



PROVINCE OF NEWFOUNDLAND AND LABRADOR
HOUSE OF ASSEMBLY

HOUSE OF ASSEMBLY
MANAGEMENT COMMISSION

Ninety-Second Meeting

Wednesday, August 23, 2023

HANSARD

Speaker: Honourable Derek Bennett, MHA

The Management Commission met at 9:38 a.m. via video conference.

SPEAKER (Bennett): Okay. Good morning.

First of all, good morning everyone. I just want to welcome everyone to the Management Commission meeting and those joining us virtually.

So today for our meeting, Members we have present are the hon. John Hogan, the Government House Leader; Barry Petten, Opposition House Leader; Lela Evans, MHA for Torngat Mountains; Craig Pardy, MHA for Bonavista; and Lucy Stoyles, MHA for Mount Pearl North. Staff members we have Sandra Barnes, Clerk of the House of Assembly; Brian Warr, Deputy Speaker; Kim Hawley George, Law Clerk and Parliamentary Counsel and acting Clerk Assistant; and Bobbi Russell, Principal Clerk of Committees and Director of Policy. Minister Dempster passes along her apologies as she is in her district travelling this morning.

Before we start with the first agenda item for today's meeting, as required under the *House of Assembly Accountability, Integrity and Administration Act*, I'm reporting decisions taken at in camera meetings.

In today's briefing materials, draft minutes note the substance of decisions taken at in camera meetings on the following dates: June 14, 2023, July 12, 2023 and August 9, 2023. For the information of the public, the minutes of these meetings, of the in camera meetings, will be posted on the House of Assembly website following the approval of the minutes this morning.

I'll move right into the agenda. Agenda item 1 is actually the approval of the minutes that I just identified. They are included in the briefing materials and draft minutes for the meetings that were held again on June 14, 2023, July 12, 2023 and August 9, 2023.

Before I call for a vote, I'm just wondering if any Members of the Commission have any questions or comments as it relates to approval of these minutes?

Seeing and hearing none, I'll ask for someone to move and second that the Commission approve the minutes of the meetings held on June 14, 2023, July 12, 2023 and August 9, 2023.

Can I have someone to move that motion?

L. STOYLES: So moved.

SPEAKER: MHA Stoyles.

Secunder?

C. PARDY: I would second that, Speaker.

SPEAKER: Seconded by MHA Pardy.

All those in favour, raise your hand, those I can see.

SOME HON. MEMBERS: Aye.

SPEAKER: MHA Stoyles and MHA Evans are you in agreement with that motion?

L. STOYLES: Yes, I am.

L. EVANS: Yes, I am.

SPEAKER: Thank you very much.

Motion approved.

On motion, minutes adopted as circulated.

SPEAKER: Item 2 is the Caucus Operational Funding Grant Reports, Section 7.0 of the Caucus Operational Funding Grants Policy requires that each caucus, Office of the Speaker and unaffiliated Members submit a report detailing the expenditures for use of operational funding grants within 90 days after the end of the fiscal year to the Commission. Reports detailing the expenditures for April 1, 2022,

to March 31, 2023, for the Speaker's Office, each of caucuses and unaffiliated Members are attached in the briefing notes.

This is just for reporting purposes, but I'll open it up to the Commission, should they have any questions or comments.

MHA Pardy.

C. PARDY: Just a quick question, Speaker.

Any funds that are unspent in the caucuses, that would be returned to the Consolidated Revenue Fund?

SPEAKER: Sandra.

CLERK (Barnes): The funds are retained for the duration of the General Assembly and upon dissolution any unexpended funds are returned to general revenues, correct.

SPEAKER: Thank you.

Are there any further questions?

Seeing or hearing none – again, that was only for reporting purposes.

Item 3 are the Amendments to the House of Assembly Publication Scheme. The amendments to the House of Assembly Publication Scheme are required in accordance with section 49 of the *House of Assembly Accountability, Integrity and Administration Act*. The House of Assembly Publication Scheme was initially approved by the Commission in January 2008, and was amended again in 2008, 2009 and 2010.

In accordance with paragraph 49(1)(c) of HOAAIAA, a comprehensive review of the publication scheme was undertaken in '22-'23. In 2023, revisions updated certain sections to reflect current practices.

This document has been reorganized and reformatted to provide greater clarity respecting organizational structures and

categories of publication. The complete revised version is included in Attachment 1 of the briefing note for the package today. The timing of the disclosure of these items is based on either a statutory authority, or workflows and best practices.

Given the frequency at which Publication Schemes may require routine amendments for new publications to be added, the Commission may wish to consider granting authority for those routine updates to be made, as required, with a subsequent report to the Commission. This would be consistent with the authority granted by the Commission for policies requiring routine amendments on a frequent basis. The Commission's explicit approval would continue to be sought for substantive changes.

I'm just going to open the floor for any questions or any comments on that there. It's a pretty routine item but I'll open the floor.

Anyone have any questions or comments?

I guess the big item, if we're in agreement to making this change, would be would we give the authority to House officials to make routine changes versus having to come back to the Commission at all times.

MHA Pardy.

C. PARDY: Yes, Speaker, I would agree with that. I think that would make for a smoother operation. So total agreement with that and then a report back to the Commission thereafter.

SPEAKER: Thank you.

All reports, any changes would automatically come back to the Commission after anyway, even routine ones.

Good morning, Minister Dempster.

Are there any other questions or comments? If not, I'll call for a motion that the Commission approve the House of Assembly Publication Scheme 2023, as presented, and direct authority for House officials to make routine revisions, as required, with a subsequent report back to the Commission.

Can I have a mover for that motion?

Moved by Minister Dempster.

Seconder?

MHA Pardy.

All those in favour, raise of hands.

SOME HON. MEMBERS: Aye.

SPEAKER: All those against?

MHA Stoyles, how do you vote?

L. STOYLES: I'm good. Yes, in favour.

SPEAKER: In favour.

MHA Evans, how do you vote?

L. EVANS: In favour.

SPEAKER: Thank you very much.

Motion carried.

Agenda item 4: The next item relates to proposed amendments to the Advertising and Publications Policy for Members of the House of Assembly. Following recent directions respecting Christmas greetings in MHA advertising and publications, the Commission directed House officials to also review revisions respecting messages of welcome and congratulations.

The revisions respecting messages of welcome and congratulations have caused confusion as it allows reimbursement for all messages of welcome and congratulations

in Member-created publications such as newsletters, but prohibits a reimbursement of expenses from the same funding allocation for the same message in advertising, depending on the purpose. The current provisions related to messages of welcome and congratulations were adopted further to a recommendation of the 2016 MCRC.

The Commission may wish to direct amendments to section 6 of the Advertising and Publications Policy for Members of the House of Assembly to remove the restriction on messages of welcome and congratulations in advertising, making the provision consistent with those of Member-created publications such as newsletters. The Commission has the authority to make the decision on this matter, should it wish to proceed. It does not require recommendations from the MCRC.

Again, I'll open the floor. I think we've had some discussion on this one over a couple of other meetings and have stated that Members can do congratulations in their newsletters, Christmas messages and all that stuff. However, we can't do it when we do such as a hockey tournament or a sporting event that's happening out in your district. I just want to make it consistent, I guess, across the board with all of our types of advertising. So I'll open the floor to any Members who got any questions or comments.

Seeing none, I'll ask for a motion that the Commission directs amendments to section 6 of the Advertising and Publications Policy for Members of the House of Assembly to remove the restriction regarding messages of welcome and congratulations in advertising to make it consistent with the provisions of Member-created publications.

Can we have a mover of that motion?

Would anyone like to move that motion?

Moved by MHA Pardy.

Do I have a seconder?

L. STOYLES: Seconded.

SPEAKER: That was MHA Stoyles.

All those in favour?

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

MHA Stoyles, I am assuming you are voting in favour, as you seconded the motion.

L. STOYLES: Yes.

SPEAKER: MHA Evans, how do you vote?

MHA Evans?

She may have some technical problems. However, it's the majority of the vote, so the motion is carried.

Item 5: Disposal of the Decommissioned Chamber Chairs. When the current Chamber was constructed back in the late 1980s, chairs were commissioned for Members' seating to replace the old fabric-covered, stationary chairs that were used in Chambers on the ninth and 10th floor of the Confederation Building.

After being in use for more than 30 years, the seal leather skin chairs have become deteriorated and in a state of disrepair. Many of the legs have been broken, many tears and cuts – not cuts but just, I guess, use over 30 years. The chairs were replaced. In 2021, we did provide funding for new chairs that are more ergonomic. They're black leather chairs that are adjustable and of various sizes.

So, basically, we're in the situation now that we have 40 of the old seal leather chairs that are in storage and the *Public Procurement Act* does not address the disposal of assets. The *Executive Council Act* provides authority to ministers to

dispose of properties used by their departments, but no similar provisions exist for the Speaker or under the *House of Assembly Act*.

We did contact the Chief Procurement Officer, which he indicated there is no such policy. However, the practice would be for disposals that should be conducted in a fair and transparent manner.

As the Members know, over the last number of years, several former Members and current Members have indicated an interest in purchasing chairs. So our staff did go out and get an assessment, appraisal done on the chairs and the value of those chairs came back at \$250 each.

So I guess the next step would be if Members are interested in moving forward with the disposal of these chairs, the recommendation or the suggestion from staff is that we would put an expression of interest out to any current and past Members that have sat in the House of Assembly during the time that these chairs were there.

I'll open the floor to any questions or comments that any Members may have.

L. DEMPSTER: Good morning, Speaker.

Just a quick question.

SPEAKER: Sure.

L. DEMPSTER: Do we have any idea of the number of current and past Members, the total number that would have used those chairs?

SPEAKER: Sandra, do you have that number?

CLERK: The current Chamber was first used in February 1991, so it would be the Members from the 41st up to the 50th General Assemblies that would have sat. We try to keep a database and update it

when people pass away and that. So our best estimate, there are probably about 186 that would have used those chairs in that period.

SPEAKER: So, I guess, should we decide to dispose of them and we do get more people who are interested than 40, the number of chairs we have, then we'd have to do some type of lottery or draw.

Any other questions or comments? These chairs are in storage, like I say, and as everyone knows, they're fairly big and bulky and they are taking up a lot of space that we really don't have for storage. So we have reached out and no one else basically have asked for the chairs. I guess the recommendation is that we would dispose of them.

Any other questions or comments?

L. STOYLES: So are you talking about selling them? When you talk about disposing of them, you're talking about putting them up on auction or something along that line?

SPEAKER: No, we could put price on it ourselves. The appraised value that we had done by a professional valued them at \$250. The Commission may wish to go with that price or decide to go higher but, basically, we're looking at putting it at a certain price and then put an expression of interest. Try to reach out to all current and past Members to let them know that the chairs are there, should they want to put their name in for one. Like I said, if we get more than 40 names, then we'll do a draw for the chairs.

MHA Pardy.

C. PARDY: I just wanted, Speaker, to go on record that I do think this is a fair and transparent process. Many people, I think, in the District of Bonavista might wonder whether it was going to be cost recovery, but it is. These are the appraised values of

the chairs. There is no discount and all monies from the sale of these 40 chairs will be returned to the provincial coffers.

I do think it's fair and transparent and it gives everybody an opportunity, that if they wish to access a chair, then they certainly can do so.

Thank you.

SPEAKER: Thank you, MHA Pardy.

Are there any other comments?

Is it the general consensus? If so, I'll call for a motion that the Commission proceed with the expression of interest of the sale of the decommissioned Chamber chairs, as per the parameters outlined in the briefing note. The price would be set at – is \$250 fair, the appraised value? If it's the case, I would ask someone to move that motion.

L. STOYLES: I can move the motion.

SPEAKER: Thank you, MHA Stoyles.

L. EVANS: (Inaudible.)

SPEAKER: Could you repeat that? I think it was MHA Evans.

L. EVANS: Can you hear me now?

SPEAKER: Yeah, we can hear you now, MHA Evans.

L. EVANS: Yeah, I support the motion.

SPEAKER: Okay, we have a mover.

Do we have a seconder?

MHA Pardy.

All those in favour, by show of hands.

SOME HON. MEMBERS: Aye.

SPEAKER: MHA Evans, MHA Petten.

MHA Evans, how do you vote? Are you in favour?

L. EVANS: Yes, in favour.

SPEAKER: MHA Stoyles?

Can everybody please mute their –

L. STOYLES: I'm in favour as well.

SPEAKER: Okay, everyone in favour.

All those against?

Motion carried.

This concludes our public portion of the meeting. I thank everyone for joining us today, the ones that are tuned in via television. I'm going to ask all Members to stay on the line; we do have a short in camera meeting after.

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