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*Speaker: Honourable Wade Verge, MHA*

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The House met at 1:30 p.m.

**MR. SPEAKER (Verge):** Order, please!

Admit strangers.

I would like to welcome all members back to the House of Assembly. I trust you had a great weekend.

### Statements by Members

**MR. SPEAKER:** Today we are going to hear members' statements: the Member for the District of Conception Bay South, the Member for the District of Bay Verte – Springdale, the Member for the District of The Straits – White Bay North, the Member for the District of St. John's North, the Member for the District of Mt. Pearl South, and the Member for the District of Bonavista South.

Before I recognize the Member for Conception Bay South, as Speaker I want to make what is a solemn declaration. As you all know, on Thursday evening, April 23, the Speaker of the Canadian Senate, the hon. Pierre Claude Nolin passed away. Speaker Nolin served in the Senate for approximately twenty-two years. He was appointed Speaker back in November of 2014.

On behalf of all of you, all Members in this hon. House of Assembly, I want to pass condolences to Speaker Nolin's wife, Camille, to his family, and to all his Senate colleagues.

Thank you very much.

The hon. the Member for Conception Bay South.

**MR. HILLIER:** Mr. Speaker, several weeks ago, I recognized the students and teachers involved in the Duke of Edinburgh Awards program at Queen Elizabeth High School. Today I stand to recognize five current students and one recent graduate, also of Queen Elizabeth Regional High School, who on March 13 accepted bronze and silver Duke of Edinburgh Awards from the hon. Frank Fagan at a ceremony in St. John's.

These students are part of the COSTA, Challenge Our Students To Achieve, initiative

and support the participation of youth with cognitive and physical disabilities in the award program. Queen Elizabeth Regional High School has been offering this program since 1998 and has seen many students achieve at the bronze, silver, and gold levels. Receiving awards that day were Katie Brien, Brooke Pottle, Kristen Tibbo, Emily Lomholt-Farrell, Zachary Dean, and Matthew McCarthy.

I would also like to congratulate teacher Sandra Hemmings who, at the same ceremony, was recognized for fifteen years of service to the COSTA program of the Duke of Edinburgh Awards. These young people, with the help of Ms Hemmings, have worked extremely hard in attaining their awards and I ask all members of this House to join me in congratulating them on their achievements.

Thank you.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for the District of Baie Verte – Springdale.

**SOME HON. MEMBERS:** Hear, hear!

**MR. POLLARD:** Thank you, Mr. Speaker.

I rise in this hon House today to recognize the outstanding efforts of Baie Verte Peninsula Used Clothing and Food Bank Inc.

Its mission is to reduce hunger and assist families who are challenged with day-to-day living. Its vision is to bridge the gap between poverty and health status among residents of the peninsula is certainly a noble vision. To accomplish this, various partnerships with community groups, businesses, organizations and individuals have been forged. In addition, a committed group of community volunteers have come together to make this a reality, for which the entire peninsula is very thankful.

Committee members include: Todd Parsons, Michelle Brown Burton, Jessica Cole, Diane Davis, Marion Fitzgerald, Laura Bailey, Neil Kirby, Pastor Greg Patey, Deanne Small, Brittany Sacrey Jenkins, and Danielle Seymour.

Please join me in applauding the outstanding efforts of all those involved with the Baie Verte Peninsula Used Clothing and Food Bank in addressing the needs of the area residents.

Their promotion of active living and overall good health and well-being is to be applauded.

Thank you, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for The Straits – White Bay North.

**MR. MITCHELMORE:** Mr. Speaker, I rise today to recognize twenty-five-year-old Anchor Point native Zachary King who sparked a giant win at the Skills Canada provincial welding competition held at the College of the North Atlantic Burin campus. He took home the gold after the mastering four separate projects that impressed the judges enough to earn him the top prize.

To participate, Zach had to show impressive skill and technique by being top of his class in first year welding, Corner Brook campus. Zach always had an interest in working with his hands, exhibiting good mechanical and welding skills, taking things apart, and dabbling with the trade. As he grew older he felt it was time to perfect his skills and turn a talent into a career. He has enrolled in the College of the North Atlantic and has become a shining example of youth pursuing a career at home in a field he is passionate. I hope he inspires more youth to do the same.

As the Newfoundland and Labrador welding champion, he continues on to Saskatoon, Saskatchewan for the national championship. I ask all hon. members to congratulate our champion – where he will be ready to take on the world.

Thank you.

**SOME HON. MEMBERS:** Hear, hear!

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

**MR. KIRBY:** Mr. Speaker, I rise to congratulate Malcom and Monica Squires, long-time residents of the District of St. John's North who celebrated their fiftieth wedding anniversary on January 23.

Mr. and Mrs. Squires have both lived in the City of St. John's all their lives and for the past eighteen years at the same address. Malcom formally worked as a TV repair technician while Monica was previously employed for a number of years doing administrative work at the taxation centre.

Mrs. Squires told us that the day they were married at St. Teresa's Church in 1965, it was a cold and windy day. Of course that is not unusual for a January day in the City of St. John's.

Malcom and Monica raised a family of three children. They greatly enjoy spending their time with their five grandchildren – three of whom are living in British Columbia and two closer to home here in St. John's.

These days Mr. and Mrs. Squires enjoy their retirement time together, reading and going for walks around their neighbourhood.

I ask all hon. members to join me in wishing a very happy fiftieth wedding anniversary to Malcom and Monica Squires.

Thank you.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Mount Pearl South.

**MR. LANE:** Thank you, Mr. Speaker.

Recently, community leaders and volunteers gathered at the Reid Centre to select Mount Pearl's Citizen of the Year. As usual, this year's nominees were all tremendous community volunteers who all share a love for Mount Pearl and an unwavering commitment to community service. The judges had a very difficult task in making the selection, and, in the end, they decided to choose two very deserving individuals to share this year's honour.

Former Frosty Festival Chair Jim Greenland was selected for his involvement with the Kinsmen Club, the K40 Club, Shrine Club, Children's Wish Foundation, and can be found throughout the year sharing his wonderful gift of song to the residents of Mount Pearl.

Dan Maher has made a tremendous contribution to the community through the Mount Pearl Special Olympics and St. John Ambulance, as well as through many other community activities. Dan is probably most known for his role as the city's community photographer, and has literally taken thousands of photos at community festivals, banquets, and events throughout the year.

I ask all members to join me in congratulating these two outstanding individuals on receiving this honour and thank them for their commitment to their community.

Thank you, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Bonavista South.

**MR. LITTLE:** Honourable colleagues, I would like to congratulate the members of the Heritage Huskies boys' volleyball team. They are students at Heritage Collegiate High School, located in Lethbridge in the District of Bonavista South.

The Heritage Huskies hosted and captured the 3A Provincial Volleyball Championship of Newfoundland and Labrador. They won the semi-final match against Roncalli Central High School with a score of 25-10, and 25-20. The championship game was played against Jens Haven Memorial School from Nain. Jens Haven won the first set, 26-24, and the Heritage Huskies won the second set, 25-18, and continued on to win the third and final set with a score of 15-11. This is the first time a boys' volleyball team has won the provincials for Heritage Collegiate.

Team members of the Heritage Collegiate High School Huskies are as follows: Matthew Holloway, AJ Russell, Ryan Oldford, Ryan Penney, Jordan Skiffington, Jonah Clouter,

Jeremy Blundon, Marcus Ralph, Kent Keats, Brandon Bladen; Coaches Carol Blundon and Terry Maloney; and Assistant Coaches Brittany Keough and Eugene Holloway.

Mr. Speaker, hon. colleagues, please join me in congratulating the Heritage Huskies on their victory in winning the 3A Provincial Volleyball Championship.

Thank you, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** Statements by Ministers.

#### Statements by Ministers

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

**SOME HON. MEMBERS:** Hear, hear!

**MR. KENT:** Thank you, Mr. Speaker.

I rise in this hon. House today to highlight an inspiring mental health awareness event that took place this past Friday, Saturday, and Sunday. On Friday evening in St. John's, the Premier and I joined the students and staff at Holy Heart High School, as well as a host of local and national advocacy groups for Mental Health Matters. Young people from across the Province attended this conference.

The conference brought people with diverse perspectives on mental health together to discuss ways to raise awareness and reduce the stigma associated with mental illnesses, particularly in young people. This is one of the most effective ways we can ensure those with mental health issues reach out for the support and guidance they need. The event included participation from an array of mental health advocates and organizations, students and staff. There were presentations and workshops on topics ranging from relaxation techniques like yoga and meditation to anxiety management. It was fantastic to meet with students, staff, and interest groups who had all come together with one goal in mind: mental health awareness in Newfoundland and Labrador.

Mr. Speaker, mental health and addictions remain a key priority for the provincial government. About one in five of us will live with a mental illness in any given year. We are very aware of the challenges people are facing with these issues and remain committed to ensuring that youth and adults have access to the programs and services they need. This past year, two new twelve-bed treatment centres opened in Grand Falls-Windsor and Paradise for youth with addictions and complex mental health needs. Work is also progressing on a new adult addictions centre in Harbour Grace, which is scheduled to be complete later this year.

The Mental Health Crisis Line offers 24/7 phone crisis intervention services to provide guidance and support anytime, anywhere in the Province. We had the opportunity to launch our latest awareness video for the crisis line at the event on Friday night as well. The video can be viewed on the provincial government's YouTube channel.

Mr. Speaker, it was a privilege to join such a large gathering of people who share the same commitment to addressing mental health concerns in our Province. I would like to take this opportunity to thank the event organizers, including co-chair Patrick Hickey and the staff and students at Holy Heart High School, for their tremendous efforts to increase awareness and education on mental health for youth in our Province.

Thank you.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Burgeo – La Poile.

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

I would like to thank the minister for an advance copy of his statement. We, too, in the Official Opposition would like to congratulate the organizers for this job well done and for this event that was certainly well needed and well attended. We were very glad to hear that it went off so well.

I was certainly glad to hear that a constituent of mind, a young girl, Brittney Coleman, was able

to attend. It is good to see youth from all across the Province are able to come here to be a part of this, and to talk with other youth from across the Province to compare their experiences and what they can do to better assist people in understanding and breaking down the stigma of mental health issues.

I would also like to recognize Mr. Patrick Hickey, one of the co-chairs of this event, for the tremendous job he has done in this field. He is a 2015 champion of mental health by the Canadian Alliance on Mental Illness, a co-chair of the Metro Youth Mental Health Committee, and a member of the Community Coalition. He is a tremendous young man and we need young people like that to get involved, so I am happy to see that.

In closing, I would like to note the all-party committee meeting we had on Friday with the minister, members of the Third Party, myself, and the Member for St. John's North. It is this co-operation between the parties that we need to do more of. I look forward to having more meetings and getting across the Province to discuss this.

Thank you, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

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

**MS ROGERS:** I thank the minister for an advance copy of his statement.

Huge congratulations to Patrick Hickey and the Holy Heart team for Mental Health Matters. From my town hall last June to our Community Coalition for Mental Health, to our All-Party Committee on Mental Health and Addictions, our Province is abuzz with citizens' advocacy, hope and determination. Stigma is a key issue, but raising dialogue is not enough. Students tell us they need more counsellors in schools and mental health must be incorporated into the curriculum. Let's really hear what students are saying then roll up our sleeves and get to work designing services that truly respond.

Bravo Patrick and team! Lead on.

Thank you very much, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Minister of Seniors, Wellness and Social Development.

**SOME HON. MEMBERS:** Hear, hear!

**MR. JACKMAN:** Mr. Speaker, I rise today to acknowledge Sport Newfoundland and Labrador's annual Stars and Legends Awards Gala, which was held earlier this month. During the event, eight provincial awards were presented to some of this year's outstanding athletes, and six individuals were inducted into the Hall of Fame.

It was an exciting year for Newfoundland and Labrador athletes, Mr. Speaker, as many achieved success on the local, national, and international stage. There was an impressive group of nominees at this year's ceremony, with the awards going to softball player Sean Cleary as Senior Male Athlete of the Year; runner Jillian Forsey as Senior Female Athlete of the Year; hockey's Clark Bishop as Junior Male Athlete of the Year; baseball's Heather Healey as Junior Female Athlete of the Year; softball's John Hill as Coach of the Year; Memorial University's Women's Soccer Team, the Sea Hawks, as Team of the Year; and baseball's Mark Healey as both Executive of the Year and Volunteer of the Year.

Mr. Speaker, I congratulate all the award winners for the hard work and dedication which led them to be honoured.

Meanwhile, six inductees into the Newfoundland and Labrador Sports Hall of Fame were honoured for a lifetime of commitment to sport. Paul Barron, George Connors, Bill Davis, Carla Edwards, Deon Goulding, and Trevor O'Brien have contributed as athletes, builders, or both, and are to be commended for the contribution to sports in this Province.

Mr. Speaker, the Department of Seniors, Wellness and Social Development is committed to supporting sport, physical activity and recreation at all levels. We continue to support our athletes through the Athletic Excellence

Fund, which includes the Premier's Athletic Awards Program and the Elite Athlete Assistance Program; the National Travel Subsidy Initiative; and Canada Games funding. We also provide support to athletes and coaches through various provincial sport organizations.

Mr. Speaker, I would like to congratulate Sport Newfoundland and Labrador, and all the provincial sport organizations, for their ongoing commitment to amateur sport in this Province, and also thank our athletes, coaches, managers, parents, and volunteers who support athletic excellence at every level.

I ask my colleagues in this House to join me in congratulating this year's Sport Newfoundland and Labrador provincial award recipients and Hall of Fame inductees.

Thank you, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

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

**MR. HILLIER:** Mr. Speaker, I thank the minister for an advance copy of his statement. The Official Opposition would like to congratulate the recipients of the eight provincial awards and the six people inducted into the Newfoundland and Labrador Sports Hall of Fame.

I had the opportunity to attend the function and had the opportunity also to congratulate these people personally. Heather Healey is from the beautiful Town of Conception Bay South.

The minister touted the different programs in the Department of Seniors, Wellness and Social Development that promote sport. Let's hope that government will see fit to continue the support in the years ahead, including Budget 2015.

Mr. Speaker, Canada Games are fast approaching. We are due to host in 2021. We have yet to see any commitment, either planning or financial, from government. Planning should have already started and organizers need to know what financial resources they have to work with in hosting the games. We know there are

significant infrastructure needs and we urge government to show leadership for this event.

We need a commitment today. Facilities must be ready by 2019 so our athletes can train and compete in them, and make them their own in order to achieve that competitive edge and win medals at home.

Thank you very much.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Signal Hill – Quidi Vidi.

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

I, too, thank the minister for an advance copy of his statement. I am very pleased to join with him and the Official Opposition in congratulating all the award winners at this year's awards gala for their athletic achievements and their contribution to the Province. I know it makes a difference to them to be acknowledged by their colleagues.

The annual awards and the Athletic Excellence Fund are crucial supports that are helping our best athletes achieve success. I remind the minister and this government that we need more support for physical education and recreation in our schools and communities to improve our overall health, and to build community support for the amateur athletes, both in their communities and as they move on in the Province.

Thank you, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Minister of Environment and Conservation.

**SOME HON. MEMBERS:** Hear, hear!

**MR. CRUMMELL:** Thank you, Mr. Speaker.

Mr. Speaker, I rise today to remind all members of this hon. House that nominations for the Newfoundland and Labrador Environmental Awards are now being accepted and the deadline

of May 1 is fast approaching. The annual awards program is an opportunity to recognize environmental achievements in our Province and raise awareness of the individuals, groups, schools, and businesses who take action to protect and sustain our environment.

Mr. Speaker, the Department of Environment and Conservation partners annually with the Multi-Material Stewardship Board and the Newfoundland and Labrador Women's Institutes to recognize environmental achievement in the following categories: Individual; Community Group or Organization; Youth, Youth Group or School; Municipality or Regional Waste Management Committee; and Business or Industry Leader.

Each category winner will receive a \$1,000 honorarium from the Multi-Material Stewardship Board to be used to continue their environmental project or donated in their name to an environmental organization or cause. Award recipients will be announced during Environmental Week, which is taking place June 1-6.

This year's recipients will join an impressive group of more than 100 environmental stewards who have received awards since the program began in 1990, including last year's winners which were Jean Ann Lambert in the Individual category; Emma Power as the Youth winner; the Petty Harbour Aquarium as the winner of the Community Group or Organization award; Immaculate Heart of Mary School in Corner Brook as the winner of the School category; the Town of Labrador as the Municipality award recipient; and Suncor Energy as this year's Industry Leader.

Mr. Speaker, a healthy and sustainable environment yields healthy people, a stronger economy, more vibrant communities, and a legacy for which we can be proud. Our commitment to our ecosystem will ensure we meet the social, physical, cultural, and economic needs of present and future generations.

This Province is filled with environmental leaders, Mr. Speaker, and these awards are an excellent way of recognizing their achievements while raising awareness of the importance of protecting our environment. The deadline for

nominations is May 1 and all the information, including nomination applications and eligibility criteria, is available on the Department of Environment and Conservation website.

Thank you, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for The Straits – White Bay North.

**MR. MITCHELMORE:** Mr. Speaker, I thank the minister for an advance copy of his statement. The Official Opposition encourages individuals, groups, municipalities, youth, and business to apply for these environmental awards. We, too, would like to congratulate the past winners for their contributions to foster and raise awareness of protecting and sustaining our environment.

Newfoundland and Labrador has an incredible asset in terms of our natural environment. It gives us an opportunity to pursue sustainable fisheries, forestry, tourism and other industries, as well as create new jobs in pursuit of the green economy.

This government lacks vision as it passed regressive legislation that limits innovation in alternative energies that would reduce greenhouse gases and help local business or towns increase revenues or lower operating costs. This Province is filled with environmental leaders, but they are not getting their leadership from the current government when you see millions upon millions of unnecessarily environmental liabilities accepted, cuts to ecological reserves and protected areas, a weak stance on the *Manolis L*, more than a decade with no delivery of the natural areas systems plans, boil advisories in more than 150 communities, and the list goes on.

Thank you, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

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

**MR. MURPHY:** Thank you, Mr. Speaker.

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

I can think of a few groups myself who would qualify for such an award and I would encourage others to nominate them for their ongoing work as well.

In my district, for example, I can think of the Salmonid Association of Newfoundland and Labrador, and the Quidi Vidi Rennie's River Development Foundation. Outside of the district, there are others doing fine work in the Province: Canadian Parks and Wilderness Society, the Puffin Patrol in Witless Bay, and the Fracking Awareness Group, just to name a few. Some will not win an award, Mr. Speaker, but they deserve our thanks for their tireless work nonetheless.

Thank you very much, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

#### Oral Questions

**MR. SPEAKER:** The hon. the Member for Burgeo – La Poile.

**MR. A. PARSONS:** Mr. Speaker, the Minister of Justice said on Thursday that he was not aware of an official Memorandum of Understanding between our police forces and the OPP, that he thought there was but that he would check.

I ask again: Is there an MOU between our RNC, RCMP, and the OPP, and will you table it?

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

**SOME HON. MEMBERS:** Hear, hear!

**MR. KING:** Thank you, Mr. Speaker.

I think actually what I said was, I was not aware if it was re-signed or not. I was certainly aware there had been an MOU, and, yes, there is currently an MOU in place.

**MR. SPEAKER:** The hon. the Member for Burgeo – La Poile.

**MR. A. PARSONS:** Mr. Speaker, I ask the minister: Will he table it?

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

**SOME HON. MEMBERS:** Hear, hear!

**MR. KING:** Thank you.

To clarify my previous remarks, I may have overlooked one part of your question. The MOU is with the RNC, not RCMP.

**MR. SPEAKER:** The hon. the Member for Burgeo – La Poile.

**MR. A. PARSONS:** Mr. Speaker, I ask: Will he table it?

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

**SOME HON. MEMBERS:** Hear, hear!

**MR. KING:** Thank you, Mr. Speaker.

Since the MOU is not a government document, I will certainly seek out to see if I have the authority to table that here. The MOU is actually between the police force, but I have no issue tabling it if there is no restriction around that. I will check it out and get back to you.

**MR. SPEAKER:** The hon. the Member for Burgeo – La Poile.

**MR. A. PARSONS:** Mr. Speaker, on Thursday the Minister of Justice said to the media that he wanted to ensure people had continued confidence that the results of the investigation reveals total transparency about what transpired from the time the RNC officer went to visit Mr. Dunphy until the investigation concludes.

I ask the minister: Are you saying that the two days prior to the shooting are not a part of the investigation?

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

**SOME HON. MEMBERS:** Hear, hear!

**MR. KING:** The hon. member read what I said, so clearly the second part of his question was not in the first part that he quoted. No, I did not say that, Mr. Speaker.

My intention was that at the end of this investigation, we will want to determine whether there is a full and clear understanding of all of the events that would have led up and contributed to that fatal event. If there is not, then we will contemplate calling an inquiry.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Burgeo – La Poile.

**MR. A. PARSONS:** Mr. Speaker, there was certainly no confusion on our part. We are referring directly to what the minister said to the media outside, at which time he said from the time the officer went to the Dunphy house until the investigation concludes.

So I just want to confirm that two days prior from the time that the tweet was sent to the Premier's Office, that time will be included in this investigation?

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

**SOME HON. MEMBERS:** Hear, hear!

**MR. KING:** Mr. Speaker, I think I just answered that question.

**MR. SPEAKER:** The hon. the Member for Burgeo – La Poile.

**MR. A. PARSONS:** Mr. Speaker, it is amazing that the Minister of Justice can stand up here. The people have deliberate, serious questions and he continues to stand up and obfuscate the matter and try to contradict himself every time that he speaks.

The minister also said on Thursday in the House, "both police forces are engaged here in different pieces of an investigation ... Upon conclusion of those investigations we will make a determination ... ."

I ask the minister: Can you please clarify this? Are both forces involved in investigating? If so, what different parts is each force investigating?

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

**SOME HON. MEMBERS:** Hear, hear!

**MR. KING:** Mr. Speaker, what is terrible here is the politics being played in this House of Assembly by the member opposite. It is not the answers that I am giving.

I can quote from Hansard that – and I would never say the member lied or deliberately misled the House because that would be unparliamentary. I can say to you that he is rather reckless with the truth, and I quote: the Minister of Justice is abrogating his responsibilities.

Now it is not about me personally, it is about the office of the Minister of Justice. I pointed out very clearly to the media and I point out to the member opposite, that the Minister of Justice does not have authority in ongoing police investigations. That has been clearly established by the Supreme Court of Canada, a fact that I would think he would have known as a practicing lawyer prior to coming into this House.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Burgeo – La Poile.

**MR. A. PARSONS:** Mr. Speaker, it is unfortunate that the Minister of Justice continues to want to be a bystander in this matter when he is supposed to lead justice. Two things I would say. It says right on his own website that the Minister of Justice administers police protection. The second part – and again, if I had said something wrong he can stand up on a point of order and contradict me. I certainly did not ask for the minister to get directly involved in an investigation.

I ask the minister: Will you please –

**SOME HON. MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order, please!

**MR. A. PARSONS:** I ask the minister again: Will you please stand up and tell us, are both forces involved in this investigation as you said here in this House on Thursday?

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

**SOME HON. MEMBERS:** Hear, hear!

**MR. KING:** Mr. Speaker, perhaps the member opposite can clarify for the House exactly what it is he feels the role for me ought to be. I remember clearly last week the questioning was: Will you now step in and call in an outside police force and remove the RCMP from this investigation? Today he is presenting a different tone here.

So I ask the member, be very clear on what you think the role of the Minister of Justice is. Clearly, what I am seeing here is that if the Liberals were in government, they would run policing services from the minister's office and now allow the police to operate in Canada as they ought to.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** Order, please!

The hon. the Member for Burgeo – La Poile.

**MR. A. PARSONS:** Again, I say it is unfortunate that the Minister of Justice does not actually want to be the Minister of Justice. I asked a very simple question last time. You said here in this House Thursday that both forces were involved in this investigation.

So I ask you again, for the third time: Are they both involved; and, if so, what are they doing?

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

**SOME HON. MEMBERS:** Hear, hear!

**MR. KING:** Mr. Speaker, the investigation into the tragic events of Mr. Dunphy and what transpired leading up to that is being led by the Royal Canadian Mounted Police. It is also being

overseen by a parallel independent process with retired Judge Riche who will follow the investigation. He has every power that goes with that. He can ask questions, he can observe, he can do whatever he wants, and he is going to produce an independent report at the conclusion of this investigation.

The Royal Newfoundland Constabulary will be following their own policies and procedures by completing an internal investigation around the protocols that would have been followed by the officer in question.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Burgeo – La Poile.

**MR. A. PARSONS:** Mr. Speaker, I ask the minister: Will he table the engagement letter with Justice Riche in this House?

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

**SOME HON. MEMBERS:** Hear, hear!

**MR. KING:** Mr. Speaker, the engagement letter is not mine to table. He was engaged by the Royal Canadian Mounted Police.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Burgeo – La Poile.

**MR. A. PARSONS:** Mr. Speaker, the minister has spent a good deal of time here trying to explain why he has no authority and should not be involved in the administration of justice. The relationship between the minister and RCMP is outlined in the policing agreement which is A(5) in the statutes. There it says quite clearly that the relationship between the minister and the head of the RCMP is the same as the relationship between the minister and the head of the RNC.

Section 6(2) of the RNC Act, 1992 clearly states: “The chief shall report to and shall obey the minister’s orders and directions.” That is a direct quote.

I ask the minister: Given your authority, have you even talked to the head of the RCMP?

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

**SOME HON. MEMBERS:** Hear, hear!

**MR. KING:** Mr. Speaker, as I have said repeatedly in this House, I am not interested in debating the Opposition’s view of what my role ought to be. I understand my responsibilities when I swore an oath to the Crown. I take them very seriously, and I will continue to do that.

What we are dealing with here is a very significant event that has had tragic consequences and is affecting many families – not just the Dunphy family. There are a lot of people affected by this. My focus is on ensuring that, first of all, people understand I have full confidence in the integrity of the independent judge that has been appointed, and I have full confidence in the RCMP to conduct this investigation. At the conclusion of that investigation I will endeavour to ensure that the public interest is satisfied and, if not, then we will consider calling an inquiry into the same.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Burgeo – La Poile.

**MR. A. PARSONS:** Mr. Speaker, I ask the same question again, the RNC Act clearly lays out the role that the minister has and the authority that he has.

So I ask the question: Have you spoken to the head of the RCMP in this matter?

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

**SOME HON. MEMBERS:** Hear, hear!

**MR. KING:** I have had no discussions with the RCMP on this matter, Mr. Speaker. I am certain that my officials at the department would. It is not unusual that the minister would not have regular discussions with the RCMP, particularly about ongoing investigations.

This is the third stint that I have been in the Department of Justice and Public Safety, and I can tell you that I have never, never had a discussion with the RCMP or the RNC to interfere into an operational issue, which I have clearly outlined here as I see it, that there is no role for the minister. The police have the authority to do their job. It has been clearly established at the highest court in the land, the Supreme Court of Canada.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Burgeo – La Poile.

**MR. A. PARSONS:** Mr. Speaker, I can get into that case at some point, because the Chief Justice of the Supreme Court of Canada when they made that decision was Judge Lamer, who also had a role here in this Province with the Lamer Inquiry. So we can talk about case law now shortly, but I want to come back to something the minister just said.

There are two acts in this Province that both say that the minister clearly has authority to speak to both forces – not about interfering with an investigation, but to talk to the heads of those police forces.

So I say to the minister: Why have you not used your authority as the Minister of Justice and spoken to the head of the RCMP on this matter?

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

**SOME HON. MEMBERS:** Hear, hear!

**MR. KING:** Mr. Speaker, I do not need to use authority to have a conversation with the police forces. I do not know why the member would insert that kind of language. I guess that is the way the Liberal Party would look at it – use authority to speak to people.

We establish collaborative relationships. I speak to members of various organizations that I am responsible for on a regular basis. I have not had a discussion about this particular issue. I do not see where I need to have a discussion about this particular issue. We have been very forthright with the facts as we know them

around what is transpiring and the process that is transpiring. Likewise, the RCMP has been public on at least one occasion. I suspect you will hear from them again as part of their responsibility to ensure that the public is aware of what it going on.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Burgeo – La Poile.

**MR. A. PARSONS:** Mr. Speaker, in 2000 the then Assistant Commissioner of the RCMP in this Province, Larry Warren, called in the OPP to investigate under the Reid shooting because he was so confident in his force that he felt it could withstand outside scrutiny. He invited it. This is established in Luther. It is established in Lamer. It is also established in the Braidwood inquiry from British Columbia.

I ask the minister, given that you have the authority, given that this has been done before, given that Judge Lamer himself talked about tunnel vision when police forces investigate their own, I say to you: Why have you, why has the Premier, not spoken to the head of the police to talk about this very serious matter?

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

**SOME HON. MEMBERS:** Hear, hear!

**MR. KING:** Mr. Speaker, I will repeat my message on how I see this once again. I will continue to repeat it if the member wants to keep asking questions. I will stand all day and repeat it.

I have every confidence in the RCMP and the parallel process with the independent judge following through on this particular investigation. I have the utmost confidence in our police services. If I did not, I would step aside as the Minister of Justice. That is my responsibility and I take that very seriously.

At the conclusion of this process we will assess, as the Premier has said here on any number of occasions, we will assess the outcome, assess whether or not we feel the public interest has been satisfied and that all the information that is

required to be made public has been made public. If we still have concerns then we will contemplate calling an inquiry, but I am not prepared to interfere in the meantime.

**MR. SPEAKER:** Order, please!

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Burgeo – La Poile.

**MR. A. PARSONS:** Mr. Speaker, inevitably there will be an inquiry into the death of Mr. Dunphy. The inquiry should be about the shooting and not about the investigation into the shooting.

Therefore, I ask the minister, I ask the Premier: Why do you continue to resist and refuse to do what is appropriate, what has been recognized in the past by multiple judges in this country, and give this investigation independent, outside oversight?

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

**SOME HON. MEMBERS:** Hear, hear!

**MR. KING:** Mr. Speaker, it is unfortunate that, first of all, the member's line of questioning for the past three or four days is calling totally into question the integrity and the honesty and the capability and professionalism of the RCMP police force here in this Province. That is very unfortunate. What is even more unfortunate today –

**AN HON. MEMBER:** (Inaudible).

**MR. SPEAKER:** Order, please!

**MR. KING:** – is that he has now taken that criticism and levelled it squarely on the shoulders of Judge David Riche who is independent of the police force and following a parallel process to ensure there is an independent oversight of the investigation.

I just think, Mr. Speaker, that the line of questioning that is happening around this incident is terrible for the House of Assembly to play politics with such a very sensitive matter. I

have been very clear that we will see this process through to the end. If it is in the public interest, we will call an inquiry, but we will decide that at the conclusion of the process.

**MR. SPEAKER:** Order, please!

**SOME HON. MEMBERS:** Hear, hear!

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

**MR. KIRBY:** Mr. Speaker, our teachers and our students took another hit last Friday –

**SOME HON. MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order, please!

**MR. KIRBY:** – when this government announced its latest round of teacher cuts. This comes after last Tuesday's Throne Speech and the promise to review K-12 education. So it is completely backwards.

I ask the Premier: Why are you cutting education before you review the system to see what changes are actually needed?

**MR. SPEAKER:** The hon. the Acting Minister of Education.

**SOME HON. MEMBERS:** Hear, hear!

**MR. DALLEY:** Mr. Speaker, I think everybody in the Province is well aware of the fiscal situation of the Province and the commitment that we would take a look at all things related to our Budget position. With respect to education, I am going to be clear for the people of the Province, our commitment, our value for education, and our unprecedented investment in education has been a priority for this government. I can tell you it will not change.

**SOME HON. MEMBERS:** Hear, hear!

**MR. DALLEY:** What we have done as a result of the exercise, Mr. Speaker, we have added one student to Grade 4-6, we have added two students to Grade 7-9, and we have added three students to multigrade classrooms trying to minimize the impact while we continue to make investments in education.

**SOME HON. MEMBERS:** Hear, hear!

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

**MR. KIRBY:** Mr. Speaker, prior to this latest round of teacher cuts, parents and educators were already raising red flags about educational outcomes in this Province in math and in other areas.

I ask the minister responsible: Has your department assessed what the impact will be on educational outcomes as a result of this latest round of teacher cuts? If so, can you please table those assessments?

**MR. SPEAKER:** The hon. the Acting Minister of Education.

**SOME HON. MEMBERS:** Hear, hear!

**MR. DALLEY:** Mr. Speaker, I acknowledge when I did the announcement, and certainly from my twenty years in the education system, I would content that any time we see reductions we obviously have to be concerned about the impacts as well.

Mr. Speaker, in our role in delivering the education system and how we pay for that education system, there are multiple issues to consider. Teacher allocations, special services, student assistants, transportation, infrastructure, and curriculum review, all of those aspects make up the entire education system.

The decisions we made here to minimize that impact, recognizing as well there are going to be approximately 200 teachers expected to retire this year, we think we are on a good track to continue to make the right investments in the full envelope of education.

**SOME HON. MEMBERS:** Hear, hear!

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

**MR. KIRBY:** I will take from that, Mr. Speaker, that the minister does not know what the impact will be.

Mr. Speaker, just a few hours after government announced it was cutting teachers, the President of the PC Party of Newfoundland and Labrador made comments about teachers that have been described as diminishing, disparaging, and belittling.

I ask the Premier: Is that how you regard teachers in this Province? Is the President of the PC Party representing your view when he takes shots like that at hardworking teachers in this Province?

**MR. SPEAKER:** The hon. the Acting Minister of Education.

**SOME HON. MEMBERS:** Hear, hear!

**MR. DALLEY:** Mr. Speaker, that is a cheap political tactic. I can tell you right now the value of teachers, and I can speak personally or I can speak on behalf of our government, the investments we have made in teachers, in their training, in their professional development and keeping units there, and a 28 per cent pay raise. The list goes on as to the investments we have made in our teachers and the value of our teachers to our education system.

I think everybody in the education system understands there is a formula for allocation, Mr. Speaker. The formula is applied, and there are times when there are changes. Last year we did not take units out. This year there is a slight reduction, but we have announced full-day Kindergarten and 142 units going back in the system next year.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** Order, please!

The hon. the Member for Virginia Waters.

**MS C. BENNETT:** Thank you, Mr. Speaker.

We have been advised that Mr. Leo Bonnell has been hired to help collect the one million dollars in pension overpayments that the minister announced a couple of weeks ago. Mr. Bonnell is a former bank manager for several of the pensioners and we understand he is asking people for their bank records, retirement income, and other personal financial sources of income.

I ask the minister: Is this true, and on what authority does Mr. Bonnell have to ask for all this confidential information?

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

**SOME HON. MEMBERS:** Hear, hear!

**MR. WISEMAN:** I am delighted the Member for Virginia Waters has addressed the credentials of Mr. Bonnell because he has had tremendous experience in working with people and their personal financial circumstance.

As I have said in this House and said outside, that the process we are going through to meet with each of these individuals to talk about their individual circumstance, because what we are talking about is a person's ability to repay an amount that they were overpaid. We need to understand their personal circumstance to determine what might be a reasonable level of repayment and how we would work within their budget to set up a repayment for the individual lives overpayments that they have. In the absence of financial information, we are not able to personalize their independent arrangements.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Virginia Waters.

**MS C. BENNETT:** Thank you, Mr. Speaker.

Mr. Speaker, what I am talking about is government's legal authority to collect.

I ask the minister: Can he advise this House if there were any underpayments to seniors identified as part of the audit that uncovered the overpayments he is now collecting? Does he expect any legal challenges as to the result of this audit?

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

**SOME HON. MEMBERS:** Hear, hear!

**MR. WISEMAN:** Mr. Speaker, I have no way of knowing what individuals may choose to do with respect to a legal challenge. Obviously,

individual citizens of Newfoundland and Labrador have a right, if they wish, to seek legal counsel on any relationship and any connection they may have with government. They will make their own decisions as to what they may do and the advice that they will get.

In fact, we have encouraged individuals, as they are talking through this issue, to have maybe family members accompanying them if they want to seek out some advice. We have had MHAs who have been in contact with the department on behalf of pensioners. I suspect, Mr. Speaker, that many of them will seek advice and guidance from a variety of people who they trust and respect. I would encourage them to continue to do so.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Carbonear – Harbour Grace.

**MR. SLADE:** Thank you, Mr. Speaker.

Mr. Speaker, last week the plant workers at Fortune publicly stated the operator, OCI, is not living up to its promise to provide 110 year-round jobs.

Are the workers at Fortune right?

**MR. SPEAKER:** The hon. the Minister of Fisheries and Aquaculture.

**SOME HON. MEMBERS:** Hear, hear!

**MR. GRANTER:** Mr. Speaker, it is a pleasure for me to stand in the House to address the question that is presented by the hon. member. Throughout this entire process from the people of the Fortune – in actual fact, I met with the union representatives last week here in my office in St. John's and listened to their story and their plight. I also met on a number of occasions with the company in the past little while. We are trying to find a resolution, a solution, for the people of Fortune and the people in that particular plant.

When we are dealing with the fisheries and fisheries issues, Mr. Speaker, it is not always easy solutions and easy answers. I sat down

with the union and union officials last week and we are working through it.

Thank you, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Carbonear – Harbour Grace.

**MR. SLADE:** Mr. Speaker, the workers over there were promised 110 full-time jobs. The Province did give up minimum processing requirements on that yellowtail that went out.

Mr. Speaker, when questioned last month about the status of the Fortune plant, the minister did not provide an answer.

I ask the minister: What has changed since last month when the minister would not provide an answer on this important issue?

**MR. SPEAKER:** The hon. the Minister of Fisheries and Aquaculture.

**SOME HON. MEMBERS:** Hear, hear!

**MR. GRANTER:** Mr. Speaker, there are a number of arrangements in place with OCI, the plant in Fortune, and the government. Our department is continuing to dialogue with the company. As I just said, as I stood on my feet a few seconds ago, continue the dialogue with the union, two-way communications between OCI, two-way communications between my department and the people of Fortune, Mr. Speaker. It is in the best interest of all of us to come to a resolution and to make sure that the people of Fortune are back to work at the OCI plant, Mr. Speaker.

The agreements give hope to the people of Fortune, Mr. Speaker, and we are going to hold OCI accountable to the promises that they made.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** Order, please!

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

**MR. OSBORNE:** Thank you, Mr. Speaker.

The ferry design packages for Bell Island and Fogo, Change Islands ferries were provided to all bidders to ensure that all yards would be bidding and delivering on the same design. Technical scores between the successful bidder, Damen, and the Chilean bidder were very close; in fact, the Chilean company has extensive experience building vessels for our Newfoundland and Labrador waters.

I ask the minister: How can you say that paying \$25.5 million more for these vessels is getting the best value for the people of the Province?

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

**SOME HON. MEMBERS:** Hear, hear!

**MR. BRAZIL:** Thank you, Mr. Speaker.

What I can say is we did not go with the least expensive bid here; we did not go with the most expensive. We went with the one in the middle from a financial point of view. Our financial assessment is 30 per cent of the overall matrix when we determine what asset it is that we want to invest the people's money with; 70 per cent of it is built on the technical ability for this vessel to do what we want it to do for the next twenty-five for the people of rural Newfoundland and Labrador.

Mr. Speaker, Damen Shipyards were much further ahead than the second proponent when it came to the technical advancements of this proposal. As a result, we are getting the best return for the taxpayers of Newfoundland and Labrador and being able to provide the best service for the people in rural Newfoundland and Labrador.

**SOME HON. MEMBERS:** Hear, hear!

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

**MR. OSBORNE:** Mr. Speaker, the former Minister of Transportation, the Member for Labrador West, said the contract amount of \$51 million per vessel included the tariffs. Last November in this House, the current minister said that the contract amount is what we will pay Damen and it is what the people of the Province

will be on the hook for. You said the federal government would waive the tariff.

I ask the minister: Was the \$25 million in tariffs accounted for in the federal Budget this year?

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

**SOME HON. MEMBERS:** Hear, hear!

**MR. BRAZIL:** Mr. Speaker, unlike the Opposition Party over there, we invest in rural Newfoundland and Labrador; we invest in people who live on islands in these great communities of ours, in this great Province.

What we have done is put out a budget that we know is respectful of the fact of the investment we are going to make for those people, Mr. Speaker. What I had mentioned in the House was I am optimistic that the federal government would waive those tariffs. We did a very diligent proposal to the federal government.

**SOME HON. MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order, please!

**MR. BRAZIL:** As of tomorrow morning at 8:00 o'clock, I will be meeting with the senior executives of the Canadian Ferry Operators Association, and one of the key discussions will be around tariff reductions for ferry users and those who manufacture in this Province. I will be making sure that the people of Newfoundland and Labrador get their due justice.

Thank you.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** Order, please!

The hon. the Member for Signal Hill – Quidi Vidi.

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

The Minister of Finance today announced a plan that will remove 1,420 positions from the public service sector through attrition and will eviscerate the delivery of services to people of

the Province. He is trying to solve a revenue problem through cutting the number of workers, because that is what is happening no matter how he wants to put it.

I ask the minister: Is this government looking at anything besides making decisions on the backs of the workers of this Province?

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

**SOME HON. MEMBERS:** Hear, hear!

**MR. WISEMAN:** Mr. Speaker, this government has a tremendous respect for the public servants who provide valuable services to Newfoundlanders and Labradorians. We want to make sure that whatever we do in readjusting the size of the workforce in Newfoundland and Labrador we do it in a way that ensures that we have capable, competent people providing key public services to all Newfoundlanders and Labradorians.

As we make change, we will make change in a way that makes sure that we always will have an effective public service doing great work. Attrition, over the next five years, we are able to make some change in the size of our public service in a very planned way, in a way that exercises some good judgement about how we deliver services and minimize the impact on those people who are working in the public service today.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Signal Hill – Quidi Vidi.

**MS MICHAEL:** Thank you, Mr. Speaker.

I ask the minister: What is his long-term plan for dealing with a diminishing revenue base in this Province besides diminishing the workforce?

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

**SOME HON. MEMBERS:** Hear, hear!

**MR. WISEMAN:** Mr. Speaker, on Thursday of this week, members of this House and the

residents of Newfoundland and Labrador will get a full understanding and a keen insight into our five-year plan. They will understand clearly that we have a vision for the future, we have an understanding of what circumstance Newfoundlanders and Labradorians find themselves in today, and we have a clear plan for where we are going and doing things in a planned fashion, very strategic, very instrumental in making sure that we continue to have a vibrant economy and we continue to have a bright future for all Newfoundlanders and Labradorians. People will see that on Thursday when the Budget is read in this House.

**SOME HON. MEMBERS:** Hear, hear!

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

**MS ROGERS:** Mr. Speaker, the minister presents attrition as if it a benign concept; losing 1,400 jobs by attrition means losing 1,400 actual employment opportunities for young Newfoundlanders and Labradorians.

How can the minister reconcile today's announcement with a Province's youth retention strategy?

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

**SOME HON. MEMBERS:** Hear, hear!

**MR. WISEMAN:** Just so we are clear, the Leader of the Third Party talked about revenue, the Leader of the Third Party talked about where we are going, and clearly, Mr. Speaker, we need to readjust the course.

**SOME HON. MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order, please!

**MR. WISEMAN:** We need to readjust the course. We need to understand that the reality of today is not what it was five or ten years ago. So, we are going to be readjusting the size of the public service, but we want to do it in a way that does not create tremendous disruption. If we were to make a massive change by laying off people, who goes through the door? The most junior people. The people who just started

within the last four or five years. We do not want to disrupt the lives of these young Newfoundlanders and Labradorians who have chosen a career in the public service because they think it is a wonderful place to work.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** Order, please!

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

**MS ROGERS:** Mr. Speaker, has government done an evaluation of the impact of the cuts from the last workforce adjustment to the core public service in 2013, which is still being felt?

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

**SOME HON. MEMBERS:** Hear, hear!

**MR. WISEMAN:** Mr. Speaker, back in 2013, when there was close to 400, or a little over 400 layoffs in the public service, the same members opposite stood and criticized government of that day for laying people off in a cruel fashion.

Here we are today, Mr. Speaker, suggesting that we need to make a further adjustment in the public service, but we are going to do it in a planned fashion over a five-year period through attrition. Now that is not favourable, I say, Mr. Speaker. So I guess if you were to go about making an adjustment in your workforce, you have two options. You can lay people off, you can do it through attrition. I do not know a third way, but if the member has a third option stand and share it with us.

**SOME HON. MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order Please.

The time for Question Period has expired.

Presenting Reports by Standing and Select Committees.

Tabling of Documents.

**Tabling of Documents**

**MR. SPEAKER:** Pursuant to section 8 and section 10 of the Public Tender Act, I hereby table the Report of Public Tender Act Exceptions for the month of December, 2014, as presented by the Chief Operating Officer of the Government Purchasing Agency.

Further tabling of documents?

Notices of Motion.

**Notices of Motion**

**MR. SPEAKER:** The hon. the Member for Labrador West.

**MR. MCGRATH:** I move, seconded by the Member for Port au Port, for a private member's resolution:

WHEREAS the people of Newfoundland and Labrador deserve to be served by the most progressive Legislature in the country; and

WHEREAS greater effectiveness and efficiency can be achieved by the Legislature in its service to the people of the Province; and

WHEREAS modernizing procedures would allow for greater involvement of all MHAs in the legislative process;

BE IT RESOLVED that this hon. House supports the reforms of the House championed by the Premier and outlined in the 2015 Speech from the Throne, which include "enhancing the roles of individual Members, reviewing the compensation of Members who hold special positions in the legislature, reviewing MHA pensions, reducing the number of seats and opening the legislation to greater scrutiny."

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

**MR. KING:** Thank you, Mr. Speaker.

The private member's resolution just read in would be the one that we will debate here this coming Wednesday, April 29.

**MR. SPEAKER:** Further notices of motion?

Answers to Questions for which Notice has been Given.

Petitions.

**Petitions**

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

**MS ROGERS:** Thank you very much, Mr. Speaker.

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

WHEREAS the Family Violence Intervention Court provided a comprehensive approach to domestic violence in a court setting that fully understood and dealt with the complex issues of domestic violence; and

WHEREAS domestic violence continues to be one of the most serious issues facing our Province today, and the cost of the impact of domestic violence is great both economically and in human suffering; and

WHEREAS the Family Violence Intervention Court was welcomed and endorsed by all aspects of the Justice system including the police, the courts, prosecutors, defence counsel, Child, Youth and Family Services, as well as victims, offenders, community agencies and women's groups; and

WHEREAS the recidivism rate for offenders going through the court was 10 per cent compared to 40 per cent for those who did not; and

WHEREAS the budget for the court was only 0.2 per cent of the entire budget of the Department of Justice;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge government to reinstate the Family Violence Intervention Court.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, I am sure some people might be shaking their head saying: why is she standing presenting this petition when the Speech from the Throne actually mentioned that the Family Violence Intervention Court will not only be reinstated but also that it will be expanded to other parts of the Province? Because we know, Mr. Speaker, how important it is for the voice of the people of the Province of Newfoundland and Labrador to be heard. We have heard them loudly. We on this side of the House have certainly heard them loudly. It has taken government a much longer time to hear them.

Mr. Speaker, the reason I stand and speak to this petition today is because it is important. It is important to register what were the aspects and the key elements of the Family Violence Intervention Court that made it so effective, that made it so important, and why the recidivism rate dropped so drastically for those who went through the court. It is because of all the supporting programs that were part of the Family Violence Intervention Court.

Mr. Speaker, I will continue to stand and present this petition on behalf of the people of Newfoundland and Labrador until we get a clear idea as to whether or not the court that this government is now talking about reinstating and expanding will not be just a shadow of what we knew of the Family Violence Intervention Court, but that it will be a court again that has a full, comprehensive court with wraparound services. Those, in fact, were the reasons the court was successful and that the recidivism rate had dropped.

Thank you very much, Mr. Speaker.

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

**MS DEMPSTER:** Thank you, Mr. Speaker.

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

WHEREAS Route 510 from L'Anse au Clair to Red Bay is in deplorable condition and requires immediate upgrading; and

WHEREAS the condition of the highway is causing undue damage to vehicles using the highway and is a safety hazard for the travelling public; and

WHEREAS both residential and commercial traffic has increased dramatically with the opening of the Trans-Labrador Highway and increased development in Labrador; and

WHEREAS cold patch is no longer adequate as a means of repair;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge the Government of Newfoundland and Labrador to immediately allocate resources to Route 510 from L'Anse au Clair to Red Bay that allows for permanent resurfacing of the highway.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, the signatures on my petition today are from Cartwright, which is the most northern community in my district. That is because even though the pavement that I am talking about extends from L'Anse au Clair to Red Bay, the people of Cartwright, just like the people in Southeast, the people in Lab West, and the people in Lab Central all travel on that section of the highway to get to the ferry and in The Straits for medical needs.

Mr. Speaker, the petition says the highway is in a deplorable condition. That is putting it extremely mildly. The road is an absolute mess. It is a huge safety issue. There are large sections of the road that you cannot even see any pavement. There is a section of the highway that you cannot ride on anymore so the school bus is pulling into private property.

Mr. Speaker, make no mistake about it, it is just a matter of time and it is going to be a serious accident. We have a Budget that is coming out this week. If there are funds being allocated according to need and there is a place in the Province of Newfoundland and Labrador that

has a worse section of road with almost forty-year-old pavement, I would invite the minister to tell me where that is.

As I have said before, I invite him to come into the district and to drive this road. It is absolutely atrocious, the whole road in the district. The asphalt tender for Red Bay North have not yet been called. We have trucks, big pickup trucks, that are actually striking their bottom. I am surprised that the entire thing have not been shut down.

I will continue, Mr. Speaker, if the life of pavement is twenty years old and this is an almost forty-year old road, it is time that we start getting serious about the safety of the travelling public, and I will continue every opportunity I get to present this petition on behalf of the people who drive the road.

Thank you.

**MR. SPEAKER:** The hon. the Member for Carbonear – Harbour Grace.

**MR. SLADE:** Thank you, Mr. Speaker.

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

WHEREAS the speed limit is 100 kilometres an hour on Veteran's Memorial Highway; and

WHEREAS traffic entering and exiting Veteran's Memorial Highway is often heavy at Jamie's Way intersection; and

WHEREAS because of many heavy traffic turning left onto Jamie's Way having to cross traffic that is travelling 100 kilometres an hour and higher, creating potential for a serious accident;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge the Government of Newfoundland and Labrador to reduce the speed limit on Veteran's Memorial Highway in the area of Jamie's Way to seventy kilometres an hour.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, there are people after signing this from Bay Roberts, Riverhead, Harbour Grace South, as far as Corner Brook because they are after feeling the sting of that section of highway.

Going down that road there now – and when you go to the northeast, towards Carbonear, the signs on one side of the highway says seventy kilometres an hour, and it is from that right to the Columbus Drive intersection by Canadian Tire. Mr. Speaker, there needs to be consistency there. Of course when you are heading, we say, towards Harbour Grace and this intersection is up above that – and not only there, Mr. Speaker, like anywhere on that highway where you have ramps coming off from towns and one thing and another, it should be considered probably a mile back or whatever the case may be to reduce it until they get to the other side of it and gets a little bit further on.

We certainly do not want to have any accidents or anything in that area which would cost life or whatever –

**SOME HON. MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order, please!

**MR. SLADE:** Mr. Speaker, I have to say, I did speak to the minister coming in today and he assured me that it is being looked at, so I thank the minister for that. It is all about the safety of the people in the Province of Newfoundland and Labrador.

Thank you very much.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Humber East.

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

WHEREAS the 2009 Throne Speech clearly states that government has provided free textbooks to students; and

WHEREAS this is an investment in education;  
and

WHEREAS unfortunately students attending  
independently funded schools have been  
deprived of equal access to this assistance; and

WHEREAS the Department of Education is  
perceived to show discrimination towards  
parents who exercise a choice of schooling for  
their child; and

WHEREAS all schools operate under the  
guidelines of the Schools Act;

WHEREUPON the undersigned, your  
petitioners, humbly pray and call upon the  
House of Assembly to urge the Government of  
Newfoundland and Labrador, beginning  
immediately, to ask the Department of  
Education to provide free textbooks to all  
students who attend any school that follows the  
requirements of the Schools Act, 1997  
(amended) Chapter S-12.2.

As in duty bound, your petitioners will ever  
pray.

Dated February 20, 2015.

Mr. Speaker, the four previous petitions that I  
have entered into this Assembly from the  
District of Corner Brook, Humber East, have  
basically not been acted upon by this  
government. Now that the Minister of  
Education is not in the House today, maybe I  
can imply the importance of the acting minister  
to act upon this petition that has been presented.

Students have really, in my view, been  
discriminated about in these private schools, and  
I am asking that the government take a serious  
look at it for the investment that we are talking  
about here. I am asking the government to  
seriously look at the discrimination that they are  
giving to children across this Province attending  
private schools.

In addition, the government does pay for school  
books that people do at home schooling, and I  
am asking the government to include at this  
point members who decide to send their children  
to privately funded schools.

Thank you, Mr. Speaker.

**MR. SPEAKER:** Order, please!

Orders of the Day.

**Orders of the Day**

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

**MR. KING:** Thank you, Mr. Speaker.

I ask leave to introduce a bill entitled, An Act To  
Amend The Canada-Newfoundland And  
Labrador Atlantic Accord Implementation  
Newfoundland And Labrador Act, Bill 2, item 1  
on our Order Paper. I so move that the said bill  
be now read the first time.

**MR. SPEAKER:** Order, please!

It is moved and seconded that the hon. minister  
shall have leave to introduce a bill entitled, An  
Act To Amend The Canada-Newfoundland And  
Labrador Atlantic Accord Implementation  
Newfoundland And Labrador Act, Bill 2, and  
that the said bill be now read a first time.

Is it the pleasure of the House that the minister  
shall have leave to introduce Bill 2 and that the  
said bill be now read a first time?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

Motion, the hon. the Minister of Natural  
Resources to introduce a bill, "An Act To  
Amend The Canada-Newfoundland And  
Labrador Atlantic Accord Implementation  
Newfoundland And Labrador Act," carried.  
(Bill 2)

**CLERK:** A bill, An Act To Amend The  
Canada-Newfoundland And Labrador Atlantic  
Accord Implementation Newfoundland And  
Labrador Act. (Bill 2)

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

When shall the bill be read a second time?

**MR. KING:** Tomorrow.

**MR. SPEAKER:** Tomorrow.

On motion, Bill 2 read a first time, ordered read a second time on tomorrow.

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

**MR. KING:** Thank you, Mr. Speaker.

I now call from the Order Paper, Motion 3, An Act To Amend The Work, Services And Transportation Act, Bill 4. I move, seconded by the Minister of Transportation and Works, that the said bill be now read the first time.

**MR. SPEAKER:** It is moved and seconded that the hon. minister shall have leave to introduce a bill entitled, An Act To Amend The Work, Services and Transportation Act, Bill 4, and that Bill 4 be now read a first time.

Is it the pleasure of the House that the minister shall have leave to introduce Bill 4 and that the said bill be now read a first time?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

Motion, the hon. the Minister of Transportation and Works to introduce a bill, "An Act To Amend The Work, Services And Transportation Act," carried. (Bill 4)

**CLERK:** A bill, An Act To Amend The Work, Services and Transportation Act. (Bill 4)

**MR. SPEAKER:** This bill has now been read a first time. When shall the bill be read a second time?

**MR. KING:** Tomorrow.

**MR. SPEAKER:** Tomorrow.

On motion, Bill 4 read a first time, ordered read a second time on tomorrow.

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

**MR. KING:** Thank you, Mr. Speaker.

This time I call from the Order Paper, Order 2, second reading of a bill, An Act To Provide The Public With Access To Information And Protection Of Privacy, Bill 1.

**MR. SPEAKER:** We shall resume debate on Bill 1. I recognize the Member for St. John's North.

**SOME HON. MEMBERS:** Hear, hear!

**MR. KIRBY:** Thank you, Mr. Speaker.

Mr. Speaker, I am really happy to be able to have an opportunity to speak on government's bill to repeal Bill 29, An Act to Provide the Public with Access to Information and Protection of Privacy. Sometime back, I am not sure how many years ago, the Bank of Canada stopped printing the \$1 million bill. Most people, because it has not been in circulation or because they do not have the means –

**SOME HON. MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order, please!

**MR. KIRBY:** – because most of us do not have \$1 million do not know what a \$1 million bill looks like.

Mr. Speaker, there it is there, the \$1 million bill. Well, it is actually \$1.1 million because that is what it cost – \$1.1 million – for this government to repeal its own legislation that they were told time and again. For an entire week with basically very little recess, we sat here in the House of Assembly of Assembly and debated Bill 29. I am going to get into some of the details, but we were told time and again this was an improvement. It was going to actually make more information available to people.

Then when the former Premier, interim Premier, Mr. Marshall saw the error of their ways, he had to go out and pay \$1.1 million to get this bill to repeal Bill 29. I just say from the beginning, while I think it is absolutely ludicrous that they have to spend that kind of money to repeal your own legislation, I am happy that government is finally repealing Bill 29 because that was the wrong way to go.

I want to talk a little bit about the debate. I was reading this morning from the press release –

**SOME HON. MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order, please!

**MR. KIRBY:** – that the minister responsible for this sent out – was it last week or the week before – about this bill to repeal Bill 29. I listened intently to his opening remarks last week. I could not believe – I actually wrote down on my paper here. I said it is hard to believe that the minister can stand there and make those comments with a straight face. It was hard to believe that he could, with a straight face, make those comments. If you look back at what that minister said during the debate, it is like you are in the twilight zone or something, it is bizarro world. What he said back then about Bill 29 was completely contrary.

**AN HON. MEMBER:** Tell us what he said.

**MR. KIRBY:** I will tell you a few things he said. On June 11, 2012, during the filibuster he said, “The primary goal and the primary focus of the Access to Information and Protection of Privacy Act” – that is Bill 29 – “is openness, transparency, and accountability. Our government is committed to this, Mr. Speaker.”

Now, I know a lot of people in the public have busy lives. They have jobs and mortgages and kids. They are caring for their elderly family members and they are working. They have all kinds of sorts of things to do and they probably did not get to examine in detail the deliberations of the Bill 29 repeal committee that government had basically review the legislation but they absolutely shredded Bill 29, as government is doing this week in the House of Assembly. They absolutely shredded it. They said it was

absolutely contradictory to the notion of openness, transparency, and accountability.

Hansard, the official record of the House of Assembly, is filled with statements like that from the minister who entered this bill, who moved this legislation in the House of Assembly. It is filled with those sorts of comments from the government side that talked about their commitment to openness and transparency, and how this Bill 29 was somehow demonstrative of that. It was proven. It was shown during the debate by – well, the media pointed this out. Various experts in the area of access to information pointed this out. The Opposition parties pointed this out. Former politicians who sat in the House of Assembly pointed this out. It was pointed out time and time again, during the filibuster and since.

I actually requested that an Access to Information request be made around correspondence that came into the Premier’s Office when Premier Dunderdale was sitting over there, correspondence that came into the Premier’s Office about the bill. That correspondence was subsequently reported on and editorialized, and it was absolutely scathing. People in the general public who generally are not tuned in most of the time – they admitted it themselves to this sort of thing – were absolutely outraged. They wrote to the Premier saying: Don’t do this, it is a bad idea. Everything from that to: I will not support the PC Party in the next election just based on this alone. That Access to Information request is available on the government website and it is very interesting.

If there was one thing that happened out of this, because you always have to try to look on the bright side, as hard as it is sometimes you have to try and find a kernel of good in something that is so wrongheaded and bad. The one thing that government did here was it awoke people. It tuned people into the sort of shenanigans that has been going on without people really being aware of it. It tuned people into the fact that access to information is one of the cornerstones of our democracy. Your ability to know, to get information, and all sort of things; in terms of our ability to advocate as citizens, not politicians, your ability to advocate on behalf of your family members, yourself. It is really

important to be able to access information to be able to do that.

This is a really important piece of legislation that government is putting forward here now repealing Bill 29, because after almost two years they finally saw the light. It is unfortunate they had to pay \$1.1 million to engage people to do that, but it is important that this is being done.

During the filibuster – and this was my first experience with this sort of legislative process – the Official Opposition put forward a total of seven amendments. There were seven amendments put forward to the legislation. People will remember there was one clause, clause 6, that we actually spent more than a day here, consecutive hours, debating this clause, clause 6. In total, the Official Opposition put forward seven amendments to the legislation to try and persuade government not to go forward with the legislation, to change it and to make improvements because this was going in absolutely the opposite direction.

The current Premier of the Province had a number of things to say about this, which are very, very consistent with what the Deputy Premier said. He said: I am going to tell you, this is not a bad piece of legislation. It is tightening up some of the process that occurs. Tightening up! You could not tighten it up any more than the way Bill 29 tightened things up.

The Centre for Law and Democracy, which was lampooned by the government members, made fun of, denigrated, diminished. They completely put down the organization. They said at the time this would absolutely make us one of the worst jurisdictions in the world – not in Canada, not in North America, not in the OECD or the G20, one of the worst jurisdictions in the world in terms of access to information. We will carry that for certain for some time, for about two years almost. By the time this legislation is debated here in the House of Assembly, is passed, gets third reading, receives Royal Assent, it will be almost two years that we had some of the worst access to information legislation anywhere in the world.

At the time, government said well, no one really cares about this stuff anyways, which really was proven to be wrong by the outcry. I remember

being here in the middle of the night and looking up at the public gallery, which we had not seen anything like it since, I do not think – maybe occasionally on Budget day we have seen something similar – so many people coming into the House of Assembly to watch the proceedings, to try to demonstrate themselves that this was an outrage, it was the wrong direction to go, and that this legislation should not be put forward and rammed through the House of Assembly. Of course that is what was done.

We received emails, telephone calls, and all sorts of contacts from the general public like we never did before. People who generally were not political at all, as I said, became tuned into the political process.

The CBC had a poll that said, “The government plans to invoke closure on the access to information debate.” That was when government was basically forcing an end to the debate over the wishes of the public and the Opposition. Mr. Speaker, 24 per cent of the people said, “The government is unfairly stifling debate.” Another 57 per cent said that the debate should continue and that the changes were unacceptable. That is what the CBC poll turned up.

There was another poll done by CBC that said, “What do you make of the filibuster over access to information law changes?” Mr. Speaker, 80 per cent of the people who responded to the poll said proper thing, I am opposed to it.

The CBC did an additional poll. It said that, “The Tories have proposed sweeping changes to provincial access to information laws.” Mr. Speaker, 69 per cent, almost 70 per cent, of the people said I do not agree with these changes, access to information should not be restricted. Another 15 per cent said, “Predictable. The longer a party is in power, the more likely access will be restricted.” That is what people said.

The local media was unanimous. I cannot find and I cannot recall a single instance where the media or anybody who was an opinion leader, or a municipal leader, or a political leader other than the government, other than the members of the government, the MHAs who sit on that side of the House – there was not a single instance

where anyone said that they supported the changes at all. It was overwhelmingly negative, whether that was CBC or VOICM – a lot of people know about the Question of the Day on VOICM's website – the vast, vast, vast majority of the people were completely and utterly opposed on Facebook and Twitter and other social media. It was an amazing amount of feedback to the government, to government members, the ministers, members of the Cabinet, to the Premier of the day, an amazing number of people, and public outcry that ensued.

The government said oh well, it is basically trying to tighten things up because the Opposition parties and the media are always putting these requests in for information that are – I am not sure what term they used –

**AN HON. MEMBER:** Fishing expeditions.

**MR. KIRBY:** – fishing expeditions and so on. I cannot find it in my notes here now, but basically when it was truly told, when it came out was that there was actually very few Access to Information requests – very few. People were talking about there were hundreds and thousands of all these requests that were clogging up the work of government. That was not the case at all.

There were very, very few Access to Information requests in the run of a week across I believe what was at that time about fifteen departments of government. Very few requests for information, yet government sought to portray the public's interest in information, in gaining information, as somehow nefarious, and there are all sorts of terms thrown around about how more or less people were just doing this to be – the term eludes me now, but more or less doing this to waste people's time. It certainly was not being done for that.

**MR. MURPHY:** Frivolous and vexatious.

**MR. KIRBY:** Yes, frivolous and vexatious. There you go. Thank you to the Member for St. John's East for reminding me. Frivolous and vexatious – I do not know how many times I heard those terms said here in the House of Assembly. It is a wonder we all do not have nightmares in the middle of the night – frivolous and vexatious – because it was constant. There

was relatively little frivolous about these requests, and relatively little that was shown to be vexatious – that it was being done out of spite somehow to waste government's time.

I will never forget when we first all came into the House back in 2011, one of the first things that government did, even before this legislation came into effect, was to force members of the Opposition to contact their political assistants in order to advocate on behalf of our constituents. Not only did that process slow things down, sort of prevent us to pursuing help for our constituents in the most expeditious way possible, it also forced members of the Opposition to force our constituents to share their personal information with the political assistants of ministers in order to get them help with everything from Income Support to job information, to housing information to the help for their loved ones who were in hospital. You think that somebody is in the hospital or somebody is in a life or death situation and you are forcing members of the Opposition to jump through hoops in order to get help for them, I mean talk about frivolous and vexatious, that is what is vexatious.

To put people's health on the line, I mean it made absolutely no sense. Then we would make requests for information and you get back these sheets of all toner, absolutely – and I could hold some of them up but I know I am not allowed to use props so I will not, but sheets of toner.

The Member for The Straits – White Bay North talked the other day about how he was in the elevator and there was six cases of toner going up to the fourth floor. I mean, they would have to be bringing that in on a regular basis to get the amount of toner. Then we started giving this stuff over to the media so what did the minister do? The minister changed the rules so that instead of giving you twenty pages all blacked out with toner, they would say pages 23 to 43 are missing, or are not to be disclosed.

So they tried to hide the fact that they are blacking out all the information by just giving you one sentence saying oh, twenty pages are not to be disclosed. When this filibuster began – and I have to admit, I was fairly naive as to how this all was going to go. When this began, the Government House Leader who is the

Government House Leader today said that the House would have all the time you wanted, if you want to debate this until the cows come home; you would be here all summer somebody said at one point. The Premier said you have all the time you want to debate Bill 29. If that is what the Opposition parties want to do, because they are only wasting time, you can have all the summer to do this then that would happen.

Then, in the middle of the debate, once the public started to tune in that this was going to basically restrict access to information, do the exact opposite, it was like something Orwellian – it was absolutely a play out of Stephen Harper’s playbook where they more or less name a piece of legislation, the absolute opposite of what it actually is going to accomplish.

In the middle of all of that – and like I said, we had the Centre for Law and Democracy saying this and municipal leaders were starting to tune in to it and all sorts of people from across the Province were starting to tune in to it. Once all of that started to coalesce and the galleries were filling up and there was outrage on Open Line and outrage on all the websites and the Premier was getting all the emails and members of the Opposition were getting all of these emails, then the government changed their mind. They said oh, this has gone too far now. They shut it down. They used a very rarely used legislative process, a technique called invoking closure in order to shut it down. They were going to shut down the debate on Bill 29 because it was getting too far. Everybody was starting to find out what was actually going on.

I think it was, again, indicative of the overall process because we had a bill that was intended to restrict public access to information, to hide government decisions, the nature of the decisions, all the information that led up to it, briefing books that were provided to Cabinet ministers, correspondence the government had, legislation that was going to cloak all of that in secrecy. I think the Member for St. Barbe called it the official secrets act. Once all of that sort of started to become obvious, the government did the most secretive thing they could have done, which was to shut down the debate, shut down our democratic process, shut people up, and stop

the debate because people were finally finding out.

I could go on, Mr. Speaker, but I am happy that government is finally repealing Bill 29. We asked you to repeal Bill 29. The Leader of the Opposition was the only Opposition leader to present to the commission on this.

**SOME HON. MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order, please!

**MR. KIRBY:** He said he would repeal it and now you are repealing it.

Thank you, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** Order, please!

The hon. the Government House Leader.

**MR. KING:** Thank you, Mr. Speaker.

I give notice, under Standing Order 11, I shall move that the House not adjourn at 5:30 p.m. on Tuesday, April 28, 2015.

Further, I give notice, under Standing Order 11, I shall move that the House not adjourn at 10:00 p.m. on Tuesday, April 28, 2015.

**MR. SPEAKER:** Order, please!

The notice is received.

The hon. the Member for Bonavista South.

**SOME HON. MEMBERS:** Hear, hear!

**MR. LITTLE:** Thank you, Mr. Speaker.

I am delighted to rise in the House of Assembly to speak on Bill 1. I would like to thank the Office of Public Engagement and the officials who actually gave a briefing to members on all sides of the House of Assembly, Mr. Speaker.

At this time I would also like to say the Minister Responsible for the Office of Public Engagement is certainly doing an outstanding,

excellent job on behalf of the people of Newfoundland and Labrador.

**SOME HON. MEMBERS:** Hear, hear!

**MR. LITTLE:** Also, I would like to take this opportunity to commend the work of the Committee, the three-member Committee. There was an enormous amount of expertise on that Committee, and it brought forward very important information that is in Bill 1 – the bill that I am about to speak on – An Act to Provide the Public with Access to Information and Protection of Privacy.

I listened to the previous speaker and I listened to speakers last week, and I have heard some positive discussion around Bill 1 and I have heard some negative discussion coming from the Opposition around Bill 1. I would like to rebut some of the comments that the previous speaker made on the opposite side. I listened to the previous speaker very attentively, and the justification lies in the fact that all Newfoundlanders and Labradorians know they have a government that is committed to openness and has the utmost respect for the protection of their personal information.

Furthermore, Newfoundlanders and Labradorians can take pride and comfort in the fact that they can rely on an access to information and privacy protection system that is second to none – second to none, Mr. Speaker. It is difficult to put a price tag – and the previous member talked about a price tag. When we are talking about privacy protection and access to information, there should not be a price tag on such an important item that is very important to all Newfoundlanders and Labradorians – especially on that type of security and comfort. We all know that we need protection and there should not be price tags put on that type of bill that we are talking about here today, Mr. Speaker.

I say it to the member opposite also, it was this government that created the Office of Public Engagement with a specific mandate to increase access to government information, and focus on engaging with the public and community stakeholders. I have noticed the minister responsible for this particular department on a number of occasions has definitely engaged with

the public in Newfoundland and Labrador, and he will continue to engage with the public in Newfoundland and Labrador, people of all ages as a matter of fact.

This approach led to the launch of our Open Government Initiative in 2014. The initiative is much broader than just simply providing more information to people. It also focuses on making information and data more accessible, proactively releasing information, engaging the public, and providing meaningful opportunity for dialogue and collaboration between government and the public, Mr. Speaker. That is what this government is all about.

In addition, the member opposite quoted CBC and what went on in the media in relation to a previous bill back in the past. We are talking about Bill 1 here today in the House of Assembly. New access to information changes makes Newfoundland and Labrador a world leader. What a statement to be made on CBC April 27.

“A staff member of the Centre for Law and Democracy is praising recommended changes to Newfoundland and Labrador’s access to information legislation.” A legal officer with the centre “said the changes will make the province a world leader when it comes to access to information.” “These recommendations are a huge step forward, and a hugely progressive move.” He said that on a CBC interview, Mr. Speaker.

“This would put Newfoundland and Labrador as certainly the best jurisdiction in Canada, and I believe probably the best jurisdiction amongst established democracies as well.” So we are moving forward. We are very progressive with this particular bill, Bill 1 that is being discussed in the House of Assembly today.

I am very pleased to speak to this bill today, a bill which contains significant improvements to the Access to Information process. Through this bill we seek to increase transparency across government and strengthen the democracy process in our Province. We want to have world-class legislation on Access to Information that includes a first-rate approach to customer service and a process that is fast, fair, engaging, and low cost all at the same time.

This bill contains substantial reductions in the cost of ATIPP requests to applicants which are reflected in the new fee schedule that government released earlier this month. Where possible, government has been implementing recommendations made by the committee prior to the proclamation of this bill.

For example, the new fee schedule has removed the \$5 application fee for an ATIPP request. This allows anyone to make a request regardless of their economic situation. In addition, the number of free hours an applicant receives for processing a request has increased substantially.

In the 2012 amendments to the fee schedule, government doubled the free time that applicants receive by providing them with four free hours rather than two free hours they had previously had. Now based on recommendations from the review committee we have expanded free time that applicants receive from local government bodies, such as municipalities and cities, to ten free hours. The free time for other public bodies has also increased to fifteen free hours.

This particular part of the legislation certainly will help out the different municipalities all over Newfoundland and Labrador, Mr. Speaker. I actually served on a municipality in the Town of Bonavista for years and years, fourteen years to be honest, and this piece of legislation includes the needs of the municipalities and cities around Newfoundland and Labrador.

This is a good step forward, a very progressive step forward, Mr. Speaker. This government listened to the municipalities, MNL, and listened to the different cities in Newfoundland and Labrador in relation to improvements on this particular piece of legislation, Bill 1.

While fee estimates under the old fee schedule were limited, the new fee schedule will see an even further reduction in the number of requests where fees are required to be paid. This will ensure that the information is provided without cost in the majority of cases.

I am extremely pleased to see that the committee took into account the limited budgets that many municipalities in this Province have. To improve the process of municipalities, the committee suggested providing ten free hours

for applicants who make a request to local government bodies rather than fifteen free hours other public bodies are required to provide. This balances the rights of the applicant to receive information with limited fees while also ensuring that municipalities are not unduly affected by the financial implications of processing an ATIPP request.

Mr. Speaker, this bill also seen a reduction in the type of cost that a public body can charge an applicant. Specifically, public bodies can only charge for the time it takes to locate records rather than the time it takes to locate, review, and survey records.

Furthermore, this bill expands on the current regulation which allows applicants to request a fee waiver where fees would cause unreasonable, financial hardship. Applicants can also request a fee waiver for a request if it is in the public interest to disclose the records. While fee estimates were infrequent prior to the changes to the fee schedule, this bill will ensure that applicants are charged for requests in even fewer circumstances than before and ensure the costs are not a barrier to information.

From all aspects, this particular bill, Bill 1, will allow different bodies, different organizations, and people in general, an opportunity to have access to information, which is a very productive and progressive type of legislation; a type of legislation that we will definitely be able to look at for years to come and say we made the right decision in this House of Assembly as a government.

I honestly believe the Opposition and the Third Party will support this legislation. This is good legislation, Mr. Speaker, legislation that is important to different bodies all over Newfoundland and Labrador. When I say bodies, I talk about municipalities, I talk about individuals, and I talk about organizations and so forth. With a very progressive piece of legislation like this, we can certainly be honoured to be able to stand in the House and speak to this type of legislation.

In addition to reducing costs of applicants, Mr. Speaker, this bill will provide applicants with the opportunity to request in what format they would prefer to access records. For example, if

an applicant wants records in an Excel spreadsheet versus a PDF document, it is possible for the public body to do so. They will be required to provide records in Excel format, or if the applicant wants the records in electronic format rather than paper, the public body must provide the electronic copy when possible. While public bodies have provided applicants with records in the format requested before, under this new bill it will be a requirement to do so whenever feasible.

The bill also puts increased emphasis on a public body's duty to assist the applicant to ensure that the applicant is more involved in the process and kept informed through every stage. In fact, this bill will require public bodies to keep applicants informed of the status of their request. This will be accomplished through a required advisory response detailing the status of a request and indicating any expected delays, possible fees, and any other circumstances that may impact the request. This advisory response must be provided to the applicant within ten business days of the public body receiving the request. We believe this increased communication and duty to assist will lead to greater satisfaction by those who request information.

In addition to the increased emphasis on the duty to assist applicants throughout the ATIPP request process, Bill 1 will require the protection of the name of the applicant and applicant type. While it is already common practice for government departments to protect the name of the applicant, the inclusion of this requirement in the legislation will ensure the applicants are confident that their personal information is protected, Mr. Speaker. That is very important, protection of personal information.

Mr. Speaker, this government has worked diligently to improve timelines for responding to Access to Information requests. Since August of 2013, government departments have responded to 97 per cent of requests within the legislative time frame. Currently, public bodies have thirty calendar days to respond to a request, with the ability to extend the timeline for an additional thirty days under limited circumstances. In addition, they can request additional time from the Office of the Information and Privacy Commissioner.

Once this bill is passed, the time to respond to a request will be reduced. Responses must be provided within twenty business days rather than thirty calendar days, and public bodies will no longer be able to unilaterally extend a request. They will now be required to request an extension from the Office of the Information and Privacy Commissioner.

Mr. Speaker, government does not see these new time limits as an obstacle. While getting used to the new timelines may take a bit of time, government is committed to continue to meet legislative timelines and is committed to working with the Office of the Information and Privacy Commissioner to ensure the process for requesting an extension is seamless.

Furthermore, Mr. Speaker, I would like to note that this new bill will also see changes to the time frame in which reviews conducted by the Office of Information and Privacy Commission must be completed. They will now be required to complete any formal investigations within sixty-five business days. The bill also puts restrictions on how long informal reviews can take. Government has always appreciated the efforts the Commissioner's office puts into resolving matters between public bodies and applicants informally. If a decision by government is under review with the Commissioner's office, we will work with them to ensure that their timelines are met and that matters can be resolved informally, where possible.

Mr. Speaker, the bill contains changes that emphasize fairness and oversight of the process. Under this bill, the name of an applicant will only be known to the person who receives a request. This ensures that requests will be treated the same regardless of who submitted the request; and, finally, in situations where a public body has reason to believe a request is frivolous, vexatious, or repetitive they will need to apply to the Privacy Commissioner for approval to disregard the request. These oversights strengthen the fairness of the process, Mr. Speaker.

This bill will contain significant improvements to ATIPP process and will improve customer service by reducing timelines, reducing or eliminating costs, and making the application

process more convenient. It will also strengthen and enshrine in the legislation requirements to assist applications, keep them informed throughout the process, and safeguard the fairness and impartiality of the process.

Mr. Speaker, the information in this bill, this legislative framework, speaks for itself. This is a very progressive piece of legislation that certainly will help improve the customer service of people of Newfoundland and Labrador in relation to access to information and, in particular, privacy.

Thank you very much for allowing me the time to speak on this very important piece of legislation, Mr. Speaker.

Thank you.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER (Cross):** The hon. the Member for St. John's East.

**MR. MURPHY:** Thank you, Mr. Speaker.

I think it is safe to say that today we can get up and we can speak in a little bit better mood about a piece of legislation, rather than the mood that everybody was in just a short year-and-a-half, two years ago on this particular piece.

It is nice to see government wake up and come back to reality. It was nice to hear them listen to what people in the overall general public were saying. It was nice of the government to relent. It was nice of government to take it on the chin that they were wrong in the first place in bringing forward Bill 29. People out there, various interest groups in the public let them know it.

The groups like the Centre for Law and Democracy, Democracy Watch, and particularly the media – we cannot overlook the media's role in this – all noticed. They stood up and they shouted long and hard. Unfortunately, we had to go through a filibuster before government had the chance really to draw in its horns and even take the piece of legislation or even let the piece of legislation die on the Order Paper.

Mr. Speaker, before I go on, I think that first of all we have to thank Mr. Wells, Mr. Letto, and Ms Stoddard for all their hard work, especially during the hearing process, and for the report that they come out with. We are quite thankful, especially in the fact that they came out with a remodeled piece of legislation – something that would be acceptable, I think, to the people of the Province here. So their work is very valued. Unfortunately, as previous members have said, it cost this Province about \$1.1 million in the process.

Hats off, especially, to the House of Assembly staff, security, and the people in Hansard and the Broadcast Centre, all during the time of the filibuster, Mr. Speaker – they were there like troopers, and they allowed democracy to prevail at the same time. I would have been remiss had I not remembered those people who also made a sacrifice in the name of democracy at the same time.

Mr. Speaker, on Thursday, about 3:00 in the afternoon it was – I think it was about 3:00 – the Minister Responsible for the Office of Public Engagement stood on his feet and he said – I might be off a little bit on the words here – some members did raise concerns about some of the terms of the previous bill, and this bill answers those. Some members, some voice – they certainly heard it.

I hope that in this piece of legislation government has certainly paid attention to particularly the terms of the report – not that they wanted to, Mr. Speaker, because at the time we all know what happened. It is not that they wanted to. It is that the general public, themselves – like I said, those people out there in the public, they spoke loud, and they spoke long and hard on this issue. We also spoke about it in the House, of necessity.

It was a sign, too, that there was something wrong. People were losing their governance here; they were losing their rights. They were losing their right to know, particularly. It was almost like an abject paranoia of some kind had set in on government. They became a little myopic and shut in. The doors were closed, and it was almost like you did not need to know what is happening here, just know that we are doing it on your behalf. So that was a little bit

of a problem for a lot of people, I think. That is one of the reasons why they spoke out on that long and hard.

I have to come back, too, to the words of the previous Premier in his last sitting before he left. He said this, when he first became Premier: If justice is to be done, it has to be perceived to have been done. I think those words rang true with every single member in this House, or at least they should have, because it is words that I think we all atone for, number one, but number two, I never forgot them. I think he was an example that everybody looked up to.

When we saw Bill 29 come in front of us, we were all a little bit let down. Let's be honest about it, when we saw this we were all a little bit let down that this was actually coming forward. When we discovered after the briefing that this was happening, this was coming upon us, we had really come of age. We had really come of age as a Province here in knowing that we were not going to have closer access to stuff that we wanted to know, pretty important information.

I will get into a little bit of that when I get a little bit further into my talk here, because of course it works with everyday issues too that we are dealing with now, particularly when it comes to environment. I want to touch on that in my address. This was touted as a breakthrough in the twenty-nine debate. Indeed, it was certainly a breakthrough of some kind for the government. Still, I do not think it has stopped falling as a result of that. They are still experiencing the backlash from it.

Like I said in answer to this, I think government heard it long and hard, and several times, that people wanted their government back. We have lost something in that, and it was a realization that all was not right with our governance that was happening in this Province.

This kind of atones for it. In some ways on the part of the government, even though we still have not heard it, we still have not heard government say, we are wrong on this. We are sorry that we did this; please accept our apology if you will. I do not know if we will ever hear it.

Anyway, Mr. Speaker, in the implementation of this piece of legislation we are still going to have

cost concerns, if you will. I should say concerns for the cost of training to municipalities, but it is a necessity that has to be dealt with. We know municipalities are going to have to put up with the cost of training, albeit upfront. We know, for example, there may be concerns for training for people within local service districts. Already, Mr. Speaker, we are dealing with some issues where they cannot pay the bills and they are probably going to have some concerns raised around training and access to officers for local service districts.

These are small. I think government can work through these and, particularly, I think local service districts. It is not an insurmountable challenge here. I do not think municipalities are looking at this as a bit of a downer here. They are being given some time to implement these particular regulations as they pertain to freedom of information. I think government can probably meet the needs of municipalities too, particularly when it comes to the needs of training of officers and access to information there.

Mr. Speaker, one of the things I wanted to get into, as I said earlier, was about how this piece of legislation is going to work, particularly on the environmental end of things. That is where the big issue was for me when it came to this particular piece of legislation, because one of the worries I had was a worry centered around, like I said, the environment.

I went through this new piece as it was proposed within the book and I wanted to find out some things as regards to what was going to be happening, for example, when it came to the fracking industry. If fracking were to occur in this Province, if somebody were to ask the government, for example, or ask a company through the access rules as we have them now, what would happen? I wanted to follow that bit of a trail. I wanted to present this to government as regards to why this is a particular piece, but government needs to do more too, to actually meet the Access to Information and Protection of Privacy Act; the new rule, Bill 1, as we will call it.

Mr. Speaker, I started off by asking myself that question, and of course asking some people in my circle: What most concerned you about this?

The simple fact that came back was, “Disclosure harmful to business interests of a third party.” It was a concern, one of the concerns that I talked about in the whole debate.

If you go to that particular piece; in section 39 it says, “The head of a public body shall refuse to disclose to an applicant information (a) that would reveal (i) trade secrets of a third party, or (ii) commercial, financial, labour relations, scientific or technical information of a third party.”

I thought about it right off the bat: What would you do when it comes to fracking? Obviously, some of these companies out there are talking about fracking chemicals, for example, as being a trade secret. It was one of the things, for example, that we were not going to be able to get without this piece of legislation.

The importance here, Mr. Speaker, when you have section 39 here in the act – the big connection I saw with this, I had to come back to section 9 in the act, which was the public safety override. The public interest section of the act, I should say.

I will not go through the total act, but under section 9(1) it says, “Where the head of a public body may refuse to disclose information to an applicant under a provision listed in subsection (2), that discretionary exception shall not apply where it is clearly demonstrated that the public interest in disclosure of the information outweighs the reason for the exception.”

If we go to 39, now we come back to a reason why you would override that. You would come over here to section 9 under public interest. Further down under section 9(1), 9(2), several subsections, you come down to section 9(3). It says here, “Whether or not a request for access is made, the head of a public body shall, without delay, disclose to the public, to an affected group of people or to an applicant, information about a risk of significant harm to the environment or to the health or safety of the public or a group of people, the disclosure of which is clearly in the public interest.” Again, I will use the whole question of fracking chemicals around that.

Now we have a case here, Mr. Speaker, where we have – the public interest certainly is a concern here when it comes to fracking. Public health and safety is also a concern that I hope the panel is going to be addressing with it. I hope that the government is going to be able to avail of getting the information, and that is the key to this.

Government cannot go ahead and give you the information if it does not have it already. So the question here would be if government is not the one to be able to get the information, government has to be able to allow that information to occur, to happen to the public, and be able to be accessed by the public. What does it do, for example, to allow that to happen?

To be side by side with this piece of legislation, Mr. Speaker, it is my belief that government also would have, for example, to come out with a change to the legislation that allows for the disclosure of chemicals. In other words, if you guys want to drill on a particular piece of turf, you are going to have to disclose – under the conditions of the permit you guys are going to have to give us 100 per cent disclosure of all the chemicals that you are using. It is only then that the Access to Information and Protection of Privacy Act would be able to be shown its full workings.

Mr. Speaker, there are still concerns here when it comes to the environment. Even though the act is here to bring the information out, it still is incumbent on government, I think, to make changes to various pieces of legislation, so that the actual features of this act can be used to protect the public health and to protect the public interest in various matters.

Mr. Speaker, that is not the only thing I am thinking about here. The other thing I am thinking about is fracking is not the only environmental concern in this Province that people would be worried about, but it is a valid concern that government needs to address. Will government actually address that particular concern so that the act itself can go ahead and take full effect on a particular measure like that? That is where my questions are coming in when it comes to this particular debate.

This is what we wanted so that we would be able to do it. We are halfway there when it comes to disclosure, but we are not there yet. That is why we are still going through things happening like a fracking review panel that we are asking that addresses 100 per cent the overall public interest and the overall public health. Hopefully government is going to change its mind when it comes to that and they are going to be able to reflect on that.

There are indeed, Mr. Speaker, other things that have happened within this Province, for example, that people have valid concerns about. It could have been in the past when it comes to environmental reports that were put out that were heavily redacted or where it is simply not made available. I think that several members in this House today can certainly think of a valid number of reports out there. People are being made to jump through hoops to find out information that is being redacted and they are made to dig a little bit deeper sometimes. So, hopefully this is going to open things up because of, again, the public interest and public health.

Mr. Speaker, in summation, I think that this is a very good piece of legislation. It is what the people of Newfoundland and Labrador were looking for initially in the first place. It is an example of what people in other jurisdictions certainly were looking for. When it comes to government, they wanted to see this government lead on this particular issue.

I think that now the people out there have it, it is an example for everybody else to probably follow. Certainly still of course there are a couple of minor little conditions around it where government has to act in the best interest of people, for example, fracking chemicals. Like I said, Mr. Speaker, I think that you know that I have been on that particular issue now for a long time.

Disclosure – we think that we have a good piece here now and it is just one component of it that I have been going through and asking questions on. Overall, Mr. Speaker, I am pleased to see the new legislation coming forward. I think if I can sum up with some final comments on it, thanks to everybody out there for all their public pressure. Theirs was a very important voice in democracy this time around. It shows that

democracy really works when it is given the chance, and I am only too happy to support this new piece of legislation as it is now, the amendments that are put forward known as Bill 1 and, again, let democracy reign.

Again, I will remind government, with the words of the former Premier: If justice is to be done, it has to be perceived to have been done.

Thank you, Mr. Speaker.

**MR. SPEAKER:** The Member for Cape St. Francis.

**SOME HON. MEMBERS:** Hear, hear!

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

It is indeed a privilege to give up here again today and represent the beautiful District of Cape St. Francis. Mr. Speaker, before I start my thing today, in the last month or so there was a lady in my district that had this on every day. Even when she was down in palliative care one day it came on and her daughter told me that she said: Shush, Kevin is up. Her husband passed away a couple of years ago. It was Tom and Alma Furlong and they were staunch watchers. They watched all of the time. They listened to everybody; they could talk to anybody and knew everybody here, basically, by their first name. It is nice to see that there are people in our Province who do take this the way that they did. Today, I just wanted to mention her name because I know even on her death bed, she was still watching the House of Assembly. There are a lot of Newfoundlanders and Labradorians who do follow this. We really appreciate their input too.

Mr. Speaker, I do not know if I will use my twenty minutes or not, but I am going to start off today and I want to first thank the department. I went over the other morning and we had a briefing. Right in the middle of the briefing the fire alarm went off and we had to leave and come back. Then the Opposition were there for their briefing, so we had to go back again and do another briefing afterwards so we had two briefings with the department. Again, thank you very much for giving us the info and what this bill is all about.

That is important for the general public to know out there too that as an MHA – and first, when I got involved, I always had the concept to believe that MHAs knew everything about the legislation. They were the ones who drew up the legislation and they were the ones who made sure that all of the dots were there, the t's were crossed, and everything else.

I know the ministers in their departments, they do that. They are involved in the legislation. I guess they have briefings every day, but like myself and the Opposition parties across the way, they get briefed on it probably a day or two before, or even sometimes the day of the legislation, so we get to see what this piece of legislation is doing, what we are changing and whatnot. It is very important that you try to understand it the best you can. Sometimes you do and sometimes you do not.

This piece of legislation we are bringing in here today, with me what it is doing is giving access to information and it is making it – we will hear the Opposition and I know the Member for St. John's East just spoke that time and he thinks it is a fantastic piece of legislation, and so do I. I think it is a great piece of legislation. I think that any time that we make access to information for everybody out there, that they can get information that they need, no matter what it is, that it is important that we do things like that because it makes us more accountable and transparency is a huge thing because people want to be able to see what is on the go in government and they want to see what is on the go in municipalities and every public body that is out there.

When you look at people looking for access to information, I understand now that most of it is done through the media and most of it is done through Opposition parties. Those are probably 90 per cent to 95 per cent of the people who come and look for access to information. The requests that they get are probably from individuals who are in their districts who want it. That is the way they go through it.

They go through their MHA and say I need this information. The majority of it is done through the media and through the Opposition parties, which is a good way to be. Everybody deserves to know exactly what is on the go. There should

be nothing hidden. There are some places in government that I am sure conversations and whatnot are kept the way they should be, between the people who are making those conversations. Information that is out there – everybody should have access to information.

I listened to constituents in my district. Most of the people in my district were asking me what Bill 29 was all about. Bill 29 was like a word that was a bad word in the general public because it was foreseen as people were trying to hide things and stuff like this.

When I look at what happened recently – and I am going to congratulate and thank the former Premier Tom Marshall. If he is listening today, I wish him well. He is a fine gentleman. It was great to be able to serve under him and with him because he is one of the finest men I have ever met in my life. He was an honourable man and he did a great job.

What he did when it came to this bill, he went out and he said get a committee together; let's go back and look at all aspects of privacy and information that people need to get out there. So let's go back and have a look at the whole bill, not only Bill 29, every bit of legislation that is there.

What did he do? He went out and he got a former Premier who was Premier of the Province and a very respected man. Not only that but he was a Liberal Premier.

**AN HON. MEMBER:** A great Premier.

**MR. K. PARSONS:** Yes, a great Premier. A great man as far as I am concerned. Any man who steps forward to be the Premier of this Province, I have the utmost respect for them.

Right off the bat, what did the public think of this move? Oh, this is the right move to make because he is getting a fellow – the politics, as we would say, was taken out of it. Here we are, we have a former Liberal leader, a former Premier of the Province and the committee that he had with him were very respected people. They went out, they listened, and they came back with a report.

Mr. Speaker, we are all about listening to the public. This is a great example of listening to what the public wanted. I think a lot of people in the public look at Bill 29 and do not really understand it, but what they understand now is that, listen, there was a Committee put in place, this Committee came back with a report, there were ninety recommendations that were put forth by this committee, and sixty-five of them, as far as I know, are legislated, and that is what we are doing here today as part of that legislation. So, everyone is really confident with this report and with what is going forward for government and governments in the future with access to information.

So it is very important that we did that, and the public perception out there right now and what they perceive, they are very, very pleased with it. What I understand, from the Opposition here too, that other than go back in the past in 2012, they seem like they are pretty pleased with it also.

The legislation itself, it is legislation that not only did they look at, like I said earlier about Bill 29, but they looked at all of it – and that is the right thing to do. Maybe there is a cost to that, I am not sure. Obviously, there is a cost. I know he stood up and he said, here you go, a million dollars. Well, if it is a million dollars to make sure that something is done properly and done right – and maybe that is what we should have done in the first place, I am not sure, but that is where we are today.

Where we are today is we have the best piece of legislation in all of Canada. I mean, nobody in here in this House of Assembly today will argue that this piece of legislation is not a great piece of legislation. Everybody here is pleased with it. What I have heard from the Member for St. John's East, he has just said he is going to support it. I never heard anybody over there on the other side not support it.

Mr. Speaker, I am a bit of a detective, too, because I have been listening to the Opposition over there. I have been listening to the hon. Member for The Straits – White Bay North get up and he was talking about how our leader, our leader, our leader; and then the Member for St. John's North, he also got up and talked about our

leader, our leader. I think they forget that they were over in the Third Party in 2012 –

**SOME HON. MEMBERS:** Hear, hear!

**MR. K. PARSONS:** – unless they had the letter wrote to the Leader of the Third Party and they were waiting for her to go on holidays, I do not know, but that is where it was to. You talked about your leader and what your leader was doing, but your leader was the member of the Third Party.

**MR. KIRBY:** A point of order.

**MR. SPEAKER:** A point of order, the Member for St. John's North.

**MR. KIRBY:** Mr. Speaker, I think we are talking about the million dollar bill, not who the Leader of the Third Party is. So, I do not understand the relevance of what the member is talking about. Maybe he can clarify, but I think we are talking about Bill 1.

**MR. SPEAKER:** Order, please!

There is no point of order.

**MR. K. PARSONS:** Mr. Speaker, the only point I was making was these hon. members had a letter wrote to the Leader of the Third Party and they must have had that letter wrote before 2012. They waited for her to go on holidays before they sent their letter. Again, that is very shameful, to tell you the truth.

Now, Mr. Speaker, let me continue. Let me tell you how things have changed in the House of Assembly over the years. I remember when my father was a Member of the House of Assembly. He talked all the time about what was on the go in the House –

**AN HON. MEMBER:** (Inaudible).

**MR. K. PARSONS:** Oh, I hit a bad nerve with that gentleman obviously. He is pretty upset over there now. You are still upset. Okay, get up again.

**SOME HON. MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order, please!

**AN HON. MEMBER:** (Inaudible).

**MR. K. PARSONS:** The Member for St. John's North, I tell you, I did not write the letter. You wrote the letter to the Leader of the Third Party, not me. You are the one who wrote the letter. Anyway, if that hit a nerve that is all I can do about it.

Things are after changing a lot in the House of Assembly over the years. When you go back and look at the times when my father was here, there were no cameras. People only understood what was on the go in here today at that time when they spoke to somebody who was in the House. No one could go on TV and watch it or nobody had the opportunity to come out and get in the galleries and watch what is on the go, so it was word of mouth.

Today, the opportunities are different. We can go online any time at all and go into the House of Assembly and see what is being said. So access to information has changed so much over the years. If you look at what is happening even today when you look at the news and you will see things like what happened yesterday on Twitter and Facebook and stuff like this, how someone got robbed and all of a sudden it is on the front page of *The Telegram*. It is on Twitter. It is all over the place. Information today is so available for everybody to be able to find. You can follow so many different things.

I am going to talk a little bit about access to information. People have the access to be able to go in and look at what we do as MHAs. Anybody can go in now and take out a copy of the constituency allowances. We can look and see how people spend their money. I go in every now and then and I have a good look and see how people can do what they do with their money and whatever.

I went in and I looked at some members. I looked at one, the Member for Mount Pearl South. Mr. Speaker, it amazes me because whenever you go anywhere, you get a receipt and you come back. I looked at some of the expenses here. This is access to information. This is information that everyone can get. If you look at an afternoon tea with the Masonic Park ladies auxiliary and charged \$4.25 to the taxpayers of Newfoundland and Labrador. I

hope that stuff like that he lets them know that the taxpayers are paying for that cup of tea that he had that day.

**AN HON. MEMBER:** Four dollars and twenty-five cents.

**MR. K. PARSONS:** When you look at different things – \$4.25, oh yes. It costs \$6.25 to go down to the Church of the Good Sheppard for their tea; he does that on a regular basis. Mr. Speaker, I do it in a different way. Whenever I go to any of these places, I usually give a few dollars and try to donate to these causes. Mr. Speaker, that is some of the information, and anybody can get it. It is there now; information is available every day.

Mr. Speaker, I am going to talk a little bit about our Premier now. I want to say that before this report even came out, he was in the public and he was saying listen, this report is coming out and we are going to accept all the recommendations. Before he even saw the report, he was going to accept all the recommendations. He did no flip-flop, no nothing, that is the way it is, here is where it comes out – there is no flip-flop there whatsoever.

Mr. Speaker, this legislation that we are bringing in here today it would have been easy enough to say well, it is still in the department; they are looking for it or whatever. Right off the bat he said no, this session – we will have the legislation in this session, and that is what we are doing here today.

Mr. Speaker, my daughter when she went to Florida one time, she went down she came back with ten pairs of flip-flops, so I used to call her Mrs. Flip-Flop. I have a Mrs. Flip-Flop – and I call the Leader of the Opposition these days Mr. Flip-Flop because he flip-flops over everything, but not our Premier. Our Premier went and our Premier said here it is. When this legislation comes out, there are ninety recommendations. We are going to accept the ninety recommendations that are here.

**MR. A. PARSONS:** A point of order, Mr. Speaker.

**MR. SPEAKER:** The Member for Burgeo – La Poile, on a point of order.

**MR. A. PARSONS:** I cannot recall; maybe the member can remind how many days the Department of Public Safety was Justice, and Justice was Public Safety, before it was turned around. I cannot remember how many days that flip-flop lasted.

**MR. SPEAKER:** Order, please!

There is no point of order.

The hon. the Member for Cape St. Francis.

**MR. K. PARSONS:** (Inaudible) stuck on the one thing. When he said this is how I am going to do it, I put Justice back there because it was the right thing to do: listening to the people of Newfoundland and Labrador.

**SOME HON. MEMBERS:** Hear, hear!

**MR. K. PARSONS:** That is what this legislation is all about here today. It is about listening to the people of Newfoundland and Labrador, and that is what that Premier does. The Premier listens to everyone, he listens to the people here in this Province, and he responds to it. He could have said okay, let's have a look. We will have a look at the recommendations and we will see what is going to come down; but, no, he said there are ninety recommendations there and we are going to accept them all and we are going to bring in the legislation to make sure it comes true, and here we are today debating it.

Mr. Speaker, I think this is a great piece of legislation. I am glad I had the opportunity to get up and speak on it. I am sure that all members of the other side will agree that this is a great bill and it is a great day for Newfoundland and Labrador.

Thank you very much, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for Virginia Waters.

**MS C. BENNETT:** Thank you, Mr. Speaker.

Mr. Speaker, I am pleased to stand in the House to speak on behalf of the people of the District of Virginia Waters. I am particularly pleased to stand up and speak to Bill 1.

During my by-election last year, I had the opportunity to knock on one of the doors in the beautiful District of Virginia Waters and speak to a constituent. The constituent shared with me the night that he brought his young son to sit in the gallery of this House and watch the members of this House debate Bill 29.

I asked that gentleman why did he feel it was important to bring his young son into this House to hear that debate? What he said to me was that it was important for his son to see democracy fall apart in the House in Newfoundland and Labrador. Mr. Speaker, I am very pleased to stand up today and speak to this bill to correct what this government and many people on that side of the House stood up time and time and time and time again and championed as being a right decision.

Our job as MHAs in this House of Assembly is to ask tough questions. That is not just the responsibility of those of us here in the Official Opposition. It is not just the responsibility of those in the Third Party. Quite frankly, it is even more important for those on the government side to ask the tough questions every single time they are asked to vote on something. All members of this House have that responsibility.

There is no doubt that requests for information are made to government from the media. There is no doubt that there are requests for information that happened regularly from the Official Opposition. Quite frankly, the part of the debate that I sense that government misses many, many times is that the information is not theirs, it is not ours, it is not the Third Party's, but, in fact, it is information that belongs to the people of the Province so that every member in this House of Assembly can ask hard questions.

Mr. Speaker, good governance relies on debate in this House, but it also relies on government members who ask the hard questions when they are presented with information that their constituents, that the public challenge. It is their

responsibility to do their homework. It is their responsibility to ask questions.

Mr. Speaker, I find it interesting in this debate that many of the members on the government side speak quite eloquently to the events of last year when then Premier Tom Marshall decided that it was important for the people of the Province to regain confidence in information that government would release. He asked for these three knowledgeable individuals to hold this commission.

It was funny, I thought about the timing. I guess what I would like to do is to remind the members in this House and emphasize what happened immediately before the Premier, then Tom Marshall, all of a sudden decided to have an epiphany about listening to the people of the Province.

Mr. Speaker, the epiphany to listen to the people of the Province happened after the government lost a Premier. A Premier resigned because the people of the Province did not feel they were being listened to. A Premier resigned because there was crisis after crisis where people were not being listened to, until finally it culminated with a Premier resigning. Well, it is not hard to understand why then Premier Marshall decided quickly to change gears and institute this commission.

Mr. Speaker, access delayed is access denied. Quite frankly, the turnaround by this government on many of their initiatives is quite stunning. In effect, by repealing their own Bill 29 they are actually doing a do over. The Minister of Health spoke earlier in the debate about the importance – when he introduced this new legislation as Bill 1, he spoke to the importance of change management processes in the implementation.

I can tell you, Mr. Speaker, one of the questions that constituents of mine are asking, and I would argue many people in the Province are asking around this government and this bill, is how this government plans to implement, execute, and operationalize what they are saying they are going to do. We need only look at things like the Poverty Reduction Strategy, the Violence Prevention Initiative, the Youth Retention Attraction Strategy, the Population Strategy, the

10-Year Sustainability Plan, and the program review of 2010 as a litany of things the government says they are going to do, I guess when they get around to it.

Mr. Speaker, I sat in this House last year as a new MHA and listened to this government defend their legislation about whistleblower. Whistleblower legislation took a decade to implement, despite the fact they promised it much earlier. In debating the whistleblower legislation, they said you can only go forward and change what goes forward. Well, I wonder, Mr. Speaker, will we be sitting here in another number of months having exposed potentially some other scandal where whistleblower legislation is going to be repealed and implemented so that it covers the period of time in the past? Likely, likely.

Mr. Speaker, when I went back and looked at Hansard, many of my colleagues in this House spent many hours in this House debating Bill 29 originally. I did not have that distinct pleasure, although they certainly have shared many stories with me about that filibuster. One of the things that I was surprised to learn as I prepared for the debating of this one million dollar bill was some of the things the members on the opposite side actually said.

At the time, the Justice Minister said: The cornerstone of Access to Information and Protection of Privacy Act is openness, transparency, and accountability, and our government is committed to this important piece of legislation. The then Justice Minister, the Member for Placentia – St. Mary's, also said: this would modernize our legislation. He claimed the bill was based on consultation, research, and best practice across the country.

Mr. Speaker, I have to ask, what kind of consultation was done back when Bill 29 was introduced? Then Municipal Affairs Minister, the Member for Gander, argued that the public actually does not have the right to know. Everything would be on the table each and every day, he said, for scrutiny, not only for the Opposition but scrutiny of government, scrutiny of the public at large, scrutiny of the media. Is that the way a democratic society works, he said? I say to the hon. members, that is not a democratic society.

Mr. Speaker, I was stunned when I read those comments. A democratic society, from what I understand, is built on the premise that openness and transparency are key cornerstones to the rights that the public have for information.

The same member, the Member for Gander, went on to say, "I firmly believe in it because we ... have been the most transparent government Newfoundland and Labrador has ever experienced since 1949." This is the same member who is going to now stand up, once this debate is closed, and he is going to put his support around what is now defined as a world-class piece of legislation.

The Justice Minister at the time and the Premier talked about receiving countless numbers of Access to Information requests somehow blocking up government. The then Justice Minister put the numbers in the thousands. The current Premier was more vague saying, "They make countless and countless requests for information." Mr. Speaker, I certainly hope that the current Premier has changed his attitude about the public's right to know information in light of the fact that his government is going to support this bill.

The Minister of Finance at the time, Tom Marshall, was on Open Line during the week of the debate. He insisted that this bill had no real effect at all. He claimed that it was no more than just a bit of housecleaning. This was the same person who last January, after public outcry for years, polled ahead two years early the review to put this legislation in front of us today.

The Premier of today said during the debate in 2012, "Mr. Speaker, I am going to tell you, this is not a bad piece of legislation. Is this tightening up some of our processes that occur? Yes, it is, but it is for the right reasons, Mr. Speaker."

**AN HON. MEMBER:** Who said that?

**MS C. BENNETT:** That was the Premier of today who said that.

Mr. Speaker, I would argue and wonder does that mean that the Premier of today, when he thought the legislation was right then – and we

have done a complete turnaround now, this government has done a complete turnaround now – that he changed his mind on a piece of legislation that he defended so vehemently?

Let's go back to what happened in January last year again when the Premier at the time, Tom Marshall, announced he was going to have a commission on Bill 29. What was the motivation? Was it the public outcry that had been happening for almost two years on Bill 29? Was it the Premier who had just resigned and the ramifications, politically, for that? Was it the skyrocketing down in the polls of the current government? I would argue that was the reason.

Mr. Speaker, a further review of Hansard on June 11, 2012 the Minister of Transportation and Works said, "What we are doing now is taking a good piece of legislation and even making it better so that we protect the people in this Province, and we pair that with how we act as a government here, Mr. Speaker." This is the same minister who now is going to stand up in a few days and vote to repeal Bill 29 that he defended and to support Bill 1. He went on to say, "This is a good piece of legislation that we must put in the way that we presented it."

The current Minister of Justice said, "My point is that we are trying to continue to achieve with this bill the pattern that we have set as a government, which is to be open and transparent and to do what we feel is in the best interests of the people."

The Minister of Health who introduced Bill 1 in the House, with glowing commentary on the amount of insight the current government has had and the epiphany they have had in the last two years to bring this bill in, went on to say in 2012, "This bill actually will result in government, boards, agencies, and other public bodies having the ability to release even more personal information than ever before, Mr. Speaker. That speaks to openness and that speaks to transparency." He went on to say, "The primary goal and the primary focus of the Access to Information and Protection of Privacy Act is openness, transparency, and accountability. Our government is committed to this, Mr. Speaker."

He went on to further say, “We are moving forward with those changes and we believe that we are improving upon the legislation, contrary to the belief of many of the people who have taken part in the discussions today.” He went on say, “We are committed to openness and transparency. The act is a clear demonstration of this belief.”

Mr. Speaker, I would argue that if this government believed these statements back in 2012, and the same people are now standing up pontificating about this incredible piece of legislation, they have only the public of Newfoundland and Labrador to thank for pushing them in the polls to listen to their complaints and concerns about this absolutely draconian piece of legislation that they brought in under Bill 29.

Mr. Speaker, the Member for Grand Falls-Windsor – Buchans said, at the time of the debate, “There is nothing in this legislation that we have introduced here tonight that would prohibit that information from getting out there, absolutely nothing.” Despite the fact that a million dollars later we have what is a huge piece of legislation and a report that clearly identifies that the legislation, Bill 29, was flawed.

The member went on to say, “Mr. Chair, the proposed changes we are talking about here are not in any way designed to look at the people of this Province and say: What we want to do is hide something from you.” “That is not going to be my legacy, Mr. Chair. That is not what this particular bill is doing.”

Yet, that is exactly what the commission’s report said Bill 29 was doing: hiding things, making it difficult for people of the Province to get access to information, and most importantly, questioning government’s choice of the bill that they put in under Bill 29.

Mr. Speaker, before I finish, I heard the member opposite speak very passionately, the Member for Cape St. Francis, about some of my colleagues in the House. I find it quite interesting that the same member who would stand up and talk about information related to MHAs’ expenditures – which is no doubt one of the most open and transparent pieces of

information that go out from this public – would use that as an example of justifying and debating in this House. This Bill 1 says that every piece of information in government – every piece of information, I would say to the hon. member – is going to be released in the same way as the expenses of MHAs – and so it should, and that should have been the debate that was held back in 2012.

Mr. Speaker, quite frankly, it is amusing to me to hear members opposite take up their time speaking about what is an important piece of legislation related to our democratic process while taking potshots at the Opposition about things that are unrelated to the bill.

Do you know something? I will not stand here and bring up the fact that members opposite are using a public infrastructure, specifically the Bell Island Ferry Ticket Sales Office to advertise a Tory event. Oh, sorry. I said I was not going to say it but I did.

**SOME HON. MEMBERS:** Oh, oh!

**MS C. BENNETT:** Mr. Speaker, I will be happy when the time is right to stand up and support this bill, but I will continue to talk to my constituents about the integrity of this government and their ability to do things that they say they are going to do.

Approving the legislation is one thing, having the fortitude to make sure that the pieces of work that need to be done around the ‘operization’ of this legislation, as well as the regulations, have yet to be determined. Quite frankly, Mr. Speaker, I do not believe the people of the Province have confidence in this government to be able to execute that.

Thank you, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER (Littlejohn):** The hon. the Minister of Seniors, Wellness and Social Development.

**SOME HON. MEMBERS:** Hear, hear!

**MR. JACKMAN:** Thank you, Mr. Speaker.

I am just waiting for the halo to shine over that last speaker, Mr. Speaker. I know it has to be there somewhere because out of that last twenty minutes there has to be a halo that is going to rise from somewhere.

Mr. Speaker, this House is certainly open to debate back and forth across the floor.

**AN HON. MEMBER:** (Inaudible).

**MR. JACKMAN:** The Member for St. John's South just walked in. His halo is obvious, Mr. Speaker. It is just the glare that you take a look at.

Mr. Speaker, we often debate back and forth in this House, and if you listen to members across the way some time – people who watch and listen to this must say to themselves sometimes: Well, it does not seem, from the perspective of the Opposition, there is anything we can do right over here. It does not ever seem to be anything.

Mr. Speaker, whether it is our Poverty Reduction or whether it is through our finances or through education, I have listened from day to day as the Member for St. John's North has gotten up, and I used to say it in education: My god, you would almost think that we have the worst education system in the world – as I have gotten up and listened to him speak. You would swear we have the worst health care system.

Mr. Speaker, I reference those for a particular point. The member who just spoke ahead of me got up and talked about from her perspective there is no confidence in the government. I am here and I can riddle off for anybody who sits in this House the initiatives we have done as a government since 2003 that has put us in a place that is different – put us as a Province in a place that is different than it ever was before. I have said this on a number of occasions, when we go off to federal-provincial-territorial meetings we are at a different place than we were ten, twelve years ago.

I will speak to this piece of legislation here now, Mr. Speaker. When this Bill 29 was in, I sat around in discussions on it. We looked at it as being a piece of legislation that we thought was required within the Province. It became clear

that from a public perspective there were some concerns about it.

**AN HON. MEMBER:** (Inaudible).

**MR. JACKMAN:** That is right. The member opposite has said that then Premier Marshall and all of us as a caucus and as a Cabinet discussed the situation and the way to deal with it. There is one thing that we as a government want to ensure, and I will say to anybody who is watching, there is no intention by this government to hide things.

Mr. Speaker, I would contend that we put more information up for public access than was ever done before. They talked about some of the constituency spending of particular members. Well, from a ministerial perspective, anybody can go in, they can look at my expenses. They can see all of my travel, everything that I have claimed for.

Mr. Speaker, I think it is right that it should be done. It should be done. Any group, including government, that has expenditures of public funds, then the people have the right and should know what things are being spent on.

Mr. Speaker, we then moved, and Premier Marshall moved, to strike a committee to take a look at and to address what the people's concerns were.

**MR. EDMUNDS:** Why did you do that?

**MR. JACKMAN:** Why did we do it? I will tell you exactly why we did it. I will tell you, the Member for Torngat. It is because we recognized the general public had questions about Bill 29. The member is over there talking about flip flopping. For God's sake, it is time to give that up. It is time for him to give it up. It just becomes political and rhetoric after a while that you just tire of hearing.

Which is the best way to look at it? The way I look at it is that the issue was raised for a period of time. There is no doubt about that, we heard it. What did you do with it? Then a committee was put in place to revisit it, and we did, Mr. Speaker. Who was put in? Three reputable individuals –

**SOME HON. MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order, please!

I understand the debate is on and all the rest, but I ask all hon. members, if they wish to have individual debates while members are speaking, to take that to some part outside the Chamber, or a corner of the Chamber, please.

Thank you.

The hon. the Minister of Seniors, Wellness and Social Development.

**MR. JACKMAN:** Mr. Speaker, the point is that we have moved to a new place with this piece of legislation. I know I cannot quote, and I will not, Mr. Speaker, but new access to information changes make Newfoundland and Labrador a world leader. This is from an advocate, a staff member for the Centre for Law and Democracy. He goes on to say: these changes will make the Province a world leader when it comes to access to information. A hugely progressive move, he says. This next one: it will make it the best jurisdiction in Canada, and I believe probably the best jurisdiction among established democracies as well.

Mr. Speaker, people can banter and they can throw stuff across the floor at us as to why you did it and why you are hanging on, but at that particular point we thought what we were doing was the right thing. Now, if someone proposes to you that you need to take a look at it, that is what we did, Mr. Speaker.

So, for me, as a Member of this House of Assembly, I see it as a huge win for this Province and for the people of the Province. I know there was an in-depth expression of interest from the community. I think there are something like fifty-one written submissions, and then there were a number of days of public hearings. There were written submissions. There were questionnaires, I believe, sent to individuals and they got back somewhere around 120 to 150. So the Committee that was put in place received input and all of that was taken into consideration. The Premier was very quick off the mark to say that the recommendations that came forward will be acted upon, and that the supports that the office needs to carry this

out would be put in place. I see it, Mr. Speaker, as a huge win for the people of the Province.

Now, the previous member got up and talked about – again, I encourage people to take a look at and to separate the political rhetoric from this debate and to see where we have moved as a government and then to ask the people if they see it as a good move. I think the majority of people will see it as a very, very positive step.

Mr. Speaker, I can get up here and I ramble on for another ten or fifteen minutes, but that is not my intent. I will leave the rambling to the crowd across the floor because that is where it seems to go. I will finish up by saying that we as a government, I as a minister, I as an MHA want to assure the people of the Province, people of my district, that we want to be as open and transparent as we possibly can be.

As I quoted from the individual from the Centre for Law and Democracy, I think we have accomplished that. We put in place three reputable people who came up with things beyond what I think many of us thought that they were even going to go, so that it strengthened us a government and I think the people of the Province will be served well with this decision.

Thank you, Mr. Speaker.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** The hon. the Member for St. Barbe.

**MR. J. BENNETT:** Thank you, Mr. Speaker.

Mr. Speaker, back three years ago in June this House embarked on the debate which was the Bill 29 debate, and at that time this bill was debated before the House upwards of seventy hours. At that time it was a landmark filibuster debate; filibuster because both Opposition parties opposed Bill 29 in its entirety across the board. Now that is not to say that we did not attempt to introduce changes and amendments that would have hopefully made the bill more palatable. None of the amendments were accepted.

Hearing the minister talk about law and democracy, what their comments were at that time, at the time that we were debating Bill 29, a group called Democracy Watch, which is a national non-profit, non-partisan organization, and Canada's leading citizen group that advocates democratic reform, government accountability, and corporate responsibility said that Bill 29 was a dangerously undemocratic move. It reduces access for the public for the information the public has already paid for and has a right to know.

Duff Conacher of Democracy Watch went on to say everyone should care. Who should care? Everyone should care. The reason everyone should care is that secrecy is a recipe for corruption, for waste, and for abuse of the public. Even the strongest governments have weaknesses, and these weaknesses and loopholes are always exploited when government wants to hide abuse, waste, and corruption. If you do not have a strong, open government and law enforcement system with high penalties for keeping excessive secrets, you will have bad governments that will abuse people and communities, and waste people's money.

Well, Mr. Speaker, in spite of this, and in fact, knowing all of this, the government pressed forward and passed Bill 29, the infamous Bill 29 that was passed, and we are here today for what essentially amounts to a repeal of Bill 29 all over again, to roll back the clock, and to make it better than if it had never happened before. Make no mistake, this debate this week and this new bill is because government forced upon the people of the Province Bill 29 nearly three years ago.

Besides Democracy Watch, the Canadian Association of Journalists, which represents 600 members across the country, with their role being to provide high-quality professional development for its members and public interest advocacy said they are shocked at changes proposed to the Newfoundland and Labrador Access to Information and Protection of Privacy Act that could shroud public information in darkness. That is exactly what happened with Bill 29.

They went on to say that as a trio, three items, three items stood out that made Bill 29 particular problematic in their point of view. First of all, Bill 29 contained a definition of Cabinet secrecy which would be broadened to include newly created classes of information and any documents or briefings prepared for Cabinet. Regardless of whether they are ever considered by Cabinet or not, they could be classified as Cabinet secrets and not be disclosed.

They also pointed out that government research reports and audits could be withheld for up to three years if a minister decides they are not complete. That means the Cabinet minister could intentionally allow politically-sensitive or damaging documents to be kept in perpetual draft form to prevent their release so they are never, ever finalized, not quite. Maybe there is a last "t" that is not crossed, maybe there is a last "i" that is not dotted; but because they would never, ever be finalized they would never, ever have to be disclosed.

Then access fees would increase. The increase in processing fees would jump by 66 per cent from \$15 an hour to \$25 an hour. For somebody who is already a paid public employee, someone who the taxpayer is already paying for, paying their wages, the government would then want to charge back to the individual requesting information \$25 an hour.

If that was not bad enough, the government could also charge what they call a fee for contemplation time. Contemplation time is the length of time that officials would decide whether to release information or to withhold information. While they are sitting around thinking about whether they are going to give you that information or not, you get to pay for that as well.

These are some of the issues that we faced and that we dealt with in Bill 29 as it was passed, as it was forced upon the people nearly three years ago. At the very time that this was happening CBC was running polling. Other news agencies were running polling.

One CBC poll at that time in which 2,281 people voted, voted on whether the debate should be kept going or whether the debate should be shut down because we know that government

invoked closure. When government has heard enough, when they do not want to debate any more, then they use their majority to force the Opposition to stop talking, force the Opposition to shut up. Stop debating. No more amendments. We have had enough. We are going to pass it whether you like it or not.

Mr. Speaker, 57 per cent of the people said keep the debate going. Another 24 per cent said that, "The government is unfairly stifling debate." Over 2,200 people said that at that time. Another poll by CBC where nearly 1,800 people voted, 80 per cent said that the debate should keep going.

They did another poll of 2,500 people. Mr. Speaker, 69 per cent said they did not agree with the changes and that access to information should not be restricted. On top of that 69 per cent, 15 per cent said this was predictable. The longer a party is in power, the more likely access to information will be denied.

Mr. Speaker, if we look at members across the way, what they said at that time. The Premier at that time was a Cabinet minister and he said: you know, they make countless and countless requests for information.

Well, CBC did a follow-up story and found out there was an average of eleven requests per week for the prior two years. There were 581 requests in 2010-2011 and then 579 requests; now that worked out to eleven requests each week for all government departments. Being fifteen government departments, it means that fewer than one request per department per week is what the then minister, who is now the Premier, saying: well, they make countless and countless requests for information – less than one request per department per week.

The current Premier said on June 11, 2012, "Mr. Speaker, I am going to tell you, this is not a bad piece of legislation. Is this tightening up some up of the processes that occur? Yes, it is, but for the right reasons, Mr. Speaker. It is for the right reasons." So if it was for the right reasons, then it may be difficult for people to understand why we are here today.

We are here today clearly to pass a new bill, to pass new legislation that will make this Province

the frontrunner in access to information and protection of privacy in Canada. Alleluia, it is great, but government is trying to manufacture this debate today. It is almost as if they are about to be tarred and feathered and run out of town. Instead of that, they want to get ahead of the mob that is chasing them and pretend they are leading a parade. Well they are not leading a parade. They are staying ahead of the political consequences of having forced Bill 29 on people.

What amendments were the Opposition party's proposing at the time? There were seven amendments that were proposed by the Official Opposition. First of all starting out with, look, let's not do this right now. Let's just withdraw the bill and say refer this to the Standing Committee on Government Services.

Government talks about standing committees and how great it is to have standing committees. For the people who are watching who may not be completely up on parliamentary procedure, standing committees simply reviews an issue that is coming before the Legislature in order to provide an internal, well-founded assessment, a discussion, a debate internally, so that parties can, away from the media, away from the cameras, members can roll up their sleeves with committee members and say: what is good about this, and what is bad about this.

The first move the Opposition made was, let's refer this to a committee and see what should come back. If we need to come back with something, let's put it in committee, get it out of the House, and let's talk about it. No, they shot that one down, and they shot the next one down.

The third one the Opposition made was: well, if you will not do that, how about putting it off for six months? That was what they referred to as the hoist amendment. The amendment was to amend the access to information and privacy protection act, to move it forward and say we will bring this back six months from now. That will give us six months where everybody can think about it in a cold, clear, sober, second thought.

In fact, that third amendment was seconded by me. No, government shot that one down too. No we are not interested in putting it off for six

months. We want this to go forward today, or tonight, because we went day and night. We went around the clock. On this side of the House at that time there were only eleven members. There were six members in the Official Opposition and five members in the Third Party. So there were eleven members, and today there are nineteen members over here.

That is probably a gauge in the by-elections we have seen and the by-election – even members who have left the government side say: We really can't take any more of this. We cannot be doing this to the people who have elected us. So the numbers on this side have grown and now the government is desperate. They need to try to pull the rabbit out of the hat. Hopefully by doing that the voters will reconsider them. I do not think so, but only time will tell.

Another amendment the Opposition put through, or tried to put through, the amendment was debated and then defeated. If you look at what would be classified as a Cabinet secret, well Bill 29 was set up so loosely with so much authority for the minister, that the minister could say virtually anything was a Cabinet secret.

As a matter of fact, I suppose if the minister and a couple of staffers went for lunch and on a paper napkin they were writing down whatever the hockey scores were from the night before, then they could call it a Cabinet secret. You would not know what it was because it would never be disclosed. They said Cabinet secret, done, you cannot see it.

What did the Opposition say about that at that time? What the Opposition said in an amendment, which was the fifth amendment the Opposition tried to put through, is that where a question arises as to whether a Cabinet record is an official Cabinet record, a certificate of the Clerk of the Executive Council, or his or her delegate, stating that the record is an official Cabinet record is conclusive. What did the Opposition say?

The Opposition said, well, we have a Commissioner. We have a Commissioner of Privacy and Access to Information. Why don't we put it in the hands of the Commissioner? The Commissioner has been properly appointed by government. The Commissioner can review

the document and say: No, this does not qualify for Cabinet secrecy. This is a document that I can certify as not being a proper Cabinet record. The records that the government sought to hide, so people can never see again, were discontinued Cabinet records, supporting Cabinet records, or in some cases not a Cabinet record.

The Opposition said, well, let the Commissioner have the final say. Then if your government is not satisfied with what the Commissioner's ruling is, let the government go to court and say to a judge, My Lord or My Lady, we think the Commissioner made a mistake. This is a vitally important Cabinet document. This violates the rule of Cabinet confidentiality by releasing this. The judge would take a look at it and say, yes, fine, I agree with you guys, or I agree with the Commissioner and it will go forward, instead of the Commissioner having to challenge the government time and time and time again and use up the Commissioner's limited resources which would be better used assessing people's applications.

Mr. Speaker, Bill 29 concluded after seventy hours of debate. After seventy hours of debate when the government invoked closure, that means they forced it on a vote. The vote went through. We got Bill 29. Clearly, the issue for the government did not go away.

After such a long period of debate, and thankfully for the media spotlight that was shone on this, the people of the Province realized government is being secretive. Government is being sneaky. Government is not letting us have our information. What is going on inside the Confederation Building? We know it is all wrapped up in a big shroud, but why should the information be shrouded as well?

The new Premier in January 2014, which is fifteen or sixteen months ago says, one of the things “we're going to do is that we're going to listen to the people of the Province ... and I think people have real concerns over Bill 29.” This was after Bill 29 had been passed for a year-and-a-half. Government fully resisted.

A year-and-a-half after it is passed in a filibuster, forced on the people, forced on the Opposition, the new incoming Premier said – the

interim Premier, temporary Premier – well, I think what we are going to do is we are going to have to listen to the people of the Province. You should have started listening to the people of the Province at the beginning.

Even up until today, when we have had the commission that was appointed; three outstanding individuals who did an excellent job. Not only did they hold hearings, not only did they review the legislation, they prepared draft legislation. Fortunately, government has agreed – and I may be misspeaking myself, but I believe that all Members of this House of Assembly are committed to support the legislation as provided and as produced by the committee. This will provide us with excellent, outstanding legislation for our Province which, clearly, in 2015 we should not have to fight so hard for the government to do the right thing.

In the twelve years after this government was elected, this current government three-and-one-half or so years – and we see it with what they do time and time and time again. They say this is what we are going to do. Yes, the words that we were continually accustomed to hearing when we came back here in the first few years after being elected. We heard it throughout the Bill 29 filibuster debate. We heard it through the Muskrat Falls debate which went on even longer which was more than eighty hours.

We would hear ministers mumble across the way and say, oh well, say whatever you like, but the Opposition gets to have its say and then the government gets its way. Mr. Speaker, that seems really condescending of the voters. It seems very condescending of the residents and the people, who all of us work for to say, Opposition, you can have your say; we are going to do whatever we like anyway.

By not listening to any of the amendments, by not agreeing with any of the amendments, by going full bore ahead with a full head of steam – because at that time they were 50 per cent, 60 per cent or 70 per cent in the polls. Clearly they could impose their will on the rest of us. Today, they can still impose their will on the rest of us which they have done with the reduction in the number of seats in the House of Assembly, which we expect them to do time and time and time again until they are finally removed from

office which hopefully will come sometimes between now and September.

Mr. Speaker, while I can support this legislation, I am glad to see the legislation come forward. Let's not have the government trump it with a great piece of legislation that they are introducing. They did not write it. It was written by somebody else. They finally introduced it. It was written months ago. It could easily have been introduced in March. We are here now and it is almost May that it is being introduced. It is going to be debated and it will be passed. Hopefully it will be passed, but let's not have the government pretend that this is a great day for what they have done.

As I said earlier they are being run out of town, figuratively speaking, by the voters. They are being run out of town. Instead of being dragged out, tarred and feathered, run out on a rail, they have decided to get in front of the people who are chasing the voters who had enough of them. They are out in front and they are strutting forward like they are leading a parade. They are not leading a parade, they are avoiding a debacle. Nevertheless, I am still happy to support the bill.

Thank you, Mr. Speaker.

**MR. SPEAKER:** The hon. the Minister of Child, Youth and Family Services.

**SOME HON. MEMBERS:** Hear, hear!

**MR. S. COLLINS:** Thank you, Mr. Speaker.

It is certainly an honour to rise on my feet today and speak to this a little bit. To tell you the truth, Mr. Speaker, I was not prepared to speak right now until I heard the member opposite. He always gives me – I do not know what it is he gives me, sometimes indigestion. He always gives me a push to get up. When I hear what he says, the things that he does not say, and some of the misleading comments that he makes, it always makes me want to stand on my feet and certainly have a word on it.

**MR. J. BENNETT:** A point of order.

**MR. SPEAKER:** The hon. the Member for St. Barbe on a point of order.

**MR. J. BENNETT:** Mr. Speaker, I ask the minister to withdraw the comment that I am making misleading comments in the House.

**MR. SPEAKER:** I ask the minister to consider.

**MR. S. COLLINS:** Absolutely. Do you know what, Mr. Speaker? I certainly do withdraw that. Some of his comments are reckless, I would say, maybe not misleading.

The member actually mentioned something I want to talk about. Every time we stand in this House and vote on legislation, whatever the sake is, I hope it is for the best reason that we vote on it and because we believe in it, whether it was for Bill 29, whether it was for electoral reform.

It is always important that we stand to our feet and we understand what we are voting for, but to be able to stand back and be able to reflect on that. It was only a couple of weeks ago I guess that the member opposite stood and voted for electoral reforms. So it is interesting, he talks about Bill 29 and those who voted for it. The member himself voted for election reform, Bill 42. Now he is on Open Line making a fool of himself, Mr. Speaker, saying he does not want it anymore. He is going to stand against this government.

You know we have to put things in perspective. I am sure his neighbours in Ontario are watching today if they have satellite. They are watching and they are wondering where is the man going? What is he saying? One day he voted on something –

**MR. SPEAKER:** I ask the hon. minister to speak to the bill please.

**MR. S. COLLINS:** Absolutely, Mr. Speaker. You know it is very important to know where we all stand in this House, whether it be Bill 29 or any other piece of legislation. Certainly that is the point I want to make sure people understand when they are watching this, as well, back home.

I have to ask the question. I know everyone has been up. We have been speaking on a number of items. I kind of listened to even the crowd on my side; I listened to the crowd on the other side. What are we debating today? We

understand that there was a piece of legislation that obviously some people had issues with. We acknowledge that. We did what we thought was in the best interest at the time.

I will admit, I stood and I voted for Bill 29. I went out and I defended Bill 29 for what I believed it was. We heard feedback on it, not only from journalists, we heard from the Opposition. Of course the Opposition opposed everything. We listened to folks we had back in our districts, we reflected on that, and then we went forward with a plan. The plan was that we formed a committee.

We called upon a very decorated committee, if you would, Mr. Speaker. You had Mr. Wells, a former Premier, Jennifer Stoddart, and Doug Letto. They were all respected individuals. Actually, during that time, during the hearing I was the minister for public engagement. I was the one who actually sat in front of that committee for about six hours that day I guess. Everybody said oh, you are going in to defend Bill 29. Not at all, I said. I am not going in to defend Bill 29. What I am doing is I am going in to provide information.

The committee wanted to know how we arrived at our decisions and what our intentions were with the bill that we had passed. That is certainly why I went in there, and I answered questions. I answered questions honestly. I was not in there to deflect; I was not in there to defend. At the end of the day, I wanted the committee to have the information they needed to make the recommendations that they have and certainly the recommendations that we have accepted. That is the important piece of this.

The Opposition talks about the million dollars that it cost to do the review. Fair enough, it was a million dollars. I think they understand, but what they are failing to say is that there was a review due anyhow. All we did was start that process early.

So whether we spend the money now or whether we spend the money next year, the result is what we should be concerned with. I think the result is a great piece of legislation and recommendations that we can implement. As was said earlier by the Member for Cape St. Francis, we have a Premier who is interested in

having those on the floor of the House of Assembly. That is certainly why we are here today debating it.

You know what our intentions were. You have seen the process that we put in place. What we have here, I think, is great legislation. You do not have to take my word for it.

Getting back to my first question when I stood up here: What are we debating today? We understand there was an issue. Fair enough. We understand we fixed that situation. Fair enough. Not to insult anybody here, but I would hope there are more important things to debate in this House of Assembly today than something we have already fixed. That is where I am with it, Mr. Speaker.

I did not want to go there, but, of course, the Member for Virginia Waters stands to her feet and very boldly reads all kinds of quotes from members across the way and what was said back in the day. That is fair enough. I may not have spoken to the legislation, but I certainly voted for it. It is not a problem at all.

It is funny, she failed to mention the words – and I was not going to go here, but I think it is important for perspective. She failed to mention the words of one of her colleagues who stood on this very side during that debate. She did not mention one of his comments. His comments were just as decisive as the ones she had mentioned, yet she did not refer to him. I do not know why she never mentioned those. I stand here today saying you know what, the legislation, Bill 29, we could do better, and we did. That is why we are here today and that is what we are debating.

A member of theirs who sat over on this side at that time had that same epiphany, if you will; however, she forgot to realize it. So I just want to read a couple of quotations because I think it is very important for perspective for the folks watching back home.

This came directly from Hansard on June 11. These are not my words, Mr. Speaker. They are directly from the member. I am referring to the Member for Mount Pearl South. He said, “we had eight consultations, and of those consultations – which were open to anybody in

the public, special interest groups and so on – we only had ten people, Mr. Speaker, who actually made a presentation to the Commissioner, which almost makes you wonder, to some degree, if all the hype that we are hearing here this evening is really resonating with the people or just simply an attempt on behalf of the Official Opposition” – the Liberal Party for which now he represents – “and the Third Party,” – the NDP – “another opportunity for them to grandstand.”

So that was his perspective at that point when he stood over on this side of the House. Do you know what? I am not criticizing him for that because if I were to speak to the legislation, I would probably say much of the same perhaps, but at that point he had not heard any of the feedback from his constituents. Obviously, it was not an issue.

If I can go on just a little bit further, Mr. Speaker, if you would indulge me, he goes on to say – and again June 11 from Hansard, his words, not mine – “... I would also say to the Official Opposition” – the Liberal Party for which he now sits – “that one of the things that this legislation is going to do is – and I think that is another reason why the Official Opposition is not too happy with it – it is actually going to force, to some degree, the Opposition staffers to actually do their job and do research instead of taking the responsibility, passing it on to departments, having the taxpayers pay for all this research.” I am not making this up.

I am just going to read a few more because I think it is very important. The Member for Virginia Waters, she opened this door. She wanted to rehash some of the comments that were made in the House of Assembly and that is fair game. Let me go on, just a couple more please, Mr. Speaker.

On June 11, “... this government is committed to doing the right thing,” – which I believe we were at the time and I believe when the member opposite said that he was very sincere in saying it – “to taking the principled approach. If that is not always the most popular thing, or the most politically correct thing at the time, well, so be it, because we are committed to doing the right thing for Newfoundland and Labrador.” Again,

I wholeheartedly believe he was being sincere. He was being sincere.

He went on to say, “I have no problem with standing up and defending anything that this government” – the PC government – “has done to date, Mr. Speaker.” He was completely comfortable with it, as many of us were as well.

I see I still have a few minutes so I am going to go on and just read a couple more, “... I am starting to feel somewhat disturbed by some of the commentary I am hearing across the way ... I am certainly glad that the Minister of Municipal Affairs and the Minister of Justice have addressed some of the issues that have been raised here tonight and some of the spin. I believe that is really what this is all about, Mr. Chair, it is nothing but a spin for political gain.”

It is interesting that the Member for Virginia Waters talks about what we have said and how we are terrible. Obviously we cannot go over what we have done in the past and try to rectify it and try to fix it as we have. She cannot recognize that has happened. Yet they can open their arms and welcome members who lambasted them in the House of Assembly and called everything they did for political spin. It is interesting – and criticize their political staff, criticize their researchers. No problem, short memories. Come on over boy, open arms.

However, when we do our piece of work, a piece of work that has been – I am going to go on; I have a few quotations here actually. It is fine for me to stand – I always say, Mr. Speaker, it is fine for us to stand as government and pat ourselves on the back and say great work, so I am not going to do that. Is it great work? Well, I will let the people who know this type of thing judge if it is great work.

My colleague for Baie Verte – Springdale passed me down a news release. I think it was referred to earlier and the headline is: “New access to information changes to make N.L. a world leader: advocate.” Of course we are all familiar with this advocate and the group that he represents because of course the Liberals, the Official Opposition, and the NDP built their entire arguments around what this organization had said. So let’s listen to what they have to say now.

So you based your arguments on it before – that was what your case was built on, fair enough. So let’s see what they have to say now and see if we would still be debating this today. It is very important. I am quoting this individual, and for fear that I will crucify his last name I will not try to pronounce it, but Mr. Michael I will call him – no relation to the Leader of the Third Party; Michael is his first name. Again, I am quoting, “This would put Newfoundland and Labrador as certainly the best jurisdiction in Canada, and I believe probably the best jurisdiction among established democracies as well.” That is pretty high praise, I would say.

He goes on to say, “... after seeing the recent changes recommended by Wells’ review committee, is now giving the Newfoundland and Labrador government some praise.” Good. “Bill 29 was a big step backward” – again, we have acknowledged that we had to do something to fix it and that is what we have done – “as we said, and this is going to be an even bigger step forward ...”

Then, Mr. Speaker, I go back to my point about the cost associated with it. It is fine to put money into something if you are going to get a return on that investment, whether you talk about infrastructure, whether you talk about business, whether you talk about policies in the House of Assembly, so we put that money into it. We hired and called upon the right people that needed to do that piece of work. Now, what do we have? Not only have we corrected what he had seen as the issue with Bill 29, we have taken an even larger step forward and now we have the leading legislation in the country. I would say that is money well spent, Mr. Speaker. I would say that is money very well spent.

**AN HON. MEMBER:** (Inaudible).

**MR. S. COLLINS:** Wow.

**SOME HON. MEMBERS:** Hear, hear!

**MR. S. COLLINS:** Mr. Speaker, I paused for a moment because the Member for St. John’s Centre was giving us praise and it is not often that I hear praise from her, so I wanted to take that. I could paraphrase what she said, but basically she is in agreement with this and she

feels very good about this legislation as well. It is, absolutely –

**SOME HON. MEMBERS:** Hear, hear!

**MR. S. COLLINS:** Mr. Speaker, again, I understand her excitement. I understand why members opposite are happy about this legislation which brings me back – and not to harp on the point I brought up earlier but, again, why are we here debating this? What are we debating? Not so much why because I understand we are all politicians in this House of Assembly and sometimes we do things for political reasons and that is fine. What are we debating? Not why – fair enough, we are politicians; but what are we debating? So, do they not like the new legislation? If that is what we are debating that is fine, and let's continue on. If they like the legislation as the Member for St. John's Centre loves the legislation, let's vote on it.

I have a lot of things I could be talking about in this House of Assembly, spending taxpayers' money – we could be discussing a whole lot more important things. We have a Budget on our doorstep. We have a lot of –

**SOME HON. MEMBERS:** Oh, oh!

**MR. S. COLLINS:** Mr. Speaker, if I could have protection from the members opposite, I need (inaudible) –

**MR. SPEAKER:** Order, please!

**MR. S. COLLINS:** Thank you, Mr. Speaker.

I have a lot of things in my department that I would love to be able to stand on my feet and talk about, and things that we could even debate. I think that is where we need to be – not just be debating things so the members opposite can get a few minutes on television talking about we told you so. Do you know what? You told us so – some of you did, some of you others agreed with us; but whatever the case, some of you told us so. That is fine.

I am proud to stand in this House and say that we can reflect on what people say. I reflect on things people say every day. I am a married man. I am a successfully married man. That

tells you I can reflect on criticism, and I do a very good. My wife has no problem telling me when I am doing something wrong, and I quite quickly try to adjust my behaviour to make her happy.

The voters are no different. I always try to reflect on what people say, opinions given, advice given, whatever the case, Mr. Speaker. That is an example of this. So, again, what are we debating – and I would love for the next speaker, because of course we are going back and forth here, and hopefully we are not going to go into the wee hours of the night tonight and into tomorrow and whatever the case. I would like for the next speaker that gets up, if they can begin their speech by simply saying, this is what we are debating. If they can start off their speech like that, that would make me thrilled. I would be so happy if they could do that, because I think it is important that we explain to people why we are here hour after hour, potentially days after days, talking about something we have fixed. Not only have we fixed it, Mr. Speaker, we have made it better than it ever has been. That is the part that people need to know.

So, unless the speakers opposite are ready to stand to their feet and say well, we need further improvements – it is not good enough you are the best in Canada, we want further improvements, well bring that forward. I would be more than happy to hear it, but I do not think that is what it is. What we are seeing is a political grandstanding by just saying – one of the members might stand up and say we told you so, and we enforced closure, and now we want to get up for the next three days and tell you about it.

Is that necessary? I would say it would be more important for the members opposite to stand up, the number of them who have problems with something they voted for just a couple of weeks ago, electoral reform, and explain that to the constituents. I would be more impressed with that. I think it would be entertaining, if nothing else. I know a number of members have issues with it, so tell me what you voted for and what is your problem with it. I told you what I voted for. I told you what we were willing to do and what we are willing to do is have a piece of legislation that is not only Canadian-leading, but is a piece of legislation that is world class. That

is not me saying it, it is not the members around me saying, that is the members that they used to form their whole argument on Bill 29. It is convenient, is it, Mr. Speaker? You can use a little piece of this sometime, you can quote a member here, but you do not want to quote a member there because that has an issue with something else you said.

It is really ironic, but it is not ironic it came from the member who was giving out pins in I Believe in the Power of NL for Muskrat Falls, and then she joined the party who tried to kill the project. So maybe it is not ironic.

Perspective, Mr. Speaker, is very important, and that is all I wish to do. When I stood up I said to our House Leader, I might go for two minutes, I might go for twenty. It is wherever the spirit leads me.

I am telling you, when I hear the member across the way, he always inspires me to speak. When I heard the Member for Virginia Waters, she inspires me to speak, because I think it is important that people get the real picture. I would never suggest someone is misleading the House, and if I ever have, that is wrong. I would never do such a thing, but sometimes members are very reckless with their words and they have to be careful. They have to be very careful with their words. Mr. Speaker, you want to leave people, the people who have elected you, you want to leave them with the right impression of the legislation, of the topics we are talking about in the House of Assembly.

Again, I am so proud to stand on my feet, not only as a member of this government but someone who played a part with regard to the hearings and Mr. Wells. That was not an easy day on me, I can assure you, because it was quite lengthy and there was quite a bit of information shared. I was happy to be part of that, who played a part in dispensing that information that allowed them to come back with their recommendations.

I am even more pleased to stand behind the Premier who has said full implementation. Let's do this, let's get it done. I can tell you there is change that has happened, Mr. Speaker. I am glad to stand behind a Premier who said let's embrace that change. We paid for a piece of

legislation. We got an excellent piece of legislation, and now we are going to accept it.

Me, personally – I have three minutes left. I will not use all my time but I would just like to be able to say to members opposite, you have made your case, we understand. Maybe the next time you get up we could talk about the improvements that have been made as opposed to what was said back in June of 2012.

What is the value? Any time I stand on my feet, Mr. Speaker, I like to add value to the conversation. I think it is important for all Members of the House of Assembly any time we speak here, because when we speak we are representing our district. We should strive to do that well. We are spending taxpayers' money when we are standing here and talking about whatever it is we are talking about. So let's strive to add value.

I purely hope the next speaker who gets up talks about the improvements that are made. You do not have to pat us on the back, that is fine, but you can acknowledge the improvements that have been made. Let's not rehash everything that has been done in the past. We are well aware, you have already told us. That is what we reflected on in order to get this piece of legislation.

I would say let's use this time that we have been so graciously given. It is a huge opportunity and it is a responsibility I take very seriously. Let's use this time correctly.

I am going to take my seat. Again, I hope the next member who gets up talks about what we are debating, why we are debating it. Certainly, let's talk about what is in the present instead of living in the past.

If the Member for Virginia Waters wants to get up and start rehashing comments again, I have pages of comments that were made by members opposite. You have to be very careful. When you sit in a party that is made up of a collection of parties, there have been things said in the past by a number of those individuals when they sat on different sides, either of the floor or of parties, whatever the case is. You have to be very careful.

So, that is all I will say, Mr. Speaker. I welcome the comments. I think from this little pep talk by me, if I could call it that, I think we are going to get to really the core of what we are debating here today. Perhaps we will talk about the improvements and how important it is to their constituents, the improvements that this government has been responsible for.

With that being said, Mr. Speaker, I will happily take my chair and look forward to the comments.

Thank you.

**SOME HON. MEMBERS:** Hear, hear!

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

**SOME HON. MEMBERS:** Hear, hear!

**MR. HILLIER:** Mr. Speaker, where does one go from here?

I am standing today to debate Bill 1. The member opposite spoke for twenty minutes. He never did say what he was debating, or what bill he was debating, or why he was on his feet, or any such relevance as to why we are here. He talks about going back to 2012, and any number today have talked about going back to 2012.

Mr. Speaker, last week we heard the Throne Speech. The government side went back to 2003 and stayed there. There was nothing going forward. It was all, let's go back to 2003. Let's go back to 2004. Let's go back to 2006. Let's go back to 2005. Mr. Speaker, 2012 is recent history. They do not want us even to go back to 2012?

Mr. Speaker, similar to my colleague from Virginia Park, I do not have the same, I do not want to say vested interest because I do have a vested interest in this, but I do not have the same personal connection –

**AN HON. MEMBER:** I beg your pardon?

**MR. HILLIER:** I do not have the same personal connection to this issue as other members of the House because I was not here at the time. They were all here at the time.

I have watched my colleagues over the last couple of days show how much personal interest they bring in this. They were here when that motion was first read. They were here when the House Leader stood up and said, we are going to introduce Bill 29. Everybody said, well, Bill 29, it is an access to information and privacy bill. This should not take very long. My understanding is that is the way government presented it. It is just some housekeeping, this will not take very long.

They were here when they recognized the atrocity of what was Bill 29. Their personal interest started to develop when they realized what a mess Bill 29 was. After the reading of the bill, after they finally got into the debate of the bill, what an atrocity this was going to be for Newfoundland and Labrador.

Mr. Speaker, they were here and debated it. They were here and they kept it from passing for seventy hours. They debated it day in, day out, night and day. I have heard them talk, it is almost like old war stories. I know there was some discussion earlier of members opposite having naps in the backbenches with their socks off and so on. Old war stories about what went on in those evenings of the seventy hours of debate.

Mr. Speaker, they were here when government closed debate. They were here developing their vested interest when government closed debate, when they shut down debate on an issue of privacy. They shut down debate on an issue of being able to bring information forward. They were told, no, you cannot do this anymore. You cannot bring information forward anymore because we have to bring in a bill that deals with bringing information forward. That piqued their personal interest.

The bill passed. They spent two years calling for the repeal of Bill 29. That is why they are speaking with such passion today. I am not sure why the member opposite was speaking with such passion, but that is why they are speaking with such passion today. They called for the repeal of this bill for two years, and here we are today, finally Bill 29 has been repealed. Bill 29 has been repealed. We have Bill 1 that we are debating today to replace Bill 29. As I said, I was not here at the time.

I want to just talk a little bit of my experience with access to information, where this whole issue has come from. Mr. Speaker, we go back to 1999, a PC government, in its Blue Book, will establish a new freedom of information act to reduce the wait for information and to ensure ministers actually provide the information requested, where that information belongs in the public domain.

In 2003, Danny Williams said that the PCs will stand by their commitment to integrity, accountability, responsibility, and earning public trust. Interesting, Mr. Speaker, the school I taught in for thirty years, that was pretty much their motto: integrity, tolerance and responsibility. It is hard to be tying the motto of a school to a government that would bring forward a piece of legislation that we have just repealed today.

Mr. Speaker, in 2005, the Province proclaimed a Transparency and Accountability Act. According to the government news release issued, the act was to ensure greater openness and accountability of all government departments. According to Premier Danny Williams, “We remain committed to ensuring that government is fully accountable to the people who have entrusted us to run the province.” Premier Danny Williams said he planned to make transparency and accountability the watchwords of his administration. He was not long gone before the bottom fell out of that. Russell Wangersky wrote that “Transparency and accountability are like an exercise program: practice conscientiously, or it’ll end up doing you no good at all.”

Mr. Speaker, that is about that time that I became aware of what ATIPPA was. I did not really know – we saw the acronym. I was a principal in a high school in St. John’s and saw the acronym, ATIPPA – Access to Information and Protection of Privacy Act. As a principal, this new piece of legislation came our way, we marched down to our district office – the current Minister of Justice was probably my boss at the time who probably facilitated that – and we spent two days learning about access to information and personal privacy. At that time it was almost, how did we get by without this in the past? We learned about protecting student records. We learned about who we could give

information to, what agencies that in the past would have come to schools, gotten information and went on. We learned about which of those agencies and how we were to deal with those agencies when they came looking for information.

On the other side, we learned about what public information we should be prepared to share with the public. I know one common incident was emails, for instance. It is not uncommon for teachers to discuss students via email, and became a big issue when the parent came and said I want to see all issues that were discussed in emails about my student, and the top almost went off her. Mr. Speaker, it just made sense that ATIPPA legislation would cover those areas, areas that were remiss in the past.

Then, Mr. Speaker, I spent some time at the municipal level and we learned to implement ATIPPA legislation there. Again, with the information of residents, the information of citizens, things that we were not able to give out, paid off against members of the public who came to town hall looking for information that they knew councillors had been discussing. Again, it just made sense that ATIPPA legislation was something that we should have always had.

Mr. Speaker, then we come up to the spring of 2012, and as I said I was not here, I was just a normal retiree –

**AN HON. MEMBER:** (Inaudible).

**MR. HILLIER:** Well, it is a different normal. We build our own normal, they tell me.

In the spring of 2012, I was just a retired teacher, doing the things that retired teachers do, and I hear that there is a new ATIPP bill coming forward. I did not know it was called Bill 29 until the term Bill 29 got into the common vernacular and everybody knew it was Bill 29. Everybody knows now that it was Bill 29. I just knew that in this House government had brought forward a new piece of ATIPP legislation and, even then, did not pay a whole lot of attention to it until you start hearing in the media conflicting comments.

I know the last speaker was concerned about reading comments, but I am not reading them for the sake of reading them, Mr. Speaker, this is what I heard in 2012. The conflicting issue that I had: Is this a good piece of legislation or were we better off with what I had learned to work with as a teacher or I learned to work with as a municipal councillor?

Mr. Speaker, some of the comments, the Minister of Justice at the time said, “The cornerstone of the Access to Information and Protection of Privacy Act is openness, transparency and accountability, and our government is committed to this important piece of legislation.” He also said: This will modernize our legislation. He claimed the bill was based on consultation, research, and best practices across the country. On the other hand, Mr. Speaker, Democracy Watch – we have already referenced Democracy Watch here – says it is a dangerously undemocratic move that reduces access for the public, information that they paid for and have a right to know.

Municipal Affairs Minister argued that the public actually does not have a right to know. Everything would be on the table each and every day for scrutiny, not only of the Opposition but the scrutiny of government, scrutiny of the public at large, and scrutiny of the media. You do not want them seeing anything. Is that the way that a democratic society works? I say to the hon. members, that is not the way a democratic society works.

On the other hand Democracy Watch says it goes against the trend across the country, which is towards more openness. Instead, this is towards more excessive, unjustifiable, and undemocratic secrecy.

Mr. Speaker, I was just a normal person at home. I had some background in ATIPPA.

**MS PERRY:** You still are just a normal (inaudible).

**MR. HILLIER:** No, I am not that normal any more.

I had some background in ATIPPA, but really could not decide who was right here. Was

government right? Was Democracy Watch right or whomever?

Then members of the Opposition and the media got involved. We are hearing more and more and more and more about the concerns that were going on with Bill 29. You are sort of sitting back – I know my colleagues talked about the galleries being full at that time. At that point in time, I am sitting back and saying: Yes, there is something systematically wrong with this particular bill.

I guess most ordinary people will never submit an access to information. Most common people will never get involved in that. So most common people really did not know that this was a big issue. They realized it was a big issue when the media got involved and the Opposition got involved. I have to thank the media of the day for making such a big point of not being able to have access to information.

Then, Mr. Speaker, that bill came in and we spent two years – the people called for repeal. The people called for Bill 29 to be repealed. The media called for repeal. The Opposition called for repeal. Democratic organizations such as Democracy Watch called for repeal.

Then in January 2014, the then Premier Marshall got out of bed and before he had a chance to shave or wash up, he said to himself: I cannot take this any more; enough of this. I am washing my hands of all of this. Bill 29 has to go. We have put up with this enough.

He built a legacy for himself, Mr. Speaker, as the Premier who decided to repeal Bill 29. His first job, though, was to call Judge Wells. He probably knew his private number. He said: I have a problem. Will you ride me – it was like the witches in *Macbeth* – I think it was *Macbeth* – will you rid me of Bill 29? Clyde, come and rid me of Bill 29. Please take on the job, get rid of Bill 29. I do not care what you come up with, it has to be better than we have. We will accept every one of your suggestions, we will accept every one of your resolutions, because it has to be better than what we have. Besides that, I do not care how much it is going to cost, rid me of Bill 29.

Mr. Speaker, Judge Wells and his committee have rid us of Bill 29. They have done a tremendous job of putting this together. It is a bill that, I cannot speak for everyone, but I will be supporting in the end.

Mr. Speaker, two pieces that have been fixed since I have been in this House, and I guess the only experience I have with ATIPPA legislation since I have been here, early when I came I had a phone call from a resident, from a citizen, from a constituent –

**SOME HON. MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order, please!

**MR. HILLIER:** I had a phone call from a constituent, I need to talk with you. I said sure, where do you want to talk? He said, I will be in the Confederation Building tomorrow. So we set a time, we set a place. When he showed up, he was not happy. I am saying to myself, what have I done now?

He pulled out of his briefcase a black piece of paper and threw it at me. I am saying, what have I done now? He said, you have not done anything. He said this is what I received from government on an access to information piece. I did not have a clue what he was talking about. I said, why is it black? He said that is because it is redacted. I just thought redacted was another word for black, but I guess it is. He settled down to explain to me that this was how he, on a regular basis, had to accept access to information reports from government. I have seen the same thing, obviously, over and over and over, over the last six months.

Mr. Speaker, the other piece deals with access of information from departments. You have a resident who calls: Rex, I am having trouble with such and such, could you intervene for me? We all do it; we all do it on a regular basis. Yesterday we talked so much about, or earlier last week people talked about doing it for seniors. We do it all the time. Somebody calls, we intervene.

Mr. Speaker, I taught for thirty years in St. John's. I have students everywhere, including within the public service. So I thought that I could pick up the phone and phone somebody

from the class of 1983 or the class of 1989 who are now in Finance, or in Health, or wherever they might be, and get the information.

Mr. Speaker, I guess I got my head handed to me when I called Transportation looking for some information from a resident. I thought it would be the normal thing to do as an MHA. I thought that perhaps as an MHA I had a little bit more authority – I do not want to use those words – power, what have you, to get that information.

Mr. Speaker, it turns out that I had to go through the political appointee, the executive assistant in order for me to get that information. Now the interesting part of it was is that in order for me to get that information from Transportation, I had to go to an executive assistant who I had just defeated in a by-election, and who I will probably have to run against again next fall. This is the person who is the gatekeeper of information for me – really.

Mr. Speaker, that brings us to where we are today. We have Bill 1. My colleague here stole my line and talked about the million-dollar bill. We may talk about the million-dollar bill, we may joke on it, but we do know that this bill cost an extra million dollars to fix something that you broke.

I talked earlier this winter about the seniors' advisory council who had their budget cut last year. That is where that million dollars could have been used. I met this week with a group from the Coalition of Persons with Disabilities. They have a \$34,000 grant from government. They spend 30 per cent of their time trying to find places to get the money to pay for their salary. That million dollars could go a long ways.

Finally, Mr. Speaker, on Wednesday this week, we debated the seniors' advocacy office. The Member for Exploits was concerned that it was going to be too expensive. We have a million dollars that we could have used for that.

Thank you very much.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER (Verge):** The hon. the Deputy Government House Leader.

**MR. HUTCHINGS:** Thank you, Mr. Speaker.

Mr. Speaker, I move, seconded by the Minister of Transportation and Works, that the House do now adjourn.

**MR. SPEAKER:** The motion is that this House do now adjourn.

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

This House stands adjourned until 1:30 o'clock tomorrow.

On motion, the House at its rising adjourned until tomorrow, Tuesday, at 1:30 p.m.