

## **House of Assembly Management Commission Agenda**

**Date:** October 16, 2020  
**Time:** 9:00 am  
**Location:** Via Videoconference (WebEx)

### **Televised Meeting**

1. Approval of Minutes:
  - July 30, 2020
  - September 9, 2020
  - September 29, 2020
2. Budget Transfer Request
3. Appointment of Audit Committee Chair
4. Request from the Member for Burgeo-LaPoile – Pension Plan Options for Political Support Staff
5. Requests for Appeal:
  - Member for Humber-Bay of Islands
  - Member for Lewisporte-Twillingate
  - Member for Exploits
  - Member for Bonavista



**House of Assembly  
Newfoundland and Labrador**

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

**Date:** July 30, 2020

**Location:** Via Videoconference (WebEx)

**Time:** 9:00 a.m.

**Members Present:**

Hon. Scott Reid, Speaker (Chair)

Hon. Siobhan Coady, Government House Leader

Ms. Alison Coffin, MHA (NDP), St. John's East-Quidi Vidi

Hon. John Haggie, MHA (LIB), Gander

Mr. Elvis Loveless, MHA (LIB), Fortune Bay-Cape La Hune

Mr. Barry Petten, MHA (PC), Conception Bay South

Ms. Sandra Barnes, Clerk of the House of Assembly

Mr. Derek Bennett, MHA (LIB), Deputy Speaker

**Other**

Ms. Bobbi Russell, Policy & Communications Officer

**Regrets**

Mr. David Brazil, Opposition House Leader

**CM 2020-017** The Minutes of the Commission meeting held on July 15, 2020 were approved as read.

**CM 2020-018** The Commission directed House officials to draft amendments to the caucus funding policy provisions to provide funding for a registered political party of one member, with the amendments to be brought forward at a future meeting for approval.

**Adjournment:** 9:30 a.m.

Hon. Scott Reid  
Speaker (Chair)

Sandra Barnes  
Clerk and Secretary to the Commission



**House of Assembly  
Newfoundland and Labrador**

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

**Date:** September 9, 2020

**Location:** Via Videoconference (WebEx)

**Time:** 9:00 a.m.

**Members Present:**

Hon. Scott Reid, Speaker (Chair)

Mr. David Brazil, Opposition House Leader

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

Ms. Alison Coffin, MHA (NDP), St. John's East-Quidi Vidi

Mr. Perry Trimper, MHA (LIB), Lake Melville

Ms. Sandra Barnes, Clerk of the House of Assembly

**Other**

Ms. Bobbi Russell, Policy & Communications Officer

Ms. Kim Hawley George, Law Clerk

**Regrets**

Hon. Steve Crocker, Government House Leader

Mr. Barry Petten, MHA (PC), Conception Bay South

**CM 2020-019** The Commission appointed Ms. Kim Hawley George to the position of Clerk Assistant on an acting basis in addition to her duties as Law Clerk.

The Commission considered requests from a current Member and former Member for financial assistance for an initial legal consultation in accordance with the *Guidelines of Reimbursement of Legal Fees for Members of the House of Assembly – December 2019*. In accordance with the Guidelines, the name of the Member/former Member and the amounts approved for reimbursement will be reported in the public Minutes of the Commission at a later date.

**Adjournment:** 9:43 a.m.

Hon. Scott Reid  
Speaker (Chair)

Sandra Barnes  
Clerk and Secretary to the Commission



**House of Assembly  
Newfoundland and Labrador**

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

**Date:** September 29, 2020

**Location:** Via Videoconference (WebEx)

**Time:** 10:00 a.m.

**Members Present:**

Hon. Scott Reid, Speaker (Chair)

Hon. Steve Crocker, Government House Leader

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

Ms. Alison Coffin, MHA (NDP), St. John's East-Quidi Vidi

Mr. Barry Petten, MHA (PC), Conception Bay South

Mr. Perry Trimper, MHA (LIB), Lake Melville

Ms. Sandra Barnes, Clerk of the House of Assembly

**Other**

Ms. Bobbi Russell, Policy & Communications Officer

Ms. Kim Hawley George, Law Clerk

**Regrets**

Mr. David Brazil, Opposition House Leader

The Commission issued further direction with respect to requests from a current Member and former Member for financial assistance for an initial legal consultation in accordance with the *Guidelines of Reimbursement of Legal Fees for Members of the House of Assembly – December 2019*. In accordance with the Guidelines, the name of the Member/former Member and the amounts approved for reimbursement will be reported in the public Minutes of the Commission at a later date.

**CM 2020-022** The Commission, at an *in camera* meeting, directed that amendments to the *Guidelines of Reimbursement of Legal Fees for Member of the House of Assembly – December 2019* with respect to clarifying what is included in the initial legal consultation, be brought to a future meeting for approval.

**Adjournment:** 10:58 a.m.

Hon. Scott Reid  
Speaker (Chair)

Sandra Barnes  
Clerk and Secretary to the Commission

**House of Assembly Management Commission  
Briefing Note**

**Title:** Budget Transfer Request

**Issue:** Approval of a Transfer of Funds – Members’ Resources (MR)

**Background:**

- The House of Assembly Transfer of Funds Policy requires Management Commission approval to transfer funds and the creation of Professional Services as a Sub-Object in the Members’ Resources Activity. Section 4.2.1 of the Policy states:

*House of Assembly Management Commission approval is required to transfer funds to or from the following Main Objects of Current Account Expenditure of an Activity:*

- *Loans, Advances and Investments;*
  - *Allowances and Assistance;*
  - *Grants and Subsidies; and*
  - *Debt Expenses.*
- A transfer of funds is required from House Operations – Transportation and Communication to Members’ Resources – Professional Services – to pay legal fees.
  - Additional funds may be required to be transferred when the legal action is completed.

**Analysis:**

**Legal Consultation:**

Not applicable

**Internal Consultation(s):**

Corporate & Members’ Services

**External Consultation(s):**

Not applicable

**Comparison to Government Policy:**

Not applicable

**Financial Impact:**

Savings have been identified in the Transportation and Communication Main Object for House Operations.

**Legislative Impact:**

Not applicable

**Options:**

- Approve the Transfer of Funds as noted below.

**Status:**

- Not applicable

**Action Required:**

- The Commission's approval of the following transfer of funds is required:

**From:**

Subdivision 1.1.05.02 House Operations – Transportation and Communications \$4,400

**To:**

Subdivision 1.1.04.02 Members' Resources – Professional Services \$4,400

Drafted by: Wanda Strowbridge  
Date: October 14, 2020

Approved by: Sandra Barnes

**Attachments:**

1. Budget Transfer No. HOABT2021-IS022-IS

**LEGISLATURE**

Budget Adjustment No.: HOABT2021-IS022-IS

**TRANSFER TO:**

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0206	120	0410	0513	000000	1.1.04.02 Members' Resources – Professional Services	\$4,400.00

**FUNDS REQUIRED FOR:**

Legal fees.

**TRANSFER FROM:**

Accounting Distribution					Description	Amount
RC	ACAT	ACEL	LOBJ	DTC		
0202	110	0420	0367	000000	1.1.05.02 House Operations – Transportation and Communications	\$4,400.00

**REASON FUNDS ARE AVAILABLE:**

Travel is less than anticipated.

<p><b>VERIFIED BY:</b></p> <p>_____</p> <p><b>Chief Financial Officer</b></p> <p><b>Date:</b> _____</p>	<p><b>APPROVED BY:</b></p> <p>_____</p> <p><b>House of Assembly Management Commission</b></p> <p><b>Date:</b> _____</p>
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**House of Assembly Management Commission**

**Briefing Note**

**Title:** Audit Committee

**Issue:** Appointment of New Audit Committee Chair

**Background:**

- The Audit Committee is established under the authority of section 23 of the *House of Assembly Accountability, Integrity and Administration Act* (the Act) which states:
  - (1) *There is established a committee of the commission, to be known as the audit committee.*
  - (2) *The audit committee shall consist of*
    - (a) *2 members of the commission chosen by the commission, at least one of whom shall not be a member of the government party; and*
    - (b) *2 persons, chosen by the Chief Justice of the province, who are not members but who are resident in the province, and have demonstrated knowledge and experience in financial matters and are suitable to represent the public interest.*
  - (3) *The commission shall designate the chair of the audit committee from members of the committee.*
- With the recent changes to the membership of the Management Commission there is a vacancy on the Audit Committee as the Member for Fortune Bay – Cape La Hune, who served as the Chair and Audit Committee member of the government caucus (in accordance with paragraph 23(2)(b) as noted above) is no longer a member of the Commission.
- The other member of the Commission on the Audit Committee is the Member for St. John’s East – Quidi Vidi.
- The Commission must appoint one its members from the Government caucus to serve on the Audit Committee, and further designate one of the current members of the Committee as the Chair.



**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:**

- Appoint one of the Management Commission members from the Government caucus as a member of the Audit Committee and designate one of its members as the Chair.

**Status:**

- A vacancy exists on the Audit Committee as a result of changes to the membership of the Management Commission in August 2020.

**Action Required:**

Recommended Minutes:

- The Commission appoints \_\_\_\_\_ as a member of the Audit Committee, effective immediately.
- The Commission designates \_\_\_\_\_ as Chair of the Audit Committee, effective immediately.

Prepared by: Bobbi Russell  
Date: September 18, 2020

Approved by: Sandra Barnes

**House of Assembly Management Commission  
Briefing Note**

**Title:** Request from the Member for Burgeo-LaPoile

**Issue:** To consider the request from the Member for Burgeo-LaPoile respecting pension plan options for political support staff.

**Background:**

- In correspondence dated February 24, 2020, the Member for Burgeo-LaPoile requested the Management Commission consider the pension plan options for political support staff.
- Currently, the employment contracts of all political support staff (i.e. constituency assistants and caucus office employees) employed by the Legislature stipulate that they are required to participate in the Government Money Pension Plan (GMPP) unless they are a member of the Public Service Pension Plan (PSPP) when hired.
- In 1989, the Executive Branch issued an Order in Council (838-'89 refers) establishing the employment terms for political support staff. Clause 9 of that OC specified:

9 All Political Support Staff Members shall participate in the Government's Group Insurance Program and Government's Money Purchase Pension Plan, with an option for Public Employees transferring to Political Staff to continue with the Public Service Pension Plan:
- In January 1991, the Internal Economy Commission (predecessor of the Management Commission) adopted the same terms and conditions of employment for political support staff employed by the Legislature:

4. It was agreed that provisions 2 through 11 of Order-in-Council 838-'89 of 18 July, 1989 shall apply to all personnel in Members' Offices. Clause 1 of the Minute will be amended to read "The creation and filling of positions in Members' offices shall require the approval of the Internal Economy Commission, following the recommendation from the appropriate caucus or Member". It was agreed further that Treasury Board and the Department of Finance be advised of the decision of the Internal Economy Commission.
- All contracts for political support employees are based on the terms and conditions established by OC 838-'89 and have been essentially unchanged since that time, with the

exception of the severance provisions which were changed in 2018 (CM2018-050 refers.).

- A review of the PSPP legislation indicates that there is no legislative provision that would prevent political support employees from participating in the PSPP. In 2015, the Executive Branch, made a policy change that requires political support employees to participate in a pension plan but allows the employee to elect to participate in either the GMPP or PSPP. The employee is responsible for obtaining any necessary information or independent financial or other professional advice to inform their choice.
- In transferring to the PSPP from the GMPP all service can be recognized. However, as the GMPP has a lower contribution rate than the PSPP, depending on an employee's age, salary and funds available in their GMPP, there would likely be a funding deficiency in covering the cost of transferring all GMPP service to the PSPP. In that case, the employee could pay the difference. Participation in the PSPP would allow employees to be eligible for long term disability program and other post employments benefits (e.g. Group Insurance) upon retirement.
- Should the Management Commission approve a change to the current policy and provide political support employees the ability to elect either participation in the GMPP or the PSPP:
  - Communication to all political support staff to advise of the change in policy would be required;
  - An amendment to the existing contracts would need to be executed for current political support staff wishing to transfer from the GMPP to the PSPP; and
  - All new contracts would specify a choice.

### **Analysis:**

#### **Legal Consultation:**

Law Clerk

#### **Internal Consultation(s):**

Corporate and Members' Services

#### **External Consultation(s):**

Cabinet Secretariat, Executive Council

#### **Comparison to Government Policy:**

The contracts for political support staff employed by the Executive Branch (executive assistants to Ministers, employees in the Premier's Office) allow for an employee to choose participation in either the GMPP or the PSPP.

**Financial Impact:**

Since the PSPP has a higher contribution rate than the GMPP, the employer cost would increase for those employees participating in the PSPP. It is unknown how many employees would choose to transfer.

**Legislative Impact:**

N/A

**Options:**

- Direct an amendment to the current employment contract of political support staff in the Legislature that provides the option of joining (or transferring between) the GMPP and the PSPP.
- Do not direct an amendment to the current employment contract of political support staff in the Legislature – the requirement to participate in the GMPP will remain in effect.
- Provide alternate direction on the matter.

**Status:**

- The current employment contract remain in effect. Political support staff must participate in the GMPP.

**Action Required:**

- The direction of the Commission is requested.

Prepared by: Sandra Barnes  
Date: October 9, 2020



HOUSE OF ASSEMBLY  
Newfoundland and Labrador

**ANDREW PARSONS, M.H.A.**  
**District of Burgeo-LaPoile**

February 24, 2020

Hon. Scott Reid  
Chair of House of Assembly Management Commission  
Government of Newfoundland and Labrador  
P.O. Box 8700  
St. John's, NL A1B 4J6

Dear Sir:

**Re: Compensation for Political Staff**

It has been brought to my attention that political staff, as members of the Government Money Pension Plan (GMPP), are not eligible for medical insurance benefits upon retirement. These political staff members include constituency assistants, executive assistants, Caucus staffers and some of the Premier's staff. Only retired employees who are receiving a pension from either the Public Service Pension Plan, the Uniformed Services Pension Plan, the Members of the House of Assembly Pension Plan or the Provincial Court Judges' Pension Plan, may elect to continue coverage.

The GMPP is similar to a RRSP. Political staffers pay 5% of their salary into this plan which 5% contribution is matched by Government. Upon retirement, this money is self-managed and the staff member can choose to leave it with Great West Life/Canada Life or transfer it to their own financial institution. There are no monthly pension cheques from government whereby deductions can be taken for medical insurance premiums.

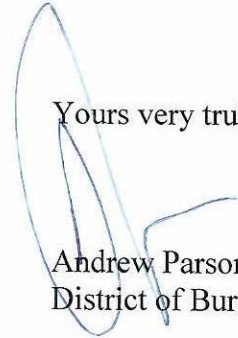
Furthermore, it is our understanding that members of the Premier's staff are being given the option to buy into or transfer into the Public Service Pension Plan (PSPP). They can have an evaluation done to determine whether it would be beneficial to buy into the PSPP. These staff members were political appointments as well as constituency assistants, executive assistants and Caucus staffers. Why aren't all political staff members being treated the same?

There are political staff members with 30+ years of service and staff members with very little time who are being given preferential treatment. Political employees are valued members of our work force who not only support us in the performance of our duties but go above and beyond advocating for our constituents and citizens of this province.

To be equitable, why not set a certain number of years of employment equivalent to whatever Public Service employees need to become members of the Public Service Pension Plan and retain their benefits upon retirement. Not all staff will find it financially viable to buy into the PSPP but at least allow everyone the same opportunity to have an evaluation undertaken.

I respectfully request that you give this request your utmost consideration and look forward to your timely response.

Yours very truly,



Andrew Parsons, M.H.A.  
District of Burgeo - LaPoile

- cc. Mr. Derek Bennett, Deputy Speaker
- Hon. Siobhan Coady, Government House Leader
- Mr. David Brazil, Opposition House Leader
- Ms. Alison Coffin, Third Party
- Hon. John Haggie, Government Caucus
- Mr. Elvis Loveless, Government Caucus
- Mr. Barry Petten, Opposition Caucus
- Ms. Sandra Barnes, Clerk of House

**House of Assembly Management Commission**

**Briefing Note**

**Title:** Request for Appeal – Member for Humber-Bay of Islands

**Issue:** Appeal of ruling on payment of constituency allowance expenses.

**Background:**

- The Member for Humber-Bay of Islands is appealing a decision of the House of Assembly to reject payment of expenses totaling \$185.64 related to the purchase of food items and other supplies under the constituency allowance allocation.
- The provisions for expenditures under this allocation are outlined in Section 46 of the *Members' Resources and Allowances Rules* (the Rules), which states:

*“(3) The following expenses necessarily incurred by a member to carry out his or her constituency business **may be reimbursed**:*

*(a) the purchase of food, non-alcoholic beverages and other supplies for meetings with constituents or other members of the public in relation to constituency business and food and non-alcoholic beverages for other constituency related events provided that the member or his or her constituency assistant is in attendance at those events;”*

*“(4) The following types of expenses **shall not be reimbursed**:*

*(d) sponsorship of individuals or groups;*

*(e) donations;”*

- While expenses related to food items and other supplies are allowable under Section 46, the following are assessed by House officials to determine whether the expenses meet the provisions for reimbursement under the Rules:
  1. The expenses must be for the purpose of a meeting or other constituency related event;
  2. The Member and/or their constituency assistant must be in attendance at the meeting or constituency-related event for which the expenses were incurred; and
  3. The expenses cannot be interpreted as a donation or a sponsorship of individuals or groups.

- The expenses in question were for the purchase of chips, drinks, and treats provided by the Member to the Corner Special Olympics. The items were included in packages delivered to Special Olympians at their homes due to the fact a year-end banquet could not take place because of the COVID-19 pandemic. The Member indicates that he assisted the organization in the delivery of the packages.
- The decision to reject payment of the expenses was based on the interpretation of the provisions outlined above, which was that these expenses do not comply with them. The assessment of these types of expenses is applied consistently for all Members.
- While it is recognized that the COVID-19 pandemic created challenges, authority is not provided to House officials to make exceptions to the application of the legislation in any circumstance due to the stringent accountability requirements of the *House of Assembly Accountability, Integrity and Administration Act* (the Act) and the *Members' Resources and Allowances Rules*.
- The Management Commission under the authority of Section 24 of the Act may approve the expenditures “to the extent that the Commission considers to be just and the decision of the Commission is final.” Subsection 24(9) of the Act 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.*
- As is the consistent practice for all expense claims, when House officials determine that they do not have the authority to approve a claim for payment, the Member was advised of the provisions of Section 24 and his rights under that section.
- Correspondence with the Member on this matter is attached.



**Analysis:**

**Legal Consultation:**

Law Clerk

**Internal Consultation(s):**

Corporate & Members' Services

**External Consultation(s):**

Not applicable.

**Comparison to Government Policy:**

Not applicable.

**Financial Impact:**

Not applicable.

**Legislative Impact:**

Not applicable.

**Options:**

1. Approve payment of expenses totaling \$185.64 for the Member for Humber-Bay of Islands.
2. Do not approve payment of expenses totaling \$185.64 for the Member for Humber-Bay of Islands.

**Status:**

- Reimbursement of the expenses are outstanding pending a decision of the Commission. In accordance with Section 24 of the Act, the decision of the Commission is final.

**Action Required:**

- Direction of the Commission is requested.

Prepared by: Bobbi Russell  
Date: August 27, 2020

Approved by: Sandra Barnes

**Attachments:**

1. Correspondence from the Member for Humber-Bay of Islands



HOUSE OF ASSEMBLY  
Newfoundland and Labrador

**EDDIE JOYCE, M.H.A.**  
**District of Humber- Bay of Islands**

July 20, 2020

Hon. Scott Reid, Speaker  
House of Assembly  
P.O.Box 8700  
St. John's, NL  
A1B 4J6

Dear Mr. Speaker:

**Re: Appeal – Section 24 (9) of the House of Assembly Accountability, Integrity and Administration Act**

It saddens me to write to you today to appeal the decision to deny an expense claimed under the Constituency Allowance of Claim # 1107684 for the amount of \$185.64 for an event held by the Special Olympics on June 13, 2020.

I am appealing this decision on principle and must ask why am I, and the Corner Brook Special Olympics, being singled out by the Clerk of the House of Assembly. Many of the Special Olympians are my constituents and every year they hold their year-end banquet.

I spoke with the Clerk, Ms. Sandra Barnes, on Friday, July 17, 2020 and she informed me that you cannot buy food for groups as it will seem you are buying their votes. Ms. Barnes also directed me to Member's Rules, "The purchase of food items to provide to individuals and or groups would be considered a donation which is not eligible as per Section 46 (4) of the Members' Resources and Allowance Rules". She confirmed, and so did a staff member, that Ms. Barnes made the final decision.

I am enclosing a copy of other Members expense claims for your review:

1. Premier Dwight Ball – "Cake and supplies for constituency event", approved for \$75.50
2. Premier Dwight Ball – "Food/Hot Chocolate for constituency event", approved for \$77.04.

.../2

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4<sup>th</sup> Floor, Sir Richard Squires Bldg.  
P.O. Box 2006, Corner Brook, Newfoundland A2H 6J8  
Telephone: 634-7883 Fax: 634-7885

3. Minister Tom Osbourne and former Speaker – 20-30 events all described as “Food for constituency event” and all approved.
4. Minister Steve Crocker- “Plates, sandwiches, fruit, juice, donuts, timbits-constituency event”, all approved.
5. Minister Siobhan Coady – 21 constituency events, purchases of water, supplies food, sandwiches, food trays, tea and coffee, all approved.
6. MHA David Brazil- Constituency events included water, soft drinks, snacks, etc.
7. Minister Lisa Dempster – described as snacks and TREATS for constituency events.
8. MHA Derrick Bennett – Food for constituency events.
9. Minister John Haggie – Cookies for tea with constituents, Supplies for tea with constituents

These claims show the same type of purchases for district events but I have been denied. How can MHAs have meals with constituents, provide receipts over \$200.00 and all paid by the MHA, who approved them? I need this answered for future events.

If Ms. Barnes is now enforcing Section 46(4) of the Members Resources and Allowances Rules because of the event with the Special Olympic, I demand that all Members including myself, reimburse the costs of all food supplies, treats and snacks that were given to constituency events in the past if this event for the Corner Brook Special Olympics does not meet the criteria.

This is so absurd that it actually sickens me to write this appeal but I refuse to let the Corner Brook Special Olympics be singled out.

I am enclosing a copy of the definition of Special Olympics. Due to the COVID-19 pandemic, the Corner Brook Special Olympic Committee could not have their year-end banquet. This was due to the fact that Special Olympians are natural huggers, hand slappers and dancers and it would be difficult to explain social distancing and masks. I am enclosing a CBC article where the Special Olympians are doing virtual exercises due to the reasons I mentioned above.

The Committee could not hold a banquet but decided to distribute water, drinks and treats to each Special Olympian to their homes. The supplies I would have given at a constituency event were given to each Special Olympian and delivered to maintain social distancing.

My conversation with Ms. Barnes was that you can't buy food for people as it may be considered vote buying and she doesn't have the authority to approve it.

If I cannot put food, drinks and treats in a Special Olympian bag, deliver it to their homes because of the pandemic and bring smiles to their faces, then I must ask, are the other Members

expense claims I enclosed vote buying by the Members?

If it is vote buying by my actions and Ms. Barnes refused the claim, why isn't it classified as vote buying by the Members I mentioned. The principle we operated under was if it was a constituency event, you can help out and I am sure all other Members were under the same assumption and we all operate under the same rules.

For the record, I must make this known, that on the same expense claim was the purchase of pizzas and drinks for 20 students who graduated from Corner Brook Regional High School and returned to Sacred Heart, their elementary school, for pictures and I attended the function. This was approved, no questions asked.

The question I would ask is why the Special Olympians were singled out because of social distancing. I am also concerned that my Facebook page, which is for friends only, was checked to verify that I delivered these items. Both myself and my Constituency Assistant, Judy Bolt, were advised that the Facebook page was checked and it was verified that I delivered many of these packages.

This is very disturbing as I sent in my signed claim to verify my expenditures and someone investigated my actions.

My integrity, as a Member, is being questioned and then the claim is denied by the Clerk. I am enclosing an email confirming that the Clerk considered it a donation.

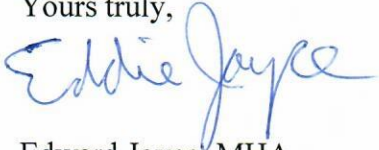
Mr. Speaker, I ask you, did the Clerk's office investigate the Premier, Minister Osbourne, Minister Coady, Minister Crocker, Minister Haggie, Minister Dempster, Mr. Brazil or Mr. Bennett's expense claims. How did they verify that the members attended the events and paid the expenses, through Facebook or other investigative means?

I am requesting that you investigate this matter and if this is correct, which I am confident it is, I need to know who did this, who authorized this, was the Clerk aware and never notified me? Is this type of investigation standard practice for all Members or just my expenses? What other investigative techniques, if any, are used and who authorized these techniques? How many other MHAs attended some type of event during the pandemic and were investigated? Can you point me to the section of the Green Report which recommends and allows this type of action without my knowledge. This is very serious and I demand answers of who is responsible and if you and the Clerk, Ms. Barnes, were aware of this.

This is very disturbing and I expect answers to my questions and then I will decide the course of action, no matter what your decision will be on the expense claim.

I await your immediate response.

Yours truly,

A handwritten signature in blue ink that reads "Eddie Joyce". The signature is written in a cursive style with a large, stylized initial "E".

Edward Joyce, MHA  
Humber-Bay of Islands District

c.c. Management Commission

encls.



HOUSE OF ASSEMBLY  
Newfoundland and Labrador

2020 07 28

Mr. Eddie Joyce, MHA  
District of Humber - Bay of Islands  
Sir Richard Squires Building, 4<sup>th</sup> Floor  
P. O. Box 2006  
Corner Brook, NL A2H 6J8

Dear MHA Joyce:

I am writing in response to your appeal of the denial of Claim # 1107684 in the amount of \$185.64 for treats, chips and drinks purchased and claimed under subsection 46(3)(a) of the Members Resources and Allowances Rules (the Rules) for a constituency event. On July 17, 2020, Corporate and Members' Services advised you that your claim was rejected as it was not considered consistent with paragraph 46(3)(a) of the Rules which states:

(3) The following expenses necessarily incurred by a member to carry out his or her constituency business may be reimbursed:

(a) the purchase of food, non-alcoholic beverages and other supplies for meetings with constituents or other members of the public in relation to constituency business and food and non-alcoholic beverages for other constituency related events provided that the member or his or her constituency assistant is in attendance at those events;

At 2:12 pm on Friday, July 17, 2020 your Constituency Assistant emailed me requesting that I call you. At 2:55 pm on July 17, I called you and we engaged in a 3-4 minute discussion regarding your claim, during which:

1. You advised that your claim had been rejected.
2. I indicated that CMS had advised me regarding their determination of the claim and that I agreed with their determination. I stated that it was our view that, given the wording and intent of subsection 46(3)(a), we did not believe we had sufficient authority to process the claim.

3. You inquired about your claim for a pizza lunch you hosted with graduates in your district.
4. I advised that claim was consistent with the Rules and was approved for payment.
5. You inquired as to the difference between the two claims.
6. I stated that originally the Rules provided that a Member could only supply food for meetings that were hosted by the member or their Constituency Assistant. In 2017, the Rules were modified to provide that Members could bring food to meetings/events/gatherings that they were attending but did not host. Food purchased for distribution in kits (or backpacks) did not fit within the intent of the Rule and consequently we did not think we had the authority to approve the reimbursement. The provision of items for distribution is similar to a donation which is not permitted under the Rules.
7. I further stated that we had inquiries from several Members regarding the eligibility of food items for distribution and they were advised that we were of the view that such an expenditure would be eligible.
8. You elaborated on the rationale for the event and stated your rationale regarding why your claim should be paid. I reiterated that we did not think we had sufficient authority under the law to reimburse the claim.
9. You indicated that you would appeal the decision to the Management Commission, to which I replied “certainly”.

With respect to the statements you have put forward in your correspondence to the Management Commission on July 21, 2020, I make the following comments:

1. At no time during our conversation did either you or I mention the words “**buying votes**”.
2. Since 2007, following the spending scandal, the ensuing Commission of Inquiry into Constituency Allowances and Related Matters (i.e. the Green Commission) and the resultant *House of Assembly Accountability, Integrity and Administration Act*, there has been a rigorous pre-audit of **all** claims submitted to the House of Assembly. The applicable law is section 5 of the Rules, which states as follows:

**Principles**

5. (1) All claims and invoices submitted by or on behalf of a member or to provide resources to a member and all payments and reimbursements made under these rules shall

(a) be submitted and made in accordance with the purpose and intent of the Act and these rules;

(b) be submitted by or on behalf of a member and made only if and in a manner that does not call into question the integrity of the member and the House;

- (c) be documented and supported in accordance with sound financial management principles;
- (d) not relate to partisan political activities; and
- (e) shall not relate to a personal benefit to a member or an associated person of a member.

(2) The clerk and all staff of the House shall, subject to directives and approval of the commission, develop and maintain proper administrative and financial policies and procedures with respect to documentation to be provided in support of claims and invoices submitted for reimbursement or payment, and the clerk shall include those policies and procedures in the manual.

The pre-audit process requires that claims are **adequately substantiated and verified** before payment is processed. It is incumbent upon Corporate and Members' Services to ensure the thoroughness and accuracy of information reported, therefore, staff will use information provided by the Member supplemented by information from **publicly available sources** (including social media) as part of the verification process.

In the case of claims made for food provided for constituency events, staff must ensure that the event is compliant with sections 46(3) and 47 of the Rules. This entails checking such details as: (i) whether the MHA or CA was in attendance, (ii) the date and time of event, (iii) the nature and purpose of event; (iv) the number of people that attended, (v) whether a portion of the cost includes alcohol, (vi) whether portion of cost is a donation for which a tax receipt will be issued. Depending on the amount, if a purchase order was not obtained, the Member will be asked to provide a reason for not doing so. Since the beginning of the pandemic, the event is also checked against the public health orders in place at the time. For example, if a claim was submitted for an event of 30 attendees when the public health order limited public gatherings to 10 persons, then we would not be able to process that claim.

3. You list expenditures of eight other Members related to events in their districts. These claims were reviewed and scrutinized using the established procedures applied to all claims as outlined above and were compliant with the Rules.
4. You state that Rule 46(4) is now being enforced singling out the Special Olympics. As I indicated in our discussion, we had inquiries from other Members regarding the eligibility of an expense associated with the purchase of food items for distribution. They were advised that we were of the view such expenditures were consistent with the intent of the Rules. The *House of Assembly Accountability, Integrity and Administration Act* imposes a legislated framework on both Members and employees. It does not provide for selective application of which Rules should be followed nor does it allow for discretion as to whether Rules should be followed. If we are of the view that we do not have the required authority to pay a claim, we do not pay that claim. There will always be situations when the Rules either lack specificity or clarity,



or do not exist to address certain matters. That is why the appeal process is available. Members should use the appeal process if they are of the view the claim should be reimbursed.

5. Scrutiny and verification of claims or seeking an adjudication of a claim through the appeal process does not question anyone's integrity. These processes serve to ensure that all transactions are processed in an accountable and transparent manner, consistent with the purpose of the Green Report and the *House of Assembly Accountability, Integrity and Administration Act*.

Please resubmit your appeal to include all of the information the Management Commission will require in order to adjudicate it, specifically:

- purpose and nature of the event;
- date of the event;
- number of attendees;
- whether you or your constituency assistant attended;
- description of the food items and quantities provided;
- cost of the expense being appealed; and
- explanation of why you feel the expenses should be approved for reimbursement.

Upon receipt of this information, your appeal will be placed on the agenda of an upcoming meeting.

Kind regards,



**Sandra Barnes, Clerk**  
**Secretary to the Management Commission**

cc.

Hon. Scott Reid, Chair of the Management Commission  
Mr. David Brazil  
Hon. Siobhan Coady  
Ms. Alison Coffin  
Hon. John Haggie  
Mr. Elvis Loveless  
Mr. Barry Petten  
Mr. Derek Bennett



HOUSE OF ASSEMBLY  
Newfoundland and Labrador

**EDDIE JOYCE, M.H.A.**  
**District of Humber- Bay of Islands**

July 28, 2020

Hon. Scott Reid, Minister  
House of Assembly  
P.O. Box 8700  
St. John's, NL  
A1B 4J6

Dear Mr. Reid:

**Re: Letter from the Clerk, Sandra Barnes- dated July 28, 2020**

I am writing in reference to the letter I received today from Ms. Sandra Barnes regarding my letter of appeal to you, dated July 20, 2020, appealing the decision of July 17, 2020 denying an expense claimed for reimbursement in the amount of \$185.64 on Claim # 1107684.

Ms. Barnes is requesting that I re-submit my appeal with the information the Management Commission will require to review my request. I refer you to my appeal letter of July 20, 2020 which is my appeal of the decision and the information she is requesting is already in the letter.

In the letter from Ms. Barnes, she refers to my appeal letter so why am I being asked to re-submit an appeal that is already submitted. What authority does she have to tell me to re-submit my appeal without it yet being heard by the Management Commission. Ms. Barnes has no authority on how I write my appeal.

Mr. Reid, I expect this appeal to be placed on the agenda at the next Management Commission meeting. All the information that is need to make a decision, as per the regulations, is in my letter. Your office and the Management Commission has the appeal letter and all the information required under the Act.

I followed the rules for the appeal and I ask that the appeal be heard at the next meeting. Once reviewed and if the Commission has further questions or requires further clarity, I will address the questions.

.../2

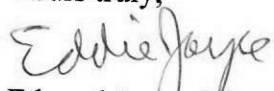
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4<sup>th</sup> Floor, Sir Richard Squires Bldg.  
P.O. Box 2006, Corner Brook, Newfoundland A2H 6J8  
Telephone: 634-7883 Fax: 634-7885

I will respond to Ms. Barnes letter at a later date.

Thank you for your time and I look forward to this appeal being put on the agenda for this Thursday's meeting.

Yours truly,

A handwritten signature in cursive script that reads "Eddie Joyce".

Edward Joyce, MHA  
Humber-Bay of Islands District

c.c. Management Commission



**HOUSE OF ASSEMBLY**  
NEWFOUNDLAND AND LABRADOR  
Government Member's Office

July 30<sup>th</sup>, 2020

MHA Joyce,

As Chair of the Management Commission, I am writing in response to your correspondence dated July 29 2020 regarding an appeal to the Commission of Claim # 1107684 in the amount of \$185.64; and a related response dated July 28 2020 from the Clerk of the House of Assembly and Secretary to the Commission. I would bring two points to your attention:

Firstly, in accordance with Section 24 of the *House of Assembly Accountability, Integrity and Administration Act*, the Commission has the authority (and has done so in past circumstances on other appeals) to seek **additional information and clarification** from the Member with respect to the **nature and purpose** of the expenditure in question before making a ruling. Further to the Clerk's correspondence of July 29, please provide the following information required in order for the Commission to make a ruling on your appeal:

- purpose and nature of the event;
- date of the event;
- number of attendees;
- whether you or your constituency assistant attended;
- description of the food items and quantities provided;
- cost of the expense being appealed; and
- explanation of why you feel the expenses should be approved for reimbursement.

Secondly, with respect to the statements in your correspondence of July 29 regarding the authority of the Clerk to request information from Members, I wish to refer you to subsection 18(3) of the *House of Assembly Accountability, Integrity and Administration Act* (specifically paragraph b), which states the following:

(3) The commission shall consist of

- (a) the speaker, or, in his or her absence, the deputy speaker, who shall be the chairperson;
- (b) the clerk, who shall be the secretary and shall not vote;
- (c) the government house leader;
- (d) the official opposition house leader;
- (e) 2 members who are members of the government caucus, only one of whom may be a member of the Executive Council;
- (f) one member who is a member of the official opposition caucus;

and

(g) one member, if any, from a third party that is a registered political party and has at least one member elected to the House of Assembly.

As you see, the Clerk has the legal authority and responsibility as a member of and secretary to the Commission to request information related to upcoming agenda items for the Commission's consideration. Further, the Clerk must exercise these duties due to the robust financial management responsibilities and accountabilities assigned to her under the *House of Assembly Accountability, Integrity and Administration Act*.

Once all of the required information as noted above is received, your appeal will be placed on the agenda of an upcoming meeting.

Kind regards,

A handwritten signature in black ink that reads "Scott Reid". The signature is written in a cursive, flowing style.

Scott Reid  
Chair, Management Commission



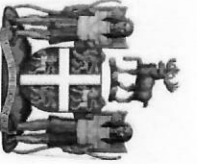
House of Assembly  
Newfoundland and Labrador  
**Member Expense Claim: MECMS1111391**

Name: Joyce, Edward (MHA)  
Expense Date: 22-May-20 - 13-Jun-20  
Responsibility Center: 0206  
Purpose: Constituency Business  
Approver: HOA AP Clerk,

Report Submit Date: 17-Aug-20  
Claim Authorization: Members' Rules  
Fiscal Year: 2020-21  
Reimbursement Amount: 185.64  
Net of Tax Total: 162.84  
Tax Total: 22.80

**Receipt-Based Expenses**

Constituency Allowance			
Date	Expense Type	Expense Details	Reimbursable Amount (CAD)
13-Jun-20	Constituency Allowance 01-0206-130-0410-0926-010030	Receipt Date: 27-May-20; Supplier Name: Lawton's; Description: Treats for Constituency Event	109.66
13-Jun-20	Constituency Allowance 01-0206-130-0410-0926-010030	Receipt Date: 22-May-20; Supplier Name: Sobey's; Description: Chips for Constituency Event	61.99
13-Jun-20	Constituency Allowance 01-0206-130-0410-0926-010030	Receipt Date: 27-May-20; Supplier Name: Sobey's; Description: Drinks for Constituency Event	13.99
<b>Total</b>			<b>185.64</b>



House of Assembly  
Newfoundland and Labrador  
**Member Expense Claim: MECMS1111391**

**Submission Instructions**

- \* Attach all original itemized receipts and proof of payment.
- \* Ensure that all smaller receipts and any other smaller applicable documentation are taped to a 8.5" x 11" sheet of paper.
- \* Sign and date your Member Expense Claim and forward it to Corporate and Members' Services Division for processing.

Effective April 1, 2009, the tax amount on expense claims is automatically calculated in accordance with the provisions of sections 174 and 175 of the Excise Tax Act.

**Explanations Related to Expense Items Claimed (if applicable):**

I certify that the expenditures submitted on this claim are in compliance with the *House of Assembly Accountability, Integrity and Administration Act*, the Rules established under that Act and Directives of the House of Assembly Management Commission.

Total Amount to Reimburse: 185.64

Constituency Assistant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Member's Signature: *Eddie Payne* Date: *August 17, 2010*

**Corporate and Members' Services Division**

Certified in accordance with the *House of Assembly Accountability, Integrity and Administration Act*, the Rules established under that Act and Directives of the House of Assembly Management Commission.

Certified in accordance with Sections 30(1) and 31(1) of the *Financial Administration Act*.

Verified by: \_\_\_\_\_ Approved and Authorized for Payment by: \_\_\_\_\_

Accounting Personnel \_\_\_\_\_ Date: \_\_\_\_\_ Clerk of the House of Assembly (or designate)

Date: \_\_\_\_\_ Date: \_\_\_\_\_

Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_

Transactional Review and Compliance

Welcome to Lawtons

55+ Appreciation 6779580502	\$0.00 H
Smarties regular 5980084856	\$27.86 HC
14 @ 1/ \$1.99	
INSTANT SAVINGS 14 @ 20%	-\$5.57 HC
YOU SAVED \$49.00	
Coffee Crisp 4p 5980009421	\$15.92 HC
8 @ 1/ \$1.99	
INSTANT SAVINGS 8 @ 20%	-\$3.19 HC
YOU SAVED \$28.00	
Aero 4pk 5980009411	\$7.96 HC
4 @ 1/ \$1.99	
INSTANT SAVINGS 4 @ 20%	-\$1.59 HC
YOU SAVED \$14.00	
Kit Kat 4pk 5980021862	\$27.86 HC
14 @ 1/ \$1.99	
INSTANT SAVINGS 14 @ 20%	-\$5.57 HC
YOU SAVED \$49.00	
Ganong Ju Jubes 6660000520	\$39.60 HC
40 @ 1/ \$0.99	
INSTANT SAVINGS 40 @ 20%	-\$7.92 HC
YOU SAVED \$40.00	

Base Offer: 5 Miles

SUBTOTAL	\$95.96
HST	\$14.30
<b>TOTAL</b>	<b>\$109.66</b>
Corp GC Redemption TENDER	\$100.00
Acct: 616056*****5115	SCANNED
RM00 APPROVED	
Approval Code: 463662	
Gift Card Balance:	\$0.00
Corp GC Redemption TENDER	\$9.66
Acct: 616056*****1059	SCANNED
RM00 APPROVED	
Approval Code: 561413	
Gift Card Balance:	\$30.34
Cash CHANGE	\$0.00
NUMBER OF ITEMS	61

\*\*\*\*\*YOUR SAVINGS\*\*\*\*\*

Discounts & Specials	\$203.81
Your Total Savings	\$203.84
Percentage Savings	68%

\*\*\*\*\*

<b>AIR MILES</b>	
Member number:	800*****887
Total Miles Earned	5
<b>Your AIR MILES Balances</b>	
Cash Miles	0
Dream Miles	32959

Term	Iran	Store	Oper	05/27/20
1	7486	2567	108	13:08:59

Redeem your AIR MILES Reward Miles  
 In store using AIR MILES Cash.  
 Visit [airmiles.ca](http://airmiles.ca) for more details.

Returns and exchanges accepted within 30  
 days of purchase with original receipt.  
 Some exclusions apply.  
 See in store for details.

\*\*\*\*\*





Sobeys Wholesale #235  
 Union Street  
 Cornerbrook, NL  
 A2H 6G3



00235001052220099627

Customer

Store

Sobeys Wholesale 0235  
 Union Street  
 Cornerbrook, NL  
 A2H 6E3  
 Phone: (709)634-3124

Transaction # 00235001052220099627  
 22/05/2020 1:18 PM  
 Operator: 400 - Sheri  
 Register ID: 001

**SALE**

Disc.	PLU	Description	Stock #	Qty.	Unit Price	Ext. Amount
	1148	Chips 48 count		1	29.40/Each	\$29.40 H
	1040	Chips 40 count		1	24.50/Each	\$24.50 H

TENDERED					SUB-TOTAL	\$53.90
Master Card			(\$61.99)		HST	\$8.09
ITEM COUNT			2		BTX	\$0.00
					TOTAL	\$61.99
					TTL TENDERED	\$61.99
					CHANGE	\$0.00

THANK YOU, COME AGAIN R895588788



Sobeys Wholesale #235  
Union Street  
Cornerbrook, NL  
A2H 6G3



00235001052220099627

Cash & Carry #235  
Union Street  
Corner Brook, NL  
A2H 6G3  
(709) 634-3124

May 22 2020 01:19 pm Trans# 001099627

TRANSACTION RECORD

Card Number : \*\*\*\*\*7443 .  
Card Type : MASTERCARD  
Card Entry : TAP CHIP  
Trans Type : PURCHASE  
Amount : \$61.99  
Auth # : 07059S  
Sequence # : 000020  
Reference # : 00000020  
Term ID : 003  
Date : 20/05/22  
Time : 13:19:02

Approved

Application Label: Mastercard

AID: A0000000041010

TVR: 0000808000

TC : 03DAAF816C3D9375

\*\*\* CUSTOMER COPY \*\*\*

THANK YOU, COME AGAIN R895588788



SOBEYS 861 MT. BERNARD AVENUE  
 THANK YOU FROM TRACEY STANFORD  
 AND STAFF PH: 639-7193  
 HST# R895588788

Served by: Jocelyn

Welcome to Sobeys

**GROCERY**  
 Juice Assorted Flav \$9.99 C  
 YOU SAVED \$8.50  
 +Deposit \$4.00 R

1 Reward Mile For Every \$20 1 Miles

SUBTOTAL \$13.99  
 TOTAL TAX \$0.00  
**TOTAL \$13.99**  
 MasterCard TENDER \$13.99  
 Cash CHANGE \$0.00

NUMBER OF ITEMS 1

\*\*\*\*\*YOUR SAVINGS\*\*\*\*\*  
 Discounts & Specials \$8.50  
 Your Total Savings \$8.50  
 Percentage Savings 38%  
 \*\*\*\*\*

**AIR MILES**  
 Member number: 800\*\*\*\*\*887  
 Total Miles Earned 1  
 Your AIR MILES Balances  
 Cash Miles 0  
 Dream Miles 32959

MERCHANT 27056267 RF  
 TERMINAL ID SB2705626704  
 \*\* Purchase \*\* \$ 13.99  
 CARD MasterCard RCPT 8026000  
 NO. \*\*\*\*\*7443 RESP 001  
 DATE 05/27/2020 TIME 09:48:44  
 AUTH # 05347S REF# 001121038  
 APPL. Mastercard  
 AID A0000000041010

00 APPROVED - THANK YOU

I AGREE TO PAY THE ABOVE TOTAL AMOUNT  
 ACCORDING TO THE CARD ISSUER AGREEMENT  
 (MERCHANT AGREEMENT IF CREDIT VOUCHER)

Term Tran Store Oper 05/27/20  
 4 8025 861 133 11:18:35

QUESTIONS? COMMENTS? SUGGESTIONS?  
 TOLL FREE 1-888-944-0442  
 CUSTOMER.SERVICE@SOBEYS.COM  
 WWW.SOBEYSWEB.COM

\*\*\*\*\*  
 Want more deals?  
 Sign up to our e-mails and receive a  
 Save \$5 Welcome Coupon\*!  
 \*Terms and Conditions apply

**House of Assembly Management Commission**

**Briefing Note**

**Title:** Request for Appeal – Member for Lewisporte-Twillingate

**Issue:** Appeal of ruling on reimbursement of advertising expenses.

**Background:**

- The Member for Lewisporte-Twillingate is appealing a decision of the House of Assembly to reject payment of expenses totaling \$174.80 related to the purchase of advertising/signage for an event in the constituency. The sign was used in a motorcade to celebrate the Town of Twillingate on being awarded the title of Kraft Hockeyville 2020.
- The expenses were rejected for reimbursement as they did not comply with the following provisions of the *Advertising and Publications Policy for Members of the House of Assembly*:
  - Section 4.0 of the Policy which states:

*“The following principles must be adhered to for all expenses related to advertising and publications. The Member must ensure that:*

    - *Contact information is included to assist constituents;”*
  - Section 8.0 of the Policy which states:

*“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 this policy prior to any costs being incurred.”*

*“Members must submit a requisition for costs related to advertising/publications in advance to allow CMS to make payments on the Member’s behalf.”*
- With respect to the advertising/signage purchased by the Member contact information was not included; the advertisement was not submitted for pre-approval prior to costs being incurred; and the Member did not submit a requisition for the related costs.
- The Member indicates in his correspondence (see attached) that the event was planned on short notice, which did not provide sufficient time to meet the above provisions. He also indicates that the sign will be placed in the local arena for the upcoming season, and contact information will be added to meet compliance with the Policy.

- The Member is appealing the decision to the Management Commission under the authority 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.*

### **Analysis:**

**Legal Consultation:**

Not applicable.

**Internal Consultation(s):**

Corporate & Members' Services

**External Consultation(s):**

Not applicable.

**Comparison to Government Policy:**

Not applicable.

**Financial Impact:**

Not applicable.

**Legislative Impact:**

Not applicable.

### **Options:**

1. Approve payment of expenses totaling \$174.80 for the Member for Lewisporte-Twilligate.

2. Do not approve payment of expenses totaling \$174.80 for the Member for Lewisporte-Twillingate.

**Status:**

- Reimbursement of the expenses are outstanding pending a decision of the Commission. In accordance with Section 24 of the Act, the decision of the Commission is final.

**Action Required:**

- Direction of the Commission is requested.

Prepared by: Bobbi Russell  
Date: October 13, 2020

Approved by: Sandra Barnes

**Attachments:**

1. Correspondence from the Member for Lewisporte-Twillingate.

**From:** Bennett, Derek <[DerekBennett@gov.nl.ca](mailto:DerekBennett@gov.nl.ca)>  
**Sent:** Tuesday, October 13, 2020 10:14 AM  
**To:** Reid, Scott <[scottreid@gov.nl.ca](mailto:scottreid@gov.nl.ca)>  
**Cc:** Noel, Kala <[KalaNoel@gov.nl.ca](mailto:KalaNoel@gov.nl.ca)>  
**Subject:** Appeal

Good morning Speaker Reid,

I previously submitted an expense claim for advertising for the amount of \$174.80 that was rejected, the reason given was that the signage did not include my contact number.

Attached is a copy of the sign along with the paid invoice.

The reason for the number not included and no purchase order received was a result of short notice on the weekend event.

Town of Twillingate (George Hawkins Arena) was one of the four finalist for the National Kraft Hockeyville 2020 Championships. Voting for the event concluded the evening of August 15<sup>th</sup> with the winner being announced during the NHL Hockey Game that night.

With overwhelming support from across the Province and Country. Twillingate, NL was successful in winning this national competition. The organizing committee and Town of Twillingate organized a victory motorcade for the following day (Sunday, August 16<sup>th</sup>). I thought it was very appropriate that I, as their MHA would show our Governments support and purchase a sign to display during the motorcade.

The sign will go up in the arena once they open again for the winter season and I plan on putting our constituency office number on the sign.

I am requesting that you revisit the request given the short notice of the event and that the correction will be made before the sign is displayed at the arena.

Should you require additional information, please contact me at your convenience.

Derek Bennett  
MHA Lewisporte – Twillingate District  
P.O. Box 248  
Lewisporte, NL A0G 3A0  
709-535-3780 (Lewisporte Office)  
709-729-3048 (St. John's Office)





**House of Assembly Management Commission**

**Briefing Note**

**Title:** Request for Appeal – Member for Exploits

**Issue:** Payment of invoice from previous fiscal year (2019-20).

**Background:**

- The Member for Exploits is appealing the denial of payment by Corporate and Members' Services Division of certain expenses incurred by the Member. The expenditure was rejected for payment as it was incurred in the 2019-20 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 expense (totaling \$402.50) is permitted under the Rules, but could not be approved for payment as it was not submitted within the 30 day timeframe required under subsection 7(2). The costs were related to the purchase of advertising with the Exploits Regional Chamber of Commerce. The attached letter provides further details.
- The Member 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 2019-20 fiscal year, the expenses cannot be charged to the Member's expense allocation for that year because they were not submitted by the deadline. Should the Commission approve payment, the expenses will be charged to the Member's allocation for the current fiscal year (2020-21).

**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 payment of expenses totaling \$402.50 for the Member for Exploits with the expenses to be paid within the appropriate allocation for the 2020-21 fiscal year.
2. Do not approve payment of expenses totaling \$402.50 for the Member for Exploits.

**Status:**

- Not applicable.

**Action Required:**

- The decision of the Commission is requested.

Prepared by: Bobbi Russell  
Date: October 13 2020

Approved by: Sandra Barnes

**Attachments:**

1. Correspondence from the Member for Exploits

**From:** "Forsey, Pleaman" <[PleamanForsey@gov.nl.ca](mailto:PleamanForsey@gov.nl.ca)>

**Date:** October 8, 2020 at 9:50:31 AM NDT

**To:** "Mercer, Melanie" <[MelanieMercer@gov.nl.ca](mailto:MelanieMercer@gov.nl.ca)>, "Reid, Scott" <[scottreid@gov.nl.ca](mailto:scottreid@gov.nl.ca)>

**Subject: RE: Invoice #10505**

Good day Mr. Speaker,

I am forwarding this to you for you to review and requesting the coverage . In my error I didn't get approval prior to payment, and I accept fault in my inexperience at the time. I am sure to prevent this from occurring again going forward. In advance I thank you for your consideration in my request.

Cheers

Pleaman Forsey MHA

**House of Assembly Management Commission**

**Briefing Note**

**Title:** Request for Appeal – Member for Bonavista

**Issue:** Payment of invoice from previous fiscal year (2019-20).

**Background:**

- The Member for Bonavista is appealing the denial of payment by Corporate and Members’ Services Division of certain expenses incurred by the Member. The expenditure was rejected for payment as it was incurred in the 2019-20 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 expense (totaling \$45.00) is permitted under the Rules, but could not be approved for payment as it was not submitted within the 30 day timeframe required under subsection 7(2). The costs were related to membership fees for the Bonavista-Trinity Regional Chamber of Commerce.
- The Member 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 2019-20 fiscal year, the expenses cannot be charged to the Member's expense allocation for that year because they were not submitted by the deadline. Should the Commission approve payment, the expenses will be charged to the Member's allocation for the current fiscal year (2020-21).

**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 payment of expenses totaling \$45.00 for the Member for Bonavista with the expenses to be paid within the appropriate allocation for the 2020-21 fiscal year.
2. Do not approve payment of expenses totaling \$45.00 for the Member for Bonavista.

**Status:**

- Not applicable.

**Action Required:**

- The decision of the Commission is requested.

Prepared by: Bobbi Russell  
Date: October 13 2020

Approved by: Sandra Barnes

**Attachments:**

1. Correspondence from the Member for Bonavista

**To:** "Reid, Scott" <[scottreid@gov.nl.ca](mailto:scottreid@gov.nl.ca)>

**Cc:** "Barnes, Sandra M." <[sbarnes@gov.nl.ca](mailto:sbarnes@gov.nl.ca)>

**Subject:** Seeking acceptance of rejected claim MECMS1111916 - \$45.00

Hello Speaker Reid!

Seeking consent of the management commission for acceptance of this claim for \$45.00, reflecting invoices received past the year end from Bonavista-Trinity Regional Chamber of Commerce for 2019 and 2020 membership.

Craig

MHA- District of Bonavista

709-427-1120