



PROVINCE OF NEWFOUNDLAND AND LABRADOR
HOUSE OF ASSEMBLY

HOUSE OF ASSEMBLY
MANAGEMENT COMMISSION

Eighty-sixth Meeting

Tuesday, June 28, 2022

HANSARD

Speaker: Honourable Derek Bennett, MHA

The Management Commission met at 10 a.m. via video conference.

B. RUSSELL: Go ahead, Speaker.

SPEAKER (Bennett): Okay, thank you, Bobbi.

Good morning, everyone. I call the meeting to order.

Before we begin the meeting, I'd just like to introduce Members of the Management Commission and our staff that are present for today's meeting. First of all, MHA Barry Petten, Opposition House Leader; Helen Conway Ottenheimer, Member for Harbour Main; Lela Evans, Member for Torngat Mountains; Paul Pike, Member for Burin - Grand Bank; Sandra Barnes, Clerk and Secretary to the Commission; Brian Warr, Deputy Speaker; Kim Hawley George, Law Clerk and Acting Clerk Assistant; and Bobbi Russell, Policy and Communications Officer.

I like to pass along apologies for Minister Crocker and Minister Dempster, who have other commitments and are not able to join us at the meeting this morning.

Before we get into the first agenda items for today's meeting, as required under the *House of Assembly Accountability, Integrity and Administration Act*, I wish to report decisions taken at in camera meetings. In today's meeting the briefing material minutes outline the substance of the decisions taken at in camera meetings on January 26, February 16 and June 1, 2022, are noted. And an in camera meeting also took place on May 30, but there were no decisions taken at that meeting. For the information of the public, the minutes of those in camera meetings are posted on the House of Assembly website following today's approval.

So the first agenda item relates to the approval of those minutes. Draft minutes of the meetings that were held on January 26, February 16 and June 1 are included in your briefing packages.

Before I call for a motion, are there any questions or comments as it relates to those minutes?

Seeing or hearing none, I will ask for a motion that the Commission approve the minutes for the meetings held on January 26, February 16 and June 1, 2022.

Can I have a mover?

MHA Petten.

Secunder?

MHA Pike.

All those in favour, by a show of hands?

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

MHA Evans, how do you vote?

L. EVANS: In favour.

SPEAKER: Thank you.

Motion carried.

On motion, minutes adopted as circulated.

SPEAKER: The next item in regard to Speaker's report: the process for rulings on allowance use is outlined in section 24 of the *House of Assembly Accountability, Integrity and Administration Act*. The act gives authority for the Speaker to make rulings when expenditures for Members have been rejected for payment, provided that the ruling is distributed and received concurrence of the Management Commission. Any ruling under this process must be reported at a public meeting.

The report detailing all such rulings for the period of June 22, 2022, 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 of today's meeting. These items are for reporting purposes only.

Before I move forward, are there any questions on those?

They have been reported and previous concurrence given.

Thank you.

The next agenda item is also a reporting item 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.

Financial reports and Member expense reports for the period of April 1 to December 1, 2021, and April 1, 2021, to March 31, 2022, are included in the briefing packages for reporting purposes also.

Any questions before I move on to the next agenda item?

The next agenda item relates to the ratification of urgent budget transfers approved by the Management Commission since its last regular meeting. The House of Assembly transfer of funds policy delegates authority for approval of a transfer of funds that is required urgently and there is not a significant time for the Management Commission to schedule a meeting. There have been three urgent budget item transfers approved using this authority since our last regular meeting of January 25. The details of these transfers are outlined in the briefing package.

Are there any questions or comments before I call for a motion of these proposed items?

MHA Conway Ottenheimer.

H. CONWAY OTTENHEIMER: Thank you, Speaker.

I just want clarification. So this has already been approved. We've approved that – the Management Commission – and processed it. I just want to make sure that that's clear to everyone. Right?

CLERK (Barnes): That's correct.

H. CONWAY OTTENHEIMER: Okay, thank you.

SPEAKER: As I outlined in the briefing package, I'll call for a motion that the Commission ratifies the following transfer of funds approvals in accordance with section 5 of the House of Assembly transfer of funds policy. They are HOABT2021-018, HOABT2021-019, HOABT2022-021.

Can I have a mover to that motion? MHA Conway Ottenheimer.

Secunder? MHA Pike.

All those in favour, by show of hands.

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

MHA Evans, how do you vote?

L. EVANS: In favour.

SPEAKER: Thank you.

Motion carried.

P. PIKE: That was MHA Petten that seconded, not me.

SPEAKER: Oh sorry, it was MHA Petten. Can you note that in the minutes please, Bobbi?

The next agenda item deal with the transfer of funds requested by the Office of the Chief Electoral Officer, which requires approval of the Management Commission. The Office of the Chief Electoral Officer requires the funding due to the unbudgeted subsidy entitlement for the candidate in the 51st general election of 2021. All subsidies related to the 2021 general election have been approved, with the exception of this one.

The delay results in additional information being identified after the original submission, required

that the subsidy be reprocessed. The transfer of funds of \$3,500 is required, and further details are outlined in the briefing package. Given this transfer has been outstanding for some time and payment for the candidate's subsidy has been delayed, I'll also ask the Commission to consider waiving the two-day waiting period that the Commission normally has to expedite the process.

So we're looking to transfer \$3,500 from the Chief Electoral Officer. Any questions or comments, then?

MHA Conway Ottenheimer?

H. CONWAY OTTENHEIMER: Yes, thank you.

I'm just curious, so it's \$3,500 and that's for additional expenses. Could we just have clarification as to what those additional expenses were? Is that possible, please?

CLERK: That has to do with the election subsidies. All the Members and the candidates actually file after a general election, to do with campaign expenses. It's under the act in terms of what they're allowed to have return on expenses for.

So this one was processed and they discovered some claims after the fact so it had to be reprocessed. Of course, in this fiscal year there were no funds available because we had expected all the subsidies to be processed. I wouldn't have the exact details because these are filings with the Chief Electoral Officer after the general election.

H. CONWAY OTTENHEIMER: Okay, thank you.

SPEAKER: Any further questions? Any further clarification?

If not, we'll call for a motion that the Commission approve the following transfer of funds and waive the two-day waiting period for the Commission's decision.

So it would be from the subdivision 1.1.04.09, Members' Resources - Allowances and Assistance for the amount of \$3,500 to be transferred to subdivision 3.1.01.10, to the office of the Chief Electoral Officer - Grants and Subsidies for \$3,500.

Can I have a mover for that motion?

MHA Petten; seconded by MHA Conway Ottenheimer.

All those in favour, by a show of hands.

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

MHA Evans, how do you vote?

L. EVANS: In favour.

SPEAKER: Thank you.

Motion carried.

So the next agenda item, I'll ask if the Member for Conception Bay South would like to recuse himself of this item.

B. PETTEN: Yes.

SPEAKER: Thank you.

The next agenda item deals with request for the Members for Conception Bay South and Stephenville - Port au Port to the Management Commission in accordance with section 24 of the *House of Assembly Accountability, Integrity and Administration Act* which gives authority for the Commission to make rulings on allowance use.

The expenditures of both Members were rejected for payment as they incurred in 2021-22 fiscal year but not submitted in the 30 days of the end of the year as required by subsection 7(2) of the Members' Resources and Allowance Rules. The expenditure in question for both Members are in compliance with other provisions of rules and further details were outlined in your briefing package.

Any questions? Any further clarification before I call for the motion?

Hearing none, I'll ask for a mover and seconder that the Commission approves payment of the following expenses to be paid within the appropriate allocation for the 2022-2023 fiscal year for the following Members: the Member for Conception Bay South, \$1,221.24 and the Member for Stephenville - Port au Port, \$575.

Can I have a mover of that motion? MHA Pike.

A seconder? MHA Conway Ottenheimer.

All those in favour, by show of hands.

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

MHA Evans, how do you vote?

L. EVANS: In favour.

SPEAKER: Thank you kindly.

Motion carried.

MHA Petten can join the meeting again now.

Thank you, Sir.

B. PETTEN: Thank you.

SPEAKER: The next agenda item deals with the lease renewal for the Office of the Chief Electoral Officer, which leases 9,150 square feet of space at 39 Hallett Crescent in St. John's. The previous five-year lease with Fairview Investments Limited expired on May 17, 2021. It was extended for one year and expires on June 30, 2022.

Transportation and Infrastructure has not issued a new lease for this space. As such, new space will not be available before the current year lease ends on June 30, 2022. Transportation and Infrastructure has further advised that it does not have any suitable space in government-owned or leased premises and that the current lease is within fair market value. A one-year extension with Fairview Investments Limited will be

required to ensure that Transportation and Infrastructure has opportunity to commence the tender process for a new lease.

The details on this lease agreement are in your briefing package and I open the floor to any questions or comments.

MHA Conway Ottenheimer.

H. CONWAY OTTENHEIMER: Thank you.

I just would like to have some clarification about, in terms of the tendering process, why didn't Transportation and Infrastructure issue the tender for the leased space in time. Because really in a sense what's happened is it essentially means that the new space is not available.

So can someone explain that process to me and now we're looking for a further extension. I'm just wondering how this came about.

CLERK: Yes. When it came up the last time, there was a discussion amongst the Management Commission and the Management Commission wanted us to go back because there was some thought that there would be – because of reconfiguration of various government departments and everything, that there might be suitable space available within government-owned or leased premises to accommodate the Chief Electoral Office.

Anyway, with COVID and everything, just getting that meeting on the go took some time. We finally had it, but they don't – I mean essentially they need a lot of warehouse space. And that's not something that government regularly holds in its inventory.

They are in the process now of doing their tender documents, the office is, because with the VoterView application that they used in the last general election, I think some of their requirements might change a bit, anyway, and that will be issued. But there's no other option really, only to stay where they are until we can issue that tender and the results come in. But Transportation and Infrastructure did say that the amount being charged is a fair rate as well.

H. CONWAY OTTENHEIMER: Thank you.

So how long would you expect the tendering process to take now?

CLERK: Well, the last time I spoke with them about their lease was probably a couple of weeks ago, and I know that they had been working on it at that point. Michelle Evans, who used to work in our Corporate and Members' Services, is now the director of – oh my, what is it, the elections – anyway, she's over there. She's a great asset to that office because she's used to doing these things. But I know that they're actively working on it at this point in time.

Once it goes to tender, then it's getting the suitable space, making sure that it is ready, and then of course we'll have to look at, depending on what happens, you may incur moving time and things like that. So it does take a fair bit of time. You wouldn't think it but it does take a fair bit of time to actually play out.

H. CONWAY OTTENHEIMER: Okay, thank you very much.

SPEAKER: Any further questions?

If not, I'll call for a mover and seconder that the Commission approve the Office of the Chief Electoral Officer to enter into renewal discussions for the lease of the premises occupied by the office with Fairview Investments Limited, terms to be negotiated can be one year, month-to-month or any other term usually agreed by the Office of the Chief Electoral Officer and the landlord.

Can I have a mover to that motion, please?

MHA Petten.

Secunder?

MHA Conway Ottenheimer.

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

MHA Evans, how do you vote?

L. EVANS: In favour.

SPEAKER: Thank you very much.

Motion carried.

The last agenda item for today's meeting relates to the precommitment of funds for the 2023 –

CLERK: No, that was dealt with.

B. RUSSELL: That one was done already. That was the in camera piece done on Friday.

SPEAKER: Correct, sorry.

So there are no other agenda items. This concludes our meeting for today.

Can we have a motion to adjourn?

MHA Petten.

Secunder?

MHA Conway Ottenheimer.

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

MHA Evans, how do you vote?

L. EVANS: In favour.

SPEAKER: Thank you.

So thank you, everyone. The meeting is now adjourned and we will be contacting Members as for dates for the next in camera and public meetings.

Thank you; enjoy the rest of your day.

On motion, meeting adjourned.