



Province of Newfoundland and Labrador

FORTY-EIGHTH GENERAL ASSEMBLY
OF
NEWFOUNDLAND AND LABRADOR

Volume XLVIII

FIRST SESSION

Number 57

HANSARD

Speaker: Honourable Tom Osborne, MHA

Monday

12 December 2016

The House met at 1:30 p.m.

MR. SPEAKER (Osborne): Order, please!

Admit strangers.

We welcome to the public gallery today a number of firefighters representing career and volunteer firefighters from across the province who will be the subject of a Ministerial Statement: the St. John's Firefighters Association, Local 1075; Local 1222, led by Mr. Doug Cadigan, president; and the Newfoundland and Labrador Association of Firefighters, led by Mr. Duane Antle, president.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: It would be a great day for a fire drill.

Statements by Members

MR. SPEAKER: Today for Members' statements we have the Members for the Districts of Exploits; Cartwright – L'Anse au Clair; Stephenville – Port au Port; Placentia West – Bellevue; and Terra Nova.

The hon. the Member for the District of Exploits.

MR. DEAN: Thank you, Mr. Speaker.

2016 has been, and continues to be, a year of celebration for the Town of Northern Arm. 2016 marks its 125th anniversary as a town, and a new sign has been erected to commemorate this significant milestone. The theme of this year of celebration is: Proud Beginnings; A Promising Future.

On July 1, there was a ceremony to mark the Battle of Beaumont-Hamel, during which time a plaque was unveiled, revealing the names of former residents who fought in various conflicts throughout history. Two additional plaques were unveiled this day as well.

One was to the memory of Mr. Arthur Jackman, who generously made land available to the town for a recreational area and playground. The other was to the memory of Mr. Reg Hemeon, a former resident and town mayor, who penned a

beautiful poem describing the rich heritage of Northern Arm in 1991 when the town was celebrating its 100th anniversary year.

In September, an anniversary dinner was held at Faith United Church Hall. The year will end with a special New Year's Eve bonfire and fireworks.

I would ask all Members to join with me in congratulating the Town of Northern Arm on this, the occasion of its 125th anniversary.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Cartwright – L'Anse au Clair.

MS. DEMPSTER: Thank you, Mr. Speaker.

Nelson Mandela once said education is the most powerful weapon which you can use to change the world. I rise today in this hon. House to recognize three outstanding young students from Cartwright – L'Anse au Clair who were recently awarded Electoral District Scholarships.

The recipients from my district this year were Hayley Parsons and Devon Beals from Labrador Straits Academy, and Effie Powell of William Gillett Academy.

These scholarships are awarded to high achievers who are attending a post-secondary institution and are based on the results of their public exams. Hayley, Devon and Effie were each awarded \$1,000 in recognition of their many years of hard work and proven academic excellence throughout their school careers.

Each of these bright young minds is a credit to our province's school system, and they will no doubt go on to accomplish big things in their post-secondary careers and beyond. I wish them every success as they take the next steps.

I ask all hon. Members of this House to join me in congratulating the three Electoral District scholarship winners from Cartwright – L'Anse au Clair.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Stephenville – Port au Port.

MR. FINN: Thank you, Mr. Speaker.

It is with great honour that I rise today to acknowledge, Mr. Ken Hines of Stephenville. This past weekend I had the opportunity to take in the annual Garage and Automotive Christmas party, at which time, the local association paid tribute to Mr. Hines.

Ken's business, Ken & Son Ltd., was acknowledged for reaching 50 years of business. I presented Mr. Hines with a certificate recognizing this milestone, alongside Stephenville Mayor Tom O'Brien who also presented Mr. Hines with a congratulatory note.

Ken is a very soft spoken, dedicated and extremely diligent business owner. Over the course of his 50 years in business serving the residents of the Bay St. George area, he provided employment to hundreds of individuals, who, in turn, learned in great detail from him the inner workings of a busy automotive repair and gas station.

To this day, Hines' Esso, as it's known, is one of the few remaining service stations in Newfoundland and Labrador that still provides full service at its gas pumps.

I ask all Members to join me in congratulating Mr. Ken Hines on achieving 50 years in business.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Placentia West – Bellevue.

MR. BROWNE: Mr. Speaker, honoured guests, including Mr. Duane and Kelly Antle of Come by Chance, and all hon. Members.

I rise today to call attention to an important issue relating to safety as we head into the holiday season. Instances of impaired driving have been shown to increase during this time of year, and I ask all Newfoundlanders and Labradorians to enjoy the holidays responsibly and think before getting behind the wheel.

I have had the privilege of working in close collaboration with the Burin Peninsula chapter of MADD Canada in bringing awareness to the issue of impaired driving in our province and in the region. I, along with my colleagues, am committed to reducing the rate of impaired driving.

As we head into this holiday season, I thank members of our law enforcement, emergency services and first responders who take on the important task of making our roads safer. It is up to each of us, Mr. Speaker, in what condition we choose to be in when getting behind the wheel.

I ask all hon. Members to join me in calling awareness to this issue, and to remind those we represent that impaired driving is a choice, and a choice that sometimes brings devastating consequences.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for the District of Terra Nova.

MR. HOLLOWAY: Thank you, Mr. Speaker.

Today, I rise in this hon. House to recognize the efforts of volunteer firefighter Mr. Tony Rose, a long-time resident of Clarendville.

Volunteer firefighters throughout Newfoundland and Labrador make invaluable contributions to the people and communities in which they live. We all know that firefighters take time away from their families to respond to emergency situations often putting their lives at risk in order to help someone in need. These homegrown heroes often spend time raising funds for important community, provincial and national initiatives such as Muscular Dystrophy.

For more than 27 years, Tony Rose has played a leadership role with the Clarendville Volunteer Fire Department to raise funds for Muscular Dystrophy Canada. Since 1954, firefighters throughout Newfoundland and Labrador have been supporting this organization's mission and mandate.

In 2015, their combined efforts raised over \$100,000 to help combat this genetic disorder. Earlier this year, Tony was recognized for his passion and dedicated efforts when he received the 2016 Muscular Dystrophy Canada's Firefighter of the Year award.

I ask all hon. Members to join me in congratulating Mr. Tony Rose for receiving this prestigious award for his efforts as a volunteer firefighter.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Statements by Ministers.

Statements by Ministers

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Mr. Speaker, I rise in this hon. House today to say how pleased I was on Friday to join the prime minister and provincial and territorial counterparts in moving forward with the *Pan-Canadian Framework* on Clean Growth and Climate Change.

Consistent with the commitments made in the March 2016 Vancouver Declaration, the *Pan-Canadian Framework* builds on actions of the provincial and territorial governments to reduce emissions and adapt to the impacts of climate change. It also identifies actions that will seize opportunities for clean economic growth throughout Canada.

In recognition of the diversity of provincial and territorial economies, First Ministers worked to ensure that the framework could accommodate fair and flexible approaches to fighting climate change.

Newfoundland and Labrador joins a framework that demonstrates we can work co-operatively as a nation, while still recognizing the specific and unique local circumstances that our province faces.

A made-in Newfoundland and Labrador plan will address the province's particular social, economic and fiscal realities while contributing to the fight against climate change.

Our plan will: safeguard the competitiveness of onshore and offshore industries. It also takes into account the significant costs we incur to decarbonize the electricity sector and includes our recognition of remote and isolated diesel off-grid electricity generating systems, and transportation. It also ensures the province will have full discretion to direct the use of any carbon price revenues.

Mr. Speaker, climate change is a serious global issue and all sectors will need to be part of the transition to a lower carbon economy. The Government of Newfoundland and Labrador is pleased to work with the Government of Canada to make sure that we contribute to the objectives outlined in the Pan-Canadian Framework.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Leader of the Opposition.

MR. P. DAVIS: Thank you very much, Mr. Speaker.

I thank the Premier for the advance copy of his statement today, even though I'm somewhat surprised by his indication of how pleased he was on Friday. Friday's *Globe and Mail* reported that Newfoundland and Labrador Premier said his government is putting in a framework for an eventual carbon price on its large industry emitters, but he's not committed to impose a province-wide carbon price that would meet the federal standard. We need flexibility from the federal government the Premier said.

So I look forward to hearing the details from the Premier as his statement today appears to be in stark contrast to what was reported that he had said just three days ago.

It will be interesting to see if the Premier's celebration includes the best interest of industries such as mining, oil and gas industries, employment and also the people of Newfoundland and Labrador.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for St. John's East – Quidi Vidi.

MS. MICHAEL: Thank you very much, Mr. Speaker.

I, too, thank the Premier for the advance copy of his statement. While I support the idea of flexibility to allow provinces to develop their own plans to combat climate change, I hope that in this province there will be more to it than simply doubling the gas tax as government did in this year's budget.

I trust that safeguarding the competitiveness of onshore and offshore industry will not prove to be code for delaying greenhouse gas reductions of large emitters, despite the existence of our *Management of Greenhouse Gas Act*.

Thank you, Mr. Speaker.

MR. SPEAKER: The hon. the Minister of Service NL.

MR. JOYCE: Mr. Speaker, I rise in this hon. House today to note that today, our government will honour a commitment we made to firefighters.

SOME HON. MEMBERS: Hear, hear!

MR. JOYCE: This afternoon we will introduce amendments to the *Workplace Health, Safety and Compensation Act* to provide firefighters with presumptive cancer coverage.

Firefighters are exposed to significant risks whenever they answer the call to protect our families and communities by fighting house and industrial fires.

Mr. Speaker, there is growing evidence that this also includes an increased risk of developing many different types of cancer.

Firefighters in Newfoundland and Labrador have been asking for presumptive cancer coverage for more than a decade, and we are pleased to respond by implementing this legislation not just for career firefighters but for volunteers as well.

SOME HON. MEMBERS: Hear, hear!

MR. JOYCE: Mr. Speaker, I congratulated Fire Chief Cecil Kerr of Gillams in a previous statement for being named the Volunteer Fire Chief of the Year by the Association of Canadian Fire Chiefs.

He is a great example of how volunteer firefighters throughout the province set a high standard of community service. It is only fair that those volunteers should be afforded consideration in terms of this important benefit, and we were pleased to include them.

Mr. Speaker, I look forward to debating the amendment we will bring forward later this afternoon, and ask all Members in this hon. House to support this great worthwhile cause and our firefighters to keep our families and our communities safe.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Cape St. Francis.

MR. K. PARSONS: Thank you very much, Mr. Speaker.

I want to thank the minister for an advance copy of his statement. Firefighters, both career and volunteer, put themselves at risk every day to ensure the safety of our communities. Their brave dedication, we owe great gratitude to them. We, as the Official Opposition, are pleased to support the introduction of presumptive cancer coverage for both career and volunteer firefighters.

I know first-hand what it's like to be a member of a volunteer fire department. I have family members, my father, my brother and now my son work with St. John's Regional Fire Department. So I know, as a family member, the dedication and the effort that these people put into it.

I also know that volunteer firefighters are so important in our communities. Coming from rural Newfoundland, they put their lives at risk every day for us. So this is very important to all

firefighters in our province. We will be supporting them and I would like to thank them for their service.

I'd also like to congratulate Cecil Kerr of Gillams for being selected as Volunteer Fire Chief of the Year. Congratulations!

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for St. John's East – Quidi Vidi.

MS. MICHAEL: Thank you very much, Mr. Speaker.

I, too, thank the minister for the advance copy of his statement. Congratulations to all firefighters, career and volunteer, who have fought so long for this legislation. The provincial NDP has been calling for it since 2011 when we included it in our campaign platform, and I'm delighted to see this government respond.

Firefighters perform an essential service for the community, putting themselves in harm's way on our behalf. They deserve this important benefit. We are pleased the legislation will be introduced today and we most certainly will be supporting it.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Further statements by ministers?

Oral Questions.

Oral Questions

MR. SPEAKER: The hon. Leader of the Opposition.

MR. P. DAVIS: Thank you, Mr. Speaker.

Mr. Speaker, Premier Wall of Saskatchewan did not sign on to the pan-Canadian carbon tax stating he was worried that it would decrease competitiveness in the country. Premier Wall said that there hasn't been an economic assessment done on a tax.

I ask the Premier: What assessment has our government done and how will it impact industries in Newfoundland and Labrador?

MR. SPEAKER: The hon. Premier.

PREMIER BALL: Thank you, Mr. Speaker.

I did have the privilege of spending a bit of time with Premier Wall on Friday. As a matter of fact, he sat right next to me during all the discussion.

The difference where he would be as Saskatchewan where we would be as Newfoundland and Labrador – is we were able to create quite a bit of flexibility in the annex on our *Pan-Canadian Framework*. So we have protections that are required.

Especially as a concern for us is how we provide electricity for many of our rural and remote communities, especially those within Labrador who rely on diesel to supply electricity. So this is all outlined in our annex.

We're in a good spot on climate change, Mr. Speaker. There are quite a few opportunities for Newfoundland and Labrador, both in wind power and probably in the future for some further hydroelectricity developments.

Mr. Speaker, it's about the opportunities for us as a province to make sure that we are positioned. We've done that with our annexing the *Pan-Canadian Framework*.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Leader of the Opposition.

MR. P. DAVIS: Thank you, Mr. Speaker.

Mr. Speaker, Premier Wall has some very strong feelings about the decisions that were made. He's in fact considering court action to block the implementation of a carbon tax.

I ask the Premier: Saskatchewan has a similar economy to Newfoundland and Labrador. If the tax is bad for Saskatchewan, then why are you eager to sign on without due diligence?

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

I'd just like to remind the former premier that back in 2015 the beginning of this is where his signature is. As a matter of fact, he was the one back in 2015 that – where we are today, it started with a process around the national energy strategy in 2015. That led into the Vancouver declaration and then led into where we were in finalization of a framework.

So this is exactly where it is. It's a framework right now. Within that framework there are significant opportunities for Newfoundland and Labrador to provide economic benefit, to provide social benefits. I'm surprised that the former premier is suggesting that he doesn't believe that climate change and the impact of greenhouse gas emissions – that's what he's saying now because when they sanctioned Muskrat Falls it was all about that.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Leader of the Opposition.

MR. P. DAVIS: Thank you, Mr. Speaker.

The Premier is quite well aware that's not what I'm saying at all. In fact, his Minister of Environment walked out of meetings in October because the federal government blindsided the meeting in forcing carbon tax on the provinces.

I'll ask the Premier a very simple question: Why are you signing on now? Tell us what's changed. What protection did you get for Newfoundland and Labrador industries, the economy and jobs?

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

When the minister met a few weeks ago, there were points of clarification that were required. I just mentioned one as an example of what would be the impact on many of our rural and remote

communities that rely on diesel to generate electricity in their communities. That was important to us, I say, Mr. Speaker.

That clarification is now in place. We've outlined that in our annex, as well as our ability to remain competitive both on our onshore and our offshore industries.

The most important thing in all of this is the discretion and the flexibility we have in using that revenue. Any revenue generated by the carbon pricing will stay in this province to be used solely at the discretion of this province, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Leader of the Opposition.

MR. P. DAVIS: Thank you, Mr. Speaker.

Coming out of the First Ministers' Meetings, the provinces and the federal government agree that the country should use more renewable energy. Now, Muskrat Falls is a prime example of renewal energy.

I ask the Premier: Given that the prime minister is in support of renewable energy, will you ask him to step in and ensure unrestricted free flow of green, renewable electricity through Quebec?

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

Well, there are multiple mechanisms and opportunities that we have as first ministers to identify areas of how electricity flows. I think the former premier is forgetting the fact that there is more than one opportunity that we would have there. We are working very closely with our Atlantic premiers right now to explore options we would have.

Mr. Speaker, the commitment of the federal government to this province, we've just seen that with the enhancement of the federal loan guarantee of up \$2.9 billion. Significant benefits to our province from that aspect of it.

Mr. Speaker, what we do know is that under the auspices of a Muskrat Falls Project, it was clearly the former premier, during their discussions they felt that that would be their best opportunity.

Mr. Speaker, I will assure you of this, any future opportunities for develop in our province will not be on the backs of the ratepayers.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Leader of the Opposition.

MR. P. DAVIS: Thank you, Mr. Speaker.

A very interesting statement by the Premier there, I can assure you. And he won't answer the question if he'll ask the prime minister for support or not.

Well, I'll ask the Premier this: Will there be a carbon tax exemption as a result of the hydro investments being made here in this province?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

A few questions ago, the former premier talked about what is different. One of the things right now is recognition for the Muskrat Falls Project and indeed the investments that this province and the ratepayers of this province are making into renewable sources of energy, Mr. Speaker, and there will be other opportunities.

Mr. Speaker, we have the recognition for projects like Muskrat Falls as it displaces Holyrood, the diesel-fired generator of nearly 500 megawatts. That's important because that will reduce about 10 per cent of our carbon emissions, about 1.2 tons of emission.

These, clearly, are objectives that we believe in, Mr. Speaker. Like most countries in the world right now, we understand the impact of carbon emissions. We're going to deal with it with our federal colleagues.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Leader of the Opposition.

MR. P. DAVIS: Thank you, Mr. Speaker.

I'll ask the Premier if there will be exemptions for isolated areas such as Labrador that rely on electricity generated by fuel similar to the exemptions made to the territories.

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

I would suggest that anyone should go in and read the Pan-Canadian Framework. It would actually help us make better use of this Question Period because all those answers are outlined in the annex. As a matter of fact, in the press release that we put out there, there's even a link provided to that information.

Clearly, going back a few weeks ago, the discussion was around north of 60, yet we have all the same challenges that our rural and remote communities, in particular, in Labrador would have to deal with when it comes to greenhouse gas emissions because of their location. They are off grid, Mr. Speaker. We have made provision in this particular annex so that they would be included.

But, Mr. Speaker, what's fundamental about all of this is that any money collected from carbon pricing can be used by the province to offset the specific situation that the former premier just mentioned.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Leader of the Opposition.

MR. P. DAVIS: Thank you, Mr. Speaker.

I just remind the Premier the people of the province like to have the Premier on the record because sometimes it's difficult to get him on the record and to answer questions, as we're seeing here in Question Period here again today.

Mr. Speaker, the British Columbia premier fought for specific exemptions for her province. I ask the Premier: How will the new carbon tax

impact exploration and development of our offshore?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

Premier Clark in BC was in a situation; they already have carbon pricing. They have legislation in place to take their carbon pricing up to \$50 per metric ton for carbon pricing in BC. As a matter of fact, they have a surplus in BC right now. They are one of the few provinces that would have that surplus.

The concern for Premier Clark was that they wanted other provinces to catch up, is the word she used, to where they are. Provided in the BC annex, there are provisions made through that. There will be an interim review in 2020 of the types of progress that all provinces are getting from the various initiatives that they have in place.

So we already have that, Mr. Speaker. We already have that in our annex. So indeed the situation that Premier Clark wanted to find herself in is where we were already, based on the information that we have provided.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Leader of the Opposition.

MR. P. DAVIS: Thank you, Mr. Speaker.

It's quite clear the Premier doesn't want to answer the question; he wants to give the information he wants to give.

But, Mr. Speaker, on Thursday past we asked several questions to the Minister of Transportation about snow clearing. He assured us over and over again there was a solid plan in place. Now, the Liberals reduced snow clearing policy failed its first test that very night and into Friday morning after what some many consider to be, at best, a moderate snowfall.

So I ask the Premier: Will you reinstate 24-hour snow clearing and the staffing of depots effective immediately to ensure the safety of the general public?

MR. SPEAKER: The hon. the Minister of Transportation and Works.

MR. HAWKINS: Thank you, Mr. Speaker.

I guess my answer today is the same as it was last week, and the same as it was the week before. We are very, very clear on the fact, and I thought I made it clear that a dedicated 24-hour snow clearing that the previous administration had in place is what we removed. We have not removed 24-hour snow clearing. We have said that we will have 24-hour snow clearing, if the conditions warrant. And that's exactly what we're doing, Mr. Speaker, and we're following through on that.

The Member referenced last week. If he had checked on the references on that, the snow started around 3 o'clock, so if, in fact, there was a 24 hour in place, he would have had some of his plows out on bare pavement.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Leader of the Opposition.

MR. P. DAVIS: Thank you, Mr. Speaker.

Well, it sounds like the Minister of Transportation is saying the conditions didn't warrant. Dozens of cars off the road, significant delays, ice buildup on the roads and the conditions didn't warrant.

So I'll ask the Premier again: Will you put the safety of the people of the province first and direct your minister to bring a policy in that keeps roads safe and clear around the clock, especially the busiest roads in our province?

MR. SPEAKER: The hon. the Minister of Transportation and Works.

MR. HAWKINS: Thank you, Mr. Speaker.

Certainly, for Members opposite, safety is important to all of us – very important. As I mentioned before and as I will mention again, if there are conditions that warrant us and our resources to be out, our forces to be out during

the 10 o'clock to the 5 o'clock, we will certainly do that, Mr. Speaker.

And I also want to tell the Members opposite that, in fact, with the 24-hour snow clearing they talked about, it covered 4 per cent of the province – 4 per cent. I know that some of these highways have higher volumes of traffic, and we are monitoring that. I can assure you and assure this House and assure the people in the province that if, in fact, the conditions warrant us to out, we will have our resources out there to make sure that safety is important to us.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Conception Bay South.

MR. PETTEN: Thank you, Mr. Speaker.

Mr. Speaker, on December 8, the Minister of TW stated they were relying on the RCMP and the RNC to help monitor and report road conditions.

I ask the minister: When did he consult with these police forces, and did they commit to pick up the slack left by your government cuts?

MR. SPEAKER: The hon. the Minister of Transportation and Works.

MR. HAWKINS: Mr. Speaker, we're not asking anyone to pick up the slack. When I was here last week, I think I was very clear and I talked about there are a number of tools in which we can trigger getting our resources out. One of the tools – we have measurements in place and we have targets in place that would do it. I also mentioned, Mr. Speaker, that there are a number – there are first responders who are on the highways. There are police forces that are on the highways. That could be a tool as well. If, in fact, they find areas that are not conducive to safe driving, they can call in.

I also made a reference – I didn't say the general public are going to be out reporting in; I said there's an opportunity. It's no different than we have signs up throughout the province whereby if you spot moose, you call a number in. We're

not depending on these people, but there are conditions that could necessitate us calling in and getting the resources out, Mr. Speaker, and we'll continue to do that.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Conception Bay South.

MR. PETTEN: Thank you, Mr. Speaker.

We reached out to a number of law enforcement officers across the province this weekend, none, zero, were aware that they were now responsible for monitoring road conditions in the wake of your cuts.

When were you planning on notifying them?

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

The hon. the Minister of Transportation and Works.

MR. HAWKINS: Thank you, Mr. Speaker.

I would be certainly willing – if the Member opposite would like to provide me with the numbers that he had contacted. And I did not make any statement last week that these people would be the ones who are going to be monitoring.

I said it's another tool that we have where these people are on the highways at all times throughout the night, and there may be situations whereby these members can find areas, it could be black ice, it could be areas that there's freezing rain, and if the conditions of the road would require, it that would be due diligence on their part to certainly be able to report that. And we would have our supervisors then go out to monitor the situation if, in fact, it is necessary for us to get our forces out. I made it very, very clear, Mr. Speaker, that we will do that and we will continue to do that.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Conception Bay South.

MR. PETTEN: Thank you, Mr. Speaker.

How does the Minister of Justice and Public Safety feel about the Department of Transportation and Works downloading services unto the already stretched resources of our provincial police services?

MR. SPEAKER: The hon. the Minister of Transportation and Works.

MR. HAWKINS: It is obvious the Member opposite is not hearing what I'm saying, and I did not say that our police force is tasked with monitoring the conditions of the roads. I didn't make that comment, Mr. Speaker.

I talked about the fact there are a number of tools that we can use, or resources that we can use, people that are continually on the highway certainly would if there's an opportunity and they see a situation – and I want to make it clear again, Mr. Speaker, I don't know how many times I've got to say this. They are assuming that 24 hours – that we're not going to have people out there. That is not the message.

The message is, Mr. Speaker, if conditions warrant having our resources at 12 o'clock or 2 in the morning, we will have those resources out. I can't be any clearer than that.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Member for Conception Bay South.

MR. PETTEN: Thank you, Mr. Speaker.

Mr. Speaker, we are hearing that regional staff in the depots have voiced serious concerns regarding elimination of 24-hour snow clearing.

Was this cost-cutting method suggested by your front-line staff and officials in TW, or was it a top-down directive based solely on dollars and cents?

MR. SPEAKER: The hon. Minister of Transportation and Works.

MR. HAWKINS: Thank you, Mr. Speaker.

I don't know how many more times I've got to repeat the same message that we have not removed. There are opportunities and there can be opportunities for us to have our resources out there at 10 o'clock or 12 o'clock or 2 o'clock. We have not removed that. We have removed a reduced, dedicated 24-hour service.

I must say, Mr. Speaker, it was reduced. There was not a full crew on anyway. It was only the 4 per cent of this province of the routes that were there.

When the Member opposite talked about numerous situations last week, there were four situations that came to me. I don't want to bring those up in the House, but if the Member would like to know about the situations, I can explain to him the four incidents we had last week as well, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Member for Conception Bay South.

MR. PETTEN: Thank you, Mr. Speaker.

Mr. Speaker, does the minister deny receiving correspondence from regional staff and operators concerned with the cost-cutting measures negatively impacting highway safety?

MR. SPEAKER: The hon. Minister of Transportation and Works.

MR. HAWKINS: Mr. Speaker, when this is all said and done, if we continue to have the snow that we're having or forecasting, in the end it may not be a savings or if you want to talk about reduction.

I have made it very, very clear. The message is very, very clear: If conditions warrant, we will have our forces out there.

The only difference this year versus last year is that we do not have a dedicated crew from 10 o'clock to 4 o'clock in the morning in a depot waiting for it to snow or waiting for it to freezing rain. They're in their homes and we will

call them in if, in fact, the conditions warrant. We will continue to do that, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Member for Conception Bay South.

MR. PETTEN: Thank you, Mr. Speaker.

I'll ask again: Does the minister deny receiving correspondence from regional staff and operators concerned with cost-cutting measures negatively impacting highway safety? If he admits that, would he please table it here in the House?

Thank you very much.

MR. SPEAKER: The hon. the Minister of Transportation and Works.

MR. HAWKINS: Thank you, Mr. Speaker.

If the Member opposite is so interested in that he can ATIPP it and get it, I guess, that information.

I am telling you right now, Mr. Speaker, the message is exactly the same as what we have. We will monitor the conditions of the road and if, in fact, it warrants us to have our resources out, we will have our resources out. It's very, very clear. We will provide the resources that are necessary so that safety is number one.

I might add, Mr. Speaker, as well, winter conditions are not summer conditions. We must all realize there are going to be times, even if we have daytime clearing, that there may be slippery areas and may be snow covered areas that we have to drive according to the conditions.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Conception Bay South.

MR. PETTEN: Thank you, Mr. Speaker.

Mr. Speaker, we received a message Friday morning from an individual from Topsail travelling to Long Harbour for work. He stated the highway conditions were horrible. He stated that plows were unable to push the ice from the highway because of ice buildup.

I ask the minister: What are you doing to improve you're monitoring plan to ensure ice buildup does not occur on major roads?

MR. SPEAKER: The hon. the Minister of Municipal Affairs.

MR. JOYCE: Thank you, Mr. Speaker.

I just want to remind – I was a critic for four years. I remember when this government at 9 o'clock at night – rain, snow, sleet, ice – had to get home, get to the depots, get off the roads.

I remember in the Bay of Islands, how an ambulance had to call a tractor at 2 o'clock in the morning to plow the road to get to the person who passed away to get an ambulance to him. So don't go telling me that 4 per cent of this province doesn't deserve the same as the Bay of Islands when they need snow protection, when they need it, just because you tell someone to go home at 9 o'clock.

The people in the Bay of Islands deserve the same snow clearing as the 4 per cent that you're here fighting for today and so does the 96 per cent of the province. So when you want to look at it, look at what you guys had in place because I was a part of it. I saw when ambulances needed tractors to come through, I was the critic. I was there when you told everybody to get back to the depot at 9 o'clock. Shame on the Opposition over there!

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Leader of the Opposition.

MR. P. DAVIS: Thank you, Mr. Speaker.

The point here is there are 13 most major routes in the province which have heavy, heavy traffic. Just last week on the East Coast, in the Avalon

area when there was a small amount of snow, people trying to travel to Bull Arm, people trying to travel to Come By Chance, people trying to travel to Long Harbour. Thousands of workers trying to get to work expressed difficult conditions that were not safe.

SOME HON. MEMBERS: Hear, hear!

MR. P. DAVIS: Dozens of cars off the road.

The point is these are our heaviest travel routes, highest number of people moving on them, leading to the biggest hospital in the province, here in St. Johns as well. What we're asking the minister opposite to do is ensure the safety of people on these heaviest travelled routes.

Minister, will you change your plan? Your plan did not work on Thursday night.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Minister of Transportation and Works.

MR. HAWKINS: Thank you, Mr. Speaker.

I tell the Member opposite, if he's talking about dozens and dozens of cars off the road and certainly the reports of dozens and dozens of cars off the road did not come in, as I said very clearly, Mr. Speaker. If, in fact, the conditions that we had, our crews – is he saying that our crews were not effectively out? Our crews were out at 4:30 in the morning. The weather conditions started at about 3 o'clock. So if, in fact, the 24-hour snow clearing was in, then obviously the resources they had would have been out clearing bare pavement.

Mr. Speaker, we are monitoring this and we are on top of this. We have professional people who are doing it. We will continue to do that because we want to make sure that safety is important to us and we will continue to do that, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Opposition House Leader.

MR. HUTCHINGS: Thank you, Mr. Speaker.

Mr. Speaker, can the Minister of Natural Resources advise if CF(L)Co is undergoing a corporate restructuring?

MR. SPEAKER: The hon. the Minister of Natural Resources.

MS. COADY: Thank you very much for the question. It's an interesting question.

Not that I'm aware, Mr. Speaker. I'll certainly take it under advisement and find out if there are any changes that I need to be aware of, but it has not been raised to me at this point.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Opposition House Leader.

MR. HUTCHINGS: Thank you, Mr. Speaker.

The minister says she's not aware, but I'll just ask the question: Have any employees of CF(L)Co been advised that this restructuring will take place in the near future, possibly in January?

MR. SPEAKER: The hon. the Minister of Natural Resources.

MS. COADY: Thank you very much, Mr. Speaker.

I've been in close contact with the CEO of Nalcor. He has not advised me at this point that he's anticipating any changes, but I will take it under advisement and provide information.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Mount Pearl North.

MR. KENT: Thank you, Mr. Speaker.

Manitoba's premier refused to sign the proposed climate change framework over his serious concerns regarding Ottawa's lack of attention to the health transfer issues.

Given the importance of health transfers to this province, why would you not consider doing the same?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

Well, there were a number of concerns certainly around the *Pan-Canadian Framework* and as it connected to health care. Mr. Speaker, they are two very separate concerns. As most premiers in the country, they supported the *Pan-Canadian Framework* exclusive of really a decision on health care. Premier Pallister himself supports climate change endorsements and supports the *Pan-Canadian Framework* and I'm very confident that he will sign on to this.

Now the decision and how we get more federal involvement into health care, that was a separate meeting. Mr. Speaker. I would anticipate in the next few days that we will see our officials getting involved in this from the minister's level.

So that's an ongoing discussion on how the federal government would be involved in health care, Mr. Speaker. Our voice will be heard with the experience that we have at that table.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Member for Mount Pearl North, for a very quick question.

MR. KENT: The Manitoba premier, along with Ontario and Saskatchewan's premier, said this past Friday that the federal government's approach to health spending is not remotely close to sustainable.

Does the Premier agree with that assessment?

MR. SPEAKER: The hon. Minister of Health and Community Services.

MR. HAGGIE: Thank you very much, Mr. Speaker.

The issue of health funding falls under two mandates; one is the premiers and First Ministers which is related to the Canada Health Transfer. My mandate relates to money that's been labelled as the accord. Those discussions

are still ongoing and I'm given to believe that we will be having a meeting about this in the very near future.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Member for St. John's East – Quidi Vidi.

MS. MICHAEL: Thank you very much, Mr. Speaker.

On Friday night, the Premier and his counterparts were behind closed doors supposedly discussing the Health Transfer with the prime minister.

I ask the Premier: Why is he not demanding publicly, like other premiers, that Ottawa maintain the regular 6 per cent annual increase of the previous health accord – very simple.

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

Yeah, I guess it is a simple solution if you're the leader of the Third Party. Mr. Speaker, in that room there was quite a bit of discussion on health care and how it fits. I would just like to remind the Member opposite that it wasn't just two or three premiers that signed on to that letter. Every single premier in this country signed on to that letter which went to the prime minister of Canada.

Mr. Speaker, what we are concerned about is a couple of things. One is that any money that goes into federal transfers would be impacted front line so we get the improvements in health outcomes. It's just not about spending money on health care; it's about how we create effective and meaningful outcomes for our health care service.

As the minister just mentioned, in the next few days there will be meetings with the federal minister of Finance and the provincial ministers of Finance and Health and Community Services.

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Member for St. John's East – Quidi Vidi.

MS. MICHAEL: Mr. Speaker, last week the Minister of Health and Community Services said the decision to reduce coverage of diabetes test strips was consistent with other provinces. But our cap for diabetics at low risk is 50 test strips compared to 200 in Ontario, Saskatchewan and BC.

I ask the minister: Why is he limiting one of the most effective, important items necessary for people to effectively monitor and control their diabetes?

MR. SPEAKER: The hon. Minister of Health and Community Services.

MR. HAGGIE: Thank you very much, Mr. Speaker.

The issue of diabetic test strips, our policy has been to line up the supply with the clinical need based on best evidence and evidence-informed decisions. Since the program started, there has been an option for prescribers to ask for extra strips, if that was felt in the clinical interest of the patients.

Thus far, we have received 437 requests out of a diabetic population serviced by our plan of 22,800 people, an incidence of 1.9 per cent, which we would suspect means that the plan is working and our test strip levels are appropriate to the need.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for St. John's Centre.

MS. ROGERS: Thank you, Mr. Speaker.

I'm aware the Minister of Culture has received numerous letters, emails and phone calls from individuals and organizations from the arts, archive, museum, academic and research communities about his Bill 56 regarding The Rooms. Many have also met with him. Many are leaders with extensive experience and expertise in their field.

Mr. Speaker, I ask the minister: What are the main concerns that they are raising with him?

MR. SPEAKER: The hon. the Minister of Business, Tourism, and Rural Development.

MR. MITCHELMORE: Thank you, Mr. Speaker.

I thank the Member opposite for her question. I meet constantly with organizations and groups that are involved in culture, heritage and the arts, and I have been for the last year.

The Member opposite, when we were in the House of Assembly last week, when Bill 56 came before the floor to make improvements to the *Rooms Act*, the Member opposite, when questions or concerns were raised, had any opportunity during the second reading or the Committee portion to put forward an amendment, or make any type of suggestion or change at that time.

The Member for St. John's Centre is a very experienced legislator here in the House, as is her colleague, and chose not to put forward any amendment or improvement to Bill 56, chose not to defer it to a Committee or take time on it and didn't register a vote on that one.

SOME HON. MEMBERS: Hear, hear!

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

The hon. the Member for St. John's Centre.

MS. ROGERS: Thank you, Mr. Speaker.

Well, Mr. Speaker, I know that many of those people who have written him have stated specifically their concerns. And I did have a recommendation for the minister, and here it comes again: Mr. Speaker, the concerns raised by all these very experienced and knowledgeable experts are very critical. The minister has done none previous consultation at all on this bill.

I ask the minister: Will he shelve his Bill 56 and do a thorough consultation as prescribed in section 10(b) in the current act, and then revisit a

bill that will reflect the outcome of that consultation? Why this reckless rush?

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Minister of Business, Tourism, Culture and Rural Development.

MR. MITCHELMORE: Thank you, Mr. Speaker.

I say to the Member opposite that this House of Assembly is the place where we debate legislation and that there's equal opportunity for any Member to put forward an amendment to legislation during second reading and through the Committee stage. The Member is quite clear of that and chose not to. Also, chose not to register a vote in terms of Bill 56 in the Committee stage, and when we look at –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. MITCHELMORE: – The Rooms as our premier cultural facility, we're quite proud as a government –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. MITCHELMORE: – for our investment in The Rooms. We put \$6.5 million into The Rooms in this year's budget, and The Rooms itself will continue to be the premier space for the province's Art Gallery, Archives and Museum of the province.

That will not change, Mr. Speaker.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The time for Oral Questions has expired.

Presenting Reports by Standing and Select Committees.

MS. MICHAEL: Point of order, Mr. Speaker.

MR. SPEAKER: The hon. the Member for St. John's East – Quidi Vidi, on a point of order.

MS. MICHAEL: Thank you, Mr. Speaker.

I'm calling a point of order with regard to the comments by the Minister of Business, Tourism, Culture and Rural Development, making comments with regard to registering a vote. I think, and I put to the Speaker, it is making reference to a person's presence or non-presence in the House with which Beauchesne's specifically refers to, that we should not make any comments that refer to a person's presence in our out of the House.

MR. SPEAKER: Order, please!

The hon. the Government House Leader, on a point of order.

MR. A. PARSONS: Thank you, Mr. Speaker.

Firstly, I'm unsure – I never heard in the preamble the specific Standing Order that was referenced. Secondly, I think that the votes on any piece of legislation in this House are noted in the House in *Hansard*. So any person in this province can go in and see how a person votes on any piece of legislation or whether they vote. They can count the names, which are clearly recorded by the table staff, and which was clearly noted about a vote not being cast by the minister.

Thank you.

MR. SPEAKER: Order, please!

The hon. the Member for St. John's East – Quidi Vidi.

MS. MICHAEL: Thank you, Mr. Speaker.

It's my understanding from reading Beauchesne's and others, that it's not what happens for the general public that were called upon in this (inaudible), it's our behaviour here in the House. What Beauchesne's says – if I'm mistaken, you can let me know – is that no attention should be drawn by Members in the House to a person's presence.

MR. SPEAKER: Order, please!

I'll hear comments from the hon. the Government House Leader. I'm not going to permit debate on this. The Speaker will make a ruling.

The hon. the Government House Leader.

MR. A. PARSONS: Thank you, again.

I don't believe the minister in his comment made reference to whether a person was present in this Chamber or not. The reference was made to a vote, which anybody has access to see and which is clearly noted in *Hansard*.

Thank you.

MR. SPEAKER: I will make a ruling on the point of order raised by the hon. the Member for St. John's East – Quidi Vidi.

Allusions to the presence or absence of a Member or minister in the Chamber are unacceptable. Speakers have consistently upheld this prohibition on the ground that there may be places that ministers or Members have to be in order to carry out their obligations.

I will ask the Member to withdraw his comments.

The hon. Minister of Business, Tourism, Culture and Rural Development.

MR. MITCHELMORE: I withdraw, Mr. Speaker.

MR. SPEAKER: Presenting Reports by Standing and Select Committees.

Tabling of Documents.

Notices of Motion.

Notices of Motion

MR. SPEAKER: The hon. the Member for Placentia West – Bellevue.

MR. BROWNE: Mr. Speaker, I rise to give notice that I will move the following private Member's motion, seconded by the hon. Member for the District of St. George's – Humber, a resolution to reduce impaired driving:

WHEREAS impaired driving continues to be the leading criminal cause of death in Canada; and

WHEREAS according to a 2013 Statistics Canada study, since 2001 the largest increases in impaired driving in Canada have been in British Columbia and Newfoundland and Labrador; and

WHEREAS according to MADD Canada, motor vehicle crashes are the leading cause of death among 16 to 25 year olds, and alcohol and/or drug impairment is a factor in 55 per cent of those crashes;

THEREFORE BE IT RESOLVED that this hon. House urge the Government of Newfoundland and Labrador to consider taking further measures to curb impaired driving, such as: implementing mandatory interlock systems; impounding of vehicles at the warning stage; zero tolerance for blood-alcohol content above zero per cent for drivers with less than three years of driving experience; and zero tolerance for impairment by illicit drugs for drivers with less than three years of driving experience.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Government House Leader.

MR. A. PARSONS: Thank you, Mr. Speaker.

The private Member's resolution just entered by the Member for Placentia West – Bellevue, pursuant to Standing Order 63(3), shall be the resolution to be debated this Wednesday.

Thank you.

MR. SPEAKER: Further notices of motion?

Answers to Questions for which Notice has been Given.

Answers to Questions for which Notice has been Given

MR. SPEAKER: The hon. the Minister of Transportation and Works.

MR. HAWKINS: Thank you, Mr. Speaker.

Mr. Speaker, in response to questions last week in this hon. House, for the Member for Conception Bay South, I'm happy to table the most recent traffic counts for the province's 13 highest priority routes.

Mr. Speaker, before tabling, I would just like to state that the previous administration's 24-hour snow clearing policy involved a reduced workforce and schedule from December 1 to April 1 in only 13 of the 289 snow routes we have in this province, nine of which were limited to five days a week and not seven days a week. This represents 4 per cent of all routes in this province. Under the new approach that we have, there has been no change to daytime service levels. Overnight equipment will be mobilized as warranted by weather conditions to ensure the roads are as safe as possible.

Mr. Speaker, before concluding my remarks, my message is the same as the previous administration: Drive to weather conditions and a reminder that snow means slow. If you don't have to be on the road during a blizzard, than people should consider that and the conditions and drive according to them or not be on the highways at all.

Mr. Speaker, I just want to point out that nine of those 13 routes, when we talked about, had only 24-5. I do have the numbers for the traffic counts from 10 p.m. to 5 a.m. and they range in order between 2.8 per cent and 6.5 per cent as being the highest, and that's between 10 o'clock and 5 o'clock in the morning.

So, Mr. Speaker, it's my pleasure to table this information today so that the Members opposite can get an accurate account of exactly the number of cars, the latest traffic counts that we have that are on the highways between 10 p.m. and 5 a.m.

Thank you, Mr. Speaker.

MR. SPEAKER: Further answers to questions for which notice has been given?

Petitions.

Petitions

MR. SPEAKER: The hon. the Member for Mount Pearl North.

MR. KENT: Thank you, Mr. Speaker.

To the hon. House of Assembly of the Province of Newfoundland and Labrador in Parliament assembled, the petition of the undersigned residents humbly sheweth:

WHEREAS there has been a reduction in the hours of operation for X-ray services at the Placentia Health Centre. Service has been reduced from 24 hours a day, seven days a week to 8 a.m. to 4 p.m., Monday to Friday; and

WHEREAS this reduces the availability of an important diagnostic tool for physicians at the Health Centre having a direct impact on patient care. The reduction in service impacts the ability of physicians and nursing staff to perform their jobs and can potentially delay diagnosis and treatment;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge government to reverse this decision and restore the provision of X-ray services to 24 hours a day, seven days a week service.

And as in duty bound, your petitioners will ever pray.

Mr. Speaker, there have been similar petitions signed by over 1,800 residents who have serious concerns about health care cuts that have taken place affecting services at the Placentia Health Centre. I want to present some of those concerns on behalf of residents today. Their main concern is this has reduced the full-time function of the emergency room at the Placentia Health Centre. It's important to note that this health centre services the entire region of Placentia, the Cape Shore, Fox Harbour, Ship Harbour, even St. Mary's Bay North and Long Harbour. So you can't predict that someone requiring an X-ray will only show up from 8 a.m. to 4 p.m. Monday to Friday.

If the resource is available at the site, physicians should have unrestricted access to the use of the

equipment. The current set up with the service not being available on weekends or after 4 o'clock on weekdays puts a restriction on the diagnostic ability of the professionals working there. On weekends or after hours, people now either get referred to Carbonear Hospital or asked to come back when the technician is available. This has the potential to delay treatment. Multiple trips to the health centre must also create a burden on the system overall.

I'd also like to point out that following the initial announcement of this change, the Mayor of Placentia asked Eastern Health if the on call lab technician could operate the X-ray machine if called in for blood work. Eastern Health did agree to this; however, not all of the lab technicians are cross-trained on the use of the X-ray machine. So now it all depends on who is called in for the lab, and I think this works out to be about half the time.

Placentia is a thriving, growing region and a growing community but cuts to services that negatively impact amenities will also impact the overall growth and development of the community. It's sad to have to present these concerns on behalf of residents of the region. Again, hundreds of residents have expressed concern and we will continue to bring these concerns to the House of Assembly.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for St. John's East – Quidi Vidi.

MS. MICHAEL: Thank you very much, Mr. Speaker.

To the hon. House of Assembly of the Province of Newfoundland and Labrador in Parliament assembled, the petition of the undersigned residents humbly sheweth:

WHEREAS Newfoundland and Labrador has the greatest percentage of the workforce earning the provincial minimum wage in Canada, with women, youth and those from rural areas making up a disproportionate number of these workers;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge government to legislate an immediate increase in the minimum wage to restore the loss of purchasing power since 2010, and an annual adjustment to the minimum wage beginning in 2016 to reflect the Consumer Price Index.

And as in duty bound, your petitioners will ever pray.

Mr. Speaker, I'm very pleased once again to present this petition on behalf of those who have signed it. We continue to receive this petition in our office and recently the minister responsible has announced that nothing is going to be done about minimum wage until 2017. This means that people working for minimum wage will not have had any increase since 2010.

One of the most important parts of this petition, Mr. Speaker, is the fact that people want the loss of their purchasing power since 2010 to be recognized in any raise. All they are getting next April is 25 cents an hour, and the following fall 25 cents an hour. Let me put on the floor the fact that in the period of time since 2010 to now, the minimum wage when it went up went up by 5 per cent. Bakery products in that time from 2010 to 2015 have gone up 23.2 per cent; eggs have gone up 21.2 per cent; meat has gone up 29.3 per cent; fresh fruit, 19.5 per cent; shelter, 13.5 per cent; heat and lights, 14.2 per cent. All items averaged out, 9.9 per cent.

How are people on minimum wage supposed to feed themselves and their families, keep themselves and their families warm? The minister refused to recognize the need, number one, to bring minimum wage up this year – more than a need – and then to also recognize the rise in the cost of living.

Thank you very much, Mr. Speaker.

MR. SPEAKER (Bragg): The hon. the Member for Cape St. Francis.

MR. K. PARSONS: Thank you very much, Mr. Speaker.

I rise in this hon. House today; to the hon. House of Assembly of the Province of Newfoundland

and Labrador in Parliament assembled, the petition of the undersigned residents of Newfoundland and Labrador humbly sheweth:

WHEREAS on July 26, Dorset Fisheries' plant in Norman's Cove-Long Cove burnt to the ground with a massive industrial fire; and

WHEREAS the plant employed about 240 people from the immediate area, and many who are now without work;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge government to take immediate action to provide residents –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

Order, please!

MR. K. PARSONS: – of Norman's Cove-Long Cove area the necessary supports needed to rebuild their local economy.

And as in duty bound, your petitioners will ever pray.

I heard the minister just go with 240 people, but when he sees the petitions that I'm going to present in the House of Assembly over the next couple of days, there are hundreds and hundreds of names from that area where people are very, very concerned. If you want to look at this petition today, there are 100 names on this petition here today from people who are in that area concerned about the fish plant. They're concerned about the future; they're concerned about the future of what's going to happen to that area.

Most of these employees of the plant are elderly people in their late 50s and they are finding it very difficult this time. They don't know where they're going to go to work. They've gotten no answers from government; they've gotten no answers from their local MHA. I got up a week ago, Mr. Speaker, and I asked for the minister to hold a public meeting to let the people in the area know what's on the go with their fish plant. They've heard nothing. They've heard nothing

from their MHA and they've heard nothing from this minister.

I have over 100 names here and I have more names. I have more petitions to present, so just stay tuned to the number of people. There are hundreds of people out in that area who are concerned about their future, Mr. Speaker. There are hundreds of people out in that area who want to know what's going to happen, whether their plant is going to be rebuilt, whether they're going to have jobs. It's time for the government to give the people the answers they're asking for.

Thank you very much, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

The hon. the Government House Leader.

MR. A. PARSONS: I call Orders of the Day.

MR. SPEAKER: Orders of the Day.

Orders of the Day

MR. A. PARSONS: Mr. Speaker, I call Order 6, second reading of Bill 59.

MR. SPEAKER: The hon. the Minister of Municipal Affairs.

MR. JOYCE: Mr. Speaker, I move, seconded by the Member for Lab West, that Bill 59 be read the second time.

MR. SPEAKER: It has been moved and seconded that Bill 59 be now read a second time.

Motion, second reading of a bill, "An Act To Amend The Workplace Health, Safety And Compensation Act." (Bill 59)

MR. SPEAKER: The hon. the Minister of Municipal and Affairs.

SOME HON. MEMBERS: Hear, hear!

MR. JOYCE: Thank you, Mr. Speaker.

I am pleased to rise in this hon. House today to speak on Bill 59, an amendment to the *Workplace Health, Safety and Compensation Act* and regulations.

The Premier and I were proud to attend this event this afternoon when Mr. Doug Cadigan, President of IAFF, Local 1075, the St. John's Firefighters Association, Mr. Duane Antle, President of the Newfoundland and Labrador Association of Fire Services and Mr. Dennis Hogan, Chief Executive Officer of WorkplaceNL. Together we made the announcement that we will be advancing this amendment to offer presumptive cancer coverage for career and volunteer firefighters.

In recent years, there has been a lot of scientific study regarding the higher incidents of cancer among firefighters. There has also been a lot of discussion about the dangers posed by fighting fires in homes and industrial settings. In these settings there may be consumer goods or industrial products that produce dangerous carcinogens which they burn.

Since 2003, our provincial firefighters have lobbied for coverage under the *Workplace Health, Safety and Compensation Act* that responds to these realities.

Statutory review of our province's Workplace Health, Safety and Compensation Commission in 2006 and 2013 supported their call for more support but the recommendations were not acted upon. While firefighters throughout Newfoundland and Labrador were advocating for change, most other provinces in Canada added this kind of coverage to the workplace health and safety benefits. We saw this as a significant issue, and made the concerns of firefighters a focus of our election platform last year.

Upon election, Premier Ball gave me a mandate to work with stakeholders to bring forth legislation to protect firefighters in our province. I am pleased to say that we consulted, we collaborated and we finally completed the work to achieve what firefighters have wanted for a long time.

Adding a presumptive clause to our legislation means a firefighter who serves for a specific

period of time and develops a specific form of cancer is presumed to have developed that cancer as a consequence of their work. This benefit will help firefighters by speeding up and simplifying the process to have this specific type of claim approved.

I am pleased to note that this new benefit will not increase assessment rates currently paid by employers who fund the workers' compensation system. In fact, just last month the average assessment rate charged to employers by WorkplaceNL was reduced by 6 per cent from \$2.20 to \$2.06 per \$100 of assessed payroll.

With the legislative amendments, qualifying firefighters will receive wage loss benefits, medical aids and certain other benefits throughout WorkplaceNL, while health care costs associated with firefighters' cancer treatment will be a part through the Medical Care Plan, restructuring benefits in this way to reduce demands on the WorkplaceNL injury fund. For firefighters to qualify for this benefit, they need to submit documentation that includes their term of service, the nature of the work and the number of times they fought fires in their career.

I am pleased to note that staff from our Fire and Emergency Services division and Municipal Affairs will provide assistance to volunteer departments to ensure documentation practices used across the province meet the administrative need of WorkplaceNL. We look forward to pursuing this work in a partnership with them.

The legislation we are bringing forward today is another example of how our government listens to people and creates beneficial change with their feedback. We look forward to working with firefighters to spread the news about this new benefit and to make vital benefits available to firefighters who need them.

I would like to acknowledge Dave Burry, past president of the St. John's Fire Fighters Association; Deanne Howe, director of Policy and Planning of Advanced Education and Skills; and Derek Simmons of the Fire Commissioner's office in St. John's. All these people have done an incredible amount of work on this file and I want to thank them for their efforts.

I want to take the opportunity to briefly provide details about this new benefit we will roll out. This coverage will cover 11 different types of cancer and has been outlined in the press release associated with this announcement. This new coverage will come into effect January 1, 2017, with the coverage for career firefighters being retroactive to approximately one year, back to December 14, 2015. The retroactivity reflects our election promise to provide presumptive cancer coverage to career firefighters.

For firefighters to qualify for this new coverage they will need to submit documentation that will include: their terms of service, the nature of the work and the number of times they fought fires in their career. The benefits provided by WorkplaceNL are rebuttable, meaning a claim can be denied if there's presumptive evidence that the cancer was caused by something other than employment as a firefighter.

This approach is a standard practice among the 10 other provinces that have already introduced this coverage. It is recommended in the 2013 statutory review and will simplify issues that the benefits are distributed appropriately.

I share the Premier's pride in being able to extend this benefit to firefighters in the province, including approximately 350 active career firefighters and 5,900 active volunteer firefighters.

Working with Doug Cadigan, Duane Antle and other representatives from firefighter organizations on this issue has been a wonderful experience. They are great people who know how to come together and work for the greater good.

An excellent example of that is a career firefighter of St. John's Regional Fire Department helping their volunteer counterparts advancing their training. Specifically the St. John's Regional Fire Department has committed to provide information and training to volunteers regarding their wellness fitness initiative. And I thank Doug very much for reaching out that olive branch.

These initiatives deliver a preventative and occupational health care services program for these firefighters and emergency medical

workers. Firefighters has evolved significantly over the years and this program is a part of a new practice and new training that is aimed at reducing the chances that firefighters get hurt on the job or develop occupational illness later in life.

I commend Mr. Cadigan, Mr. Antle and all the firefighters in our province for the way they come together to share the resources, protect their communities and serve the greater good.

I will conclude by noting how pleased I am that we are able to go beyond the election commitment our government has made last year. The original commitment was to provide coverage to career firefighters, so I'm proud to have exceeded that commitment by including all volunteers as well.

We worked hard to make that possible because our province relies heavily on the tremendous work of these volunteers. I want to thank Premier Ball, Mr. Cadigan, Mr. Antle, all firefighters, WorkplaceNL, government staff and everybody else who played a role in making this benefit possible for our firefighters.

Mr. Speaker, on a personal note, I attended many firefighters' balls, many, a lot across the province, and I always said when I look in the gallery when something happens a fire, accident, people like me, we run away from it; people in the audience, they run to it. That's why they deserve that.

SOME HON. MEMBERS: Hear, hear!

MR. JOYCE: Madam Speaker, 90 per cent – and the Member for Cape St. Francis, I know you're a part of that also. I just want to recognize that you were a part of this also, and I know we had chats about this. I know that he support this and I know he will support that. I just want to recognize that.

Madam Speaker, in rural Newfoundland and Labrador, which I deal with, and I know a lot of people, 80 to 90 per cent of their calls now are medical. So when you look at this small bit of coverage for the service they give Newfoundlanders and Labradorians, to our families, this is just a small thing that we can do to say thank you very much for your service,

continue the service and thank you for keeping our people safe in Newfoundland and Labrador.

SOME HON. MEMBERS: Hear, hear!

MADAM SPEAKER (Dempster): Order, please!

The hon. the Member for Cape St. Francis.

MR. K. PARSONS: Thank you very much, Madam Speaker.

It gives me great privilege to get up here today to be able to talk about this. Again when the minister came in with his Ministerial Statement today, I spoke about the importance of firefighting in my family. I can say, for years, my dad was down in Pleasantville when there was a Pleasantville there. He was also on the tug in St. John's Harbour when St. John's had a tug down there for fire protection in the harbour in St. John's. So he goes back a long ways. I won't say his age, but he was there a long while.

I had a brother also that served 33 years with St. John's Regional Fire Department, and some of these fellows up here behind you can tell some stories about him too, because he was a big man, we'll say, and did few things. And now I have a son who's in the fire department.

I know the dedication and the service that these people put in place. Minister, I agree 100 per cent with you that when I go to any volunteer firemen's ball or anything at all, I always have the opportunity to say thank you. I think the residents of Newfoundland and Labrador always say thank you to our firefighters, because we know that you protect our lives every day. And we're so happy and so fortunate to have such dedicated people behind us. I got to say, it's an honour to be here today to be able to speak to this bill.

I'd also like to say that we're 100 per cent supporting the presumptive cancer, because you look at what you people do for us, this is a small thing that we should be doing for you. So I just want to say thank you very, very much.

When you look at the fire departments in our province, as the minister mentioned, I know there are some large volunteer organizations in

our province that do some incredible work, but when you look at some 5,900 active volunteer fire departments. I will just speak about the couple that are in my district.

I look at the Pouch Cove Volunteer Fire Department that takes care of Pouch Cove and Bauline and I look at the Torbay Volunteer Fire Department that responds to calls in Flatrock and Torbay. Both of those fire departments have wait-lists; people waiting to get in because they want to do what you do: protect our people. That's important. I'm sure that's like that all over our province.

It's very important for us as governments to realize the importance of what people do, and I think we do. I think over the last number of years we've seen an increase in funding to volunteer fire departments. We've seen an increase in funding towards fire trucks. We've seen an increase in funding towards breathing apparatuses, bunker suits, you name it, whatever's there.

So we should. You people should be protected and have the best possible service and best possible equipment that you need to protect us, because that's what you do. As the minister mentioned, we're running out and you're running in. There's a big difference.

We're very fortunate in this province to have 278 volunteer fire departments in small communities all over this province. We're very fortunate to have so many people – the families. When I go to a firemen's ball, I always look at the firettes. Every firemen's ball or anything you go to, you'll always look and see what they do. They do fundraising all year round to give the small things that are needed, the things probably government doesn't provide. It's a community thing. It's a family thing and it's important that we make sure we do everything we can to make sure our firefighters have everything they need.

The minister spoke that they included the volunteer firefighters. I know the commitment earlier was for career. We committed to both, but it's important that we all got it right. It's important that we all got it right here today and we're doing this here today for the people who protect us.

The minister also mentioned about documentation. I know the people at Fire and Emergency Services, I dealt with them over the years, it's important to make sure that all our volunteer fire departments have proper documentation because documentation today may be the result of you getting the coverage 10 years from now. So it's important that we get it out there to all our volunteer fire departments that they let everybody know who is doing the fire, what the fire is so they can be covered down the road.

There are two parts to the coverage, really. The MCP is going to cover all the medical expenses. Normally if it's an injured worker, a lot of times you go to – when you're an injured worker you have to go through workers' comp to get the medical. So this part of the legislation is you just go through your MCP. It covers all the medical part. I think I'm correct on that, Minister.

The other part is it's the injury fund at workers' comp. That will cover the benefits part of it. So it's important that firefighters know when they do go for any medical reasons, with cancer or whatnot, that they know the coverage is done through MCP. They don't have to go down to workers' comp. They don't have to go and apply for funding or see if they're going to be covered or not, it's covered through MCP. That's a nice part of this bill also.

Like I said, the injury fund that the minister mentioned; recently, we did a statement here in the House of Assembly and it talked about fewer injuries in the workplace right now. That fund has come down from \$2.02 to \$2.06 coverage on the –

AN HON. MEMBER: It's \$2.14.

MR. K. PARSONS: Yes, \$2.14. It's dropped by 0.6. That's what it's dropped. So it's important that fund is there to support anybody. Please God, no one has to claim this in the future, but we know that it will be there.

The only thing about the bill – and I know there's a reason for it; it must be a reason for it – right now the career firefighters will be covered from December 14 on. I'll have a couple of questions for the minister when we do get to

Committee. Volunteer firefighters will start on January 1, 2017.

The other interesting thing about this bill is there are a lot of provinces that don't cover breast cancer. This part of this coverage will also include breast cancer which is very important because we have a lot of females in firefighting, volunteer and career. So it's important that they also be covered.

Mr. Speaker, I'm just going to conclude now by saying that it's a great bill. I'm pleased to be able to support it. I just want to thank all firefighters in this province for what you do to protect all of us.

Thank you very, very, very much.

SOME HON. MEMBERS: Hear, hear!

MADAM SPEAKER: The Speaker recognizes the hon. Member for Labrador West.

MR. LETTO: Thank you, Madam Speaker.

It's a pleasure for me today to stand here and support this bill, Bill 59. I will say from the outset that I know – since we took office back in December and the minister took on the ministry of Service NL – the hours that have been spent by the minister and the people in our department in working with the volunteer fire departments, the career fire departments and the St. John's Fire Department. There has been considerable time and effort put in over the past few months to make this bill a reality today.

When you look at the time these people have been lobbying for this, I think it's a momentous occasion that we're standing here today and being able to speak in second reading to a bill that these firefighters have been fighting for since 2003; 2003 when the International Association of Fire Fighters and the St. John's Fire Fighters Association have been lobbying since then for presumptive cancer coverage and today we have responded. We have responded, Madam Speaker, in a bill that reflects the importance and our recognition of the role that firefighters play in our province.

I come from a town where we have a combination. We have paid career firefighters on

staff and then we have – five to be exact – 30-odd volunteer firefighters. When you look at a bill like this today – we’re putting in a bill that is going to take care of presumptive cancer. When you have two firefighters going into a fire, a career and a volunteer because they do work together, one is covered and the other one is not, it just does not make any sense. We’re pleased today to stand here and to be able to put in this legislation that reflects the dedication and importance of our firefighters whether they be career or volunteer.

I go back a year ago, and I know it because I’ve had the conversation with the Premier, who was the Leader of the Opposition at that time, and we recognized that firefighters have been fighting for this for so long. We recognize the importance that this carries.

We made a commitment back in November 2015 that we would move ahead with legislation for presumptive cancer treatment, and here we are today living up to that promise and we’re living up to a commitment that we see as very important for this Province of Newfoundland and Labrador.

SOME HON. MEMBERS: Hear, hear!

MR. LETTO: Madam Speaker, as I said earlier, this did not come easy. It took a lot of work on behalf of a lot of people, a lot of staff, WorkplaceNL, Service NL, the minister and the firefighters association as well. We saw the need and we all came together, and we worked together over the past few months to make this a reality today. We want to thank firefighters, we want to thank WorkplaceNL, we want to thank all our government staff and the minister and the Premier, and everyone else who played a role in making this new benefit possible and accessible to all firefighters.

Adding a presumptive clause to our legislation means a firefighter who serves for a specified period of time and develops a specific form of cancer is presumed to have developed that cancer as a consequence of their work. Including this kind of coverage in the *Workplace Health, Safety and Compensation Act* ensures that risks associated with firefighting are accounted for properly by the legislation. We recognize 11

forms of cancer, and I know the Member for Cape St. Francis alluded to it.

We recognize that firefighting, fire departments and who makes up those departments is changing. We recognize the role that female firefighters provide to a fire department, and its growing ever and ever more each day. We are seeing more female firefighters, and that’s why we recognize that. That’s why we decided breast cancer would be included as a form of cancer – that it would be included in this legislation here today. We recognize the role that female firefighters play in our communities. So we’re very pleased to be able to do that.

Madam Speaker, I won’t take up any more time. I just wanted to make those couple of points. As the parliamentary secretary to Service NL, I want to recognize again the work of the department and WorkplaceNL in making this legislation a reality today.

I want to say to the firefighters of this province, we thank you for all you do, you are our first responders. As the minister said in his closing remarks, when we’re running away, they’re running in. And we certainly recognize the safety factors involved and the peril they put their lives in each and every day to keep us safe, to keep our families safe, to keep our communities safe.

So thank you, thank you, thank you.

Thank you, Madam Speaker.

SOME HON. MEMBERS: Hear, hear!

MADAM SPEAKER: The Speaker recognizes the hon. the Member for St. John’s East – Quidi Vidi.

MS. MICHAEL: Thank you very much, Madam Speaker.

I’m very pleased, more than pleased to stand today and speak to Bill 59, An Act to Amend the Workplace Health, Safety and Compensation Act.

The minister, the parliamentary secretary, our colleague from Cape St. Francis have all spoken to why this bill is so important and why we are

all pleased to be standing in this House today supporting this bill. It's a bill that's long overdue.

I mentioned, actually, in my response to the Ministerial Statement that in 2011 we, as a party, had this whole thing of recognizing presumptive cancers and other diseases in our platform in the 2011 general election. Both during that time and prior to the election, for some time prior to the election on different occasions, I met both with the career firefighters and also with volunteer firefighters.

At the time, one of the concerns that were always expressed by volunteer firefighters was: Were they going to be recognized and treated the same. It's always been a concern and I'm so happy that the piece of legislation we have in front of us today does recognize both the career and volunteer firefighters.

Both groups amaze me. The work that they do is just something a lot of us can't even conceive of doing. And then, you know, you just cannot put a price on people's lives. The fact that firefighters who have become sick with the cancers and the diseases that are listed as part of this bill, that they've had to fight so hard to prove each time that a cancer or disease comes and it's caused because of their work.

We've had a similar history in the province, too, with regard to miners. We know what the miners in Baie Verte have gone through. We haven't had a good history here in this province – we really haven't – with regard to recognizing diseases caused by the work that somebody does. So everything that we can do to honour their work and to honour their lives, really, by recognizing there are some things which are now proven, scientifically proven – and we shouldn't have to put people through having to prove case after case after case that their cancer or other disease has been caused by the work that they do.

This bill is going a long ways to taking care of one of our groups. I congratulate, as all the rest have done, the firefighters – both the career and volunteer firefighters – who did not give up the fight, who kept pleading that this would eventually happen and here we are today doing

it. So, obviously, I'm delighted and I'm supporting the bill.

I do have some concerns. Questions were asked in briefing and we didn't get a full answer, so I'll want the minister to speak to a couple of these questions that I have. If we don't get answers in response to the second reading, well then I can ask again in Committee.

One of the things is the retroactivity. Career firefighters must have been diagnosed on or after December 14, 2015; that's when the Liberal party took government. So they have to have been diagnosed on or after December 14 in order for their cancer to be presumed caused by work. That means that there's a whole load of workers out there who were diagnosed prior to December 14, 2015 who still have to go through the old process.

You could have people who were diagnosed in December of 2015 or in November of 2015 with one of these presumptive illnesses, presumptive cancers that we now recognize as presumptive but because they were diagnosed prior to that date, the date that this government took office, they will still have to go through the process of proving that the cancer that they have was caused by the work while we have in place an act that now says, yes, indeed their cancer was caused by the work.

So I'm really concerned about that. I'm sure there have to be firefighters out there who are going to be affected by this. As I said, maybe somebody who was diagnosed two days before December 14 or a month before December 14. Why are they going to have to go through having to prove something that we now recognize in a piece of legislation when it gets passed? So it's problematic and I'd like to have more discussion with the minister about that. I guess we can do that when we get into Committee where we can push our questions and talk back and forth, but I certainly will be wanting to do that when we go into Committee.

The other thing is that's for the career firefighters; the volunteer firefighters, it's not retroactive with them. It starts on January 1, 2017, so in a couple of weeks' time. The volunteer firefighters must be diagnosed after the bill coming into force on or after January 1,

2017. Again, there was no real answer given to questions in the briefing with regard to why that's the case. So again, we are going to push back and forth to try to get some clarity around both of those dates.

Because it's going to mean that we're going to have a lot of people falling between the cracks, diagnosed before those dates, even though we now have legislation in place having to prove – it seems to me that any one of these workers who meets the criteria of the new act, then why wouldn't they fit into the new rules? It doesn't make sense. I really would like an answer from the minister on that. As I said, we will push for that.

I understand there will be problems with regard to lack of documentation for some workers, especially when it comes to the volunteer firefighters and that's understandable. I mean, I do understand that; therefore, I do understand what – that may be part of the reason for the later date for the volunteers, I don't know.

I say to the minister: I really do support this bill but that doesn't mean that there can't be some questions asked that we want answers to, that we didn't get answers to when the questions were asked in the briefing. That's all I'm saying. That's legitimate. That's what being here in the House of Assembly is all about, is to making sure we fully understand.

I do know there will be a problem with regard to the record keeping, especially for the volunteer firefighters. They don't keep the records maybe the same way as the career firefighters where there are also staff to help with all of that.

So I would like the minister to tell us what the plan is for working with the volunteer firefighters with regard to outreach and training. How is it going to be done? How can we ensure that the volunteer firefighters will keep the same records that will be needed? Because there are restrictions and there need to be restrictions. Obviously, there have to be restrictions, but you have to have proper bookkeeping or record keeping to show why somebody should be covered. How are the volunteer firefighters, in particular, going to be assisted by the department in making sure that happens? I'm

sure the minister can speak to us about that and I look forward to what he has to say.

I won't go on any further because, as I said, my colleagues all spoke to the bill; everybody knows what's in the bill. I'm really happy to vote for the bill but I do want to get answers to a couple of my questions.

Thank you very much, Madam Speaker.

MADAM SPEAKER: The Speaker recognizes the hon. Member for Virginia Waters – Pleasantville.

MR. B. DAVIS: Thank you, Madam Speaker.

I'm glad to be standing here today in the House of Assembly to speak on this legislation here, Bill 59. Firefighters are some of the most important people working within our communities, whether they're on a volunteer or career basis.

Firefighters do the critical job, as the first responder teams, to save lives. I know this from my experience on city council in St. John's. I had numerous conversations with President Cadigan, who's in the gallery here today, about this very topic. I'm very happy to be here today, to be on this side of it to actually vote it into legislation today, we hope, and to move it to the next level anyway.

Ten other jurisdictions in the country have this legislation now and it's important that we bring it forward here. Many of my colleagues have spoken already about many of the issues we face with respect to the presumptive cancer legislation, but I'm not going to get into those because I don't want to belabour the debate for that purpose.

I just want to make sure that I say thank you to the work of many people: WorkplaceNL, the associations, the unions, the minister and obviously our staff in government to bring this legislation forward. We're not just debating the legislation. We're actually delivering on a campaign promise here today. We're excited about that on this side of the Legislature for sure.

Generally, when firefighters show up to a scene it's utter devastation for the people they're coming to support and help. Hopefully, if they get there in time, they can stop that devastation. This is just one little thing we can do as the Legislature to alleviate some of the concerns you guys and girls may have in doing the job that you do in our communities.

I just want to say a big thank you on behalf of the residents of Virginia Waters – Pleasantville and of course throughout our whole province. Thank you very much for the work you guys do.

SOME HON. MEMBERS: Hear, hear!

MADAM SPEAKER: The Speaker recognizes the hon. Member for Topsail – Paradise.

MR. P. DAVIS: Thank you, Madam Speaker, for the opportunity to rise today and speak to Bill 29.

I'm quite glad to see this come before the House. I spoke to that earlier today after the press conference held by the Premier and the minister downstairs. I spoke publicly then to support the legislation being brought forward and the steps they've taken. As we go through second reading and Committee, I'm sure we're going to have some questions to ask about certain aspects of it, but generally speaking the bill is a good thing. It's a good thing for firefighters, not only career firefighters but volunteer firefighters.

Madam Speaker, I misspoke at one point in time. It was several years ago now. I was at an event when I was a councillor in Conception Bay South. In Conception Bay South, they have a composite fire department. They have firefighters who are career firefighters and they have firefighters who are volunteer firefighters.

I have to watch behind me as I tell them this because I referred to the career firefighters as professional firefighters and I learned it was certainly wrong, and it was very quickly pointed out to me because they are all professionals. That is so true. They are all professionals in every sense. Just because they do it as volunteers or they do it as a full-time, paid career, they are still all professionals. And it was a lesson, misspoke, and a term I used interchanged, which

was inappropriate and I shouldn't have, because I fully respect what they do, the work they do, and when they're called upon.

Madam Speaker, I could stand here today and use all of my 60 minutes to talk about experiences that I've had in the past, in my past, in my former career, with firefighters. I'm sure not everyone here wants me to use up my time to talk about stories of the past and stories of days gone by. But I can speak to many of them, and I can speak to some of them in great detail. They weren't all good experiences; they were very difficult and challenging experiences.

We learned during 9-11 and the saying came, as people were running out for safety, uniformed services, primarily firefighters, were running into the building to save lives. It's kind of cliché in some ways that description. But that's exactly what happened on 9-11. But it also happens every day. If they're at a motor vehicle accident, when people are moving back because they don't like to deal with the destruction and carnage that sits before them – well, quite often it's firefighters you'll see quite regularly at those scenes who are going in to look after what other people are hesitant to get involved in or are prepared, trained, or able to deal with.

Again, I could give you countless stories back – and as I'm talking to you here now, Madam Speaker, I think of stories back very early in my career, back in the 80s, when technology wasn't anywhere near what it is today, training wasn't; strategic approaches to fires, automotive crashes and so on was quite different. I look at my colleague across the way and I can see he's contemplating and thinking about his past experiences as well. But they were always there and when something became difficult in those types of circumstances, our professional career and volunteer firefighters, no matter where they were in the province, were ready to go to work.

It's not only in urban areas. The St. John's region, for example, has very fine, first-class fire service. Very recently I attended the opening of a new fire station in Paradise, which is part of the St. John's regional fire service. And just the best of equipment – from my view, anyway – it looked like the best of equipment there for firefighters. That's not easy to do.

It takes a tremendous amount of investment and planning to ensure that, even taking a building, for example – and they built it; I don't think there are any steps inside the building. I stand to be corrected. There are ramps and so on in there, some ramps. The new fire station in CBS as well, another great investment, very similar in the way they are done, but I'm sure the firefighters who work there could point out some differences and nuances, preferences and so on.

But it speaks to the continued development of professionalism, training and ability in fire services. And what that means is when they are better equipped to respond then it hopefully – the idea, of course, is to save lives, to reduce the loss of life, and also to improve on people who are injured, improvements to structures and being able to save structures.

Of course, human life comes first and everything else comes after that. Strategies change, equipment changes, experience changes and how you do business on a day-to-day base changes as well.

I heard in the debate earlier today 278 fire departments in our province. A pretty big number, a pretty astronomical number when you think about it, and all of them have different levels of equipment. I've been in fire stations – visited fire services in rural parts of the province that have equipment back in '70s, probably some of them may even have equipment older than that, that gets very little use but it's still there and functioning, and then there's a combination of new equipment.

5,900 active volunteer firefighters in our province; a huge number when you think about it, 5,900 people who volunteer to respond to emergencies when needed; 350 active career firefighters; and there are 1,700 retired volunteer firefighters in our province. So a very large number of people impacted by this new legislation and I'm very glad to see it.

I know last year, a year ago, we were all in campaign mode and we were all working on election campaigns and so on. For me, I became the minister of Service NL back in 2011 and workers' compensation fell under that purview, as well as a whole list of other matters, other items. And I took an interest in –

SOME HON. MEMBERS: Oh, oh!

MADAM SPEAKER: Order, please!

I remind all Members to keep the noise level down in the Chamber and maybe take your conversations outside.

Thank you.

The hon. the Member for Topsail – Paradise.

MR. P. DAVIS: Thank you, Madam Speaker.

I took an interest in the legislation and there was a lot of discussion about it. While we had very good presentations made to me, as minister, in subsequent years that followed, we had really good presentations made to say that here is a good reason why this legislation should take place. We also had, I would think, Madam Speaker, at least an equal number of presentations, pieces of information, documentation that said we shouldn't.

In 2015, when we were all getting ready for the election, we all made some commitments on it. We made a commitment for career and volunteers. Members opposite made a commitment for careers, but I'm glad – I don't want to focus on that; I can't overstate it, Madam Speaker – that they included volunteers in the legislation as well because there are almost 6,000 of them around the province.

It's interesting, because if they became injured there was workers' compensation for them. If they became physically injured during the response to a scene or a fire, if they became physically injured there was coverage for them already but the presumptive cancer coverage did not exist.

There are some questions we're going to have when we get to Committee, because when we get to Committee we can ask questions of the minister and I'm sure he's going to be able to provide them. We have some questions that we're going to be asking for clarification and we'll get to those. I won't belabour those anymore because we'll get to those when it comes into Committee.

For those who are watching at home and those who are interested, there are a number of primary cancer sites and primary cancers that will be included in this coverage including brain cancer, bladder, colorectal, esophageal, leukemia, lung, kidney, non-Hodgkin's lymphoma, testicular, ureter and breast cancers; but all of them have a specific number of years of service required in order for the presumption to take place. Very similar to what New Brunswick – I think it's pretty close to the New Brunswick model that has happened here. That's the model that I've liked in the past, is what New Brunswick has done.

It's interesting on those because some of these are the more frequently diagnosed cancers in Newfoundland and Labrador. I think prostate cancer right now is the most frequently diagnosed; breast cancer, which is listed here. Colorectal is one of the top four. Lung cancer is one of the top four as well, and non-Hodgkin's lymphoma – something I know a little bit about having experienced it myself and being a non-Hodgkin's lymphoma survivor today.

Non-Hodgkin's lymphoma is a cancer that's – a lot of it is not understood where it comes from. A lot of people don't understand or they haven't put their finger on exactly the cause of it, but it is well known that environment is a significant factor in non-Hodgkin's lymphoma. There are many varieties of non-Hodgkin's lymphomas.

I remember a time several years ago. I was working in Corner Brook at the time and I was at a fire scene. The officer in charge had invited me in to show me aspects of the scene as they were getting ready to turn it over. I remember going in and I remember the heat. First of all, I felt the heat, but then there was something in the air that I found it was really difficult for me to breathe. I probably shouldn't have been in there. In today's standards you'd never be in there without a breathing apparatus but I was in there at the time.

I think about that one because I think about how often firefighters – because you can't always have a breathing apparatus on at all times when you're exposed to any of this, but you should as much as you can. I know there are standards and stuff involved with it but especially years ago. As times goes on, the standards get higher. I

think about that because that quite often impacts some of these cancers, the exposure to the environmental aspects that can cause many of these cancers, non-Hodgkin's lymphoma being one of them and others there besides that. That's what's key here because the longer you serve as a firefighter, then the increased likelihood and risk to the firefighter for these defined cancers.

So I'm quite happy that the government has done this. We'd like to see other workers' compensation additions to legislation for not only firefighters but other first responders.

We had made a commitment for cardiac coverage as well. In some jurisdictions they have a 24-hour clause if there's a cardiac event. So if a firefighter attends a scene and they're doing very physically demanding, labour intensive and difficult efforts that they're making at the time – I know in some jurisdictions if there's a cardiac event, within 24 hours of that, it's presumed to have been caused by that very strenuous and difficult task and work, stress and strain that had been put on the firefighter at the scene or an event within that 24 hours preceding it.

Another one, Madam Speaker, that's significantly growing, very quickly growing – and the understanding of this is growing very quickly – is on PTSD. Similar to my comments earlier about I could share experiences with you, I can certainly share experiences with you where events have had an impact on those responding. Firefighters certainly come in to that category as well. I know many events where firefighters and other first responders have had an impact because of a significant event, being exposed to a significant event.

What we're learning now, more than ever before about post-traumatic stress, is that quite often it's the accumulation or stacking of those events. So one event, an individual of any first responder can handle with some level, and then another event and then another event and another event. As time goes on over years and years of service, it's becoming better known and understood today that those events can have a negative impact on people, and particularly front-line responders who attend these types of events over and over again.

So PTSD is a significant one. I know it's significant for firefighters, police officers, with medical responders and others who assist and support in a career role or in a voluntary role throughout Newfoundland and Labrador. I think it's important that the government not stop just with this legislation, but to continue to look at the other aspects that are impacting firefighters and first responders around the province, such as the cardiac presumptive clause. As well as on PTSD, because PTSD is a big one, is a significant big one. We yet don't understand the full ramifications of it.

Again, I thank the minister for bringing forward the legislation. I thank the government as well for bringing this forward. I would be quite happy to stand in my place and support the legislation, but as it works its way through the House I'm sure we'll have some questions for clarification from the government. I congratulate all firefighters in Newfoundland and Labrador on this legislation coming to the House.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MADAM SPEAKER: The hon. the Member for Stephenville – Port au Port.

MR. FINN: Thank you, Madam Speaker.

It's certainly a pleasure to stand and speak to Bill 59, An Act To Amend The Workplace Health, Safety And Compensation Act.

As we've heard over the last 30 minutes or so, this is directly related to the amendment around presumptive cancer care and what that means to the career firefighters and the volunteer firefighters throughout our province.

I won't take a great deal of time, Madam Speaker. I just thought it would be important to take a few moments to highlight this and kind of really what this means, particularly coming from a rural perspective. The district that I'm so fortunate to represent, Stephenville – Port au Port, in the town, the municipality of Stephenville, we have a combination of career firefighters that work alongside our volunteer firefighters. To the Member, the parliamentary secretary, the Member for Lab West and his

points earlier and the Minister, who had pointed out as well, this is something that of course how can you say we need care and protection now for a career firefighter working alongside of volunteers.

It's certainly important from the rural perspective, and then what becomes more unique and more interesting is that the geographic area of the Port au Port Peninsula in its geography, the majority of protection takes place from volunteer firefighters. So I think to have that piece covered here as opposed to just the career firefighter is certainly something that's really important.

I actually just had the opportunity this past Saturday night to attend a volunteer firefighter appreciation dinner in the Town of Kippens. The Town of Kippens had some struggles recently with their recruitment efforts, so they held a recruitment fair day back in early October on a Saturday afternoon or Sunday afternoon. They encouraged everyone to come out. They had games set up for the kids to spray the hoses and try and tug along the weights and what have you and go through a few obstacles. It was certainly a hit. It recruited over a dozen volunteer firefighters just on that day in that volunteer effort alone. That was certainly something we were all pleased to acknowledge this past Saturday evening.

It was also great to point out to the members there that evening that this legislation would be forthcoming. I would be remiss not to state that this was a promise from the campaign back in the fall and certainly something that I know the minister has spent some significant amount of time on.

I had an opportunity to attend the briefing on this piece of legislation last week, with the minister and his staff and WorkplaceNL staff, certainly phenomenal from all around the table, by all ends, the amount of work and time that went into this.

Everyone who sat around that table and had input in this recognized this was something that was coming for quite some time, was way overdue. It was particularly so given that not only do we have two statutory reviews in this province that recommended this change – one in

2006 and again 2013, and that was a statutory review; our statutory offices have reviews and this was recommended twice at least in the last 10 years.

As the Leader of the Official Opposition alluded to, it's something that landed his way in 2011. They had some decisions to make whether or not recommendations could be for it or against it. I won't wager to have any knowledge of what those conversations were and it's unfortunate they weren't able to bring it forward.

I'm not trying to take any political shots, Madam Speaker, because he just clearly indicated they would certainly be in full support of this legislation, which is great to hear. I do know the Member for the Third Party acknowledged they will be in full support of the bill as well and, of course, some questions in Committee.

Some questions that may come in Committee, for those who are listening and for those who are joining us here in the House today, the Committee piece is where we'll get into some of the nitty-gritty on some of the few things that happens here. It might be around what types of cancer are covered. I know there was extensive jurisdictional scan across the country to see what some of the common types of cancer are that would need to be included in this legislation. I know some work was done to ensure we match up with other areas there.

Of course there are some concerns for an employer. I guess if you're an employer, concern being around what contribution is being made to the workplace safety fund. I guess, just to be clear here, under the WorkplaceNL fund, the income benefit to perhaps a member who has been injured, that would stay there; the health care costs will stay with the MCP; and there are some kind of nuances and specifics there I'm sure the minister will get into.

I guess one of the important things to point out as well is the years of service that would allow you to be covered – and again I know the minister will get into, but it doesn't have to be consecutive years of service. It's accumulative years of service, so there's nothing to suggest that if I volunteered for three or four years and then for some reason or what have you moved away, then returned back home and started

volunteering again – so, it's accumulative years of service. So I think that was a very important piece that the staff did in their due diligence in recognizing this as well.

And there's just one final thing I'll conclude on, and I think it was mentioned by the Member for St. John's East – Quidi Vidi, and it was around record keeping and some of the difficulties there. I know at the briefing they went into great detail about how they were going to work really strongly with the different fire departments to ensure that these records are kept and kept ongoing.

I think with a lot of the training that takes place now, with a lot of the newer training – and I know for out in Stephenville right now, the Town of Stephenville has been partnering with the Town of Kippens and they do all their training together. Then, of course, the Port au Port Regional Fire Department that services the entire Port au Port Peninsula, they'll do their fire training together. So with some of these joint, combined training efforts now there's some real effort that has been made at the various municipalities for these firefighters, be it career or volunteer, to make sure that records are being kept as the training was completed. That would give them more indication as to how long someone has served and when they served.

So while a point raised opposite, I don't think it's a nuance there to overshadow. I think the important piece and the good news here today is that this is something that our government was committed to moving forward on and certainly something that the minister and his staff took every opportunity to do. I'm very pleased to see it happen here within the first year as well.

So with that, Mr. Speaker, I'll take my chair. I just, again, wanted to congratulate the staff for bringing it in and a huge congratulations and sincere heartfelt thank you to those who, every day, put their lives on the line to ensure that we all have a safe place to call home.

Thank you very much, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Warr): The hon. the Member for Placentia West – Bellevue.

MR. BROWNE: Thank you, Mr. Speaker.

It's certainly an honour to rise today to speak to this bill, Bill 59, which provides for presumptive care for career and volunteer firefighters. Much has been said about this bill and certainly the specifics of it will be debated no doubt in Committee stage, so I won't get down in the weeds. But on a very high level, I wanted to rise here today to say a special thank you to our firefighters.

I've had the opportunity now this past fall to attend three firefighter banquets in my district in Marystown, in Southern Harbour and in Arnold's Cove. In fact, we just delivered a new fire truck to Southern Harbour. So it's very important that we continue to support our firefighters but even more so than that, Mr. Speaker, and I think the point was raised to me, this is not only about firefighters, this is about their families.

There are people who stay at home when our firefighters get the call, and those people don't know what's going to come back and what's happening out there while their loved one is gone. The people in the gallery today know this much better than me, but I've always felt it was a tremendous honour to be in the presence of firefighters. When I worked as an aid to Minister Judy Foote along with my colleague for Burin – Grand Bank, we went to all kinds of firefighter banquets from the Burin Peninsula as far as Port aux Basques. I can tell you that while each department has its differences, what binds them all is a selfless determination to ensure that their families and our communities are safe.

I personally wanted to thank the minister responsible for bringing this forward. I quite don't care what party promised what in the last election, Mr. Speaker. The fact of the matter is that this minister got this done after 12 years of advocacy, working with the stakeholders, and I'm very proud to be part of a government that's bringing this forward.

Last week, I had the opportunity to stand in this House on another piece of legislation brought forth by the Minister of Health regarding mental health and addictions for young people. I made the comment when I spoke to the bill that this was the day why I entered politics and I'm just

flabbergasted almost just a week later I can stand in my place again to say this is the kind of bill that I joined politics to support, to make lives better, to support our firefighters and our first responders.

I won't belabour the points, but I wanted to pay special recognition to Mr. Duane Antle who was in the gallery today. He is the president of the Newfoundland and Labrador Association of Fire Services which represents the volunteer firefighters and he's also the fire chief in Come By Chance. He has done excellent work for that area.

He's not in the gallery right now, Mr. Speaker, and I will tell Members of the House why he isn't. He's actually on his way back to Come By Chance where they're hosting a regional firefighting training exercise tonight. So that is the kind of dedication that we're talking about and the kind of dedication that our government made sure we were going to recognize through this legislation. I can guarantee you that I'm very pleased to stand and support this bill. We have so many fire departments in the province made up of both career and volunteer firefighters who deserve our respect and recognition.

I rose in this House before to give a Member's statement on the Norman's Cove-Long Cove fire department that has done a lot of work this year, especially when it came to the fire at the fish plant. They did a terrific job in responding to that, a very challenging circumstance, but the day I rose to recognize them, they actually responded to a crash on the Trans-Canada where they found four deceased family members. So there are a lot of things that go on in the life of a firefighter that we don't always see or hear about in the media, Mr. Speaker.

The message I want to bring forth today is that we support the firefighters, but this is also for their families. I think that's a very important message to get out there.

With that, I will take my seat. I want to again thank the minister for bringing forth this legislation.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: If the hon. the Minister of Service NL speaks now, he will close the debate.

The hon. the Minister of Service NL.

MR. JOYCE: Thank you, Mr. Speaker.

I rise today to close debate on second reading on this and recognize this very important bill brought forward. I have to say to the Leader of the Opposition, the former premier, this is not about politics. This is about the firefighters in this hall. This is about the people out in the Province of Newfoundland and Labrador. This is not about who did what or who promised what. This is not what this is all about. This is to ensure that we're doing the right thing.

I just find it sad. It was such a good day. Everybody wanted this day and all of a sudden, that's not what we promised, that's not what they promised. It's just a sad day. I'm so disappointed. I wanted to do this because of the right reasons to do it, because all the information was there.

I say to the Leader of the Opposition, I refuse to make it political, but I have to make this point. You were the minister who could have done it. Forget the promises and the commitment, the same information that was there before, was there now. So let's recognize what this day is all about. Let's recognize this day.

I'll answer any questions that you can bring forth. Any question, I will answer it. I don't care who promised what. I don't care when the promise was made. My only care is that this legislation will go through this Legislature as committed, as these people wanted. That's what I'm concerned about with this legislation.

SOME HON. MEMBERS: Hear, hear!

MR. JOYCE: That's what I'm concerned about.

You can look at me all you like and say that's politics; it's raw politics. I did not bring up, oh, they only promised this. I don't care what anybody promised. Let's get this done. Let's do the right thing in this House of Assembly. That's all I want to do.

Mr. Speaker, he had his opportunity to speak; he's still over there going back and forth, going back and forth. I don't care what you have to say about this, stand up and vote and do the right thing.

If you have questions in Committee, you can ask any question you want. Any question you want, you can ask me. If I can't answer the question, I will get you the answer. But I can tell every Member in this Legislature, everybody in this gallery and everybody in the Province of Newfoundland and Labrador, everything that's in this bill was done step by step by career firefighters and the Fire Fighters Association of Newfoundland and Labrador, day by day. If we made a decision, they were called that night and said here's the decision, what do you think. Before we presented this bill they were given a copy and said here's what we are bringing in as they went step by step and they agreed to it.

So let's not play politics. Let's stand up. If you have an issue or concern, I'll answer them. To the best of my ability, I'll answer them. I've been around a lot of firefighters in my career, a lot, I attended a lot of firefighters' balls, more than anybody I'd say in this room, more than anybody in this room I attended, but I can tell you something when you sit down with Mr. Cadigan and you sit down with Duane Antle and you sit down with Derek Simmons if you want to hear what's needed to be in the bill, just listen for a couple of hours. They will tell you what they need.

What's in this bill is what they said we need in this bill. I don't care, I have no idea, I never even brought up politics one bit. So let's concentrate on the bill. If there's a way we can strengthen this bill, I'm all for it.

When I sit down on many occasions and even once in McDonald's, myself and Duane Antle met on a Saturday morning at McDonald's –

AN HON. MEMBER: Big Mac.

MR. JOYCE: Big Mac – no, he owes me a Big Mac. I guess he's a bit cheap, though, but I might get it sometime.

Anyway, we sat down in McDonald's to go through this. That's the type of involvement that

we had. When I sat down with Mr. Cadigan, we're almost on speed dial to each other to get this right.

So if you have questions, bring them on. I'll just go through a few things here that we had. I know the Member for St. John's East – Quidi Vidi asked why the difference, volunteer. What it is and you go back, if you sit down with Doug Cadigan and his group, they started record keeping back a nice while. They can tell you what fires they've been to, they can tell you what was in the fires and they have all of that documented.

The volunteer – maybe some have because there are some groups around, like I'll use Gander for example. There are some volunteers who work side by side with a career, but we couldn't carve out five here, five there. So what we said we'll start now – and this was in agreement with the Newfoundland and Labrador Firefighters Association, that we would sit down now and we would start here. We'll start the documentation then move from here as we get the documentation.

To give Mr. Cadigan again – I know I'm swelling up his head a bit, but I have to give him credit in the meetings that we had they agreed – with all of the other guys – that they would take what they have, the procedures in place and help out the Newfoundland and Labrador Firefighters Association and the fire commissioner's office so the volunteers could bring their standards up to their level to be accepted under this. They agreed to do that. So that's all in place.

Duane Antle is very experienced, he's going to be a part of it; the fire commissioner is very experienced, he's going to be a part of it; and the St. John's Firefighters Association has agreed to step in and help out anywhere they can. So that's what the difference is from the career versus volunteers is documentation, documentation only. So that's the reason on that.

Then the other thing, the New Brunswick model, I know that was brought up. What they did in the New Brunswick model is they took this presumptive cancer and made it stand alone in *Workers' Compensation Act*. They made it stand-alone and that's not working out the best.

So what we decided to do was amend the act and put it in the *Workers' Compensation Act* as was requested that we do. And the cancers that are included, the 10, were standard across Canada, and the 11th breast cancer – I want to recognize the females that are in the firefighting associations now. And if there is anybody here – and I know I'm going to get told off for this. If anybody feels that women don't get involved and be active, go ask Captain Robyn Butt in Mount Moriah how much she partakes, and I'm sure there are a lot more around.

Go ask Ms. Marche in Meadows how they feel if they were to go into a fire, if they don't do the same level of training, if they are not there to protect their towns. And that's why we put in the 11th, the breast cancer, is to recognize their service also and we're so proud to do that.

So I'll close debate now and I know there are going to be some questions. If there are questions, I'll answer them to the best of my ability; if I can't, I won't. But let's remember, this is not our day to shine. This is the day for firefighters of Newfoundland and Labrador to shine. So let's give them the respect that they deserve.

Ask the questions to strengthen the legislation. Let's not say he, she; let's think about them. Ask any question you need for this and I will answer it to the best of my ability. If I can't, by tomorrow, by third reading, I'll have the answers back. But I'm pretty sure we can answer just about any question that can be asked here today.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Is the House ready for the question?

The motion is that Bill 59 be now read a second time.

Is it the pleasure of the House to adopt the motion?

All those in favour?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Those against?

Carried.

CLERK (Barnes): A bill, An Act To Amend The Workplace Health, Safety And Compensation Act. (Bill 59)

MR. SPEAKER: This bill has now been read a second time. When shall the bill be referred to a Committee of the Whole?

MR. A. PARSONS: Now.

MR. SPEAKER: Now.

On motion, a bill, “An Act To Amend The Workplace Health, Safety And Compensation Act,” read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill 59)

MR. SPEAKER: The Government House Leader.

MR. A. PARSONS: Mr. Speaker, I move, seconded by the Minister of Municipal Affairs, that the House resolve itself into a Committee of the Whole to consider Bill 59.

MR. SPEAKER: It is moved and seconded that I do now leave the Chair for the House to resolve itself into a Committee of the Whole to consider the said bill.

Is it the pleasure of the House to adopt the motion?

All those in favour?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Those against?

Carried.

On motion, that the House resolve itself into a Committee of the Whole, the Speaker left the Chair.

Committee of the Whole

CHAIR (Dempster): Order, please!

We are now considering Bill 59, An Act To Amend The Workplace Health, Safety And Compensation Act.

A bill, “An Act To Amend The Workplace Health, Safety And Compensation Act.” (Bill 59)

CLERK: Clause 1.

CHAIR: Shall clause 1 carry?

The Chair recognizes the hon. Member for Cape St. Francis.

MR. K. PARSONS: Thank you very much, Madam Chair.

Minister, just a couple of minutes ago you mentioned – and my question that I was going to ask and I said it when I got up and spoke earlier. It was about the difference between volunteers and careers and when they started. We’re going to have December 14, I think for career and this year. But also, when I went over to the briefing we talked about people that were retired, both volunteers and career firefighters.

In order for these people to be able to avail of this protection that we’re giving, this protection that we’re bringing in, wouldn’t the rules for people that are retired over the years – I think altogether when we were over there, they mentioned like 1,700 volunteer firefighters that have retired and I think there are over a hundred career firefighters. So the records would have to indicate back for those people to be covered. I still can’t understand why the difference between bringing in the two when we’re going to do it for retirees.

CHAIR: The hon. Minister of Service NL.

MR. JOYCE: The point you have to distinguish here is that anybody now in the Province of Newfoundland and Labrador, firefighters, a career or volunteer, they can apply for workers’ compensation. They can do it as we speak, but this bill allows it easier if you’ve got this cancer with the documentation. So the people that were – and the question that came up many times is, how retroactive do you make it?

Some went back five years, some went 10, some went nothing. So that's the decision we made. What we said was we'll start with career for a year. I know they were pushing for longer, and I give them credit, they compromised and the volunteers said, no, we'll start now. Anybody in Newfoundland and Labrador that was a firefighter in the last 20 years, 30 years, they can apply for workers' compensation benefits now if they can prove it.

This doesn't stop anybody from applying. This just makes it easier on a go-forward basis.

CHAIR: The hon. the Member for Cape St. Francis.

MR. K. PARSONS: Minister, just to be clear. People that are retired, in both career and volunteer firefighters right now that are retired, they can also avail of this coverage, right?

My question was, their documentation for a retired would have to be in Fire and Emergency Services, or St. John's Regional probably has their own, and Corner Brook and whatnot got their own. Wouldn't that documentation be in place for anyone – the retirees, they don't have to go to workers' comp? Correct, they don't have to go to workers' comp. So why wouldn't we go back to the one date for all?

CHAIR: The hon. the Minister of Service NL.

MR. JOYCE: What it is, once this bill is passed, anybody who gets diagnosed and has the documentation, they can go and fall under this legislation. They can fall under this legislation, but what we did is because of the St. John's firefighters or the career firefighters across the Province of Newfoundland and Labrador – it's not just St. John's, I use St. John's but there are many locals with that – is that they had the documentation. So we just want to recognize a year prior. If someone was diagnosed last year, up to a year they can apply.

Anybody now, with this legislation, as of when this bill is passed, if they're diagnosed with cancer and they have the documentation, they would fall under this legislation. So it's the documentation that is the big part of it that you need.

We just (inaudible) career is because we said, okay, we recognize your documentation and in some cases I know – and I know I shouldn't probably use his name, but Vince MacKenzie, I'm pretty confident Vince MacKenzie – and there are a lot more like Vince MacKenzie in the province who are in that boat that do have the proper documentation. Once this is passed, if they have cancer with their documentation, they can fall under this legislation which makes it much easier to receive the benefits.

CHAIR: All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clause 1 carried.

CLERK: Clause 2

CHAIR: Shall clause 2 carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clause 2 carried.

CLERK: Be it enacted by the Lieutenant Governor and House of Assembly in Legislative Session convened, as follows.

CHAIR: Shall the enacting clause carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, enacting clause carried.

CLERK: An Act To Amend The Workplace Health, Safety And Compensation Act.

CHAIR: Shall the title carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, title carried.

CHAIR: Shall I report Bill 59 carried without amendment?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

Motion, that the Committee report having passed the bill without amendment, carried.

CHAIR: The hon. the Government House Leader.

MR. A. PARSONS: I move, Madam Chair, that the Committee rise and report Bill 59.

CHAIR: The motion is that the Committee rise and report Bill 59.

Shall the motion carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

SOME HON. MEMBERS: Hear, hear!

On motion, that the Committee rise, report progress and ask leave to sit again, the Speaker returned to the Chair.

MR. SPEAKER (Warr): The hon. the Deputy Speaker.

MS. DEMPSTER: Mr. Speaker, the Committee of the Whole have considered the matters to them referred and have directed me to report Bill 59 carried without amendment.

MR. SPEAKER: The Deputy Speaker reports that the Committee have considered the matters to them referred and have directed her to report Bill 59 carried without amendment.

When shall the report be received?

MR. A. PARSONS: Now.

MR. SPEAKER: Now.

When shall the said bill be read a third time?

MR. A. PARSONS: Tomorrow.

MR. SPEAKER: Tomorrow.

On motion, report received and adopted. Bill ordered read a third time on tomorrow.

MR. SPEAKER: The hon. the Government House Leader.

MR. A. PARSONS: Mr. Speaker, I would call Order 2, third reading of Bill 55.

MR. SPEAKER: The hon. the Government House Leader.

MR. A. PARSONS: Mr. Speaker, I move, seconded by the Minister of Health and Community Services, that Bill 55, An Act Respecting Secure Withdrawal Management For Young Persons, be now read the third time.

MR. SPEAKER: It is moved and seconded that the said bill be now read a third time.

Is it the pleasure of the House to adopt the motion?

All those in favour?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Those against?

Carried.

CLERK: A bill, An Act Respecting Secure Withdrawal Management For Young Persons. (Bill 55)

MR. SPEAKER: This bill has now been read a third time and it is ordered that the bill do pass and its title be as on the Order Paper.

On motion, a bill, “An Act Respecting Secure Withdrawal Management For Young Persons,” read a third time, ordered passed and its title be as on the Order Paper. (Bill 55)

MR. SPEAKER: The hon. the Government House Leader.

MR. A. PARSONS: Mr. Speaker, I call Order 4, third reading of Bill 60.

MR. SPEAKER: The hon. the Government House Leader.

MR. A. PARSONS: Mr. Speaker, I move, seconded by the Minister of Natural Resources, that Bill 60, An Act To Amend The Highway Traffic Act No. 4, be now read the third time.

MR. SPEAKER: It is moved and seconded that the said bill be now read a third time.

Is it the pleasure of the House to adopt the motion?

All those in favour?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Those against?

Carried.

CLERK: A bill, An Act To Amend The Highway Traffic Act No. 4. (Bill 60)

MR. SPEAKER: This bill is now read a third time and it is ordered that the bill do pass and its title be as on the Order Paper.

On motion, a bill, “An Act To Amend The Highway Traffic Act No. 4,” read a third time, ordered passed and its title be as on the Order Paper. (Bill 60)

MR. SPEAKER: The hon. the Government House Leader.

MR. A. PARSONS: Mr. Speaker, I call Order 3, third reading of Bill 56.

MR. SPEAKER: The hon. the Government House Leader.

MR. A. PARSONS: Mr. Speaker, I move, seconded by the Minister of Business, Tourism, Culture and Rural Development – I think I got that right – that Bill 56, An Act Respecting The Rooms Corporation, be now read the third time.

MR. SPEAKER: It is moved and seconded that the said bill be now read a third time.

The hon. the Member for Mount Pearl North.

MR. KENT: Thank you, Mr. Speaker.

I do welcome the opportunity to speak in third reading. While it’s not normal practice, there have been numerous bills, even in this session, where Members have chosen to speak for a few minutes in third reading and I want to do that this afternoon.

I’ll acknowledge that during second reading on this bill related to changes to The Rooms Corporation act, I had an opportunity to raise a number of questions and concerns. At the Committee stage of the bill, I had an opportunity to have a conversation with the minister around a number of concerns and I’ll acknowledge, in fairness, that many of my questions were answered.

However, there were some questions that were not answered at that time, particularly as it related to consultation. One assurance that the minister did give us during the Committee stage of this bill, which I was grateful to hear, is that there would be no changes made at The Rooms without consultation with the appropriate stakeholders.

Stakeholders is an overused word in this Chamber and when it comes to government generally, but the stakeholders we’re talking about in this instance is our arts community, our heritage community, our cultural community, and that’s significant. So we wanted to ensure –

and it wasn't just Members of our party that raised those questions and concerns, the New Democratic Party and the Independent Member similarly raised questions and concerns about the lack of consultation and a number of other issues.

I raised a question, for instance, around potential funding implications. What funding could be lost as a result of this legislation moving forward? We asked questions about the budget of The Rooms itself, potential staffing changes. I raised issues at the end of Committee stage around morale and some concerns that I was hearing from staff at The Rooms who weren't even aware that this bill was going to be debated in the Legislature.

So for that reason I feel it is important in second reading to get up and raise some concerns on behalf people that I've heard from during the initial debate, in second reading, and in Committee but now subsequent to that, now that we've moved into the final stage of the bill.

As the Official Opposition Culture critic, I've heard from all kinds of groups and individuals who have questions and the beauty of this third reading stage is that there's still an opportunity for the minister to address some of those questions, and I hope he will do so.

I don't want to say anything that contradicts anything I said in second reading or at Committee stage. I think on the surface the intent of this piece of legislation seems reasonable, but there are some real serious questions and concerns that warrant answers and deserve answers.

The minister mentioned today I think it was in Question Period that he meets regularly with groups: cultural groups, arts groups, heritage groups. And I know that to be true. I'm glad he does that. I know even in recent days he's met with a number of groups that have had a number of concerns and questions about Bill 56, which is what we're debating here in the Legislature today.

In one of those recent discussions he indicated that the new bill won't change the Canada Council or the Canadian Heritage funding and wouldn't jeopardize federal funding or the class

A status of The Rooms. However, I know of one organization that has been in contact with the program officer at the Canada Council who says that it could impact funding. So this is why we're asking questions. This is why we will continue to ask questions and hopefully get some answers during the debate today.

I know the minister has said to groups that the CEO at The Rooms would not jeopardize federal funding to the Art Gallery of Newfoundland and Labrador. That would seem reasonable. Why would the CEO of The Rooms Corporation jeopardize vital funding? Yet, if there is an official at the Canada Council who's saying that funding could in fact be jeopardized by this legislation, then I think we have a responsibility to raise concerns and to ask questions.

The minister has also been adamant that the bill is not changing the structure of The Rooms and nothing will change without further consultation. However, I guess the concern we raised previously is that this opens the door to restructuring. If that's not the intent, then why does the act need to be changed?

We acknowledge that if there's a way to make the operation more efficient and more effective and to streamline it, without jeopardizing any funding to our arts and cultural sectors, then that seems, on the surface, to be a reasonable thing to explore, but based on that questions and concerns that have been raised to date, I think we need to be really sure of what's happening here before we move forward.

The minister has assured people that The Rooms mandate isn't changing. He indicated that the current act, which was brought in in 2005, is prohibitive in its prescriptive language. I think that made logical sense at the time. We were talking about three entities that were being brought together under one roof, but there was a need and a desire to maintain the autonomy and the independence of those three entities.

So I think it was deliberately protective as opposed to saying it's prescriptive. I think describing it as protective might be a better way to describe it. There's a reason why it was created that way at the time, to maintain autonomy of each division's practice as well as with respect to the stakeholders.

Times change, situations evolve and maybe it makes sense to modernize that legislation and take another look at it now. We're not opposed to that. Wasn't opposed to it earlier in the debate, not opposed to it now, but we have to consider the implications. That's why we had so many questions, both in second reading and at the Committee stage.

The minister has said multiple times that this legislation won't impact in any way the operations at The Rooms; however, this legislation does open the door for major changes where the reporting structure could be reorganized. There's some concern here, particularly when it could impact a significant amount of federal funding that is received by the three entities that make up The Rooms.

The minister has also said that Bill 56 and the changes we're making to The Rooms Corporation Act will allow for natural synergies across the entities: the Archives, the Gallery and the Museum. I believe he has used examples related to programming, such as the Archives being able to exhibit items such as wills.

In talking to some of the groups and individuals that are directly involved with the Gallery, the Museum and the Archives, it seems there are some examples right now of programming within The Rooms that is indeed collaborative. I know that, for instance, artists – I've heard from a number of visual artists who are concerned that the gallery space will be used for museum and archive shows, as their spaces are now housing permanent exhibitions, such as the Beaumont-Hamel exhibit, which is a wonderful exhibit.

That could take away permanent gallery space from the visual community and its collections, and that could impact Canada Council funding. I understand the Canada Council funding actually requires an art museum to have permanent, dedicated space for contemporary art. So I think that's a legitimate question and a legitimate concern that does need to be raised.

The minister said these changes won't affect the gallery size or the space, but we've learned, since the debate has started in this House, that two years ago there was space taken away, dedicated gallery space taken away. It related to

a documentation centre where staff worked to create revenue-generating event space. Now, no events have taken place in this area and there's some talk that the space is actually being used for office space. I don't know that to be certain but I think it's important that we get some answers.

The current *Rooms Act* demands public consultation for any structural changes. We've also heard there are a number of stakeholders that have been trying to get meetings with the leadership at The Rooms and there have been some challenges in having those discussions. So when we're talking about the importance of consultation, that's indeed concerning.

There were concerns raised about one of the director positions. The minister said that no staff positions will be impacted, but this legislation clearly opens the door to eliminate the three distinct and professional directors of the Art Gallery, the Museum and the Archives.

There are a number of concerns. Even after some stakeholder groups have had discussions with the minister, there are a number of questions and concerns that still haven't been answered. So what we're hoping today, during this third reading stage of debate, is that we can get some answers to these questions and concerns, and I'll highlight some of them.

Short-term things may stay the same but, again, this bill opens the door for changes that could jeopardize the autonomy of the provincial Art Gallery, for instance. There's concern about whether – if we're being assured nothing is going to change, then there are people questioning the rationale for the bill. There's real concern about the lack of consultation prior to the bill moving forward. While the minister has assured us of future consultations, they didn't occur in this instance. That's concerning some of the groups and individuals that are affected.

I'm glad to hear the minister is talking to some of the folks that are impacted. He has been an advocate in the past for the autonomy of our Art Gallery, our Museum and our Archives. In fact, he wrote in – I believe it was 2013 – support of the autonomy of the Art Gallery Division, but this legislation certainly takes us in a different

direction. So I guess people are questioning the true intentions of this bill. On the surface streamlining, finding efficiencies, making the whole process more collaborative. All of that looks good and sounds good but there are some questions that have yet to be answered that I'm hoping will be answered today.

As I said, I've heard from lots of individuals and groups that are concerned. I don't know in the time I have in debate today that I'll get to speak to all of them, but I do want to certainly give you a good sampling, to give you a sense of the issues and concerns that do exist in our cultural community, in our arts community, and in our historical community.

Let me just read a sampling of some of the correspondence we have received. I know other MHAs have received similar correspondence as well. I don't know for certain that all Members of the Legislature have received the correspondence but I suspect most, if not all, have.

I'm writing to express my concern over the planned changes to the *Rooms Act* as outlined in Bill 56. These changes are being proposed without the necessary public and stakeholder consultations as required according to article 10(b) of the current act, and I would respectfully request that this bill be withdrawn until such a time that these consultations can take place.

For an institution of this size and complexity, the specialized expertise of the divisional directors is absolutely vital. I have grave concerns that the proposed changes would negatively impact the Art Gallery's ability to adequately serve its mandate and mission.

Bill 56 raises significant questions as to the future of the provincial Art Gallery and whether or not The Rooms will be able to function in its important role as a steward of the community.

What is the purpose of the changes being made to the *Rooms Act* in Bill 56? What safeguards will be in place to ensure the continued autonomy of the provincial Art Gallery? In light of these proposed changes, what protocols are in place to ensure that there will be adequate resources and oversight for the proper

procurement, care and management of The Rooms arts collections?

Were national funding bodies such as the Canada Council consulted as to the possible effects that these proposed changes could have on The Rooms eligibility and suitability for funding, and whether or not they might jeopardize future funding?

Again, in light of the serious implications and risks that these changes propose to the future of the provincial Art Gallery, I ask that Bill 56 be withdrawn immediately until such a time that community consultations can be enacted. And that is from a graphic artist with works in the collections of the Gallery at The Rooms, in the Canada Council Art Bank and in other public galleries across Canada as well.

Some further commentary from one of the associations that has a direct concern with this legislation: As you are aware, the recently tabled Bill 56 is set to make substantial changes to the *Rooms Act* and make fundamental modifications to the basic operational structures of The Rooms Corporation. In our capacity as the umbrella organization for the visual arts sector in the province, we've received a considerable amount of input from many facets of the community, including former gallery employees, artists, curators, patrons, professional organizations and stakeholders expressing their opposition to these changes and their concerns as to what this bill will mean for the autonomy and function of our provincial Art Gallery. These changes were made without community consultation and the community at large is adamant that the bill be withdrawn until such time that these consultations can be enacted.

This was a note that was written to me. It reads: We have noted your interest in this issue and we would greatly appreciate the opportunity to discuss it with you in greater detail – which we will be doing. So in this note, the group involved is not saying it's unreasonable to make any changes, they're saying consultations have to happen first so that the questions and concerns that have been put forward can be addressed. Some of the concerns that I've spoken about already this afternoon have emerged even since our initial debate where we did ask some related questions and we did get some answers, but not

all of the questions and concerns have been resolved following the Committee stage of debate.

Here's another note – and I'll paraphrase a little bit to avoid being repetitive as I go through some of these messages. This individual, who's an artist in our community, is pointing out that we've heard from numerous constituents in our districts. The arts community is pretty much in agreement that this is a power play. I'm not sure any of us understand quite why it's happening like this, with no consultation, when the previous act specified that legislation could not be changed without consultation.

Frankly, we're all very worried about why the CEO wants this change. He should be willing and able to explain it to us all, including those in government being asked to make these sweeping changes. I'm asking for your support when it comes up today to delay the reading. I've written the minister and received a reply, but nothing substantial. We're deeply concerned and those in government should be as well. Our cultural institutions, Art Gallery, Archives and Museum should not be in the hands of one person. There are also many questions about risking its national funding that should be looked into before these changes are made.

So we've received lots of passionate and articulate inquiries about Bill 56 and some of the potential implications. Here's another from a local art gallery that has done amazing work for many years for artists and for our community, and for our cultural community and arts community.

Eastern Edge Art Gallery would like to express considerable concern over the unexpected proposed changes to the *Rooms Act* as proposed in Bill 56. These changes are being proposed without consultation of the general public and professional stakeholders in the art, archives and museum's communities. This is in direct violation of section 10(b) of the *Rooms Act* as established in 2005.

“As an artist-run organization deeply invested in supporting diverse, rigorous and independent artistic activity, we're concerned over how these changes may jeopardize the autonomy of arts programming within our provincial art gallery

and negatively impact professional positions and artistic opportunities at the Rooms and within our arts community at large.” That's from Alex Noel, who is chair of the board.

As there has been no consultation with the public or art stakeholders, we are not confident that this decision has been made with the correct oversight or understanding of arm's length funding with federal institutions and the autonomy required to maintain a competitive strategic direction for a contemporary art gallery. We stand with our colleagues at Visual Artists NL and the Atlantic Provinces Art Gallery Association in requesting that information regarding reasoning to substantiate this decision be made public.

A number of questions are posed in this note that are different from the ones I've already raised. How will these proposed changes affect the mandate of the Gallery and in turn impact the requirements of substantial funders to the Gallery, such as the Canada Council for the Arts? Were these funders consulted in this process? What is the long-term financial impact of this decision? Have all stakeholders been consulted and avenues explored? How will the professional creditability of the Art Gallery, its operations, programming and collection practices be impacted?

Our concern is that limiting independence within the Provincial Art Gallery Division will result in funders and artists having serious concerns. How will The Rooms guarantee best practices in terms of the safety and care of our province's cultural treasures as well as the diversity of that collection under this new management structure?

With little or no public consultation process between the province, the arts community and these funding bodies, it is our expert position that passing this bill is highly ill advised at this time. The *Rooms Act* of 2005 was created after considerable consultation with community stakeholders who are well informed of professional practices within their field.

To describe the act as ineffective, without justification and to move forward without consultation is in direct violation of the spirit in which The Rooms was created and does your constituents and community as a whole a great

disservice. Please halt the passing of Bill 56 immediately until community consultations have taken place. Eastern Edge is requesting an immediate meeting with you to discuss these items further.

MR. MITCHELMORE: No problem – done.

MR. KENT: The minister is saying done. I do know that a meeting did take place but, as I said in my opening remarks, there are numerous questions and concerns that this stakeholder has that have still not been addressed, despite the fact that the minister was kind enough to have a meeting with them.

I have another piece of correspondence here and it's from the president of the Canadian Art Museum Directors' Organization, which is a network of art museum directors from the various art museums in Canada: We express a shared concern with our colleagues in the Maritimes over the imminent changes to the *Rooms Act* with the impending passage of Bill 56 which, according to the wording of the bill, would repeal and replace the current *Rooms Act*, making substantial changes to the corporation's structure, such as removing the requirement for separate divisions and directors for the Archives, Museum and Art Gallery.

Such changes may have serious consequences for the Art Gallery as expressed by our colleagues in the Atlantic provinces; consequences that would affect its mandate, impact funding from major provincial and federal funders and significantly affect the Gallery's credibility on professional practice with sister institutions across the country.

Since the *Rooms Act* was created in 2005 to merge the Provincial Archives, the provincial Art Gallery and the provincial Museum into a single entity, it also stated the need to consult the public regarding the strategic plan and major activities.

A critical concern rests with how this restructuring impacts the Art Gallery in many ways, such as its autonomy as an art museum and the impact on the permanent collection held in public trust.

On behalf of art museum directors in Canada and in support of our colleagues, including the Atlantic Provinces Art Gallery Association, and the visual artists of Newfoundland and Labrador, who share a concern with the welfare of our art museums in Canada, CAMDO respectfully requests that it would be wise and considerate if the Liberals hold on a decision on Bill 56 until such consultations with stakeholders, funding bodies and the public are made. Again, that's from the president of the Canadian Art Museum Directors' Organization.

So these significant players in our arts community are not saying scrap the legislation, but they're saying before we pass third reading today let's take time to do the appropriate consultation – which we called for in second reading and we called for during the Committee stage of the bill – to make sure all of these concerns are addressed. Because while we raised a host of concerns in the second reading stage and in the Committee stage, a whole bunch of new concerns have emerged and new questions have been raised since that time, which is I believe only a week or so ago.

We've also received correspondence from a number of individual artists and concerned citizens, and I'd like to share a few of those with you today as well: I am concerned about some of the planned changes being considered for The Rooms. I do wish there would be public and stakeholder consultations. I do believe – and this is addressed to the minister – I heard you say there was consultation, yet I have not been informed of any of the opportunities. With whom did you consult?

The Rooms is a substantial institution with substantial impact on the arts in Newfoundland and Labrador. Not only are people here watching, but galleries and arts organizations across the country are watching to see what you will do and with what due consideration you give it. It does seem that there is an attempt to do this quickly and without public awareness. Our current CEO should not consider himself to be so much more above the rest. It would be the greatest downfall of all.

One area of concern would be the possibility of The Rooms and their curators not being able to receive grant monies for special projects and

exhibitions. Has this been researched? The Canada Council for the Arts consulted? From what I hear, you may be putting some of these relationships in jeopardy. I am also concerned about the procurement of significant Newfoundland and Labrador artist works and their subsequent care.

When you talk about removing walls or boundaries, the terminology may be misleading when what is actually happening is the removal of safeguards designed to enable a functioning arts scene that offers contemporary of both Newfoundland and Labrador artists, as well as arts from other areas of Canada.

The Museum is a partner with the contemporary arts in Newfoundland and Labrador, not the bigger brother. Please consider withdrawing Bill 56 until mine and other concerns are given time to be fleshed out with various arts organizations.

So these concerns do need to be fleshed out, and they do need to be raised, and they do need to be on record as part of this debate in the House of Assembly. This is not simply an effort to prolong discussion here in third reading. It's important that these concerns get on record and the minister will have a full hour in third reading to be able to respond to those concerns, and to address the questions that have been raised. I sincerely hope that he will do so.

But when I hear that some of these groups that have concerns have met with the minister and walked away from the meetings feeling their concerns were still not addressed, I'm not really confident that we'll get all the answers we're looking for today.

I have another piece of correspondence here from an arts administrator and a member of the local arts community. She writes: I'm highly concerned of the proposed changes to the structure of The Rooms listed under Bill 56. These proposed changes show little understanding of the structure and operations of art galleries and museums on a national level and will have lasting repercussions to the collections of all divisions within The Rooms.

Bill 56 could threaten the institution's ability to secure federal funding from such sources as the Canada Council for the Arts, the Museum

Assistance Program and many more. With no public consultation process between the province, the arts community and these funding bodies, this process is highly ill advised.

Our province is known for its strong and vibrant arts community which boosts tourism and many other industries. This rash decision will hinder the arts community's ability to prosper, thus affecting the financial benefit the arts community continually provides. Bill 56 must stop and a consultation process with the community must begin before any changes are even considered.

Mr. Speaker, these are not form letters. Each one of these letters has been written with careful thought and consideration from people in the arts and cultural sector in this province who are very concerned. But what I will note is that some of the questions and some of the concerns are very similar. So hopefully the minister can effectively respond to some of these questions and concerns.

This next letter is from a visual arts graduate who I believe completed her bachelor of fine arts degree right here in Newfoundland and Labrador: I am extremely concerned about the proposed changes to the structure of The Rooms listed under Bill 56. How could the House of Assembly make such a change without public engagement on the topic?

These proposed changes seem short-sighted and show little understanding of the structure and operations of art galleries and museums on a national level. These changes will have lasting consequences to the collections of all divisions within The Rooms. As an emerging artist who will soon be entering the art world upon completion of my BFA, it worries me that my provincial government does not fully understand nor see the value in my field. It is a very frightening thought.

What one might save on a few salary positions, one risks in irreversible damage to our province's cultural collections that could tally into the millions and loss of revenue from numerous external funding bodies who support this institution.

Bill 56 could threaten the institution's ability to secure federal funding from such sources as the Canada Council for the Arts, the Museum Assistance Program and numerous more. With no public consultation process between the province, the arts community and these funding bodies this process is highly ill advised.

Sorry, Mr. Speaker, I'm just looking to make sure I'm not repeating myself and I'll skip some of the parts that I've already read that are similar to other pieces of correspondence and just focus on the unique content.

Will the Canada Council and other federal funding bodies still fund each division that is not under automatous direction? Will this be at the same level or will it be at a diminished capacity? Have any major funding bodies confirmed their commitment to support such major restructuring? What will be the total revenue loss and how will the province compensate for all lost revenue? How will The Rooms guarantee the safety of our province's cultural treasures through a process of downsizing? These and many more questions need to be answered.

The province has long benefited from a strong and vibrant arts community, garnering national and international attention far beyond the scope of our population and reaping the financial rewards through tourism and many other industries. This is not the time to make rash decisions that impede the arts community's ability to thrive. With what is already a very small investment on the province's behalf, this community has invested back many times more.

Over the past year I felt so much grief over the current condition of our province. As a young, cultural worker, I feel it in my bones that I should stay in Newfoundland and Labrador and do everything I can to contribute to the cultural economy of the province, but rash decisions like Bill 56 create environments of distrust between government and cultural workers, and patrons of the arts.

Because of these actions, I feel unstable in our cultural economy. If you make these decisions without consultation, it leaves the arts community with a huge sense of unease and distrust. We need to keep open communication in order to be as successful as possible. Without

our feedback, you're not making the most accurate decisions possible; you're not taking into account the artists who worked so hard to create this visual culture.

Bill 56 needs to stop and a consultation process with the community needs to begin before any changes are even considered. As it stands now The Rooms slogan, This is my Place, holds less meaning than it ever has. I do not want my place to consist of distrust and the ability to look past the powerhouse that is the arts community in this province. Please consider this letter and understand that I am counting on you. That was written, I believe, to all MHAs.

The next one is from someone who I believe to be a constituent of mine in Mount Pearl: I'm writing to express my concern over the planned changes to the *Rooms Act* as outlined in Bill 56. These changes are being proposed without the necessary public and stakeholder consultations, as required according to article 10(b) of the current act, and I would respectfully request that the passage of this bill be delayed until such time that these consultations can take place.

I'm a professional in the arts community, an actor and artist, with over 20 years' experience in this sector. I care deeply about this province's cultural community and the future of its institutions. When The Rooms was formed, it specifically maintained three diverse and autonomous organizations so as to maintain professional standard within each of its practices, arm's-length programming decisions and best practices in terms of collections.

I've sat on numerous committees and juries within the national Canadian art scene and here locally that have helped shaped these practices. This is the standard. By getting rid of the distinctions between divisions, the Gallery's reputation on the national art scene and funding opportunities are at serious risk.

For an institution of this size and complexity, the specialized expertise of the divisional directors is absolutely vital. Like any profession, the arts require trained and specific knowledge. Without it, the Gallery will not be competitive and could I have grave concerns that the proposed changes would negatively impact the Art Gallery's

ability to adequately serve its mandate and mission statement.

Bill 56 raises significant questions as to the future of the provincial Art Gallery and whether or not The Rooms will be able to function in its important role as the steward of the community. What is the purpose of the changes being made to the *Rooms Act*? What safeguards will be in place to ensure the continued autonomy of the provincial Art Gallery? In light of these proposed changes, what protocols are in place to ensure that there will be adequate resources and oversight for the proper procurement, care and management of The Rooms art collections?

Were national funding bodies such as the Canada Council consulted as to the possible effects that these proposed changes could have on The Rooms eligibility and suitability for funding, and whether or not they might jeopardize future funding? Again, in light of the serious considerations and risks that these changes could pose to the future of the provincial Art Gallery, I ask that the passing of Bill 56 be delayed immediately until such time that community consultations can be enacted.

So I received some further correspondence from somebody who was following our debate on this bill. He wrote: Based on the minister's interview with CBC, I do not think the Liberals understand the gravity of the choices made in the *Rooms Act*. I work in the arts daily; I know that even the possibility that the divisions are being dissolved opens The Rooms up to decline or loss of federal funding. In Bill 56, it is cited specifically; not only that, but the centralization of collecting approval under the CEO – also stated directly – is in direct violation of national standards. Please halt the bill immediately until proper consultations are undertaken with these national bodies.

Another concerned citizen of St. John's writes again to express concern over the planned changes, notes that she is a professional in the arts community, a curator, an artist also with 10 years' experience working in the non-profit sector. She writes: I care deeply about this province's cultural community and the future of its institutions.

I won't read it all, because it's very similar to another note that I've previously read, but she talks about the history of the *Rooms Act* and why it was important to maintain three diverse and autonomous organizations. She's concerned about the risk to future funding and the need for the specialized expertise within each of the divisions. Then the questions she has posed are similar to ones that I've already read. So I won't read them again.

Here's a note from a concerned citizen who wrote to the minister in response to his appearance on, I believe it was *On the Go* on CBC Radio 1, now on 88.5 FM in St. John's and surrounding area.

AN HON. MEMBER: (Inaudible.)

MR. KENT: Yeah, it is, and it sounds better, it's very good.

The minister states that the government will not accept any change that would jeopardize federal support. However, the dissolution of the divisions, which is clearly stated in the beginning of the bill, is a change that will jeopardize federal support. The original *Rooms Act* is prescriptive, but this is because it was based on extensive consultations with the public, and with national cultural institutions. If the minister had consulted with the federal funding bodies and community stakeholders prior to creating this bill, he would realize that Bill 56 is in direct violation of these recommendations by national, cultural organizations.

His error in judgement and desire to quickly pass major changes to this province's cultural institution without any consultation whatsoever will affect the local cultural community for decades to come. Bill 56 does not open the door to progress as the minister describes. It closes the door on the very reasons why The Rooms was built in the first place.

I have only a couple of more, Mr. Speaker. I thank you for the opportunity to share these concerns on behalf of citizens and artists in our province.

This next one is similar to another message I've read. It's from another BFA graduate who's working in our cultural community and

contributing to our arts and cultural community: I am deeply concerned at the proposed changes to the structure of The Rooms listed under Bill 56 and, furthermore, disgusted that such a change has been stealthily swept through the House of Assembly to this point without public engagement on the topic.

These proposed changes seem short-sighted and show little understanding of the structure and operations of art galleries and museums on a national level. These changes will have lasting consequences to the collections of all divisions within The Rooms. As an emerging artist who just returned to Newfoundland and Labrador from completing a master's degree in the United Kingdom, it worries me that my provincial government does not fully understand nor see the value in my field.

What one might save on a few salary positions, one risks in irreversible damage to our province's cultural collections that could tally into the millions, and loss of revenue from numerous external funding bodies who support the institution. We are talking potential immediate and long-term losses far greater than any amount that would be saved in either time frame.

Some of these questions I've already raised. Over the past year I felt so much grief over the current condition of our province. As a young cultural worker, I feel it in my bones that I should stay in Newfoundland and Labrador and do everything I can to contribute to the cultural economy of the province.

MR. CROCKER: You read that one.

MR. KENT: Yes, I did read a similar statement. The Minister of Fisheries doesn't seem very interested but I'm glad he's paying some attention.

MR. CROCKER: (Inaudible.)

MR. KENT: Well, thank you. Thank you for your apparent interest.

I do have a couple of more, Mr. Speaker. I do apologize if I'm being repetitive but I'm trying hard as I go through these to not be.

AN HON. MEMBER: It's all good stuff.

MR. KENT: I appreciate the support from my colleagues.

Here's one from a business person in our community who runs a company in my district in Donovans business park. He writes: I was wondering if the Member who put forward Bill 56 considered the following. Will the restructuring made possible by Bill 56 affect The Rooms's ability to obtain federal funding from organizations such as the Canada Council, Museum Assistance Program, Canada Cultural Spaces Funding and other national and international funding sources?

Have these funders stated they support possible restructuring models proposed under this bill? What structures proposed in Bill 56 have been discussed with these national funding bodies? Why is the entire responsibility of board selection at the discretion of the Lieutenant Governor? I take that to mean the Lieutenant Governor in Council, which would be Cabinet. Have other options been considered? Rather perhaps applications put forward by citizen membership, based-arts organizations with special knowledge in the field.

I find it extremely curious how the entire board membership other than a deputy minister or designate is decided by a single individual of the Lieutenant Governor – and again, I think the individual writing is referring to the appointment by the Lieutenant Governor in Council, which would indeed be Cabinet.

How will the CEO of the three entities function? Is an 11-plus board of directors a relevant number? As boards are often restructuring down in size lately, providing more advisory functions while leaving the operations up to staff, the structure outlined in the bill only mentions a single CEO. What further restructuring of the corporation is required to oversee this implementation and probably removal of other positions within The Rooms Corporation?

Will funding from the provincial government remain or be decreased if these changes take effect? What measures are in place to protect and enhance cultural assets of our province during any planned transitions? How have the

relevant arts organizations been consulted on these proposed changes?

While the position of the provincial archivist remains, it's unclear about how this will affect the Art Gallery and the Museum. Will the proposed restructuring effectively merge these entities? Will each area still be given equal weight as they have been in the current structure? Is this short-term cost saving or well-thought-out strategic planning?

The *Rooms Act* was created in 2005 to merge the Provincial Archives, the provincial Art Gallery and the provincial Museum into a single entity, The Rooms Corporation, and outlines the structure, purpose and activities of the organization.

With the impending passage of Bill 56, which according to the wording of the bill would repeal and replace the current *Rooms Act*, making substantial changes to the corporation structure, these changes would include removing the requirement for separate divisions and directors for the Archives, Museum and Art Gallery. Please advise on the above issues. I look forward to hearing from you. That is from a business leader in our province who has concerns.

This next one – and I'm down to the final couple – comes from someone who's a member of the national arts community who's from Newfoundland and Labrador. She emphasizes the need for consultation with people in the community.

She writes: I am extremely concerned about the proposed changes to the structure of The Rooms listed under Bill 56 which is currently facing a third reading. I'm not certain that its authors are aware of what the bill proposes will have highly negative consequences for the long-term health of the institution and arts community.

Despite the fact that the *Rooms Act* states consultations must take place, there's been no public consultation process, nor with community stakeholders or major funding bodies. Without this process, the bill is highly ill advised. Not only do the proposed changes show little understanding of the structure and operations of art galleries and museums on a national level,

they'll have lasting consequences to all divisions within The Rooms.

As I am a member of the national arts community who is from Newfoundland and Labrador, I will speak to the proposed changes to the Art Gallery in particular. She goes on to talk about the potential impact on funding from Canada Council and the Museums Assistance Program through Canadian Heritage, so I won't repeat that.

The placement of CEO is the final say for objects collected, rather than arm's-length committees, will also likely affect The Rooms's ability to collect major artwork donations that require CCPERB certification from the Canadian Cultural Property Export Review Board and potentially affect The Rooms's status as a category A institution eliminating the ability to show major works from organizations such as the National Gallery of Canada.

These proposed changes therefore revert the institution to the same difficulties faced before The Rooms was built; the very difficulties which initiated the necessity for The Rooms in the first place. The bill ultimately means long-standing losses far greater than any amount that would be saved in the short term. It will affect federal funding, it will affect arm's-length collecting and it will affect programming. This will immediately limit support for the local arts community on the local, national and international levels; effects that will be felt for decades.

These concerns would have been evident immediately if there had been a transparent consultation process. It is necessary that these potential damages to funding are clarified before the bill proceeds.

This province has long benefited from a strong and vibrant arts community, gathering national and international attention far beyond the scope of our population and reaping the financial rewards through tourism and many other industries. This is not the time to make rash decisions that impede the arts community's ability to thrive. Bill 56 needs to stop and a consultation process with the community needs to begin before any changes are considered.

Finally, I want to share some concerns from another arts graduate who has a master's in fine arts, who has worked within the arts for over a decade as an artist and also as an arts administrator: I'm highly concerned and baffled that the proposed changes to the structure of The Rooms listed under Bill 56. These proposed changes seem short-sighted and show little understanding of the structure and operations of art galleries and museums on a national level.

Having worked within the arts for over a decade as both an artist and an arts administrator whose focus was on fundraising for organizations and project-based initiatives, it's my educated opinion, based on what little is known, this plan poses serious risks with few foreseeable benefits. What one might save on a few salary positions one risks in irreversible damage to our province's cultural collections that could tally into the millions, and loss in revenue from numerous external funding bodies who support the institution.

The gentleman goes on to talk about the potential funding impacts, which I've talked about at length this afternoon, and he raises a number of questions that I feel I've sufficiently covered during debate so far this afternoon. Again, he's calling for consultation. People are not saying today that there shouldn't be any changes whatsoever. They're saying there's a need to consult with the arts community and get answers to these questions.

So that's what we're calling for. On the surface, this legislation seemed to have some good intent. It appears from the minister's comments previously in debate that they're supported by the board of The Rooms Corporation and by the CEO for these changes. Previously in debate, I was able to shed light on some concerns that seemed to be brewing among staff at The Rooms Corporation. Now, since that debate unfolded in second reading and in Committee, we've heard from all kinds of significant players in our arts and cultural communities who want answers.

I'm sure nobody in this House wants to do anything that's going to jeopardize national funding and provincial funding and private funding that has benefited our Museum and our Art Gallery and our Archives. The Rooms is a tremendous institution which we should all be

very proud of, and the people that are working there every day and the people that volunteer to contribute to its growth and development and success are to be commended for what they do.

I'm not suggesting for a second that anybody directly involved would want to do anything that would jeopardize the well-being of these institutions. But some people in our arts and cultural community, who certainly are better informed and better educated on these issues than I would claim to be, they've raised some significant questions and concerns. Even after having discussions with the Minister of Business, Tourism, Culture and Rural Development their concerns have not been answered.

I'm hopeful government will simply delay third reading of this bill, so that government and the minister can do some more due diligence and get answers to these questions and do the appropriate consultation with the groups involved and with concerned citizens so that we can come back here and either make changes or proceed. Maybe after consultation, maybe all of the concerns that have been raised can be addressed, but I don't think it would be responsible in light of all of the concerns that have been raised at this point in time to simply push ahead and pass third reading of this bill.

That's why I felt compelled to stand today, as the Official Opposition Culture critic, to raise these concerns, to read many of these concerns into the record and to ask the minister for a final time, to please listen to what stakeholders are saying and please delay third reading of this bill. Government can very easily delay third reading. We do not need to vote on third reading today. We question why there's such a rush.

We're more than happy to continue this discussion. We're more than happy to participate in the consultation process and we want to do whatever makes sense to make the organization at The Rooms more efficient, more effective. All of that is good stuff. We're not arguing that, but given the significant concerns that have come to light, the onus is upon this minister and this government to do the right thing and to allow for more consultation to occur.

This is a government that prides itself on consultation; yet, some very significant players in our arts and cultural community had absolutely no say. When I heard during Committee Stage of the debate that there were employees at The Rooms who were in tears because they were all of a sudden uncertain about their future because they had no knowledge this was coming to the floor of the Legislature for debate, that does cause concern, Madam Speaker.

For that reason and for the many others I've outlined in debate today, we want to urge the minister to do the right thing. Delay the vote on third reading, do more consultation with those that are potentially impacted and let's make sure we're doing the right thing to position The Rooms Corporation for success in the future. We're all very proud of the great work that goes on there. We all want it to continue.

Modernizing the structure may very well make sense, but it has to be done the right way. It has to be done appropriately. It has to be done with tremendous respect for our historical community, for our arts and culture and heritage sectors in this province that are not just good for the social development of this province, but they have huge economic impact on our province.

Some of the people that wrote talked about the growth in our tourism sector that in many ways can be attributed to our arts and cultural communities and their success, but we need to think of the arts as an economic opportunity. It's great for our social development, but it also contributes greatly to the economy of this province. If we make the right decisions and if we make good, sound strategic decisions, and we put the right supports in place to create the right climate to continue to grow our arts and cultural sectors, then it can have huge, continued, economic impact on our province. It's a growth sector.

When I hear people that I have a lot of respect for raising significant concerns, it should cause us all to pause and reflect and say do we really need to vote on third reading today? Should we not do the right thing and allow for the appropriate consultation with stakeholders?

So I urge government to delay the vote on third reading today. Let's do the appropriate consultation. I hope when the minister speaks today that he'll answer many of these questions, but I believe there will still be questions left unanswered and that will require some more work on this.

I thank you for your patience. I thank you for the opportunity to speak to this today. I'm hopeful that we'll get some answers that would allow me to support this bill going forward, but I now have concerns that need to be addressed before we can simply push ahead with third reading.

Thank you for the opportunity to participate in the debate, Madam Speaker.

SOME HON. MEMBERS: Hear, hear!

MADAM SPEAKER (Dempster): The hon. the Government House Leader.

MR. A. PARSONS: Yes, thank you, Madam Speaker.

I would adjourn debate on Bill 56.

I would move from the Order Paper, pursuant to Standing Order 11, Motion 6, that this House not adjourn at 5:30 p.m. today, Monday, December 12.

MADAM SPEAKER: The motion is that this House do not adjourn today at 5:30, December, 12.

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

MADAM SPEAKER: All those against, 'nay.'

Carried.

The hon. the Government House Leader.

MR. A. PARSONS: Yes, Madam Speaker.

I would call Motion 7, I would move pursuant to standing Order 11 that this House not adjourn at 10 p.m. today, Monday, December 12, 2016.

SOME HON. MEMBERS: Hear, hear!

MADAM SPEAKER: The motion is that this House do not adjourn at 10 p.m. today, December 12.

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

MADAM SPEAKER: All those against, 'nay.'

Carried.

The hon. the Government House Leader.

MR. A. PARSONS: Yes, thank you, Madam Speaker.

I would call Order 3, third reading of Bill 56.

MADAM SPEAKER: The hon. the Member for St. John's Centre.

MS. ROGERS: Thank you very much, Madam Speaker.

I am very happy to stand and speak to Bill 56, An Act Respecting The Rooms Corporation. In the Explanatory Notes for the bill it says, "The Bill would revise the structure of The Rooms Corporation of Newfoundland and Labrador in order to make the structure more flexible by removing the requirement for separate divisions and directors for the archives, museum and art gallery" So I think it's really important to keep that in mind as we listen to debate today on this bill.

Madam Speaker, I would like to actually read from the Premier's mandate letter to the Minister of Business, Tourism, Culture and Rural Development. He wrote a mandate letter – for the folks at home – instructing his ministers. Every minister got a mandate letter instructing them what he would like them to do as they are ministers in their particular portfolios.

In his letter he wrote to the minister particularly around the issue of culture. He said, "Embarking on this journey together, we will be guided by *A Stronger Tomorrow: Our Five Point Plan* to Restore Openness, Transparency and Accountability; Build a Stronger, Smarter Economy; Improve Health and Healthcare;

Support Safe and Sustainable Communities; and invest in Our Future Through Education."

He then goes on to speak specifically as well. "As Premier of Newfoundland and Labrador I expect you to follow the principles of openness, transparency and accountability. It is my intention to ensure policy decisions in government" – this is very interesting, Madam Speaker – "are informed by research, evidence, and evaluation so that citizens can understand how and why decisions are made. It is critical that our government's decisions are also informed" – here we go – "by engagement with stakeholders, including our Aboriginal partners, to ensure everyone's voices are heard."

He goes on to say, "Our government is committed to modernizing our province's legislative process in accordance with these principles and I call upon you to engage your fellow Members" – that would be all Members here in the House of Assembly – "constituents and the general public; avail of the Committee process of the House of Assembly; and seek opportunities for non-partisan cooperation."

So, Madam Speaker, we've had hours of debate on this bill, then we also had a Committee on this bill. In the Committee on this bill I asked the minister a number of questions and I was amazed. Madam Speaker, I was absolutely amazed that the minister in fact wouldn't stand up and answer any of my questions. He answered a few but for the most part he simply sat there and didn't answer many of the questions that I put forth to him.

Now most of the questions I put forth to him were questions that the arts community, the museum community, the archivist community, the academic and research communities were asking as well. So I was asking questions on their behalf, and the minister wouldn't even stand and answer the questions.

I've never seen that happen in this House before. This is my fifth year. I've been here for five years. I've never seen that kind of behaviour before in this House of Assembly. Perhaps others have. Perhaps others think it's totally fine. I was amazed, because in the mandate letter from the Premier it says, "... avail of the Committee process of the House the Assembly;

and seek opportunities for non-partisan cooperation.”

Well, we're not seeing non-partisan co-operation on this at all, and that's really unfortunate. I believe, as my colleague from Mount Pearl North so eloquently put, that perhaps some changes are needed, but there has been absolutely no consultation with the community at all, even though it's required in the current act. The current act instructs for consultation before any major changes are done. That's there for a reason.

Mr. Speaker, I'm just baffled by how reckless this has been. This whole process has been nothing short of reckless. These are major changes that are being proposed in this bill and there has been no consultation whatsoever, even though the Premier's mandate letter so clearly calls for it. The Premier's mandate letter promises accountability, promises openness, promises transparency. This is one of the most closed processes I have seen in terms of bills coming to this House. I don't think that the arts community are willing to accept this, and nor should they; nor should they at all.

Also, Mr. Speaker, although this bill was given to us on a Friday, we had a briefing on a Monday and 24-hours later we were in the House debating it. If we had a real committee structure here in this House, a legislative committee structure in this House, we would have been able to work some of these issues out in a committee before bringing the bill to the House. Again, there is no openness. There is no consultation on any level whatsoever.

Now I happen to have here when the current Minister of Business, Tourism, Culture and Rural Development was in Opposition –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Warr): Order, please!

MS. ROGERS: Thank you, Mr. Speaker.

When he was in Opposition he was very, very clear and adamant about a specific issue that the Art Gallery of Newfoundland and Labrador was going through at The Rooms. In a press release in July 2013 he wrote – he said in his press

release when he was in Opposition: “Keeping the Art Gallery independent will allow it to continue to produce world class exhibits and be a leader in Canada in producing and supporting current artists and emerging artists, as well as protecting and promoting our culture,” – said the current minister. “It is important to recognize that The Rooms itself was constructed to allow for these three different groups – The Archives, the Museum and the Art Gallery – to work together and yet to be distinct from each other.”

He goes on to say, “There was a widespread belief that the Art Gallery would lose its independent status and be subsumed into The Rooms Corporation. I am certainly pleased to see the commitment to keeping its independence,” said the current minister.

So he has certainly changed his tune on that, Mr. Speaker. He was very adamant about that. He was so adamant that he actually wrote the then Minister of Tourism, Culture and Recreation demanding that the three separate divisions be kept in order to protect the integrity and the expertise of those three distinct divisions in The Rooms.

Today in Question Period, Mr. Speaker, I asked the minister two questions. I asked the minister so many groups, organizations and individuals have been writing him, emailing him, phoning him and meeting with him with some very clear, definite concerns; many of them which were identified by my colleague here for Mount Pearl North. I also received copies of those letters and emails. I won't go over them because he has taken the time to do so. He did have an hour to be able to do that and he did a fine job. I only have 20 minutes, so I won't do that because he has done a fine job of that.

I asked what were the concerns and the minister, again, would not answer that question. He answered with, well, if I was really concerned, why didn't I bring up an amendment to his bill in second reading. Mr. Speaker, everyone knows that the only way you can do an amendment is if you're doing a small change to a bill. My request on behalf of the many organizations, groups and individuals – some of whom are here this evening in the gallery – is to shelve this bill until real consultation has happened. That's not a possible amendment.

Yes, I've been here for five years; I do understand how the Legislature works. Perhaps the Minister of Culture doesn't understand. He should know very well that is not an acceptable amendment, that wouldn't be able to be proposed.

The other thing is that I asked him, will he shelve Bill 56 until the appropriate consultation has been undertaken. Once then, if it's deemed necessary, to do a bill that would reflect the outcome of that consultation, that would make sense. This seems to be absolutely backward because what he has said in the House last week was that we're going to do consultation.

What a backwards and ham-fisted way of doing legislation. You would do consultation because there's nothing in the current bill to prevent them from doing consultation, to prevent the minister from doing consultation, to prevent the board of The Rooms or the CEO of The Rooms. There is nothing in the current legislation that prevents them from doing consultation. As a matter of fact, it impels them and compels them to do consultation. Section 10(2)(b) in the current act insists that they do consultation and instead he comes up with a bill that is absolutely reckless at first glance, and then says he's going to do consultation after the bill is passed. Mr. Speaker, that is nothing short of reckless and backwards.

I do want to draw attention to some of the emails and correspondence that we have received over the past while about this particular bill. And VANL, which is the Visual Artists Newfoundland and Labrador, which is an umbrella group for visual artists, they quoted Pam Hall – Pam, who was one of the people on the ground in the development of The Rooms when it first opened. She's a celebrated artist, an internationally award-winning and celebrated artist who lives here in St. John's. She has been teaching art theory and history in the US and here in Newfoundland and Labrador. She says the Gallery needs to retain its autonomy, its professional credentials and credibility and especially its obligations to multiple publics, including those locally, regionally, nationally and internationally.

In a short time, Bill 56 has seen a considerable response from the community including artists,

galleries, patrons and professional associations all asking that the bill be withdrawn until such time that some community consultations can be made.

It's not asking for a lot. It's asking for due process, due process that's outlined in the current bill, due process that's outlined in the Premier's mandate letter to the minister. He's saying work with the communities, work with other MHAs, be open, transparent and accountable. And the way that this bill has been brought to the House has been the antithesis of that. There's been no openness, no transparency and no accountability whatsoever to the community which The Rooms serves.

I am absolutely appalled by it, Mr. Speaker, as are most people, most people in the communities that work, that have the expertise in this area. Local artist Mary Pratt – and we all know Mary Pratt and we have celebrated her so much in the past year. She had a magnificent show in The Rooms last year. She is very concerned. And she's also very concerned about the lack of consultation.

Pat Grattan, a renowned curator, an award-winning author and writer of art history in Newfoundland and Labrador; she was our long-time director of Memorial University Art Gallery from 1982 to 2003. Pat Grattan knows art galleries, she knows the archives, she knows the museum. As a former long-time director of Memorial University Art Gallery, a key advocate and planner for The Rooms and a member of the Arts Council's Hall of Honour for contribution to the visual arts in the province, I am writing to request postponement of a vote on Bill 56 until its ramifications, known and potential, can be examined in consultation with the provincial visual arts and arts community.

So what she's asked for is due diligence. She's asking, wait, let's put the brakes on this until all of the potential harm – the potential benefits as well. Are there potential benefits? But the potential harm, that we know all the potential ramifications that this bill will cause. And there are many unknown. These are people with incredible expertise in their fields. They're leaders in their fields.

She said the ultimate purposes and the need for this bill are neither clear nor convincing. And that's the thing, it is reckless. The way this has happened is nothing short of reckless. Why, and why the haste? What is the urgency? The minister is saying that consultation has to happen. So why the urgency to ram this piece of ham-handed legislation through the House now? What is the rush? What is the urgency? Why now? Is it simply pride? Is it hubris? Perhaps that's what it is, Mr. Speaker. Perhaps this is now just based on hubris and pride. I don't know, because so far we haven't heard a single explanation as to why this has to be rammed through so quickly like this.

Its implications may not be as minor as the minister's comments to the House suggest. Again, this is Pat Grattan telling us this. The existing act specifically identifies a duty – not a nicety, but a duty to consult the public, which would include key stakeholders regarding The Rooms's strategic plan and major activities, and this was not done for Bill 56. So again this bill is pretty major in the possible restructuring of The Rooms. There is too much unknown.

Please withdraw the bill, she goes on to write. Undertake consultation with VANL and other appropriate and interested individuals and redraft the bill to improve and clarify it. That makes sense, Mr. Speaker, because this is coming to the House with a lot of unknowns. We all know that. Everybody on this side of the House knows that. Every single expert in the province, every single expert across the nation, people across the nation who are leaders and experts in their fields are saying the same thing. How the minister could ignore that is beyond me.

As an experienced curator, gallery director and long-time participant in the Canadian museum community, I take issue with the view of the Gallery, that the Gallery, Museum and Archives divisions as silos operating independently.

The minister is telling us the problem we have here is we have three silos that are working independently of each other; these three divisions that have worked so well together to bring us a number of programs and exhibits, three divisions with their own particular expertise. That's what the minister is not seeing.

Many functions of the divisions and the way the overall management structure have been combined, including technical services, education, human resources and more. There are numerous examples of divisions working together when appropriate. That's what we all want to see.

Mr. Speaker, I believe it is possible to simply shelve this bill, to put the brakes on until the appropriate consultation has been done. The Premier's mandate letter asks for that. The expertise in this field, the leaders in their particular fields of archives, art, museums, academia and research are all asking for that. There's no reason not to.

It's not going to cost us anything to stop it for now. It will honour this commitment to transparency and accountability and openness. Without it, I cannot imagine how it can be justified.

Thank you very much, Mr. Speaker.

MR. SPEAKER: The hon. the Government House Leader.

MR. A. PARSONS: Thank you, Mr. Speaker.

I would adjourn debate on Bill 56.

I move, seconded by the Minister of Environment and Climate Change, for leave to introduce a bill entitled, An Act To Provide The Public With Transparency Regarding Public Sector Compensation, Bill 61, and I further move that the said bill be now read the first time.

MR. SPEAKER: It has been moved and seconded that the hon. the Government House Leader shall have leave to introduce a bill entitled, An Act To Provide The Public With Transparency Regarding Public Sector Compensation, Bill 61, and that the said bill be now read a first time.

Is it the pleasure of the House to adopt the motion?

All those in favour?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Those against?

Carried.

Motion, the hon. the Minister of Finance and President of Treasury Board to introduce a bill, "An Act To Provide The Public With Transparency Regarding Public Sector Compensation," carried. (Bill 61)

CLERK: A bill, An Act To Provide The Public With Transparency Regarding Public Sector Compensation. (Bill 61)

MR. SPEAKER: This bill has now been read a first time.

When shall the said bill be read a second time?

MR. A. PARSONS: Tomorrow.

MR. SPEAKER: Tomorrow.

On motion, Bill 61 read a first time, ordered read a second time on tomorrow.

MR. SPEAKER: The hon. the Government House Leader.

MR. A. PARSONS: Mr. Speaker, I would move, seconded by the Minister of Education and Early Childhood Development, for leave to introduce a bill entitled, An Act To Amend The Lands Act, Bill 63, and I further move that the said bill be now read the first time.

MR. SPEAKER: It is moved and seconded that the Government House Leader shall have leave to introduce a bill entitled, An Act To Amend The Lands Act, Bill 63, and that the said bill be now read a first time.

Is it the pleasure of the House to adopt the motion?

All those in favour?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Those against?

Carried.

Motion, the hon. the Minister of Municipal Affairs to introduce a bill, "An Act To Amend The Lands Act," carried. (Bill 63)

CLERK: A bill, An Act To Amend The Lands Act. (Bill 63)

MR. SPEAKER: This bill has now been read a first time.

When shall the bill be read a second time?

MR. A. PARSONS: Tomorrow.

MR. SPEAKER: Tomorrow.

On motion, Bill 63 read a first time, ordered read a second time on tomorrow.

MR. SPEAKER: The hon. the Government House Leader.

MR. A. PARSONS: Mr. Speaker, I move, seconded by the Minister of Children, Seniors and Social Development, for leave to introduce a bill entitled, An Act Respecting The Seniors' Advocate, Bill 64.

SOME HON. MEMBERS: Hear, hear!

MR. A. PARSONS: And I further move that the said bill be now read the first time.

MR. SPEAKER: It is moved and seconded that the hon. the Government House Leader shall have leave to introduce a bill, An Act Respecting The Seniors' Advocate, Bill 64, and that the said bill be now read a first time.

Is it the pleasure of the House to adopt the motion?

All those in favour?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Those against?

Carried.

Motion, the hon. the Minister of Children, Seniors and Social Development to introduce a bill, "An Act Respecting The Seniors' Advocate," carried. (Bill 64)

CLERK: A bill, An Act Respecting The Seniors' Advocate. (Bill 64)

MR. SPEAKER: This bill has now been read a first time.

When shall the bill be read a second time?

MR. A. PARSONS: Tomorrow.

MR. SPEAKER: Tomorrow.

On motion, Bill 64 read a first time, ordered read a second time on tomorrow.

MR. SPEAKER: The hon. the Government House Leader.

MR. A. PARSONS: Yes, Mr. Speaker, I would call from the Order Paper, Motion 3, third reading of Bill 56.

MR. SPEAKER: The hon. the Member for St. John's East – Quidi Vidi.

MS. MICHAEL: Thank you very much, Mr. Speaker.

I feel compelled to stand and speak once more to this bill in third reading since it is the last time, at this time anyway, that we can speak to this bill. I feel compelled for many reasons, one of which is as MHA for St. John's East – Quidi Vidi I represent an area of the city that I don't know what the latest stat says but if not the highest percentage of people from the arts community in my district then one of the highest. It used to be the highest. It may still be that.

I know so many of the visual artists. I know so many people who are working in the Museum. I know the people who work in the Archives. I represent so many of them as an MHA. Even though my colleague from St. John's Centre has done such a fantastic job speaking to the bill and certainly carried it during the Committee stage, I also have a responsibility to stand and represent my constituents, number one, and the people of the province number two, because as I pointed out when I spoke last week as the MHA for St. John's East – Quidi Vidi, I actually represent the area where The Rooms exists in the province.

While it is a provincial institution with our provincial Art Gallery and our provincial Museum and our provincial Archives and belongs to all of the people of the province as a corporation of the government, I also represent the people who work there, many of them. I represent many of the people who go there on a regular basis, not just in the summer when they're visiting but on a regular basis. The people in my district very much have their lives intertwined with The Rooms.

I have to say, and I know the minister is not going to like it but I have to say, and this government won't like it, that once again I am so shocked, absolutely shocked by the stuff that this government is pulling. First of all – not first of all, but one of the major things that we experienced this year was the closing of public libraries. They wanted to close 54 public libraries. In spite of all kinds of expertise, in spite of the communities that spoke out, in spite of people saying this can't happen, they were going to go ahead. They got stopped in their tracks and they had to pull back. Now, we're all still waiting to see what's going to happen and now they're doing it again. This is what I don't understand.

We now have a bill in front of us, and as my colleague has pointed out, a bill that was put on the floor of this House without any warning. We have no idea where it came from, why it's here, who's behind it, who's pushing this; without any consultation, without doing what the *Rooms Act* itself says is supposed to happen. If a government wants to do anything with regard to The Rooms, with regard to the structure of The Rooms, with regard to anything that has to do with The Rooms, they are supposed –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MS. MICHAEL: Thank you, Mr. Speaker.

They are supposed to hold consultations with the stakeholders. I'm not going to go into all of those details because my colleague for St. John's Centre has done it. We know no consultation has taken place. And the meetings that took place this week, over the past week, took place because people went to the minister and said:

What is this bill about, we want to sit down and talk.

He, himself, said publicly: I'm ready to talk to anybody, let them contact me. Well, as minister, he should have known that it wasn't I'm ready to talk to anybody, let them contact me. Under this act, under the *Rooms Act*, he had a responsibility as minister to make those consultations happen first before he did anything. That's what the bill says. That's what the act says. The current act says that. Yet, he had the arrogance to say: Oh, I'm here, come talk. If you want to talk, talk to me. No. And to do that after the bill was put in this House is unacceptable.

As my colleague pointed out, this government prides itself on openness, transparency and accountability. Their leader, the Premier, in all of their mandate letters put in the responsibility for this, that every single one of those ministers is supposed to make sure that what they do fits their concerns about openness, transparency and accountability.

They're mandated to make sure that what they do is done after research and is evidence based. They love using this phrase evidence based. I've heard it many times here in the House, just like the Liberal prime minister keeps wanting to use it too. Then they keep turning around and doing stuff that is not evidence based. No evidence has been presented in this House since first reading of this bill to show why this bill is needed – no evidence whatsoever, none. The one thing we heard was there are three silos and they're not working well together. Well, bloody get them working well together, and you don't do it by destroying them. You don't do that.

I'm so upset by the continued arrogance of this government, Mr. Speaker. It just really is unbelievable. They do not recognize the expertise of the dozens of people, the absolute dozens of people who have been writing them. Some of them have gotten some of these emails; some of them haven't. Some have come to us as individuals. When somebody has come to me as an individual MHA, I have said to them if you haven't already notified the minister of what you are thinking, please notify the minister.

My colleague for St. John's Centre has already referred to all the major points that have been

presented to the minister in letters, in emails and in meetings. All the major points that have been presented from people who are experts because this is their life, but expertise doesn't seem to mean anything to this government. The expertise of people who are working in these fields, the expertise of people who are curators, the expertise of people who really know how archives are supposed to be run, the expertise of people who know how a museum is supposed to be run.

The very fact, Mr. Speaker, that the bill, when talking about The Rooms, talks about an art gallery. It's not an art gallery; it's the provincial Art Gallery. I mean, I can't believe it. The Archives are the Archives that maintain the historic documents of the people of the province, of the life of the province. This is not just any gallery and to use Glenbow Museum, a private institution in Calgary as an example of how to run the provincial institution that maintains our history is unacceptable.

That is not expertise. I cannot believe what they're doing. It's just blowing my mind. It just drives me crazy. I just don't get it and they think that people don't go there. Yes they do; people understand what's going on. They don't know why. They're not quite sure why, but they know this is wrong. And again my colleague has pointed this out, the fact that this bill opens up the potential for the total dismantling of how The Rooms is organized; that's what's wrong.

Why is that there? Who's pushing for that? Who's pushing for this generalized expertise? One director, the CEO or whoever, is going to run everything, know everything, know everything about visual arts, know everything about archives, know everything about museums. No, you have to have people with expertise in charge of each of those units and those units need to be maintained.

This government, by putting this in this bill, are making the decision for dismantling by putting this in. Nobody that I'm aware of, certainly none of the people who have written us, who have sent us emails, who have phoned us, who have sat and spoken to us, know where it's coming from. None of them want something to go in that's going to cause a dismantling of what The Rooms is – none of them. So, Mr. Speaker, it is

just so frustrating, absolutely frustrating that this government and this minister are maintaining themselves on this.

The request has been very clear. Almost every message I have here on my table is very clear, asking the government to put the brakes on, to stop it, not continue moving on the track. Yet, here we are in third reading. Not acceptable, Mr. Speaker, just not acceptable.

What can I say? The frustration I feel is driving me crazy. The arrogance of the people sitting opposite me is driving us crazy. They continue to mock – when they're mocking, they're mocking the people of the province because we're presenting the concerns of the people of the province. We're presenting the concerns of people who work in all of these areas. We're presenting the concerns of the experts in the province who are involved in visual arts and museums.

We are representing people who know what archives are about. We're not presenting ourselves – I don't have all the expertise but I certainly know the questions that need to be asked. They have the expertise and they're being mocked by this government, absolutely being mocked by them. Just like they mocked people when they said they were going to close the public libraries.

The minister has said there's going to be consultation on any decisions afterwards. He has absolutely no control. If this bill is brought in and is proclaimed, he won't have control because inside of this bill means a change to the act that will allow the board or the CEO or whoever to do whatever they want to do, whether they do consultation or not. He is the one who has the responsibility given him by the Premier to make sure that openness, transparency and accountability are paid attention to. That's his responsibility.

So if he goes ahead and gets this bill passed, it will be them who are passing it, that I can say because I'm sure our colleagues in the Official Opposition aren't going to vote for this either. How can they? How can we vote for something that actually goes against the *Rooms Act*? They're actually doing something that goes against the current act that is in place. So it

makes absolutely no sense, Mr. Speaker, none whatsoever.

The frustration of people – we're not the only ones frustrated. The people who are writing us are frustrated. The people who are writing us don't know what it's about. The people who are writing us are saying this can't happen. It's like we're in a twilight zone in this province right now. We're being made fun of by people everywhere else in Canada. We're being made fun of. People can't believe that this is going on, just like they couldn't believe and still don't believe that public libraries would be closed.

But they just close their eyes and their ears to all of that and say oh, no, no, no, we know what's right; you don't know what's right. Their so-called consultations, well, obviously we know – I mean we have a history of some of those consultations already. They may gather people in a room and then they try to control, through the questions they ask, what the discussion is going to be and then they ignore it anyway. That's not what consultation is.

Consultation is sitting with people who are directly involved, sitting with those people and really listening and really working things out together and saying, okay, if The Rooms could be working better together, if the three – as the minister said – silos, could be working better together, then let's figure out how to do it if there's a problem. I mean not throw the baby out with the bathwater because that's what he's doing with what's in this bill; so many are saying the same thing.

One of the letters I have here is from Gerald Vaandering: I am concerned about some of the planned changes being considered for The Rooms. I do wish there would be public and stakeholder consultations – this is a letter to the minister. I do believe I heard you say there were consultations, yet I have not been informed of any of the opportunities. With whom did you consult?

The Rooms is a substantial institution with a substantial impact on the arts in Newfoundland and Labrador. Not only are people here watching but galleries and arts organizations across the country are watching to see what you will do and with what due consideration you

give it. It does seem that there is an attempt to do this quickly and without public awareness. Our current CEO should not consider himself to be so much more above the rest. It would be the greatest downfall of all.

One area of concern would be the possibility of The Rooms and their curators not being able to receive grant monies for special projects and exhibitions, and this is the issue that's been raised by so many. Gerald's question is: Has this been researched or the Canada Council for the Arts consulted? That's something that they don't seem to have considered at all.

We have a number of letters that are indicating there is a problem, a number of letters indicating that there may be one area in particular with the new structure – the Canada Council for the Arts programming which would not be available to The Rooms for funding. They would not be able to apply.

There's been no proof given to us that they understand what they're doing with regard to the potential, not only with Canada Council funding but many other arms of funding as well. They have not presented anything that deals with this serious issue that has been presented to the minister. We have a copy of all of the letters both from individuals as well as the groups, the associations of the people involved in archives, in museums and in the arts.

They've all presented the same issue to the minister and they're ignoring it. Absolutely ignoring the fact that you are really going to have a real backlash, not so much a backlash but you're going to have a real difficulty down the road finding funding outside of the provincial government for a lot of the work at The Rooms. Again, the minister is ignoring that.

They say that they want stuff that's evidence based. Well, everything in front of them, all this paper I have here and more that I haven't printed, that minister has all of it. Every one of those MHAs has it because people have been smart enough to make sure they've sent it all to their MHAs. They've done all that, Madam Speaker. They have done all that, yet they're ignoring it.

They're not listening to the questions that are being asked. They're not listening to the people who are doing this work on a daily basis. They're not listening to the people who are really concerned about what's going to happen to arts in this province with the dismantling of The Rooms and the minister can get up and say whatever he wants, it is the dismantling of The Rooms, Madam Speaker.

So I move, seconded by the Member for Conception Bay East – Bell Island, that Bill 56, An Act To Amend The Rooms Act, be not now read a third time, but that it be read a third time six months hence.

MADAM SPEAKER (Dempster): The Member for St. John's East – Quidi Vidi has put forth an amendment to Bill 56, and this House will take a brief recess to consider the amendment.

Recess

MADAM SPEAKER: Are the Whips ready?

AN HON. MEMBER: No.

MADAM SPEAKER: Order, please!

Are the Whips ready?

AN HON. MEMBER: Yes.

MADAM SPEAKER: I have considered the amendment put forward by the Member for St. John's East – Quidi Vidi and found the amendment to be in order.

The Member for St. John's East – Quidi Vidi.

MS. MICHAEL: Thank you, Madam Speaker.

It's good to know that we can continue this discussion here this afternoon because it's such an important issue. I'm glad that we have more time to put the concerns on the table.

I want to go to the bill itself, Madam Speaker, and look at the bill and explain it so that people who don't have it in front of them, and who are watching, will get an idea of what we're dealing with.

SOME HON. MEMBERS: Oh, oh!

MADAM SPEAKER: Order, please!

MS. MICHAEL: Thank you, Madam Speaker.

When we look at the bill, one of the things in it is definitions. Definitions are very important because the definitions give us an idea of how important the work of The Rooms is. For example – I’m not going to take every definition but some that stand out. Historic artifact, for example, “means a work of nature or of humans that is primarily of value for its archaeological, palaeontological, prehistoric, historic, cultural, natural, scientific or aesthetic interest.”

Now, that’s what we find in our museum, those historic artifacts. The very science that goes into recognizing what an historic artifact is, is very specialized. It takes years of study, years of work for people to be able to identify what is an historic artifact. You just don’t pick up a rock or pick up a piece of something, oh, that may be a bone and say it’s a historic artifact. It takes tremendous expertise.

When we are dealing with The Rooms, we are dealing with the provincial body whose responsibility is to maintain the historic artifacts that relate to everything about the history of who we are as a people in Newfoundland and Labrador. The expertise that’s needed to know how a museum is to be run, to do its work, number one, in finding historic artifacts, number two, in protecting historic artifacts, is not a casual thing. It’s not just an administrative task. It takes expertise, and right now we have a museum. Our provincial Museum, which is part of The Rooms, has a director with that expertise. We need that to continue. We need the expertise inside of a body that is the provincial Museum.

As was pointed out last week, and again was made light of by the minister, the BC corporation that deals with the museum and with their archives, et cetera – the provincial BC Museum – attempted to do the kind of thing that this government wants to do. They have run into nothing but difficulty. And because of the difficulties they ran into, they were told by the Auditor General that they should really go back to the first structure that they had.

But this government thinks we can do better, we can make it work, we know what we’re doing, when they don’t know what they’re doing, Madam Speaker.

Let’s look at museum, the definition. “‘Museum’ means a museum operated by the corporation” – which is The Rooms – “and includes the historic artifacts and natural history specimens in the care and control of the corporation ...” Well, those historic artifacts and natural history specimens just aren’t anything. They are part of who we are as a people, and the Museum at The Rooms is the repository of that history.

That’s the part I don’t understand, how they do not get what it means to have a provincial body solidly under government that is the repository of our history, and the expertise that it takes to have that kind of an institution in place. From why I understand talking to people who work in the three divisions of The Rooms, I think they’ve actually done a very good job since The Rooms came into existence of bringing together those three bodies into The Rooms – because they weren’t.

We had the Art Gallery, the MUN Art Gallery, we had our Museum and we had the Archives all separate. They came in under The Rooms, and my understanding is they’ve done a very good job in making it work. They’ve done a very good job in consolidating in one place the history of who we are. They’ve done a very good job in working together.

And if there are some things that haven’t worked, well, then let’s find out what they are. Let’s sit down with everybody who’s involved, not just one person from here or one person from there, get everybody at the table and say, how do you find this is working, what is it – this is being said. We’ve been told, if the minister wants to say it, that you have three silos and you’re not working together. How do you feel about that, the people who are doing the work? Let them speak to that. Let them say, well, part of that may be true, part may not be true. Do the consultation.

If the minister were to take the advice that’s been given him and if he would just stop right now, put everything on hold and start having

those consultations, he may find out this bill is not needed or he may find out some aspects of it are needed or he may find out maybe it is a mess and has to be blown up. I don't think that's the case, but have the consultations. Really sit with the people who are doing the work. That's whom I've spoken to, people who are doing the work and I'm telling you, they don't see what's in this bill as what is needed.

So, Madam Speaker, like I said before, we brought in the amendment to the bill, it just keeps blowing my mind because the government hasn't given us an explanation. The minister hasn't given us the rationale. He hasn't given us the evidence, any evidence, on which he has based this bill – none whatsoever. Yet, he's been mandated by the Premier to make sure that any decision that he makes is based on research and is evidence based. He hasn't done that, so he has failed as a minister.

I may point out, the Premier is failing as a premier if he doesn't call him to task for the fact that he hasn't done what his mandate tells him he's supposed to do. As a matter of fact, he hasn't done what the *Rooms Act* says he's supposed to do, which I've already pointed out.

Some of the questions asked by people like Jason Penney, “Will the Canada Council and other Federal Funding bodies still fund each division that is not under autonomous direction? Will this be at the same level or will it be at a diminished capacity? Have any major funding bodies confirmed their commitment to support such major restructuring? What will be the total revenue loss, and how will the province compensate for all lost revenue? How will The Rooms guarantee the safety of our province's cultural treasures through a process of downsizing? These and many more questions need to be answered.”

I would say that Mr. Penney is right on; those and many more. What happens if you don't have an art gallery with a separate board of directors for that art gallery? What happens if you don't have a museum with a separate board of directors for the museum? What happens in that situation when it comes to funding? These are very serious questions. It just makes me really upset when I see government not taking

seriously those questions that are being put to them.

As Mr. Penney says, “This province has long benefited from a strong and vibrant arts community; garnering national and international attention far beyond the scope of our population, and reaping the financial rewards through tourism and many other industries. This is not the time to make rash decisions that impede the arts community ability to thrive. With what is already a very small investment on the province's behalf this community has invested back many times more.”

I will read his final sentence, which has been said by other people and which my colleague for St. John's Centre has read from other people: “Bill 56 needs to stop and a consultation process with the community needs to begin before any changes are even considered.”

I ask the minister: Why can't he just do that? This is what I don't understand. They aren't even saying just get rid of the bill. They're saying let's stop, let's put on the brakes, let's have some rational discussion here and then see what changes are needed.

The community is saying that. The people who are working in the community are saying that. I don't know how the minister can give a rational answer to the community when they ask that question, when they ask: Why can't it just stop. What is the rush? What is making it so important that on Monday, December 12, 2016, this bill has to be passed? What is making that so important? The minister hasn't told us why. I really think The Rooms is going very well – going very, very well.

There was a point made – and I can't find the letter where it was made, but I know the point very seriously. I think I may have made this when I spoke in second reading, but it's important enough to make again. There seems to be urgency around getting more people into The Rooms and having more people coming in to see things, which is fine; more people in there bringing more money in.

But if you don't have solid research going on, on a continuous basis, if you do not have new artifacts being found, for example, for the

Museum, if you don't have new visual artists being supported and their work being brought in, what's going to happen to the Art Gallery? Everything will become staid. We will lose people because we aren't keeping things up to date. The thing is while, yes, you have a museum and you have an art gallery in particular where you want people to come and see who we are, the real reason for The Rooms existing is for the research to be done. Without the research, without all that background work, what's out front for people to come to means nothing.

If we want to keep everything up to date, if we want to have new discoveries being put into exhibits, if we want people to come in learning something new every time they come into The Rooms, then you have to have solid research going on in the background. You have to have people with expertise in each of the areas in the background.

The minister keeps insisting that the bill is not destroying The Rooms; yet, they have a clause in that bill which allows the whole dismantling of the divisions. It makes no sense. It makes absolutely no sense.

I don't know why the government just can't say, okay, let's all take a deep breath. Let's take a deep breath, let's realize we need to stop right here. Let's not put this bill in place and then say we're going to pay consultants to go around and talk to people and see what they think – like they did with the school libraries, the public libraries.

That's not the way to go. Stop everything now, be humble. Admit you've made a mistake by not having consultations. Stop everything, have the consultations and do them well. Have the people who are concerned involved with you in making the decision of how to do it. That's what they have to do, Madam Speaker.

I'm going to sit. I've made the points and I know that others want to speak.

AN HON. MEMBER: (Inaudible.)

MS. MICHAEL: Pardon, did somebody speak?

AN HON. MEMBER: No.

MS. MICHAEL: Oh, I thought I heard somebody speak, okay. I don't know what I heard but I heard something.

I'm going to sit because I know there are others who want to speak. I'll turn the floor over to them.

Thank you, Madam Speaker.

MADAM SPEAKER: The Speaker recognizes the hon. Member for Mount Pearl North.

MR. KENT: Thank you, Madam Speaker.

We're now speaking to a hoist amendment related to Bill 56. It's a rarely used parliamentary procedure that basically forces, if it was to pass, it would force the delay of the legislation before it could come back to the House. In this case, we're talking about a six-month period.

We were hoping that through raising questions and concerns government would acknowledge that, the minister would acknowledge that and just simply postpone this vote in third reading today in light of the concerns and questions that have been raised, but unfortunately that's not the case. So here we are.

The Member for Conception Bay East – Bell Island was pleased to support the hoist amendment put forward by the Member for St. John's East – Quidi Vidi which allows for more opportunity to discuss and debate this legislation.

Now, I spoke for pretty well an hour earlier today where I outlined lots of questions and concerns for the minister. I'm not going to rehash all of that. I appreciate Members' attention. I just wish the minister would respond and consider the points that I raised. I think those who have taken the time to write and call us and email us have made good arguments and have presented questions that do deserve to be answered. That's what we're calling for here.

The hoist amendment gives us another opportunity to speak to this and to raise those questions and concerns once again. Unfortunately, even after discussions with the

minister, there are concerns that haven't been answered.

I'll just quickly summarize what some of the big concerns and questions are at this point. Then I'll take my seat.

The fundamental issue is that our arts community has not been consulted here. They fear this is going to have funding implications and resource implications that could have serious impact on the sector. There are concerns not only with local funding but federal funding as well.

Just to summarize some of the questions. How will these proposed changes affect the mandate of the Provincial Art Gallery and, in turn, impact requirements of substantial funders to the gallery such as the Canada Council for the Arts? Were these funders consulted in the process? What is the long-term financial impact of this decision? Have all stakeholders been consulted and avenues explored? How will the professional credibility of the art gallery, its operations, programming and collection practices be impacted? One concern is that limiting independence within the Provincial Art Gallery Division will result in funders and artists having serious concerns.

How will The Rooms guarantee best practices in terms of the safety and care of our provinces cultural treasures, as well as the diversity of that collection under this new management structure?

So that's just a sampling of the kinds of issues and concerns that people are raising. We take those concerns seriously and we're asking government to reconsider. There may be elements of Bill 56 that still make good sense, even following this debate. We're not trying to say don't make any changes to the *Rooms Act* ever, but we're saying in light of the significant concerns that have now been raised, just press pause. You don't need to ram this through today.

A hoist amendment only tends to be invoked by Opposition parties when they feel that something is being rammed through, when legislation is about to be passed that could be detrimental to individuals or groups within our province. I'm glad that hoist amendment has

been put forward but I'm not happy that we find ourselves in those circumstances.

People have recognized that we have a great institution in The Rooms. It has a huge impact on our arts and cultural communities in Newfoundland and Labrador. People not only in Newfoundland and Labrador are concerned by what's happening here, but we've heard from arts organizations across Canada who are concerned about the impact of Bill 56.

So just some more of the questions that need to be answered and I'd urge the minister, whether it's in speaking to this hoist amendment or whether it's in response to third reading, he can respond for 20 minutes during this amendment debate. He can respond for a full hour in third reading debate. So there is ample opportunity for him to address all of the questions and concerns that have been raised.

I don't know, based on the recent meetings he's had with stakeholders, whether he'll be able to address those concerns to everybody's satisfaction, but he can certainly make the effort. That would at least be a show of good faith that I think would go a long way with those that are very concerned about what's happening with Bill 56.

Will the Canada Council and other federal funding bodies still fund each division that is not under autonomous direction? Will this be at the same level or will it be at a diminished capacity? Have any major funding bodies confirmed their commitment to support such major restructuring? What will be the total revenue lost and how will the province compensate for lost revenue? How will The Rooms guarantee the safety of our province's cultural treasures through a process of downsizing?

These are just a quick sampling of many of the questions that we raised during the second reading stage of debate, that we raised again in Committee of the Whole where we had a back-and-forth exchange with the minister. He answered many of my questions. There were some questions from my colleagues that didn't get answered at all, which I find rather frustrating.

But even despite all of that, now we find ourselves in third reading, new information has come forward. We've heard from groups and individuals in the arts and cultural sectors in our province and outside our province and we're just asking for answers. We're asking for government to pause and do the right thing here.

We have an amazing arts community. It contributes greatly to the economic and social development of our province and we've got to make sure we're making decisions that are in the best interest of those sectors. And everybody who has taken the time to raise concerns is not saying don't do anything. They're saying please pause, reflect and make sure we're doing the right things on behalf of the arts and cultural sectors within our province.

We've heard from students, we've heard from artists, we've heard from administrators, we've heard from sector organizations, we've heard from non-profit organizations, we've heard confidentially and quietly from people who work directly at The Rooms who are concerned and we've got an obligation to bring those concerns to the floor of this House as part of this debate.

So I hope that some of the questions that have been raised will get answers, but as this debate unfolds I'm not feeling incredibility confident that will be the case here this evening.

People have even written to say: What's the purpose of all of this? They have followed the debate closely and people in the sector are still wondering what's happening, and what safeguards will be in place to ensure the continued autonomy of some pretty important institutions in our province.

And what protocols are going to be in place to ensure that there will be adequate resources and oversight for the proper procurement, care and management of the amazing art collections that are at The Rooms? We've heard that officials from the Canada Council have confirmed that funding could be in jeopardy, despite the minister's assurances otherwise. So these are all reasons for us to raise concern and questions at this point in time.

So I hope that it's not too late and I hope that given the considerable effort we're making here to bring these concerns to light, I just hope that it won't be all for not. I hope that the minister will listen. I give him credit; he's following the debate. I know that he's been listening to the debate this afternoon, this evening. He actively participated in the Committee of the Whole discussion that we had last week, so there's still opportunity for him to respond to these legitimate questions and concerns.

All that government has to do is say we've listened, we said we were going to listen and we've listened, so we're not going to pass this now. We can leave this for another time. And I'm not talking even necessarily months or years; it doesn't have to be a long process, but there should be a process that allows for everybody who has expressed concern to be consulted, to have their voice heard.

Maybe there's information that the minister and the board of The Rooms Corporation and others can provide that would alleviate some of these concerns. But when we're hearing from national funding organizations that we could lose funding that's coming into The Rooms currently as a result of what could happen following the passing of Bill 56, that gives us all reason to be concerned.

People who are concerned have even been following some of the media coverage of this issue. They heard the minister say that government wouldn't do anything that would jeopardize federal funding support, but it's clear from some of the stakeholders we've heard from that is a real possibility.

Yes, the original *Rooms Act* was prescriptive but it was designed that way deliberately at the time. I'm not suggesting it shouldn't change. I think it's an institution that does need to evolve. There probably are changes that can be made that will – to use the minister's words – streamline the operation and make it more efficient and more effective and to have those entities better collaborate together. All of that is good, but there are some real concerns we have in moving this forward.

I want to thank the people who have taken the time to write, the people who have taken the

time to call to bring those concerns forward. There are some folks who are saying that Bill 56 will be in direct violation of recommendations that have come from national cultural organizations. So we don't want to do something here that could negatively impact our cultural community for years to come. That wouldn't be responsible.

Again, Madam Speaker, I don't want to be overly repetitive but I do want to make sure that these concerns are adequately heard and there's now limited opportunity. I've spoken for an hour; I've used up a good chunk of my time speaking to the hoist amendment, but I do feel that I've done my best to present the concerns on behalf of those who have presented them to me.

So I'm pleased to rise in support of the amendment that was put forward by the Member for St. John's East – Quidi Vidi and the Member for Conception Bay East – Bell Island. We have two of the three parties in this House – well, we have another Member who thinks he's his own party. In terms of the political parties, we have two of the three political parties in this House that are saying: Slow down, pause.

We're not saying throw the baby out with the bathwater so to speak, which is probably a horrible analogy. We're just saying pause, slow down, don't force this through now. Take the time to do the consultation. Let's make sure we're getting this right.

The minister continues to assure us that all of these concerns aren't legitimate. I hope he's right. I hope that funding is not jeopardized. I hope investment in the arts won't be diminished by these moves, but based on the fact that people with way more expertise than I have, have written some fairly thorough analysis to say, yeah, there's some real concern here, that should give government sufficient reason to pause and to reflect and to try and do the right thing.

That's why this is so important. Our arts and cultural communities make such an amazing contribution to life in this province. We need to do everything we can to make sure that we do the right thing here this evening and beyond this evening.

I hope the minister will really reflect on what's happening and government can just not pass this bill in third reading tonight. It doesn't need to happen. He has not explained to us what the urgency is, so I can only conclude that it doesn't need to happen and it's not urgent. So I hope we'll pause. I hope we'll reflect, and I hope these concerns can be addressed.

Thank you, Madam Speaker.

SOME HON. MEMBERS: Hear, hear!

MADAM SPEAKER: The Speaker recognizes the hon. Member for St. John's Centre.

MS. ROGERS: Thank you very much, Madam Speaker.

Again, I'm happy to stand and to speak to the amendment that the act be not read a third time but that it be read a third time six months from hence. Basically, what we're doing with this amendment is we're asking government to put the brakes on it for a while, to just hold off. To hold off on going any further with Bill 56 until the appropriate consultation has been done.

I would like to thank all the people who work at The Rooms, who do an incredible job. I'd also like to thank the CEO and the board of directors of The Rooms. Sometimes those who step forward and are willing to be on the boards of some of our very important institutions, that it requires a lot of volunteer time and a lot of passion and expertise. I'd like to thank those folks.

I also want to thank our artists who inspire us, who challenge us, who reaffirm us, who dare to think, to envision different worlds and new worlds for us; but who, at times – and this is also the role of art – to make us uncomfortable, to make us realize that there are different ways of seeing the world, and I'd like to thank them for their work.

And our archivists – when the call was put forth for people to apply for Qalipu status there were many, many, many people who went to the Archives and who were helped by staff in the Archives as they attempted to trace down their genealogy to see if, in fact, they were eligible to

apply for Qalipu status and to help them with the documentation that they needed.

The Archives house some of our most incredible artifacts that if they're not handled properly, no one even knows what we have or how to access them. It takes a real expertise and knowledge in order to be able to manage our Archives so that not only are they housed properly, but they're catalogued properly, that they have integrity and that people then can access them, that the Museum can also work hand in hand with the Archives.

I'd like to thank our Museum workers as well. We have staff in our Museum in The Rooms, we have staff in our Art Gallery in The Rooms, we have staff in our Archives in The Rooms and then we have a lot of freelancers as well who do work in collaboration with those three different divisions. Sometimes for their own projects, sometimes to be part of a support for any project or exhibit that The Rooms may be doing.

We all remember Mary Pratt's exhibit last year and how proud we were of that. Then that exhibit travelled beyond Newfoundland and Labrador. I'm sure many of us went to see her exhibit, and how many times have I been at art exhibits in the Art Gallery that were so beautifully curated – because it's not just about hanging pictures on a wall; it's much more than that. But often at the openings in our Art gallery where you actually had to line up in front of a painting in order to be able to see it. That's a problem of success, and how much pride do we have in encouraging people who come from away to visit The Rooms, how much pride we have in doing that.

How much pride did we have in our Beaumont-Hamel exhibit? We talked about it a lot here in the House. I'm sure almost everybody here in this House has visited that exhibit and how wonderful it is. People lined up for hours to go see that exhibit.

So there is a lot to celebrate at The Rooms. And then the education programs; education programs that are for our children that open up their eyes to what can be done through archives, through museums, through the Art Gallery.

Then, also, education programs for adults. Unfortunately, it's just based here in St. John's, but some of their work travels and some of their education reaches beyond the Overpass, which is an important thing. And the collection of incredible work by indigenous artists here in the province. And then how the Archives houses the history of our province. There's still so much work to be done.

We know that archives aren't just about putting stuff in a file; it's much more than that. We know that museums are more than just putting old things on shelves or on the walls; it's much more than that. It takes a lot of expertise and specialization in order to do it in such a way that it has integrity and that it has lasting value and that we can then be very proud.

Again, the reason we have put forth this hoist amendment is to stress how important it is for the consultation for this. When I spoke before, I stressed the Premier's mandate letter to the minister where it said the Premier compels every minister here in this House – every single minister. He compels them to openness, transparency and accountability. He wants to ensure the “policy decisions in government are informed by research, evidence, and evaluation so that citizens can understand how and why decisions are made.”

I just think this is so important, Madam Speaker. The Premier wrote to this Minister of Culture: “It is critical that our government's decisions are also informed by engagement with stakeholders, including our Aboriginal partners, to ensure everyone's voices are heard.” What we are hearing here this evening is that no one's voice was heard. The minister said that this came from the board.

Also, some of the people who have contacted my office, who have contacted me and other Members here in the House – and I'm sure that all MHAs have gotten copies of that. The question was: Well, if this came from the board, how many members are on the board? Was there a quorum when the board supposedly put this forth? What was the board's intention? Did the board undertake any consultation?

We know staff were not consulted. We know the appropriate organizations that represent the

different areas of expertise were not consulted. We know those who work in this area were not consulted. We know the general public was not consulted. We know the Members of the House were not consulted. So we don't know who was consulted. The current act of The Rooms Corporation compels government to do consultation before any major changes are done.

There was extensive consultation for the first act covering The Rooms Corporation, extensive community consultation. Now to simply ignore that, how can the minister explain that; for what reason? Why the haste? One can only assume if he's being hasty, if no consultation was done, that in fact the bill itself is reckless, the bill that is before us, because the proper protocol was not followed.

It's so important to know why. There are a whole lot of missing pieces here. Why would this minister do this? Maybe it's inexperience, maybe it's that. It's very clear. He said he didn't consult with people. He said he'll consult after the bill is passed. That's a backwards way of doing things. Why would he do that? It's kind of a bit of a mystery. We keep trying to figure out why, and there are no concrete answers. There seems no justification for doing it this way.

He said we want the flexibility. The thing is he does have the flexibility. There's nothing in the current act that prevents him from consulting. As a matter of fact, as I've said before, the current act compels him to consult. There's nothing in the current act to prevent the CEO of The Rooms from consulting. As a matter of fact, the current act compels him to. It's the same with the board of directors. There's nothing in the current act that prevents them from consulting. The current act, in fact, compels them to consult.

We also know nowhere else in the country are all three separate units of provincial Museum, the provincial Archives and the provincial Art Gallery, there is nowhere else in the country where they are combined in such a way, where we are all housed under one building.

Now the minister did speak about BC and what was happening in BC. We know there have been major problems with how that has worked out for them. It didn't work out well.

In our briefing – and I'd like to thank those who briefed us – they pointed to the Glenbow Museum, which is a private museum. It's not a provincial art gallery, it's not a provincial museum, it's not a provincial archives. So that comparison doesn't work either.

I would hope it would make sense – let's put this to bed. Let's just say hang on, okay, we can consult. Let's just put this to bed. Why ram it through? It makes no sense at all. There is no rationale for that. There is no urgency; it's not a matter of money.

The expertise exists in this province through not only the staff at The Rooms, but all the relevant organizations and agencies. Whether they be umbrella groups, whether they be in the museum community, the archive community, the arts community, the research community, the academic community, and they are all willing – the interesting thing, Madam Speaker, is they are all willing to do this work, and it will take intensive work. They are willing to do this work.

They have stepped forward and they said we want to be heard and we have experience. I trust their experience and their expertise but this is not about protectionism. It's not about protecting their own little corner. Everybody who is concerned in this area, who works in this area, wants The Rooms to be the best that it possibly can for the people of Newfoundland and Labrador. Past, present and in the future, we all hold that desire. We all want to see The Rooms be the best that it possibly can.

I also believe that everybody who is involved is very much aware of the financial situation. There is nobody who is blind, who doesn't see, there's nobody who cannot see the financial situation that we find ourselves in. So it's not a matter of crying out for more and more and more and more, but that people are willing to come to the table and say: How can we do this better? Is there a way to do it better, but let's talk? And only then should the minister come to the House with a bill that would be reflective of that. It's such a backwards way to do things.

It's an odd thing. It's really truly an odd thing that we have before us right now. So again, we have that expertise, we have experts who are willing to come to the table, to share their

knowledge, to listen one another, to envision how The Rooms can best operate going forward. Why the minister would not take advantage of that is beyond me.

So regardless of whether he thinks it's a good idea or not, he has been instructed to do so by his leader, by the Premier of the province. He has been instructed to do that. In their platform in the election, they promised the people of Newfoundland and Labrador that they were going to be more open, more transparent and more accountable than the previous administration. This is the antithesis of that, Madam Speaker. Why would they do that?

Sometimes it makes sense to bring bills before this House when there is a sense of urgency, when something needs to be done quickly and the rationale is clear. There is no clear rationale for this whatsoever. There's no justification whatsoever that we have seen that makes sense of this.

I would think, Madam Speaker, that the minister would take the opportunity to say, okay, I want to hear from these folks; I'm willing to listen, with the real intention of hearing and, at this point, for him to take advantage of the expertise and the knowledge that people are offering him.

Why would he not do that? Why would not his fellow MHAs – because I know that every MHA in this House has received the same letters and emails that I have because we've all been copied on them. I am sure that there are other Members on the other side of the House who also feel, hang on a sec now, let's stop, let's take a breath and let's do this properly. What would also compel them not to do that is a bit of a mystery to me as well.

So, Madam Speaker, I will wrap up. Again there have been such great letters, great emails written from archivists, from art gallery curators, from individual artists, from the Museum Association who have clearly stated some of their concerns. All without exception are saying just hang on a minute, just hold off. Let's do this right before it's too late.

It's not going to cost us anything to put the brakes on this right now. As a matter of fact, who knows what it might end up being. Maybe

it will save us some money in the end. Who knows? We don't know because that consultation hasn't been done with those with expertise, people who have spent years, who have Ph.D.s in some of these areas – spent years and years and years doing academic studies who are experts in this area.

I would like to thank those who are working at The Rooms who make it a place that we can be so incredibly proud of. I would like to thank the people in the arts community who work so hard, often with so little money to work with, but because of their passion, because of their commitment. I would like to thank them for the places that they can take us to because of their art.

I would like to thank all those who wrote to us, who emailed us, who met with us, who called, who are really passionate about this. Many of them have a sense of hope that we can do this, we can listen to one another. They are willing to come to the table.

I ask the minister once again: Will he not call people to the table before these decisions are made? It's the right thing to do. I believe he probably knows it's the right thing to do. It's not too late. I would think it would be keeping in line with the commitment that he made when he was running in the last election. He ran under a platform that promised the people of Newfoundland and Labrador, not arrogance – but promised the people of Newfoundland and Labrador a government that would be more open, more transparent and more accountable. I believe that he can do that. I believe that it's possible for people to work together to make this happen.

I believe that this government has a moral obligation to the social contract. They have a social contract with the people of Newfoundland and Labrador. I believe that this government has a moral obligation to honour and fulfill the social contract that they have with the people of Newfoundland and Labrador. That social contract is a commitment of more openness, more transparency and more accountability. To do otherwise, would be a violation of that social contract under which they ran. The commitment they have made, the commitment this Premier has made to the people of the province through

his mandates where he has asked his ministers to conduct themselves under that social contract of openness, transparency and accountability.

MADAM SPEAKER: Order, please!

I remind the hon. Member her time for speaking has expired.

MS. ROGERS: Thank you very much, Madam Speaker.

MADAM SPEAKER: Is it the pleasure of the House to adopt the amendment?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

MADAM SPEAKER: All those against, 'nay.'

SOME HON. MEMBERS: Nay.

MADAM SPEAKER: The motion is defeated.

AN HON. MEMBER: Division.

MADAM SPEAKER: Division has been called.

Division

MADAM SPEAKER: Order, please!

Are the Whips ready?

Is it the pleasure of the House to adopt the motion, second reading of Bill 56?

AN HON. MEMBER: Third reading.

MADAM SPEAKER: Third reading, pardon me, given the hour of the day.

Is it the pleasure of the House to adopt the hoist amendment?

All those in favour of the hoist amendment, please rise.

CLERK: Mr. Paul Davis, Mr. Hutchings, Mr. Kent, Mr. Brazil, Ms. Perry, Mr. Kevin Parsons, Mr. Petten, Ms. Michael, Ms. Rogers.

MADAM SPEAKER: All those against the amendment, please rise.

CLERK: Mr. Andrew Parsons, Ms. Coady, Mr. Joyce, Mr. Haggie, Mr. Hawkins, Mr. Crocker, Mr. Kirby, Mr. Trimper, Mr. Warr, Mr. Browne, Mr. Mitchelmore, Mr. Edmunds, Mr. Letto, Ms. Haley, Mr. Bernard Davis, Mr. Derek Bennett, Mr. Holloway, Ms. Parsley, Ms. Pam Parsons, Mr. Bragg, Mr. Finn, Mr. Reid, Mr. Dean, Mr. King.

Madam Speaker, the ayes, nine, the nays, 24.

MADAM SPEAKER: I declare the amendment defeated.

On motion, amendment defeated.

MADAM SPEAKER: We are now back to third reading.

The hon. the Minister of Business, Tourism, Culture and Rural Development.

SOME HON. MEMBERS: Hear, hear!

MR. MITCHELMORE: Thank you, Madam Speaker.

It's a pleasure to once again stand in the House of Assembly to discuss Bill 56. One thing I can echo is the Member opposite in pointing out that we all want The Rooms to be the best that it can be. That is exactly correct; we all want The Rooms to be the best that it can be.

Bill 56 – and this is why we would not be supporting hoisting or delaying Bill 56, because Bill 56 allows The Rooms to be the best that it can be. And the best is yet to come.

I would say I'll give everybody the opportunity – I'm wondering about the time on the clock, though, Madam Speaker. I thought that I would have an hour to respond. I'll do it as quickly as I can and concisely.

SOME HON. MEMBERS: Oh, oh!

MADAM SPEAKER: Order, please!

MR. MITCHELMORE: Thank you, Madam Speaker.

One thing I do want to remind, as the Member for Mount Pearl North got up to speak, he spoke quite a bit because the Member just last week voted in favour of the very legislation that was put forward in Committee. When we look at that, I want to go back and look at the track record of the former administration that he was a Member of because it was the former administration that deferred The Rooms itself. He gets up being like he's the champion of arts and culture here in the province and they deferred the opening of The Rooms by a whole year.

Their budget of 2013, there was a 15 per cent cut to The Rooms down to \$6 million and significant job losses. When the Member for St. John's East – Quidi Vidi and St. John's Centre had talked about my mandate and talked about the Premier, I am very proud of the mandate that the Premier has given me on openness, transparency and accountability –

SOME HON. MEMBERS: Hear, hear!

MR. MITCHELMORE: – and instilling to be the minister responsible for Culture here in Newfoundland and Labrador.

The very first job that I had when I was 16, I started a museum here in Newfoundland and Labrador, talking about our culture, talking about our heritage – the Member for St. John's Centre knows this. The Member for St. John's Centre also knows I was a director on a museum that served as an archives as well. I've been involved in the cultural community for quite some time. I've done extensive travel to over 50 countries and go to museums and art galleries.

When she brought up Mary Pratt, I have to say I had the pleasure of seeing Mary Pratt at the gallery in Ottawa, the National Gallery. It's quite an important –

SOME HON. MEMBERS: Oh, oh!

MADAM SPEAKER: Order, please!

MR. MITCHELMORE: My role when it comes to being the minister, this act and Bill 56 is very important to me. Culture is very important to our province. It's \$450 million to the provincial economy in GDP. The Rooms

Corporation is and will continue to be the provincial Museum, Art Gallery and Archives for the Province of Newfoundland and Labrador. I can't reiterate that enough, despite what Members opposite would have the general public believe.

We're not dissolving these functions of The Rooms. The mandate of The Rooms and all legislative obligations associated with operating the Museum, Art Gallery and Archives remain in place. There is no dilution or desolation of these functions. We are, however, giving greater autonomy to The Rooms Corporation to govern its own operations by removing reference to prescribed operating structure from its enabling legislation.

When first established, more than a decade ago, the intent behind The Rooms was to unite these three entities to create a vibrant connection to history, heritage and artistic expression. The proposed changes are quite simply designed to encourage greater collaboration across the various functions of The Rooms but not at the expense of any one function.

So for anybody to vote against Bill 56 is certainly to hinder The Rooms from being the best that it can be – absolutely. We have a vision for the province, this government, and what we will do for the province. And The Rooms is a very important entity in the province that will continue to house all the provincial Art Gallery, Archives and Museum.

I want to point out that there is no intent to limit creative control or dilute the expertise within the organization in any way; instead, these amendments are about allowing flexibility with respect to management of The Rooms in order to be responsive to the views of the stakeholders, including the arts community. We hope to see improved exhibits and programming, to take advantage of the natural synergies that exist across the Archives, Museum and Art Gallery.

Overall, our government views The Rooms as a very important institution to Newfoundland and Labrador and is a key cultural asset for our residents, visitors and our province, preserving and presenting our culture, history and heritage.

And it's important to note that our government, under the Premier for Newfoundland and Labrador, has an unwavering commitment to arts and heritage and the community as a whole. In fact, this past year we had \$18.2 million that has been invested in this particular sector.

I want to reiterate that any discussions prior to the proposed amendments would have been premature and that there will be consultation that will happen with a broader community, with an advisory committee. The Rooms will be undergoing a strategic planning process in 2017, early in the new year. Anybody will have the opportunity to put forward and make contribution to the entity in terms of a consultative process.

So I find it very interesting that Members opposite would prefer to set up walls and barriers to having a very proactive, positive and progressive discussion and dialogue to allow The Rooms to be the best that it can be.

When it comes to funding, there have been a lot of inaccuracies, misguided statements and just things that aren't factual raised by Members opposite. I believe all of them that put forward anything about funding at the local or federal level – that changes to the *Rooms Act*, Bill 56, will not impact or impair The Rooms in any way from receiving federal funding from the Canada Council, from Heritage Canada. It's been very successful in doing so because there is no change to the structure of The Rooms based on Bill 56.

I've met with four groups that reached out to me over the last 10 days and had very good, productive dialogue with those groups. I would say to the Member for Mount Pearl North or the Member for St. John's East – Quidi Vidi or St. John's Centre, if they had any concerns over the last 10 days, they certainly didn't reach out to my office to clarify or ask any questions.

But what I will say is that anybody who has written by email or made contact that I certainly will – and we've acknowledged all of the emails, Madam Speaker –

SOME HON. MEMBERS: Oh, oh!

MADAM SPEAKER: Order, please!

MR. MITCHELMORE: – and we will respond to the questions that have been put forward.

I appreciate all of the people who have been engaged in the conversation, who have written me – I would ask for some protection, Madam Speaker, from the Member for St. John's Centre for continuously heckling me.

I want to reiterate all of the good work that The Rooms has done and my staff has done, that the board of directors – and for the Member opposite to ask was there quorum and to insinuate that the board of directors at The Rooms did not have quorum when they made the decision, is just insulting to the governance structure and the people who serve as directors. Does she have no respect to the board of directors at The Rooms Corporation who represent the broader community? It's very insulting.

The Member for St. John's East – Quidi Vidi to get up and call me arrogant over and over and over again, that is very frustrating. I've been, for the last year, meeting, consulting and engaging with the arts community, working with groups and entities to expand the cultural and artistic and creative sector here in Newfoundland and Labrador. I look forward to continuing to do that and broaden and have that opportunity. This is why I'm looking forward to the passage of Bill 56, so we can allow The Rooms to create and grow and be even better than what it is today.

There is so much opportunity at The Rooms and our cultural sectors. I'm really excited about what The Rooms can do. I'm excited about the staff and the expertise that exists at The Rooms as well as with the board of directors, with the CEO and with the greater community as a whole.

I think there is so much potential here in Newfoundland and Labrador when it comes to our cultural and artistic sector and all the creative minds. We do punch above our weight when it comes to the artistic community here in Newfoundland and Labrador.

I'll go and provide some further feedback to some questions that were raised. When it comes to the act right now, the act does not allow for any changes to be made, but the proposed act,

when passed, will allow The Rooms the opportunity to consult with stakeholders in the new year as part of a strategic planning process. I think that's been very clear. Members of the Opposition have raised their concerns around consultation, primarily, and around funding. So there will be clear consultation, there has been no change to the structure, to the directors, to any staffing at The Rooms and the passage of the bill does not change that.

The act will allow for a consultation with stakeholders. There'll be consultation with stakeholders. Should The Rooms, board and the CEO see opportunity to find greater synergies, find a better model, find ways of which there can be improvements that can be made to The Rooms, well then we owe it to the taxpayer and to the public of Newfoundland and Labrador to allow The Rooms to be the best that it can be. The Rooms has grown exponentially when it comes to visitation, when it comes to what it's been able to offer, and how it's been able to evolve. I think that's really important.

When it comes to the private sector donations, when it comes to the revenue generation, when it comes to the long-term vision as to how The Rooms can grow beyond even the current footprint of The Rooms, there is a tremendous opportunity for them.

I also think that I'd be remiss if I didn't say that it's important that we live up to all of our obligations when it comes to the role of the provincial archivist and having that designated in the act, and also around the financial reporting mechanism for openness and transparency and accountability. That's something that the Member for St. John's East – Quidi Vidi and St. John's Centre raised. And putting it into the act of increased reporting mechanisms around openness, around the reporting mechanism and the financial and different reports that could come from The Rooms to the minister, who I am ultimately responsible for the corporation, is certainly a good thing. It is necessary, and it's quite important.

I want to also point out that there's been a lot of due diligence done on behalf of my staff and The Rooms Corporation when it comes to ensuring that Bill 56 will ensure that all federal funding would stay and remain intact.

I want to be clear; the bill does not propose any new structure. It is not our intent to build a new structure into legislation. It's going to give The Rooms the ability to be responsive to their stakeholders and structure their operations in the best way that allows The Rooms to fulfil its mandate, which the current act does not.

I want to also point out that by deferring such legislation is really something that would not allow The Rooms to proceed to best fulfil its mandate to enlarge the operation, the authority of the corporation. To make sure it can find those synergies, it can enhance programming, it can indeed find ways in which it can grow its memberships, ways in which the integrity of the archives is protected and preserved, the documentation and, as well, that we find spaces.

Because the Member for Mount Pearl North, I believe – and I find it very interesting to make a statement about how staff were moved from a documentation space on a specific area of The Rooms. Well, that was made for a very good decision. The staff were moved from one area of The Rooms to another area to be closer to the vaults, so they could have greater access to the materials they are documenting and cataloguing. This would be best practice in any organization. It seems like there is opposition from the other side to look at implementing better practice.

The current space is not an office space, as the Member stated, but there is a plan for that space that will create economic opportunity, will create additional space for the public, will allow for artists and creative people and others to engage in that space. I think it's only inherent that we make more space available to the growing arts and cultural community. That's very important.

This is something that was put forward by the board of directors at The Rooms Corporation, reflective by a minute in the board that certainly did have quorum. I want to reiterate that, and I want to say this is not changing The Rooms Corporation. This is giving the board and the CEO the opportunity to go out and consult and have that engagement process to see and explore if there can be a better model for The Rooms itself. The amendments do not present that change in structure, just simply removes a

barrier. It's something that we've had a conversation with a number of people.

The Rooms has always gone out and consulted. They've had an advisory committee when they did their fourth level galleries, when they did the art bank and the procurement of art on the Fort Townshend project that they're exploring, and then the World War I exhibit. All of these things have gone out and resulted in a consulting process with the greater community.

The Rooms is our cultural crown jewel in the province, in Newfoundland and Labrador. It is something that we want to grow and expand. This is not about having something that would negatively impact.

For people to state that this would have a negative impact on federal funding, that's wrong. For people to make – and there were a lot of statements that were put forward by Members of the Opposition that are inaccurate, but I will say that anybody who has a concern certainly I encourage them to engage me, engage my office, reach out. I've had meetings with the four groups that shared some concern. I made myself available very quickly and expediently. I've met with a number of those groups previously as well in my role as minister, and that is something I will continue to do.

One of the big things we're doing in our department in the New Year is we're going to be engaging and consulting on the status of the artists legislation. This is a government that is all about growing and diversifying the economy.

Right now, the current board of directors and the way The Rooms has grown and evolved are pointing out and saying that the current act is limiting natural synergies, is limiting the success of the corporation and I'm not going to stand in the way of letting The Rooms be the best that it can be. I want The Rooms to be the best that it can be and I truly believe that The Rooms – the best is yet to come.

SOME HON. MEMBERS: Hear, hear!

MR. MITCHELMORE: I truly believe that. I think for anybody to think otherwise, that this government would be doing anything to

negatively impact The Rooms, it's completely unfounded.

I'm not going to be taking lectures from the Member for Mount Pearl North, who was pointing out that his government deferred the opening of The Rooms by a whole year, cut their budget significantly by 15 per cent, taking over a million dollars out of The Rooms Corporation and cutting off significant staff, supported the legislation last week and now is voting to have it deferred. We all know where they stand when it comes to supporting the arts community, I guess. Or maybe they will vote and support the legislation in third reading.

The fact is that we're bringing the *Rooms Act* in line with other corporations, other entities when it comes to governance, governance structure and entities. This is about being responsive to a governance structure. It's about listening to the board of directors, to the CEO, who see a way of which they can find natural synergies within an organization; an organization that's had success.

Every group and entity that I met with in the arts and cultural community talks about how important The Rooms is to each Newfoundlander and Labradorian and we only want that to grow. By voting against Bill 56, it's really standing in the way of growth. It's standing in the way of the opportunity to go out and have that consultation that will happen in 2017. It is going to happen. It's not having any impact on funding.

I would say to Members opposite, I would say to the whole House, that it's inherent that we should advance The Rooms Corporation, Bill 56. We should allow The Rooms Corporation to be the best that it can be. Not hinder, not inhibit, not stagnant growth.

MADAM SPEAKER: Order, please!

MR. MITCHELMORE: The best is yet to come.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MADAM SPEAKER: Is it the pleasure of the House to adopt the motion?

All those in favour?

SOME HON. MEMBERS: Aye.

MADAM SPEAKER: All those against?

SOME HON. MEMBERS: Nay.

MADAM SPEAKER: Carried.

CLERK (Murphy): A bill, An Act Respecting The Rooms Corporation. (Bill 56)

MADAM SPEAKER: This bill is now read a third time and it is ordered that the bill do pass and its title be as on the Order Paper.

On motion, a bill, “An Act Respecting The Rooms Corporation,” read a third time, ordered passed and its title be as on the Order Paper. (Bill 56)

MADAM SPEAKER: The hon. the Government House Leader.

MR. A. PARSONS: Yes, Madam Speaker, I would call Order 5, second reading of Bill 58, An Act To Amend The City Of Corner Brook Act, The City Of Mount Pearl Act And The City Of St. John’s Act.

MADAM SPEAKER: The hon. the Member for Mount Pearl North.

MR. KENT: Thank you, Madam Speaker.

I recognize we’re simply resuming second reading debate on Bill 58. I won’t speak at length because I’ve done that enough today, but I did want to rise and speak in support of this legislation.

It does impact two of the cities that I represent: the City of St. John’s and the City of Mount Pearl. I’m mostly familiar with the concerns that have been expressed recently and not so recently on behalf of the City of Mount Pearl with the *City of Mount Pearl Act*.

These amendments are consistent with some of the changes that were recently made in the *Municipalities Act*. These are issues that the cities have wanted cleaned up for some time, so I do know that the City of Mount Pearl is fully

supportive of the changes that are contained in the bill.

So I want to speak in support of those changes as well. I think there’s further opportunity to do a wholesale review of our municipal legislation in this province. I sense a willingness on the part of government to pursue that. We’ve been talking about establishing enabling legislation, particularly in our largest municipalities, for quite some time.

I know the City of Mount Pearl would welcome that. The *City of Mount Pearl Act* is rather old at this point in time. There have been a bunch of amendments over the years, but it’s still a piece of legislation that could do with a wholesale review, and I believe we could get to a point where we have more enabling legislation that would better empower our larger communities in this province to do the work that they’re entrusted to do.

I think Bill 58 makes sense. It addresses some concerns that municipalities have raised – in this case, the cities have raised. For that reason, I just wanted to stand quickly and offer my support on behalf of one of the cities that I represent. I represent a little part of St. John’s as well, but the bulk of my district is in the City of Mount Pearl, and the rest of my district should be in the City of Mount Pearl. So I’m pleased to rise in support of these changes.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MADAM SPEAKER: The hon. the Member for St. John’s East – Quidi Vidi.

MS. MICHAEL: Thank you very much, Madam Speaker.

I don’t think I’ve spoken yet. I think it was just before I was going to speak the other day – I’m here trying to remember. I think I’m correct; I don’t think I’ve been up in second reading on this bill but I do want to speak to it.

Obviously it’s a bill that isn’t new for the three cities in our province because the changes that are being made here are changes that have already made their way into the *Municipalities*

Act. This bill is just bringing the act that relates to the three cities into line with the changes and practices that are already happening.

The one city that I do represent is St. John's, of course. Interestingly enough, the section that's in here related to St. John's is that the City of St. John's requested that section 146 of the *City of St. John's Act* be repealed. That section of the *City of St. John's Act* requires Water Street business owners to pay half of the cost of reconstruction if reconstruction is done of Water Street.

Now, I represent, through St. John's East – Quidi Vidi, so much of the downtown – not all of Water Street but certainly a major bulk of Water Street and relate quite frequently with the a lot of the business people on Water Street. I'm sure that they're very happy to know that this section of the *City of St. John's Act* has been repealed. Apparently, according to the briefing that was given, there is a new formula that is going to be looked at with regard to the reconstruction of Water Street, and there's been no determination yet of what that formula will be.

I expect that there's going to have to be a real concern raised, or there will be a real concern raised by the businesses on Water Street. Because cost recovery from people on Water Street, the downtown property holders, could be very, very problematic and could really affect what's happening on Water Street. We want Water Street to continue to prosper and for the businesses on Water Street to continue to prosper, and for it to continue to be a place where the citizens of St. John's, as well as visitors and tourists who come, will want to be on Water Street.

So I think it's going to be very, very difficult if the city and the province are going to try to recover costs from the property holders downtown on Water Street. It's going to be very, very problematic. So obviously, I don't have anything to do with that, but I'm certainly going to be carefully watching what is going on and get the feeling of my constituents who own businesses on Water Street with regard to the whole issue of cost recovery.

I understand also that what we have here in this bill is just part of what needs to be done with regard to the legislation covering our cities. We're told by the department that they're working on a new piece of legislation that's not completed and that piece of legislation will cover all of the cities. I think that makes a lot of sense, really.

The principles that guide the cities should be the same for all of our cities. So I will be looking – I don't know when that will take place, and we weren't told in the briefing exactly when it will take place, but I do look forward to seeing that legislation. I feel confident because the three cities had their wills – well, wills in terms of what they wanted – listened to when it came to putting this bill together. I'm sure there will be ongoing consultation with the three cities with regard to the cities legislation that the department is working on.

So having said that, I'm glad to see the provincial government working so closely with the cities, and I look forward to voting for this bill.

Thank you.

MADAM SPEAKER: If the hon. Minister of Municipal Affairs speaks now he will close debate.

The hon. the Minister of Municipal Affairs.

MR. JOYCE: Thank you, Madam Speaker.

I'll stand, just for a few minutes to thank everybody who spoke on this bill.

As I said earlier, these are amendments that are put in by all the individual cities in the province, the three of them. These are some concerns that they have raised that they wanted addressed. I say to the leader of the Third Party, the Member for St. John's East – Quidi Vidi, the tax they're being charged is the charge all other business taxes in St. John's, they are going to be the same as the other businesses.

As for the actual *City of St. John's Act*, *City of Mount Pearl Act* and the *City of Corner Brook Act*, there are a lot of changes that need to be made in the three big acts, plus the

Municipalities Act. That's a big piece of work. That may be a year, year-and-a-half work. We're looking at getting the funding to do that.

When you said all municipalities should be treated the same, that's why we got St. John's because it's the bigger centre. They need their own act. I'll just give you a good example. There's the assessment agency. In the assessment agency across the province they do most, if not all the province. St. John's does their own. So a lot of times they need their own act. There are a lot of things that would affect St. John's that wouldn't affect a lot of municipalities, so that's why the need.

I thank everybody who spoke on this. I think we explained it the best we could. I know the Member for Cape St. Francis had a lot of questions earlier, and I think they've been answered. I thank the towns for putting it forward, and I thank everybody in the House who supported this bill.

Once again, I look forward to bringing in the next bill for St. John's, which St. John's has asked us to bring in later this evening.

Thank you, Madam Speaker.

SOME HON. MEMBERS: Hear, hear!

MADAM SPEAKER: Is the House ready for the question?

The motion is that Bill 58 be now read a second time.

Is it the pleasure of the House to adopt the motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

MADAM SPEAKER: All those against, 'nay.'

Carried.

CLERK: A bill, Act To Amend The City Of Corner Brook Act, The City Of Mount Pearl Act And The City Of St. John's Act. (Bill 58)

MADAM SPEAKER: This bill has now been read a second time.

When shall this bill be referred to a Committee of the Whole House?

MR. A. PARSONS: Presently.

On motion, a bill, "An Act To Amend The City Of Corner Brook Act, The City Of Mount Pearl Act And The City Of St. John's Act," read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill 58)

MADAM SPEAKER: The hon. the Government House Leader.

MR. A. PARSONS: Madam Speaker, I call Order 7, second reading of Bill 62, An Act To Amend The City Of St. John's Act And The City Of St. John's Municipal Taxation Act.

MADAM SPEAKER: The hon. the Minister of Municipal Affairs.

MR. JOYCE: Thank you, Madam Speaker.

I move, seconded by the Member for Lab West, the Bill 62 be read a second time.

MADAM SPEAKER: It is moved and seconded that Bill 62 be now read a second time.

Motion, second reading of a bill, "An Act To Amend The City Of St. John's Act And The City Of St. John's Municipal Taxation Act." (Bill 62)

MADAM SPEAKER: The hon. the Minister of Municipal Affairs.

MR. JOYCE: Once again, this is something that was brought forward by the City of St. John's and the downtown business association, it's the improvement tax.

What happened, as we all know, this tax was being collected for 28 years, I think. Twenty-eight years I was told this tax has been collected. What happened is three years ago they changed the way they were calculating taxation in St. John's and they forgot to add this into it.

This is an amendment. They were doing it for the last three years, collecting the taxes and giving it back to the association, which they had been doing 25 years earlier. They've been doing it for 28 years now from my understanding. What this is saying now is putting this amendment in so that it lines with the St. John's act itself, when they changed their taxation code. This is a piece of legislation which is very minor because it's just allowing them to continue what they were doing.

Madam Speaker, this is imposed upon persons carrying a business owner property with a BIA. BIA levies may be fixed in accordance with the following methods. The methods have been in place for a number of years. The City of St. John's wrote us, the business association wrote us and asked us would we try to get in this legislation.

The reason they're asking to make it retroactive is that they've been collecting the funds – all the funds they collected they gave back to the downtown business. It was all given back. They just want it retroactive. When they ensured what they were doing for the last three years was proper, all the funds – every cent they collected for 25 years was going directly to the business, because they were collecting it themselves. St. John's was collecting the last three years and they took whatever funds they collected, the same as they were for 25 years, and gave it back to the business group. Now they are saying we want to make it retroactive. Say that for three years it was proper what we were doing and it was just a taxation error on itself.

Anybody, any questions later – again, this is something that St. John's City Council asked to bring forward the business association. They asked us to try and get it into this Legislature. If not, they had to wait for March or April to bring it in. So this is why we are bringing it in on short notice. I understand that everybody had the briefing on it, Madam Speaker.

I thank everybody for that, because it is something that was wanted by the towns. We're just fulfilling the commitments.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MADAM SPEAKER: The hon. the Member for Cape St. Francis.

MR. K. PARSONS: Thank you very much, Madam Speaker.

This is a bill that was asked for by the City of St. John's and also the business improvement area. What it is, it's a levy that is charged. When we were doing the briefing this morning I was just wondering how much the levy was and the maximum they can charge is around \$4,000.

I believe the levy in this case is around \$1,000 that they charge to the different businesses in the area. It's for improvement and to help with different things they do basically in the downtown, St. John's downtown area. I would imagine that consists of the Santa Claus parades and different things that they do to promote downtown and St. John's.

As the minister also said, in 2013 the City of St. John's changed the way they do their taxes from a business tax to a commercial tax. When they did this, this was what was left out. Since then, the levy has been collected and the businesses have been paying it but it wasn't in the legislation to say that this had to be collected and part of the legislation. So basically, once they change from collecting their taxes from business to commercial they just wanted it. This is something that's not going to change anything. They are still collecting it and they are still doing it today but this puts it into law basically.

Madam Speaker, we look at some of the things that are happening in the City of St. John's now especially when it comes to the business and the downtown, and it's a concern for everybody that looks at the downtown. It has a special part of our business community, people like to go there. I know myself; I like to walk along Water Street and see the different businesses that are there. I believe that this levy helps to promote the downtown area, and it's important that we do promote it.

It's unfortunate that, in the last number of weeks, we heard tell of businesses that are closing shop. Some of these businesses have been there for many years. I know that times change. I listened to the mayor of St. John's the

other day and he was talking about there are new businesses opening up and whatnot, but I believe that the business improvement area levies that are being charged to these businesses, it's a way to give people money to be able to promote the downtown.

Again, the downtown part of St. John's is historic. When you go back and look at some of the pictures over the years of postcards and how people look at us in Canada, and how they look at us all around the world, the beauty of the downtown area is one of the first things that you really see. It's important that we do make sure that we preserve and help our businesses that are operating in those areas to be able to compete with big box stores and everything else. It's important, like I said, that this area of the city is preserved.

Anyway, Madam Speaker, I will be supporting it. I know we will be supporting this because it's something that the City of St. John's asked for and the downtown association asked for. Any time that we get a chance to promote that area of our city, it's important that we do so because it's a part of our culture and part of our history.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

MADAM SPEAKER: The hon. the Member for St. John's East – Quidi Vidi.

MS. MICHAEL: Thank you very much, Madam Speaker.

I, too, am happy to stand and support Bill 62, which really is a housekeeping bill. Sometimes we say that and it's a bit more, but this really is a housekeeping bill. I mean, it also shows the good relationship between the City of St. John's and the business improvement area, which is extremely important because those two bodies really do need to work together if we are going to maintain the downtown of the capital city, and make sure that it's a place where – as I said earlier in the last bill – not only the citizens of St. John's want to go, but visitors from the province, visitors from outside of the province, et cetera, want to go. And the business improvement area is extremely important in

terms of working with the city in the ongoing work that needs to be done.

We know that there's a major piece of work that has to be done with regard to downtown, with regard to Water Street. It's going to take a lot of co-operation, must more than just these levies that are being paid for, the ongoing improvement. In the meantime with regard to improvement of the ongoing work, this levy is important. I'm glad that now it is deemed legal so that they can continue using the system that they have in place for the depositing of the levy in the city's coffers but then that money going to the business improvement area for the work that needs to be done downtown.

The more we can make the downtown both beautiful and user friendly, the better things will be for all of us. It's important that we now have a levy that is legal. Nobody wanted not to have the levy; the thing was legislation didn't make reference to it, so now it will.

We'll be happy to support it.

Thank you very much.

MR. SPEAKER (Warr): If the hon. the Minister of Municipal Affairs speaks now, he will close the debate.

The hon. the Minister of Municipal Affairs.

MR. JOYCE: Thank you, Mr. Speaker.

There's not much more we can add here. I'll just thank the two speakers for speaking on this and supporting St. John's and the business association and downtown St. John's. Both Members spoke very highly of downtown, St. John's and that we need to support it. So I just want to acknowledge that and thank them for their support for that.

I'll just sit and wait for Committee. I'm not sure if there are going to be many questions but whenever Committee comes up, I'll answer what questions we can about it. I'm sure there's not too many, as we both know that this something that St. John's asked for and certainly the downtown business association. This is just a minor amendment for something they have been doing for 28 years.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Is the House ready for the question?

The motion is that Bill 62 be now read a second time.

Is it the pleasure of the House to adopt the motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

Carried.

CLERK (Barnes): A bill, An Act To Amend The City Of St. John's Act And The City Of St. John's Municipal Taxation Act. (Bill 62)

MR. SPEAKER: This bill has now been read a second time.

When shall the bill be referred to a Committee of the Whole?

MR. A. PARSONS: Now.

MR. SPEAKER: Now.

On motion, a bill, An Act To Amend The City Of St. John's Act And The City Of St. John's Municipal Taxation Act," read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill 62)

MR. SPEAKER: The hon. the Government House Leader.

MR. A. PARSONS: Mr. Speaker, I move, seconded by the Minister of Municipal Affairs, that the House resolve itself into a Committee of the Whole to consider Bills 58 and 62.

MR. SPEAKER: It is moved and seconded that I do now leave the Chair for the House to resolve itself into a Committee of the Whole to consider the said bills.

Is it the pleasure of the House to adopt the motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

Carried.

On motion, that the House resolve itself into a Committee of the Whole, the Speaker left the Chair.

Committee of the Whole

CHAIR (Bragg): Order, please!

We are now considering Bill 58, An Act To Amend The City Of Corner Brook Act, The City Of Mount Pearl Act And The City Of St. John's Act.

A bill, "An Act To Amend The City Of Corner Brook Act, The City Of Mount Pearl Act And The City Of St. John's Act." (Bill 58)

CLERK: Clause 1.

CHAIR: Shall clause 1?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clause 1 carried.

CLERK: Clauses 2 through 45 inclusive.

CHAIR: Shall clauses 2 through 45 inclusive carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clauses 2 through 45 carried.

CLERK: Be it enacted by the Lieutenant Governor and House of Assembly in Legislative Session convened, as follows.

CHAIR: Shall the enacting clause carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, the enacting clause carried.

CLERK: An Act To Amend The City Of Corner Brook Act, The City Of Mount Pearl Act And The City Of St. John's Act.

CHAIR: Shall the title carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, title carried.

CHAIR: Shall I report Bill 58 carried without amendment?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

Motion, that the Committee report having passed the bill without amendment, carried.

CHAIR: Order, please!

We are now considering Bill 62.

A bill, "An Act To Amend The City Of St. John's Act And The City Of St. John's Municipal Taxation Act." (Bill 62)

CLERK: Clause 1.

CHAIR: Shall clause 1 carry?

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: All those against?

Carried.

On motion, clause 1 carried.

CLERK: Clauses 2 through 4 inclusive.

CHAIR: Shall clauses 2 through 4 inclusive carry?

All those in favour carried?

SOME HON. MEMBERS: Aye.

CHAIR: In favour I should say, yeah. I'll get it right in a minute.

Those against?

Carried.

On motion, clauses 2 through 4 carried.

CLERK: Be it enacted by the Lieutenant Governor and House of Assembly in Legislative Session convened, as follows.

CHAIR: Shall the enacting clause carry?

All in favour?

SOME HON. MEMBERS: Aye.

CHAIR: Those against?

Carried.

On motion, enacting clause carried.

CLERK: An Act To Amend The City Of St. John's Act And The City Of St. John's Municipal Taxation Act.

CHAIR: Shall the long title carry?

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: Those against?

Carried.

On motion, title carried.

CHAIR: Shall I report Bill 62 carried without amendment?

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: Those against?

Carried.

Motion, that the Committee report having passed the bill without amendment, carried.

CHAIR: I recognize the Government House Leader.

MR. A. PARSONS: Yes, I move, Mr. Chair, that the Committee rise and report Bills 58 and 62.

CHAIR: The motion is that the Committee rise and report Bills 58 and 62 carried without amendment.

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: Those against?

Carried.

On motion, that the Committee rise, report progress and ask leave to sit again, the Speaker returned to the Chair.

MR. SPEAKER (Warr): The hon. the Member for Fogo Island – Cape Freels.

MR. BRAGG: Mr. Speaker, the Committee of the Whole have considered the matters to them referred and have directed me to report Bills 58 and 62 carried without amendment.

MR. SPEAKER: The Member for Fogo Island – Cape Freels reports that the Committee have considered the matters to them referred and have directed him to report Bills 58 and 62 carried without amendment.

When shall the report be received?

MR. A. PARSONS: Now.

MR. SPEAKER: Now.

When shall the said bill be read a third time?

MR. A. PARSONS: Tomorrow.

MR. SPEAKER: Tomorrow.

On motion, report received and adopted. Bills ordered read a third time on tomorrow.

MR. SPEAKER: The hon. the Government House Leader.

MR. A. PARSONS: Mr. Speaker, I would call from the Order Paper, Motion 4:

WHEREAS subsection 4(2) of the *Elections Act, 1991* provides that on resolution of the House of Assembly the Lieutenant Governor in Council appoints the Chief Electoral Officer; and

WHEREAS subsection 34(1) of the *House of Assembly Act* provides that on resolution of the House of Assembly, the Lieutenant Governor in Council appoint a Commissioner for Legislative Standards; and

WHEREAS subsection 5.1(2) of the *Elections Act, 1991* and subsection 34(3) of the *House of Assembly Act* provide that the same person may hold the Office of the Chief Electoral Officer and the Office of the Commissioner for Legislative Standards;

THEREFORE BE IT RESOLVED that Mr. Bruce Chaulk be appointed Chief Electoral Officer and Commissioner for Legislative Standards.

MR. SPEAKER: The hon. the Government House Leader.

MR. A. PARSONS: Thank you, Mr. Speaker.

I'm very happy to stand here this evening as the Government House Leader – and again, I'm getting ahead of myself; I second this motion with my colleague, the Minister of Natural Resources.

I am quite happy to speak to this important position in my capacity as House Leader and to speak about the resolution to appoint Mr. Chaulk as the new Chief Electoral Officer and the Commissioner for Legislative Standards. I'll speak briefly and I'll have an opportunity for follow-up if there are any points.

I would note that this appointment would be effective immediately, Mr. Speaker. Just some background for those that may be interested, those that may be listening, about these very important positions: The Chief Electoral Officer is a Statutory Officer of the House of Assembly. Their duties are enumerated in section 5 of the act and basically of what it boils down to is that they are responsible for the general direction and supervision, or the administrative conduct of our elections and in enforcement of election officer fairness, impartiality, compliance with the act, and the issuance of necessary instructions to elections officers to ensure effective execution of the act.

In short, this person oversees the elections in this province which, as you can imagine, can be a very tough job just given our geography. It's hard to run any election. Again, it's a very high standard that it's held to, to ensure that our democracy runs properly and fairly. So it's a very important position and one that we're happy to have Mr. Chaulk make this motion.

The Commissioner for Legislative Standards is also a Statutory Officer of the House of Assembly whose responsibilities are set out in the *House of Assembly Act*, the *Conflict of Interest Act, 1995* and the *Members' Code of*

Conduct. This would include the preparation of public disclosure documents, addressing requests for Members of this House who received clarification on one of these statements or the *Code of Conduct*, interpretation or guidance respecting our obligations as Members under the conflict of interest legislation or the *Code of Conduct*, and investigation and reporting on the activity of another Member with respect to conflict of interest provisions and/or the *Code of Conduct*.

So even though it's two different positions, they are held simultaneously and often by the same person, or certainly that's the history here in this province. Again, it is a very important role. All of us here in this House as MHAs, as Members who are elected by constituents, have high standards and there is legislation and codes that are set out to guide us in our duties. We need someone whose role as an independent Officer of this House is to oversee this, to provide guidance, to answer questions and to ensure that there is no doubt that we live by this code and that we strive to live by this code. Again, in many cases, they are there to answer questions. We all fulfill, after the election, the provision of statement showing our holdings and to ensure that there is no conflict of interest there with any of these provisions.

Both of these positions are appointed by the Lieutenant Governor in Council on resolution of the House of Assembly. They are six-year terms; there's a possibility of reappointment for a second six-year term. They are not eligible to be nominated for the election – obviously – not eligible to be elected or sit as a Member of the House of Assembly, nor shall they carry on a trade, business or profession. Yes, these are full-time positions, and again, it's a very important job serving as a Statutory Officer of this House.

Currently, both are held by the same person. It's not a requirement, but there is an inter-relationship that exists that supports the vesting of these duties in the same individual. Again, both pieces of legislation allow for this. They specifically allow for a person to hold both.

Both of these positions, under our newly appointed Independent Appointments Commission, are considered tier one entities and as such these positions, for the first time, went

through the appointments process, the merit-based process as administered by the commission. So the commission did their work and the names were put forward. We were forced as the LGIC, as Cabinet, to consider the recommendations put forward by this independent commission that was held and led by Mr. Clyde K. Wells, former premier and Chief Justice of the Court of Appeal in this process.

This process did result in the appointment of Mr. Chaulk. As someone who has had dealings with him in his past, in his former capacity in, I guess, the same office but in a similar role, we are certainly very happy to have such a qualified and competent person to be doing these positions. Hopefully, he'll continue the work that has gone on in that position and the work that he has been doing in an acting capacity.

I believe I had an opportunity to speak to this previously, but I will say again, a thank you to Mr. Powers for their work in this position previously. He retired last fall, and I am very happy to speak to this.

SOME HON. MEMBERS: Oh, oh!

MR. A. PARSONS: I may need some protection from the Members.

AN HON. MEMBER: (Inaudible.)

MR. A. PARSONS: Thank you, and I appreciate the support of my colleagues opposite.

I can speak very briefly about Mr. Chaulk. He has been with the Chief Electoral Office since 2011, and during this time he was the Assistant Chief Electoral Officer and the Director of Elections Finance. Last June, he was appointed on an acting basis as the Chief Electoral Officer and the Commissioner for Legislative Standards.

He joined the provincial government in 2007. He has worked with the Comptroller General, the Auditor General on a number of different roles. Prior to joining the provincial government, he spent 25 years working in both private and the public sector.

Mr. Chaulk is a Memorial graduate with a Master of Business and a Bachelor of Commerce and received his certified management accounting designation in 1994. He has volunteered in a number of organizations including the Society of Management Accountants, Junior Achievement, Rennie's River Development Foundation, Vanier School Council, Macdonald Drive School Council, Gonzaga School Council and the Avalon Woodturner's Guild.

This is an individual who has a very substantial work resume, but you can also see they have a very substantial volunteer resume as well. I think that one's volunteer work says a lot about an individual. I think that will help him in doing this role. Having that opportunity to work with these groups and to work with different agencies, entities and individuals always helps a person do a better job in these roles.

Mr. Speaker, I'll have an opportunity to speak again, but I would like to thank Mr. Powers for their work. I'd like to thank Mr. Chaulk for the work on an interim basis. Certainly, we here on this side will be looking forward to supporting this resolution of Mr. Chaulk in this position. I look forward to the comments from my colleagues on the other side.

Thank you, Mr. Speaker.

MR. SPEAKER: The hon. the Member for Ferryland.

MR. HUTCHINGS: Thank you, Mr. Speaker.

I'm certainly pleased to rise this evening to speak to this motion, as the Minister of Justice has outlined, the Government House Leader, in regard to the appointment of a Chief Electoral Officer and Commissioner for Legislative Standards; two very important positions, obviously, in our province and two positions that report to the Legislature.

The Chief Electoral Officer, as we know, in terms of democracy in our province and carrying out the activities and oversight in regard to that process every four years, is essential to provide confidence to the people of the province in that office and carrying out the duties of that office, in terms of the preparations for an election in the

province and carrying out the process from all the activity that has to go on in 40 districts now to a successful election. A lot of preparatory work in between that in the office and this individual would oversee that, in terms of following the *Elections Act* in such things as expenditures and all those things that the candidates would be involved in when they put their name down to run for office.

Certainly, detailed activity that person has to oversee and also is often a sounding board for many in elected office to new people that are coming in, in regard to finding out information and the correct rules and regulations regarding to put yourself forward, what the rules are for that process. That's a sounding board and certainly that office and this individual provides very sound advice in that regard. It's very important.

In regard to the legislative standard piece, a commissioner as well – and as the minister had said, two of these positions, while distinct, are held by this one individual that we're discussing or this position as we're discussing today. A Commissioner for Legislative Standards is a statutory Officer of the House but, again, a very important position that looked at code of conduct, things like conflict of interest in regard to Members of this Legislature and how we operate and what the expectation is for our performance as well.

I'm looking at things like conflict of interest. The minister indicated as well in regard to a declaration, once you become a Member of this House and what your duties and obligations are and disclosures we have to do. Some of those are held in confidence by the electoral officer and the Commissioner for Legislative Standards. He or she holds the confidence, whoever holds that position. Again, very important in terms of that oversight, adherence to no conflict, adherence to giving the public confidence in terms of the operation of Members here, and as well, operations as related to any and all elections.

So this position is approved, I believe by resolution of the House of Assembly and then goes to the Lieutenant Governor in Council through Cabinet to be approved. My understanding is now it's a six-year term and, obviously, anybody that holds this position is

non-bias, is not engaged in any activities that could put that person in conflict and wouldn't involve any kind of –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. HUTCHINGS: And wouldn't be involved in any kind of activities related to elections or anything of that sort. Obviously, above all of that and gives clear and unbiased operations, and as well, advice in regard to the operation of the two functions that we're here talking about.

This gentleman I've known, and in my years in politics as well. He served a prior role in the Chief Electoral Office. I think was assistant electoral officer as well, and oversaw the financial component of the office as well.

I know many times being involved with discussions, being part of committees or just seeking information, very forthcoming. Obviously, he has experience in the office on the financial side of things and certainly on the operational side of things, and as well, from the Legislative Standards piece.

So he would be knowledgeable and bring that expertise into the job. He would have accrued that over the past number of years in terms of his activities, his professional experience, and his professional standards and how he's being viewed – not by just people in this office, in terms of the Legislature and the supporting bodies of the Legislature, but overall in terms of the public. Someone in this position obviously has to be held in high regard and have that respect and confidence that can carry out the duties as defined.

We on this side – and I speak for our caucus – support this nomination and this resolution to put this gentleman forward. I think he has the experience, knowledge and expertise to fulfill this role. We wish him well in the role as well.

As well, we would like to extend gratitude to Mr. Vic Powers in regard to the gentleman who served for a number of years in the public service, and as well served in this position. Many of us on this side would have had interactions with the gentleman as well in regard

to his role in this office and everything that was done. As well, we'd like to extend to him best wishes on his retirement from the position and thank him for the service that he has provided.

We'd certainly endorse this resolution and the proponent put forward to fill this position.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for St. John's East – Quidi Vidi.

MS. MICHAEL: Thank you very much, Mr. Speaker.

I, too, am glad to stand and support the resolution of government that Mr. Bruce Chaulk be appointed Chief Electoral Officer and Commissioner for Legislative Standards.

I thank the minister for speaking thoroughly with regard to Mr. Chaulk. We have come to know him, of course, not just while he's been the interim CEO and commissioner, but when he worked closely with Mr. Vic Powers, as my colleague the Opposition House Leader has just said.

In my own role, as a Member of the Management Commission, we often have to interact as Management Commission with the various statutory offices. Mr. Chaulk would often be with Mr. Powers when we had those meetings. Certainly, he has proven himself, I think, to be more than competent in what he has been doing inside of the provincial electoral office.

I'm very glad, having gone through the IAC process – the Independent Appointments Commission process – that Mr. Chaulk was successful in being nominated by them. I assume he was. I'm glad that government saw he had what is needed.

I think it's important that we have some continuity with these positions. So having somebody who has already been in the office for a number of years and worked with the retired CEO and commissioner, Mr. Chaulk has what is needed in this position. He's had time to really

understand what the two different roles are. He knows what it is to work with the people of the province in particular in his role as CEO.

As Commissioner for Legislative Standards, he interacts more with Members of the House of Assembly. So I'm very happy to see that he was nominated and government is putting his name forward.

I, too, want to use the opportunity, as we've done a couple of times, to thank Mr. Vic Powers for the job that he did in these two positions. He was a wonderful CEO and commissioner. I look forward to the expertise of Mr. Chaulk to continue the work that Vic Powers did in those positions.

Thank you very much, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Government House Leader.

MR. A. PARSONS: Thank you, Mr. Speaker.

I'll just quickly clue up by thanking my colleagues for their words to this motion and for their support of this decision. So looking forward to what seems to be unanimous support for this resolution to appoint Mr. Chaulk in this role

I would like to just say again, and it was brought up in my speech as well as Members opposite, that this is proof that the Independent Appointments Commission has been a success in the fact that –

SOME HON. MEMBERS: Hear, hear!

MR. A. PARSONS: – we have a process that has been followed, that has come up with good candidates who are given equal opportunity to apply for these tier-one and tier-two positions. To go through this process and have the committee that we have, a tremendous committee of individuals who are renowned in this province; when it was all said and done we have a great individual who has been presented here in the House and will be supported.

I am very happy to see that (a) we have the position being filled by a qualified, capable person and (b) the process through which this was done was also quite successful. We're happy to see that.

Thank you for the opportunity to speak to this.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Is the House ready for the question?

Is it the pleasure of the House to adopt the motion?

All those in favour?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Those against?

Carried.

Motion carried.

MR. SPEAKER: The hon. the Government House Leader.

MR. A. PARSONS: Thank you, Mr. Speaker.

I would call from the Order Paper, Motion 5:

WHEREAS section 4 of the *Child and Youth Advocate Act* provides that on resolution of the House of Assembly, the Lieutenant Governor in Council shall appoint a Child and Youth Advocate;

THEREFORE BE IT RESOLVED that Ms. Jackie Lake-Kavanagh be appointed as the Child and Youth Advocate.

SOME HON. MEMBERS: Hear, hear!

MR. A. PARSONS: Mr. Speaker, again, extremely happy to stand here. I would have it moved by my colleague the Minister of Natural Resources.

I'm very happy to stand here and speak to this resolution, as I was previously, with the Chief

Electoral Officer. We're speaking about the position of Child and Youth Advocate in this province, one which is extremely important, which generates significant attention. The role basically serves in the best interests of children and youth for this province. It's an advocate for children and youth of this province.

I'm extremely delighted to be able to stand here as Government House Leader and put forward a resolution that appoints Ms. Jackie Lake-Kavanagh as the next Child and Youth Advocate for Newfoundland and Labrador. I would note that this appointment would be effective for December 16.

Mr. Speaker, the Office of the Child and Youth Advocate is another statutory office of the House of Assembly, an independent office. I would note for those watching that you can't understate the importance of these offices. They are not answerable to politicians or to departments where there could be an argument made that, by doing so, they're unable to fulfill their mandate. One could make that argument.

We have a number of statutory offices of this House of Assembly who are independent of the politics and can speak on behalf of the people in which they represent. In this case, we are dealing with an advocate who works for those that, in many cases, do not have a voice or are unable to speak, and that is the children and youth of this province.

This office was established in 2002. The role is to (a) advocate and protect the rights and interests of children and youth; (b) ensure access to services; (c) provide information and advice to government agencies and communities about services to children and youth; and (d) review and investigate matters. It is an appointment by the Lieutenant Governor in Council on resolution of this House for a six-year term with the possibility of reappointment for a second six-year term; something that we dealt with in our last session of the House to bring some uniformity to the statutory offices of this House.

The Advocate is obviously not eligible to be nominated for election, to sit as a Member of the House or to hold on another public office or carry on a trade. Their role, as enumerated in section 15, is to receive, review and investigate

matters; advocate and mediate; conduct investigations; initiate and participate in case conferences, administrative reviews or mediations; meet and interview children and youth; educate public with respect to the role; and to make recommendations to government, to agencies, to communities about the legislation policies and practices respecting children and youth.

Since the appointment, Mr. Speaker, we have had four advocates: The first one was Mr. Lloyd Wicks; followed by Ms. Darlene Neville; followed by John Rorke, who was in acting capacity; and then followed by Ms. Carol Chafe, who has been in the role since 2010 and whose term expires December 15, 2016. Hence, the need for this person to be appointed, Ms. Lake-Kavanagh, to be effective December 16 to not allow any gap in the coverage of this office.

Let me state at this time a thank you to Ms. Chafe for the work she has undertaken on behalf of this province, on behalf of the children of this province for the last six years. It is an extremely important role. It's one that I can only imagine, in some cases, the trauma that she and her staff have to wade through and to deal with when you look at the facts of the matters in which they often do investigations. It's extremely trying work, it's extremely difficult work.

It's hard to understate the importance of the office. So I thank Ms. Chafe for her dedication to this province. I'd also like to thank the staff of that office for everything they do and will continue to do.

This was an appointment that was done under the Independent Appointments Commission. It's a tier one entity position, subject to the merit-based process administered by the Commission. A number of individuals are recommended through the process. They go to the Lieutenant Governor in Council and the resolution is made based on those recommendations.

This process is what has led up to the appointment of Ms. Lake-Kavanagh. We know this office will be in good hands. She brings a significant amount of experience to this position.

If I can, just for a moment, speak about Jackie Lake-Kavanagh. Her resume is one that is

extensive and covers off so many different areas. The wide range of abilities and experience and expertise that she will bring to this office will serve everybody well in this province. I think it's going to serve the children and youth well, but I also think it's going to serve government well, agencies well and communities well because she has an understanding and an ability that has been honed through years of work with different entities within the provincial government.

Ms. Lake-Kavanagh has been with the Department of Justice since 1991. During her time, she has been director of the Aboriginal research unit. She did a secondment as the Director of Family Justice Services. She was a provincial manager. She worked in the Victim Services Program, Director of Policy and Strategic Planning. She did that role for 11 years. In 2012, she was appointed assistant deputy minister of Public Safety and Enforcement. Most recently, she was an ADM for corporate services and policy for the Department of Advanced Education, Skills and Labour. That's a pretty extensive background, Mr. Speaker, I would say, but that doesn't sum it up.

Since 2000, she has served as a sessional lecturer and course developer with MUN School of Social Work, a criminology certificate program, faculty of arts, police studies degree program. For 10 years she worked with the School of Social Work as an instructor and supervisor. She was the executive director with the Association of Social Workers; peer counselling supervisor, Department of Health, and a counselling coordinator with the St. John's Status of Women, Women's Centre.

Again, a tremendous background she's going to bring to this role with experience in a number of areas, a number of facets of this province. I just named these off and she has that background, whether it's in the social work aspect, the justice aspect. She has connections with Labrador. She has connections with policy. She has the ability to work with multiple groups, bring that expertise back and this will be for the betterment of the children and youth of this province.

Ms. Lake-Kavanagh comes with a Master of Social Work, a Bachelor of Social Work, a

certificate in criminology and also completed the executive development program. She was the 2006 recipient of the provincial government's Public Service Award of Excellence and has done numerous professional development workshops and seminars.

Mr. Speaker, I can also speak about my experiences with Ms. Lake-Kavanagh over the last five years. I've had the last year of being in this role with the Department of Justice to work on a day-to-day basis with Jackie Lake-Kavanagh in her role as an ADM. Prior to my time, I worked in Opposition and she was over in the department. As someone who was the critic for Justice when I was in Opposition, I had an opportunity to work with her in that capacity, to be able to ask questions and get briefings.

I think I speak for anybody that's worked with her and knows her; she is going to do this job and do it well. She does it with a smile. She does it with dedication. She does it with hard work. She does it with perseverance. She has the ability to work individually; she has the ability to work as a team. She brings so many qualifications to this role. I think we are going to be in excellent hands with Jackie Lake-Kavanagh in this role.

Again, normally we might just say Ms. Lake-Kavanagh, but having had an opportunity to work with her over the last year, and in my new role in this job, having the chance in many cases to be educated by her and to learn from her has been a tremendous experience. I know Members on the other side have had the opportunity to work with her and to know her. They will echo my comments I am sure.

So I think that wherever she has done she has been a success. I think she brings the wide range of skills and attributes that we need for this very, very sensitive and important position. I'm especially proud to be able to stand here in my role as the Government House Leader and to forward this motion and to speak on her behalf.

We think this is a great move and, certainly, we'll be supporting this on behalf of the Government of Newfoundland and Labrador. I look forward to the comments from my colleagues on the opposite side. I'll have an opportunity to speak to this motion in closing.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Leader of the Opposition.

MR. P. DAVIS: Thank you, Mr. Speaker.

It's a pleasure to rise this evening and speak to this resolution. This resolution is under the *Child and Youth Advocate Act* and it allows for the appointment of a Child and Youth Advocate.

I share with the Government House Leader and the Minister of Justice in his commentary on the background of the nominee Jackie, or Jacqueline Lake-Kavanagh. There is no doubt; she has a lengthy background and an incredible amount of experience and diverse background as well. I believe she'll be a great choice for this role.

The minister mentioned many of her background experiences, working experiences and contributions she's made to the province over the years. I remember very early, many years ago, when she worked with Victim Services as a provincial manager. At that point in time, Mr. Speaker, it was a program that was in its infancy and was growing, developing, and becoming better known throughout the province in providing support and assistance to victims of crime, and those who had been called to court or going through a process where a person had been charged with an offence. They provide supports and assistance. It's a very difficult program but she was in the early days of the development of that program.

I'd also like to point out – and I'm not sure if the minister referenced many of them – her background as a lecturer, a course developer with Memorial University, worked in social work, criminology certificate program, the faculty of arts, police studies degree program and so on. She was also a field instructor and supervisor at Memorial's School of Social Work for a number of years. She also had a role under the Women's Policy Office as part of the provincial coordinating committee, so she does have a very broad background. I think she's a solid nominee and a person who is very well equipped to take on the role of Child and Youth

Advocate in Newfoundland and Labrador and we will be supporting the motion.

I also want to take a moment to reflect on the outgoing Child and Youth Advocate for our province, Ms. Carol Chafe, who was appointed in 2010. During her time, she has done a lot of work to build the understanding in the province of the Child and Youth Advocate for the province. She's conducted a stronger aspect and effort on outreach and growing the understanding of people in the province and the role they play.

Not only do the Child and Youth Advocate investigate and review serious circumstances, critical incidents and deaths of children and youth in our province but they also play an advocacy role. I know that Ms. Chafe has worked hard to grow that advocacy role throughout the province. I know there's been an increase in representation to her office on an advocacy level. She's made great efforts to grow that opportunity for people in the province who are looking for that assistance and support as advocates.

During her time as the advocate for Newfoundland and Labrador, she attained the position of vice-president and then as well, president of the Canadian Council of Child and Youth Advocates which is a national alliance of the 10 Child and Youth Advocates throughout the country. So to achieve those positions as president and vice-president I think demonstrates and speaks very loudly for the respect that she has of her peers throughout Canada.

I join the minister as well in thanking her for her work to the province, to the people of Newfoundland and Labrador, the children and youth in Newfoundland and Labrador. I also wish her all the very best in all her future endeavours and thank her for her service.

We offer our congratulations to Ms. Jackie Lake-Kavanagh and look forward to working with her in her new role as well.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for St. John's Centre.

MS. ROGERS: Thank you very much, Mr. Speaker.

I am absolutely delighted to stand and speak in support of this nomination of Ms. Jackie Lake-Kavanagh as the new Child and Youth Advocate.

Before I do that, I would like to thank Carol Chafe who has done an exemplary job, sometimes under very, very difficult situations. She was courageous, she was passionate and she was compassionate. She did her job with absolute commitment and integrity.

How many times did she raise the alarm about needing legislation that would compel reporting to her of any adverse or extraordinary things that may happen to our children and youth, or any deaths of children or youth who have been in care in the province? She rang that bell again and again and again.

We all have had the opportunity to read a number of reports that she wrote – for instance, 16 – that showed us and gave us a view into some of the weaknesses in our child protection system. But also always acknowledging the important work that those who work on the front lines in the area of child protection, the hard work that they do, the work that they do with expertise and often with not enough resources.

They take their work so very seriously. They do an incredible job, considering at times a very, very difficult job that they have, not only because of the subject area – and we know how complicated family law is, we know how complicated child protection is – but also the fact that so many of them had horrendous, horrendous caseloads. We see that coming down but it's still a huge problem, particularly in some areas in the province.

I'd like to thank Carol Chafe for her service. On behalf of the people of Newfoundland and Labrador, I would like to thank her for her incredible service.

I was absolutely thrilled when I heard that Jackie Lake-Kavanagh was going to be our new Child

and Youth Advocate. I have known her work. I've known her work before she came to government. The wonderful thing is the combination of experience, knowledge and skills that she will bring to this job.

Jackie Lake-Kavanagh has worked as a front-line social worker. She has worked at the St. John's Status of Women Centre. She has rolled up her sleeves and been there and done the work on the front lines. She has worked with Victim Services.

The wonderful thing is she has a combination of working on behalf of individuals and individual families, but then also her work with the Department of Justice is also having an overview of the system as well. So not only does she advocate on behalf of individuals and families, but she also has advocated on systemic change. That's exactly what we need in a Child and Youth Advocate, to look at individual cases, to look at individual families and the complexities that are there and how the system interacts with them and trying to help solve some of the issues there. But also taking a macro view and looking at where are our systemic weaknesses, what's not working in the system in terms of the needs of the children and youth in the province.

I'm really excited about the potential of working with her. I'm very excited about what she will bring to this role. She has great advocacy skills. She has great teaching skills. She has great analytic skills. I believe this is a very complex position. Not only to work with individuals, individual children and youth and their families or their guardians, but also working with her staff who have to deal with some of the most difficult cases in the province.

So I'm sure that she will not only be a great advocate, that she will be a great manager and that she will bring a vision to the role. I believe that for Ms. Jackie Lake-Kavanagh to step forward and say, yes, I am willing to do this work, is a big, fat, juicy gift that she is giving to the people of Newfoundland and Labrador because that's what she's doing. This is a tough, tough, tough job and she is saying I am willing at this point in my life to step forward and to serve the people of Newfoundland and Labrador in this way.

I believe that we can't be but winners in having Jackie Lake-Kavanagh step forward and say I am willing to serve. Again, Mr. Speaker, I'm sure that many of us will hear from her. She has an incredible capacity to be open, to be consultative, to be transparent. She is someone who works well with others, who is good at looking at how we reach consensus. She is someone also who is very intent on making sure that everybody is at the table when decisions are made.

So this is I believe a great moment for us, and I am so looking forward to working with her. I'm so looking forward to what she will bring to this position.

Again, on behalf of the people of Newfoundland and Labrador, bravo Jackie Lake-Kavanagh, we just can't wait to roll up our sleeves and work with you.

Thank you very much, Mr. Speaker.

MR. SPEAKER: The Speaker recognizes the hon. the Government House Leader.

MR. A. PARSONS: Thank you, Mr. Speaker.

I'll speak very briefly on the closing of this motion. Firstly I'd like to thank my colleagues again for the support of this resolution and their support of Ms. Lake-Kavanagh who we're all convinced will do a great job and I have no doubt she'll do a great job. I'd say her toughest part now will be just waiting to get going on December 16.

I know she is chomping at the bit I'm sure, to get in this role. I know she's going to unleash all of her talents and the experience she has gained over years of work and it's going to be for the best interest of all the children and youth in this province. Not only that, it's going to be for government and for agencies as we get that expertise that will help us make policy decisions and legislative decisions that will best serve the children and youth in this province.

I thank the support of my colleagues. I have to say, in seeing how this process has unfolded, I have to speak to the Independent Appointments Commission, which has been obviously very successful to see an independent process where

we can see the advertising for these tier one and tier two positions; advertising out there whether its online, in newspapers, to see it open for all people of this province to put their names forward and be considered for these positions, to go through a process involving our Public Service Commission and the Independent Appointments Commission, and when it's all said and done, we get the best people for the jobs.

These resolutions we have here tonight is a prime example of the success of the Independent Appointments Commission –

SOME HON. MEMBERS: Hear, hear!

MR. A. PARSONS: – because it has led to resolutions appointing Mr. Chaulk and Ms. Lake-Kavanagh in these roles. They're going to serve Newfoundlanders and Labradorians to the best of their ability, and we're so happy to have them.

I'm very happy to speak to these resolutions and to these two individuals. I'm happy to speak to the success of this process which we will see more of down the road as we see these positions filled, whether it's various boards, agencies, commissions. I'm happy to see that.

At this time I think I would put out to all Newfoundlanders and Labradorians that may be watching and or listening there is a website you can check out and put your name forward for consideration for any agency, board or commission. We want to see that. It doesn't matter who you are, you have an opportunity to put your name forward and be considered and serve on these boards and to help your fellow Newfoundlanders and Labradorians.

On that note, I'm happy to again support Ms. Lake-Kavanagh. She is going to do a bang-up job in this position. We're so happy to have her there, and I look forward to supporting this now on the vote.

Thank you, Mr. Speaker.

MR. SPEAKER: Is it the pleasure of the House to adopt the motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

Carried.

Motion carried.

MR. SPEAKER: The hon. the Government House Leader.

MR. A. PARSONS: Seeing the hour, Mr. Speaker, I would move, seconded by the Member for Cartwright – L'Anse au Clair, that the House do now adjourn.

MR. SPEAKER: It has been moved and seconded that the House do now adjourn.

Is it the pleasure of the House to adopt the motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

Carried.

This House stands adjourned until tomorrow at 1:30 o'clock in the afternoon.

On motion, the House at its rising adjourned until tomorrow, Tuesday, at 1:30 p.m.