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Speaker: Honourable Derek Bennett, MHA

Monday

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The House met at 1:30 p.m.

SPEAKER (Bennett): Order, please!

Admit strangers.

Statements by Members

SPEAKER: Today we will hear statements by the hon. Members for the Districts of Mount Pearl - Southlands, Ferryland, Bonavista, Exploits and Conception Bay South.

SPEAKER: The hon. the Member for Mount Pearl - Southlands.

P. LANE: Thank you, Speaker.

Approximately three years ago, Scott Hillyer, owner/operator of Coffee Matters, had an idea to help those in need within the City of Mount Pearl. He approached the city council, area MHAs and the various church leaders within the community, and from those discussions the Community Supper Program was born.

This program offered a hot meal for those in need at the Park Place Community Centre on a weekly basis. Scott, through his business, provided the meals; the city provided a venue; and the faith community provided the volunteers.

Unfortunately, the program had to be temporarily suspended with the onset of COVID-19 in our province. Thankfully, a few short weeks ago, a modified weekly take-out supper program was reinstated, utilizing the Salvation Army's mobile food truck, with Scott resuming with the preparation of the meals and volunteers from the various churches serving the food on a rotational basis.

This is a true example of community, of generosity and of compassion for others. Please join me in recognizing an amazing human being in Scott Hillyer, as well as the many other volunteers within our local faith community who have and continue to contribute to this amazing initiative.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Ferryland.

L. O'DRISCOLL: Thank you, Speaker.

I want to recognize and congratulate Con Finlay on receiving a honorary award for his 50 years serving as a volunteer fireman.

During his 50 years as a volunteer firefighter, Mr. Finlay served as fire chief for a number of those years and, as well, held the title treasurer for a few years up until he retired last year.

Mr. Finlay donated many hours volunteering in his community of Trepassey, outside his role as a firefighter. For years, he served on the parish finance committee, the cemetery committee since 1985, Knights of Columbus, and as well served a four-year term as mayor of the town.

During the busy basketball years of Stella Maris Academy, Mr. Finlay was a great supporter when it came to fundraising for tournaments and travel. He spent relentless hours at the gym doing tournaments and ensured everything ran smoothly.

Mr. Finlay was also a great asset to the community centre; for many years, he prepared and organized most of the functions in the centre.

Speaker, I ask all my colleagues to join me in congratulating Mr. Con Finlay on his many years of volunteerism within his hometown of Trepassey.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Bonavista.

C. PARDY: Thank you, Speaker.

On November 6, 1896, the schooner *Maggie*, originating from Lethbridge, was entering St. John's harbour with lights properly lit when it was struck by a Norwegian steamer. On this fateful day, 13 people lost their lives while 10 survived, most of whom were from the Lethbridge area. It was considered then the

worst local marine disaster in our province, with no fault associated to the crew of the schooner *Maggie*.

A few years ago, a group of 14 women from the Lethbridge area, mostly descendants of those who perished or survived, committed to erecting a memorial and storyboard to honour their descendants and recapture history. In 2022, Memorial United Church, a church which was aptly named as a memorial to those lost, will display the efforts of this committee.

This Saturday, November 6, will be the 125th anniversary of this marine tragedy. The descendants of the schooner *Maggie* will gather to remember their lost and assure this tragedy is never forgotten.

I ask the Members of the 50th House of Assembly to join me in congratulating the effort of this Lethbridge committee in memorializing the tragedy of schooner *Maggie* and ensuring its story continues to be told.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Exploits.

P. FORSEY: Thank you, Speaker.

It's been one year since nine-year-old Brett Samson of Peterview was diagnosed with Type 1 diabetes. As we all know, diabetes is a disease that can become costly on families. Fortunately, Brett's family were able to absorb the high costs associated with this disease.

With that being said, Brett decided to take a stand for diabetes awareness to help youth who suffer from diabetes by beginning a fundraiser program called Brett's Stand for Diabetes.

Over the last year, Brett and his family held numerous fundraisers, allowing them to raise over \$10,000 in support of Brett's Stand for Diabetes, which assists families who are in financial need to treat diabetes. Speaker, this is a fantastic accomplishment for a nine-year-old in our province.

Speaker, I would like all hon. Members of this House of Assembly to join me in congratulating

nine-year-old Brett Samson by supporting his amazing cause.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

B. PETTEN: Thank you, Speaker.

The Bright Business Achievement Awards recognize businesses in Conception Bay South that go above and beyond. This year the 10th Annual Bright Business Awards were held on October 20 as part of Small Business Week.

This annual event is hosted by the Town of Conception Bay South and it is a great opportunity for local entrepreneurs to network and showcase their individual businesses in our community.

The Bright Business Achievement Awards help recognize the contributions of local businesses that have gone above and beyond. This year's award winners are: New Start Up of the Year: The Hangout; Downtown CBS Member of the Year: Brian's Autobody; Established Business of the Year: The Music Corner; Glenda Noseworthy Award: Krysta Slade, Musically Inclined; Community Pride and Partnership: Taylor's Fish Fruit and Vegetable market; Beautiful Business of the Year, multi-tenant award: Don Hennessey Limited, single-tenant award: Aurora Estates; David Murphy Chamber Leadership: E-Raven Consulting.

I would like to extend my congratulations to the award winners, nominees and sponsors. The COVID-19 pandemic has been very challenging for local businesses and I wish them well and encourage everyone to support locally.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Statements by Ministers.

Statements by Ministers

SPEAKER: The hon. the Minister of Transportation and Infrastructure.

E. LOVELESS: Thank you, Speaker.

Speaker, I'm proud to inform this hon. House about two electric vehicles being used by public service employees that will help our environment and lead to savings for taxpayers.

Earlier this year, the Department of Transportation and Infrastructure purchased two Chevy Bolts for its fleets of vehicles that are available to employees to conduct their work in the provision of government services.

The vehicles do not use gasoline and do not emit exhaust or greenhouse gases, which is especially helpful for those of us who wait for our vehicles to warm in our cold Newfoundland and Labrador winters.

There are fewer maintenance costs, no fuel costs and costs associated with engines, such as oil changes, are eliminated.

Speaker, there are charging stations at the Department of Industry, Energy and Technology building on Elizabeth Avenue and Confederation Building and more are being installed.

There are also five charging stations at the new parking garage for hospital staff that was just completed at the Health Sciences Centre.

I had the opportunity to drive one of the e-vehicles last week when we visited the garage. The garage will be used by Eastern Health employees and result in more available parking spaces close to the Health Sciences Centre for patients and their families.

Speaker, in *Budget 2021*, our government announced an Electric Vehicle Adoption Accelerator Program that will provide a \$2,500 rebate to residents who purchase an electric vehicle.

It is encouraging to see more electric vehicles on the roads here in Newfoundland and Labrador and we expect to see many more in the years to come.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

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

B. PETTEN: Thank you, Speaker.

I'd like to thank the minister for the advance copy of his statement.

Speaker, my colleagues on this side of the House join me in congratulating government on the purchase of two electric vehicles. Hopefully, this will be the start of a move to purchase more of these vehicles.

Speaker, anything we can do to help the environment by reducing greenhouse gas is celebrated. We all need to do our part to help the environment and government is certainly no different.

Unfortunately, government has been slow to embrace electric vehicles and charging stations as witnessed by Nova Scotia, which has over 100 charging stations across the province. We have a handful, Speaker, and as more and more citizens embrace the alternate-fuelled vehicles, government needs to lead by example and provide the financial incentives and infrastructure to help this industry foster and protect the environment.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Labrador West.

J. BROWN: Thank you, Speaker.

I thank the minister for the advance copy of his statement.

I applaud the government for acquiring these two vehicles, although it is just a drop in the bucket and I call upon them to go even further with this. I urge the government to expand the EV Rebate Program beyond the current 6.5-month application period. This program will be needed to go on if we want to assist everyday

people who can't just afford the purchase of an electric vehicle at the drop of a hat and those who have the income to do so.

The current program timeline is another example of how this government focuses on announcements and not the intentions to make changes and positive changes in this world.

Thank you.

SPEAKER: Further statements by ministers?

Oral Questions.

Oral Questions

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

D. BRAZIL: Speaker, we understand that a very serious situation is unfolding in our health care system involving what appears to be a cyberattack on our province. This is difficult news and we thank the people who have been working so hard to understand and resolve this issue.

I ask the minister: Has there been a ransom request made to the regional health authority, the service provider Bell, the Newfoundland and Labrador Centre for Health Information or the provincial government?

SPEAKER: The hon. the Minister of Finance and President of Treasury Board.

S. COADY: Thank you very much, Speaker.

I, too, would like to thank the Minister of Health and Community Services and the teams in his –

SOME HON. MEMBERS: Hear, hear!

S. COADY: – department, the health authorities. They have made extraordinary efforts to keep us safe during COVID. They're the same people now who are working very hard and very well, I think, on their efforts to ensure we move through and do as best we can coming out of this challenge that we have.

We're working with our service provider, Bell, to move forward. We've invested a ton of

money, Mr. Speaker, in cybersecurity and we're going to continue to do so. This is an important issue and I thank, again, the Minister of Health and Community Services for all his efforts.

SOME HON. MEMBERS: Hear, hear!

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

D. BRAZIL: Thank you, Speaker.

Unfortunately, we didn't get an answer to understand this serious situation, if there has been a ransom request or not. I would ask that the minister answer in one of the follow-up questions.

Eastern Health's CEO suggests it would be Wednesday at the earliest before this situation could be resolved.

I ask the minister: What would be done for the thousands of people who will have medical appointments and non-emergency surgery cancelled because of this disruption?

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

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

This situation evolved over the weekend. It would appear from comments from our outside provider that this may be a cyberattack. The nature of that attack is, as yet, unclear.

We, from our point of view within Health, have been concentrating on mitigating, remediating and helping with any rebuild that might be necessary.

From the point of view of cancelled appointments, there are numbers for each of the regional health authorities and rescheduling will be done in the same way and with the same prioritization that it was done with COVID and with Snowmageddon.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

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

D. BRAZIL: Speaker, we know wait-lists for tests and backlog of appointments are already a problem within our health care system.

I ask the minister: What can be done to avoid putting thousands of patients back to square one of their wait for a medical appointment?

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

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

It certainly is a regrettable situation. Eastern Health is the regional health authority most impacted and Western and Labrador-Grenfell seem to be the least with the possibility of near normal operations there.

From the point of backlogs and wait times, Eastern Health have done a stellar job in catching up with the effects of COVID and as Mr. Diamond said earlier on today special arrangements will be made to look into providing extra resources to deal with the backlog. None of that, however, can start until our IT systems are working again properly.

SOME HON. MEMBERS: Hear, hear!

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

D. BRAZIL: Thank you, Speaker.

During this morning's news conference, the minister mentioned that the backup for health information in the province has also been compromised.

How could the backup information be vulnerable to attack?

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

J. HAGGIE: Thank you very much, Speaker.

I'm simply relaying information that was provided to me by the people who provided the

service to us. The analysis of the cause of this system failure will be presented to us as soon as it is completed by Bell. That is a job, according to information I have from national experts as well as them, that will take several days yet. As soon as I have it, I will be delighted to share it.

SOME HON. MEMBERS: Hear, hear!

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

D. BRAZIL: I ask the minister: What assurances has he been given that personal information has not been breached?

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

J. HAGGIE: Thank you very much, Speaker.

We have engaged the appropriate authorities, including the Privacy Commissioner. We cannot, at this stage, say what, if any, privacy breach may or may not have occurred. That will come out of the further analysis of the nature and extent of the system failure.

I expect further updates later on today. As soon as I have that information, I would be happy to share it.

SOME HON. MEMBERS: Hear, hear!

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

D. BRAZIL: Speaker, the minister referenced that he became aware that Bell had other challenges recently. What is the nature of these challenges and when did he become aware?

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

J. HAGGIE: Thank you very much, Speaker.

Bell provided us with information over the weekend that we appeared to be the only system affected. I have, from informal sources, heard stories that they may have had challenges on the Mainland. This is more the realm of speculation than fact. I am waiting for further information from our service provider.

SOME HON. MEMBERS: Hear, hear!

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

D. BRAZIL: Thank you, Speaker.

There were frequent references to Bell Canada and its data management during today's press conference; reporters were passed over to the company for a number of questions.

I ask the minister: Will you direct Bell, the Centre for Health Information and retain experts to hold a technical briefing to ensure the people of this province understand the scale of the situation before us?

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

J. HAGGIE: Thank you very much, Speaker.

This situation is evolving. I presented what I know of the situation today. As that changes, we will be happy to provide updates. If, at some future date, once the analysis of this situation is complete, there is a need for a technical briefing, we'll certainly be happy to look at that.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

D. BRAZIL: Thank you, Speaker.

In 2019, the Government of Nunavut experienced what appeared to be a similar situation: a ransomware attack targeting health information. Nunavut ended up spending \$5 million and dealing with serious disruptions for over a month.

I ask the minister: Were any policy changes regarding online security made within the department in light of the Nunavut attack?

SPEAKER: The hon. the Minister of Finance and President of Treasury Board.

S. COADY: Thank you very much, Speaker.

I will say that we have our technical and operational teams and our communications teams already assembled, already dealing with this issue, as the Minister of Health and Community Services already indicated. We're working with our service supplier, Bell, on this very issue. We've invested in cybersecurity as a government in protecting our IT infrastructure and we'll continue to do so. We'll now understand what happened in this particular instance.

But I will say to the Members opposite, I will say to the people of the province, the Department of Health and Community Services, the regional health authorities and Digital Government and Service NL are working to ensure that we move through this as best we can.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

D. BRAZIL: Thank you, Speaker.

That's not very reassuring to the people here to make sure that the health information is secure and that we can get back to normality.

I ask the minister: What time frame has been given regarding when the assessments will be completed? And I ask again: Was there a ransom requested to either one of the entities involved?

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

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

The information I have is that this is a possible cyberattack. We have our emergency operations centre up and running, both at the provincial level and within Eastern Health. The nature of this problem is, as yet, not characterized.

I have, through officials, asked Bell for a timeline. They have said it will be days and as short as they can manage. But until they start further analysis – they've actually started rebuilding some equipment – but until they

move through the process, an accurate end will not be forthcoming from them. They would prefer to deliver what they can promise rather than simply speak off the cuff. So we need to wait until they come back with a timeline.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Ferryland.

L. O'DRISCOLL: Thank you, Speaker.

I ask the Minister of Digital Government and Service NL: Have any other government systems been compromised or accessed by malicious actors?

SPEAKER: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Mr. Speaker.

So our teams at OCIO are monitoring all of the core government services very closely. At this moment, there is nothing out of the ordinary to report. Cyberattacks are very common. They happen across the globe and we are continuously diligent to make sure that we protect systems for the people of the province.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Ferryland.

L. O'DRISCOLL: Thank you, Speaker.

I ask the minister: What external security audits have been conducted for the government and IT infrastructure since she became minister and have any vulnerabilities or deficiencies been identified?

SPEAKER: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Mr. Speaker.

Cybersecurity is everyone's responsibility. I'd just like to highlight that I read a Member's statement recently about Cyber Security Month,

which was October, and everyone needs to be diligent. There's lots of public service training available for anyone to educate themselves and it's important that you be mindful of your online activities.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Ferryland.

L. O'DRISCOLL: I ask the Minister of Digital Government and Service NL: Does her department have any standing policies on paying ransom in situations such as these? If so, will she table the policy here in this House?

SPEAKER: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Mr. Speaker.

I'm not aware of such policies, but from a security and IT perspective, even if we had policies, I wouldn't recommend we table them in the House of Assembly.

SOME HON. MEMBERS: Hear, hear!

S. STOODLEY: Cybersecurity is a very, kind of tricky – so I guess, at the moment, Mr. Speaker, I'm not aware of any policies.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Ferryland.

L. O'DRISCOLL: Thank you, Speaker.

We are now aware that health IT backups have been compromised.

I ask the Minister of Digital Government and Service NL: How are core government IT systems backed up and are they just as vulnerable?

SPEAKER: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Mr. Speaker.

So our OCIO teams have been working throughout the weekend. We are monitoring our systems closely. At this moment, there is nothing out of the ordinary to report on.

We have a very robust backup system, but cybersecurity is always a threat to all businesses and governments, and everybody needs to remain diligent.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Ferryland.

L. O'DRISCOLL: Thank you, Speaker.

It is a concern for most citizens, and it's a very serious situation. So we want to make sure we get all these questions asked.

Speaker, I ask the minister: Do residents using MyGovNL need to take any additional precautions to protect their personal information due to this situation?

SPEAKER: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Mr. Speaker.

As I've mentioned, our teams have been monitoring all the core government IT systems and there's nothing out of the ordinary to report at this time.

I think in terms of the Member's question about passwords; it's a good idea to have different passwords for all systems, regardless of this or any other cyberattack. I'd recommend that everyone have a unique password for all the different systems they use. It's a good idea to use a password keeper. It's general good IT practice.

Thank you, Mr. Speaker.

SPEAKER: The hon. the Member for Topsail - Paradise.

P. DINN: Thank you, Speaker.

We understand this is a widespread situation affecting many corners of our health care system. The minister referenced Western and Labrador-Grenfell Health being least affected by this situation so far.

Can the minister confirm if cancer-related treatments and appointments are still operational in Western and Labrador-Grenfell Health?

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

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

I think one of the important things to realize is that with the advent of the beginning of the working week – at least for the RHA clinics – we will likely find other areas of the system that are impacted. So it is difficult to be categorical to say we actually know the full extent of those impacts that the moment.

I am not aware of any cancer-related issues in Western Health and I have not been advised of any. But, certainly, we will be keeping an eye on that as well go forward.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Topsail - Paradise.

P. DINN: Thank you, Speaker.

What contingency plans do you have in place to ensure cancer patients resume treatments as soon as possible?

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

J. HAGGIE: Thank you, Speaker.

The cancer care program is run by Eastern Health. That is the challenge here because it is Eastern Health's systems that have been compromised most of all. Each local cancer clinic has a record of patients under their care

and there are regular scheduled attendances. Their treatment may be a little bit slower simply because the laboratory work has to be ordered on paper and the results conveyed either by telephone or manually before treatment can start.

Again, I'm not aware of any delayed. There are contingency plans in each RHA to deal with IT failures and these are operational.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Topsail - Paradise.

P. DINN: Speaker, we know lengthy waits in the emergency room is already common in our province.

I ask the minister: How is this situation impacting emergency rooms in Eastern and Central Health?

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

J. HAGGIE: Thank you, Speaker.

I don't have detailed matrix but it will slow down treatment and assessment simply because the backup system used over the weekend was handwritten paper forms for radiology and bloodwork, which then had to be delivered to the lab or to X-ray. The reports would then have to be provided locally, possibly by telephone rather than in the electronic way they're done at the moment.

This is something that Eastern Health is monitoring. I've not been made aware of any particular issues in Central, but given the provincial radiology archiving system is impacted, I would imagine they'd be similarly affected.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Topsail - Paradise.

P. DINN: Speaker, we know an already difficult situation is playing out at the Janeway where

critically ill children may be moved to IWK in Halifax due to a shortage of beds at the Janeway.

I ask the minister: How has this cyberattack affected the already difficult situation at the Janeway's pediatric intensive care unit?

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

J. HAGGIE: Thank you, Speaker.

For the information of the House, four out of the beds are still occupied at the Janeway. The diversion is in effect but no one has been sent out. The effect of the issues with IT at the weekend was to slow orientation of six staff returning to the PICU who would then be able to deal with the capacity issue. There is a meeting with clinical chiefs later on today or first thing tomorrow to see if the diversion can be lifted and I expect further after that.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Topsail - Paradise.

P. DINN: Thank you, Speaker.

It's interesting that the Minister of Finance spoke to we've spent tons – her words – tons of money on cyberattacks and the Minister of Digital Government said cyberattacks are quite common, yet here we are in this situation.

Speaker, our health care system has been facing a crisis now for months and this situation risks compounding issues even further. The province's only children's hospital is now facing multiple crises at the same time.

I ask the minister: Are extra supports being offered to the Janeway to get through this situation?

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

J. HAGGIE: Thank you very much, Speaker.

Apart from orientation of new staff, which may be delayed a day or two, there has been no direct impact. The contingency plans that are in place for the PICU are operating and they have not had any impact, as far as I've been made aware, on clinical care. This is a capacity issue; it last occurred in 2019. Prudent planning by Eastern Health was to arrange options with IWK. We have not had to exercise those options and hopefully, within the next day or two, they won't be necessary.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Speaker, the Carbonear General Hospital provides services to many residents in the District of Harbour Main. We are hearing reports that the number of physicians in the emergency room will be reduced from two to one. Can the minister confirm?

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

J. HAGGIE: Thank you very much, Speaker.

I have not been advised of any changes in staffing in Carbonear, in general, let alone the emergency room. I would direct them to Eastern Health because those are operational issues. However, I can go back and ask the question if the Member opposite would prefer for me to do it rather than her.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: We would prefer the minister to address this issue.

We are also hearing reports that the number of interns in the emergency room could also be reduced.

I ask the minister: When is he going to address the possible shortage of physicians and interns at the emergency room in Carbonear General Hospital if this appears to be the case?

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

J. HAGGIE: Thank you.

Interns are trainees, Speaker, and their numbers will fluctuate depending on Memorial and the faculty of either family medicine or the specialty program concerned.

From the point of view of recruitment and retention, I announced a couple of weeks ago now a package totalling \$30 million. The principal aim to the medium and long term is to find out what our own grads want, to provide that for them and to keep them in the province. We have \$100,000 in forgivable loans for family practitioners who set up a practice in a collaborative model with a five-year return in service, and we also have a multitude of other bonuses. This is our long-term strategy and we're working on it with our new provincial office.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Stephenville - Port au Port.

T. WAKEHAM: Speaker, there are many government-owned buildings that are in states of disrepair in the Stephenville - Port au Port region.

I ask the minister: Can he provide the House with an update on the replacement of the Government Service Centre in Stephenville?

SPEAKER: The hon. the Minister of Transportation and Infrastructure.

E. LOVELESS: Thank you, Speaker, for the question.

To the hon. Member, I don't have that in front of me right now but I will go back to the department to get the details for the Member.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Stephenville - Port au Port.

T. WAKEHAM: Speaker, as reported last week by *The Appalachian*, an 80-year-old gentleman fell at the Government Service Centre in Stephenville, breaking his hip. As government is fully aware, this building is not wheelchair accessible or accessible for people with mobility issues.

I ask the Premier, the Minister of Justice and Public Safety, the Minister of Transportation and Infrastructure, the Minister of Children, Seniors and Social Development or the Minister of Finance: Will someone please immediately start action to either replace this outdated building or call for tenders for a new location?

SPEAKER: The hon. the Minister of Transportation and Infrastructure.

E. LOVELESS: Thank you, Speaker.

The building in question, during the month of August, I was out in the area and I did visit that building that is in question. Since that time, we're looking at options and hopefully have some decisions in the near future on that. But in terms of the gentleman that had the accident, I hope he is doing well. Certainly, I wish him all the best.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

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

B. PETTEN: Thank you, Speaker.

I am hearing from many constituents who have been told by their child care provider that they must find new child care for their children, often on very short notice. The reason why is that government is shutting down unregulated day homes.

Can the minister please explain what is happening?

SPEAKER: The hon. the Minister of Education.

T. OSBORNE: Thank you, Mr. Speaker.

I believe the Member is probably referring to a story that was broadcast on CBC a week or so ago concerning Little Owl Land. Mr. Speaker, there were some infractions at that particular early learning and child care centre. Government had issued notices of infraction to the centre and to the Family and Child Care Connections and subsequently took away the regulated status of the centre, which means that they no longer operate with the Operating Grant Program.

SOME HON. MEMBERS: Hear, hear!

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

B. PETTEN: Thank you, Speaker.

No, that's not what I'm referring to, actually. It has been emails that we have been getting in our districts from people who are desperate looking for child care spaces and they've been using, I guess, day homes who are not considered to be regulated and officials have been coming in from your department and shutting them down. Which is fine, we're not about unregulated, but we're looking at what – which is going to be my next question.

What is the plan to take some of these unregulated homes and make them more regulated – bring them up to standard so we can eliminate or reduce the pressure for child care spaces? Because, in my district and a lot of my colleagues' districts, that's a big issue.

SPEAKER: The hon. the Minister of Education.

T. OSBORNE: Thank you, Mr. Speaker.

It is an important issue. There is a shortage of early learning and child care educators. There's also a shortage of spaces in the province, Mr. Speaker, which is part of the reason the provincial government signed on to an agreement with the federal government just a couple of months ago, which will take a focus on increasing the number of early learning and child care educators. It's putting in place a wage grid which will increase the wages of our early

learning and child care educators. There's a plan in place, Mr. Speaker, to increase the number of spaces in the province as well.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Exploits.

P. FORSEY: Thank you, Speaker.

In the District of Exploits, the RCMP is being asked to do more with less. I have been receiving many calls from constituents in my district who are concerned about shortages of police officers. People are worried that if they call for police, the police won't be able to immediately respond.

Can the minister tell me how many police officers are now serving the District of Exploits?

SPEAKER: The hon. the Minister of Justice and Public Safety.

J. HOGAN: Thank you for the question, Speaker.

This question was asked in the House last week by the Member for Harbour Main, so I do want to provide some information to the House.

I can report that, under the provincial police service agreement, not including support staff or civilians, there are 212 officer positions in Eastern, 149 officer positions in Western and 59 officer positions in Labrador for a total of 420.

Also, under the First Nations policing program, there's 16 officers assigned to the communities of Hopedale, Nain, Rigolet and Makkovik.

As I've said before, decisions about where these officers are located is a HR and operational decision of the RCMP and it's in the public interest and public safety not to give out exact numbers for detachments because, as you can understand, if we were to say there was X number in one detachment and Y in another, it would allow the public to know exactly where the officers are located. It could put them at risk and could members of the public at risk.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Exploits.

P. FORSEY: I can tell the Member there are not enough officers in the Exploits District to cover the ground that is needed, or in Central. So I am concerned about the long-term future of policing and public safety in my district.

Will the minister ensure that there are a full complement of officers to protect the District of Exploits?

SPEAKER: The hon. the Minister of Justice and Public Safety.

J. HOGAN: Thank you for the question.

Again, and, as I've asked this question a number of times in my short stint as Minister of Justice and Public Safety, that the provincial government does provide funding to the RCMP in this province and any decision about how many officers to hire and where to put those officers in the detachments throughout the province is a HR decision and an operational decision of the RCMP. For the interest of public safety, we will not disclose, nor will the RCMP disclose, exactly how many officers are in each detachment.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Leader of the Third Party.

J. DINN: Thank you, Speaker.

On Friday, Public Health announced that cohorting will once again be required indoors and, to the greatest extent possible, outdoors for Grades K to 6.

Would the Minister of Education explain his understanding of cohorting, as it relates to our public education system, and how it works to stop the spread of COVID-19?

SPEAKER: The hon. the Minister of Education.

T. OSBORNE: Thank you, Mr. Speaker.

Public Health has asked for stronger cohorts in K to 6, Speaker. Currently, classrooms in K to 6 are cohorts but they intermingle at times during the day and outdoors on the playground, so Public Health has asked to ensure that the cohorts that are the classroom intermingle less during the day and less in outdoor areas.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Leader of the Third Party.

J. DINN: Thank you, Speaker.

Would the minister explain why cohorting is being used as a strategy in the school but not on the busses taking the students to school?

SPEAKER: The hon. the Minister of Education.

T. OSBORNE: Thank you, Speaker.

I know the Member has a fancy for questioning the protocols of Public Health, Speaker. It happens on a regular basis. Public Health has set the guidelines. Sometimes we wonder how they arrived at those guidelines, but they follow the epidemiology, they follow the numbers of people that have been vaccinated in certain areas, they follow other indicators in areas, Mr. Speaker, and they set the guidelines. We follow the guidelines. They've lead us very well through the pandemic.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Leader of the Third Party.

J. DINN: Thank you, Speaker.

Based on my own experience as a teacher and from the many teachers who've spoken to me, cohorting does not exist in any meaningful physical sense of the word. As several teachers have stated to me, students are supposed to cohort while in school, yet they ride the school bus in the morning and afternoon where no cohorting exists at all.

I ask the Minister of Education: If he will take the extra measure, provide the extra school buses – at least for the primary grades – so

students can physically distance on their way to and from schools.

SPEAKER: The hon. the Minister of Education.

T. OSBORNE: Thank you, Speaker.

Again, Public Health has lead us very well through this. Last year, Mr. Speaker, we were the envy of most jurisdictions in the country and, certainly, most jurisdictions globally, in terms of how the pandemic was dealt with in Newfoundland and Labrador and in our school system. We had one of the least lost educational times across the country.

Mr. Speaker, I trust Public Health and I trust the guidelines that they put in place. As the chief medical officer of Health said, we have to start to learn with COVID. We are dealing with the guidelines that are put in place.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Labrador West.

J. BROWN: Thank you, Speaker.

Labrador's health is centred around appointments on the Island. Many would have to be in transit right now when they found out that their appointments have been cancelled as a result of the cyberattack on the Centre for Health Information.

I ask the minister: What extra resources will be coming to avoid compounding the already existing backlog with respect to Labradorians' fly-in appointments?

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

J. HAGGIE: Thank you, Speaker.

Mr. Diamond addressed this directly at a question about two hours ago. Essentially he said that, wherever possible, people who had travelled for appointments would be accommodated if it was safe to do so, given the constraints of our system currently. Obviously, if that's not possible then they will be offered a priority for rescheduling based on their clinical

need, in the same way that we managed COVID and Snowmageddon.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Labrador West.

J. BROWN: Speaker, we know that medical travel often leaves Labradorians paying out of pocket for access to health care. There are people in the city today who have been told that they'll have to come back.

I ask the minister: Will these individuals be reimbursed completely or will they be out of pocket for two appointments coming down from Labrador?

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

J. HAGGIE: Thank you, Speaker.

It is not my expectation that they would be disadvantaged because of the cancellation. In terms of requests, we will certainly address those on a case-by-case basis, but as of yet we've not had any. I certainly look at those sympathetically, Speaker.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The time for Question Period has expired.

Presenting Reports by Standing and Select Committees.

Tabling of Documents.

Notices of Motion.

Notices of Motion

SPEAKER: The hon. the Government House Leader.

S. CROCKER: Thank you, Speaker.

I give notice that I will on tomorrow move, in accordance with Standing Order 11(1), that this House not adjourn at 5:30 p.m. on Tuesday, November 2, 2021.

SPEAKER: Further notices of motion?

The hon. the Leader of the Third Party.

J. DINN: Thank you, Speaker.

I give notice of the following private Member's resolution, which will be seconded by the Member for Labrador West:

WHEREAS the 2016 census showed that St. John's has the highest level of income inequality in all of Atlantic Canada, with the top 1 per cent taking home nine times more than the bottom 30 per cent and seven times more than the bottom 50 per cent; and

WHEREAS Canadians from all parties and all walks of life, including CEOs, Senators, doctors, community support workers and economists are now championing some form of basic income program; and

WHEREAS federal Finance Minister, Chrystia Freeland, has called for a new deal in light of the vast transformation occurring in our economy due to automation and information technology, which will see the bulk of the productivity gains going to the wealthiest, while real wages stagnate and an insufficient number of jobs are created to replace those lost to automation; and

WHEREAS former governor of the Bank of Canada, Mark Carney, echoed Minister Freeland's comments in 2018, explaining how technology has decimated the share of income going to workers, increased poverty and underemployment, with the effect of hollowing out the middle class and replacing the work with more low-skilled jobs, and the vast majority of productivity gains going to the wealthiest as a result; and

WHEREAS the federal government is already pioneering in the provision of income support to those who most need it through the Canada Emergency Response Benefit; and

WHEREAS evidence from the Alaska Permanent Fund found that when low- and middle-income families receive extra money every year they bought more education, clothing, recreation and electronic purchases for their children, while giving more money to high-income families did not result in increased investment in their children; and

WHEREAS the current income support system amounts to a poverty trap and still leaves many to fall through the cracks; and

WHEREAS Canadian data from basic income pilot projects has shown that such programs increase public health, foster improvements in nutrition, improve mental health and well-being, lower the immense public costs associated with poverty, encourage entrepreneurship and allow people to pursue education and training; and

WHEREAS the Canadian Centre for Policy Alternatives has calculated that poverty costs this province a total of \$959 million annually in preventable health problems, crime, lost productivity, foregone public revenue and intergenerational costs; and

WHEREAS a poll conducted by The Gandalf Group on behalf of the Maple Leaf Centre For Action On Food Security (June 28-30, 2021) indicated that significant support exists among Atlantic Canadians and among all demographics for a basic minimum income floor that would provide a safety net for all Canadians; and

WHEREAS a 2017 study by the Roosevelt Institute showed that even a \$1,000 payment to all adults once a year would expand the American economy by 12.56 per cent over the baseline after eight years and permanently raise the level of national economic output; and

WHEREAS this House voted last year to set up a committee to study a pilot project on basic income and create a timeline for its implementation;

THEREFORE BE IT RESOLVED that this House consider truly ending poverty in this province by establishing an all-party Select Committee on basic income, with a mandate to review and make recommendations on: eligibility and minimum income amounts,

interaction with existing income supports, additional poverty reduction initiatives, cost-benefit analysis, potential models for such a program and a timeline for implementation;

BE IT FURTHER RESOLVED that the House ensure this Select Committee has the resources it needs to conduct this work;

BE IT FURTHER RESOLVED that the Select Committee engage federal Members of Parliament from Newfoundland and Labrador to participate.

Thank you, Speaker.

SPEAKER: The hon. the Member for Labrador West.

J. BROWN: Thank you, Speaker.

This will be the private Member's motion that will be debated on Wednesday.

SPEAKER: Further notices of motion?

Answers to Questions for which Notice has been Given.

Petitions.

Petitions

SPEAKER: The hon. the Member for Humber - Bay of Islands.

E. JOYCE: Thank you, Speaker.

I'm going to present a petition today:

WHEREAS the Government of Newfoundland and Labrador is introducing legislation making helmets mandatory in factory-sealed Side By Sides; and

WHEREAS a Side By Side is fully enclosed, equipped with seat belts and roll bars; and

WHEREAS wearing helmets in a Side By Side can pose safety hazards due to limited or no peripheral vision and other safety hazards; and

WHEREAS the legislation changes also include children under 13 years of age are not permitted

to operate an off-road vehicle with an engine size greater than 125cc; and

WHEREAS every child is not of the same size and operating machines that are not suitable to their size pose a greater danger when trying to steer the machine;

THEREFORE we, the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador to immediately amend legislation before the House that make the mandatory use of helmets in Sides By Sides, which potentially will cause more safety hazards to the occupants and also make changes allowing children under 13 to operating machines greater than 125cc based on the child's size, with guidelines and supervision.

Mr. Speaker –

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

It's getting a bit loud.

E. JOYCE: That's just the few petitions I got today and it's to the minister.

On a side note, Mr. Speaker, on this, I'll say to the minister that a lot of these issues are what we brought up. I'll say on a positive note – very positive – there were situations that arose with the minister, I know today, on a very important issue for a person seeking employment. The minister and her staff were very eager to step in to help out with that. I just want to recognize that these are issues that were brought to our attention.

Mr. Speaker, I'll have a lot of petitions like these. There are a lot of people and the people from here: Cox's Cove, Corner Brook, Cox's Cove, Irishtown, Summerside, Corner Brook, Corner Brook, Corner Brook, Corner Brook, Cox's Cove and McIver's.

There are a lot of people who have major concerns about this. They're hoping that the minister will give a stronger indication that they will take out the Side By Sides – take out the helmets for the Side By Sides and look at the legislation to hopefully make an amendment for

the people with the 125cc's. In that case itself, it is not so much the power of the machine; it is the actual size of the machine itself. People just outgrow their machines and you can't ride them properly. You might be 11 but you've outgrown the machine.

AN HON. MEMBER: (Inaudible.)

E. JOYCE: She might be doing it – yeah, I think the government may be –

AN HON. MEMBER: It's (inaudible) pretty positive.

E. JOYCE: Pretty positive on that part.

I took a walk this weekend. People know I have a couple of dogs and I always walk the dogs. I took a walk up where a lot of people ATV and I get stopped a lot of times to ask the minister to reconsider –

SPEAKER: Order, please!

Time has expired.

E. JOYCE: Thank you, Speaker.

SPEAKER: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Thank you, Speaker.

The reasons for this petition:

WHEREAS there are many hopeful mothers and couples in this province dealing with infertility issues and require medical assistance to conceive; and

WHEREAS the cost associated with out-of-province fertility treatments, specifically in vitro fertilization, is extremely cost prohibitive; and

WHEREAS there are doctors in the province trained in in vitro fertilization and have the desire to set up an in vitro fertilization clinic in the province; and

WHEREAS the province is dealing with an aging population and serious population growth challenges;

THEREFORE we petition the hon. House of Assembly as follows: We call upon the House of Assembly to urge the Government of Newfoundland and Labrador to establish a fertility treatment clinic within the province providing full fertility services, including in vitro fertilization, for hopeful mothers and families and in the interim, provide financial assistance to access out-of-province fertility treatment and services.

Speaker, I have talked to several families that are involved in trying to get some help with respect to in vitro fertilization funding. I'll share with you a very heart-wrenching story about one particular couple in my district who have had a tough journey to parenthood.

They struggled with infertility for about seven years, Speaker – seven years which was full of physical, emotional and financial costs. In fact, it's my understanding they spent up to \$70,000 in terms of treatments and medication. That doesn't even include the cost of having to travel to Calgary – heartbreaking experience.

They were referred to fertility clinics for testing and, after 18 months of trying to conceive, then they spent six months – still no pregnancy. They had two unsuccessful rounds of artificial insemination in Newfoundland and Labrador. They were then referred to the clinic in Calgary for in vitro fertilization.

They completed four rounds there as well as five frozen embryos. There were nine separate times that they travelled to Alberta.

Speaker, they went through a very, very difficult process. Fortunately for them it was a very happy ending. They have a child. But what we need to be very mindful of is the fact that there are many families that want to have children that cannot afford the expense. This is extremely cost prohibitive.

We have a province that's dealing with an aging population. We have serious problems, population growth challenges. We have commitments but no action from the Minister of Health and Minister Responsible for Women and Gender Equality. We hear rhetoric and no action.

When can these people, these people that are struggling to have families –

SPEAKER: Order, please!

H. CONWAY OTTENHEIMER: – expect action?

SPEAKER: The Member's time has expired.

H. CONWAY OTTENHEIMER: Thank you.

SPEAKER: The hon. the Member for Stephenville - Port au Port.

T. WAKEHAM: Thank you, Speaker.

These are the reasons for this petition: The long-term care facility in Bay St. George and Stephenville Crossing is 45 years old. It is one of the older long-term care facilities in our province. It was not designed for the level of care it is now providing residents. The building has substandard bathrooms which cannot accommodate lifts and rooms are antiquated and small in size in terms of length and width. There is a need for a new long-term care facility for the people of the Bay St. George region and its current residents.

Therefore we petition the hon. House of Assembly as follows: To urge the Government of Newfoundland and Labrador to replace the Bay St. George long-term care facility so our seniors can receive the care they deserve.

Speaker, today earlier I asked a question about another building that has outlived its useful life in my district. This particular building that houses the only long-term care facility in our region is in desperate need of replacement. As I just alluded to, it doesn't meet today's standards when it comes to size, width and the inability to be able to get lifts in to move the residents around easy. It's something that is of a large concern to a lot of people.

This petition is signed by thousands in my region and in my colleague's region. The planning needs to start so I'd urge the government to commit to the planning phase of getting a new long-term care facility for our region.

Thank you, Speaker.

SPEAKER: The hon. the Member for Ferryland.

L. O'DRISCOLL: Thank you, Speaker.

The background to this petition is as follows: Eastern Health has recently repositioned one of the ambulances from the Trepassey area to the Cape Broyle area. This has left only one ambulance in the Trepassey area. Residents of Trepassey and the surrounding area, Portugal Cove, St. Shott's, Bisque Bay and all those areas are at least two hours from the nearest hospital.

THEREFORE we petition the House of Assembly as follows: We, the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador to ensure the residents of the Trepassey area have accessibility to an ambulance in a time of emergency by repositioning a second ambulance back in the Trepassey area to ensure the safety and well-being of local residents and to meet the national standards for response time.

Speaker, I spoke to a lady who happened to be the person who was looking for an ambulance last week. She had some issues and called the ambulance. It was on a red alert in the Trepassey area so her husband decided to put her in her vehicle and to leave for St. John's to come out.

Upon leaving there, the ambulance was dispatched from Cape Broyle to come back up the shore to be able to respond to that call. Luckily, she got aboard that ambulance; it got repositioned again after she got going to St. John's. That happens regularly we hear.

It's a dire need and the Trepassey area should definitely have that ambulance reinstated in the area. It's too late when something happens. I wouldn't want to be on the government's side for something to happen there. It's just unheard of that they move it out of this area.

I had an ambulance one time the summer – and this is before it was moved – we had an ambulance situation in Cape Broyle that a person had a stroke in the area and had to wait an hour and a half for an ambulance from Holyrood to be able to come to the area to take

care of that person. An hour and a half away with two ambulances sitting in the area but not being manned. The issue is not moving an ambulance, the issue is it being manned and why are they moving them?

Somebody has got to have a deeper look at this and take care of the area and the region in Trepassey and surrounding areas to make sure that they reinstate this ambulance. It's totally, totally needed in the area and it's too late when something happens.

I think that they should have another look at this and be able to bring back that ambulance to that region.

Thank you, Speaker.

SPEAKER: The hon. the Member for Torngat Mountains.

L. EVANS: Thank you, Mr. Speaker.

This petition is for fair electricity rates for Labrador Indigenous communities.

We, the undersigned, are concerned citizens of Newfoundland and Labrador who urge our leaders to ensure that fairer electricity rates be provided to residents in the Northern Labrador Innu and Inuit communities of Nain, Natuashish, Hopedale, Makkovik, Postville and Rigolet.

The high rates charged are cost prohibitive to using electric heat and, therefore, are cost prohibitive to adequately heating their homes. The rationale for this petition is to bring electricity rates more in line with what our neighbouring residents in Lake Melville region pay.

For the first 1,000-kilowatt hours, Torngat Mountains residents are charged the same rate as their neighbouring residents in Lake Melville region. However, above this ceiling, the rate jumps six fold; six times, to 18.968 cents a kilowatt-hour; 18.968 cents a kilowatt-hour prevents most residents from being able to afford to heat their homes with electric heat. It is the low-income families and households that suffer the greatest from this financial barrier.

Poorly heated houses also often results in damage, creating expensive repairs from frozen pipes, moisture damage and mould. Poorly heated houses also create social and mental health issues that can be long lasting. We strongly believe that changes to electricity rates are need to be made to improve the quality of life for Northern Labrador residents.

Therefore, we petition the hon. House of Assembly as follows: We, the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador to increase the lifeline block to 3,500-kilowatt hours when applying the Northern Strategic Plan subsidy to electricity bills of Northern Labrador residents of the Torngat Mountains region.

Mr. Speaker, I've read the petition several times in 2019, several times in 2020, but I had to revise it this summer because the rates went up from 18.5 cents a kilowatt-hour, which is the highest rate charged in the province to the people on the North Coast. Now, it's gone up to 18.68 cents a kilowatt-hour.

But that doesn't change the reality; it just makes our reality much harsher. Because who does this impact? In the petitions I've read before when I was asking for a more favourable or just, basically, a lower rate – we're paying the highest in the province – who are impacted? The elders who have physical impairments that prevent them from being able to haul wood to heat their houses; single families; women. Who suffers the most? Children.

We just have to look at our problems that we experienced with CSSD where a lot of our families lose their children to government. In order for them to get their children back, they have to be able to heat their homes.

Anyway, I'll end there, Mr. Speaker.

Thank you very much.

SPEAKER: Orders of the Day.

Orders of the Day

SPEAKER: The hon. the Government House Leader.

S. CROCKER: Thank you, Speaker.

I call Motion 2.

SPEAKER: The hon. the Government House Leader.

S. CROCKER: Speaker, I move, seconded by the Deputy Government House Leader, that under Standing Order 11(1) this House not adjourn at 5:30 p.m. today, Monday, November 1, 2021.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Carried.

The hon. the Government House Leader.

S. CROCKER: Thank you, Speaker.

I call from the Order Paper second reading of Bill 34.

SPEAKER: The hon. the Minister of Education.

T. OSBORNE: Thank you, Speaker.

I move second reading, seconded by the Minister of Finance and President of Treasury Board.

SPEAKER: It is moved and seconded that Bill 34, An Act To Amend The Schools Act, 1997, be now read a second time.

Motion, second reading of a bill, "An Act To Amend The Schools Act, 1997." (Bill 34)

SPEAKER: The hon. the Minister of Education.

T. OSBORNE: Thank you, Speaker.

Today, we're bringing forward an amendment to the *Schools Act, 1997*. The amendments in the bill will effectively give the provincial government the authority to appoint a smaller

interim board of trustees in place of the existing board and the smaller board will have a mandate to oversee that transition.

Budget 2021, brought forward by the Minister of Finance, informed – and I'll read a quote from that budget: "With the goal of making better use of our considerable investment in education and ensure that investments target the classroom, not administration, we will be taking the appropriate steps to integrate the Newfoundland and Labrador English School District into the Department of Education."

Speaker, the change that we are making today, via this legislation, is the step that will allow us to move forward with that transition. It is a very simple amendment. It is appointing an interim board of trustees, replacing the existing board.

Currently, the NLESD has an elected board of trustees, I believe there are 17 of them and those trustees were elected or appointed. Some were appointed by government as they expired over the last three or so years. There hasn't been an election of school trustees since November 2016. The terms expired some time ago, Speaker. As Minister of Education, I had asked the existing trustees if they would stay on for a period of time as the pandemic had started, to ensure that the ongoing management of the district continued during the time of significant turmoil. However, now that we are pursuing a change in the structure of the NLESD, a new board is needed, a board that has the mandate of transitioning the district into the department.

The existing board was mandated to oversee the operations of the NLESD in its current format. That mandate runs counter to the changes that we intend to make. The smaller interim board of trustees will have a dual mandate to continue to oversee the operations of the NLESD, but also to facilitate the integration of the NLESD into government.

Speaker, I will inform the House that these changes will officially occur once the act receives Royal Assent. I did speak with the current board of trustees this morning and informed them that these changes were taking place, and also thanked them for their service. As I said, their terms expired some time ago. I did meet with them several months ago and

asked if they would stay on even though their terms had expired, because we were going through the pandemic. They had agreed to do that. So they did, in fact, agree to stay on and serve beyond the expiry of their terms.

They've operated, provided guidance and oversaw the operations of the NLESD during the time of the pandemic. I have a great deal of respect for the work that they've done. Obviously, with any board, Speaker, there's sometimes a healthy friction, but we worked very well together. They worked well in terms of the NLESD and serving the NLESD and the department. I have nothing but the greatest of respect for the current trustees.

In fact, I will say that the interim board, Mr. Speaker – the majority of those members will come from the existing trustees. So we will be asking a number of the existing trustees to make up the majority of the interim board. I also wish to inform the House that while the appointments are not yet finalized for the board chair, they will be finalized within a couple of weeks. We look forward to the interim board providing the guidance on the transition.

I do want to make it clear, Mr. Speaker, that this is certainly no reflection of the existing board or a question of their dedication or their competency. I spoke, as I said, with the current trustees this morning; I had a very good conversation. In fact I encouraged the existing trustees to apply to the IAC, as we will be putting a permanent board in place. As all Members of the Legislature know, going through the IAC, getting recommendations and going through the formal process of appointing those members take several months.

We will be looking to the IAC, as we near the conclusion of the transition of the school district into the department, to put in place a permanent board through the IAC. I think they have a fine roster of candidates to choose from with the existing board of trustees that are in place. This is certainly not about the performance of the existing board; it's merely a shift in the direction that we laid out in May during the budget, and putting in place the foundation for that transition.

In closing, Speaker, I will reiterate that the decisions that we are making regarding the NLESD transition are meant to put our K-to-12 system in the best position to succeed and to see a closer coalition between our significant investments in education and the resulting academic outcomes. We are moving towards an approach that prioritizes centralized governance and school-based decision-making, and a more flexible and responsive approach.

We'll get into where we are in terms of the transition at a later time. I know that does not meet the spirit and intent of the legislation. The spirit and intent of the legislation is putting in place a transition board, Mr. Speaker, so I'll keep my comments to that.

I know that we have former educators in the Legislature, Mr. Speaker. We had talked previously about the transition of the district into the department. I look forward to their comments and debate on this issue.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

B. PETTEN: Thank you, Mr. Speaker.

It's a pleasure to speak on this legislation. I speak on most legislation that affects our districts – or probably not all, I should say, but most. This one here probably expects it more than most because each one of us have a fair amount of schools in our district. Education issues are predominant right through the province.

At first glance, when you read the legislation it is pretty straightforward. The briefing this morning was pretty quick and to the point. There's nothing too complicated to read. I guess there are a lot of unanswered questions that come from my side and my colleagues as well. Not that they're not answerable, but right now there are a lot of questions out there with this merger of the school district within the department.

I'm looking forward to finding out, as that progresses, where we are. What savings are going to be involved? Where the savings are going to go? IAC is going to pick them. What's going to be the makeup? How will the process work? IAC can make recommendations we know. That gets to the Cabinet table and they don't have to be accepted. There are a lot of areas out there. It's going to be made up by current trustees. That, I think, is a good thing.

What geographic areas? How will the geographic areas be allotted? More than likely we're obviously going to be made up of the same people; it's going to be the same individuals. Probably have bigger areas. That piles into some of the questions that you want to ask.

The same trustee who is looking after one area, is he or she going to take up double their areas? I don't deal a lot per se with trustees, but you're always available reaching out back and forth. It's a mutual open communication. During these times, it's never a bad thing to have a good open dialogue with those individuals. I think that needs to be in the coming weeks when this legislation officially – or gets through, whatever happens to it, when and if passed, I guess we'll find out all those things.

Being an elected representative sitting here in the House of Assembly, the democratic process is very important. If I were to throw any concern or any issue I have with it, it's the democratic election process. I've always voted in school trustees, school board elections. I know that the voter turnout is traditionally really low and that's unfortunate, but I've never missed an opportunity to vote no matter what the election is.

These people have been elected to represent those areas, duly elected like us, like we sit in here in the Legislature. It does cause me some concern. To say that that doesn't bother me, that wouldn't be accurate. That was probably the biggest thing that jumped out at me. We're taking away democratically elected people and we're going to reappoint them based on, really, the mercy of the department.

Now, I guess the question that comes up again – and the minister will have lots of time to answer

this stuff too – what process will be used to pick the new out of the existing trustees? Will there be an interview process? Will their résumés be reviewed? Will it be based on the area you’re representing now? What backgrounds are you going to be looking for?

Because it’s a different process for people who run for school board trustee to get elected. Your résumé, that’s up to the people who vote for them. Most times you’re voting for a person that you know and they want to step up and do the right thing.

It changes the dynamics a lot when the minister and his officials or Cabinet can decide who they’re going to put there in their place. So then does it turn into credentials? Not that that’s a bad thing. But does it pick up the ones who have the best credentials out of the current 17 trustees? Is that an issue? Is that what it’s going to be based on?

Sometimes that’s fine, but there are a lot of times there are people there that got duly elected and they’re probably putting more effort into doing a better job than the people with all the credentials, so to speak. I throw it out there, because I’m sure that the officials within the department and the district probably think about these things: I hope those people are given fair consideration as well. That it is a combination. Because there’s a lot of good people who step up to do those jobs. They’re volunteering and you step up in the best interests. And I have some good people that represent school councils that I’ve dealt with over the years and trustees. They do it for the right reasons and I commend them for it. I have a lot of respect for anyone that does that.

At the end of the day, when you put your name on any ballot – and especially when you put your name on a ballot and you don’t really get anything in return other than just pure service, there’s a lot to be said for that. We have a lot of town councils do the same. So these trustees definitely should be commended and I hope they are given every opportunity when the process changes, comes around to this new process.

I guess more of my second reading is based on questions that maybe can come back in Committee. Consultation – have they been

consulted with? Are they given an opportunity to step forward or is it being offered to come forward? Are some being told their service is no longer required? I guess that’s a lot of the issues that need to be asked. Maybe it has to be someone like me or my colleague from Bonavista who has a great background in education who would like to ask those questions in Committee as well because, again, we’re taking away a democratic right. I’m sure out of 17 of those individuals, there are probably some people who have a concern with that.

I know that 17 is probably not a manageable number, but I have another question and throw it out there: Why can’t the current board of trustees do what’s required? I know that they are supposed to oversee the operations in the school district and merging is a different issue altogether, but I hope that during Committee and through debate we’ll get some more clarity on that.

It’s not earth shattering and it probably makes a lot sense to do all this, but I think sometimes in our roles, as legislators, just throw it out there. It’s not opposing this legislation. It’s about making sure that all these questions are asked. When I ask one question, someone else here in this House will probably trigger another thought in their own mind. It’s what we do in a lot of debates. Maybe it has triggered someone else’s thought process to think down a different avenue, because I do that constantly.

We look forward to more debate on it as we go on into Committee. We’ll have some questions. Like I said, I think my colleague from Bonavista is going to want to have a few words on this as well. I look forward to further debate in Committee.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Leader of the Third Party.

J. DINN: Thank you, Speaker.

In this case I think – not I think, I know it’s admirable if it comes down to making better use of the investment and targeting that investment

in the classrooms is laudable and I applaud it. I think it's something that's been said certainly when I was president, by the current president of the NLTA, by teachers in the classroom, by parents and so on and so forth, I can tell you that much for certain.

I would say, too, I will not be mourning the passing of the NLESD. I will take the minister at his word, too, that there's going to be an investment in the classrooms.

For me, of course, is going to be the question of the plan and how. How this is going to roll out. I know from my own experience, Speaker, when I first started teaching way back in 1981, I forget how many districts there were, but there were a significant number. I started teaching my first year with the RC school board on the Burin Peninsula and you had the integrated school board next door. Basically, a duplication of services in many ways and sometimes even duplication of buses.

I spent most of my career though, a good half of it at least, on the Southern Shore which became my second home and my last half of my career at Holy Heart high school, where for the first time I got to teach entirely within my discipline.

Now, I will say this, that I'm not always sure sometimes if amalgamation – what the cost-benefit analysis is. I will say that depending on where you are or who you are, which part of the province, you might very well be upset at the passing of the school district transition or not. That much I can tell you. But, for me, I can see benefits to it. I do know that when the four boards amalgamated into one large one – not the Eastern School District, but the Newfoundland and Labrador English School District, that was back 2013 and I mentioned this at the time in our Estimates to the minister. I think it was announced in the spring and it was in place in September that year. To me, that's not how you do a transition.

What I like about this, at least, is that there's an announcement here; we are being forewarned along the way that this is where it's going to happen. Now, I have a few thoughts on the process, but still I would argue that this is infinitely better than what happened in 2013, which I think caused chaos at the ground level

for teachers. I remember speaking to administrators in Labrador where they were thrown into confusion. But this is significantly better. At least there's a plan here.

At that time, too, I do remember in certain parts in Central where schools were closed and facilities were closed that had perfectly good meeting spaces, the buildings weren't being used and instead what the districts started doing was they were renting spaces from hotels and that instead of using their own facilities to carry out in-service and so on and so forth. I think better planning could have avoided a lot of that.

I'm not sure if it's ever been done, a cost-benefit analysis. If, indeed, simply amalgamating the school district the way it was, in that manner, actually found efficiencies, or saved money or redirected savings back into the school system. I do know that the school district under went a transformation, but not necessarily a transformation for the better and I'll give you an example.

On the Southern Shore, there were 12 schools and now down to four. But I do remember, on the Southern Shore, Frank Galgay, the superintendent at that time, would make it his special project at the beginning of the school year to come around and visit each class in each school and have that talk. Our program specialist, who you could walk into – the bungalow at Mobile next to the high school, basically you could walk in and you could see them right there. They were first among equals. They came out to the school, they ate lunch with you, they talked and so on and so forth.

The larger the school district became the more it became like corporate headquarters. Even the name changed from superintendent to CEO and it lost a lot of the teacher or the collegiality of it. You couldn't get into the office down there without going through a multitude of, I guess, security checks. You could no longer see where the people were; you lost that connection.

I'll say this, too, that when you had multiple school districts I think, in many ways, there was a better chance of retaining teachers. For the most part, if I went with the Ferryland school board – and maybe this is the reason I ended up staying there – at the beginning it was very

difficult to transfer from one district to another school district. Your seniority wasn't portable at that time unless you were actually hired on in another district. So there was an incentive, Speaker, to stay where you were, but then you had the opportunity to grow, as I did, and love the place I taught.

Once it amalgamated and simply teachers could go to the smaller communities and then transfer in, that's what happened –

SPEAKER: I remind the Member to stay relevant to the bill.

J. DINN: And I will. That's what I'm saying, there's a disadvantage to this. I think here, with regards to this, those are the pitfalls that we have to be aware of as well.

I would like to know – and I'll ask questions in the Committee stage – what is their plan? I think if I understood, there was the comment that the minister said at the time was that, when asked: Well, what are we hoping to gain? Is that we'll have a better idea once we get into the process. Well, we're now into the process and, as I understand it, there has been some sort of a transition plan prepared by the former deputy minister – and I could be wrong on that. I guess right now I'd like to see the vision as to where we're heading and how this is going to work out. Why not maintain the current board? Understanding that it does have a large number and I agree that maybe 17 is not the best approach to – or a large board is not going to be the most nimble. But why not even mandate the current board?

Also, I was clearly looking for some idea of how they were going to be appointed. Interim, I guess, I can appreciate it, if I understood it correctly. Interim, it's going to be appointed. I'm assuming, then, that for the board that's appointed next year it's going to go through the Independent Appointments Commission, if that's correct.

I'll have more questions, Speaker, at the time, but for the most part, with the caveats, I think if indeed we are committed to reinvesting the savings and the efficiencies into the school system – and one other thing, to make sure that there's regional representation, that in any new

structure that there is always a regional office and that regional needs are taken into account. But, again, reinvestment.

Secondly, I guess from my point of view, it would be to have a clear plan. I think this has merit. I think it has potential to be beneficial to the education system. As long as at all steps along the way we are keeping all those – whether it's the NLTA, the current NLESD, the Federation of School Councils, any stakeholders in this, that they're kept along the way, I think we have the potential to come up with something that will benefit the school system. But, to me, the key is to make sure, please, that at steps along the way that it's transparent and that they're engaged.

All I can promise, Speaker, is that I will support what I think is a good idea, but I will be critical of things that need to change.

Thank you.

SPEAKER: The hon. the Member for Mount Pearl - Southlands.

P. LANE: Thank you, Speaker.

I, too, will be supporting this bill. It's something that's been one of the many things that have been talked about, I suppose, in the House of Assembly for a number of years. Certainly a question that I had for a number of years when we're looking at efficiencies and so on. Not that the people on the school board haven't really put their heart in it and did a good job, based on the system that we've had, because I really believe they do. I know a number of people who have been involved and are involved, and quality individuals. I'm very glad to hear that these individuals or least a number of these individuals will be invited back to sit on the interim committee and, hopefully, in 2022 they will put their name forward to the IAC for appointment on, I'll say, the new committee, for a lack of a better term.

I am a little curious about, and I guess this will come up again in Committee, how this is going to work in the sense that I was of the understanding, when this had been talked about a year ago or two years ago, that the idea is to get rid of the school board and it would all be

under the Department of Education. I kind of get the fact that we're going to have an interim committee until September, I think, 2022, but I'm wondering why, then, we're appointing another committee and how long they're going to be there. Is the intention that this second committee is going to be there in perpetuity or is this just for another one or two years? At what point in time will there be no committee and will it be totally run by the Department of Education? Or is the plan to still have it as an advisory board to the department? That's what I'm just trying to understand. So I'll certainly ask that in Committee stage if nobody else does.

The concept of getting rid of another layer of bureaucracy and, arguably, red tape, cost and everything else makes sense. Particularly when you look at the fiscal state of our province it definitely makes sense. It makes sense on other levels as well because one of the things I've noticed over the years – and that's not about this administration or the last one; it has nothing to do with whether it's Liberal, PC or whatever – I've always found, to my mind at least, that school boards have kind of been used as a bit of a scapegoat.

When it comes to any unpleasantries, shutting down schools, controversy over the 1.6 kilometre rule, whatever the case might be, it's all: Well, that's the school board; let the school board deal with it. But when it comes to opening a new school or renovating a new school the minister is going to be front and centre cutting the ribbon and the Premier, and everybody else, and the Member and all the communication staff to tout the wonderful job we're all doing because we're opening a new school or renovating a new school, like I said. So politically when it's good news, it's been the Department of Education and the minister. When it's bad news, shutting down something: Oh, that's the school board. Slough it off on them.

This eliminates it. Actually, it's kind of a courageous move on behalf of this government, in sense, really, because at least now they're going to take responsibility for both sides. If they do something good, they can take the glory and if they have to make tough decisions then they're going to have to wear that. So, really, in

a sense, I kind of admire them for actually taking that stand and getting rid of that buffer.

SOME HON. MEMBERS: Hear, hear!

AN HON. MEMBER: (Inaudible.)

P. LANE: Oh, you can read *Hansard*. Listen, I say to the minister over there, any time you're doing something good I'll be the first one to acknowledge it. That's not always the case, but most of the times I think it is – most of the times it is.

S. CROCKER: More often than not.

P. LANE: More often than not, that's the case, yes.

So I certainly support the move; I support the bill. As I said, I've got a couple of questions that I will have in the Committee stage. But it does make sense, to me at least.

The only other point I'll make, and my colleague here from St. John's Centre kept referencing the fact that it's going back into education, which is a great thing, and I hope it does. I hope it does go back into education, if there are savings. But I'm just going by my experience over the years. I can remember at the time when we got rid of all the denominational school boards and we created the English School Board; we got rid of all the church run. That's what they said at the time: All the money we're going to save is all going to go back into the classroom. That didn't necessarily happen.

We talk about all the money from the carbon tax is going to go into green initiatives. I'm not saying that there are no green initiatives. There are some green –

AN HON. MEMBER: (Inaudible.)

P. LANE: It's very relevant. It's very relevant because we're talking about the savings from this move going back into education. So I hope it does – I hope it does. But, as I say, in the past we haven't necessarily seen it. We never saw it necessarily with the carbon tax. We're told we're going to see it now with this sugar tax. The jury is out. If it happens I'll be the first one

to stand up and applaud. I really will, if it happens. But it's the point –

AN HON. MEMBER: (Inaudible.)

P. LANE: Here we go with the relevance again.

Anyway, my point is that regardless of where the money goes, we're up to our neck in debt here in this province, so we need to try to find ways to be efficient regardless. But with that said, I do hope that the efficiencies that hopefully will be created here and the dollars that will hopefully be saved here, that we're able to redirect at least some of those savings into much-needed issues.

I particularly think about children with learning disabilities, special needs. I think of the Churchill family when we talk about children who are deaf and hard of hearing and so on. Children with autism and so on. I really hope that the savings that hopefully will be created through this will be able to enhance those programs for children of this province.

With that said, Speaker, I'll conclude my remarks. As I said, I'll have a couple of questions in Committee stage unless somebody else asks it before me, of course.

Thank you.

SPEAKER: The hon. the Member for Bonavista.

C. PARDY: Thank you, Speaker.

I was looking forward to the bill from the Schools Act coming before us because I said it's something that with my career I could at least speak to and so on. My mind ran rampant. I was looking for changes that would be in the Schools Act but this is probably the most logical one, even though the act cries out that it needs to be updated. I know this is the most logical one, but I would hope, in short course, we'll see some other amendments coming for the Schools Act.

It's been said a couple of times about any savings that would be accrued going back into the K-to-12 school system, the classrooms, I think the minister had stated, which that's

wonderful. It's the way it ought to be and that is good.

My previous speakers had mentioned about the school board being a buffer zone and he looked at it from the political ramifications. I looked at the school board as sometimes being closest to the people of which it served. If we now remove the school board, which we are and we're going to consolidate, we need to look at the buffer and the distance between the people of which we serve, the children, the school system and those who are making the decision which would be now, I would assume, Cabinet, the Department of Education.

When we transition and look at transition, we need to make sure that that gulf between the people that are out there in rural Bonavista and between those, the decision-makers, that there is a lot of continuity and that bridge and that gap is not too large. That's doable. I think the transition team will work at that to make sure that there is a connectivity along the lines.

I, too, would like to thank those school trustees – the ones I know and in particular the one that serves region 11. I have tremendous respect for this member. Her children are still in the school system. Probably on two or three occasions, we've engaged about education issues and her head and her heart is in the right place for education in the K to 12.

I would certainly state that if we're looking at a smaller committee – and I think research would state that the ideal committee is a committee of seven. I haven't ready anything and it may be out there where a committee of 17 was – but seven is what my understanding would be. We're going to move to a smaller committee primarily made up of existing trustees that will be selected, I guess, for what skill set they may have or connectivity with the school system and these will be the ones that will be driving the transition.

I have no problem with that and I, too, would support the bill. I do thank all of them for their service, because several people that I know of it is no doubt that their heart and soul was into the K-to-12 system and making it better, I think probably without exception that is. I do tip my hat for them.

The minister had stated in his preamble – which I like the thought of. He talked about school –

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

C. PARDY: He talked about school based decision-making; we like that. In fact, the further the decision-making moves from the regions and from where the schools are or the community of schools, that's often where the disconnects occur. So if we can bring it down to the levels of which the schools exist on the Bonavista Peninsula or beyond, but at least in pods that we have decision-making that would be in those areas, that's a good thing too.

The Department of Education wasn't always the ones that I would reach out to on school-based issues in K to 12. They had their knowledge and they had their expertise, but it wasn't often in the (inaudible) – I'm having trouble with that word.

AN HON. MEMBER: Operationalizing.

C. PARDY: I'll pass on that. But as far as making the school work – operationalizing the school.

AN HON. MEMBER: There you go.

C. PARDY: Wow.

So anyway, in that, they weren't because they never had the expertise in a lot of cases. I understand that because their skill set that they hired was for a different item. They trusted the system to run itself and for others to have. So if we contact now, under this new system, the Department of Education, we'll certainly have people that will be in sync with the operationalizing of the school, which is important. That may not be the case now. I would think in my estimates there may be discussions that I would've had in my short time here that I would think a lot of the times they weren't involved in the K-to-12 system and the running of the system.

My previous speaker had mentioned about the NLESD and I would say there are some wonderful professionals and skilled

professionals that run and operate in the NLESD. I know many of them, I worked with many of them and I would think I would give them quite a reference and a nod that we're in good hands with many people that are in the NLESD. So I tip my hat to them. The whole goal of this was to merge the two entities to find more efficiencies and to streamline the operation and not at any sacrifice to the K-to-12 system. I think that we can do that and that is achievable. I firmly do believe that that would be the case.

A couple have asked on the transition that we look at. We'll often hear and say: Our geography and our diversity would speak that we can't consolidate like we are doing. I would say: Well, if you look at Toronto that would be – I don't know if it's Toronto and the greater area; it may be one-tenth – we may be one-tenth their size of what they have. They have one board, one that would look after that. We'll have one for half a million people and, yes, we have diversity out there, but the representation that we'll have on this seven and knowing the areas that we serve on the Island, that will work well.

When we appoint it is key to make sure we've got people that are in these executive positions now that know the system, and we'll have those because I think, at our disposal, we currently have that. It's only to make sure that the new group is one that is very well versed in our system and the operationalizing of the system.

It was also mentioned before about reporting back to the House on the transition. I find that, whether it be the ATV or some other debates that we have, a lot of good things are raised in the debate within the House. Sometimes, I guess for one reason or another, it doesn't make it to the floor of the House for the debate. I often thought when COVID and the change that we had in the school system, if we fleshed it out here and had a good, open discussion on COVID and what the school system ought to look like when we made some changes, we would've had made some wonderful inroads. I know we talked outside the House –

SPEAKER: Stay relevant, please.

C. PARDY: Right. But even in the House.

I would say when it comes to this Schools Act it'd be nice that when we do transition let's bring it to the House periodically that we can have a discussion on where it is, what's happening and we're all in sync with it. I would think from the discussions that we've had thus far we're all on board with this first step and with the initiative that's going forward. But it'd be nice to know now how it was formulated and what that set-up is that's going to improve on the school-based decision-making and on the system that we're going to have. I think the minister had stated previously that there would be satellite offices that would be looking up how they're going to be staffed, and to what the nature they are and how this school-based decision-making, that is to come, and hopefully that can be discussed at some point in time within this Chamber.

So I do support the bill as presented, and I know there are some great people that are currently within the school trustees, and I'm sure that from that – which a majority, I think; not exclusively – a majority will be from these trustees. I would think that they'll do a good job with the transition, because I think they'll be consultative by nature in making sure that people's voices are heard.

Thank you for the opportunity, Speaker.

SPEAKER: The hon. the Member for Torngat Mountains.

L. EVANS: Thank you, Mr. Speaker.

This amendment is short, but I still find it very concerning. The elected board of trustees will be replaced by an appointed interim board that doesn't go through the Independent Appointments Commission, and some of the elected members will get to stay, be appointed and also some from government will be appointed. So it would be really interesting to see how this is determined. I was on the technical briefing this morning and my concern is that strong voices could be silenced by exclusion – who's now on the board. So that is a bit concerning. How the board is appointed may not reflect what people want. People out there who are involved with the schools, education system, you know, these things are very important to them. So that is a bit concerning.

Also, the interim board that's appointed, that'll be in place until September 2022, then a new board will be appointed. We're not really sure how long this board will serve. The minister said just now a permanent board will be in place. So will the new appointed board be the one that actually serves? There are some concerns because of questions that we need answers.

Also, if you look at our geography, rural Newfoundland and Labrador, Labrador as a whole, Indigenous groups, there are a lot of groups out there. I know one of the MHAs was talking about diversity, but at the end of the day when areas are not reflected in the decision-making it creates a lot of problems. I think that we need to ensure efficiencies at the cost of transparency and proper representation doesn't happen.

Thank you, Mr. Speaker.

SPEAKER: The hon. the Member for Stephenville - Port au Port.

T. WAKEHAM: Thank you, Speaker.

I won't be long. I just wanted to add a few comments to it, listening to the discussion and to the minister's comments. In the explanatory notes here it talks about the Lieutenant-Governor dismissing the trustees of the board so that they can reappoint trustees in order to facilitate the integration. I think that's a key word, "facilitate."

I go back to the minister's comments at the beginning when he quoted from the Budget Speech and he quoted: "With the goal of making better use of our considerable investment in education and ensure that investments target the classroom, not administration" That's a lofty goal and, obviously, one that we would all support. The challenge is we've never seen the backup. We've never seen the data. There's an old saying: In God we trust; everybody else requires data. We haven't seen the data. The Green report made this recommendation. It was in the budget, it's been passed and today we're going to take this first step to facilitate this integration. We all agree of that lofty goal, but none of us have been able to actually see how it's going to be done.

When we talk about better use of considerable investment that implies that there's going to be savings that are going to be able to be used from an administrative side into the classroom side. I would ask that if there's analysis been done or there are briefing notes, rather than have to try to ATIPP them, it would be nice to understand exactly what our goal is to get at it. I've been involved, in my previous life, in a number of amalgamations, or consolidations or integrations, whatever word you want to use, but one of the things that were never done was to actually go back and try and figure out: Did we achieve our goal? Did we really make a difference? Did we really achieve that goal?

So I would just simply want to ask, if we're going to do this, let's identify exactly what our goals are and what we hope to achieve and then somehow have some way of actually measuring that.

Now, we've got the *Auditor General Act* coming up for some amendments, you know, whether it's the AG that goes back and looks at these things. It's not just about the education system. I went from 27 health boards to eight, to four and now there's talk of maybe we should only have one.

At the end of the day, despite all that change, I'm not so sure we ever achieved the goal that was set at the time. So sometimes governments in the past have made changes simply for the sake of change to be seen to be doing something.

But I applaud the goal and I would like to see the backup that supports the goal, the reason you want to move ahead with this so that the people could actually see that this is what we're going to achieve, these are the savings to be had and this is the benefit, not only to the students, to the teachers, to the parents and to our entire system.

That's all I ask for is that, as you move forward to facilitate this integration, let us be privy to some of the information that you have about what exactly you will achieve.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Lake Melville.

P. TRIMPER: There's my light.

Thank you, Speaker. I've got too much on my desk to tell whether I'm on or not.

I just wanted to speak for a couple of minutes. I wanted to do two things, one is because I know them and I wanted to recognize them, the board trustees representing the three zones in Labrador: Mr. Raymond Bennett on the North Coast; Mr. Goronwy Price, a long-time friend who serves as the chair, representing also the schools in the Central Labrador area, pretty well overlaps the district I represent; and, Mr. Guy Elliott, who represents the Labrador West area.

As with my colleagues, I guess we're all hoping that government will continue to make use of good people, current trustees as we watch and go through this evolution of sorts. I think everyone's welcoming it; we're just hoping that the same good people will have an opportunity to continue to influence the education of the youth of our province.

The other point I wanted to make – and I just want to thank the minister for his co-operation – I had a petition this spring relating to some challenges around the Innu school board and private schools, too. So I'm looking forward to this first step and hoping that we can find a way, as these two entities become integrated, that we can see some other savings and solutions to some problems that have been out there.

I thank you very much, Mr. Speaker.

SPEAKER: The hon. the Member for Humber - Bay of Islands.

E. JOYCE: Thank you, Speaker.

I'm going to speak just very briefly on this and just the few questions that I know I'll be bringing up to the minister. I think it's a great idea to bring it in-house and under government to be able to make the decisions. Also, I hope that the savings that's going to occur will go back in the school system as committed.

There are a few things – the question that I would have is: If you reappoint the board, which will be coming up in other parts of this, in 2022, how long will the board be in place? You mentioned it's going to go through the IAC process. Will the board be in place for a specific amount of time? Is it four years or five years? That's the questions.

I know many of the board members that are there now, and they have tried their best during very difficult times, I know the minister recognized that and I just want to recognize that also, the work that they did during this trying time for everybody.

This is where I'll be bringing up questions about it. If you bring it under government so government could have the responsibility, why are you reappointing a board? Like, will the board have ultimate control or the government have ultimate control?

Usually when you bring something back under government is because government wants control and wants to be able to make the decisions, quicker decisions and faster decisions. But if you're bringing them back under government and you're appointing another board, the question got to be: What role will that board have? Will that board have the final decision or will the department, the minister at the time, have the final decision?

They usually don't work in the government process. I don't know another department here that has – for example, Municipal and Provincial Affairs doesn't have a board. They might have a municipal board, an assessment agency outside, which would do their own bit, but there's not a board that Municipal and Provincial Affairs – or even, I say, Environment, they don't have a board with a minister or got a board within the Department of Environment. They might have an agency outside.

The question is: What authority will this board have? What legislative authority will they have? How will they be appointed? How long will they be appointed? These are the questions that I'll be asking. I'm sure there are answers. I just don't have them right now.

I just hope – and there's no reason to disbelieve him until it's done and if it's good decisions and the money is going back into education, I think you'll get support from this whole House to do that. We know sometimes it is nice to have decisions in-house so you can make them quicker and you can make policy statements, you can make statements, you can act.

This is absolutely no reflection on the current board and the workers within the school boards across the province because I think they do a great job with the circumstances they have. I know a lot of them out on the West Coast, personally, and I know a lot of them work tirelessly to do what they can to help out. I know during this pandemic they went over and above on many occasions to help out. I am sure a lot of the staff that we have in the school board now will remain within the staff in the school board – a lot of them.

Those are the few questions that I will be asking the minister when this comes to a full debate. But for any reason to help put money back into the school system, and if this process is going to work, I'll be definitely voting for this motion.

Thank you, Speaker.

SPEAKER: The hon. the Member for Labrador West.

J. BROWN: Thank you, Speaker.

I just want to touch on this briefly because I do have a lot of reservations about it. I still get people who come up to me who are part of the school system, who still talk about they miss the Labrador school board when Labrador had its own thing and even when it was divided between Labrador East and Labrador West. They always felt that there was a sense of identity, a sense of something taken away from them when it came to education of Labrador's youth.

Not even very long ago, I did meet with some former educators that still say things were better under the Labrador school board than it was under the current school board system. I do have reservations in the sense that: What is there to make sure that Labradorians are educated with

their culture and their way of life and everything that's in mind?

Like I said in this House when we debated Red Indian Lake, I was lucky enough to be taught about Indigenous culture because I was a part of the Labrador school board and they took the exception to make sure the children of Labrador had the opportunity to learn about their home.

If we keep centralizing and keep centralizing and keep centralizing, where is the voice of minorities and people of Indigenous background or Northern background? Are they going to lose a touch of themselves? Are we going to be monoculture? Is this where we are going or are we going to make sure that children in certain regions of this province with distinct heritages will learn about it.

I look at Port au Port for an example and the great French culture that's out there. Or, like I said, Northern Labrador where they have a very unique and beautiful culture there. Or even take Labrador West where we want to learn about our other neighbouring cultures and stuff, so we can understand where we come from and what Labrador is all about.

I know I'm really generalizing about my area, but at the same time it does worry me that we're going to centralize to the point that we're going to drown out the unique parts of this province. That's why even when they did change it from a province-wide English school board and when we broke it down from the other ones – are we going to lose a part of ourselves? Are we going to lose this? Are the voices of these smaller places going to get drowned out by centralization and the larger urban districts?

That's my biggest fear when we come to this stuff. Are we going lose a part of ourselves? Are we going to ground down to just results instead of actual educating and promoting what makes us unique in all the different little corners of this province? That's where my worries will always come to. What are we going to lose for the sake of something else? Is it worth it at the end of the day? Is it important at the end of the day that we are not going to deny the certain aspects of our culture and certain aspects of our education for this?

Like I said, I graduated from the Labrador school board and that's a badge of honour I'll wear for the entire time of my life. I had the opportunity to be educated in a sense that made sure I understood that I came from Labrador. I live in Labrador and I understand the different unique cultures and stuff of where I come from. Like I said before, I had family that were educated on the Island and probably could never tell me the difference of the different Indigenous groups of Labrador because it wasn't a part of the school board in that particular part of the Island at the time.

So I just want to make sure that when a Labrador child is getting educated, that they're going to make sure they understand who they are and what makes them a very special, important part of this province, and that they can learn things about their culture, things about where they live in a safe environment that is actually designed for them, instead of a generic, watered-down, here are the basics, good luck to you, because that's my biggest fear.

One other thing is when we were going to school we were lucky that one of our teachers actually was originally teaching in Nain and developed a course about living on the land and Inuit culture.

SPEAKER: Order, please!

I remind the Member to stay relevant to the bill.

J. BROWN: Yeah, it's relevant because it's an education course in the school.

Anyway, so he developed a course for children in Nain about Indigenous culture. He brought it to Lab West because it was the same school board. When they transferred it over to the Newfoundland and Labrador English School board, they took the course away because it didn't fit the box at the time. This is my fear that when we keep centralizing things, these special courses and these special education things are going to be wiped out and that we're just going to have a monocultured education that will, I think, be more of a hindrance.

At the end of the day, is it really worth the cost? That's where my one thing is. Is it really worth the cost to do these things? That's my biggest

fear and my reservations about dissolving what's left of our school board per se.

Thank you.

SPEAKER: Seeing no other speakers, if the Minister of Education speaks now this will close debate.

The hon. the Minister of Education.

T. OSBORNE: Thank you, Speaker.

I appreciate the comments that were made by all Members and some of the suggestions that were made. We'll certainly take those into consideration as we move forward. I know that the transition team is being put in place to deal with many of the issues that were raised. As we move through the process of transitioning the district into government, the suggestions that were made here today – we will compile the suggestions that were made and present it.

A number of the matters that were raised are still under active consideration and discussion within the department. The amendment here is essentially to allow the transition into government. Further amendments will come back to the Legislature.

I know one of the Members had asked about having further input. Further amendments, as we move through the process, will come back to the Legislature. This is the first of perhaps a number of amendments that we will have to make. I look forward to debate in Committee.

Thank you.

SPEAKER: Is the House ready for the question?

The motion is that Bill 34 now be read a second time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Carried.

CLERK (Barnes): A bill, An Act To Amend The Schools Act, 1997. (Bill 34)

SPEAKER: This bill has now been read a second time.

When shall the bill be referred to Committee of the Whole?

S. CROCKER: Now.

SPEAKER: Now.

On motion, a bill, "An Act To Amend The Schools Act, 1997," read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill 34)

SPEAKER: The hon. the Government House Leader.

S. CROCKER: Thank you, Speaker.

I move, seconded by the Minister of Education, that this House resolve itself into a Committee of the Whole to consider Bill 34.

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

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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 (Warr): Order, please!

We are now considering Bill 34, An Act To Amend The Schools Act, 1997.

A bill, “An Act To Amend The Schools Act, 1997.” (Bill 34)

CLERK: Clause 1.

CHAIR: Shall clause 1 carry?

The Chair recognizes the hon. the Opposition House Leader.

B. PETTEN: Thank you, Mr. Chair.

A question on this for the minister: Has the department done either cross-jurisdictional scan on other school trustees, how they’re set up and what the consensus is – democratically elected or what? Do you have it from across the country on that? If you do have it, could you table it or provide it to the House?

CHAIR: The hon. the Minister of Education.

T. OSBORNE: Thank you for the question.

I don’t know if we have anything in writing. I can check. I do know that there was a jurisdictional scan done. PEI, for example, has done the same as we are doing, where they put a transitional board appointed in place to see the transition of their school district into the department.

CHAIR: The hon. the Opposition House Leader.

B. PETTEN: Also, will the new board have gender balance and geographic and First Nation Indigenous representation?

CHAIR: The hon. the Minister of Education.

T. OSBORNE: Thank you, Chair.

The majority of the interim board will come from the existing trustees. That is something that we’re looking at is geographic representation and looking at gender as well, to the best degree possible, in terms of the appointments to the interim board.

CHAIR: The hon. the Opposition House Leader.

B. PETTEN: Minister, I guess the question is – we’re eliminating school board elections. Can you answer why we’re changing the democratically elected process to an appointed process?

CHAIR: The hon. the Minister of Education.

T. OSBORNE: I will try to not sway too far from the bill because the question does require me to sway a little bit from the bill. I’ll try to keep my remarks as tight as I can.

We will be empowering the Federation of School Councils, providing additional resource to the Federation of School Councils and they will have an advisory role to the department. In effect, every school in the province will feed into the school councils. Right now, they’re an ad hoc committee but every school will have a voice into the Federation of School Councils who will have a formalized voice into the department.

CHAIR: The hon. the Opposition House Leader.

B. PETTEN: Thank you, Chair.

Minister, will parents have more say or have every bit as much say as the do now? Where will that be channeled through, still through these trustees appointed or, as you just referenced, will school councils be their best point of contact?

CHAIR: The hon. the Minister of Education.

T. OSBORNE: Thank you, again.

Yes, through the Federation of School Councils, the parents will have a stronger voice than they currently do today. As we know and as many Members in the Legislature had outlined in their comments, the turnout at the trustee elections has been very low, traditionally. In some cases, less than 100 people would select a trustee.

Giving the Federation of School Councils a more defined and recognized role gives parents, through their school councils, into the Federation of School Councils and as a direct

advisory to the minister, would have a greater say.

CHAIR: The hon. the Opposition House Leader.

B. PETTEN: Minister, I guess somewhere in the topic of – maybe sway a little bit from the bill, but it's still within the bill. We're talking about appointing trustees to oversee the merger or the amalgamation of the school district. Any specific timelines for the next 12 to 24 months? What's going to happen? When can we expect it? This is one step along – this sets the wheels in motion to the endgame, basically.

CHAIR: The hon. the Minister of Education.

T. OSBORNE: Again, it does require me to stray a little bit from the bill. I know the bill is specifically for the appointment of an interim board. I will ask, I guess, some latitude in terms of answering the question because it does –

CHAIR: (Inaudible.)

T. OSBORNE: A little bit the Chair says, so I'll keep it tight.

By September of 2022, we are hoping to establish the public schools branch within the Department of Education, which will have an ADM. I outlined earlier in the Legislature. Once we get it moving, and this is the first official step, I guess, the formal step, but the transition should, in large part, take place within 12 to 18 months.

I think that answers your question, keeping it as tight as I can keep it.

CHAIR: The Opposition House Leader.

B. PETTEN: I guess, again, this may sway a little bit, too, but it's all pertinent.

You said in the past that any targeted savings would go back in the school system. So I guess two parts: Do you still expect savings, and are you still committed to putting them back in our school system?

CHAIR: The hon. the Minister of Education.

T. OSBORNE: We do anticipate the savings to be in the millions, in terms of fiscal efficiencies. As the Premier, the Minister of Finance and I've said, in terms of the PERT report, for example, we're not anticipating mass layoffs but we have started the process of looking at potential retirement dates within the school district, within the department and achieving efficiencies through attrition. That process, we're already starting to look at that and to determine the duplication of services.

Again, I know I'm going outside of the bill, but trying to keep it as tight as I can.

CHAIR: The Opposition House Leader.

B. PETTEN: Minister, the current school board trustees, have they been consulted on this process before today?

CHAIR: The hon. the Minister of Education.

T. OSBORNE: I had a discussion with the existing trustees today. I don't think this comes as a surprise to anybody; it was announced in the budget that we would be transitioning the district into the department. So I don't think any Member of the Legislature, or the public or staff in either the department or the district are surprised that we're moving in this direction. But I did have a very good discussion with the board of trustees this morning.

CHAIR: The Opposition House Leader.

B. PETTEN: The Federation of School Councils, have they been up to scratch and consulted on their new role and their new added responsibilities, I guess?

CHAIR: The hon. the Minister of Education.

T. OSBORNE: Yes, they have and they're very supportive of the move. I will say, in terms of consultation, we had a previous discussion with the NLTA. Once the interim board and the transition team are put in place the real consultation start in terms of the NLTA, NAPE, CUPE – for example – Federation of School Councils. We've had some good discussions to this point, but the transition team will lead the transition and they will be directed to have good, solid consultations.

CHAIR: The Opposition House Leader.

B. PETTEN: One more question: During recent times, what happened with the procurement within the school district in 2018, I guess, there was a new computer system was bought in place – when I was on my Public Accounts day, it was brought in here and it was an initial cost of \$3 million I believe and \$1 million – the chair of the school board was here during the hearings.

Will that be required now? I guess that is the question. That was earmarked for \$3 million and \$1 million yearly for maintenance. Is that going to be no longer necessary? Is that going to be merged into government operations under the new – will that be identified savings I guess is what I am asking?

CHAIR: The hon. the Minister of Education.

T. OSBORNE: So the system you are talking about is Cayenta. I know that when I was in Finance, for example, looking at shared services and the mandate of Finance and Treasury Board to achieve shared services, we did have a good, thorough discussion with the board of trustees, with the NLESD, about Cayenta. That system has been purchased; it is in place.

We all know that systems age out. Part of the work of the transition team will be to look at Cayenta, look at the operating system that government is using. One of the arguments at the time by the board of trustees and the NLESD was that the system that government uses was not able to do what the delivery of education required through the school district and, therefore, they went with Cayenta.

The board of trustees made the decision and as an elected board of trustees – my desire at the time was that they were to use the government system, but we didn't dictate to the trustees. With the district coming into the department, those decisions may be easier; may be more challenging because we own the decisions, as I think the Member for Mount Pearl - Southlands had said earlier. But the transition team will look at, during the transition phase, whether or not it's feasible to make modifications to the government system, and as the Cayenta system ages out, whether we transition to the

government system or whether we're better of staying on the Cayenta.

That will be something the transition team will look at. Once the district is transitioned into government, it will be something that government officials and Treasury Board and so on will look at.

CHAIR: Further questions?

The hon. the Member for Mount Pearl - Southlands.

P. LANE: Thank you, Chair.

Minister, I'm just looking for a little bit more detail here. I know it's not exactly in the bill but it's all related because if we approve this, then we're approving to go down a different road than we've been.

Picking up on your comments as it relates to the Federation of School Councils – and, obviously, they're going to have a greater role, which would replace to some degree the roles that the current school board would have in terms of direct connection to the schools, to the students, to the people and so on. I'm just wondering how will the communication process work with the school council. You're saying now they'll have a more direct input.

From a practical point of view, I'm at St. Peter's Primary or whatever and some issue gets brought to the school council. Is the Department of Education going to be getting regular phone calls from every school council in the province? Or if they have bigger systemic issues, would it go to the federation and then the federation would bring it to the government at some point, almost like the way Municipalities Newfoundland and Labrador operates? Municipalities bring resolutions and they have advocacy day, they call it, where they will meet with the Minister of Municipal Affairs. Would it be a similar type of thing as that or how will it work?

CHAIR: The hon. the Minister of Education.

T. OSBORNE: Yes, so to try and answer the question, again, it's way outside the actual bill.

But as long as we have leave of the House, I will entertain the questions.

No different than the 40 MHAs here – I mean a constituent would call an MHA, an MHA would work on an issue and, if need be, would bring the issue to the minister or whatever the case may be. So every school – and there are 250-odd schools in the province. The school councils would feed into the Federation of School Councils. They will have an enhanced role and will determine when there are issues that they need to bring to the department. They'll have a more formalized role and more authority than they currently have.

Right now, they're an ad hoc group. We communicate with them, but they have no standing, so to speak. So they will have a more recognized role and more authority to bring issues forward to the minister. They will act in an advisory capacity to the minister. School councils now will have a more direct route to be able to bring issues to the Federation of School Councils and, in turn, they can bring issues directly to the minister's office.

CHAIR: Just before we go to the Member, I will ask that all Members stay relevant to Bill 34.

Thank you.

The Chair recognizes the Member for Mount Pearl - Southlands.

P. LANE: Thank you, Mr. Chair.

I will certainly try to do that. I guess the reason why you stray a little bit from the bill is because what this bill – as I understand it, this bill really means that we're going to eliminate the English School District. Before a Member is expected to vote in favour of doing that, then I'd just like to know some of the implications as to going down that road, was my rationale. But I will certainly attempt to stay relevant.

Minister, just wondering about the transition committee, which is the second committee. So there's going to be an interim committee to replace the one we have now – or an interim board, I should say – until September 2022, I

think. Then there's a transition committee, I think they're calling it.

Once we get into this transition committee, how long do you anticipate this transition committee will be in place? Is it for another year, two years, 10 years? Any idea?

CHAIR: The hon. the Minister of Education.

T. OSBORNE: I anticipate the transition will take 12 to 18 months. Once the transition is concluded, we no longer need the transition team. The transition team will be comprised – this legislation needs Royal Assent before we move further. There's a formal process required to put the transition team in place, but it will have a representative from the district, from the department and outside, so to speak, but somebody with deep knowledge in education.

CHAIR: The hon. the Member for Mount Pearl - Southlands.

P. LANE: Minister, you're saying 12 to 18 months for the team. So does that mean then, if the interim board is in place until September 2022, that's going to bring us up to maybe 2024 then? It's 12 to 18 months after September 2022 or 12 to 18 months in total between both the interim board and the committee?

CHAIR: The hon. the Minister of Education.

T. OSBORNE: If we can move things smoothly, it's our intent to have the public schools branch in place by September of '22. That would be one of the larger components of transition. There are a number of other areas that need to be looked at in addition to that: teacher payroll, program specialists and so on.

So the overall transition we anticipate from now to be 12 to 18 months. We are now putting the transition board in place and the transition team in place. Once they are in place, the transition itself we anticipate to be 12 to 18 months.

CHAIR: The hon. the Member for Mount Pearl - Southlands.

P. LANE: Minister, once we pass this bill and while we have this transition board and transition team and so on, if there were any

decisions that had to be made related to schools, like shutting down the school or any significant issues within a school that came up, or even things around COVID-19, whatever, will that fall now directly to the department? Will this new interim board and team still be sort of running the show until it's all complete? Or will it be going to the Department of Education pretty much immediately?

CHAIR: The hon. the Minister of Education.

T. OSBORNE: The transition board will have the same responsibilities and powers as the current board of trustees, in addition to the mandate of transitioning the district into the department.

P. LANE: Thank you, Mr. Chair.

CHAIR: Thank you.

The hon. the Member for Bonavista.

C. PARDY: Thank you, Chair.

It's often been said when they talk about the de-democratization, and when they say that word in education they often talked about what I mentioned in my preamble, my earlier talk, where they talked about the distance between the schools and the decision-makers.

You had mentioned that you're going to be using the Federation of Social Councils and you're also going to have satellite offices. I'm assuming – I don't know – the Federation of School Councils is based on volunteers, primarily?

CHAIR: The hon. the Minister of Education.

T. OSBORNE: They are. No different than the board of trustees are volunteers. So at the school level, the school councils generally have representation from the school staff itself or administration, you know, the school will have somebody on the school council. Most of the school council is made up of parents who have a direct – I mean, they're directly impacted by any decisions that are made at the school. So by having a more formalized relationship and more authority given to the Federation of School Councils, in effect, it's a more democratic

process because parents will have a greater say in what happens.

CHAIR: Before I go ahead, this has got to be the most difficult position to be in having two hon. Members talking behind my back.

Anyway, the Chair recognizes the Member for Bonavista.

C. PARDY: Thank you, Chair.

Yeah, it's a very non-strategic position I'm located; no doubt about that.

I understand that. My mind was thinking and trying to conceptualize the framework that you would have, and I know the significance that they are elected by the people. I know that they won't be at these satellite offices. I know that the chances are they won't be remunerated to go see issues, but they can hear issues over the phone but they won't see issues in the general area. But I guess that would be the networking with the satellite offices that would be occurring.

The transition committee, you had mentioned you will look at the gender lens. I know that currently there are two female trustees on the group of 17 and I know there are vacancies there as well. The committee won't be exclusively from these trustees. I think you had said the majority.

CHAIR: The hon. the Minister of Education.

T. OSBORNE: Yes, correct.

So kind of getting ahead of ourselves because the committee is not appointed yet, but we do envision – and without getting too specific, you said the perfect size of a committee is about seven. So you're pretty close to the bull's eye, I'll say that.

The majority of committee members will come from the existing trustees. We are looking to have two government representatives on the committee, one from Education and one from Finance, as both departments are not only impacted but will have a significant interest in the transition of the district into the department.

Outside of the existing trustees, those will be the only other individuals. We haven't yet put those in place.

CHAIR: The hon. the Member for Bonavista.

C. PARDY: Yes, that's good. That's good.

Last question: I noticed in 59.1, section 5, I guess the minister will be appointing the chairperson.

I know the rationale and the logistics behind all that, but I know that in my time since serving on a committee, in my experiences and what I read about the committee format, it's often selected from the committee itself. I know you probably got a committee of five now, other than your two – but even if you had your committee of seven that would have – literature will often say, I think, it's best for the committee or the chairperson to be selected and, I guess, on the other hand, would be that you appoint the chair.

If they're all in agreement with it, it's a moot point. The issue comes after, once they get to know each other and who they are and who they would deem to be leadership. It may be more effective for that committee to decide the chair. And, of course, it wouldn't happen in the first 10 minutes within the first meeting. I know that that's not the operationalizing of what an effective school board would be.

But I would say there might be a little something, a researcher to look at how you would conduct that as to whether you would appoint one or whether this group that you've selected – which, again, will be a formidable group – whether you would trust them to determine who would be the leader that would lead this group in the transition process.

And that's just food for thought in going forward.

CHAIR: The hon. the Minister of Education.

T. OSBORNE: No, I appreciate that and I don't want to go down the rabbit hole of talking about who we are hoping will be on the board of trustees, but, you know, my guess is we're going to have two government members. There will be a number of existing trustees and I would

certainly hope that the chair would come from the existing trustees.

CHAIR: The hon. the Member for Bonavista.

C. PARDY: But selected by you or from those existing trustees and the two government officials?

CHAIR: The hon. the Minister of Education.

T. OSBORNE: Again, I don't think the floor of the House of Assembly is the appropriate place to start naming or identifying or narrowing down who's going to be there. I don't think the Member opposite will be disappointed. We'll leave it at that if we could.

CHAIR: The hon. the Member for Bonavista.

C. PARDY: Just for clarification, I wasn't looking for any names. I was just looking at the procedural fact and I think when making sure that you get off on the right foot, that's all. No more than that.

Thank you very much.

CHAIR: The hon. the Member for Torngat Mountains.

L. EVANS: Thank you, Mr. Chair.

The interim board that's appointed will be in place until September 2022. Then, another board will be appointed. I'm assuming that's the permanent board the minister was referring to earlier. What is the size of the permanent board compared to the current elected board?

CHAIR: The hon. the Minister of Education.

T. OSBORNE: Just wanted to provide some clarification. We haven't narrowed down that it will be September 2022 I want to say to the Member. The transition will take 12 to 18 months so it's an interim board to oversee the transition. My hope is that sometime within the 12- to 18- month period we will look to appoint a more permanent board, but we haven't gotten that far to determine how many members will be on the permanent board. It's our intention that within the 12- to 18- month period, as the transition board starts to wind down in their

responsibility, government will look to have a more permanent board put in place.

CHAIR: The hon. the Member for Torngat Mountains.

L. EVANS: Thank you.

I was just going by what was said to us this morning when we were asking questions in the briefing.

My question was going to be: What are the benefits or the advantages of this board, the new permanent appointed board, compared to the elected board that we have in place now? What's the advantage? We're going through all these transitions, I know it's about saving money to have a smaller board, but other than the size, what would what the benefits be?

CHAIR: The hon. the Minister of Education.

T. OSBORNE: A couple of points that I can make is, one, I think there were at least two or maybe three Members that spoke that acknowledged that a smaller board would be more nimble in terms of a transition. It's about efficiency. It's also about the fact that the existing board – most of them were elected; there were some that were appointed as positions expired in between elections, which is common. Some of them are appointed, but they were elected or appointed with a mandate of operating the NLESD. Their mandate was not to transition the NLESD.

Those positions had expired sometime ago. Because of the pandemic, I attended one of the board of trustee meetings and asked if they would stay on for an extended period of time because of the pandemic. They agreed to that. I am very grateful that they agreed because they are a volunteer board. The logistics, quite honestly, are that their mandate was to operate the NLESD. So, yes, a smaller transition board will be more nimble, more efficient, but they also have the mandate to transition the district into the department.

CHAIR: The Member for Torngat Mountains.

L. EVANS: Thank you.

During the briefing, too, I was asking questions about the appointments. It would come from the government as opposed to the Department of Education; is that correct? The appointments to board.

CHAIR: The hon. the Minister of Education.

T. OSBORNE: The appointments to the transition board?

L. EVANS: (Inaudible.)

T. OSBORNE: So because we have a board of trustees currently, the majority of members of the transition board will come from the existing trustees that were either elected or appointed because there was a vacancy in between trustee elections. We're not going outside of the board of trustees. As I had indicated earlier there will be one representative from Education, one from Finance and the majority of the board of trustees will come from the existing board of trustees.

CHAIR: The Member for Torngat Mountains.

L. EVANS: Thank you.

Also, just for clarification: The permanent board that is going to be appointed and put into place, that board is going to go through the Independent Appointments Commission, correct?

CHAIR: The hon. the Minister of Education.

T. OSBORNE: That is the intention. Again, just to clarify, it won't be September of next year. It will be sometime within the 12-month mark and the 18-month mark that I anticipate having a permanent board in place. The transition board will oversee the transition and the transition we anticipate to take 12 to 18 months. So just to be absolutely clear in what our intention is, but the intention is to have a more permanent board put in place sometime between the 12- and 18-month markers.

CHAIR: Thank you.

The Chair recognizes the Member for Humber - Bay of Islands.

E. JOYCE: Thank you, Chair.

A question: What will be the role of that board? If it's brought under government, if you're bringing the school board now under government and you're going to appoint a board, what is going to be the process for the decision-making with that board in place?

CHAIR: The hon. the Minister of Education.

T. OSBORNE: That's a very good question. Right now we'll be guided by the transition team in terms of the most efficient and best practices as the transition is complete. I'm only giving you – based on the meetings and the analysis that have taken place between discussions within the department and with the NLESD currently, the vast majority of duties can be undertaken within government.

Currently, we anticipate – and I will say “we anticipate” because the transition team may tell us, look, this is the absolute best way to do this. We will see the wisdom of their thinking and comply with their suggestion on the best way to do it. But hiring of teachers is probably not most efficiently done within the department. Or the acquisition of land for a new school, or the disposal of a school is probably not most efficiently done within – I mean the decision to close a school would be made at the departmental level, but the actual sale of property is very cumbersome within government.

So the current thinking is that there will be some duties left to a permanent board to make the decision on the sale of a no longer needed school building, to do busing tenders or to hire teachers. If we had to hire teachers through the government process, we'd never have the teachers in place for September, because the hiring process within government is far more cumbersome.

Just being absolutely crystal clear with where we are right now in the current thinking, that may change with the transition board. They may say, no, we have a way you can do it within the department. But currently, the vast majority of what the district does can be brought into government and operated within government. The current thinking at the moment is teacher hiring is probably not best brought into the department, for example. There's very little that

will be left to a board of trustees, but there will be some things that will have to be left with a board of trustees.

CHAIR: The hon. the Member for Humber - Bay of Islands.

E. JOYCE: I just question, if they're going to go with the hiring – just, for example, hypothetical. I know the minister is saying it's hypothetical. If you're going to go with the hiring of teachers, disposal of land, school buses, hypothetically, they're going to need office staff, they're going to need buildings and they're going to need staff to do this. Was that thought through? If you're going to have a board to do this, how much will be put through the board or is this coming down the road later after you get the advice from the transitional board?

Usually when you bring something into government, government has control of it. They can go to the regional West Coast VP of the school board and say you do the hiring each way of who's under the school board and if the school board members are coming under the government, which is under the school board now, who's going to do – if they're under the government after 2022, say, if they're under government and you're going to have a transitional board that's going to do the hiring of teachers, the expertise is going to be brought in under government.

I'm just bringing that up because that's going to be a concern to many people of what's the role of the board and what's going to be the role of the school board members.

CHAIR: The hon. the Minister of Education.

T. OSBORNE: Again, we're way outside the intent of the bill, but I am trying to be obliging and give the answers that I know. The reality is I don't think there's any Member in this Legislature would argue that government is best positioned to hire teachers, for example. Just to give you an indication – and I would say our two educators – well, there are three, but I would say the former educators would probably agree with that.

If the department tried to hire teachers – we have some teachers who will apply for multiple

positions and be offered multiple positions and narrow down where they want to be. It's very time consuming, very cumbersome. There's no way the transparent and open hiring process that's within government – not to say that it's not within the district; that's not what I mean. But it's far more cumbersome within government and it has to go through a number of checks and balances.

We are not nimble enough to be able to have teachers in place for September. So either we need to change how we hire, which may be an avenue, it's an option, or we have to keep that process with an authority that's nimble enough to say, teacher A, you have a job at Holy Heart – or they've applied for Holy Heart, they've applied for Paradise and they've applied for Mount Pearl Intermediate. They really want to be at Holy Heart, but they're offered one at Mount Pearl Intermediate and they accept it because they haven't yet been offered one at Holy Heart. Then they find out that they're offered one in Paradise. Oh, that's better; I'd rather that than Holy Heart. So they take that and then they're offered Holy Heart. They've gone through multiple positions that they've accepted before they actually land on a position.

You know this, I say to my colleague opposite, that it's very time consuming and it takes a great deal of effort to ensure that teachers are in place for the start of school in September. Government cannot possibly do that under the current hiring checks and balances and systems that we do. So we either need to change that for a department, which may not be palatable, or we need the process that's currently in place to do that.

The difference between the permanent board that will be put in place, they answer to the minister. So the minister is still ultimately responsible for decisions they make. Right now they don't answer to the minister. As the Member for Mount Pearl - Southlands said, the minister can often hide behind decisions that the board make. This board will answer to the minister, so the minister is still responsible and still answerable to those decisions.

But we will be guided by the transition team in looking for – you know, there has been some jurisdictional analysis done. They will do a

stronger jurisdictional analysis, a deep dive, and we will look for best practices from other jurisdictions.

CHAIR: The Member for Humber - Bay of Islands.

E. JOYCE: Just the clarification. Minister, can you explain why the Francophone school board is not here, because of the constitutionality of it?

CHAIR: The hon. the Minister of Education.

T. OSBORNE: That's a fair question.

We have looked at the Francophone district. There are 350 students in the province. The English School District has almost 65,000 students; it's over 64,000. The economies of scale simply weren't there to dive into a potential constitutional challenge. So you've hit both buttons in terms of the question that you've asked. A part of it was fiscal and – you know, the economies of scale, the savings are not nearly the same or the efficiencies are not nearly the same, so we've worked with the Francophone district to identify savings. There is a little less than \$100,000 in savings this year. But, again, that's a lot of money when you look at their budget.

We are going to continue to work with them on finding additional savings and efficiencies, but because the economies of scale just weren't there, it wasn't really advantageous to start getting the Department of Justice involved in determining whether or not we could get around the constitutional challenges.

CHAIR: The hon. the Member for Mount Pearl - Southlands.

P. LANE: Thank you – you've sparked another question.

So, Minister, given the fact that the Francophone school district is not falling under this plan and they're going to remain the same, what measures, if any, have been put in place to ensure we have more accountability? And I speak to the fact that, of course, we had an issue, I think if memory serves, a few months back that related to some pretty lavish spending and so on, I do believe, maybe with the CEO. I could be

wrong, but I think that's what it was – which you were going to look into.

If it's not going to fall under the direct control of the Department of Education, then what will be in place to make sure – it is still public money – that it's being managed properly?

CHAIR: The hon. the Minister of Education.

T. OSBORNE: So the Comptroller General is still looking into the issue that you've raised. I did ask the Office of the Comptroller General to look into that and report back to me as to whether or not the media reports were accurate, whether or not there was anything to be concerned about. Maybe everything is fine; maybe it's not. The review by the Office of the Comptroller General will determine that for us.

That's the first step. In terms of ensuring additional checks and balances, I think that's something that government as a whole is looking at, but it's certainly something that the department is looking at as well. We will be looking at what checks and balances can be there to ensure that those questions that were raised – because it's outside of the control of the department – that we have a better understanding and better communication and a better ability to ensure that we're satisfied with the checks and balances.

CHAIR: The hon. the Member for Mount Pearl - Southlands.

P. LANE: Thank you, Minister, I'm glad to hear that.

With another great bill that's coming before the House at some point on the Auditor General, I'm hoping that would apply here as well and that would be a good thing. Once again, I'll be supporting that, too.

That's it. That's all I have.

Thank you.

CHAIR: Thank you.

Shall the motion carry?

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 Schools Act, 1997.

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 the bill 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.

S. CROCKER: Thank you, Chair.

I move that the Committee rise and report Bill 34.

CHAIR: The motion is that the Committee rise and report Bill 34.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

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

SPEAKER (Bennett): Order, please!

The hon. the Member for Baie Verte - Green Bay and Chair of Committee of the Whole.

B. WARR: Speaker, the Committee of the Whole have considered the matters to them referred and have directed me to report Bill 34 without amendment.

SPEAKER: The Chair of the Committee of the Whole reports that the Committee have considered the matters to them referred and have carried Bill 34 without amendment.

When shall the report be received?

S. CROCKER: Now.

SPEAKER: Now.

When shall the bill be read a third time?

S. CROCKER: Tomorrow.

SPEAKER: Tomorrow.

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

SPEAKER: The hon. the Government House Leader.

S. CROCKER: Thank you, Speaker.

I move, seconded by the Minister of Digital Government and Service NL, that this House resolve itself into a Committee of the Whole to consider Bill 22.

SPEAKER: It is moved that I do now leave the Chair to resolve this House into Committee of the Whole.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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 (Trimper): Order, please!

We are now considering Bill 22, An Act Respecting Off-Road Vehicles.

A bill, "An Act Respecting Off-Road Vehicles." (Bill 22)

CLERK: Clause 1.

CHAIR: Shall clause 1 carry?

The hon. the Member for Terra Nova.

L. PARROTT: Thank you, Mr. Chair.

Minister, last week, you indicated that operators of groomers and Argo's and other such devices would be required to wear a helmet. I would like to question the fact that, certainly in Labrador, groomers are crossing ponds all the time and there have been a substantial amount of groomers that have broken through the ice and Argos are amphibious pieces of machinery that cross ponds on a regular basis.

Is it your assertion that if you're in an Argo on a pond that it is safer to wear a helmet?

CHAIR: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Mr. Chair.

I'll just read the definition so that we're all clear: off-road vehicle the definition is "a wheeled or tracked motorized vehicle designed or adapted for cross-country travel on land, water, ice, snow, marsh, swamp land or other natural terrain including (i) a motorized snow vehicle, (ii) an all-terrain vehicle, (iii) a mini-bike, dirt-bike and trail-bike, (iv) a miniature vehicle such as a dune buggy or sport buggy, (v) an off-road maintenance machine, and (vi) an amphibious vehicle, but not including agricultural equipment, infrastructure equipment or a garden lawnmower, land tractor or golf cart."

As per our proposed changes, helmets would be mandatory everywhere except for where exempted in regulation.

Thank you very much.

CHAIR: The hon. the Member for Terra Nova.

L. PARROTT: So based on that response, where is the safety in wearing a helmet while on a pond?

CHAIR: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Mr. Chair.

I can't add any comment further. This is what we're proposing in terms of mandatory helmets.

Thank you very much.

CHAIR: The hon. the Member for Terra Nova.

L. PARROTT: Surely the proposals come from facts and statistics. I'd like to understand the statistics as to how it would be safer to operate an Argo on a pond or a groomer on ice where, if someone where to go through, they would die.

CHAIR: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you very much, Mr. Chair.

These vehicles would not be primarily operated on ponds.

Thank you very much.

CHAIR: The hon. the Member for Terra Nova.

L. PARROTT: Can the minister describe an Argo to me?

CHAIR: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you very much, Mr. Chair.

I'll just make sure everyone is clear on what we're talking about here. In the proposed bill, 2(n): "'off-road vehicle' means a wheeled or tracked motorized vehicle designed or adapted for cross-country travel on land, water, ice, snow marsh, swamp land or other natural terrain including (i) a motorized snow vehicle, (ii) an all-terrain vehicle, (iii) a mini-bike, dirt bike and trail-bike, (iv) a miniature vehicle such as a dune or sport buggy, (v) an off-road maintenance machine; and (vi) an amphibious vehicle, but not including agricultural equipment, infrastructure equipment or a garden lawnmower, lawn tractor or golf cart."

I understand that an Argo is a type of amphibious vehicle. I personally am not familiar

with all different brands and descriptions for all these different types of off-road vehicles, but we are trying to save lives, Mr. Chair.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

CHAIR: The hon. the Member for Topsail - Paradise.

P. DINN: Thank you, Chair.

I just want to go back to – there was an issue that my colleague from Ferryland raised with regard to enforcement. I had asked a couple of questions last sitting of the Minister of Digital Government and Services NL and she spoke to the definition of a peace officer.

My concern was around how a lot of the enforcement falls on the municipalities to enforce when you have people going through their districts or through their towns.

The minister deferred to her colleague, the Minister of Fisheries, Forestry and Agriculture, who spoke to the back roads and how they're doing well and they're enforcing that. Upon clarification, I talk to municipalities, and I use the example of the youth that fly through municipalities on one wheel like Evel Knievel.

The Minister of Fisheries, Forestry and Agriculture said: Well, that's the parents' problem. Although, he prefaced his answer with this is a safety issue.

I would think that this is more than a parent's problem, but it is safety and it is enforcement that we're talking about here. The Minister of Fisheries, Forestry and Agriculture, obviously, in that response, does not have the resources to deal with the Evel Knievels that are going through the municipalities.

I ask the Minister of Digital Government and Service NL: Are there enough resources to ensure that all safety enforcement of these changes are going to be in effect or are able to happen?

CHAIR: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Mr. Chair.

What I would say is the types of people listed under the definition of peace officer is not meant to say all of these people but, in certain instances, these people may enforce it. I guess I draw the Member's attention to clause 15, which is operating an off-road vehicle in a municipality: "Notwithstanding subsection 14(1), a council may make regulations permitting the operation of an off-road vehicle or types of off-road vehicles on a highway or a part of a highway in a municipality but where the management and control of the highway or part of it is vested in the minister, the approval of the minister is required before making the regulations.

"(2) Regulations made under subsection (1) shall be posted at conspicuous places within the area of the municipality that the council or minister determines."

So there are municipalities in the province, Mr. Chair, where the municipality has decided that off-road vehicles are permitted and if there are municipal officer in that town they could certainly help with enforcement. But it by no means states that all of these types of peace officers would be engaged in enforcement.

Thank you.

CHAIR: Thank you.

The hon. the Member for Topsail - Paradise.

P. DINN: Thank you, Chair.

That's precisely my point. Municipal enforcement officers – or municipal police forces, I believe it's called here – don't have the authority to ticket. They don't have the authority to give out moving violations, nor do they have the authority to confiscate. That's my point here.

The minister talks to regulations, but my point is where most of these infractions occur are individuals in municipalities that are flying through and not abiding by the regulations. My point is: Who will enforce that? Who will ticket? Who will confiscate when the need be? That's my question here.

There are a number of people identified under peace officer. So I'm just asking, Fisheries, Forestry and Agriculture are going to deal with the backroads. They told us the Evel Knievels are the parents' problem, but it's still a safety issue. My point is who will be enforcing this?

CHAIR: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Mr. Chair.

We have our enforcement partners, the RNC, the RCMP. We work with the Fisheries, Forestry and Agriculture teams to do a range of enforcement. If anyone has a concern in particular about anyone, I'd encourage you to make a complaint. We know they do blitzes. They do targeted enforcement.

I can also refer to *Hansard*, when this House was debating mandatory seat belts, exactly the same discussion occurred, Mr. Chair, and I'd be happy to talk to some of that, if that's of interest.

Thank you, Mr. Chair.

CHAIR: If I may, I know there's a lot of interest in the speakers. I'm going to try to allow three questions at a time for each Member.

So I'm going to go to the hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Thank you, Chair.

This is my first opportunity speaking on this very important legislation and the primary question that I'll be asking relates to the enforcement piece.

But I'd like, first, to have an opportunity to say that, with respect to this specific legislation, I've listened to all parties and all Members contribute to this important debate. As a caucus, we certainly are supportive of safety, that safety is the number one priority, but many of the questions that we've seen raised relate to the practical implementation of what is contained in the proposed legislation.

My constituents in the District of Harbour Main have had much to say to me about the

legislation. When I've spoken to constituents, when I've received emails, there are a number of primary issues that have been raised. First of all, the concern about the legislation being overly broad, that it has targeted the wrong people. I've heard from responsible adults over the age of 50; I've heard from younger constituents.

One of the constituents, I think, summed it up quite well, a constituent from Holyrood. If I may reference what, in general, he had to say. He was writing in support of many people across the Island who disagree with some of the rules regarding safety. He referenced that we grew up riding bikes and Ski-Doos safely and he went from smaller machines up to larger machines as he got older and more experienced. But it was his view that these rules are overly broad and they punish those who are responsible and do not change anything to those who abuse the current legislation. So that's when I come to the piece about enforcement, Chair.

I've heard the minister indicate that there are people in place, there are RNC, RCMP and also from the Department of Fisheries that are in place. But I have one question in particular I'd like to ask the Minister of Fisheries: How many officers are in place with respect to enforcing this rule? I mean, we heard him speak last week about the wildlife officers he has who will be enforcing this legislation. So maybe we can get a specific number as to how many people are going to be enforcing it.

The next question is, we haven't heard anything about any type of increase in enforcement and we hear the minister and the government say that safety is the primary concern, but how can the minister expect safety to increase if enforcement does not increase as well?

CHAIR: The hon. the Minister of Fisheries, Forestry and Agriculture.

D. BRAGG: Thank you very much, Mr. Chair.

A great opportunity to answer this question. On the enforcement officers, we have 91 enforcement officers in this province; that's from one tip of the province to the other. So from the northern tip of Labrador to the southern tip of the Avalon Peninsula, we have 91 enforcement officers.

You keep referring to a rule. We enforce many rules when it comes to our enforcement division; all aspects of forestry safety that happens on the back road, maybe even on the main high road.

The Member before you talked about Evel Knievel. I'm assuming with this demographic it would be referring to younger kids. I don't see a lot of adults being Evel Knievels to be honest, and legislation is quite clear that there are aids for supervision on these machines.

So when it comes to enforcement, we'll do our best where we can, when we can, everywhere we can and we always have safety on the top of our mind at all times. The onus is also on the driver to practice safety or stay within the rules of the law.

Thank you very much, Mr. Chair.

CHAIR: The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Thank you very much, Chair.

Minister, how many head injuries have been reported in Side By Sides where factors such as alcohol and drugs, speed, no seat belt, or reckless driving were not present?

CHAIR: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Mr. Chair.

I have said that we are seriously considering exemptions for helmets on Side By Sides. I don't have anything else to add at this time.

Thank you.

CHAIR: The hon. the Member for Ferryland.

L. O'DRISCOLL: Thank you, Chair.

I just have a couple of questions. I'll make a statement: I'll just say that everybody has that concern with safety, there is no issue on that. I implore the minister that there are people that are going to speak against it too, so don't just ignore them, that's all I'm saying. I know you're going to do this in regulations, but you can't ignore them. That's where I go with that in

regards to being able to do that. There are people on both sides so I'll just ask you to keep that in your mind.

The minister referenced that the exceptions to helmets and other details would be included in regulations.

Will the minister share the draft regulations with all Members of the House to debate and solicit feedback?

CHAIR: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Mr. Chair.

As I mentioned in the news conference and as I mentioned in my opening remarks, we have been listening to people: we have two amendments coming. I have also been very clear that we are seriously considering exemptions for helmets.

In terms of debating the regulations, I can't comment on that at the moment: we're debating the act.

Thank you.

CHAIR: The hon. the Member for Humber - Bay of Islands.

E. JOYCE: I don't know if you want to – if he wants to continue, Mr. Chair, he can continue.

CHAIR: Okay.

E. JOYCE: Yeah. Go ahead.

CHAIR: What a cooperative group.

The hon. the Member for Ferryland.

L. O'DRISCOLL: Thank you, again, Mr. Chair.

Again, thank you for that. You just need to keep that in mind and I am glad that you're keeping that in the back of your mind.

If a 16-year-old gets stopped while driving an ATV, how do they prove to have the necessary training? Will there be a card and is there a

licensing system? Those are the questions that I have.

CHAIR: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Mr. Chair.

In terms of the training that is required, I believe the act does give the registrar power to define that. That would all be worked out for proclamation. Right now, we are anticipating the regulations to require carrying a record of training and that would be provided and the details of that would be provided in the regulations.

Thank you.

CHAIR: The hon. the Member for Ferryland.

L. O'DRISCOLL: I said the last time it would be the last one but this is the last one.

Again, it's important because everybody have something to add to this. I think it's a very good debate on it. Everybody has something to offer. That's really important. That's why this is so important that everybody get to speak on it and get these questions asked.

I guess the last one I'll ask is this bill does not include a date to be enacted but rather notes it will come into force on a day or days to be proclaimed. Can the minister please outline when this will happen, or as close as you can, and will the act be enacted all at once or in parts?

CHAIR: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Mr. Chair.

That's an excellent question. Right now, we're thinking, if passed, the act would be proclaimed in two parts. It's structured that way. The first part would be the majority of the clauses. The second proclamation would be around the training, as we still have a lot of details to work out with our safety partners. We would also give people ample time to get their ducks in a row or anything required. We're anticipating two proclamation dates.

Thank you, Mr. Chair.

CHAIR: The hon. the Member for Humber - Bay of Islands.

E. JOYCE: Thank you, Mr. Chair.

I'm just going to speak, just generally, because we're still on clause 1. I know the minister mentioned the other day about X plates. I just wanted to tell you a story about X plates on Kubotas. I say to the minister, this is absolutely no reflection on you, but this is why I need to see the regulations and how they're going to be interpreted, make them tight.

I'll give you a little story on the X plates. For 11, 13, 14 years in this province, the government allowed, all across the province, it wasn't just one office, all across the province, they allowed Kubotas to have X plates because they were a certain speed and they could do the work that they could do. Then, for some reason, back in Corner Brook, someone from Fisheries and Forestry noticed someone going up and going on a road and wanted to know how he got on the road. That's how it all started. In between the jigs and the reels, after 11 years, people going out spending \$20,000, \$25,000 on their machines, it was all taken away.

I'll just give you why I personally would like to see the regulations. Out of the 11 people that had the X plates taken back, there were two people that enforcement officers were sent to the doors; sitting in their driveway waiting for them to come home – two days. People asking questions: Well, what are they doing there? Is everybody okay?

Do you know who those two people were out of the 11? You want to talk about why you need to be – do you know who the two people were? Myself and my brother-in-law. How coincidental.

This is why I say to the minister: This is no –

AN HON. MEMBER: Why?

E. JOYCE: Why? I don't know, I guess there were people in Service NL who wanted it done.

Only two people out of the 11 across the province had people sitting in their driveway, sitting in highway enforcement vehicles. One day, I wasn't home – and the strange part, Chair, this is why I say it to the minister, why it's so important for me to see the regulations, how they're going to be, they came looking for me. I said: What do you want to do with me? Well, we got orders to come to you. I said: Why? It's not even in my name. They had orders from Service NL to come to my house, park in my driveway for the second day and track me down to say that they wanted the X plate, and it wasn't even in my name.

That's why I say to the minister: When you get certain people in Service NL who are a bit psychotic, I say, because there were whole compasses of them involved with this at the time. It's sad. I tell people this story, this is why I say with the regulations, I need to see it. I'll make it quite clear, Minister; it's no reflection on you. Absolutely none. But this is why people need to know what they're dealing with because it could change on a whim.

So if you put anything in the regulations, it can change on a whim, just like that. I'm proof of it; 11 other people – I know there are a few other MHAs that were dealing with me and their constituents, the 11 people also.

So this situation, why I need clarification on a lot of the issues that, all of a sudden, someone – if it's in the regulations, someone will say: I'm going to change that today. See you later, have a nice day. I don't like you. I don't like the 11 people out that way.

Do you know the sad part about it, Mr. Chair? This is why I need it in the regulations. Out of the 11 that were stopped in Newfoundland and Labrador, there was one that was given an X plate – commercially sensitive work. Do you know who it was? Hillview Terrace. The people I was dealing with out in rural Newfoundland and Labrador couldn't go on the byroads but you could drive around in St. John's in one.

That's why the regulations are so important. That's why.

I ask any Member in this House: How would you feel if you had highway enforcement sitting

in front of your house, ordered to come to your house and look for you? Everybody else got letters.

AN HON. MEMBER: (Inaudible.)

E. JOYCE: Pardon me?

CHAIR: Order, please!

Direct your remarks to the Chair, please.

E. JOYCE: I agree with the Member. You don't believe it's in the regulations, but you see how, once it gets in the regulations, it's the people's choice then. If it's in the act, they can't do that kind of stuff. That's my point. It's not in the regulations. If it's in the regulations, it will be. There is that opportunity – I'm proof and other 11 people across this province are proof, that it can be done – if it's in the regulations, we can do it against you 11, but here's one that we like and we're going to do it here. That's why.

Now, you understand why I'm saying that? The Member is agreeing with me now and I thank the Member for that, for agreeing with me. Mr. Chair, he's agreeing with me now because if you take it out of the act and put it in regulations, this is where problem is you're going to run into.

So I'm saying here on behalf of all the people that I represent – and I took a little walk Saturday, which I also do. I went on this trail that the City of Corner Brook helped build, it's going up to – what we call – the water tower and you go up now, you go to Massey Drive and you go anywhere. How many people stopped me going up and down; I was just going out for a walk. I knew it was on a Saturday afternoon, a lot of people coming home from their cabins stopped me and said: We got to stop this. We got to stop it. A lot of them were saying it's for safety concerns; safety concerns more so than anything.

When they look at the vehicle, and they actually put her in park, they haul out and they show the safety of their vehicle coming down the hill, climbing down the hill and climbing up a hill, and they want it stopped.

I have petitions coming, a lot more coming. I just got a few today; I got a lot more. I got a

back load today again. This is why people want it now out of the act and make a friendly amendment on this here about the helmets in factory-sealed Side By Sides, I say to the minister. There's no one who can step in one day and say here's what we're going to change, and step in the next day and say here's what we're going to change.

I know 11 or 12 people across this province who spent \$25,000 and the next day it was taken away from them, they couldn't use it, which was designed to do it, except if you knew somebody and they allowed you to do it. This is why; this is the exact reason why.

So I ask the minister – and I'll have a few more words on a lot more of this throughout – if there is any way possible – I understand what you're saying, you're going to give it serious consideration and I appreciate that; I appreciate the minister saying that there is going to be a few friendly amendments, I appreciate all that. But I am just saying that I am looking at four, five, six years down the road, Minister, if you're not the Minister of Digital Government and Service NL, when they're in regulations, these are the things that can happen. I just ask that, Minister, and ask that you reconsider that, if possible.

I'll say to the minister, and I said earlier today, there are a few issues that come up in an emergency with Service NL and I have to say the minister and her staff steps in on an emergency basis to help out a lot of people. I know this person today who would have lost employment that they helped out. This is not about the work. This is about issues that's within this legislation. This is no knock on the staff that help out so much, like today, on an emergency basis. This is something that is brought to my attention by many people and I'm bringing forward the issues that are passed forward through me.

Thank you, Mr. Chair.

CHAIR: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Mr. Chair.

I thank the Member for the feedback of the Member's constituents. I have also received many emails from the Member's constituents about helmets on Side By Sides, among other things, so thank you very much.

I do empathize with the Member. If anyone is issued plates in error, they should certainly contact our office and we will remedy that as soon as possible.

Thank you.

CHAIR: Thank you.

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

J. DINN: Thank you, Mr. Chair.

Out of curiosity and I guess looking here at the definitions – I brought this up during Estimates – in St. John's, there is not the huge issue of off-road vehicles except for modified bicycles which have been motorized. I don't know if they're in other parts of the province but certainly the numbers of bicycles that have had small gasoline motors attached to them, which basically these bikes – well, bikes can really go anywhere: off-road, on the sidewalk, trails, wherever else, but they do clip along at quite a speed.

To my way of thinking, a bicycle helmet is almost ineffective at some of the speeds they go. They're somewhere between a motorcycle, I guess, a scooter and an off-road.

I'm just wondering is this legislation in any way going to – I know it says off-road vehicles or would it be under another act? I'm just wondering with the requirements to wear a helmet on these bikes and not necessarily a bicycle helmet?

CHAIR: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Mr. Chair.

That would be under the *Highway Traffic Act* for road and related vehicles or bicycles or modified bicycles on the roadways.

Thank you.

CHAIR: Thank you.

The hon. the Member for Mount Pearl - Southlands.

P. LANE: Thank you, Chair.

A couple of points, Chair. The first one, and this was something I hadn't thought of, but, certainly, my colleague from Terra Nova brought this up, I think it's a valid question, something that needs to be, at least, explored, and that's relating to if you're crossing a pond and so on and what happens if you go through the ice. I'm just wondering, I just say to the minister, I know in this current piece of legislation it talks about the fact that you don't need to wear a helmet if you're hunting, for example.

Who is going to prove if you're hunting or not, that's another – well, I suppose you'd have a gun if you're hunting. That would make sense, I suppose. But if you're actually on your way into where you're going hunting versus actually hunting, and then it talks about the speeds of so many kilometres an hour. I doubt there is going to be anybody there in the woods with a radar detector determining how fast you're going in the woods.

I do question, to be honest with you, to some degree; I think I said perhaps in second reading that when you're hunting – if you're in hunting a moose or whatever, you're paying probably less attention to the trail in front of you than you would be if you were just actually riding in. Because if you're riding in, you're paying attention to the trail and so on; if you're moose hunting your head is twisting this way and that way looking to try to see if you can spot anything.

Arguably, it might even be less safe when you're moose hunting than when you're not, yet moose hunting you don't need to wear a helmet. I'm sure a lot of moose hunters will be happy about that.

The point is, is that if we can say in the legislation that you don't need to wear a helmet when you're moose hunting, then perhaps it could be considered again under an exemption; if not right in the legislation itself to say that if

you are crossing a body of water, you're crossing the ice or whatever or you're in an Argo and you're actually going through the water, like you're not going over the ice but you're actually driving through the water, at that point in time you can take your helmet off, while you're doing that at least, and if someone saw you, you wouldn't get a ticket for it.

At least it would recognize, in the regulation, if nothing else, it would recognize that particular issue so that you wouldn't have to worry about getting a ticket for doing it. That would seem to be a reasonable compromise. If we can say moose hunting – it doesn't say moose hunting, it says all hunting, I guess that's partridge hunting, whatever you're doing, or turr hunting, I think my colleague from Bay of Islands said. But if you're doing any kind of hunting in the woods, you don't need to wear a helmet. If that's the case, there's no reason why in an Argo, if you're going across the pond in it, that you can't take off your helmet while you're going across the pond, or if you're going across the ice that you can't have it removed for that.

I just throw that out there to the minister as a possible exemption or something to, at least, consider.

The final point I'll make – and this has been talked about by others as well – is the enforcement piece. I just hope that it – and there has to be some discretion of course – but we know there are regulations in place now. We have an act and there are regulations in place now as it relates to ATVs and so on. There's not a whole lot of enforcement, regardless of what the minister says. I'm not saying that the 91 enforcement officers are not doing anything. I'm not suggesting that at all. I know they have all kinds of things they got to enforce.

But, at the end of the day, I haven't seen any aggressive enforcement anywhere. I've been going moose hunting, as I said, for years and years. We go down to St. Mary's Bay, primarily, and everybody up there owns a quad or an Argo or a Side By Side. They're going everywhere. There are more bikes and quads than there are cars. They're going up the road and down the road and in the trail and in the woods and you name it, they're going all over the place.

I never heard talk of anybody ever being hauled over for doing anything, to be honest with you. Young kids doing it and speeding and, you know, a lot of responsible drivers, too. I'm not saying that it's not.

But the point is, is that everybody is driving an ATV. I'm sure that's happening in every bay in Newfoundland, pretty much. I don't know that there's a whole lot of enforcement. So one might argue that the regulations and the act, as it is now, is not worth the paper it's written on in the sense of the enforcement piece.

So we can start adding helmets now and adding all this stuff, which is fine, it's for safety. I support it by and large. But if it's not going to be enforced, it's worthless. That's no different than the highways. You can drive out the Trans-Canada – I have left and driven to Gander and back and never saw one RCMP. I mean, that's happened.

Now, there are other times I've seen –

AN HON. MEMBER: (Inaudible.)

P. LANE: Maybe they saw me, but I've gone and not seen one. Now, there are times I've gone and I've seen maybe three or four. But there are times I've gone and I haven't seen either one.

I guess the point is that I know there's only going to be –

AN HON. MEMBER: (Inaudible.)

P. LANE: I say to the Member, it's not a question because I have 10 minutes to talk about whatever I want, actually, as long as it pertains to the bill, without asking a question. The Chair will decide that.

But, anyway, as I was saying, you can go across the highway and not see an RCMP, because there are only limited resources. There's no difference in the backcountry and so on.

I do hope that as we enforce this and it does get enforced – and some Member over here mentioned it as well – I wouldn't want to see us – I think it was the Member for Harbour Main – targeting, what I'm going to call, the safe ATV operators and trying to nail them for some kind

of a minor infraction, just taking their time and going down the trail and we're going to target them, and then when we have the unsafe drivers are going to go unchecked. I would hope that there would be discretion used as we do this and it doesn't become a situation of targeting the law-abiding citizens – or generally speaking law-abiding citizens – and harassing people to death.

Anyway, with that said, Chair, I will conclude my remarks. As I said, I will be supporting the bill. Overall, it's a good piece of legislation, trying to keep people safe. Obviously, education is going to be key. Obviously, enforcement is going to be key.

There are a couple of instances that have been pointed out. I know the minister has a couple of amendments coming, which is good, to address a couple of them. She's made a commitment now several times that she's going to seriously look at the Side By Side issue for the factory-enclosed Side By Side. I've heard from a number of people about that as well. So I'll take her on her word that that's going to happen.

As I already brought up, I would also add the point that my colleague from Terra Nova raised that I never even thought of, which is –

SOME HON. MEMBERS: Oh, oh!

CHAIR: Order, please!

It's becoming difficult to hear the speaker.

Thank you.

P. LANE: – that I never even thought of, and that's the idea about driving across a pond in an Argo or whatever the case might be. So if you could look at that as well, that would be great.

That's it, Chair, thank you.

CHAIR: Thank you.

The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Mr. Chair.

Thank you to the Member for the feedback.

I just want to clarify a few things. So one of the exemptions we are considering is –

SOME HON. MEMBERS: Oh, oh!

CHAIR: Order, please!

Let's have a listen here.

S. STOODLEY: – hunting and trapping for speeds under 20 kilometres an hour. I have heard in this House a lot of question of that. So that's certainly something we will seriously consider as well.

In terms of operating on bodies of water, we will certainly take that into consideration. Just for the House's information, though, the Canadian Red Cross recommends wearing helmets on ice, whether on any kind of off-road vehicle on ice the Canadian Red Cross recommends helmets. Also, the Argo manufacturer also recommends wearing helmets no matter what type of land or water you are riding on.

In terms of ticketing and enforcement, this is ongoing. I just want to add that law-abiding residents have nothing to worry about in terms of enforcement.

Thank you very much, Mr. Chair.

CHAIR: Thank you.

Seeing no further – the hon. the Member for Labrador West.

J. BROWN: Thank you, Chair.

I do have one question there, well a couple of questions. The first one is when it comes to operating within municipal boundaries, I'm wondering: Did the department reach out to municipal enforcement officers, as a potential way of curbing those behaviours inside the boundaries?

CHAIR: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Mr. Chair.

I can reiterate section 15, "... a council may make regulations permitting the operation of off-

road vehicles or types of off-road vehicles on a highway or a part of a highway in a municipality ..." I know many municipalities have made bylaws to allow operation on their roadways. We have consulted with MNL and we've received many letters with feedback from municipalities.

Thank you very much, Mr. Chair.

CHAIR: The hon. the Member for Labrador West.

J. BROWN: Thank you, Minister.

I mean, like having municipal enforcement officers enforcing this act in the municipalities, within the boundaries, that's what I mean there. Have you consulted about them doing that kind of work?

CHAIR: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you very much, Mr. Chair.

We're currently not aware of any issues with municipalities enforcing this legislation. They were peace officers under the old act as well so this is not a change, Mr. Chair. So if any municipalities do have concerns I'd encourage them to reach out to our office or Municipalities NL.

Thank you.

CHAIR: The hon. the Minister of Municipal and Provincial Affairs.

K. HOWELL: I'd just like to clarify for a moment that not all the municipalities have municipal enforcement officers. So when we're speaking about that, there are about seven who do. When we speak about municipal enforcement officers, the town actually has the ability, the community has the ability to let them know what their roles and responsibilities are as they enact the bylaws.

If the town has a bylaw, then the enforcement officer can certainly do that and can take advantage of that capacity. That's really where the municipal officers will lie.

CHAIR: Thank you.

The hon. the Member for Labrador West.

J. BROWN: Thank you, Ministers.

I'll take this under consideration next time at the dinner table. My stepmother is a municipal enforcement officer and this gets in her craw that she can't enforce these kind of things under the current act. I'll make sure that she reaches out.

Right now, when there's active grooming activities going on with snowmobile clubs, a lot of them have policies and procedures in place for ice crossing because these are between four-to six-ton pieces of equipment crossing over ice. They do have a policy where they open their emergency hatch and their door in case of – because there have been incidents in the past with groomers.

Would the minister consider an exemption for helmets inside these groomers while they're activating on ice? Because if you're going to make them wear a helmet inside a groomer, I can see a lot of safety (inaudible) as a former ice rescue technician myself.

CHAIR: The Minister of Digital Government and Service NL.

S. STOODLEY: I appreciate the suggestion and we will certainly take that under advice.

Thank you.

CHAIR: Seeing no further – the hon. the Member for Mount Pearl - Southlands.

P. LANE: One last question, I guess, that came up here.

On the municipal enforcement piece, and I'm just wondering about this because the town may be able to make a bylaw – again, I stand to be correct; it may have changed – but I think a part of the issue may be the fact that it's fine to have a bylaw, but if I'm a municipal enforcement officer, can I actually stop somebody? Can I seize their ATV on them or could they just tell me where to go? They don't have the power to arrest anyone. So if it was the RNC, RCMP they

could actually stop them, place them under arrest, if necessary, take their vehicle and all that kind of stuff.

So having a municipal byway is useless if the municipal enforcement officer doesn't have the ability to actually take the vehicle or do whatever. I think that might be the issue. Maybe the minister can confirm or deny if that's the case.

CHAIR: The hon. the Minister of Municipal and Provincial Affairs.

K. HOWELL: Thank you, Chair.

The authority lies with the municipal enforcement officers to issue and summon somebody to fulfill – if they're breaching any of the bylaws. They work very closely with the RNC and the RCMP and there's been numerous examples across this province of how municipal officers have had a role in facilitating any of these interactions. I assume that the same would be true as we move forward with something such as this.

CHAIR: Okay, thank you.

The hon. the Member for Mount Pearl - Southlands.

P. LANE: Yeah, I appreciate that, Minister.

That was kind of my understanding as well. I know, like, in Mount Pearl, as an example, that municipal police they have a radio, actually, direct to the RNC in the area and so on, so they can kind of observe something, report it to the RNC and so on. But I guess the bigger issue, I suppose, would be for all towns if they were going to truly enforce it, so to speak, it would be much better.

Maybe the Minister of Justice would know more about this, that they would need some special powers as a peace officer, beyond what they have, to actually have the ability. Because if they just came across a person themselves they can say: Yeah, you're in breach of the bylaw and that person can basically tell them where to go and go on. They can't physically restrain them; they can't seize their vehicle. It is fine to say I can call the RNC – unless the RNC officer is

there on the spot, they can just basically blow them off and just leave.

Now, maybe if you're in a small town and you know who the person is and you can call him by name, you could report him, give a statement and all that, but if you don't then that becomes the issue.

In terms of enhancing the enforcement ability in our municipalities, perhaps that's something that Municipal Affairs and the Department of Justice may want to see if – again, in consultation with municipalities – that's a power they would actually want to give to municipal enforcement officers to be able to actually do that.

CHAIR: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Mr. Chair.

I'll add in terms of our legislation, municipal enforcement officers are currently peace officers under that act, as well as under the new proposed act and all peace officers have the same powers under the legislation.

Thank you, Mr. Chair.

CHAIR: Thank you.

The hon. the Member for Humber - Bay of Islands.

E. JOYCE: Thank you.

I'm just going to ask a few small questions on this. For example, I go back to the Kubota; you can't drive it on roads, but the City of Corner Brook made a bylaw that you could use ATVs throughout the – which overrides the provincial act from Service NL that Kubota's can be used on roads.

The City of Corner Brook, for example, they have their own act; Mount Pearl got their own act; the City of St. John's got their own act: Can they override this helmet legislation?

You can get back to me later because it is a tough question. You can just see later if the city can't override it because they're doing it now, because ATVs aren't allowed on roads in the

Province of Newfoundland and Labrador, but the City of Corner Brook passed it that they can go through the town.

If they can pass that and override Service NL legislation, can they do the same thing with the helmet legislation? That was brought to my attention, Minister, to see if that is the case.

CHAIR: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Mr. Chair.

I can confirm that municipalities cannot override things such as the clause for mandatory helmets, except for the Indigenous organizations I listed out earlier. I can go through those again if anyone is interested.

Thank you very much.

CHAIR: Thank you.

Seeing no further speaker – the hon. the Member for Humber - Bay of Islands.

E. JOYCE: As I mentioned, Saturday when I was walking, I got stopped many times and one time this lady stopped me and she said can you just – I know the difference but I'm just going to ask the minister. For example, if the Kubota is in my name and my wife has to drive it, does she have to do the driver training or it just anybody under 16, which is in the legislation?

CHAIR: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Mr. Chair.

That's an excellent question. In terms of what we're proposing for safety training is anyone under 16 years of age, anyone registering an off-road vehicle for the first time or anyone convicted under the act or regulations. If the vehicle is registered in your name, Member, as long as that stays the same, no one has to do training. If someone else were to register a new vehicle and it's the first time they're registering a vehicle, they have to do training.

Although, between now and when this bill takes effect, anyone can register a vehicle and they wouldn't have to do training.

Thank you.

CHAIR: The hon. the Member for Humber - Bay of Islands.

E. JOYCE: Just for clarification, and I'll use me as an example, if my wife has the Kubota in her name, for me to drive that Kubota now, do I have to do the training?

CHAIR: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Mr. Chair.

I guess when we're talking about drivers, it's only for people under the age of 16 or anyone convicted of an offence under the act or regulations. Otherwise, it's anyone registering a vehicle for the first time. It's not first-time drivers, if you're over 16 it's first time registering a vehicle.

We don't keep track of who's a driver. We do keep track of people who are registering a vehicle. This is a way that's pragmatic for us to implement that we believe maximizing, over the long-term, the number of people who would complete safety training.

Thank you.

CHAIR: The hon. the Member for Humber - Bay of Islands.

E. JOYCE: Thank you, Chair.

So I can go back to these people – I just want to make it quite clear that it was a husband and wife, the husband had the car – he showed me his registration. She said: I don't have to do the training, do I? I said: I don't think so but I will ask. So I'm getting it confirmed here now that unless you register a vehicle for the first time, you have to do the training if you register the vehicle.

How about if someone else is driving the vehicle after it's registered? Unless they're under 16? Okay, perfect.

Thank you, Minister.

CHAIR: Thank you.

Seeing no further speakers.

Shall the motion carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

The motion is carried.

On motion, clause 1 carried.

CLERK: Clauses 2 through 11 inclusive.

CHAIR: Shall clauses 2 through 11 carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clauses 2 through 11 carried.

CLERK: Clause 12.

CHAIR: Shall clause 12 carry?

The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Mr. Chair.

I move that clause 12 be amended as follows – I can read that out now and I have copies of the proposed amendment.

Clause 12 of the bill is amended by deleting the proposed paragraph (3)(a) and substituting the following: (a) the person is able to keep both feet on the pedals or foot rests that are designed for use by the operator of the off-road vehicle.

This amendment replaces the prohibition which limits a person's ability to operate an off-road unless they're able to sit astride the off-road

vehicle with both feet touching the ground. The proposed amendment will remove this prohibition and replace it with a new one that a person not operate an off-road vehicle unless they are able to keep both feet on the pedals or footrests that are designed for use by the operator of the off-road vehicle.

We have listened to concerns raised by users, considered the safety implications and reviewed the recommendations made by manufacturers and best practices in other jurisdictions, and our proposed amendment aligns with the current requirements in the Yukon for these types of vehicles.

CHAIR: Thank you.

The Committee will now recess to determine if the friendly amendment is in order.

Thank you.

Recess

CHAIR: Order, please!

The Committee have reviewed the proposed amendment to clause 12 and have found it to be in order.

We are now inviting any speakers to this amendment.

Seeing no speakers to the amendment, does the amendment carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, amendment carried.

CHAIR: Shall the clause, as amended, carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

The motion is carried.

On motion, clause 12, as amended, carried.

CLERK: Clauses 13 through 19 inclusive.

CHAIR: Shall clauses 13 through 19 carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

The motion is carried.

On motion, clauses 13 through 19 carried.

CLERK: Clause 20.

CHAIR: Shall clause 20 carry?

I recognize the hon. Member for Terra Nova.

L. PARROTT: Thank you, Chair.

The one thing that's evident in this bill is perhaps some of the lack of questions asked around specific things. The reality of it is all things aren't equal when you're comparing one Side By Side to another, or a Side By Side to an ATV, or a Side By Side to a Ski-Doo. Having said that, lots of feedback publicly and through emails, phone calls, through talking to ATV federations throughout the province. Most come back with the same thing that they're not in tune with the use of helmets as being mandatory in certain Side By Sides.

I understand manufacturers' recommendations but recommendations are specifically that: recommendations. If we allow manufacturers' recommendations to dictate what our laws say, then we have a big issue. We're going to start putting laws around a whole lot of things.

Having said that, I move the following amendment: I move that clause 20 of the bill be amended by adding immediately after subsection (2) the following: (3) The operator and passengers of a factory-sealed Side By Side, where the factory-sealed Side By Side is enclosed, equipped with seat belts or harnesses and roll bars, are exempt from subsection (1).

Seconded by the Member from the District of Conception Bay South.

CHAIR: The Committee will recess to review the amendment.

Recess

CHAIR: Order, please!

The Committee have reviewed the amendment to clause 20 and have found it to be in order.

SOME HON. MEMBERS: Hear, hear!

CHAIR: I'm inviting speakers to the amendment.

The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Mr. Chair.

Just quickly, I appreciate the amendment. We have heard the same thing from residents. I've said in the press conference and then in this House that we will seriously consider this as an exclusion in regulations. Unfortunately, we will not be supporting the amendment.

Thank you very much.

CHAIR: Thank you.

Any further speakers to the amendment?

The hon. the Member for Humber - Bay of Islands.

E. JOYCE: Thank you.

I'm just going to speak just a few minutes, and I thank the minister for that. They're going to seriously consider it in the regulations. But I just wanted to, for the last time – and I'll only be a minutes – pass on the concerns that the people have expressed to me and the petitions that I will have coming that I will be presenting in the House of Assembly this week and next week. It is a real safety concern that they're bringing in.

I just got some information on it. A lot of this research that we did goes back to 2015 and prior because this was on the go. These factory-sealed

Kubotas, a lot of them, most of them now, have only just come into the factory seals in 2016, 2017. So I just want to let the minister know that a lot of times when the regulation was in prior to and then they started the review, that a lot of these now, like, over four, five, six years, there are a lot of upgrades made to these vehicles that are built for safety – they're built for safety.

I'm not going to belabour the point. I thank the minister for answering all the questions and for the amendment and also seriously considering that the helmets in factory-closed vehicles will not be in the regulations. There's no guarantee and I understand that, but it will be seriously considered. I thank you for that. I'll present all the information I can to the minister to help with that decision.

Thank you.

CHAIR: Thank you.

Any further speakers to the amendment? I'm seeing none.

Shall the amendment carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

SOME HON. MEMBERS: Nay.

CHAIR: I believe the amendment has been defeated.

The amendment has been defeated.

On motion, amendment defeated.

CHAIR: Shall clause 20 carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clause 20 carried.

CLERK: Clause 21.

CHAIR: Shall clause 21 carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clause 21 carried.

CLERK: Clause 22.

CHAIR: Shall clause 22 carry?

All those in favour, 'aye.'

The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Chair.

I further move that clause 22 be amended as follows: Clause 22 of the bill is amended by deleting the proposed subsection (2) and substituting the following: A person under 16 years of age shall not operate an off-road vehicle which has an engine size that exceeds the manufacturers' recommendation for an operator of the age and weight of the person.

The second amendment I propose today replaces the current age prohibition in the proposed new *Off-Road Vehicles Act*, which prohibits a person under the age of 13 years to operate an off-road vehicle with an engine size greater than 125cc.

The proposed second amendment will remove this prohibition and add a new prohibition so a person under the age of 16 should not operate an off-road vehicle with an engine size that exceeds the manufacturers' recommendation for an operator of the age and weight of the person.

We have listened to concerns raised by the public, considered the safety implications, reviewed the recommendations made by off-road vehicles and manufacturers and reviewed best practices in other jurisdictions. The proposed amendment aligns with the safety requirements of Nova Scotia and Prince Edward

Island, as well as the recommendations of the off-road vehicle manufacturers and the Canadian Off-Highway Vehicle Distributors Council.

The amendment will also achieve the intended result of the new *Off-Road Vehicles Act*, which is to modernize and strengthen safety provisions in the province.

We want to continue to ensure the safety of our young off-road vehicle operators by ensuring they are of sufficient size and strength to reach and operate all controls while seated in the driver's position.

Thank you, Mr. Chair.

CHAIR: Thank you very much.

The Committee will now recess to consider the amendment.

Recess

CHAIR: Are the House Leaders all ready?

Order, please!

The Committee have reviewed the friendly amendment to clause 22 and have found it to be in order.

Any speakers to the amendment, please?

Shall the amendment carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, amendment carried.

CHAIR: Shall clause 22, as amended, carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clause 22, as amended, carried.

CLERK: Clauses 23 to 53 inclusive.

CHAIR: Shall clauses 23 through 53 carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clauses 23 through 53 carried.

CLERK: The Schedule.

CHAIR: Shall the Schedule carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

The Schedule is carried.

On motion, Schedule 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 Respecting Off-Road Vehicles.

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 the bill carried with amendments?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

Motion, that the Committee report having passed the bill with amendments, carried.

CHAIR: The hon. the Government House Leader.

S. CROCKER: Thank you, Chair.

I move that the Committee rise and report Bill 22.

CHAIR: It is moved that the Committee rise and report Bill 22.

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

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

SPEAKER (Bennett): Order, please!

The hon. the Member for Lake Melville and Deputy Chair for the Committee of the Whole.

P. TRIMPER: Thank you, Speaker.

The Committee of the Whole have considered the matters to them referred and have carried Bill 22 with amendments.

SPEAKER: The Chair of the Committee of the Whole reports that the Committee have considered matters to them referred and have carried Bill 22 with amendments.

When shall this report be received?

S. CROCKER: Now.

SPEAKER: Now.

When shall the bill be read a third time?

S. CROCKER: Tomorrow.

SPEAKER: Tomorrow.

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

SPEAKER: The hon. the Government House Leader.

S. CROCKER: Thank you, Speaker.

I move, seconded by the Minister of Digital Government and Service NL, that the amendments be now read a first time.

SPEAKER: It is moved and seconded that the amendments now be read a first time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Carried.

CLERK: First reading of the amendments.

SPEAKER: The hon. the Government House Leader.

S. CROCKER: Thank you, Speaker.

I move, seconded by the Minister of Digital Government and Service NL, that the amendments be now read a second time.

SPEAKER: It has been moved and seconded that the amendments now be read a second time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Carried.

CLERK: Second reading of the amendments.

On motion, amendments read a first and second time.

SPEAKER: The hon. the Government House Leader.

S. CROCKER: Thank you, Speaker.

I call from the Order Paper, Motion 1.

SPEAKER: The hon. the Government House Leader.

S. CROCKER: I move, seconded by the Deputy Government House Leader, Motion 1.

SPEAKER: The hon. the Government House Leader.

S. CROCKER: Thank you, Speaker.

WHEREAS COVID-19 have been identified as a communicable disease which presents significant risk to public health; and

WHEREAS the chief medical officer of Health of Newfoundland and Labrador, the chief public health officer of Canada, the Centre for Disease Control and the World Health Organization has strongly recommended that all eligible persons be fully vaccinated against COVID-19; and

WHEREAS the Government of Newfoundland and Labrador will require mandatory vaccination

for public service employees in core provincial government departments, as well as agencies, boards and commissions in an effort to ensure continued safety in the workplace, as well as to ensure additional health protection for all Newfoundlanders and Labradorians;

THEREFORE BE IT RESOLVED that this House of Assembly requires all Members to be fully vaccinated against COVID-19 as of December 17, 2021, unless the Member obtains an exemption; and

THAT a Member is fully vaccinated where (a) that person has received two doses of a COVID-19 vaccine as approved by Health Canada, or one dose where the vaccine is a one-dose vaccine approved by Health Canada; and (b) two weeks have passed since the person's second dose of COVID-19 vaccine or, where the person has received a one-dose vaccine, two weeks have passed since that dose; and

THAT where a Member requests an exemption to this requirement, the exemption must be for medically supported reasons, and that the Member shall provide medical documentation to the Speaker outlining the medical reasons for not being fully vaccinated against COVID-19 provided by an appropriate health care provider, in line with the guidance from the College of Physicians and Surgeons of Newfoundland and Labrador; and

BE IT FURTHER RESOLVED that the details of operationalizing this order shall rest with the Speaker of this House.

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

B. PETTEN: Thank you, Speaker.

I'll just take a minute or two to respond to this motion. I don't think there's much room in this House – there's been a lot of debate over what was just read out by the Government House Leader. We're dealing with a very serious pandemic. The numbers don't lie, the deaths don't lie and it's had a huge impact throughout the world. For us in the role we're in, I think it's an obvious step to make it mandatory and show leadership. We're trying to lead by example in most cases and this is no different. This one is a

big one. I mean some controversy, some people have opinions, but I think it was very important for us as a group – and I'm proud to say our caucus and I know most Members, or all Members in the House are fully vaccinated, which is a good thing.

It's something that we fully support and we're proud to say we're vaccinated. We're also – like everyone else – living in hope that we can return to some sort of normality one of these days, that the masks and the back to normal will happen sooner or later. But we can't do that unless vaccination rates get where they need to be. We're doing good here in the province, but I think nationally and internationally it could be picked up. We have to do our part and I'm glad our caucus does support this motion.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Humber - Bay of Islands.

E. JOYCE: Thank you, Speaker.

Just for the record, I will be supporting the motion. I think we need to show an example by doing this. I'm fully aware of the consequences of not showing some leadership in this. When I came back from Africa, back in September, I actually went into isolation, then I went and got another test before I went around other people. So I just want to let people know that I take it very serious and I'm going to be voting for this motion. I think all Members here, probably, are already all vaccinated to show leadership.

I have one concern about this – and I told people I was going to bring this up: Why are we doing this? Not the vaccination part, but why are bringing this in the House of Assembly? We are government employees.

I'll just go back to November 6 where the Deputy Premier, the Member for St. John's West, presented a motion in this House that the government accepted. I just want to read the motion, because the reason why this is so important and it's so relevant is what if there are changes to the public sector employees? Are we

going to be affected by that also, or what if they change the Members?

I just want to read what the government voted for. It's very relevant because if we're separated, I need the government to confirm that we are separated – that we are not. Here's what the Commissioner for Legislative Standards brought in this House, at that time by the Deputy Premier, that she –

SPEAKER: Order, please!

I'll remind the Member to stay relevant to this actual bill.

E. JOYCE: It is relevant, it's Principle 10. It is relevant between Members and government employees. We need to make sure it's distinguished.

Mr. Speaker, you apologized to me several times on it.

SPEAKER: This bill is specific to presiding in this House.

E. JOYCE: But government employees, this is separate. It is separate, the Members – it says here between government employees and Members. This is what I'm asking. It is relevant. They're not just saying government should be. They're saying because we mandated government employees, we should be also.

I just want to read what was there – captured by the code of conduct, I do not think the MHA met the expectations – attempts to influence the complainant who was a Member of this House of Assembly.

SPEAKER: Order, please!

I remind the Member to stay relevant. That's not relevant to this particular bill.

E. JOYCE: It is. We have to distinguish, are we government employees or not?

SPEAKER: Order, please!

I remind the Member to stay relevant to the bill.

E. JOYCE: It is relevant to the bill.

SPEAKER: That is not relevant to the bill.

E. JOYCE: And it goes on to say: have regard to those employees between members of the public service.

Mr. Speaker, you apologized to me three times. (Inaudible.) For God's sake, b'y, I need this distinguished: Are we government employees?

I know I always hear the Deputy Premier saying if we do something wrong we should live up to it and we should change it. Here's an opportunity because what if there are changes to the public sector now, about the vaccination, are we accepted? You can't have two motions in the House with opposite meanings.

You can't have it, Speaker. You just can't have it, no matter how much you –

SPEAKER: Order, please!

I remind the Member, it's been clearly stated, we are not government employees.

E. JOYCE: Pardon me?

SPEAKER: We're not government employees.

E. JOYCE: So are you –

SPEAKER: We're elected officials.

E. JOYCE: Will you give it to me, in writing, that the motion that was passed on November 6 was false, because we're not government employees? Will you give me that?

SPEAKER: The motion you're referring to is not relevant to this bill right now.

E. JOYCE: But it is.

SPEAKER: We can take this item out separately if you wish to talk about it.

E. JOYCE: Pardon me?

SPEAKER: I said we can talk about it separately.

E. JOYCE: But, Mr. Speaker, you're telling me it's not. What guarantees do you have that it's

not going to be brought back in again? I mean, you apologized to me three times. I won't use the language you used, but you did, and just about every other Member. Yet, when you bring it into this House of Assembly that you have a motion on the table, the only way – you can't have two opposite motions. One of them has to be rescinded.

I'll say again, Mr. Speaker, if we're going to allow the Commissioner for Legislative Standards to bring in their motion here and government supports the motion – which they know is false – who is going to stand up and take the –

SPEAKER: Order.

I remind you to stay relevant to the bill.

E. JOYCE: How am I not relevant?

SPEAKER: You're talking about a topic that is totally separate. The report you're referring to has nothing to do with this motion we're discussing here today.

E. JOYCE: So you're – I just –

SPEAKER: I ask you not to challenge the Chair. I made a decision.

E. JOYCE: I'm not challenging you. I'm just saying it is relevant because Principle 10 says we're – are we government employees?

SPEAKER: You're challenging the decision again.

If you want to speak to the bill, I ask you to speak to the bill.

E. JOYCE: So you're shutting down debate.

SPEAKER: I'm not shutting down debate.

What you're discussing is not relevant to the bill.

E. JOYCE: I'm telling you I'm speaking to the bill, saying that we should, as Members, take leadership roles.

What they're saying here, what the Government House Leader is putting in this House right now is a motion, because she brought in one about government employees, they're saying that because we're separate, we are definitely separate, contrary to the motion that was passed November 6 in this House, that all my former colleagues and friends voted for, now they're saying that, by the way, that's wrong.

You cannot have two opposing motions.

I'll ask this question to you, Mr. Speaker – and I thank you for going to write me a letter, by the way – I'll ask the House this question.

SPEAKER: Order, please!

E. JOYCE: I'll ask the question –

SPEAKER: Order, please!

It is not asking questions.

E. JOYCE: I ask the question through you, that what I'm – I ask the Members through you: What if tomorrow we do something to bump public sector employees, and I stand in this House and I say, I don't want to do that because I'm a Member. Or what if they come up tomorrow and say: Members have to do more. And I'll stand up and I'll hold up this November 6 thing that the government voted for which says that we're public sector employees, I'm going to say: I'm a public sector employee, you voted for it. You voted for this, I'm a public sector employee.

So I ask the Members: What do we do then?

SPEAKER: Order, please!

E. JOYCE: What do you do then?

SPEAKER: Order, please!

You're still not relevant to the bill. You're sliding away from the bill. You referring to a report that already was brought to the House and voted on by the House.

E. JOYCE: It got nothing to do with the vote.

SPEAKER: If they still want to go back before the House, that would be the decision of the House, to decide if they want to bring that particular motion back to the floor.

Tonight, we're discussing this bill – or this resolution.

E. JOYCE: I am discussing this bill, b'y. Stop trying to shutdown debate. I am –

SPEAKER: I am not trying to shutdown debate, I am trying to keep you relevant to the bill.

E. JOYCE: It is relevant to the bill. If I didn't want to get vaccinated today, do I follow the guidelines of the public sector employees or the MHAs? That is the question I need answered. That is the question. That is a legitimate question.

I know I'm ranting on. I know, Mr. Speaker, that when you present a false report in this House that Members are government employees, it is perjury. You know, you've got letters on that.

So here I am, going through this whole process, I don't know if I'm a government employee or don't know; if I'm a Member of the House of Assembly. I just don't know.

AN HON. MEMBER: (Inaudible.)

E. JOYCE: And then – who's talking over there about relevance. Stand up, whoever wants to talk about it.

Dale Kirby would love to hear this today knowing that there was a false report brought in on November 6 and everybody voted for it.

SPEAKER: Order, please!

Order, please!

I remind the Member one more time, you're discussing reports that are not relevant to this bill tonight. It has been clearly stated that this bill is regarding the House presiding – all Members.

E. JOYCE: Regarding what?

SPEAKER: Regarding the Members of the House of Assembly here.

E. JOYCE: That's exactly – thank you for confirming that it is in order because it is about House of Assembly Members. It is. That is exactly what I have been trying – thank you for confirming that. Thank you.

You're going to give me a letter confirming that Members are not government employees. Thank you for confirming that, Mr. Speaker. Hopefully, I'll get that soon from you, that Members are not government employees, which will confirm that the report of November 6, which my colleagues voted for, was absolutely false.

SPEAKER: Order, please!

E. JOYCE: I just want to thank people for that –

SPEAKER: Order, please!

I remind you that we're not discussing that report right now.

E. JOYCE: I'm not asking you to discuss it, I'm stating a fact.

I just want to say, again, to a few people over there who had the courage – the Member for Baie Verte - Green Bay for standing up, the Member for Burgeo - La Poile who had the courage and the Member for Mount Pearl - Southlands who had the courage to stand up for the truth. It takes a lot to stand up for the truth, Mr. Speaker.

As of today, as I was saying for three years, I just want to thank my colleagues for putting my family through what they went through, even though you all know and the Deputy Premier knows it was a false report. She will not rescind the report.

SPEAKER: Order, please!

Again, we're discussing this bill here tonight, the resolution that was put forward to the House.

E. JOYCE: (Inaudible) I'll close by saying I will support the bill and support the motion. I thank you, Mr. Speaker, for the times you

apologized to me in private. Thank you very much for all that.

Thank you.

SPEAKER: The hon. the Member for Mount Pearl - Southlands.

P. LANE: Thank you, Speaker.

I'm going to support the motion as well. It's obviously the right thing to do. I'm sure everybody here is already double vaxxed anyway and have their vaccine passport. I know I do. Not just because of showing leadership but obviously I want to protect myself and my family, as we all do. I have no issue in supporting the motion. If anyone is not vaxxed in here now, I'd certainly strongly recommend that they do so.

Trying to stay relevant, I'll make one point: I'm not going to speak about any reports or who was right or who was wrong; that's irrelevant. But I just say to all Members of this House on all sides and anyone who has been around here any length of time knows that if you're here long enough, eventually you're going to be the one in the crosshairs at some point in time; it just comes with the job.

I think the point that the Member is raising about are we or are we not government employees is a legitimate question. I think it's a legitimate question. Not concerning about the report, but it is a legitimate question and we should all have the answer that we either are or we're not because what happened to him could happen to anybody else tomorrow and we need to know –

SPEAKER: Order, please!

I remind the Member to stay relevant, please.

P. LANE: Yes, Mr. Speaker, but again based on this motion, this motion is suggesting to me that we are not government employees, which is my understanding and always was my understanding that we are not government employees, we're elected officials, hence the reason why we're here today doing this. That's why we're here because we're not government employees.

It has nothing to do with supporting the Member, nothing to do with any report, but I have to question if we have an Officer of the House who's reporting solely to this House, is answerable to us, providing this House of Assembly with incorrect information or saying one thing in here and something else to the courts and something else outside, it should be –

SPEAKER: Order, please!

Again, I remind you to stay relevant to the bill.

P. LANE: Thank you, Speaker.

I'll end it there, but we have Officers report to this House and they're supposed to be accountable to us, and I can't seem to find any mechanism where accountability seems to exist in that regard, which is very unfortunate.

Thank you.

SPEAKER: The hon. the Leader of the Third Party.

J. DINN: Thank you, Speaker.

I certainly will support this, and it's about showing leadership as well, especially if we lead by that example. However, I guess, Speaker, with this there is a problem where it diverges about setting the example for public servants versus us.

At the disposal, when it comes to this, it's easy for us to pass this motion. For the most part, Speaker, we have unlimited sick leave as such. So, in many ways, on one hand we are passing a requirement to be vaccinated. I'm assuming that if we had refused to be vaccinated, we would be barred from sitting in this House. I would assume that would be the case and that's the consequence of it.

On the other hand, too, even if we are sick, if we come down with COVID – even as a breakthrough case – or if we're sick for any other reason we have that option, really, to let you know and to have that approved – there's unlimited. So I think in many ways as we are using this to lead by example, whether it's in the school system – and I think in the school system – and other places where we have public

employees, the one thing that they do not have is special sick leave to deal with COVID-19.

So if they refuse to get vaccinated, they will be penalized. If they get sick because of COVID, they are going to be penalized. I think here, as we're passing this legislation, we should certainly recognize the privileges that we enjoy as MHAs; in that there's no real consequence for us in terms of our job, if we do get sick, whether COVID or not. Hopefully, the vaccines are going to work in a way that it'll certainly minimize the effects. But I think here as we move forward about setting the example, we also need to consider the effect of the lack of sick days on public employees, teachers, school staff and support staff.

That's it; otherwise, I do support this, but let's realize we are talking about a privileged group of individuals who sit in this Chamber.

Thank you.

SPEAKER: Seeing no other speakers if the Government House Leader speaks now, he will close debate.

S. CROCKER: Thank you very much, Speaker.

I'm glad that it sounds like we have unanimous support for this motion this evening. I know some legislatures in Canada have already passed this. I think the federal Parliament is working towards the same.

Thank you for the opportunity.

SPEAKER: Is the House ready for the question?

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Carried.

SPEAKER: The hon. the Government House Leader.

S. CROCKER: Thank you very much, Mr. Speaker.

I move, seconded by the Deputy Government House Leader, that this House do now adjourn.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Carried.

This House stands adjourned until 1:30 p.m. tomorrow.

On motion, the House at its rising adjourned until tomorrow, Tuesday, at 1:30 p.m.