



PROVINCE OF NEWFOUNDLAND AND LABRADOR  
HOUSE OF ASSEMBLY

HOUSE OF ASSEMBLY  
MANAGEMENT COMMISSION

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Ninety-Seventh Meeting

Wednesday, July 17, 2024

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**HANSARD**

Speaker: Honourable Derek Bennett, MHA

The Management Commission met at 9:30 a.m. in the House of Assembly Committee Room/video conference.

**SPEAKER (Bennett):** Good morning, everyone.

First of all, we'll call the meeting to order. I'd like to introduce the Members and officials of the Management Commission that are in attendance today: the hon. John Hogan, Government House Leader; Barry Petten, Opposition House Leader; the hon. Lisa Dempster, MHA for Cartwright - L'Anse au Clair, who is joining us remotely this morning; Craig Pardy, MHA for Bonavista; Lucy Stoyles, MHA for Mount Pearl North; and our Clerk, Kim Hawley George.

Also joining us is Bobbi Russell, Principal Clerk of Committees and Director of Policy; Gerrie Smith, Law Clerk and Parliamentary Counsel; and I'm Derek Bennett, Speaker and Chair of the Committee.

The first agenda item is approval of the minutes for the following meetings: May 21, 2024, and July 2, 2024. The draft minutes are included in the briefing package distributed for today's meeting.

I will note for the Commission that there was an omission on the May 21 minutes that Deputy Speaker Gambin-Walsh was not noted in attendance, so we have that fixed. With that correction to it, any Members of the Committee have any questions or comments as it relates to the minutes of May 21 and July 2?

**L. STOYLES:** So moved.

**SPEAKER:** No questions.

Motion that we approve the minutes of May 21 and July 2 by MHA Stoyles and a seconder. Seconded by MHA Petten.

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Motion carried.

On motion, minutes adopted as circulated.

**SPEAKER:** Next, we have a few reporting items.

The next agenda item is the Speaker's report rulings on allowance use. Section 24 of the *House of Assembly Accountability, Integrity and Administration Act* outlines the process for rulings on allowance. The act gives the Speaker authority to make rulings when expenditures of Members have been rejected for payment, provided the ruling is distributed to and receives concurrence from the Management Commission.

The report detailing all such rulings for the period ending today have been circulated to the Commission with their briefing package and is posted on the House of Assembly website, as part of the briefing package for today's minutes.

Again, this is just a reporting item, but I will open up the floor if any Members have any questions on those rulings on allowance use.

Hearing and seeing none, I will move on to agenda item 3. This item is also just for reporting to the Commission. The *House of Assembly Accountability, Integrity and Administration Act* states that the Commission must regularly and at least quarterly review the financial performance of the House of Assembly as well as the actual expenditures of Members compared with approved allocations.

The financial reports for Members' expense reports for the period ending March 31, 2024, are included in the briefing package for reporting purposes. Again, no decision is required, but I'll open up the floor to see if any Members have any questions.

Seeing none, we'll move on to agenda item 4, Caucus Operational Funding. Section 7 of the *Caucus Operational Funding Grants Policy* requires each caucus, the Office of the Speaker and unaffiliated Members to submit a report to the Management Commission detailing the use of operational funding grants within 90 days of the end of the fiscal year.

The expenditures for the 2023-24 fiscal year are detailed in your briefing package. Again, no decisions are required, but I'll open to floor to any questions or comments any Members may have.

Seeing and hearing none, we'll move on to agenda item 5. This item has the report of the budget transfers processed for the period of 2023-2024 fiscal year. The transfer of funds requires only certain budget transfers to be approved by the Commission, but for the purpose of transparency, all transfers of the funds must be reported. The budget transfers for 2023 are detailed in the briefing package.

I'll open up the floor if any Members got any questions on item 5.

Minister Hogan.

**J. HOGAN:** Yeah, just on the process, the policy requires certain transfers, however, to ensure transparency, which I'm all for. Should we – maybe now is not the time – just change the policy?

**SPEAKER:** That's something we'd bring back to have the policy changed so it reflects what we are currently doing.

**J. HOGAN:** I'm not sure who made the decision to do it. That's fine, but if we're going to keep doing it –

**SPEAKER:** That's been in place for a number of years now, to my knowledge. But yeah, that's something definitely we can review and bring back to a future meeting.

Any other questions or comments? Seeing none, we'll move agenda item 6. The *Transfer of Funds Policy* requires the Commission's approval to transfer funds from Allowances and Assistance – Main Objects of the Current Account Expenditure of an Activity.

The Members' Resources requires funding due to unbudgeted Professional Services expenditure. One invoice from the '24 MCRC has been paid from the 2024-2025 allocation, as it was incurred in the new fiscal year.

The allocation for the 2024 MCRC has expired at the end of the year, March 31, 2024. So we will require a transfer of the amount of \$2,300, which is required from the Members' Resources – Allowances and Assistance to the Members' Resources – Professional Fees.

So basically, like I said, as we know, we did have a meeting with the staff of the MCRC in the new fiscal year and there is a fee associated with that, as identified in your briefing package.

If there are no questions, I'll call for a motion that the Commission approve the transfer of funds in the amount of \$2,300 from Members' Resources – Allowances and Assistance to Members' Resources – Professional Fees.

Minister Hogan. A seconder to that motion? MHA Pardy.

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Motion carried.

Our final item for this part of our meeting, item 7. On May 21, 2024, the Commission considered the recommendations of the 2024 MCRC, accepting all 32

recommendations, including the recommendations respecting severance of Members. Those changes were recommended to have effect April 1, 2024. The 2024 MCRC recommended that severance for Members be renamed to transitional allowance to more appropriately reflect the true purpose.

While the recommendations have been accepted by the Commission, a policy of transfer allowance requires the Commission's approval so that it can be operationalized. A draft *Transitional Allowance Policy for Members of the House of the Assembly* is included in the briefing package for the Commission's consideration.

I shall open the floor to Members if anyone has any questions or comments.

Minister Hogan.

**J. HOGAN:** I know we've received this and the chance to review, but are we being asked to vote on this today? I know it's a draft.

Okay.

**SPEAKER:** Okay, you go ahead.

**CLERK (Hawley George):** Thank you, Minister.

Yes, we distributed it ahead of time, so we were hoping that we might have the vote today, certainly, because there is one former Member whose currently described severance is outstanding.

I just would acknowledge that there was an updated version distributed to Members and I'd just like to describe the difference. From the package that was distributed to you, there was a slight modification in what you have in front of you.

Initially, we had language in there that repealed the directive for the current

severance policy immediately on approval of this policy, but when we met yesterday, we went through the issue and we're trying to think through how we would operationalize.

There are three people who are still outstanding in terms of their final amount of severance who have left the Legislature in the last number of months. So if you remember then, there was a directive issue because the issue with the current severance policy was identified that the length of a General Assembly could not be anticipated.

We removed that repeal provision so we could keep that policy in play until the dissolution of this General Assembly. At that point, those people would be paid out fully and then we would bring a repeal back to the Management Commission at that time.

So that's all the change was.

**SPEAKER:** Minister Hogan.

**J. HOGAN:** Those three haven't been paid yet, I guess, because we couldn't do the math under the old policy?

**CLERK:** The directive was to pay them the partial amount and what we could calculate, and then at the end of the General Assembly we would pay whatever the remainder is, once we know how long the Assembly is going to be, because it's based on the length of a General Assembly.

**J. HOGAN:** Do they all fall under the new policy, or will they?

**CLERK:** No. They're all a little bit different.

**B. RUSSELL:** After April 1, anyone who resigns would come under the changes.

**SPEAKER:** Only Members, yeah.

**J. HOGAN:** Yeah. So this has nothing to do with the policy. Out of the three, how many

are going to fall under the new policy. Is it just one?

**CLERK:** Out of those three, none of them will.

**SPEAKER:** Not the three previous ones, but the latest Member will.

**CLERK:** The three that we are preserving the old policy for.

**J. HOGAN:** You still have Brazil and Brian and Bragg.

**CLERK:** And Bragg.

**SPEAKER:** Correct.

**J. HOGAN:** Oh yes, sorry.

**CLERK:** Bragg's estate, yes.

**J. HOGAN:** Sorry, okay.

**CLERK:** That's good.

**J. HOGAN:** So those three aren't going to get theirs but Minister Osborne will?

**SPEAKER:** Correct.

**J. HOGAN:** Because –

**B. RUSSELL:** Partial, they have partial payouts.

**J. HOGAN:** They won't get it – sorry, I know they'll get it eventually.

**CLERK:** They have partial, yes. So those three do have partial payouts on the basis of the current policy.

**J. HOGAN:** Yes, okay. Sorry.

**SPEAKER:** MHA Petten.

**B. PETTEN:** Thank you, Speaker.

I think this policy – to the argument we were just talking with the proportion in the old one, I think this is much cleaner, tidier, clear and saves a lot of confusion in trying to calculate based on a full term and not a term. So I think this one here is such a better, clearer policy for everyone to follow. It just goes back to what we already debated a while back on the old policy. It's kind of –

**SPEAKER:** It has been very confusing for staff –

**B. PETTEN:** It has.

**SPEAKER:** – when Members leave early for whatever reason.

**B. PETTEN:** Yes, it's very cumbersome.

**SPEAKER:** It's impossible to calculate.

**B. PETTEN:** Yes.

**SPEAKER:** Minister Hogan.

**J. HOGAN:** I know this policy is two pages but, really, section 3 is taken from Heather Jacobs's report, essentially, what the math is, right? That's it.

**CLERK:** Absolutely. Yes, it's all based on the MCRC 2024 report.

**SPEAKER:** Are there any further questions? If not, I call for a motion: The Commission issue a directive to establish the Transitional Allowance Policy for Members of the House of Assembly effective April 1, 2024.

Do we have a motion for that? MHA Petten.

Do I have a seconder? Seconded by MHA Stoyles.

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Motion carried.

This concludes this portion of the meeting. We'll take a short recess now to go into our in camera portion. I ask Members to just hold her tight for a few minutes.

The Speaker recessed the meeting to transition to an in camera session.