuel surcharge in recent years," the

release stated.

"However, the more expensive diesel fuel associated with this transition requires increases to now be passed along to customers. The corporation is required to fully meet the new SECA regulations by Jan. 1, 2020."

Passenger fares, vehicle fares and the drop trailer manage-

ment fee will all remain the same for 2018-19.

Popular overnight and morning crossings will also continue, as will dedicated commercial and restricted crossings to facilitate the transport of goods to and from Newfoundland and Labrador, or the release stated.

IN LABOUR

Irving to hire more than 950 in N.L.

Company will take on more than 10,000 workers over next three years

THE TELEGRAM
ST. JOHN'S

J.D. Irving Ltd. is forecasting hiring more than 950 people in Newfoundland and Labrador over the next three years, according to a news release issued Thursday by the New Brunswick-based company.

A chart accompanying the release shows that of the more than 10,400 jobs — located in Canada (9,400 jobs) and the United States (1,036 jobs) — it projects from 2018 through 2020, 959 will be in this province.

According to Irving representatives, 360 of those jobs will be in the St. John's area and will be split between positions at Kent Building Supplies and Atlantic Towing. Atlantic Canada in general

is the major beneficiary of this hiring announcement, as 84 per cent of the jobs will be located in these four provinces, with nearly 60 per cent of those coming in New Brunswick (6,191), the home base for the company.

Provinces anticipated to get Irving jobs are New Brunswick (5,101), Nova Scotia (2,167), Newfoundland and Labrador (959), Prince Edward Island (594), Ontario (418), Quebec (142), Alberta (49) and British Columbia (3).



The jobs will include positions in operations, shipping, supply and logistics, retail sales and finance. The three-year forecast is a result of anticipated retirements, business growth and normal work-force turnover.

An anticipated 2,553 stu-

dents are also included in the 2018-20 hiring forecast total.

tdel@telegram.com

Budget 2018
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What You Have To Say**

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IN COUNCIL

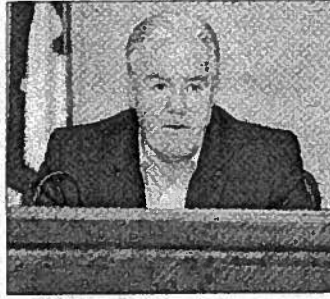
Deer Lake council agrees on need for waste management policy

BY NIKKI CRUCKER
THE WESTERN STAR
DEER LAKE

The Town of Deer Lake will be taking another look at its new waste management fee as it works to put a policy in place that will address questions that have been arising.

The town introduced a \$116.50 per unit waste management fee for residents and businesses in its 2018 budget.

During Monday evening's public council meeting the finance committee report included a recommendation to refund over \$1,000 in fees that were paid by businesses that don't avail of garbage collection by the town. Instead, the businesses pay for contracted pickup.



Mayor Dean Ball is seen during Monday evening's public council meeting at the town hall in Deer Lake.

It was noted that the refund was something that only commercial properties would be given the opportunity to apply

for. When it came time for discussion, Coun. Myra Spence said that in principle she had

a problem with the refunds. As a business owner that has a contractor pick up garbage, she said to follow the line of reasoning presented then her business should be one of the ones to apply to get a refund.

She said the town did not say it would not pick up their garbage and she had a problem with businesses qualifying for exemption when it was their decision to contract out the service.

"We chose to have outside collection," said Spence. "As a business that was a decision we made."

Coun. Amanda Franks, chair of the finance committee, then suggested that a policy was needed to address the issue.

Mayor Dean Ball said he could see this becoming a greater issue in July when the waste management regula-

tions come into effect that will see the town's garbage trucked to a transfer site.

He said the contractors won't be taking the garbage to a local waste site, but to Hampden and it's possible then the companies will want the town to collect their garbage.

It was agreed by the council to defer the refunds until a policy is developed.

"We knew there was going to be some growing pains when it comes to waste management," said Ball after the meeting and with the questions arising from the business sector it requires clarification.

"We want to make sure we do this right," he said. "The problem is the tipping fee has got to be paid one way or another."

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Twitter: WS_NikkiCrucker

Unveiling a logo



PHOTO BY KEVIN WELLS

The 2018 Newfoundland and Labrador Winter Games are set for just over a month away in Deer Lake March 10-18. Uncharacteristically, there has been little information given out in the build to the athletic spectacle. That changed Monday when the Games' logo, medal design and mascot were all unveiled during a ceremony at the Deer Lake Hotel hosted by the provincial government and Sport NL. Here, Premier Dwight Ball (left) and members of the host boys' hockey team named the Deer Lake Devils check out the new designs during the event.

IN COURT

Former cabbie found guilty of sexually assaulting two female passengers

Sentencing hearing for Lutzim (Leon) Jakupaj set for next month

BY ROSIE MALLALLY
THE TELEGRAM

A former St. John's taxi driver given a four-year jail term last month for following a female passenger into an apartment will soon be sentenced for sexually assaulting two other female passengers.

Lutzim (Leon) Jakupaj was found guilty Monday of two counts of sexual assault involving two separate incidents, 10 days apart, in March 2016.

In rendering her decision, Justice Rosalio McGrath said she believed beyond a reasonable doubt that Jakupaj committed the crimes.

McGrath added that while the victims who testified in the trial last year may not have been clear on certain details, she attributed that to the lengthy passage of time. She said the inconsistencies in their testimony were not significant enough to raise doubt about their credibility.

One of the victims was in the courtroom to hear the verdict. She nodded her head and left during a break, opting not to speak to reporters.

Jakupaj showed no reaction as he was handcuffed and led

out of court. His sentencing hearing is set for Feb. 28, when lawyers will present their sentencing recommendations. The victim's impact statements will also be presented at that time.

During the trial, which wrapped up in December, the first victim, a 24-year-old woman, told the court Jakupaj had picked her up downtown after she had spent a night out with friends, and, upon pulling into her driveway in Paradise, grabbed the back of her neck and forced his tongue into her mouth.

The second woman, who was 19 at the time, testified she and four friends got a ride home to Mount Pearl from downtown in Jakupaj's cab and he invited himself inside when they arrived. She said he pinned her against a wall, pressed his forearm across her throat, forced his tongue into her mouth and tried to pull down her pants.

In an interview with police — the video of which was shown to the court — about the first reported incident, Jakupaj denied sexually assaulting the woman, saying he depended on his job with City Wide Taxi and wouldn't jeopardize it. He

told police he "didn't need to" assault anyone, since he had women asking him for a date every day.

Jakupaj is currently serving a four-year sentence after being found guilty of break and enter with intent to commit a crime. In that incident, in May 2016, he followed a female passenger into a Killarney apartment after dropping her off. The Crown argued Jakupaj intended to sex-

ually assault the woman, but the woman's former boyfriend, who lived at the apartment, saw Jakupaj looking into the bedroom and tried to confront him.

In sentencing Jakupaj in that case in June 2017, Chief Justice Raymond Whalen said people need to feel safe when they get in a cab and when they're in their own home.

"(The sentence) recognizes

that citizens place their trust in taxi drivers to carry them safely to their destination without fear of having the driver in any way taking advantage or abuse that position of trust they hold towards the passenger," Whalen said.

"If we cannot trust taxi drivers in our community, who can we trust?"

The Telegram

go online
thewesternstar.com

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FOCUS n Stephenville & Bay St. George

COMMUNITY calendar



PHOTO BY MANDUELLA GALLANT
Before Springs comes again, as we already have had it twice during January, Earleen and Robert Hulan, of Stephenville, are taking advantage of a nice winter day to go for a walk.

ON THE AGENDA

Parkinson's Support Group
Anyone interested in participating in a Parkinson's Support Group for the Bay St.

George area is asked to contact Mike Jessa at 644-2490.

Al-Anon
For families of problem drinkers, whether it is now or was in the past. For more information on help

for this you may contact Al-Anon. In the Bay St. George area you may call 643-3559, 643-3557 or 646-5503 for the times and place of meetings.

Cultural sensitivity workshop

The Newfoundland Aboriginal Women's Network offers cultural sensitivity workshops to all service providers, stakeholders and/or organizations offering services and programs. This workshop focuses on identifying with and respecting various cultures. It also introduces some traditional Mi'kmaq culture and teachings. This workshop is open to all groups free of charge. For more information or to book a workshop, please contact 643-1290 or email: nawen@nl.abn.com

Free classes

Free water aerobic classes are available for seniors 50 and over and running every Wednesday, 2 p.m. at Stephenville pool. Classes are sponsored by the Leisure Club of Port au Port West.

Overeaters Anonymous

Overeaters Anonymous meetings are available by telephone or Skype at no charge from anywhere in Newfoundland Labrador.



If you struggle with eating habits that make you unhappy and less healthy, there is help. Overeaters Anonymous offers a meeting on Thursday Nights at 8:30 p.m., island time. If you would like to see if OA is for you, please email us at info.oanl@gmail.com or call toll-free 1-877-738-1742. We can connect you to the Thursday night meeting via landline telephone or via Skype. Join the conversation with people who understand what you're dealing with because we have been there ourselves.

Alzheimer's support

Western Health, in partnership with the Alzheimer's Society of Newfoundland and Labrador, is offering a support group to assist individuals and their families on their Alzheimer's journey. Pre-registration is suggested. The group will meet at 7 p.m. the second Tuesday of every month at the Bay St. George Long Term Care Centre (Education Room), Dr. Charles L. LeGrow (boardroom videoconferencing) and Calder Health Centre (boardroom videoconferencing). To register or for more information, contact: 646-5800 ext. 7231.

Continued on page 18

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Emile's Pub & Eatery



LIVE ENTERTAINMENT EVERY FRIDAY NIGHT!

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Feb 16th - Park Avenue
Feb 23rd - James Carby



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House of Assembly Management Commission

Briefing Note

Title: Request for Appeal – Member for St. John’s Centre

Issue: Appeal of ruling on payment of expenses related to a householder/newsletter.

Background:

- In accordance with Section 24 *House of Assembly Accountability, Integrity and Administration Act* (the Act) the Member for St. John’s Centre is appealing the denial of payment by Corporate and Members’ Services Division of an expense totaling \$2,409.25 incurred in March, 2017 for design and printing of a householder distributed in the Member’s constituency. Details of the appeal and a copy of the householder are provided in the Member’s correspondence (see Attachment 1).
- Print publications paid from Members’ advertising allowances have always been subject to the advertising policy current at the time. Prior to the Commission’s approval of the recently amended Advertising and Publications Policy for Members of the House of Assembly dated November 2017, Members were subject to the provisions of the Advertising Policy for Members of the House of Assembly originally approved in May 2009 and updated in March 2011. At the time of the Member’s expenditure, the March 2011 policy was in effect.
- Newsletters/householders were not addressed specifically in the March 2011 version of the policy (neither were other print media that Members frequently used such as signs, posters, banners, “Sorry I Missed You” cards, etc.). These items were all considered allowable under the print media provisions of the policy, with the provisions related to allowable and non-allowable content applied to all print publications.
- During the period April 1, 2011 to October 31, 2017, there are 246 instances of payments for printing of newsletters/householders. All were assessed and approved in accordance with the Advertising Policy dated March 2011.
- In February 2017, Corporate and Members’ Services Division (CMS) advised the Member’s office that the draft newsletter/householder submitted was not eligible for reimbursement in accordance with Section 5.3 (Non-Allowable Content) of the Advertising Policy. Section 5.3 prohibits expenditures for print material that contain statements of a partisan nature, content that advocates a particular position, and content that disparages a political position.
- In mid-March 2017, CMS, in response to a request from the Member’s office to issue a purchase order (PO) for the printing of the newsletter, advised that the newsletter/householder in question was not eligible for reimbursement for the same reasons outlined above, and consequently could not issue the PO.

- The Member proceeded with printing of the householder and paid for it personally.
- The House of Assembly Service advises that there are other instances where Members incurred expenditures related to newsletters/householders that were not in compliance with the provisions in place for such publications (similar to this particular case). In those instances, the Members were advised that the expenditures could not be reimbursed. To date, no such appeals have been received by the Management Commission related to those instances.
- The Commission may make a ruling on these expenses as per subsection 24(9) of the Act which states:

(9) *Notwithstanding that an expense claim has been denied by an officer, staff member or the speaker, in accordance with the rules, where there is an appeal to the commission under this section and the commission determines that that claimed expense amount*

(a) *has been incurred by the member; and*

(b) *is a permitted expense under the Act and rules; and*

(c) *does not exceed an expense amount or allowance allocation permitted under the rules,*

and a denial of payment of the expense amount would, in the opinion of the commission, be unjust, the commission may approve the expenditure for the claimed expense to the extent that the commission considers to be just and the decision of the commission is final.

Analysis:

Legal Consultation:

Not applicable.

Internal Consultation(s):

Corporate and Members' Services Division

External Consultation(s):

Not applicable.

Comparison to Government Policy:

Not applicable.

Financial Impact:

Not applicable.

Legislative Impact:

Not applicable.

Options:

1. Approve the payment of the householder/newsletter expenses totaling \$2,409.25 for the Member for St. John's Centre.
2. Do not approve the payment of the advertising expense \$2,409.25 for the Member for St. John's Centre.

Status:

- Not applicable.

Action Required:

- The decision of the Commission is requested.

Prepared by: Bobbi Russell
Date: April 4, 2018

Approved by: Sandra Barnes

Attachments:

1. Correspondence dated March 28, 2018 from the Member for St. John's Centre to the Speaker.



HOUSE OF ASSEMBLY
Newfoundland and Labrador

GERRY ROGERS, M.H.A.
District of St. John's Centre

Honourable Perry Trimper
Speaker of the House of Assembly, NL
Sandra Barnes
Clerk of the HOA

March 28, 2018

Dear Speaker Trimper and Ms. Barnes,

Re: Appeal of decision on my last "Householder"

As discussed I am writing to ask for an appeal on the decision that resulted in excluding my last Householder from being covered by my allotted Constituency Office Allowance.

I am basing this application on the fact that there was no specific, identifiable policy covering "Householders", only a policy covering ads in publications. I am also appealing on the basis that the 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 was problematic so it could be corrected, no answer was provided to identify the problematic content.

Enclosed please find a copy of the "Householder".

The total cost of the design and printing of the "Householder" was \$2,409.25 which I have had to pay personally. I also had to gather a team of volunteers to deliver it with me so that I was able to communicate with my constituents and that I had a town hall on the horizon, as is my obligation as an MHA.

I thank you for your consideration and await any instruction from you.

Sincerely,

A large, stylized handwritten signature in blue ink, consisting of several loops and a long horizontal stroke.

ST. JOHN'S
CENTRE

The heart of the city...



So happy to introduce Amelia, my grand-daughter – born this past December!



Froude Avenue Community Centre – sure knows how to put on a Christmas party! Special thanks to all the volunteers who delivered holiday baskets.

TOWN HALL COMING UP!

Dear Friends,

It has been such honour working with and for you these past 5 years. And once again, I am very concerned about the direction government is taking. The last budget hit working people really hard and hit poor people especially hard. We all know our economy took a hit with the unexpected drop in oil prices – as well as the incredible drain Muskrat Falls has been on our resources.

Muskat Falls drained billions of dollars from our coffers and it's not finished yet! It's affecting the money we have for education, healthcare, homecare, whether we have a good daycare system, whether we can build more affordable housing or a new Waterford Hospital and more....

Some of those most directly affected are young people and seniors. So, I want us all to get together and talk. I'd like to hear from our seniors and young people about their past and our future. What do we need to ensure seniors have what they need to live in dignity and security? What do we need to do to make sure our young people can stay here, work, raise families? I know we'll all have great ideas. Then we'll tell government what needs to be done! Entertainment, refreshments, some great seniors and young people. We'll kickstart the conversation and work together to make a difference! Can't wait to see you....

**Mark your calendars Tuesday April 11, 7pm,
St. Teresa's Parish Hall.**

Gerry Rogers

MHA - St. John's Centre

Phone.

Email.



In the House...

The House of Assembly is where I get to raise issues that are important to us as a community. Here are a few excerpts of things I raised on your behalf...



38 young women spent a day at the House of Assembly taking part in a national campaign to elect more women to all levels of political office in Canada. The future looks good!

SENIORS

Our population is shifting significantly — we have the highest growing percentage of seniors of anywhere else in the country. If you are a senior living alone on GIS or OAS and your income is about \$1200 a month, then \$900 for rent leaves you with only \$300 a month. Out of that \$300, you have to pay for your heat and light, your cable, your groceries, for your over-the-counter drugs. You have to pay for your own dental work as well now. It's not enough money to live on. Many of our seniors need rent supplements ... but there have been no new rent supplements over the past few years — even though we have a growing number of seniors who need them. DEC 5 2016

MENTAL HEALTH

Mr. Chair, I've had the pleasure for the past year of being on the All-Party Committee on Mental Health and Addictions. We travelled all over the province. We heard from experts, from front-line workers. We've heard from family doctors. We've heard from psychiatrists. We've heard from communities and mayors. We've heard from corrections officers and police. Without exception they all talk about the need for safe, affordable housing. We actually had one psychiatrist who told us there is almost no point for him to treat some patients — if they don't have a safe place to live. DEC 5 2016



Working Together

I'm going door to door.

YOUTH AND JOBS

The provinces unemployment rate for 15 to 24 year-olds increased in September by a whopping 8.8 % points for males and 5 % points for females. These are our young adults with student and credit card debt because of school, who are losing their jobs or unable to find jobs — pushing them into poverty. We need our young people to stay and help build our economy. I ask the Premier: What are his concrete plans to combat youth unemployment and give our young people a chance to make a life for themselves in our province? NOV 28 2016



Elise Thorburn and Olive Thorbrook joined over 1000 people outside the Masjid-an-Noor Mosque in St. John's as members of the city's Muslim community prayed inside. A beautiful act of solidarity in Newfoundland and across Canada – a few days after six people were killed at a mosque in Quebec City.

HOME CARE PROGRAM

Catherine has severe osteoporosis. She fell and broke her hip. After surgery she had intensive home care for a few weeks and then was dropped like a hot potato. She gets absolutely no home care now. Fred is an 85-year-old veteran with severe arthritis. He slipped and fell at home. He too had post-hospital acute home care support. After a few weeks, he too was dropped like a hot potato. His arthritis is so severe he can't even sign his name, let alone cut his vegetables. Seniors call us — all they need is a few hours of help, a few hours of home care to help keep them in their homes. Social workers tell us that they have been told to do a 're-focus' to see how they can shrink the number of home care hours they approve. It's not working. DEC 13 2016

DENTAL PROGRAM?

John tried pulling his out his own infected tooth with pliers. He can't afford a dentist. Roger lost his dentures and can't afford a new set even though his doctor said he needs them to eat properly. Paul got new dentures, understanding the reduced Adult Dental Program would cover the cost. Now he learns he has to pay \$300 extra to get them, a full month's groceries. He has to chose between dentures or food. He can't have both. DEC 13 2016



On January 17th Waterford Valley High School students paid tribute to teacher Mr. Danny King by organizing a Memorial Winter Rugby game in his honour. Mr. King was loved for his generous spirit and dedication to his students.

If I miss you and you would like to speak with me, please call. **729-2638** Don't forget to leave a message!

In the House...

BOARDING HOUSES

Yesterday I asked the Ministers of AESL and Health what they were going to do about the situation of very vulnerable people living in deplorable boarding houses paid for by hard-earned taxpayers money. Well, Mr. Speaker, I visited some of those places again today and I have some pretty disturbing pictures. This is a systemic problem and a scandalous misuse of public funds. I ask the Ministers again: What are they going to do to make sure these vulnerable people are better supported and public money is better invested? NOV 23 2016

MINIMUM WAGE

38% of provincial minimum wage earners mostly work for large chains that employ more than 500 people. Many of these workers need government help through social programs because their employers don't pay them enough money to live on. This, in fact, becomes a corporate subsidy. I ask the Premier: Has he done an analysis of how much government is spending to subsidize corporations' low-wage practices on the workers of Newfoundland and Labrador? NOV 15 2016

When you were my age...

SENIORS

& YOUTH

A REAL DIALOGUE

A COMMUNITY TOWN HALL
FOR EVERYONE!

TUESDAY, APRIL 11, 2017

7:00-9:00 PM St. Teresa's Parish Hall

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The Sisters of Presentation based their lives and community work in and around St. Patrick's Convent in St. John's Centre. The Sisters have moved to the main convent near the Basilica and gifted St. Patrick's to the City of St. John's to be transformed into affordable housing for seniors! They are addressing this shortage of affordable housing by literally opening up their own homes!

(We apologize if you received this flyer but don't live in St. John's Centre. The established postal routes in the city result in some overlapping with other districts. We've tried our best to minimize this. Thanks for your understanding.)

GRAPHIC DESIGN BY KRISTINE BREEN
e. Kristinebreen@gmail.com w. kristinebreen.com

House of Assembly Management Commission

Briefing Note

Title: Request for Appeal – Member for Mount Pearl-Southlands

Issue: Payment of invoice from previous fiscal year (2016-17).

Background:

- The Member for Mount Pearl-Southlands is appealing the denial of payment by Corporate and Members' Services Division of certain expenses incurred by the Member. The expenditures were rejected for payment as they were incurred in the 2016-17 fiscal year, but the invoice was not submitted for payment within 30 days of the end of that year.
- Subsection 7(2) of the *Members Resources and Allowances Rules* (the Rules) states that

(2) A claim against an allowance for a payment or reimbursement shall be made in respect of the fiscal year in which the expenditure was made or incurred, and shall be submitted and received by the clerk not more than 30 days after the end of that fiscal year.

- The expenses, totaling \$75.00, are permitted under the Rules, but could not be approved for payment as per the provisions of subsection 7(2). The expense was for advertising in the Mount Pearl-Paradise Skating Club 2017 Ice Show booklet.
- The attached letter from the Member for Mount Pearl-Southlands provides further details. His correspondence indicates that the expenditure was rejected for payment because it was outside the 60-day submission deadline as per subsection 7(6) of the Rules. However, upon consultation with Corporate and Members' Services, it was determined that the expenditure was rejected in accordance with the provisions of subsection 7(2).
- The Member for Mount Pearl-Southlands is appealing this decision and has made a request to the Management Commission in accordance with Section 24 *House of Assembly Accountability, Integrity and Administration Act* (the Act).
- The Commission may make a ruling on payment of these expenses as per subsection 24(9) of the Act which states:

(9) *Notwithstanding that an expense claim has been denied by an officer, staff member or the speaker, in accordance with the rules, where there is an appeal to the commission under this section and the commission determines that that claimed expense amount*

(a) *has been incurred by the member; and*

(b) *is a permitted expense under the Act and rules; and*

(c) *does not exceed an expense amount or allowance allocation permitted under the rules,*

and a denial of payment of the expense amount would, in the opinion of the commission, be unjust, the commission may approve the expenditure for the claimed expense to the extent that the commission considers to be just and the decision of the commission is final.

- While there were sufficient funds remaining in the Member's allocation to pay the expenses had they been submitted in the 2016-17 fiscal year, the expenses cannot be charged to the Member's expense allocation for that year because they were not submitted by the deadline of April 30, 2017. Should the Commission approve payment, the expenses will be charged to the Member's allocation for fiscal 2017-18.

Analysis:

Legal Consultation:

Not applicable.

Internal Consultation(s):

Not applicable.

External Consultation(s):

Not applicable.

Comparison to Government Policy:

Not applicable.

Financial Impact:

Not applicable.

Legislative Impact:

Not applicable.

Options:

1. Approve the payment of expenses totaling \$75.00 for the Member for Mount Pearl-Southlands with the expenses to be paid within the appropriate allocation for the 2017-18 fiscal year.
2. Deny the payment of expenses totaling \$75.00 for the Member for Mount Pearl-Southlands.

Status:

- Not applicable.

Action Required:

- The decision of the Commission is requested.

Prepared by: Bobbi Russell
Date: April 11, 2018

Approved by: Sandra Barnes

Attachments:

1. Letter from the Member for Mount Pearl-Southlands to the Speaker.



HOUSE OF ASSEMBLY
Newfoundland and Labrador

PAUL LANE, M.H.A.
District of Mount Pearl - Southlands

April 11, 2018

Perry Trimper, MHA
Speaker of the House of Assembly
Confederation Building
P.O. Box 8700
St. John's, NL
A1B 4J6

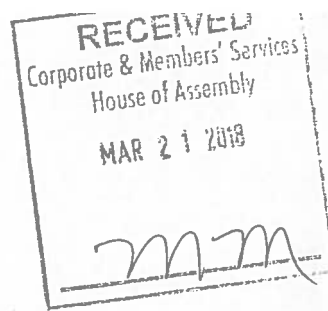
Dear Speaker Trimper:

The attached invoice # HOA004836 was submitted but not approved by Corporate and Members Services due to the fact that it was past the 60 days approval time. This was due to the fact that while he had obtained a purchase order as per policy, the organization for which the payment was required neglected to send in their invoice. By the time this was discovered and an invoice was obtained, we had gone beyond the prescribed timeframes.

I am therefore requesting that this be forwarded to the House of Assembly Management Committee for approval. As I previously stated, a purchase order was obtained and money allotted in the budget to cover same.

Sincerely,

A handwritten signature in black ink, appearing to be 'P. Lane', written in a cursive style.



Mount Pearl-Paradise Skating Club
P.O. Box 532, Mount Pearl, NL A1N 2W4

March 21, 2018

Invoice # HOA004836

House of Assembly
Corporate & Members Services
P.O. Box 8700
St. John's, NL A1B 4J6

Attention; Mr. Paul Lane

Purchase Order No. 216047852

**RE: Invoice for \$75.00 – Advertising in Mount Pearl-Paradise Skating Club 2017 Ice Show Booklet;
(1/2 Page ad) –Single Advertisement**

The Mount Pearl-Paradise Skating Club sincerely "Thank you" for your support to our club during our 2017 Ice Show. We appreciate your continued support in making our Ice Show a very successful event.

Please forward a cheque to our club address noted below at your earliest convenience;

Sincerely;

Perry Dalton
Treasurer - Mount Pearl-Paradise Skating Club

Mount Pearl Skating Club
P.O. Box 532
Mount Pearl, NL
A1N 2W4

From: Mitchelmore, Michelle
Sent: Wednesday, April 11, 2018 7:56 AM
To: Stoyles, Lucy
Subject: Invoice for Mount Pearl - paradise Skating Club

Hi Lucy,

The invoice has been rejected by Corporate and Members' Services as the expenditures relate to the 2016-17 fiscal year.

Subsections 7(2) and 7(3) of the *Members' Resources and Allowances Rules* states that:

(2)"a claim against an allowance for a payment or reimbursement shall be made in respect of the fiscal year in which the expenditure was made or incurred, and shall be submitted and received by the clerk not more than 30 days after the end of that fiscal year."

(3)an expenditure shall be considered to have been made or incurred when the goods and services to which that expenditure relates have been received.

As per Section 24 of the *House of Assembly, Accountability, Integrity and Administration Act*, the Member may appeal this decision by writing the Speaker of the House of Assembly. Should the Management Commission approve the payment of this claim, the expenditure will be charged to Mr. Lane's Office Allowances - Office Operations Allowance for the 2016-17 fiscal year.

Michelle Mitchelmore
Accounts Payable Clerk
Corporate and Members Services
House of Assembly
Ph: (709)729-5181
Fax:(709)729-7768