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HANSARD

Speaker: Honourable Perry Trimper, MHA

Wednesday

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The House met at 10 a.m.

MR. SPEAKER (Trimper): Order, please!

Admit strangers.

Orders of the Day

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

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

I would call Order 5, second reading of Bill 14.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: It is moved and seconded that Bill 14, entitled, An Act –

MR. A. PARSONS: No, not yet.

MR. SPEAKER: Sorry.

MR. A. PARSONS: Mr. Speaker, I move, seconded by the Minister of Municipal Affairs, that Bill 14, An Act To Amend The Elections Act, 1991, be now read a second time.

MR. SPEAKER: It is moved and seconded that Bill 14, An Act To Amend The Elections Act, 1991, be now read a second time.

Motion, second reading of a bill, “An Act To Amend The Elections Act, 1991.” (Bill 14)

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

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

I’m certainly pleased to stand here this morning in this House of Assembly to debate this important piece of legislation that we have in front of us and to deal with an issue that’s been presented to all of us as Members in this House. It’s a bit of an unusual situation that we find ourselves in, but it’s not the first time or last time that the situation will present itself to Members of this House that will be forced to convene and discuss an issue of this nature.

My goal this morning during second reading is to take my time to go through, I guess the

problem or issue we’re dealing with, the legislation that’s been drafted to address that. Some of the background and history, the changes that are being proposed, the logic and rationale behind those and to basically just take our time to make sure we give a thorough reading to this piece of legislation.

Contrary to some of the belief out there, there’s no rush here. All Members of this House on both sides want to make sure that every piece of legislation is given its due time and given every opportunity to speak to a piece of legislation.

Again, I’m speaking this in the context of the individual that may be out there watching this or taking this in or listening. I’m trying to explain it in a way that makes sense to people that, why are we here? What is it we are debating and why are we doing it?

As everybody knows, or should know, we have an *Elections Act* in this province that governs the conduct of elections, whether it be a by-election or a general election that’s been in place for some time. The specific one we’re dealing with is the *Elections Act, 1991*, but as is the course with many pieces of legislation, they are amended from time to time to reflect changes that are necessary or that present themselves.

In 2007, this House, at that time, saw amendments to the *Elections Act*. I may not be exactly specific here but I’m going to give the idea of what we’re dealing with. So the purpose at that time of the amendment that was made was to allow for extended special ballot provisions. That was done in 2007. I believe, by my reading of *Hansard*, the purpose of this was to allow for an extended period for those individuals who may not be able to vote at an advance poll or on polling day, to have an increased opportunity to vote.

Now, my take – and, again, I was not present in the House at that time – is the Members at that time were of the understanding or the belief that by increasing this period that it was actually enhancing the ability to vote, making it easier for people to vote, which in and of itself is an honourable purpose. The change was made to allow for a special ballot. That’s the opportunity to have – basically your vote that is not cast at a polling booth, you receive a vote.

This vote can be done anywhere. It can be done from your home, or if you happen to live away. Obviously, Newfoundland and Labrador as it is, as with many provinces, we have a transient population. Whether that's people that are gone away to work, people that travel for medical appointments, snow birds that are gone to Florida, people working in the Middle East, you name it: that's a normal thing. Special ballot is quite a normal process. So this was an opportunity to extend this.

What came out of it, the amendment that was made at the time was to allow for people to apply for and receive a special ballot up to four weeks before the drop of the writ. For people out there, the drop of the writ is when the election is actually called.

As I find, especially when it comes to a general election, is that people forget the writ drop because with fixed elections now you know the election is coming for some time. The actual writ drop has become somewhat of a symbolic thing. In many cases people are campaigning well before, politicians are out. People get that, but the writ is still an extremely important thing because it actually begins the elections process, the campaign process. That triggers a number of rules, obligations that must be followed by candidates and parties. What this did was allow for special ballots up to four weeks prior to the drop of the writ.

I'm going to sort of try my best, and I apologize – certainly, the Members of the Opposition know what I'm trying to say. So if I don't get this quite clear, I'm sure they'll take the opportunity to correct me. I'm trying my best to explain it to people out there. If I misspeak, I certainly apologize. I will have another opportunity during this debate to stand up and clarify anything.

You could get a special ballot up to four weeks before the drop of the writ. The *Elections Act* also said that once the writ is dropped, a campaign is to be anywhere from 21 to 30 days. That period of time is determined by the government at that time.

A number of things are likely taken into consideration. If you do it on 21 days, does it fall on a Saturday? Does it fall on a holiday?

There's a whole number of considerations. That's things that the government at the time considers.

The important thing to remember, you have 21 to 30 days for your campaign, and then – during this process another important date that falls in there is the nomination date. That is the date at which candidates for that election must be declared. The original provision was that it would be 10 days prior to polling day.

We have election day on, say, the first of the month. We know if it's a 21-day campaign, I believe that would fall on October 22. I think it is 21 clear days. So you would go 10 days backward and that would be the nomination date for which candidates must be declared.

In actuality, what this special ballot allowed for – in many cases, candidates are not declared in a lot of cases until a nomination date. So the election could be called on the first – this happens frequently. It may have happened in the last election. I know it's happened in elections previous. I know in my district alone, not an election I was involved in, but the election of 1999, the candidate for one of the parties wasn't declared until the actual nomination day. That's just how it worked.

In some cases you're declared the first day. It depends on the party, it depends on the district, it depends on the person, it depends on the level of preparation. In most cases you have a very good idea of the majority of people that are going to run, but the rule is you have until this date. If you come after that date, it's too late. You cannot be a candidate. There will be no candidate.

Let's just think about it going backwards. What happened was you can get your special ballot four weeks prior to the writ being dropped or the election actually being called, and then you had a period of time to cast that vote where you may not know the name of a candidate of a particular party. What that led to was the ability in many cases to cast a ballot where you didn't write the name of a candidate, you may have written the name of a party. So you could literally write on your ballot Liberal or NDP or PC and cast it in. That would be seen as an actual vote for that

party. There may not even be a candidate in place.

These were the provisions. They were debated here in the House. They were brought forward. We're going to fast forward to 2011. In the 2011 general election – and I can't remember the name of the district. Burin – Placentia West was the district. What happened in that situation was you had a very tight race. The incumbent – and I'm going to use names here because these things are all part of public record and they've been part of the lawsuit that was brought forward. Clyde Jackman was the Progressive Conservative incumbent and he won the election by a very small margin over the NDP candidate Ms. Julie Mitchell.

I think Mr. Jackman received 2,538 votes; Ms. Mitchell received 2,498 votes, which is a very close margin. Again, I don't have the actual special ballot count here but a portion of those votes in that campaign, the same as in every other campaign, was made up of special ballots. Everybody has the opportunity to avail of that.

What happened, because it was so close, Ms. Mitchell commenced a lawsuit on November 28, 2011. The allegation of that lawsuit was that Mr. Jackman won by a margin approximately equal to the number of special ballots received prior to the writ and challenging the results and the constitutionality of the special ballot provisions of the *Elections Act, 1991*.

Basically, the argument became – I'm sure the lawyers involved in this case will be able to do a far better and more eloquent job of explaining, but the allegation was that these special ballots are unconstitutional because they prejudice a person's right to a free vote under the Charter. That became the crux of it: You could vote in an election that was not called and vote for a candidate that did not exist.

Therefore, that was seen as favouring incumbents. It was taking away the voters ability to have an informed vote and, basically, it was prejudicial to an independent candidate – somebody who is not affiliated with a party. So you might run in this election – I'll just use my example: Somebody could have voted for me and said Liberal, not said my name, said Liberal, but that counts as a vote for me. Or they could

have said PC or NDP. But if you're an independent candidate, you don't have that ability. So that was seen as prejudicial.

That case started in 2011. It was contested. There were a number of parties that were brought to this. I believe all of the candidates were listed as parties to it. I believe the Attorney General of Newfoundland and Labrador was linked to this as an intervenor, which is par for the course, Mr. Speaker, because any time there's a constitutional issue this province is linked to that, the Attorney General is linked to that. Because any constitutional issue, we have to deal with.

What happened – I'm going to go forward. Since that time we've had 2011 and then we had 2015, we had another general election, and this continued on. This case sort of went through the court system. It took it a long time. You had a number of intervenors. It dragged out over a period of time.

What happened, the reason we are here, is because on September 6 of this year, 2017, Justice Butler of the Supreme Court of Newfoundland and Labrador, Trial Division, made her decision. That was filed September 6. And I won't get into it, I have the decision right here; it's not overly long, but it's not a short one as well. I guess what Justice Butler came out saying in very plain language was that the *Elections Act* provisions regarding special ballots, section 86, were indeed unconstitutional.

Now, as it is the case with any question of constitutionality or Charter, can it be saved? Can it be saved? We have a breach of this Charter right, but can it be saved by section 1? In this case Justice Butler said we have a breach, and it cannot be saved by section 1 of the Charter, and therefore this provision is invalid. It is unconstitutional; it is of no use. So the entire special ballots provisions of our legislation, our *Elections Act*, are gone.

That, Mr. Speaker, is obviously an issue. Now, what I can say – and this is an aside to this, and I may go back and forth to this – is that this decision has been appealed by the Chief Electoral Officer for this province, who is an independent office. It is not a part of

government; it is independent. And they have appealed that, as is anybody's right within court.

So right now as it stands, this matter will likely be proceeding to the Court of Appeal here in Newfoundland and Labrador. Again, the province has been named as an intervenor. That's going to happen. How long that takes, none of us have any idea. That could take some time. The first case took a significant amount of time. My guess is that it will not take that much time.

Now, going back to the original case, obviously with that passage of time, the fact is there was a whole new general election in that period. We can't go back, rewind the clock and change what happened in that. We can't do that. What we can do is change our legislation going forward, so that we avoid a situation where we have an election with unconstitutional provisions and have the possibility of having an election or a by-election specifically in this case – this is one of the main reasons why we're here so quickly is that we don't want to have a by-election without special ballot provisions.

The reason that is, and it is listed in the case, and I believe it's a case from British Columbia, is that it's also been recognized that the failure to have a special ballot provision can also be deemed unconstitutional. Many people said: Well, okay, we had the special ballots; they're no good. Let's have the election. But, no, no, if you don't change this and if you don't replace the provisions, you're also going to have an issue, but on the other end. You need to have special ballots and there's nobody in this House who will disagree with that.

The fact remains that in this province, as in any other province, people may not be around for advance polls; people may not be around for polling day. Every one of us has seen that. Certainly, I just used my own district where I have a number of people that are seniors; they have to do a fair amount of travel for health care and whatnot. It can be hard to be around on these identified days. In some communities in my district, there is actually not an advance poll because they're so small. So we need to have special ballots. This is a necessary thing.

One of the things that you could do is go back to court and ask for an injunction to say that we're going to continue on and have a by-election using the rules that were there in place just to get us by. I would see a couple of issues with that. I'm not personally a fan of going forward with rules that have already been deemed at one level of court to be unconstitutional. They've already been seen as an issue.

Secondly – and this is just my personal opinion – I can see the inherent issue with being able to vote in an election that's not called and for candidates that don't exist. When you just say that itself, it doesn't sound right, so I have no issue with getting rid of that provision and it's been recognized that is an issue.

I'm going to continue on. I'm going to apologize, Mr. Speaker, because there are so many tangents that I could go off on and ways I go off on. I'm going to try to keep coming back to the crux of the argument, why are we here.

We have to change this provision. We all know that we have to do this. That wasn't the issue. The decision comes down September 6. We already know that there's going to be an analysis. Like any court decision that the government is involved in, do you appeal, do you not appeal, what's going to happen? The second part of it, though, is with that act what are we going to do going forward because there are always risks the possibility, even theoretically that a by-election can be called.

At first, there might not have been a sense of urgency per se. Keep in mind that our *Elections Act* also says that upon a resignation of a Member, a by-election must be called within 60 days and it must be held within 90 days. The original period of time under that act said your campaign is going to be 21 to 30 days; the nomination date was 10 days before the polling day.

So the legislation says if you resign, any Member of this House that resigns, you have to call that election within 60 days. My guess – and I wasn't a part of any debate that dealt with that – but my guess is the reason for that is nobody wants any district in this province to be unrepresented, not to have representation in this House for a long period of time, and 60 days is

deemed – and I don't think there's ever been a challenge to this – to be a reasonable period of time to call that by-election.

What I can say is if you look back over, by-elections over the last 10 to 12 years – again, there have been no by-elections called since, I believe, 2014; 2014 was the most recent by-election. The range of time between resignation and writ dropped, the election actually being called, has ranged from one day right up to 60 days. It's been the full gamut. The last by-election – and I'm hoping I can find the chart at some point. I have a beautiful little chart here somewhere.

In Humber East, the resignation of the former Member for Humber East was November 3. The writ drop was November 3. The election was November 25. That's a pretty quick one there.

You go back to St. George's – Stephenville East. The resignation was June 2, 2014. The writ drop was August 1, 2014, and the by-election date was August 26, 2014. So that was the full 60 days.

If you go back right to 2006 and 2007, there's a wide range here. We've had three that were one day. We've had one that was 60 days, 16 days, 52 days, 38 days. There's a true range right across that spectrum. That's how it's gone.

Going back to the reason we're here. We have this court decision. We know we have to change the legislation because it's unconstitutional, but then what happens we had the resignation of the Member for Mount Pearl North. In that case, I can't remember the day he announced his intention to resign. I think the resignation was October 11. I think October 10 or 11, it was in that range.

In that case, the good news in some ways is it wasn't a snap resignation in the sense that you just resigned your seat right away. What happened in that case was the Member announced I'm going to be stepping down effective this date. In some ways the positive news is we had a period of time to sit back and say, okay, we know now that as of this date you have to have a by-election within 60 days, if that's what happens.

That created the sense of urgency that brings us here. That creates that sense of urgency. We knew – again, there was an analysis going on at that point but as soon as the Member says I'm going to resign, we know we're going to come here. The decision – what I will say is that immediately at the time the Leader of the Official Opposition said we need to get the House back in session. We need to have a session to change this to get ready. That's not a bad idea. The fact is we needed to come back here, and I understand the call to come back here and do that.

The reason we could not convene it right away is there's no point to coming back to the House, in my opinion, unless you had the legislation ready. Again, we didn't want to bring legislation in that wasn't fully analyzed and prepared and scrutinized. We wanted to do the work. We wanted to have the stress test. We wanted to have multiple eyes on this and multiple conversations on this.

What we did do – we also didn't want to wait, and I agree with the Leader of the Opposition. The Leader said you've got to call the House back, we have to debate this. I agree. I agree we do have to call the House back. Right now, the next session of the House is November 6.

Even to the viewer out there that is not aware of how this House works, in a lot of cases prior to us being government, governments before that – again, I'm only going back as far as I can recall. If that's been changed, well, my apologies, but generally speaking there was no rule on this. There was an addendum or an appendix to the Standing Orders that said you should call the House back no later than, and it should sit no later than.

In most cases, we know we're going to guess that it's going to be – and generally speaking, our House always opens sometime in November, early November. In a lot of cases, actually, after Remembrance Day, and our House usually opens sometime around the first week of March, but there was nothing set in stone.

In a lot of cases the notice was put out and we usually got an average of a weeks' notice saying the House is coming back, but you were not for sure. One of the Standing Orders this House has

changed is that's not going to be the case. That for all Members we should have a very good idea – the same as the House of Commons, you know when the House is going to be sitting.

We know now, already, the House is going to sit on November 6. We will all be back here November 6, as is the regular course of business. We made a decision that we did not want to wait until November 6 to deal with this piece of legislation. We felt it was more pressing. I don't think there's any disagreement amongst Members that we needed to get back here and to deal with this as soon as possible, rather than wait till that session. That would be almost a month after the actual resignation, and roughly a month-and-a-half after the intention was made public that the Member was going to resign.

We are here, and we have this piece of legislation. What we've done – again, I don't think anybody disagrees that there's a sense of urgency. In fact, I know nobody can disagree because Members opposite have said you got to have the House back here. We got to deal with this. That's why we're back here. So nobody disagrees with the sense of urgency, but one of the issues that were brought up in Justice Butler's decision was that it didn't seem as if there was a whole significant amount of debate on that previous bill.

That's something that all Members of this House are sensitive to. Nobody wants to come in here and debate a bill that ends up being flawed or unconstitutional, or negative or wrong. Nobody wants to be a part of that. Sure there's legislation that you put in place that you might not like but it's necessary, but it's another thing to have a piece of legislation that comes in that's found by a court to be unconstitutional.

I agree with that. Everybody agrees with that. One of the things Justice Butler said was when you look back at the debate – and I've got the figure there and I don't have it in front, but I think the second reading for that bill back in 2017 was roughly 2½ hours, and I think the Committee stage was roughly 45 minutes, give or take. This substantive part of this legislation was debated in the course of one day.

The other thing that you'll get from reading the *Hansard*, which is the written documentation of

the proceedings of the House of Assembly, is that the Government House Leader at that time made mention numerous times that if the Opposition wants a briefing we will line up a briefing. What I take that to be is that there was no briefing offered, as per usual. I don't know what the setup was like back then, I wasn't there, but what I can say is there was not even a briefing at that time.

I don't know how the Members at that time had the debate. The Member for St. John's East – Quidi Vidi, she would have been here, so she's going to have an opportunity to talk about that because she was a part of that debate and would have been a Member of the NDP at that time. She can put in her experiences with that debate and what she went through.

But going from what I see from *Hansard*, it wasn't a significantly long debate. I don't think there was a whole lot of issue, per se. Again, I'm only theorizing here, but I'm theorizing that the reason was that on its face the legislation at that time appeared to be for a good reason.

I don't think anybody meant for something bad. I think everybody thought this is an opportunity to have more people voting in an election, so I get that. But, at the end of the day, Justice Butler has found that no, it is not constitutionally sound. It, in fact, penalizes certain people, and it favours incumbents. Therefore, it does not stand.

So we come to where we are, which is we know we have to do this. Over the last number of weeks, solicitors within the Department of Justice have been putting together a piece of legislation that, in many ways, it's meant to fix the situation that's been laid out by Justice Butler and is to allow for what we consider a constitutionally, compliant bill, one that will withstand challenge.

Now, I had a question in media scrum yesterday. They said: Well, shouldn't constitutionality be the minimum bar? Yeah, that's obviously the minimum bar. This is not just a piece of legislation that is done to meet the constitutional standards. This is also one that we've done scrutiny across the country. We've looked at our history in this province. We think that it improves upon the legislation as it was. We think it's something that is good, solid

legislation. Albeit, it's been done very quickly due to the situation that's been presented to us; (a), a case that we can't avoid it, it comes on us, and a resignation that we can't avoid. We need to move forward. We have to get this done.

The second part is that there's an appeal right now. Who knows where this will rest when things move forward? This could be appealed and then it theoretically could be appealed again. Who knows where it's going to rest? The other thing is that this is just one part of what I think are other changes that we need to make to not only our *Elections Act* but just to when you talk about democratic reform.

One of the mandates that have been given to me, by the Premier, is to launch an all-party committee in this House comprised of Members from both sides, availing of the services, of academics, media, professionals, experts, where we can talk about democratic reform in this province, both of this House, both of our elections process. We want an opportunity to hear what everybody has to say in the hopes that we can make changes that will improve.

I can say that this House has had success in the past in those endeavours. Just recently, there was an All-Party Committee on the shrimp fishery; Members represented this province's interests in Ottawa. Very recently, we had a report put out by the All-Party Committee on Mental Health, which I think was a very strong success. In fact, one of the issues that were brought up to me was if you start an all-party committee when one party is in power and then it ends up in the other one, that's not going to work.

I disagree, because the All-Party Committee on Mental Health was struck by the government of the day: the Progressive Conservative Party. They struck the committee and to that I say, bravo! That is a positive move and we agree with it. We voted for it, and everybody agreed with it.

They convened the committee, but it's not a simple topic. It's not something you can rush through; it's something that takes time. Therefore, that committee's mandate stretched past that time, past the 2015 election and into the mandate of this government. Now, I was a member of the committee in the first part; I have

not been a member of that committee since the election. My understanding – and I haven't had this indicated to me – is that the committee worked well on both ends, that people had lots of success and we have a report here that is going to benefit the people of this province. So it didn't come down to what government was in; it came down to the membership which was made up of everybody.

What I would say is that the democratic reform committee – now, whether it's a special committee, I'm not going to worry about the structure. The main thing is that it's going to involve all Members. It's not going to be a government-led party; it's going to be a Member-driven party – a Member-driven committee.

The important thing to remember is that will take the time that it takes to make these changes. One thing we have learned in the past in this Legislature, and I think it's been learned in every Legislature, is that when you rush things through you can end up with mistakes. That's not something that anybody wants. Nobody wants that, especially the people of this province. We're all cognizant of that fear.

What we did in this case is put together a piece of legislation. I've explained the circumstances here. I want to talk just a second about House procedure, again, for those watching that may not understand how that works. I say to them: I certainly didn't have any idea how it worked before I ever got elected. It's been a learning process.

Every bill has a number of stages. There's the notice for the bill where you give notice that you'll be introducing the bill. The bill is not debated at that point, it's not discussed and, in fact, it is not released in many cases. You can only do that stage of a bill one day. You cannot do any other stage on that day.

The second concept is first reading of a bill which, again, is a pro forma reading of the title of a bill. At that point, generally speaking, there are some exceptions. But the bill is distributed then to all Members of the House; it's posted on the House of Assembly website. There's no debate on that but now Members have the

substance, the actual bill that is being debated, the legislation.

Generally speaking, first reading takes place on one day. There is no debate on that day and you don't generally do the other stages on that day. Then you have second reading followed by Committee. This is the substantive part of the debate where all Members get an opportunity to stand and speak to that bill. Generally, the introducer of the bill gets an hour, the Opposition Member responding gets an hour and all Members get 20 minutes to speak to that bill. I've been in debates where every Member spoke and I've been in debates where very few spoke, depending on the substance of the bill.

Committee follows that. So, again, everybody gets one opportunity, except myself in this particular case introducing this bill. I get to lead the bill and I'll get to conclude the bill. Then it proceeds into Committee stage, which is an opportunity for Members – that's how it really gets into the debate side where it's 10-minute intervals where Members of the Opposition stand and can ask questions or make comments. They have 10 minutes and then the government can stand and respond to that.

Now, that can go on for 10 minutes or 10 hours; it depends again on the substance of the bills. We've had some bills in this House that we've kept them in Committee for days. We've had some that are very quick, because some of the bills we do are housekeeping-type bills.

Finally, after the conclusion of Committee, we have third reading. Third reading is another – there is not usually a debate. Sometimes there is. It's an opportunity – people do have the right to speak, but generally speaking that's on another day. So a bill can take a number of days.

Now, in the past, one of the provisions of our Standing Orders is that Members of this House can grant unanimous leave to discuss a bill. So what that does is that allows Members to proceed past the normal stage for various reasons. Sometimes that's been done to expedite a process. That's been done numerous times in the past, but it can only be done with unanimous consent.

Now, I've made quite clear, and I want to put it out there, because at no point has my intention been to speed up the bill in the sense of hurrying debate, rushing debate, rushing the passage of this bill. We have all the time we need to debate the bill. I don't think anybody wants to come in and debate a bill and a special session that we're here because the last bill led us here. Because that was – now I can't say it was rushed, but because the last bill got struck down in many ways, the provisions got struck down, we're here because of that.

Do we want to repeat history? I say to you, Mr. Speaker, no we do not. So we are going to take all the time we want and debate.

What I wanted to do was instead of coming in on a Monday and just doing notice and nothing else, no other proceedings; I had hoped to begin the substantive part of debate on Monday, to do second reading. That was my hope. Now, that didn't happen.

Again, my point is not to belabour that here today. That's not an issue I'm trying to make. I'm not trying to get into that today. I just wanted to explain my purpose for starting that today. I wanted to get in the House and have that discussion, knowing with full expectations – I fully expected this bill was going to take some time. It was going to take Monday, it was going to take Tuesday, it's probably going to take Wednesday. It's going to take however long it takes. That's just how this works.

I have no problem, nor does any Member of this House, being in the House to debate. What I didn't want was to come in and not be able to get down to business right away and to get past the formality, and that's been done. Anyway, that's neither here nor there. This is an opportunity for me to explain where my head was.

AN HON. MEMBER: We're here for the long haul.

AN HON. MEMBER: Right to Christmas.

MR. A. PARSONS: I hear the Members over there saying: Right until Christmas. Well, I would say that's not compliant with the *Elections Act*, but I get the gist of what the

Member is saying, which is we need to take this time.

None of us wants to be here for a bill, because when a bill gets struck down, it doesn't look bad just on one person. It can look bad on all Members, especially when a bill is agreed to unanimously. If everybody agrees to it and there's something wrong, then everybody must share in that.

So, that being said, what we have here, and this is where I'm going to get into the substance of the actual bill. What I would say, Mr. Speaker, is I'm going to – I have a significant amount of time left to speak to this. Members are going to speak to this, and I would suggest this is the stage – and I'll put it out there. There has been some discussion in the media about how we have this bill, we don't want to listen to anybody and here it is.

What I would say, Mr. Speaker, is that is not correct. What I want to do is have a debate here in the House where I speak as to the government bill, our logic and rationale and reasoning for doing that, and the Opposition's going to stand up and they're going to say this is either why we like it or don't like it. These are the sections we have an issue with or don't have an issue with, and if they have a suggestion they're going to put that forward. What I would say, Mr. Speaker, and I think my record would show this, is I will always agree with a resolution that improves upon a bill, meets all the requirements, including constitutionality, that improves upon it.

I have no problem hearing from the Opposition and saying, this idea makes sense. I'll tell you why, Mr. Speaker, because I had the benefit of serving in Opposition for four years. There were a number of pieces of government legislation that in some cases never proposed anything for it. It made sense. In some cases I proposed it and it didn't happen. In some cases we did propose changes that were accepted. Now, it's frustrating. It is frustrating when you are in Opposition to propose something that doesn't get accepted. I've been there. I get it. At the same time, if I'm going to propose something, I always wanted to propose it with an underpinning that was evidentiary, that fulfilled a structural necessity.

It's one thing to change something for the sake of change, because one thing about this act is one time limit affects another. They need to be taken together. Do you know what? I know for a fact the Opposition knows that. I know that.

So what I'm saying, and I want to make it clear to absolutely everybody, is I am absolutely one hundred per cent open to solutions to a problem that they believe exists. I am open to amendments they want to make, but I need to hear, here in the House – I want all Members to hear it, because all Members play a part in this. All Members form a part of debate.

We should hear what the amendments are and what the rationale is for it, and then let's move forward. Now, as I've done in the past as Opposition, if I move an amendment and I explain why it makes sense and the government turns it down, then it was my job to explain why the government's bill didn't make sense. That is their right. That's their obligation, but at the same time, I'm not just going to agree to a change because it's proposed.

The bill that we have put forward here I think is a very good piece of legislation. I don't want to suggest that I played a large part in drafting this. There are a number of lawyers within the department, lawyers who have been in service to this government, public servants, for years. They helped draft this. I think they've done a very good job, but if they hear of a solution that makes sense, they're fine with that too.

I look forward to this debate. This is a necessary debate, one we need to have. I look forward to hearing from all sides, all Members to – okay, the bill we have here, we know we have to get it done, what's the best bill going forward with the situation that we have.

When you look at the bill itself, Bill 14, Mr. Speaker, what I'm going to do – and, again, it's not a huge bill. There are some changes in it which are not, I would say, revolutionary. There are some changes that I know cause concern to the Opposition. To that I'd say let us know why it causes concern and what your solution is to that concern.

Right now, as it stands, this bill that we have, I think, fulfills all the needs that have been

outlined to us. I think it is completely compliant with the decision that Justice Butler laid down. I think it will withstand constitutional scrutiny. I think it will withstand any challenge. I believe that to be true. I rely on the expertise of individuals who do this. That's why I trust in them and I think this is good.

Some of these are huge, some are not. I'm going to go through this. Basically, what we're dealing with – and I have a very handy chart that's been put together for me talking about the changes, what they were, what they are and why.

My time is running short. I have about 20 minutes left. So I'm going to continue on and try my best to get through them, knowing that the way this debate is structured, that if I don't get it all done in second reading, I can take all the time I want in Committee to explain it because that's what we do.

The first one, section 1, what it had there, the previous clause under section 58(1) – and just keep in mind, it was section 86 that was ruled unconstitutional or invalid, but because of the changes we need to make there, it requires changes in other sections. This is section 58. What it used to say was that the day of polling to be fixed by the proclamation required under section 57 shall be a day not less than 21 days, not more than 30 clear days. That was the election period. You could have no less than 21, no more than 30.

What we've changed here is we're saying that the day of polling to be fixed shall be at least 26 clear days from the date of the proclamation. What we've done is we've added five days on to the minimum that was before. The other thing to keep in mind is that there is no cap. This is not unusual. Every jurisdiction is different. Some jurisdictions put in sort of a cap that has to be minimum and maximum, and some say a minimum of X number of days, with no limit on the other end.

One of the questions that's been brought forward I understand is that it is unfortunate because it could theoretically allow for a party to call an election –

AN HON. MEMBER: A snap election.

MR. A. PARSONS: – a snap election that could allow for four months of campaign. Now, I think history will show, and I only have to go back to the 2015 federal election for proof of that, that the incumbent government at that time did that and it didn't exactly pan out for them. It didn't work.

In some cases, it may be a benefit to have a short election. Some governments say – again, going by the experience of the previous government, they felt that in certain by-elections, a short election period worked. It depends on the circumstances and that is the prerogative of the government to do so.

The former administration has gone from both ends of that extreme, 21 to 30. It depends on what you want to do. That's their right. In this case we're saying that we have 26; it's still going to be an extended period of time. What I would say, though, is that having been through this I can say that an extended period of campaigning is a very expensive proposition. It's an expensive proposition for all involved, and it is not something I think that's ideal.

I understand that they've brought that up, but what I'm going to do is I'm going to allow them the opportunity to talk more about that when they get the opportunity. This is what we allow: We said there's no need to have a cap. Again, same with the feds, same with certain territories; this is not an unusual thing. We fall in line across Canada. Every province has differences.

Nomination day: The day to be appointed under section 57 for the close of nomination shall be the fifth day after the date of the proclamation. Whereas before, it said the close of nomination shall be the 10th day before polling day. This is another issue that I understand the Opposition has some issue with and that they will bring their concerns forward.

One of the issues that we found ourselves in, what we've done here, we have not allowed – and I'll get further into this; some of this I'm sort of going ahead to the other sections that I'll get to. But what we're saying here is that writ day, election day, within five days you must have your candidates in place.

Now, before, it was election day and 10 days prior to nomination. The issue we have here is that prior to that, with the writ day 10 days before, you could have special ballots and vote for a candidate that did not exist. That, Mr. Speaker, is unconstitutional. It does not allow for voters to be informed, and that's what a lot of this process comes down to. It comes down to we need to have an informed electorate able to cast their vote, knowing who their candidates are and having a choice to be informed, to know who the candidates are and who they want to vote for.

So the issue here is that with the special ballots, Justice Butler did not like special ballots before nomination. Because again, theoretically, you could cast your vote for a candidate that does not exist which leads to the uninformed electorate, which is the constitutional issue that we're dealing with in the first place.

What we've done is say writ day, nomination is five days. There's no special ballot. Special ballots will be from that day when you know the candidates, forward. This allows for an informed electorate. If we had done the 10 days prior to, you're going to have the same issue that we're here dealing with, which is an uninformed electorate. We don't want that; we can't have that.

The other issue when it comes to special ballots is just due to the nature of – not just this province, every province, but they take time. So you have to get that ballot from the fifth day, you have to mail it out to wherever it goes. Whether that's Ramea, whether that's Qatar or whether that's Florida. You have to get it out, allow for the vote, and get it back and to be counted. That's where Elections NL comes in.

Going by what existed before, using these rules, the longer you have a nomination period, the longer you have to have an election. And they coincide with each other; you can't extend one without extending the other.

The period that we have suggested here is not an issue to Elections NL. They're saying that will give us ample time to send the special ballot out, to have the vote, to have it received, to get it back, to count it up and to make sure that it's put there. It's democratic, it's constitutional, it will

work and it is better than what was there before. What we had before does not work.

The other thing – and this is one of the things that I like – is that we can still allow – and we are going to – for special ballots to be applied for up to four weeks prior to the writ drop. You can think if you weren't allowed to apply for the special ballot until the fifth, that's a huge logistical challenge for Elections NL – huge. So what we've done is you can apply any time if you know that by-election is coming – let's just use the theoretical situation in Mount Pearl North. We knew come whatever day that the former MHA said he was resigning, that yes, there's a by-election coming, let's get that application in for a special ballot. I know I'm going to be in Florida, I know I'm going to be gone to work, let's get that done. You knew that. Or a general election, you definitely know because you know when it's going to be, so you can do that for that four weeks.

What we've done here is that people can still apply. It's received by the Chief Electoral Officer, he's able to compile that and have it ready so that after that nomination period is over, boom, the special ballots go out and we fulfill the constitutional need and it's a system that will still work. Special ballot voters will get their ballot, get to cast an informed vote, get it back and it will count in the election. To me, that is what is important.

Again, there are some provisions here – I won't get into the nitty-gritty but obviously if that fifth day falls upon a holiday, then that's extended one day. Those are all still maintained; that's not an issue. Obviously, you can't have that on a statutory holiday.

New bill section 3, there's actually no change from what it was. Just so we know, we're basically amending the entire section. So there are certain sections that stay the same. The reason we're doing that is to avoid somebody saying well this section actually remained, so therefore it's still unconstitutional. We're getting rid of all of it, bringing it all back in – some are new, some are the same, but it's actually a new amendment so it will be constitutionally compliant.

Application for special ballot: It's a change in the title but the same wording. Again, there's no substantive change there to that whatsoever. Bill section 3 continued: special ballot administrator appointed. This is no change from what was there before, apart from one change pursuant to legislative drafting principles. People want to understand what legislative drafting principles are – and this is a job that, again, I have to give kudos to the individuals who do this work. We have a new legislative officer, Susan King. This is a tough job.

Section 86.1 has been re-introduced to ensure the appropriate administrative processes are available to support the modified special ballot voting mechanism. One comma has been removed at section 86.1(5) between “Chief Electoral Officer” and “shall” pursuant to legislative drafting principles. So just so people know there's nothing nefarious going on here, that's just the changes made.

Section 3 continued, additional information – this is no change; 86.2 there's no change from the previous. Section 86.3(1): approval of the application. The change here: On receipt of the application under section 86 – this is the application for the special ballot – the administrator or their designate shall ensure that the applicant's name is on the list of electors for the polling division. If it's in order, issue the special ballot kit and cross out the name of the applicant as it appears on the list, noting “special ballot.”

Again, the purpose here is we need to ensure meaningful participation of citizens. We also have to make sure that if you vote by special ballot, that you're not going to vote again later. We can't have that situation arising here. And there's some change there; “electoral list” has been changed to “list of electors,” really substantive stuff here.

Casting a vote, section 86.4(1), the change here is that we are now allowing for enhanced flexibility in the format of special ballots. A new feature is the ability to use ballots which include the name and particulars of candidates, consistent with the fact that special ballot voting now only occurs when the names are known.

So as before, I'm voting Liberal, I'm voting PC, I'm voting NDP – not going to work. Now, you have to vote the name or the name and the party. The reason that's there is – I'll use the example of the 2015 election, where the Minister of TCII actually ran against someone with the same surname.

You don't want a situation where you write in – pardon, Mr. Speaker, we don't want to use the name Mitchelmore when there are two Mitchelmores on the ballot. You need to know the party as well. That's why that is allowed there. I'm glad to say we have the good Mitchelmore in here. I'm glad to say that.

SOME HON. MEMBERS: Hear, hear!

MR. A. PARSONS: We've changed that. Again, this comes down to the ruling made by Justice Butler.

Section 86.5(1), Appointment of representative; this is no change from the previous. Section 86.6(1), Counting of ballots; what we're doing here is we're providing enhanced discretion to the CEO on the timing of procedural steps. Basically, we're making it easier for the CEO.

Just so people understand, the CEO, the Chief Electoral Officer, is an independent Statutory Office of the House of Assembly, non-partisan, not of any party. That's an independent office. What we're doing is making it easier for that independent office to do their job based on the new rules which are being proposed.

There are some internal changes here that need to be done. A lot of this is just cleanup based on the changes that are made.

We'll move forward. Transmittal of results, section 86.7, no change from the previous; Name of electors, section 86.8, no change from the previous; Administrative procedures, section 86.9 and Special ballots, section 86.10, no change from the previous.

Section 4, which deals with campaign advertising, section 226.1, there is a change there. My understanding is the change is to ensure that campaign advertising still follows by the rules. This is one of the changes that the Leader of the Opposition yesterday in the House

said, well, sure, they made a change after the briefing. What I would say is, yes, the change was made after the briefing and as soon as the change was made they were notified.

I don't think this is as consequential to the bill as the other concerns. I give kudos to the people that are doing this work, providing the briefings, when they saw that: look, we need to change this to make sure the law is good. We better let that other crowd know, and they did. They knew that on Friday. So I just want to make sure that's clear to everybody out there.

This changes it. Before, you might have campaign advertising where we're dealing with 21 and 30, now we're dealing with at least 26 days. I would call it inconsequential but it's not. It's consequential but it's more of a making sure we respect the dates that are put in place.

The same thing with section 5, Rates for advertising, 226.2. This has been changed to reflect the new electoral period and allows for internal consistency. It prohibits companies from charging higher rates to registered parties or candidates for broadcasting time. Again, that's good.

Going back for a second to 226.1, this also deals with the blackout period. There are certain periods in election campaigns where you cannot advertise. This takes care of that as well. I think that change was explained to Members opposite.

So, Mr. Speaker, these are the changes that are being proposed to this piece of legislation. We think it's a good, solid bill. I'd like to think – again, this is in opposition to sometimes how bills were debated when I was in Opposition. I think we've gone out of our way.

In this case, we knew we had to come back. I don't think it was any surprise that this House would be called back in an emergency session. The fact is all Members of this House knew when it was going to come back at the same time. There was as much notice as could be provided as possible. It's a special session. Everybody knew this was going to happen.

We provided the bill as soon as possible so that it could be looked at, and we provided the briefing, which is more than what was done in

2007. Now, I'm not blaming the crowd in 2007. Maybe the practice was different then, but there is not a bill right now that goes into this House that is not briefed, given a technical briefing by the bureaucrats so non-political people – that deal with this.

I think we all have an opportunity to be briefed. I think the Opposition had a chance to be briefed. I have to come back to this while I make – this is not about rushing debate. We're going to stay here as long as necessary to make sure we have the right bill.

My only goal – again, I am not going to blame the Opposition House Leader who I have very good dealings with. We had a good conversation about this. The problem is the Leader of the Opposition is saying we're trying to rush it. I say to that, no.

All I wanted to do was to come back and get the debate started, rather than have the House open and no real business taking place, other than the Question Period, which is fine. I enjoy Question Period too, but I want to make sure that's clear because that was certainly not the intent. In fact, Mr. Speaker, this is not a bill that I thought would be politicized.

Now, I understand in the course of business that's how politics works. I get that, but I think the bill that has been put forward meets all the scrutiny. It deals with the decision that has been laid to us. What I would suggest, Mr. Speaker – again, this deals with the situation at hand. The situation that's been presented to us that we had no control over.

We have a court decision from back when they were in government, and we had a Member resigning from their caucus. We're dealing with it. We're trying to do it as quickly, expeditiously but also as thoroughly as possible as we can. We all know we need to have this by-election, but we're going to take all the time to have a debate.

That's why I say, Mr. Speaker, I will get another opportunity to speak to this. I look forward at that time to hearing what the Members say. I know one of the Members opposite is very pessimistic about the opportunity for amendments going forward, and what I would suggest is I'm always open to an amendment

that makes sense. I'm optimistic, I am not pessimistic.

Let's have this chat. Let's have it here on the floor of the House in front of everybody and the cameras where the rest of the province can see it. I look forward to this. I look forward to the debate, and I'll now turn it over to my colleagues across the way.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. HUTCHINGS: Thank you, Mr. Speaker.

It's certainly a pleasure to take part in second reading of Bill 14, An Act to Amend the Elections Act. It's a very important piece of legislation from the perspective of the democratic process in our province and what governs those activities in an election, either a general election, by-election and the rules that are open and transparent for the public and how it's operated so everybody is fully versed in how elections are carried out in Newfoundland and Labrador.

At many times we look to other jurisdictions as well in Canada in regard to how elections are conducted. Through that process we come up with the best piece of legislation that we can, certainly in a Canadian basis to make sure it's the best democratic process that we can have.

As the Minister of Justice and Attorney General commented, in introducing the bill and speaking to it, he talked about the amendments in 2007, the special ballot provision, how it was introduced, the rules around that and how it proceeded, and subsequent to that, after the general election in 2011. One of the elections in the province at that time – in the general election, one of the participants at that time that had lost the election in a very close margin challenged the provisions of 2007, which were in the *Elections Act* at that time, to court, and, subsequently, Justice Butler made a ruling on the constitutionality of those special ballot provisions that were done in 2007. Thus, based on that, which came out earlier this year, there

was a need to address what Justice Butler had written in her decision related to, as I said, the amendments that were made in 2007.

At that time – and, again, I guess further from that we had here in the House one of the 40 Members and Members on our side, the Member for Mount Pearl North, who put in his resignation as the Member for Mount Pearl North. Under the *Elections Act*, there are provisions of the time frame to call an election, to have it completed and concluded. I think it's within 60 days it needs to be called; it needs to be included within 90.

In that framework, there needed to be a move forward to look at the provisions of the special ballot as Justice Butler had identified in her decision. That was the context in which we see ourselves here today in regard to being in the House and revisiting the *Elections Act*. Through Bill 14, proposed by government, that's what we're doing here today.

From our perspective in the Opposition, on September 12 the Leader of the Opposition at that time, recognizing that the clock was ticking in regard to dealing with this issue, requested government at that time to reconvene and ahead of any possible vacancy or what we knew was coming to amend the special ballot provisions of the *Elections Act* in the court which was ruled unconstitutional. That was looking at the perspective of let's get back here, let's have lots of time and let's start the process because we knew it had to be done.

The Leader of the Opposition certainly did that. He talked about certain things that are triggered that moment that a seat becomes vacant. Those things would ordinarily include the special ballot provisions, which we are here now, that the court had ruled at the time to be unconstitutional in Justice Butler's decision. He talked about it being imperative and urgent that we fix those provisions so any by-election can proceed fairly and meet constitutionality provisions that Justice Butler talked about in her decision.

This has a long runway. As I said, that was in mid-September, September 12 that the Leader of the Opposition called for that, but we're finally here today to deal with this issue.

From there, last week, I think it was on Thursday, we were advised that the House would reopen to deal with this, this particular provision and an amendment to the act. At that time, the government offered a briefing on the content or the direction of Bill 14 and what the tone and scope of that bill would be.

So on Friday morning, we met with officials from the Department of Justice and went through the proposed bill, or the draft bill, I guess, because the actual bill we didn't get until it was introduced in first reading and that's the actual bill that's here presented on the House floor, Bill 14.

So we went through the draft with the officials from Justice. We certainly had a good discussion: myself, the Member for Conception Bay East – Bell Island, the Member for Cape St. Francis, the Member for Conception Bay South and the Leader of the Opposition. So we had a large contingent from our caucus be part of that briefing because we know the importance of this piece of legislation and the importance of when you're amending the special ballot that it's done appropriately and done in the context of what Justice Butler had indicated. We also had the Leader of the Third Party as well and various staff members from both offices that attended the briefing.

In that briefing there were a number of questions asked, particularly related to the nomination period, and I'll get into that further and some of the things that we will be looking at and asking for in debate as we proceed over the next few days. The nomination period was certainly one of them. There were questions on that. The duration of the writ period, where right now we know there are parameters set in terms of the minimum requirements and the maximum requirements for the writ period and what this bill is proposing in regard to changing that.

There was also discussion from the perspective of the administration of the current rules and the administration of the proposed bill and what that would mean for the Chief Electoral Officer and the operations of that office, particularly related to the writ period, the period for nomination, to get the special ballot kit out after the nomination period concludes, what's that time frame, administratively can the chief electoral office do

that. If they can't get it out and the ballots printed with the actual names on it, there's a proposed section in Bill 14 that talks about: We'll send them out and someone can write in the party and/or the candidate name.

But still, we have concerns with that, and I'll speak to that later in regard to what Justice Butler had said in regard to the right of the individual to know who actually is running, who actually the candidates are, whether it's from a recognized or registered political party or whether it's from an independent. People have the right to know, and should that ballot that someone sees as a special ballot reflect that same ballot that someone would receive or view when they walk into the ballot box on election day. So shouldn't those ballots be the same and reflect actually who the candidates are?

As we go through, we'll certainly look at that and propose some discussion on that, and amendments, and what we need to do to look at that component of the bill. Maybe I'll just talk a second on Justice Butler's decision. I know the minister, in speaking, talked about 2007, and I think it's agreed and I think Justice Butler spoke to it as well in regard to was there enough due diligence done by all sides, by all parties, here in seeing what the possible results would be of the special ballot provision at that time, and the amendments; and that we need to take the time to go through this meticulously and have debate here, have discussion here, reach out and consult, talk to not only folks within the bureaucracy here but to the players outside that this certainly applies to and has to enact and execute any amendments to the legislation. And obviously, an important player would be the chief electoral office, the administrators there, those that are involved in running the election under the act, and any of those and all those parties concerned.

In her decision, Justice Butler talked about – obviously, it was amended in 2007, with support at the time from all political parties. Some of the amendments at that time looked at an application to vote by special ballot, maybe made to the chief electoral office, and that was the beginning of that process and beginning not more than four weeks before the issue of the writ of election and ending on 6 p.m. at a day to be determined by the chief electoral office.

So that's one of the issues that obviously, in the decision, was recognized. You had four weeks prior to the writ being dropped when someone could access a special ballot and vote, but the issue with it that was clearly identified in the decision was that at that point in time there would be no candidate identified or no candidate possibly – or wouldn't be formally nominated under the rules of the Chief Electoral Office. That was the concern, and you would write in just the party name. The decision that was made, that was viewed to be unconstitutional.

In 2007, they also talked about a special ballot kit shall be distributed to an elector by an election official only and returned to the CEO by the elector or an election official only. That talks about the process in terms of that special ballot kit and how it would be carried out. There are changes as well to that in the proposed bill. Those were some of the provisions that were brought out at that time in 2007 that were recently reviewed based on the appeal in the courts of the 2011 contested election.

The decision also goes on and talks about, "The process for amendments to legislation in this Province was explained during the discovery" and it was the Leader of the Third Party who made representation at that time. "While a Bill receives three readings, the first actual debate occurs on second reading" – which we're doing here today – "where members are restricted to twenty minutes each." It talks about, "Unlike other jurisdictions that have active all-Party committees to study Bills, the practice was not followed in this Province for Bill 21" at that time when it was done.

I mention that because that goes to the issue of taking the time to deal with a provision like this, an amendment. I guess that's what Justice Butler is speaking to in regard to making sure we do due diligence to particular bills, they go through their first reading, second reading and go through the Committee where actual amendments can be outlined for all to debate.

We had asked – and certainly the Leader of the Third Party as well – that we would have a discussion after we were given a briefing on Friday. Obviously, Saturday, Sunday, the weekend, and then Monday we were convened here in the House.

From time to time, and spending almost 11 years here in the Legislature, the breadth and tone and scope of a particular bill, when it comes to the House and is introduced as in first reading, oftentimes as you go through there are amendments that are proposed in Committee. Sometimes those amendments are well intentioned. They're interconnected with the whole various other parts of that piece of legislation or that bill, and they may be viewed out of order because they don't reflect the tone or the intent of the original bill. That often happens.

Our request to have a discussion with government in regard to the bill and what we discussed within our briefing was let's have a discussion about some of these key components and whether those can be reflected in the bill that's brought here in first reading. That was the intent of what we were trying to do and work collectively to do that. Share of ideas, share of thoughts related to Justice Butler's decision, what that would look like and could we sit down collectively, and the Leader of the Third Party as well, and see if the bill that's brought forward in first reading could reflect some of those concerns, then we could go on and have a discussion. It would be fair and open on what those changes were and what other changes would be amended during the process. So that was the discussion we wanted to have, to bring to the House here, but we're certainly happy to be here now and having that discussion.

In Justice Butler's decision as well, in terms of speaking of the process we went through in 2007 and how we need to improve that. She talks about, "It is clear" – this is referred in 2007 debate – "from the addresses given by the Government House Leader (Rideout) and the Opposition House Leader (Parsons) that both parties were aware that the amendments would permit special ballot kits to be accessed before the writ was dropped. It is not entirely clear from the transcript" – that would be Hansard transcript – "however whether members were aware that special ballot votes could be *cast* before the writ was dropped."

I guess that gets to the issue again in terms of doing a very enhanced and detailed examination of the bill proposal, the amendment and what the effects would be in the electoral process.

There was also concern expressed, and Justice points that out, “that the Bill appeared simple but that there was detail involved that needed to be discussed in Committee” or certainly some other means. There was reference to other provinces, and other countries were considering and suggested an all-party committee or some mechanism to come together and have a broad-ranging discussion on how we ensure the bill meets the requirements of today, and certainly years to come in regard to the electoral process.

An important component of what, I think, Justice Butler recommended is – she talks about satisfies the effect on voter’s rights of casting special ballots before the writ was dropped, and or before candidates were officially nominated was not considered before the enactment of the special ballot provision of then Bill 21, back in 2007. Things like the implications of having a special ballot vote cast, incumbents in their districts attending functions and incurring expenses, reimbursed under constituency allowance; so also potentially creating an advantage.

In doing any of this you’ve always got to look at is there a level playing field? Is there an advantage for an incumbent? Is there an advantage for a sitting government? That’s in the total context of the *Elections Act*. It’s not about one party or another. It’s about in context of democracy and how we ensure it’s a level playing field for someone that sits here today or someone that decides tomorrow they’ll put their hand up and they want to take a shot at public life and politics. They have a time frame and they have a period and they have the same equal playing field as someone sitting here today.

That’s fundamental. I think it’s fundamental to what Justice Butler spoke to, and it’s important that we take the time to make sure we follow through on what was recommended in that decision.

Another point I wanted to reference in regard to the decision that she referenced in her decision: “I accept that in simple terms the purpose of the special ballot provisions is to enable voters to vote who otherwise would either be unable to do so or would find it extremely difficult to do so. Against this benefit, I must weigh the infringements I have found, namely: that special

ballot voters may not be sufficiently informed so as to meaningfully participate in the electoral process; and that candidates who are unaffiliated or running against an incumbent are impeded from meaningful participation in the election process.”

That would go to the issue of the special ballot kit and what’s gone out in the past. It wouldn’t identify a particular voter because it is four weeks prior to a writ being dropped and prior to official nominations being required to be registered with the elections office; therefore, Justice Butler indicated that would be unconstitutional. That’s one of the provisions we have to amend as we move through this process in the next few days.

Mr. Speaker, I want to touch on some of the amendments that are proposed in Bill 14. As the minister, when he spoke to the bill he sponsored, he did speak to some of the provisions of the act that were struck down in the decision of Justice Butler. I think it was provisions 86 to 86.10.

All of those provisions, from my understanding from the decision that was rendered, were struck down. So there is currently no provision for special ballots right now in the *Elections Act, 1991* in Newfoundland and Labrador. That’s why we’re here to deal with the total provisions within the act, even though some of her concerns were directly tied to the unconstitutionality of things like making voters aware, at the time they vote, of who’s on the ballot and what the actual names are. So the whole provision of that 86 to 86.10 had to be reviewed.

In doing that – and the minister pointed this out as well – some of the provisions under that section didn’t require a change, but some did. I’ll certainly go through and look at some of those to make people aware of which ones they were.

Calling an election, there was no requirement for a change. When you look at things like Polling day: “The day of polling to be fixed by the proclamation required under section 57 shall be a day not less than 21 clear days from the date of the proclamation nor more than 30 clear days.” So that’s the provision that exists right now in the act.

The new bill: “The day of polling to be fixed by the proclamation required under section 57 shall be at least 26 clear days from the date of the proclamation.” So that’s a change. The implication of that is the minimum election campaign duration will be 26, not 21. So that’s a change – the minister certainly recognized this as well – but there’s no longer to be maximum election campaign duration.

Now, there was reference to some experience that happened in the federal government in 2015 and the governing party of the day, but I don’t think we should reference what may have happened or an experience. I think the ultimate point here is that is it an open and fair playing field for all concerned and what’s the best interest of the elector.

Recognizing some of the changes that we’re talking about here, you have to make the duration of the election period sufficient enough to ensure that the new provisions for a special ballot allows that to take place, allows the chief electoral officer to have the time to make sure that the constitutionality that Judge Butler was talking about in terms of making people aware of who the candidates are is able to be put in front of people when they cast a ballot. So if we need to extend the period to allow that to happen, I don’t think we should be trading off one against the other.

The issue here is to ensure that what’s being described in the decision can be implemented and we put in place the provisions and the allowance to have that to occur. That’s the important element here I think as we go through debate.

We need to have discussion here about the maximum duration. Is there a need to be an outer limit? We believe there does, but what is that outer limit? The reason we have set, in the past, the maximum duration, I think, in the first place was to ensure that no district is without a Member for a lengthy period of time, and having a fixed date certainly allows that to not occur.

We go to a provision that talks about Nomination day: “The day to be appointed by the proclamation required under section 57 for the close of nominations of candidates shall be the 10th day before the day of polling.” “The

day to be appointed by the proclamation required under section 57 for the close of nominations of candidates shall be the fifth day after the date of the proclamation.”

So that’s the change, we’ve gone from 10 to five days. That’s one of the major concerns we had and certainly made government aware of that in regard to getting candidates in place, whether it be a by-election, whether it be a general election of the five-day period.

Whether it’s this party or any other party in power, you could call a snap election, you could call a by-election. Knowing that information, that it is coming, is certainly extremely important and changing it from 10 to five, does that give an unfair advantage to the governing party at any particular time. We think it does and we think there’s not enough time there for someone to go through the process of deciding whether they would run for elected office. A political party needs to have a nomination process. In a general election it would be 40 nomination processes within that party over a five-day period.

That’s a lot to do when you have people out there, Newfoundlanders and Labradorians who have their own careers, have certain commitments, they need to make a decision within that short period, and then the process within that party, or even for an independent who wanted to step forward to elected office, needs to go through that period and certainly five days doesn’t seem to meet that requirement of being fair to those that would want to step up.

Vote by special ballot is a provision currently in the act. There’s no change to that. The special ballot administration, that’s appointed by the Chief Electoral Officer and goes through the administration of the special ballot; no change to that provision as well.

Section 86.2, the special ballot administrator or his designate, that talks about the application of the special ballot does not contain the information that’s required. There’s a process to how that’s addressed. There’s no particular change to that either.

Section 86.3: Approval of application; there are changes to this in regard to the close of

nomination and what happens in regard to three times the bill says the special ballot kit will be issued after the close of nominations. That gets back to the decision made by Justice Butler in regard to not having special ballots available pre-writ, that it should be available after the writ is called – or, I'm sorry, after the close of nominations. But the bill does not say that the ballot itself must contain all the candidates' names or even that a list of all candidates' names shall be included in the special ballot kit that is mailed out.

The bill leaves an option that the special ballots might have blanks for the person to pencil in a name. While the bill seems to recognize what Justice Butler was suggesting in regard to the provision of names, it gives an option for the chief electoral office to say if we can't do it or we're too busy, we don't have the staff to do it, or makes the decision that we're not going to do it, they still have the ability to send out a ballot with no names. We believe that's in direct contradiction to what Justice Butler concerned herself with the decision and said this needs to be amended and here's why. It's unconstitutional to layout a ballot for somebody with no description of who the individuals are.

So it gets to the point of when nominations close, someone applies. They can apply prior to. I think it's four weeks prior to they can still apply for a ballot, but they don't receive the ballot until the nomination close. And then it becomes what's on that ballot when they receive it. The first provision says that they will try or make an effort to get the names on the ballot, but the second provision basically says, well, for some reason, if the Chief Electoral Officer is not able to do it, we'll proceed with the old method which, again, seems to contradict the court decision.

Some of the things we'll look at and talk about as we go through. At the very least, a ballot that goes out, and for some reason if there are time constraints or anything like that, it definitely should include a list of nominated candidates with the ballot; if nothing else, just to make sure that someone who gets that are fully versed in who the people are, whether it's affiliated party, whether it's an independent. I think some of the discussions with the Chief Electoral Officer, if I remember correctly, is that it's in the public

domain. Once nominations close, people's names who are seeking office in one of the 40 districts, it's in the public domain and that should suffice.

That's not always the case. People may still not know in full context who those individuals are who have been officially nominated and who are the official candidates. So it's imperative in the process that those names are put in front of someone who is casting a ballot the same way they are put in front of them on polling day, that they can see who those individuals are and the party that they're affiliated with.

We could also look at, it said, the list be sent out, but the other is the timing issue. After the close of nomination in terms of printing ballots, there's no longer a maximum campaign duration, but I think we could look at that in terms of how we could accommodate within that time frame and still have set dates but making sure that we don't sacrifice one side of a provision in the legislation for another, and that we can accommodate it all within the provisions of an electoral period.

If we go to 86.4, Casting the vote, there are changes here that talk about people voting for just a party but it also leaves the option to send out special ballots that do not contain the names of any or all of the candidates. So that's the concern I just expressed and how we need to discuss that and talk about it as we go through.

As we go through the next few, there are no changes. Appointment of representative, 86.5(1), there's no change. Counting of ballots, 86.6(1), there's a minor change. This relates to the minor change to allow the Chief Electoral Officer to set the time of the day that ballots will be counted. That's within the discretion of the Chief Electoral Officer.

I guess that goes to the issue of timing within that period, the activities that go on. Because we have the writ dropped, prior to that someone could apply for a special ballot, if we know it's a fixed date, and then once the writ is dropped the process can start to respond to those requests for special ballots. Then, after the nomination period, as I said, the special ballot kits would go out, those need to be returned, a process needs to be struck to count those special ballots and to

make sure that those people are taken off the electoral list for that particular district.

As well in this legislation, if someone is to apply for a special ballot, they're not allowed then to vote at a polling station; they must vote by special ballot. Once your request for a special ballot kit is acknowledged and approved and it's sent out, the provision is that you then would vote by special ballot and would not vote at a polling booth on election day.

This allows, as I said, the chief electoral office to have some input into the administration of the electoral office in terms of time frames. There's also a period for an advance poll. Obviously, that's another period where these need to be set up in 40 districts and that carried out in regard to ballots getting out, other infrastructure put in place that's required to run an advance poll. All of that and all of these activities are within that window of time that must be done and make sure democracy is done and people have access, which is so important.

We go to another provision, subsection (6), another minor change and that goes to setting the date of when the special ballots will be counted. As we go through the rest, Campaign advertising was one that the minister as well spoke to when he was up in regard to a campaign advertised throughout the post-writ campaign period up to the day before a polling period, not just for 21 days up to the day before polling period. I think the court and the decision clearly called for such a change and that was identified in some of our discussions. At our briefing I think it came up; we had discussions of it there.

As well Rates for advertising is one that was looked at and talked about. Allowing campaign advertising throughout the post-writ period and, as I said, not just for up for the 21 days, up to the day before polling period. I don't know if it's going to be covered here, but there's also in regard to advertising some discussion in various jurisdictions in Canada. Maybe sometime in the future we'll look at it in regard to not just a political party but any organization that's spending money on campaigning for or against a particular party or particular candidate, particular lobby group, that there will be a requirement under the *Elections Act* that that

money would be declared, who's sponsoring that advertising, where it's coming from, how much is being spent on that and that would be open, clear and transparent as well. Which I think is something important that, at some point, we should look at as well.

Those are some of the changes, Mr. Speaker, that have been defined to us in regard to Bill 14 and what's being proposed by the current government in Bill 14. I'll take us through, from our perspective and our discussions that we had as a caucus, what we see as areas of change or we'd like to see certain aspects looked at as we go through debate. We will be bringing forth amendments as we go through here, looking to amend the current Bill 14.

Basically, we have four changes to the act. As I said before, the rules of debate as we go through and the breadth and tone of the original bill, sometimes it can be seen as getting an amendment through the process, sometimes not. As well, there are various provisions within a bill and a piece of legislation that are interconnected. To amend one piece may affect several others, so it may not be within the merit and within the general context of what the intention was. That's why we supported having a discussion prior to the first reading of the bill to make sure if there was any accommodation that could be done, that we could do it collectively.

As we go through and we look at these various amendments, I certainly encourage Members to be flexible in terms of having a discussion and looking at bringing these amendments to the floor for debate and for a vote as well. We don't want to end up with flawed legislation or challenges that resulted from the 2007 exercise. That was pointed out as well and, respectfully, the minister when he introduced the bill, recognized as well and I don't think any of us, collectively, 40 Members here, would want to see that again.

So we'd want to take our time to do it and to go through the provisions to make sure we meet what's needed for the democratic process in Newfoundland and Labrador but, as well, very reflective of the court decision; that's the impetus for what we're doing here today. It's about people's right, about basic rights and the constitutionality of a piece of legislation.

The first thing we're going to talk about as we go through is informing voters of their choices. We believe there should be an absolute requirement that special ballots be printed with the names and affiliations of all candidates. If we're going to wait for nominations to conclude, that's the whole point of allowing people to vote with that information. That allows people to be informed. It should not be an option.

We don't think there should be an option in the legislation to say: Well, we'll try to get the names on the ballot, but if we can't, there will be an option for the chief electoral office to go in another direction. We think that's in contradiction to the decision and in contradiction to the constitutionality of what she referenced in her decision. As I said, we've talked about that over the last few days. I'm looking forward to having a discussion as we move forward in debate.

The other issue we talked about and a concern to us, and we'll bring to the floor an amendment, is we looked at ensuring sufficient time for nomination. There must be sufficient time for parties to have time to nominate candidates. There is not only fixed-date elections in this province, the House of Assembly – at any time there could be an election called. There's also a set date, we know in this province, for elections or by-elections.

If someone decides they're going to leave, you go through the process of individuals deciding they're going to seek public office. There can't be an unfair advantage for anybody if that actually occurs. Right now, it's a 10-day period; this is proposing five. We will bring forth an amendment to deal with that, to look at how we can ensure within that time frame of the writ being dropped to what the maximum time period is for an election, that within that there's a reasonable time frame for nominations to occur and nobody to have an unfair advantage. That would be our concern with the current bill as it is presented today.

The other issues we have concern with, and we will be bringing forward, is ensuring sufficient time for special ballot voting. Recognizing there's a time frame here – and the Chief Electoral Office has to run these provisions, has to carry them all out, but we can't sacrifice the

right for people to have a time frame, for it to be fair, for people to access the information they have to mark a ballot, to infringe on a time frame. We have to accommodate it all. If that means extending the period, we need to extend the period, because it's a fundamental right for people to have time and have the information in front of them to make an informed decision in our electoral process. This was part of Judge Butler's decision.

Special ballot voting is a right that is constitutionally guaranteed. That was, I think, established in a previous decision done in British Columbia, a court decision. I think Qatar – I think the Minister spoke in regard to various parts and people having access to vote, no matter where they are. It doesn't matter where they are, they should have that constitutional right to access a special ballot.

What we're talking here and what this debate is going to be about is how do we ensure that's done in the fairest and most democratic way that's a level playing field for all concerned? I think collectively that's where we all want to be. We can debate back and forth but hopefully at the end of the day that's where we want to land, for the benefit of this piece of legislation that's for those who sit in the House, but for everybody else out there too who has ever thought about running for elected office and wanting to put their name forward.

How much time would be needed to get special ballot kits sent out and special ballot votes returned? That's the context of some of the stuff we're talking about. We can calculate a reasonable number from the bill. The government proposed minimum campaign duration of 26 days, with five of those days for nomination. So this would leave 21 days for special ballot voting. The Chief Electoral Officer informs us that 21 days is sufficient time to conduct special ballot voting, then it's a reasonable number to use in the legislation. We have to be cognizant of that on the special ballot provision.

The final one is ensuring a maximum time for elections. I think that fits into the context of being able to have all these requirements, special ballots, identifying, closing nominations, getting the kits out, getting them back, getting them

counted. Making sure the process is conducive to making sure it's the process we want to have and is best suited and follows the guidelines that were suggested by Justice Butler.

As I said, the government sets a minimum time of 26 days for an election but removes the maximum time. We don't think this is reasonable and where we need to go. The principle of fairness demands election periods be as predictable and as defined as possible, because that makes it a fair and open playing field for all concerned.

Government parties, whoever that is, have the awareness of when the election – if there was a snap election called or whether there's a by-election coming, it's within their control to how that would roll out, what it would be. Voters – would they be disadvantaged by a lengthy campaign that denies them an opportunity to be represented in the House of Assembly within a reasonable period of time?

We have to have a discussion about what is a reasonable duration of an election campaign in trying to accommodate everything we're talking about here in terms of Bill 14. That's a discussion we need to have. We believe the absolute minimum time is important.

We think we need somewhere in the range of 21 days to conduct special ballot voting, from some of the discussion we had and things we've done. Three days for the Chief Electoral Office to print special ballots after nomination close. We need to have a defined period for that. We think that can be done and the process can be followed through. An important one is a 10-day minimum before nomination close, because as I said before, we need time to allow that process to unfold and not anybody to be disadvantaged in any way from that.

Together, 21 plus three days and 10 days equals about 34 days is the minimum length of a campaign. I think with that we can accommodate what's required and is asked to be required under the decision made by Justice Butler. As I said, we can't shortchange any rights or any provision in democracy by a time frame but we have to make sure we can accommodate all concerned.

Those are the four issues, as we go through, that we'll look to have some changes to and bring forth amendments to the House here as we proceed. The first one, as I said, was a campaign of 26 days with no maximum, but a campaign of 34 days minimum to 40 days maximum. That's a discussion we'd like to have. Not a close of nomination five days after writ day, but a close – to look at that, 24 days before voting day, as long as it provides a minimum of 10 days for nomination. That's what currently exists now and we think that's important, that it's maintained.

The old system of the current rules looked at the polling day and worked backward. What we have here now is that it's front-end perspective, because it's from the time the writ is dropped and then how do you have the time after that to make sure the provisions and the activities that need to be carried out are completed.

The other one is the special ballot kit must include a list of all candidates so voters are fully informed of their choices. I think that's clear and concise to what Justice Butler talked about in terms of constitutionality, of people knowing who the individuals are and that it's ensured they have that information in front of them when they vote. Whether they're voting by special ballot or whether they're voting on polling day, that whatever is put in front of them is what is consistent and there's no difference in the voting process of what they're doing.

Mr. Speaker, we've outlined for the House here and for people out there in regard to Bill 14. We'll be bringing forth some amendments. We certainly ask the House to duly consider them, and all Members to make sure that some of the errors or some of the oversights in 2007, we won't go through again. I don't think we will.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Warr): Order, please!

Thank you.

MR. HUTCHINGS: Thank you, Mr. Speaker.

Some of the things that happened in 2007 we can certainly, through a process here that's open, that is fully engaged and we take all the time we

need to make sure it's done, that this amendment in Bill 14 will truly be reflective of Justice Butler and what her intent was in regard to the provisions in the decision.

As we look as electors and parliamentarians that we bring our experience and knowledge, those of us involved in an election campaign in the past and together, collectively, we can build the best piece of legislation for the *Elections Act*, the amendment, that fits the requirements of Newfoundland and Labradorians.

That's our role as parliamentarians and I'm looking forward to an open and good discussion, and looking forward to bringing forward the amendments on behalf of our party on this side and to work with all people on all sides of the House, as I said, to make sure we have the best piece of legislation we possibly can have.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

SOME HON. MEMBERS: Hear, hear!

MR. LETTO: Thank you, Mr. Speaker.

It's a pleasure for me today to rise and talk about Bill 14, a bill to amend the *Elections Act*. The task that's before us is a task that all parties in this House must deal with because it affects all of us. This is not only a bill, as has been alluded to, to benefit the governing party; this is a bill that's there for all parties regardless if you're in Opposition, regardless if you're in government, wherever you are.

I think once the Justice has ruled on a particular part of a bill that's ruled unconstitutional then it's our duty to put forward a bill that certainly eliminates the unconstitutionality of any piece of legislation. That's what we've tried to do here.

When I listened to what the Opposition is saying and some of the arguments that they're using and some of the amendments that they're proposing – of course, we're open to amendments; that's what this process is all about. We should already be in amendments;

we've wasted two days because of political posturing and whatnot. We should already be in discussion. We should already be discussing those amendments and there's no reason why we shouldn't be. Nevertheless, we are where we are and we're going to deal with it as the situation presents itself.

I guess I will address a couple of the issues that was brought forward by the Opposition House Leader. When I listened to him, I don't think they're that far away from what is being proposed here. I think what we're all trying to do is put forward a bill, put forward changes that are not ruled unconstitutional and that meet the needs of the voter.

So in that respect, Mr. Speaker, one of the things that they put forward, of course, is the nomination period is too short: five days. What we have to understand here is that we have to keep in mind the best interest of the voter. The voter is the person that has to be addressed here and their constitutional right to vote in an election, and that includes special ballots.

What is happening today with special ballots, as everybody in this House has said – and the Minister of Justice has expressed himself and the issue very clearly, so I'm not going to even try to repeat what he has said because his expertise has allowed him to express that situation very well. What I will say is that when you look at the period that's given for nomination of candidates, five days, we all know, Mr. Speaker – for instance, in this case that we're presented with now: Mount Pearl North. We've known since September, or at least a long time ago that the Member for Mount Pearl North would be resigning on September 11, 2017, and formally resigned on October 10, 2017. All parties in this House have had ample time to get candidates in place and no way should any party in this House be limited or restricted by the five-day nomination period.

When you look at going back in history for instance, it's a very rare occurrence, Mr. Speaker, to have a snap by-election – very rare. Most of the by-elections, the majority have had 24 days between the resignation of an MHA and the writ dropping. So that's 24 days. They know when an MHA resigns for whatever reason that we're faced with a by-election. We know there's

going to be a by-election. We don't have to wait until the writ is dropped to get our candidates in place; nobody does.

That argument to me is not –

MR. EDMUNDS: Not substantiated.

MR. LETTO: That's a good word for it.

When we look at what Justice Butler has ruled, the unconstitutionality of the existing special ballot system, we have to change. When you look at special ballots, they talk about not having enough time. Well, I refer to my good friend, the Member for Torngat Mountains. In his district, for instance, if you're going to put a special ballot system in place – and by the way, Justice Butler has ruled that both systems of what we have now, the four weeks prior and the time before the nominations are finalized, are ruled unconstitutional.

Let's take for instance Torngat Mountains. We have a by-election and we know now that 10 days prior to voting day does not work for Torngat Mountains, if we're going to follow the constitution and follow the ruling of Justice Butler. No way can you get a ballot up to Torngat Mountains filled out and back here in that time period. Anything can happen. I just use Torngat Mountains as an example because there are many more around the province. You go to the Southwest Coast; there are isolated communities there that the mail system could be interrupted at any time.

When you look at that, we have to find a way. I think if you extend this election, and the legislation addresses that, to 26 days, minimum of 26 days with no maximum in place, the 26 days and the five days, you have 21 days to get a special ballot out and back, which I think is reasonable – very reasonable. They argued and they're going to put forward amendments. I encourage them to put forward amendments. We can't wait. We'll discuss the amendments; we'll debate them, absolutely. As I said, we should be doing it now.

The legislation put forward, I think, addresses that. There's no maximum now on the length of election. They're going to recommend a minimum of 34, I think, is what they said, the

Member, with a maximum of 40. Come on, really? Do you want to get into those by-elections that take a month and a half to do? That's not even fair to the candidates, let alone to the voters. Twenty-six days is quite reasonable.

They talk about then the five days and getting the ballots out and back and nothing changes because they still don't have the names. The names may not be on the ballot, Mr. Speaker, but the Chief Electoral Officer has a duty. That's part of this legislation. Maybe they can send the list of names with the ballot. If the ballot is not ready, the names can go there because all the nominations are in place. There's nothing in this bill that says that can't happen.

There are certain things that are reasonable and taken for granted. If you're going to send out a ballot, sure, the names would go with it. So that's another amendment they're going to put forward, and that's something that maybe we'll look at addressing.

Mr. Speaker, when you look at snap elections, as I said earlier, there have been very few. When you look at general elections now with the set election dates for general elections, the two I recall – I've been around this racket for a while – in 1989, I think the then leader, Tom Rideout at that time, called an election a month after Premier Brian Peckford resigned. That was in 1989. It happened again in 1996 I do believe when then Premier Tobin became leader when Premier Wells resigned and there was an election called within one month.

Now, again, Mr. Speaker, anybody who's in this House, any party who's in the election business whether it's Liberal, PC, NDP, Independent, whatever, knows that if a leader resigns that there's going to be an election – unless you keep changing leaders of course – they know that there's going to be an election. So any party that's worth their salt will take action to get their candidates in place.

The ruling of Justice Butler came on us around the same time as the Member for Mount Pearl North had resigned and we knew we had to make some changes. I think what's happened here – so I'd like to address just a couple of things in the bill.

First of all, I'll go back to the 26 days, Mr. Speaker. The old legislation said a minimum of 21 and a maximum of 30. To address the length of time again to make it reasonable for special ballots, the new legislation says a minimum of 26 days. So we've added five days on to the minimum, with no maximum. That addresses the concerns of the Opposition regarding if we have enough time to run an election and get the special ballots in place. Again, the fifth day for the nominations to be in place – and I think I've made that argument that whether it's five days or ten days, regardless, once a by-election is triggered, the parties will be proactive and get their candidates in place.

In the approval of the application, again, when you look at the old system whereby you could vote by special ballot four weeks even before an election was called, we can understand where Justice Butler was coming from on this, when you have people just filling in party names, or when there are no candidates in place and when you look at the Independent candidate, could be an Independent candidate, it really gives them a disadvantage. They are not included in that ballot if they are not nominated. So we understand where this is coming from, and I think what's been put forward as a reasonable address to that.

Again Mr. Speaker, we talk about the voting itself on the ballots. Under the old system, a ballot was sent out to the voter and they could fill in, as I said, the party or the name if the nominations were in place. In a lot of cases in the special balloting that was not the case, but again there are many that are. So now, they a choice; the voter can mark in the name of the candidate if the candidate is nominated, and he has to be nominated, of course, before they can mark it in. They can mark in the name of the candidate and to avoid any confusion in case there are two last names, they write in the party.

So that's pretty clear, Mr. Speaker. I think those instructions are very clear and very constitutional, and I see no problem with that. Again, I go back to it. They talk about, well, why can't we wait 'til we have the ballot filled out? And that's always a possibility. I think we should leave some of this to the discretion of the chief electoral office. They are the people responsible for this, not us here in the House.

The Chief Electoral Office has the responsibility to run a by-election and to run it in the best and most constitutional way possible.

We all know that before the ballot is sent out that all names, all candidates have to be in place. That puts everybody on a level playing field. Whether you're Liberal, whether you're PC, whether you're NDP, you're Independent, you're the Green Party, you're the Rhinoceros Party, Newfoundland First Party: no matter what party you are –

AN HON. MEMBER: Paul Lane party.

MR. LETTO: Paul Lane party or whatever.

Sorry, Mr. Speaker, I shouldn't have mentioned names. I take it back.

Anyway, this puts everybody on a level playing field, Mr. Speaker. I think it puts everybody in a place where we all have equal opportunity here.

Mr. Speaker, I think what has been done here is a good response to the ruling by Justice Butler, that what we have in place now is unconstitutional. I think that what we put forward here certainly will be open for debate.

We do look forward to the amendments that are going to be brought forward by the Opposition Parties. I'm sure there will be a few. I think the Official Opposition has indicated there will be four amendments they will put forward. We look forward to that debate.

Mr. Speaker, in closing, I think the intent of this – I think everybody, all parties in this House agree with the intent of this legislation. There is some probably disagreement with some of the time periods that have been put in place, but I think for the most part all parties agree that we had to address the ruling from Justice Butler. What we've put forward here, we think is very reasonable.

As the Minister of Justice has indicated from his expertise and the advice that he's gotten from his officials in the Justice Department, this will not be challenged. This legislation is firm, is good legislation and that it will not be challenged in the courts.

Mr. Speaker, on that note, I will take my seat. I would ask for the co-operation of the Opposition Parties to get this in place so that we can move ahead with the by-election in Mount Pearl North and let the games begin.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Fortune Bay – Cape La Hune.

MS. PERRY: Thank you, Mr. Speaker.

It's certainly a privilege and an honour to be back to this hon. House and delighted to be back here with all of my colleagues. As I look around I can see lots of fresh faces, and I anticipate by December we'll look like our usual selves after a few months here in the House.

We're here today, Mr. Speaker, in all seriousness, because of a very important issue that impacts democracy in our great Province of Newfoundland and Labrador. We see from the recent court ruling that unfair advantage has been ruled unconditional. I put forth for the record of the House of Assembly today that I truly believe this bill has the potential to make the issue of unfair advantage worse, in particular because of the issues we have identified and in particular the one I will focus on is the time frame for nominations, which really does concern me immensely, Mr. Speaker.

The legislation as was previously written stated a person had to be nominated 10 days prior to an election. So that at least gave the voter an indication – they had 10 days to contemplate the values each candidate was bringing forward and who they felt would best represent their point of view in this province and the people as a whole. However, this new bill that has been put forward to the House by government on Monday is stating we have to have until five days after the writ is dropped. That's it. After that, all your candidates have to be in place.

I'm going to talk about some hypothetical situations that can arise with that kind of legislation. I truly believe by restricting the nomination process to five days, it's doing exactly what the court said we shouldn't do, and

that is favouring incumbents. I think this policy of having only five days to nominate is doing exactly that. It favours incumbents, not just incumbents on the government side mine you. It favours incumbents of all parties because we're all ready. We all know what we're doing. Our families are onside. We don't have to go to an employer and ask for a leave of absence. It favours all sitting incumbents of all parties.

In particular, that's an advantage to the government, because if you have more than 20 seats filled and nominated and candidates running in 21 seats, you have government. We don't even need to go to an election. If the other parties don't have any candidates, what's the point of having an election if just one party has 21 candidates five days after the writ is dropped? That's a potential hypothetical situation that could occur, Mr. Speaker. I believe this bill is creating a very, very unfair advantage for sitting incumbents of all parties.

Mr. Speaker, clearly, what we all have to recognize as politicians, why we're here. It's not about us; it's not about our parties. It's about the people. It's about the people of Newfoundland and Labrador. They are the people who brought us here and they are the people who have the right to choose the best person they feel will represent them for any four-year period of governance.

For each and every one of us sitting here today, we have a legal and a moral responsibility to always act in the best interests of our people. So I'm going to take a different spin on this today than what's been talked about. I'm going to look at this from the point of view as someone out there today who's contemplating a career in politics or who's contemplating taking a run at politics because they feel there needs to be a change and they feel they can bring something to the table.

What are we doing to this person out there in John Q. Public? Maybe it's someone who's aspired to be a politician from the time they were a little tot but, today, they could be the CEO of a large bank. They could be the CEO of a hydro corporation. They could be in any type of position. They could be a medical doctor. They could be a teacher.

In five days they're expected to get to their employer, get a leave of absence, get approval to go, figure out all their finances. So how they're going to live for a month or two or three, or however long the election is going to be, without any income coming in because you've left your place of employment and you no longer have an income. All of these things are major considerations for a person who wants to run in politics.

Again, I'll go back to all of us incumbents, regardless of what party you're in, we know, we're ready. If that writ drops, we can go. Not so for the person who is out there contemplating the idea of becoming a politician. I think this seriously restricts our pool of availability of candidates who can come forward for all parties, Mr. Speaker. It is not fair to the people of this province because democracy is all about everyone having fair and equal opportunity to put their name forward and make a difference in the betterment of people's lives in this province.

There are also family considerations. Five days to consult with your spouse, your parents, your children – everybody who will be impacted by your decision to pursue a career in politics, because everyone in your family feels the challenges and the struggles that go along with being a politician. It's not just you yourself who are sitting here at the table.

Mr. Speaker, as I said, it's conceivable with the legislation as proposed by the Liberals, allowing only five days for a nomination process, that after five days only the governing party has candidates. It is conceivable. So what would even be the point of an election? Where is the democracy in that? Explain to me how that is fair, if some Member opposite could get up and say to me that it's fair – imagine if you yourselves, now, some of you are new, put yourselves in the shoes of the person who's contemplating running. Would you have gotten all your ducks in a row in five days?

Besides your family and your employer and everything else you have to contemplate, you also have to have a nomination process. And imagine there's a race-off, and there's more than one person who wants a seat. So in addition to settling all these personal issues, you have to run campaign; you have to sign up supporters; you

have to get out and hustle and have that nomination race.

Five days, Mr. Speaker, incredibly unreasonable, incredibly unfair, and I think it's going to make the issue of favouring incumbents far worse than the legislation as it's written today stands. So that is the position that I put forward here today as an issue of grave concern, and that every person who is a true believer in democracy should be very alarmed about because this is a back-door way, I do believe, of favouring a sitting government and enabling them to have a very, very unfair advantage.

The second issue that we need to look at is that there are not only fixed-date elections in this province. Someone might get up and say oh, that can't happen, we have fixed-date elections. Not true. The *House of Assembly Act* allows for snap elections in subsection 3(1). The *House of Assembly Act* also allows for elections after the change of a premier in section 3.1 and these elections can be called any time within a 12-month period. Other parties would have no intention of when these elections might be coming – again, clearly giving an advantage to the governing party.

Mr. Speaker, this is a very hard thing to say, but it could even happen to the governing party – no one knows – but we're all alive here today, no one knows what's going to happen to any of us tonight, tomorrow; heart attacks, car accidents, aneurysms, anything could happen. It's conceivable that we could lose our leader overnight, and then what happens, even the governing party is put into a spiral. So it's possible it could even happen to a governing party.

It's not just the parties in Opposition that could be caught off guard, and that's a fact of life. This legislation has to allow for every possible scenario. Really, I would think if I was a Member of the governing party, I would not be one bit happy with this legislation as it's written – I would not.

The whole point of fixed election dates, fixed election durations and reasonable nomination periods was to ensure that no one party is unfairly disadvantaged. Nothing strikes at the heart of people's constitutionally guaranteed

democratic rights more than unfair advantages and disadvantages. Judge Butler spent a great deal of time writing about that in her decision, as anyone who read it would know. Again, I am shocked at how they would find that reducing the nomination period is actually improving the bill. It's a step backwards, a significant step backwards.

How much time is reasonable to get nominations in place, as our introductory speaker spoke about, our House Leader? We believe 10 days should be the absolute minimum time to get nominations in place, but if campaigns are lengthened then the nomination period should be lengthened accordingly. We're open to discussion. We've put forward a proposal and we're open to any ideas that you can have, with the idea being that all of us are about creating the best possible legislation we possibly can that is for the betterment of the people of the Province of Newfoundland and Labrador, and that strengthens democracy.

Especially with everything I watch on the news these days, I often go to bed at night and I say: How lucky are we? How lucky are we to be able to live in a democratic province and country? Democracy is not about control; it's about freedom. It's about freedom of choice, freedom of speech, freedom to run for government if you so choose. But what does this legislation do by imposing a limit of five days only? It doesn't give the person out there in the public the freedom of choice to run.

Five days to turn your life upside down, quit your job, get a leave of absence, get family approval, get a nomination done and be on the ballot – five days – totally unreasonable, Mr. Speaker. I was shocked when I read the draft legislation. I truly, truly do hope that this piece of the legislation is viewed with a closer eye, that common sense prevails at the end of the day, and we do make the legislation stronger for the betterment of all people.

It's not about parties, Mr. Speaker; it's about the people. Fair and equal opportunity is crucial. It's about encouraging everyone in the province to play their part and ensuring that everyone has an equal opportunity to stand for office if they so choose. I truly believe, Mr. Speaker, that this bill stifles a person's options. If a whipped vote is

forced by the government opposite on this change, then I truly believe it's a very, very sad day for democracy in Newfoundland and Labrador because this bill truly does take us backwards.

Now, snap elections can happen –

AN HON. MEMBER: (Inaudible.)

MS. PERRY: Oh, another thing, yes, as my hon. colleague just reminded me. Another thing that's very important to all of us as taxpayers in this province, as people who are very, very concerned about the quality of education and health care that our people receive; we want the very best possible people to run for us.

I would like to think that all of us as livyers in the Province of Newfoundland and Labrador – yes, some people vote along party lines just because, but I see a difference in that and I see people voting more and more for the person that they believe in, the person that they believe has true integrity, the person that they believe is truly going to stand up and represent them.

Is that what's going to happen with a five-day nomination window? We're not going to get the best possible candidate in every instance. We're going to get the one who is fastest, who is able to be the fastest off the mark. We're going to get the ones – even for the governing party, sometimes incumbents are challenged by other Members of their own party. What does this do? This gives the incumbent an advantage in that nomination process as well. The sitting Member knows when the election is coming because they're in the caucus room table. The Premier has told them: Boys or girls get ready.

Then the person that wants to say I was hoping to run for that seat with my party, well, they're caught off guard. The person who is sitting in the seat today has a very clear advantage. I can give example after example after example, Mr. Speaker, of where we can see these unfair advantages cropping up for all parties. It is unfair to the people of the province; it is unfair to this hon. House to bring in a measure that will roll us backwards in terms of democracy.

It's absolutely, absolutely appalling. I truly hope that it's a free vote here today and people can

stand to vote with their conscience and with what they truly believe in.

I talked a little bit earlier about instances where snap elections can happen. They can happen, like with unfortunate circumstances I've alluded to, but the Premier can call, even with our fixed *Elections Act*, an election at any time. I referred to clause 3.1 earlier.

Let's take a look at a case of where a Premier changes. A government is in power and for some reason or other the leader of the day – and we went through it as a party and, no doubt, all governments probably will. The Premier changes before the end of the third year that a party is in office. So that means the Premier must call an election within 12 months.

Section 3.1 of the *House of Assembly Act* states: Where the leader of the political party that forms the government –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Trimper): Order, please!

MS. PERRY: Thank you, Mr. Speaker.

It's getting loud in here.

MR. SPEAKER: The Speaker is having difficulty hearing the Member identified. I ask you, please, to keep your conversations down.

Thank you.

MS. PERRY: Thank you, Mr. Speaker.

Section 3.1 of the *House of Assembly Act* states: "Where the leader of the political party that forms the government resigns his or her position as leader and as Premier of the province before the end of the third year following the most recent general election, the person who is elected by the party to replace him or her as the leader of the party and who is sworn in as the Premier of the province by the Lieutenant-Governor shall, not later than 12 months afterward, provide advice to the Lieutenant-Governor that the House of Assembly be dissolved and a general election be held."

That gives the new Premier a 12-month window to call that election, but only the Premier will know when that election will be. Again, what's new is the nominations will now close in just five days; a very, very unfair advantage.

A third case of a potential situation for a snap call for an election; the *House of Assembly Act* says there will be fixed election dates on either the second Tuesday of October or the last Monday of November every four years. The *Elections Act, 1991* that we are changing, said every election must last between 21 and 30 days, no more and no less.

Under the act that we're changing, yes, elections are essentially fixed. You could count back 30 days from the fixed date and you knew the earliest date the election could be called. Under the old act, you had between 11 and 20 days to nominate candidates – 11 and 20 days. We're going from a process that allowed from 11 to 20 days to only five days.

The new bill would impose a minimum of 26 days for an election but no maximum. That means it could be called at any time before election day, 26 days, 30 days, 40 days, 50, 60, 70, whatever, and every party would then just have five days to nominate all 40 candidates. Well, guess which party is going to have 40 candidates in five days? The governing party, that's it. The other parties will be left scrambling, and the people out there who may want to run for the governing party or an Opposition party, five days; a very, very unfair advantage, Mr. Speaker.

So, yes, Bill 14 could be abused. The potential is there to catch other parties off guard. It does exist. We as legislators here in the House of Assembly have a responsibility to protect the people of this province, not just our own parties, not just our own governments, all future governments, all future parties, all future politicians. That's what this act is supposed to do. It's supposed to be for the people of Newfoundland and Labrador, and they deserve fair and equal opportunity. This bill does not do that.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

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

I appreciate the contributions of all Members.

I would suggest at this time that we recess now until 2 p.m.

MR. SPEAKER: This house does now recess until 2 p.m.

Recess

The House resumed at 2 p.m.

MR. SPEAKER (Trimper): Order, please!

Admit strangers.

Statements by Members

MR. SPEAKER: Today we will hear statements from the hon. Members for the Districts of Torngat Mountains, Stephenville – Port au Port, Placentia West – Bellevue, Terra Nova, Ferryland and Bonavista.

The hon. the Member for Torngat Mountains.

SOME HON. MEMBERS: Hear, hear!

MR. EDMUNDS: Thank you, Mr. Speaker.

I rise in this hon. House today to recognize a remarkable lady from my district, born on Dunn's Island, just east of my hometown of Makkovik, in 1917. Mrs. Muriel Anderson turned 100 years old on September 2, marking a wonderful milestone in her extraordinary life.

Over the course of Mrs. Anderson's life, she raised six children. No stranger to tough times, she became a widow at a young age and was able to keep her family together. Mrs. Anderson faced all life's challenges with tenacity and poise, which saw her through many difficult situations.

Mrs. Anderson's perseverance saw her through two World Wars and the changing world landscape of the last century. She is the oldest

living Inuk and residential school survivor from Nunatsiavut.

Mr. Speaker, it is for all the courage and grace shown by Mrs. Anderson that I would like to honour her today. Mrs. Anderson has a special place in my heart, as I am proud to call myself her grandson.

I'm happy to share her life with you and ask all hon. Members to join me in celebrating her long and illustrious life.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MR. FINN: Thank you, Mr. Speaker.

I stand today to pay tribute to Henry Gaudon, who recently stepped down as mayor of the municipality of Lourdes after 20 years in municipal politics.

Under his leadership as mayor, Henry made significant contributions to his community. All residents now have clean, safe drinking water and major projects such as a new town hall, fire department and fitness centre were completed. These initiatives have greatly improved the quality of life for residents and have ensured that Lourdes remains a great place to live and raise a family.

Throughout his professional career and as a volunteer, Henry has received many accolades. He spent 29 years serving his country as a member of the Canadian Armed Forces. Also, he gave back to his community as a volunteer, serving as chair of the Regional Youth Justice Committee for 25 years, and spending 19 years as the commanding officer of the local cadet corps. He's also the recipient of the Queen's Silver, Gold and Diamond Jubilee Medals.

Henry is a true leader and role model who gave freely of his time for the betterment of his community. I invite all Members to join me in recognizing Henry for his tremendous contribution to both his country and his community.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MR. BROWNE: Mr. Speaker, as we celebrate Small Business Week, I'm delighted to recognize the entrepreneurial spirit and success of a young and innovative businesswoman, Jenna Dimmer, the 2017 recipient of the Provincial Youth Venture of the Year Award.

Jenna, 23 years old from Marystown, is the owner of Dimmer's Dynamic Salon. Even last year, after merely one year in business, she was the recipient of the Excellence in Financial Management Award. She is a busy, skilled businesswoman, but now also a mom. Since Eva's birth this summer, Jenna hired an additional employee to help with her growing clientele.

CBDC Burin Peninsula is to be commended. At their AGM last night in Marystown, Sharon Snook and Rosalie Dupre finished their terms of service with the board, and Johnny Strang and Murry Cribb joined. Thank you to Youth Ventures Coordinator Lesleeanne Lambe and CBDC staff Keith Osborne, Audrey Hennebury, Valerie Brushett and Laura Whiffen, and all members of the board for guiding our young business leaders from start-up to success.

Mr. Speaker, I ask all honorable Members to join me in tipping our hats to the CBDC this week, but especially Provincial Youth Venture of the Year recipient Jenna Dimmer on her many successes and fortunes.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MR. HOLLOWAY: Mr. Speaker, the Loyal Orange Lodge has been in existence in one form or another across this world since 1688.

Since that time, like minded individuals have banded together in support of the principles of

the freedom of worship, civil liberty and democracy.

Prior to 1812, the Orange Order was established in Canada with many prominent members including four Prime Ministers, among them Sir John A. Macdonald and John Diefenbaker.

On Saturday night, I had the privilege of attending the 121st anniversary of Prince Arthur L.O.L. 57 in Charlottetown. The mission of the Orange Lodge is to work together for family, community and country.

Prince Arthur L.O.L. has been a mainstay in this community assisting those in need and educating youth about the importance of dedication, friendship and community responsibility.

Saturday night's dinner was well attended by local residents and the guest speaker for the evening was former Speaker of this hon. House, Mr. Tom Lush.

Mr. Speaker, 121 years for any community-based organization is a remarkable achievement.

I ask all hon. Members to join me in congratulating Most Worshipful Master Ralph Ford and all the members of Prince Arthur L.O.L.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for the District of Ferryland.

MR. HUTCHINGS: Thank you, Mr. Speaker.

I rise today in this hon. House to recognize the Bay Bulls Come Home Year Committee.

From August 10-15, Bay Bulls welcomed hundreds of people home from parts of Newfoundland and around the world. I was pleased to be part of the opening ceremonies at Gatherall's Boat Tours on August 10.

The committee began preparing in October 2015, which was chaired by Kevin O'Brien, with members: Melissa Lynch, Thora Williams, Lynn Morry, Keri Lynn Morry, Norma Mulcahey, Ann Marie William O'Brien, Brenda Puddister and Michael O'Brien.

With visitors engaging in an array of festivities including card games, exceptional meals, activities for kids and adults, hikes, a garden party, outdoor dance and local performers, it was enjoyed by all.

The Come Home Year celebration was a great success that showcased the spirit and friendship of the residents of Bay Bulls, this made possible because of the dedication and drive of the Come Home Year Committee.

Mr. Speaker, I ask all Members of this House to join me in congratulating the 2017 Bay Bulls Come Home Year Committee, its many volunteers, in organizing a memorable event for the citizens of their community and continued commitment to our province to highlight all that make us Newfoundlanders and Labradorians.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. KING: Mr. Speaker, I rise this afternoon to recognize the hard work and dedication of a number of different groups who answered the call and assisted in the recovery effort for writer, historian and teacher, Patrick O'Flaherty.

Mr. O'Flaherty tragically passed away on August 14, 2017, while swimming in Barbour's Pond in Keels, Bonavista Bay.

The King's Cove and area fire department were on the scene within minutes after Mr. O'Flaherty was reported missing and remained there until his body was recovered three days later by the RCMP dive unit. Also assisting in the search was the Discovery Trail Ground Search and Rescue team, Bonavista detachment of the RCMP, and local paramedics. Local residents of Keels and nearby communities provided support to the O'Flaherty family, the team of volunteers and professionals on scene.

It is comforting to know that when the need arises multiple groups of first responders and rescue professionals can work together for a common cause. I would like to extend my

gratitude to these groups for the excellent work they do.

Finally, I would like to extend my sincere condolences to the O'Flaherty family. May the warm memories of Patrick comfort you in the days ahead.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Statements by Ministers.

Statements by Ministers

MR. SPEAKER: The hon. the Minister of Fisheries and Land Resources.

SOME HON. MEMBERS: Hear, hear!

MR. BYRNE: Mr. Speaker, with your leave, I would like to offer the congratulations of this House to Richard Oram, Newfoundland and Labrador's 2017 inductee into the Atlantic Agricultural Hall of Fame. Mr. Speaker, Dick Oram is forever attached to our farming past, present and future. He's made significant contributions to the agricultural industry and is a very worthy inductee.

The Atlantic Agricultural Hall of Fame celebrates individual contributions to the agriculture industry in Atlantic Canada. Mr. Oram's distinguished career included working with my department for more than 30 years. He is especially well known for his work in establishing a cranberry industry in Newfoundland and Labrador.

His family farm was started by Dick more than two decades ago, and most recently expanded to include Mark's Market, located in Central Newfoundland, in 2016. This market produces a wide variety of fruits and vegetables that are typically, and not so typically, grown in Newfoundland and Labrador; a real trailblazer.

Mr. Speaker, Richard Oram continues to share his passion with Newfoundlanders and Labradorians. His local produce is helping expand the industry and boosting the local economy. We are proud to assist Mr. Oram in strengthening our agriculture industry.

The Atlantic Agricultural Hall of Fame induction ceremony will be held October 19 at Dalhousie University's Agricultural Campus in Truro, Nova Scotia. Joining Mr. Oram, this year's inductees also include Keith Barrett of Prince Edward Island, Joseph Brennan of New Brunswick and David Dickinson of Nova Scotia. We congratulate them all, the inductees, and wish them continued success in the future.

Mr. Speaker, I would now like to thank Richard Oram and his family for their dedication to our province and to this industry.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

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

MR. PETTEN: Thank you, Mr. Speaker.

I'd like to thank the minister for the advance copy of his statement. We join with the minister in congratulating Richard Oram on his induction into the Atlantic Agricultural Hall of Fame.

Mr. Speaker, Dick has spent his adult life contributing to an industry he loves, with more than 30 years within the department, as well as playing an essential role in establishment and growth of his own family farm. We'd like to thank Dick for his vast contribution to this province's growing agricultural industry. Your impact on it has been immeasurable.

All the best to the inductees at tomorrow's event being held at the Dalhousie Agricultural Campus; let's continue to support the agriculture industry in this province and those who contribute to it.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

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

I, too, thank the minister for the advance copy of his statement. I'm delighted to join with the House in sending congratulations to Mr. Oram for his induction into Atlantic Agricultural Hall of Fame.

He deserves this award for believing in the cranberry industry, in himself, and for doing such a tremendous job in expanding production in this province. Dick is now also known for introducing new types of produce and for raising the profile of local agriculture and food security. Thank you very much, Mr. Oram.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Further statements by ministers?

The hon. the Minister of Municipal Affairs and Environment.

SOME HON. MEMBERS: Hear, hear!

MR. JOYCE: Mr. Speaker, I rise in this hon. House today to acknowledge all candidates who put their names forward for the municipal elections in September and to congratulate those who were elected. New councils are in place throughout Newfoundland and Labrador and they will work to enhance services and develop strong, sustainable communities for people and families across our province.

I would also like to extend our appreciation to all outgoing councillors for their important work and contribution over the last number of years.

Mr. Speaker, there are 270 municipalities in our province. On September 26, most of these municipalities had successful elections. For those that did not, I will be setting a special election date in the weeks to come.

Municipal governments directly impact the day-to-day lives of residents and make important decisions that will help shape the future of Newfoundland and Labrador. Municipal councils are enriched when people of different backgrounds, occupations, ages and genders are actively involved and I am pleased to see such a strong slate of candidates this year.

Mr. Speaker, I'd like to thank all municipal leaders, councillors and volunteers for their significant contribution and sacrifices they make for the betterment of communities in our province.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Ferryland.

MR. HUTCHINGS: Thank you, Mr. Speaker.

I'd like to thank the minister for the advance copy of his statement. I certainly join with the minister in congratulating all candidates who put their names forward for the municipal elections last month. Municipal councils do a tremendous amount of work in our communities. They provide recreation programs, snow clearing, garbage collection, a whole list of services to residents in local governance.

As former Minister of Municipal Affairs and certainly in my own district, I'm fully aware of the municipal council and, sometimes, it's not an easy job. I was pleased with our administration as Minister of Municipal Affairs to introduce the new fiscal framework, where we introduced access to MOGs, increased portion of gas tax and also a rebate of provincial HST. Working together with municipalities, we can certainly make their lives much better.

I, again, with the minister, salute those who ran in the municipal elections and certainly encourage them to continue the work they're doing for the betterment of Newfoundlanders and Labradorians.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

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

I, too, thank the minister for the advance copy of his statement. It was exciting to see a growth in

the number of women and young people running in these elections and getting elected. It was quite an exciting time actually, municipal night. However, candidates and voters continue to face a number of barriers in getting involved, as we all know, particularly in smaller communities.

I encourage the minister to work with MNL to help to find ways to increase participation in future elections and, for now, congratulations to all those who ran and who were elected.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Further statements by ministers?

Oral Questions.

Oral Questions

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

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

Mr. Speaker, earlier today I spoke to a couple of people who are impacted by the current status of the Sundara Condominiums in Mount Pearl. Most of the current owners of condominiums in this building are senior citizens.

I'd like to ask the Minister of Service NL to inform this House if Sundara has established a condominium corporation as required under the *Condominium Act*, for which she's responsible?

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

MS. GAMBIN-WALSH: Mr. Speaker, the *Condominium Act* as it exists was established in 2009 and proclaimed in 2011 by the previous administration. At that time, they touted the act as being strong and provided protection for the people.

Mr. Speaker, under the *Condominium Act* if a dispute arises, there are mechanisms in place of which an individual can go and deal with that dispute.

SOME HON. MEMBERS: Hear, hear!

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

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

But my question was if Sundara Condominiums was properly established under the *Condominium Act*. Mr. Speaker, the minister's department, under the act, is to maintain a registry of condominiums. It's required under section 7 of the act.

I'll ask the minister: Does your department maintain the registry of condominiums, as required by the act?

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

MS. GAMBIN-WALSH: Mr. Speaker, today as it exists, the company exists as a condominium – under the *Condominium Act* they are registered, yes.

SOME HON. MEMBERS: Hear, hear!

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

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

I appreciate the answer from the minister, but my question was if there's actually a registry of condominiums.

Mr. Speaker, she's referred to this particular condominium – under section 42 of the *Condominium Act* states that a condominium corporation shall issue an estoppel certificate at the request of the owner. Now, owners that I've spoken to have not been able to obtain an estoppel certificate, as required by the act.

So I ask the minister is she will offer assistance to these individual owners in order for them to obtain this estoppel certificate, which is required for them to be able to sell their condominium.

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

MS. GAMBIN-WALSH: Mr. Speaker, Sundara Condominiums is listed as registered. We have not received any requests in our department as outlined by the Member of the Opposition.

SOME HON. MEMBERS: Hear, hear!

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

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

I just made a request to the minister, I would suggest, and the request is: Will she assist these condominium owners in obtaining the estoppel certificate?

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

MS. GAMBIN-WALSH: Mr. Speaker, the Department of Service NL will always assist anyone who comes forward and asks for assistance. We have not received that request.

SOME HON. MEMBERS: Hear, hear!

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

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

I will ask the minister if she can confirm for this hon. House if a reserve fund has been properly established and maintained, as required by section 49 of the act, which requires a reserve fund to be maintained on behalf of the owners of the condominiums. Can the minister confirm if that's taken place?

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

MS. GAMBIN-WALSH: Mr. Speaker, I don't carry in my back pocket a list as such; however, if the Opposition would like that list, they can certainly ask our department for it, but I don't carry around a list.

SOME HON. MEMBERS: Hear, hear!

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

MR. P. DAVIS: Mr. Speaker, I haven't asked for a list. This is a matter that's been publicly discussed. It's been discussed here in the House of Assembly. I would have assumed that the minister would have drawn some attention or some review to a matter that's been discussed publicly, it's been brought here to the House of Assembly and falls under the responsibility of her own department.

My question, Minister, was: If you can confirm for me if a reserve fund has been established and maintained as required by the act in regard to Sundara?

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

MS. GAMBIN-WALSH: Mr. Speaker, I can certainly look into it, but I cannot confirm here today in the House as such. Mr. Speaker, I wouldn't have that type of information available to me at hand for all the condominiums that exist.

I don't understand why the Leader of the Opposition expects me to pull that out right now here in the House.

SOME HON. MEMBERS: Hear, hear!

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

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

I look forward to receiving that information from the minister.

Minister, there have been many public discussions, commentary and concerns raised about the Sundara property, Sundara development and Rockmount Properties who is the developer of the property.

Minister, my question for you today is: Will you launch an investigation to ensure that the legislation is being followed and that the owners of –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

I remind all hon. Members that I'm only to hear from the person I have addressed. This is a warning.

Thank you.

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

I'd also remind Members of this House this is a very serious circumstance. There are senior citizens who reside in this and they're quite nervous about the future of the investments they've made in this property, Mr. Speaker. It's a very serious matter.

So Minister, my request to you is: Will you launch an investigation to ensure that the legislation is being followed and that the owners of the individual condominiums within this condominium development are being protected?

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

MS. GAMBIN-WALSH: Mr. Speaker, the incident which has gathered public attention over the last couple of days is a very unfortunate incident, especially for the two ladies and their brother who is now deceased.

Mr. Speaker, if anybody comes forward and requests – if you have consent from the family here today, I will definitely take it. If anyone comes forward and requests any particular information, we will definitely give it. I will take that under advisement

SOME HON. MEMBERS: Hear, hear!

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

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

I'd suggest that the concerns are much more far reaching than just the two ladies that have spoken publicly so far.

Mr. Speaker, the Government House Leader stated here in the House yesterday that there's been significant research and analysis done on the elections bill – and that's a quote: There's been significant research and analysis done; and

that the department – again I quote – had tremendous analysis completed.

Premier, I'd ask you if there was an analysis completed, and it does exist, will you ensure that's tabled here in the House of Assembly.

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

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

I'm happy to stand here again and speak to the *Elections Act*. I'm very happy to be able to report today that we actually started debate on that bill today –

SOME HON. MEMBERS: Hear, hear!

MR. A. PARSONS: – in the House of Assembly. So I appreciate the co-operation of the Members opposite for contributing to that debate.

There was, as there is with any piece of legislation, research and analysis that goes into that. There was certainly no doubt as it related to this one. In fact, in many cases, it was expedited due to the fact that we had a court case followed by a resignation.

I'm certainly happy to pass over whatever I can; what I can say is that the analysis resulted in the bill that's here, but as the Member opposite would know from his time in government, much of this may have legal implications that may be covered under solicitor-client privilege, maybe Cabinet privilege. Again, I can't release any information under that. The other thing I can say if they have a question, feel free to ask it.

Thank you.

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

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

We do feel free to ask questions in Question Period, that's what Question Period is about. Minister, I'd say to you feel free to answer them from time to time, and I'm glad you answered one today.

SOME HON. MEMBERS: Hear, hear!

MR. P. DAVIS: Mr. Speaker, in the scrum yesterday after the House – during the House he talked about analysis and he said he would make an effort to have a look and he would check on it, in scrum, he said to the media. The minister has already spoken to the bill; it was an opportunity for him to table any reference or any material or analysis that has been done.

Minister, how do you propose to table that information? Now that you've already spoken, how do you plan to speak to that so that all legislators here in the House can have the benefit of that information?

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

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

I'm happy to stand here again and speak to this, and answer any questions that the Member puts forward. I'm looking forward to debate on this bill, to which the Member has not contributed yet. In fact, he's also mentioned in numerous days that he has amendments to offer and I have not seen any of them yet. I look forward to seeing that so we can look at that and analyze whether it actually improves the bill that we have.

The fact remains, as the Member would know, again he's been involved in debates in this House on many sides, some of the information that is used may be privileged in certain ways, especially as it relates to legal information. Anything I can put forward, I'd be happy to.

The Member should also know; he had a technical briefing for this. I believe that he attended; I'm not sure. But what he needs to know is he can reach out to our staff, any time, and ask any question for an interpretation of any part of that at any time. But if he doesn't do it, I can't help him.

MR. SPEAKER: Order, please!

MR. A. PARSONS: Thank you.

SOME HON. MEMBERS: Hear, hear!

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

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

His last answer, he invited me to ask more questions. Now he's directing me to his staff to ask questions, Mr. Speaker.

In reply to questions yesterday, the minister had provided and talked about this information. We know as well that in the resulting court challenge, the Supreme Court Justice talked about the legislators had not had the benefit of reviewing analyses or studies that were completed, to look at what the implications were of the bill.

So I'll ask the minister again – we go back to debate on this tomorrow. In all likelihood if he calls it back tomorrow, I'm sure he will. Will we have the benefit of that analysis before debate continues on our next sitting day?

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

MR. A. PARSONS: Mr. Speaker, it's hard not to quote a former Government House Leader here question the Opposition's ability to research, but again I would say to the Member opposite, he's free to do his own research. I believe he does have researchers on staff. I don't know what they do.

The other thing he suggested – Justice Butler's decision, there are a couple of things I would say about that. First of all, we've provided every opportunity – we've provided briefings and we'll provide more briefings if they want those. That was not done in 2007. I believe the Member opposite, when he was here in the House yesterday said: I hope they don't rush it through like we did back then.

What I will say is some of the analysis is easily obtained by just doing a jurisdictional scan across the country of the Elections Acts everywhere. What I can assure him is this bill will maintain any kind of scrutiny on a constitutional basis. It will stand up to that. It's a good piece of legislation that has had significant work done by legislators here and by bureaucrats in our department.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

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

I'd remind the minister opposite, in 2007 – and, yes, Justice Butler referred to this in 2007, how the bill went through the House rather quickly. I'd say to him that both House Leaders – the Government House Leader, Mr. Rideout at the time; the Opposition House Leader, Mr. Parsons at the time – were both working together and it went through very, very quickly.

I also believe that we all agree that it should not have gone through that quickly. That consideration and careful consideration – because we believe this bill has significant potential for significant implications on people's rights to vote.

I'll ask the minister again: Will you provide the analysis, as Justice Butler has referred to? Will you provide your analysis on what you've done, your studies, for the benefit of all legislators before you continue with debate?

MR. SPEAKER: The hon. Government House Leader.

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

I can't speak for the other Mr. Parsons, but I can guarantee you that guy over there had a briefing which the other Mr. Parsons did not have.

SOME HON. MEMBERS: Hear, hear!

MR. A. PARSONS: What I will say is the bill is the subject of all the analysis that was done. They have every opportunity to do analysis and ask questions. The Member opposite chooses not to do that. The Member opposite chooses to not participate in debate. The Member opposite has not asked a single question during the debate because he hasn't even stood in the House to debate it yet.

What I would suggest is we've got a long time to debate this, we're going to take our time, we're going to do it right. The only thing is, though, I prefer to do it here in the House and the Member opposite likes to do it behind closed doors.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

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

I can assure you our efforts have been to obtain as much information as possible. The bill is not analysis; it's the result of reviewing the analysis. The analysis tells you the potential impacts that these changes will have on voters' rights. This is about the rights of Newfoundlanders and Labradorians that is enshrined in the Charter of Rights and Freedoms, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. P. DAVIS: While he wants us to trust him and just accept what he says, we're not willing to do that, Mr. Speaker.

I ask the Government House Leader: Will you provide the information to the House? Will you provide it? If it's simple that you won't provide it, just say you're not going to provide it.

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

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

Whenever I stand in this House, as we all do, the fact is we are here due to the efforts of Newfoundlanders and Labradorians and I'm certainly not going to bring legislation into this House that will not protect the rights of Newfoundlanders and Labradorians.

Now, I'm not going to take a lecture from the Member opposite who didn't care about the rights of Newfoundlanders when they brought in Bill 29.

SOME HON. MEMBERS: Hear, hear!

MR. A. PARSONS: And he didn't care about the rights of Newfoundlanders and Labradorians when he forced Muskrat Falls down their throat.

SOME HON. MEMBERS: Hear, hear!

MR. A. PARSONS: So what I will say, Mr. Speaker, I'm happy to debate this bill. He can continue asking the questions, I'll continue answering, but I'm actually looking forward to him contributing to a debate for once.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Fortune Bay – Cape La Hune.

MS. PERRY: Thank you, Mr. Speaker.

In August of this year, the Child and Youth Advocate released her report into a severe case of child sexual abuse in this province.

I ask the minister: Have you investigated the circumstance of the case?

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

MS. GAMBIN-WALSH: Mr. Speaker, such cases are most unfortunate, especially when they are in the media. We've had a lot of discussion with the Child and Youth Advocate about such cases. The minister has reviewed the case and is informed of the case.

MR. SPEAKER: The hon. the Member for Fortune Bay – Cape La Hune.

MS. PERRY: Thank you, Mr. Speaker.

Minister, can you tell us what you have done to get to the bottom of this devastating case of child abuse?

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

MS. GAMBIN-WALSH: Mr. Speaker, with all such cases, the Minister of Children, Seniors and

Social Development works with the community and with the Child and Youth Advocate and with other departments and takes under consideration, and usually, as to date, all recommendations are put forward and taken under consideration.

MR. SPEAKER: The hon. the Member for Fortune Bay – Cape La Hune.

MS. PERRY: In situations such as these, Mr. Speaker, it's crucial that people are held accountable.

I ask the minister: Has anyone been held accountable for this travesty?

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

MS. GAMBIN-WALSH: Mr. Speaker, as I just said, the Minister of Children, Seniors and Social Development has reviewed the case, is working with government departments and is working with the Child and Youth Advocate and other people in community to ensure such things do not happen on a continual basis.

MR. SPEAKER: The hon. the Member for Fortune Bay – Cape La Hune.

MS. PERRY: The system gravely failed this 12-year-old child.

I ask the minister: What are you doing to ensure this never happens again?

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

MS. GAMBIN-WALSH: The Department of Children, Seniors and Social Development is working with other departments, is working with law enforcement, is working with the community and the public to ensure such things do not happen again.

MR. SPEAKER: The hon. the Member for Fortune Bay – Cape La Hune.

MS. PERRY: Minister, are you confident that a similar incident would not happen in the province today, and, if so, why?

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

MS. GAMBIN-WALSH: Mr. Speaker, I am sure that every MHA in this House of Assembly is working to ensure such things do not happen again.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Ferryland.

MR. HUTCHINGS: Thank you, Mr. Speaker.

The year-to-date average for the price of oil is trending well below what was targeted on budget day, so much that on August 22 the Finance Minister at the time said the projection has been revised to \$52 a barrel. Yet, the Minister of Finance said at the time that the deficit is projected to be \$778 million.

I ask the minister: How will you make up the shortfall?

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

MR. OSBORNE: Thank you, Mr. Speaker.

First of all, we did revise the projected price on a barrel of oil. We don't look at the price of a barrel of oil on a daily basis or a weekly basis. We look at it on an annual basis. Based on how oil was trending in the first quarter of this fiscal year, we reduced the projected barrel down to \$52.

We did have higher production of oil this year; made up for part of it. We've been working very hard to reduce spending in areas where spending is not needed and find efficiencies.

We will have the fall fiscal update within the next few weeks and will provide greater detail to the Member at that particular point on what all the numbers are.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Ferryland.

MR. HUTCHINGS: Thank you, Mr. Speaker.

Recognizing that it was in August that this adjustment was made, can the minister give us some insight into exactly how the \$778 million – will you stay with that figure, if not, where will you make up any difference?

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

MR. OSBORNE: Yes, it's only a matter of a couple of weeks. I know it's like Christmas and he can't wait for Christmas morning, Mr. Speaker, but it's only a matter of a couple of weeks and we'll provide all of the details to all Members of the House and to all members of the general public. Our department is working hard now on those numbers to ensure they're accurate.

I will say, Mr. Speaker, based on the 11 forecasters that we use for oil, we determined that in the best interest of the people of the province, we revised the oil projections to \$52 a barrel.

I will have an accurate number on what the expected deficit of the province to be in our fall fiscal update.

SOME HON. MEMBERS: Hear, hear!

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

MR. HUTCHINGS: Thank you, Mr. Speaker.

Mr. Speaker, this past spring the previous minister of Finance held a press conference and asked the unions to give up severance, group insurance and sick leave entitlements.

I ask the new Minister of Finance: Are we now any closer to settling these issues and having an agreement signed?

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

MR. OSBORNE: Thank you, Mr. Speaker.

I'm certainly not going to bargain in public. We've got a very respectful process happening

with the unions, Mr. Speaker. We've been in negotiations now for a couple of months. That process is respectful. There's very respectful dialogue, and a part of that process, Mr. Speaker, is to not negotiate in public. The unions have kept that end of the bargain and I'm definitely going to keep that end of the bargain as well, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Ferryland.

MR. HUTCHINGS: Thank you, Mr. Speaker.

I ask the new Minister of Finance: since your arrival to Finance, have you used McInnes Cooper for public sector negotiations, and, if so, has there been any invoices paid out?

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

MR. OSBORNE: Mr. Speaker, we discontinued the use of McInnes Cooper in late July. Well, actually it was the first week of August. I think I was appointed to Cabinet July 31. The first week of August they withdrew their services, Mr. Speaker, and we have not used them. There has not been any further retainment of McInnes Cooper and there's been no further – in fact, I gave direction that there would be absolutely no further invoices from McInnes Cooper at that particular time.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Ferryland.

MR. HUTCHINGS: Thank you, Mr. Speaker.

Mr. Speaker, premiers and MPs from all over the country in all political stripes are speaking out about the newest federal Liberal tax grab, its proposed tax changes for small businesses; yet, our Premier has said that he was looking for some clarification on what those impacts would be.

Premier, the impacts are obvious here in Newfoundland and Labrador and across the

country. I ask you, are you in favour of these federal tax changes?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

I think I've been very public in making comments around the small business tax that was proposed by the federal government. I spoke to the federal ministers when they were in St. John's this year, which I even said to them it was an unusual sighting for most people because Members opposite didn't really have that opportunity to speak to the Prime Minister or federal ministers.

Mr. Speaker, we've made our position quite clear on behalf of the small business community in the Province of Newfoundland and Labrador. Small businesses are the backbone of our economy. They employ Newfoundlanders and Labradorians, and we've seen already some changes this week on the impacts of the taxation that were considered by the federal government.

Mr. Speaker, there have been considerable changes made already. As a matter of fact, Newfoundland and Labrador has the third lowest tax rate on small businesses in the country.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Ferryland.

MR. HUTCHINGS: Thank you, Mr. Speaker.

Mr. Speaker, I'll ask the Premier or the Finance Minister: Have you done an analysis of how much change there will be to the economics of these small businesses in Newfoundland and Labrador if these changes go ahead? Has the analysis been done for Newfoundland companies?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Mr. Speaker, I will tell you right now: How could you analyze something that has not been determined.

Now, to the Members opposite, they make those statements about do an analysis about the future.

My good Lord, couldn't he have not done an analysis in 2012 when they sanctioned the biggest tax in the history of this province, the Muskrat Falls electricity tax.

SOME HON. MEMBERS: Hear, hear!

PREMIER BALL: Why are they asking to do an analysis on a decision that hasn't been made? They had the opportunity to put a better project in place, Mr. Speaker, around Muskrat Falls. They failed to do it and here they are passing the buck again.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Opposition House Leader.

MR. HUTCHINGS: Thank you, Mr. Speaker.

The Premier is telling us he didn't read the proposed tax changes proposed by the federal government. He can't analyze what the implications would be on the businesses of Newfoundland and Labrador.

So they can't give us analysis on the changes to the *Elections Act* and they can't give us changes on proposed tax changes? No wonder we're in such dire straits.

Mr. Speaker, the proposed changes are a disincentive for investors to support local start-up companies and entrepreneurs in the innovation sector.

Why has the Minister of Finance not condemned this tax proposal by the federal government?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Mr. Speaker, we've made it quite clear on the position around the small business tax proposed changes. To do an analysis on something that hasn't been decided would be a waste of time. We would rather spend our time in front of the prime minister, in front of the federal Finance Minister, talking about the impact of those changes.

Mr. Speaker, what I would like to know, though, is there's a comment that was made on December 18, 2012, that impacts generations of

Newfoundlanders and Labradorians. This is from a PC Opposition Member that said this: "... I tell you, Newfoundland and Labrador today is a better place and it is going to be a better place when the water flows through the dam."

That is the Leader of the Opposition. Do you still stand by that comment?

SOME HON. MEMBERS: Hear, hear!

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

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

While government campaigned in the last election on improved management and more openness on the Muskrat Falls Project, we've seen little of either to date. Yesterday, the Premier said he wants to make sure that Nalcor is as open and as transparent as any department.

Mr. Speaker, I ask the Premier: If he was concerned about costly embedded contractors, why didn't he put this issue in EY's mandate for their review of Muskrat Falls?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Mr. Speaker, I've spoken to this subject many times now as Members opposite have asked and, certainly, members of the media as well. I made it very clear: We have found out about this from the access to information from *The Telegram*. They made this story public about 500 embedded contractors.

I have said it quite clearly then – and some Members opposite have kind of adopted the language that we've used – it didn't pass my smell test then, it doesn't pass that smell test today. We're continuing to speak to the board of directors.

Mr. Speaker, the Office of the Information and Privacy Commissioner is reviewing this. I wouldn't be at all surprised if the Privacy Commissioner said that maybe this information should be released. We'll see where that review goes but we're continuing to have discussions.

We want to get this out. We want to see Nalcor as public and as transparent as any government department.

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Hear, hear!

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

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

Yes, I know what the Premier has said. It's pretty sad he had to find it out in the news.

I would like to know: Wouldn't he have expected something like that to be mentioned by the Oversight Committee in their reports?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Mr. Speaker, the Oversight Committee does a lot of work around scheduling and overall budgeting and so on. I'm very pleased today that you will see released on the Oversight Committee the latest report around the independent engineers. We're seeing significant progress.

We have managed or they have managed this project. We've put independent people on the Oversight Committee. The previous administration just made it up of a group of government officials, Mr. Speaker. There have been significant improvements.

Prior to June of 2016 we saw 48 per cent of this project completed. To date, Mr. Speaker, just over a year, it's now 83 per cent. There are significant changes. We are focused on getting this project to a strong finish because we know that this project will impact generations.

We still see the Opposition supporting their legacy project and that is Muskrat Falls. To date, they will not say they do not support it.

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Hear, hear!

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

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

I want more clarity from the Premier. Doesn't he think that how Nalcor was being managed, how the work was being done and the use of embedded contractors should have been something that the Oversight Committee was looking at?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

Well if the Member opposite – I'm sure she's aware that we've already written a letter to Nalcor just a few weeks ago. We've made that public. There's been some back and forth.

We've already talked about a different mechanism of getting some of that information out there. Could you put it out in an aggregate form? There's a lot of work that's being done around this.

Mr. Speaker, I'll tell you that you will see less contractors in place in the next few weeks as the projects starts winding down. We want to finish this project very strong.

The management there that we're seeing, we've seen a CEO that wants to get this information out and the office of the Privacy Commissioner, Mr. Speaker, is now reviewing this. But I will tell you there's one thing that I cannot wait to get started and that's the inquiry that goes into Muskrat Falls, so once and for all, Newfoundlanders and Labradorians will find out how those decisions were made.

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Hear, hear!

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

MS. MICHAEL: Thank you, Mr. Speaker.

I ask the Premier: I can't wait either so can he tell us when it's going to happen?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Mr. Speaker, as I've said many times, and I will repeat it once again to the Member opposite, it will start this fall.

SOME HON. MEMBERS: Hear, hear!

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

MS. MICHAEL: Well, we're into October. It's the 18th of October. I think summer ended on September 21. We'll be out of fall very soon.

Could the Premier please be more specific about his plans for that inquiry? Is it going to include a forensic audit?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Here we go, Mr. Speaker, talking about the seasons and the time of the year. I'm very much aware of the date. I'm very much aware of the time. I'm also very much aware that fall ends on December 21 which just happens to be my birthday.

Mr. Speaker, the inquiry will start this fall when we get the terms of reference to the point that we're ready to make them public, so we can get the information that the people of this province so rightfully deserve.

Mr. Speaker, there is one little question, however, that I would like to clear up. Does the PC Opposition still stand by their legacy project? Why will they not answer? By not answering I would say: Yes, they do.

SOME HON. MEMBERS: Hear, hear!

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

Presenting Reports by Standing and Select Committees.

Tabling of Documents.

Notices of Motion.

Notices of Motion

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

MR. A. PARSONS: Mr. Speaker, I give notice pursuant to provisional Standing Order 11(1) that the House not adjourn at 5:30 p.m. on Thursday, October 19, 2017.

Further, Mr. Speaker, I give notice and by leave move that the Standing Orders Committee will be: the Member for Burgeo – La Poile, the Member for Conception Bay East – Bell Island, the Member for St. George's – Humber, the Member for St. John's East – Quidi Vidi and the Member for St. John's West.

MR. SPEAKER: The motion is that the Standing Orders Committee is to be comprised of the Members stated by the Government House Leader.

All those in favour?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Against?

Motion carried.

MR. SPEAKER: Answers to Questions for which Notice has been Given.

Petitions.

Petitions

MR. SPEAKER: The hon. the Member for Ferryland.

MR. HUTCHINGS: Thank you, Mr. Speaker.

I'm glad to rise today in the House to present a petition.

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 construction of the planned extension that was to be tendered and begin in

the spring of 2017 is now several months delayed; and

WHEREAS issues with the septic and water capacity at site have not been resolved, nor have the concerns the proximity of the artisan well to Mobile cemetery, the potential unearthing of unmarked burial sites during construction; and

WHEREAS safety concerns related to traffic, emergency access and parking during and after construction have not been addressed; and

WHEREAS the original budget of \$7 million is now estimated at \$10 million due to complications identified on site; and

WHEREAS actual student enrolment has exceeded all projections and the extension is a short-term two-year solution to a capacity issue; and

WHEREAS the elected members of the board of trustees of the Newfoundland and Labrador English School District have formally and publicly endorsed the need for a new middle school for the region;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge government to halt the planned extension to Mobile Central High School announced in *Budget 2016* and move forward with a new middle school that was recommended in the BAE-Newplan report in 2014, subsequently announced in *Budget 2015*. A new middle school is a long-term, fiscally responsible solution to capacity issues in our school system.

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

Mr. Speaker, this is an issue that has been brought to the House of Assembly on a number of occasions. We have a very active concerned parents group that have met with the minister some time ago. As well, we had interactions with officials with Transportation and Works, as well, interactions with the Newfoundland and Labrador English School District.

Through all of that we have the Newfoundland and Labrador English School District trustees,

we have the concerned parent groups and we have many people in the region, most people recognizing the importance of that new middle school. That's the piece of infrastructure that needs to be developed. It was sanctioned in 2015 and for some reason was cancelled by the folks on the other side.

I was pleased on Saturday to be in Calvert to a fireman's ball. There was discussion about sustainability. I'm very pleased to see the MP, Ken McDonald, indicate that he was in support of this new build. He didn't think an extension would be appropriate. He stated that publicly. I certainly acknowledge him, for a Member of Parliament, to support the residents of the district.

The second MP for the region, I'd certainly like to hear from him in regard to his thoughts on this extension as opposed to what should be done is building that new middle school that's required for the region. So it just takes, I think, once and for all, for the minister and for this government to recognize that they made an error, to step up and correct that error and work collectively with the people of the region to build the infrastructure that everybody requires, everybody knows is required, even the trustees at the Newfoundland and Labrador School District and we get this project built.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Further petitions?

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

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

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

WHEREAS Newfoundland and Labrador has one of the lowest minimum wages in Canada and minimum wage workers earn poverty incomes; and

WHEREAS proposals to index the minimum wage to inflation will not address poverty if the wage is too low to start with; and

WHEREAS women and youth and service sector employees are particularly hurt by the low minimum wage; and

WHEREAS the minimum wage only rose 5 per cent between 2010 and 2016, while many food items rose more than 20 per cent; and

WHEREAS other Canadian jurisdictions are implementing or considering a \$15 minimum wage as a step towards a living wage;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge government to legislate a gradual increase in the minimum wage to \$15 by 2021, with an annual adjustment thereafter to reflect provincial inflation.

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

Mr. Speaker, this obviously is an issue that continues, not just in our province but right across this country. Provinces throughout Canada are starting to look at this issue and taking the steps to work towards a \$15 minimum wage, which I fear to say, by 2021, will not be worth the same dollar that it is worth today. They're moving so quickly that right now our minimum wage at \$11 is the third lowest in Canada. A few years ago we were much closer to the top.

Minimum wage in the other provinces and territories right now range from \$10.72, which is 28 cents lower than us, to \$13.60, but most are higher than \$11. We're just on \$11 now.

If the minimum wage – and this is one of the points that's in the petition, even if the minimum wage is indexed every year to keep up with inflation, it will still be a poverty wage. That will be particularly true if here in our province we do what I've heard the government suggesting and that is that they are going to start indexing now at the minimum wage where it is. If we do that, we will never get the minimum wage above the level of poverty because that minimum wage now is way too low. So we need

the minimum wage up to where it should be before we start indexing.

A full-time minimum wage worker in St. John's makes \$22,880; a tiny bit more than the 2014 before tax, low income cut-off of \$20,952. So we have a very serious situation here, Mr. Speaker.

Thank you.

MR. SPEAKER: Further petitions?

The hon. the Member for Topsail – Paradise.

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

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

WHEREAS emergency responders are at greater risk of post-traumatic stress disorder;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge government to bring forward legislation containing a presumptive clause with respect to PTSD for people employed in various front-line emergency response professions, including firefighters, emergency medical service professionals, police officers not already covered under federal legislation.

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

Mr. Speaker, it's been a tough time year for many communities in our province, when it comes to post-traumatic stress disorder and occupational stress injuries in front-line responders in our province. And I'll point out that the military – I think it's about 13 or 14 years ago – the Canadian military, actually recognized that post-traumatic stress disorder is not necessarily triggered by a single event, but an accumulation of exposures to events that have impact on them in the workplace.

About four or five years ago, the RCMP made the same recognition, that when members have repeated exposures of traumatic events – and

they can come in a variety of ways, it doesn't necessarily have to be traumatic as some people may imagine, but it can be a difficult and challenging event for that particular officer, because it varies from person to person. It can be recognized that the accumulation can cause PTSD, not a single event.

Workers' compensation rules in Newfoundland and Labrador indicate that a person, front-line officer or any person claiming an occupational stress injury, or post-traumatic stress disorder from the workplace, has to prove what event caused the PTSD. And for many, it's impossible. It's impossible to identify the event that caused their illness. It's very different from a fall and a broken ankle or a broken leg or broken bone, or something like that. It's very different from that – or a combination of injuries. But it's very different from that, in that we now know and the experts now know that it can be an accumulation of exposures, Mr. Speaker, and our current legislation does not reflect that.

I know front-line responders, because they're not able to identify the event that caused their illness, that can't get workers' compensation and continue to work and suffer while they work as front-line professionals in our province, Mr. Speaker, because they can't give up their job, because they won't get benefits.

Mr. Speaker, this petition again asks government to introduce legislation to recognize what we now know about PTSD.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Further petitions?

The hon. the Member for Conception Bay East – Bell Island.

MR. BRAZIL: Thank you, Mr. Speaker.

To the 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 government recently cut vital funding to many of the province's youth organizations; and

WHEREAS the cuts to grants to youth organizations will have a devastating impact on the communities, as well as its youth and families; and

WHEREAS many of these organizations deeply rely on what was rightfully considered core funding for these day-to-day operations;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge government to immediately reinstate funding to the province's youth organizations.

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

Mr. Speaker, I spoke to this nearly two years ago when the first set of cuts came through on grants to youth organizations. They've continued because monies that were cut were never reinstated. So now we're into a second fiscal and going into a third with these organizations not having that ability.

It's ironic. Not 20 minutes ago I checked a message that had gone out to a number of organizations that have me included. It was from the Boys and Girls Clubs who had asked for donations for their fall fair. The quote was: As you know, we've taken substantial cuts from government in our core funding. We have to make this up to continue the level of programs and services to ensure young people have a healthy, safe environment to play and learn in.

Mr. Speaker, that speaks volumes. That speaks volumes about the impact that this small amount of money – and that's what we're talking here, nickel and dime from the coffers of the province's tax regime, but substantial for these organizations. Not accounting from a business point of view, the money that's generated is tenfold.

The money we put into it, these organizations generate it through local fundraising, through partnerships, through municipalities, through federal programs, through foundations, through

in-kind services. I say tenfold. I know one organization that I was in and we would get \$10,000. Our budget was a million dollars. So just look at the return on our investment there. It was nickel and dime, it was ill thought out when these cuts were made across the board.

These were calculator cuts that never took into account the impact they would have on the people that were using them and, obviously, the impact they would have on the finances of Newfoundland and Labrador. The impact it's having as we're going to debate immigration and out-migration here in a few minutes, Mr. Speaker, about the impact it's having on young people having to leave Newfoundland and Labrador because of the cut in services that they have that they provide. More importantly, the mentoring to ensure our school system, our young people are employable, our young people are productive citizens and our young people have a society that they feel themselves they can be engaged in.

Mr. Speaker, as we're getting to the end now where we go into a private Member's resolution, I'll table this and have an opportunity to speak to this in the near future.

Thank you, Mr. Speaker.

MR. SPEAKER: Order, please!

Orders of the Day

Private Members' Day

MR. SPEAKER: This being Wednesday I now call the Member for Virginia Waters – Pleasantville to introduce the resolution standing in his name, Motion 3.

The Member for Virginia Waters – Pleasantville.

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

It's my honour to rise here today in this House to put forward the private Member's resolution to address the decreasing population in our great province. This is a very pressing issue and will continue to be one until we take action; therefore, Mr. Speaker, we're going to take action.

WHEREAS increasing immigration is key to the prosperity of Newfoundland –

MR. SPEAKER: Order, please!

I need the hon. Member to move the motion.

MR. B. DAVIS: I move the following resolution, seconded by the Member for Mount Scio.

MR. SPEAKER: The Member for Virginia Waters – Pleasantville, you may proceed.

MR. B. DAVIS: I'm going to read the resolution into the record, Mr. Speaker:

WHEREAS increasing immigration is key to the prosperity of Newfoundland and Labrador; and

WHEREAS Newfoundland and Labrador is facing significant demographic challenges in that the province has Canada's most rapidly-aging population and lowest birthrate and is projected that in 2025 the province will experience a 10 per cent decline in its working-age population resulting in 35,000 fewer people in the provincial labour market;

THEREFORE BE IT RESOLVED that this hon. House supports the Government of Newfoundland and Labrador in its goal to increase immigration so that Newfoundland and Labrador will welcome approximately 1,700 immigrants annually by 2022.

Mr. Speaker, immigration is vital to increasing prosperity in our province. The actions of the Liberal government will ensure Newfoundland and Labrador is a destination of choice for immigration.

Immigration is important to our economy here in our province. It has always been that way as Newfoundland and Labrador is built on immigrants. Our ancestors all came from somewhere else. For that reason, our province is a perfect place to welcome new cultures, new people and new opportunities.

We know that immigrants who come to our province bring economic advantages by bringing new ideas to businesses, generate innovation with new experiences and cultures, attract

industry and workers and spur economic growth, something we desperately and will always need in this province.

We don't need to look very far into the past to see the boom that occurred in this province when increased revenue for offshore oil happens, which was challenged by the shortness of skilled workers resulting from out-migration, aging population and the low fertility rate. So adding to a more diverse pool of workforce can only be beneficial.

The province has had an annual interprovincial migrate deficit since 2011. During July of 2011 to June of 2012, 10,829 people moved from Newfoundland and Labrador to other provinces and territories in our beautiful country, while only 9,273 came to this province, leaving of deficit of a little over 1,500 people. This cannot continue and it's not sustainable for sure.

This bill will bring an even number of immigrants to those that are leaving and hopefully decrease our unemployment rate while adding to the workforce and also, I might add, adding to the cultural fabric of our province. The number of residents leaving our province has only increased since the price of oil – sorry, has only increased since the price of oil increases in Newfoundland and Labrador. We need to find a way to counteract when oil goes down to increase population as well. This is a very strong option.

The aging population and the need for skilled workers means that immigration will help boost our economy. Immigrants play a major role in industries not traditionally explored by Newfoundlanders and Labradorian workers.

We only see this now in the Project Kindness initiative, as an example, which is a movement united by the belief that people are genuinely good, kind and caring. People sincerely have a desire to help others but sometimes need a little bit of help doing so. Their goal is to ignite, inspire and promote acts of kindness and charity in the community right across Newfoundland and Labrador, to build a large social network of engaging citizens who wake up every morning asking what I could do to help others.

This was formed by Hasan Hai, an immigrant from Pakistan, on October 16, 2016. Another example of this comes from our Liberal government's *Way Forward* vision document that outlines a need to increase agricultural production, to improve food security for our province and create new economic industries.

Our government already has immigrants from Syria hoping to get started in the agricultural field. Mr. Speaker, working with the Association for New Canadians, they're just waiting for this opportunity to come. Hiring immigrants with the appropriate skills to help develop in the agricultural industry will provide a boost to the Newfoundland and Labrador economy while increasing the population as well, and providing employment for both immigrants and Newfoundlanders and Labradorians alike. Bringing in a more diverse field to hire from increases the quality of the competition and in turn only creates a better workforce.

I have the distinct pleasure of representing the District of Virginia Waters – Pleasantville in this House of Assembly. As the Member for Windsor Lake would know, as well as the Member for Signal Hill – Quidi Vidi can attest, Virginia Waters – Pleasantville is one of the most ethnic, diverse districts in our great province. I've very proud of this fact and understand fully the benefits that immigrants bring to the community in which they live.

Just consider some of the stats: 69 per cent of immigrants in our province reside in St. John's or the metropolitan region. The remaining 31 per cent live all over our beautiful province. These immigrants come from a variety of different places: Philippines, Syria, China, India, Sudan, United Kingdom, Iraq, United States, Nigeria and many, many other places.

Immigration in Newfoundland and Labrador has been steadily increasing in the past years. In 2015, 1,122 immigrants arrived in Newfoundland and Labrador. That's our highest number of immigrants welcomed in any given year. That's a substantial increase from the 546 that were welcomed in 2007. We want to keep this trend going upward.

Just to speak a little bit about our country as well. Canada is a global leader in many areas,

and our federal government understands that immigration plays an important role in keeping Canada competitive in the global economy. It helps offset the impacts of our aging population, our shrinking birth rates and the fact that a number of people in Canada's labour force will soon be in decline.

By 2035, it is estimated that over 350,000 immigrants will be needed in Canada annually to meet the workforce needs. We hope to start this immigration now to help offset these dramatic numbers. These staggering numbers are due to the rapidly aging and declining population in our country.

By 2035, 25 per cent of our population will be over 65, with 5 million Canadians set to retire by 2035. This changes the worker-to-retiree ratio from what currently exists 4-1, to 2-1 in 2035, reducing it by half. This is a substantial number and it's unsustainable and needs to be addressed.

Immigrants in Canada today make up 65 per cent of our country's net annual population growth. This number will increase to 100 per cent by 2035. That's not that far away.

Accepting immigration is beneficial for Newfoundland and Labrador, along with Canada, as a means to boost trade relationships between countries and strengthen our culture and diversity.

As I mentioned before, demographics in our province are staggering. Obviously, there are numerous benefits to increasing immigration can have for our province. The population of the province has been in significant decline since the cod moratorium in 1992. The population peaked in that year of 580,100 people compared to just 530,000 people residing in 2016. This is an 8.6 per cent reduction over that 24 year period.

Fertility rates in our province will continue to decrease. The fertility rate now in our province is 1.43 in 2013 compared to the Canadian average of 1.59, both of which are substantially lowered than where it needs to be in order to have stability in the country which is 2.1.

Also, the aging population in our province is another important consideration. In 2016, 101,262 people in our province were over the

age of 65. This represents almost one-fifth, or 19 per cent of the total population. We all know these three trends are very difficult to hear and paint a picture that we want to address and turn around.

In our province, we have the Newfoundland and Labrador Provincial Nominee Program, which is an immigration program that is administered by our province. It operates with an agreement between the federal Department of Citizenship and Immigration in Canada and also our department here in the province.

There are several ways they can come in. I know our minister is going to go through some of those as we go through this debate here today.

AN HON. MEMBER: What a minister.

MR. B. DAVIS: What a minister, for sure.

Mr. Speaker, I'd just like to highlight a couple of things that have been happening in the last little while. The Atlantic Immigration pilot, which was announced in July of 2016, is a key initiative under the Atlantic Growth Strategy. This innovative approach responds to regional labour market trends and needs to increase newcomer retention to the Atlantic region.

One of the main distinguishing features of this pilot is it increases the role of the employer along with the partnerships with the federal and provincial immigrant settlement services providing organizations and also newcomer employees and their families. There are three different programs that will be highlighted and I'll get an opportunity to speak about them a little bit later, as well.

The permanent residency applications are being processed under the Atlantic Immigration Pilot. Their goal is a total of 2,000 applications that are expected to be processed in the first year of this program. We know these challenges exist and we recognize these challenges, and in order to do that we had to find keys to success. The provincial government put together a five-year action plan in order to properly prepare our province for the demographic realities that we face.

This past March, our government launched *The Way Forward on Immigration* – the Immigration Action Plan. The Immigration Action Plan contains 39 concrete actions that the government, in collaboration with key stakeholders, will take to achieve the targets that are set out in our Action Plan. As previously mentioned, our main target audience for the action plan is to welcome approximately 1,700 immigrants annually by 2022.

The Immigration Action Plan remains committed to the guiding principle set forward in *The Way Forward* by doing things better with less, increasing collaboration and by challenging ourselves to meet ambitious targets set forward in this plan. One of the main objectives of this is to provide better immigration services, to maximize the effectiveness of efficiencies in our resources and business processes and to achieve better immigration outcomes.

My time is running a little short here, but one of the things I'd like to say is some of the major objectives that we'd like to do is strengthening these partnerships with the identified groups like the Association for New Canadians; maximizing the pathways that currently exist for immigration; enhancing education, attraction and promotion activities that set Newfoundland and Labrador apart from other jurisdictions; improving settlement and retention services such as language services that have been identified as needing to be improved and supporting better awareness and understanding of the benefits of multicultural and diversity in our province. Supporting these increases to repatriation of Newfoundlanders and Labradorians, that's important as well.

I look forward to hearing what my colleagues from both sides of the house are going to discuss here today. I look forward to, hopefully, having them support this motion as we move forward.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. PETTEN: Thank you, Mr. Speaker.

Mr. Speaker, it's a pleasure to get up to speak on a private Member's motion. It's a pleasure I guess to get up anytime and speak in the House. It's never a bad opportunity. On this one, we speak about immigration and immigration targets.

Our party has always strongly supported immigration. We're a party that brought forward the immigration strategy discussion paper in 2005, the Immigration Strategy itself in 2007, the multiculturalism policy in 2008 and a Population Growth Strategy in 2015 with the Immigration Action Plan for 2015 to 2020. These were not just feel-good documents, Mr. Speaker. They outlined challenges and ways to solve them; objectives and strategies to achieve them.

Canadians are known around the world for their cultural mosaic of our accommodating nature. As a country, we are relatively young, although our history is ancient. Right there is the word: migration and migration has defined us.

Archeological records show us that eons ago indigenous people migrated here and became the first to settle land. To be clear, they were not immigrants, they were the first people here. They were really originating what we are today. After that came explorers and settlers mainly from Europe and after that came immigrants from all around the world. Some came, some left, some stayed and everyone who came was influenced by the place and the people they found here. They passed along their own influences.

Our families, stories and cultures intermingled. We developed an identity that is our own. We proudly call ourselves Newfoundlanders and Labradorians, but our identity also includes the identities of all those who have become a part of us. They are Newfoundlanders and Labradorians with family ties to places all around the world: Ireland, England, Scotland, Wales and the USA. We can go right down to Trinidad and Tobago, Mr. Speaker. It's a long list.

Sometimes multicultural richness of our heritage is expressed with a single family, a single individual. There are many family trees including indigenous ancestors, ancestors who were settlers and ancestors who were

immigrants from one place or another, or from some combination of these ancestries.

Many people today send away for DNA kits in the hopes they can discover where their earth and genetic makeup comes from. Those stories may suggest patterns of migration over vast stretches of time. It's part of who we are as humans, the tendency to move about and intermingle, to share old stories and write new ones.

I'm very proud that we as Canadians elevate multiculturalism and accommodation as an ideal. There are some other countries that are really struggling with issues of identity and immigration. Those debates have become ugly and divisive and sometimes violent. We have to work hard to ensure divisiveness never takes hold in Canada and we must never lose our willingness to embrace others, first and foremost, as fellow human beings, irrespective of our differences. That spirit of accommodation requires us to actively reach out to bridge divides, to welcome newcomers and to make people feel at home.

The Broadway play, *Come From Away*, celebrates the way we welcomed strangers on 9/11. Sometimes it surprises how powerfully that story resonates, but it really matters to people when others go out of their way to show kindness and generosity. That same is the welcoming spirit that will encourage immigrants to stay here, not simply see Newfoundland and Labrador as a temporary stop along the way.

Our various immigration strategies address these points in very concrete terms. What do new Canadians need? What is lacking? What could we do better? If they choose to leave, what is it that discourages them from staying? It might be lack of a familiar support network. It might be a language barrier. It might be a shortage of familiar foods. It might be transportation challenges. It might be issues with education or transferability of professional skills or opportunities for employment or career advancement. Our government developed these strategies by actually talking with people who were themselves newcomers or who deal with newcomers or set sights on finding solutions and putting them into action.

We worked with Ottawa in increasing opportunities to nominate or sponsor newcomers. We believe that with the declining and aging population we have more room for newcomers than any other province. We should be given a greater opportunity to drive population growth through increased immigration.

But here is the problem: simply bringing in more people doesn't automatically solve our problem of population decline, population aging, labour force decline, employment decline, economic decline and so forth. Immigration alone is not the answer. It is one element of the solution, but the solution has to be a more comprehensive plan. That's what this province is lacking.

The Liberals told us in 2015 they had an economic plan. It's formed by some of the province's top minds and people would like it. We're still waiting to see it, Mr. Speaker.

The Liberals brought in a red book in 2015. It included promises of an economic plan to drive growth. After the election, they buried the red book and developed *The Way Forward*, a far less ambitious document that promised smaller gains, but it wasn't a comprehensive economic growth plan that had been promised.

Surprisingly, here we are as a province about to head into the second half of the Liberal's mandate. Instead of seeing evidence of a Liberal economic plan delivering growth, we're seeing consequences of a Liberal economic aimlessness delivering decline. Employment numbers are down. Employment prospects are down. While the rest of the country is growing, our province is in a downward economic spiral.

The Premier recently delivered a speech at a Liberal fundraiser. He was hard pressed to name things to be optimistic about. Here's one of his quotes: There's so much to be optimistic about in this province. Just look at it, our booming tourism industry, our growing film industry, our world-famous Fogo Island Inn, Memorial University Enactus team, the SpaceX Hyperloop project and the Broadway musical *Come From Away*.

Yes, all those are great things but they have precious little to do with anything that this

government has done. The good-news stories the Liberals like to talk about like tourism, film, aquaculture and agrifoods are industries that have grown thanks to the deliberate strategies that the PC government implemented over the course of our term.

We've also invested in energy to grow our offshore. While the Liberal Leader was telling the province that oil is not a policy, we are now seeing offshore project benefits slip away.

We've invested in the fishery, fought for a Fisheries Investment Fund of \$400 million; the fund that the Premier just gave up when he bargained away our rights to impose MPRs. We invested in ocean technology. We were named the North American leader until the Liberals lost the headquarters of the Ocean Frontier Institute to Dalhousie.

We have a Premier who boasts about not fighting Ottawa. There used to be a time when premiers were proud to admit that they stood up for Newfoundland and Labrador. Now we have a Premier who boasts that he's backing down. He's proud to say that he's backing down.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Reid): Order, please!

MR. PETTEN: Obviously when you have hit a nerve, Mr. Speaker, you get the chirpers over on the other side. Other than that they are buried into their papers.

When oil revenues –

MR. LETTO: (Inaudible.)

MR. PETTEN: Mr. Speaker, the Member for Labrador West, I don't know if he's speaking on this private Member's motion. Maybe he should, because he doesn't shut up nowhere through the day, through the morning, through the night. When he gets an opportunity I hope he gets on his feet and they give him some speaking notes.

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

MR. A. PARSONS: I understand that debate can get heated and that, but I would say that the

comment just uttered by the Member telling another Member to shut up is certainly unparliamentary – saying that the Member wouldn't shut up. I would suggest that the Member should just retract his statement, apologize and sit down.

Thank you.

MR. SPEAKER: We'll take that under advisement.

The hon. the Member for Conception Bay East – Bell Island.

MR. BRAZIL: (Inaudible) as you know, it would be noted in *Hansard*. What my hon. colleague did say was that the Member didn't shut up all day long. He wasn't telling him to shut up here; he was talking about the conversations as a part of it, Mr. Speaker.

MR. SPEAKER: I recognize the Member for Conception Bay South.

MR. PETTEN: Thank you, Mr. Speaker.

When oil revenues dipped before the budget in 2016, we needed a new approach to Ottawa with a united front to demand fair treatment under the equalization program to soften the loss of oil revenue we experienced when oil prices tanked around the world. Instead of accepting our invitation to fight together, instead of standing united with other oil-producing provinces like Saskatchewan and Alberta to make a strong case, the Premier put the party ahead of people and backed down.

Instead of fighting for fairness, Mr. Speaker, he forced our people to endure cuts to essential services, plus more than 300 increases in taxes and fees. The 2000 Budget Speech even admitted that budgetary measures would cause economic decline. The 2016 budget Economy documents showed how dismal the situation had become. Instead of projecting job growth in five years, the Liberals were projecting a loss of 35,000 jobs – more than the Northern cod moratorium.

We are seeing that exact same figure in today's PMR. Not just 35,000 fewer people in the province's labour market, but 35,000 fewer

people with jobs. That's a key point, Mr. Speaker. The immigration strategy is trying to bring in 35,000 new people, immigrants, to our province from now until 2022. It all sounds fine. I mean we have no issue with that.

It's a revolving door, you know. As you're opening one end, they're going in droves. Thousands and thousands of people are leaving our province. The stats have shown the population is rapidly declining because of the increased taxes. The cost of living in this province has become atrocious; it's out of reach to a lot of people. So on one hand you're attracting people to come in. There should be no problem finding a house for those new people because there are existing people in Newfoundland, residents of Newfoundland who are leaving.

It's like having a boat with two holes. You're plugging one hole, you're drilling another hole. You're not going to keep it afloat. It's impossible. You're spinning your wheels on 35,000 because as a thousand come in, there are a thousand going.

We've talked ad nauseam about the 2016 budget. We hear all the time the previous administration – the previous administration. It's become almost a punchline even for – I mean everywhere you go, people make a joke.

AN HON. MEMBER: It's a joke.

MR. PETTEN: It's a joke. It's an absolute joke is right and it's the only comeback that we ever hear. The only criticism we ever hear is it's the previous administration. They never provide any information. They never provide any concrete details, Mr. Speaker.

You hear the chirping going on again, obviously, because you hit that nerve. The truth does hurt sometimes. I'm not making stuff up. Go out to any coffee shop, go out around the corner, everyone will tell you the same thing that I'm saying. I never researched this information; this is common talk on the street.

Go read the newspaper. It's a joke. It was in the Cheers and Jeers section if I'm not mistaken one time. It made a big piece about blaming the previous government. You're two years in your

administration. Own up to something. You're the government of the day.

People still think the PCs are governing the province, but we have to clarify to them that we're not. We'll make sure that they know we're not involved in what's going on here. I mean when they talk – there's still more talk two years later about the previous administration. Like really?

When are you going to stand up and be accountable for your own decisions? You're a government; you're the government of the day. You're duly elected. Go and do your jobs and represent the people and answer the questions, deal with the issues.

If you put out a budget – you go through a period of time when you can blame the former administration or if you want to try to blame; two years later, every Question Period, I'd say eight or 10 responses it's the previous administration. It's unbelievable.

As I'm coming to the end of my time, I just want to reiterate the fact, if you're going looking to bring in 35,000 new people into the province, all the while you're losing thousands and thousands every day, you'll never attain your goal. You'll never reach your target.

With the 300 new taxes and fees that are applied on people – we talk to them every day. My colleagues here, we deal with our constituents every day. People are struggling. People are really struggling in this economy. We might not see it. As the saying goes, sometimes you get in your own bubble and we don't realize what's happening around us. Most of us elected officials should see it if we're out in our districts, and I'm sure we all are. People are really struggling. People are really struggling to survive.

Income support, you name it, people are trying to access whatever they can. Food banks; I know a lady, our food bank is close to my office and I know her well. The uptake of food banks is atrocious. A lot of that is originating from this crippling budget.

These taxes; you cannot tax yourself to prosperity, as we've said here many times. You

can't have it all. You have to fix one problem. If you can get our economy so people can afford to live here, your immigration numbers will increase and our population will stabilize. Because without our population being stabilized, you'll never reach your targets because, like I said, on one end it's going out, the other end it's coming in, it's like that. Until you stabilize it with the taxes and give people an affordable place to live, you will stay that way. If not, good luck to anyone who endeavours to try to do it.

We do support immigration, but you have to have an economy, you have to have a place that immigrants want to come to live. Right now, with the tax base that's happening here, they will not come.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Minister of Advanced Education, Skills and Labour.

MR. HAWKINS: Thank you, Mr. Speaker.

It's certainly a pleasure for me to stand today in support of the private Member's motion. As Minister Responsible for Immigration, I'm very passionate about and excited about this part of my portfolio because I think it's so very, very important.

I do have some prepared notes. By sitting here, I was tempted to discard my notes and respond to some of the comments that my hon. Member opposite talked about, but I had a second thought on that. I think I will probably leave it and stay to where my notes I'm going to be talking about, because a lot of what we heard over here just recently, Mr. Speaker, was certainly not relevant when we talk about immigration.

So, Mr. Speaker, today I want to talk about increasing immigration. I think the Member who brought the motion in certainly has a vision that this government has. Newfoundland and Labrador, Mr. Speaker, has a long history, a strong history and a reputation of providing assistance and lending a hand to other parts of the world when critical assistance is needed.

This province has a long tradition of immigrants coming to live here in Newfoundland and Labrador; for example, families from China, India, Syria have opened businesses and raised their families in this province and proud to call Newfoundland and Labrador home.

SOME HON. MEMBERS: Hear, hear!

MR. HAWKINS: Mr. Speaker, I'd just like to reference my town, the Town of Grand Falls-Windsor. Back prior to World War I, there were some obviously unsettled conditions in the world, and it was Alfred Harmsworth who was looking for an alternate source of, I guess, resource for his newsprint that he decided to send over Harold Harmsworth and Mason Beaton to look at other alternatives. They discovered Grand Falls, and, of course, the rest is history. A pure example of an immigrant who came in, significant investment and really built a town around an investment they made.

Mr. Speaker, spawning from that we found many immigrants that came to Grand Falls and, of course, Windsor – at that time, and now, of course, it's Grand Falls-Windsor – who saw there was an opportunity. People working in the jewellers, people that were working in furniture stores, people that were in the retail sector, people that were in restaurants, that established businesses back in Grand Falls-Windsor in the early 1900s, and many of them, Mr. Speaker, are still working today. These are examples, and this is what we're talking about.

How can I forget, in this hon. House, my colleague on the right who is a pure example of an immigrant who has done well in this province –

SOME HON. MEMBERS: Hear, hear!

MR. HAWKINS: – and now our Minister of Health. How can you get any better than that?

We have a proven record of having immigrants that have come to the Province of Newfoundland and Labrador that have made significant investments and have certainly added a lot to this province and this country, I might add, Mr. Speaker. So that's part of why I'm excited and why I'm passionate about the work that we have to do to look at opportunities.

Mr. Speaker, there are not thousands and thousands of Newfoundlanders and Labradorians leaving every day. That is fear mongering. We are not finding thousands and thousands of people moving every day. It's not happening. If it did, we'd only last about 200 days and there would be nothing left. We know that's not true. So why put that out there?

We're looking at, the statistics that we have are indicating to us that over the next number of years there is going to be a significant challenge when it comes to providing the employment levels that are necessary for us as a province to be able to be competitive in the global market. That's the reason and that's why we, as a government, are being proactive. That's why we, as a government, are looking at opportunities where we can increase and look at immigrants that are possibly moving into this province to provide the services and look at opportunities that will increase productivity, increase the way of life, increase the economy and to build on that. Mr. Speaker, that's part of what we're looking at and we'll continue to do that.

Mr. Speaker, I'm going to look at a couple of other areas that I wanted to talk about. On Friday, March 24, our government launched an immigration action plan: *The Way Forward on Immigration*. The plan is all about teamwork. It's about engagement, it's about collaboration and it's about partnership.

Immigrants play a valuable role in the industries and the communities throughout this province. I would challenge every single MHA in this hon. House, and you can provide examples of immigrants that have come into your communities that have made a significant change to the way of life and to how business is done in your communities and the impact it's made.

Employers continue to experience difficulty hiring in certain industries and regions. Immigration is an exceptionally beneficial way to address some of these gaps. The immigration plan provides a roadmap and outlines how key stakeholders in the province will work together to achieve better immigrant attraction and retention.

Mr. Speaker, immigrants that are coming to our province are generally younger. Between 2010 and 2015, the median age of permanent residents in our province was 29 years, for those immigrants coming in, compared to the provincial median age of 45. So not only are we looking at immigrants that are coming into our province, they are younger immigrants who are coming into our province and certainly that helps us particularly in the years ahead.

Our Immigration Action Plan is not the provincial government's action plan. It's the action plan of Newfoundlanders and Labradorians. All Newfoundlanders and Labradorians have a role to play in welcoming immigrants and helping them to feel at home. Sustained effort is needed in order to reach our goal. Together, we can build an even more economically, socially and culturally vibrant province – one that attracts and retains skilled immigrants who bring with them new ideas and global connections.

We must be a destination of choice for perspective immigrants who are looking for a safe, a beautiful, thriving place where they can work, where they can settle and where they can raise a family. This is why in *The Way Forward* we made a commitment to increase immigration by 50 per cent by 2022. We're not looking at numbers of 35,000; we are looking at welcoming around 1,700 immigrants annually. I say that, Mr. Speaker, to clarify and make sure we have our facts straight, because of the fact that we do have federal regulations as well and we come within those parameters.

We also want to bring Newfoundlanders and Labradorians living abroad an opportunity to come back home. Expats need to be aware of the existing and emerging opportunities in this province, and we need to help employers connect to these people.

The five-year action plan outlines the steps all of us will take together to achieve the goal of attraction, retention and repatriation. We are already taking action on meeting these goals. We are collaborating with employers to make sure that our Provincial Nominee Program and the new Atlantic Immigration Pilot program are used to their full potential.

International students and graduates are prime candidates for permanent residency in our province. They are familiar with our cultures, our climate, our history and our economy. Through a departmental focus on supporting international students to their immigration journey, staff meet with individuals every week at Memorial University, the Marine Institute and the College of the North Atlantic campuses. Further, we will be partnering with employers to pilot international student placements, and the "My First Newfoundland and Labrador Job" Program for International Graduates.

People come here from all over the world and they fall in love with Newfoundland and Labrador. We are making it easier for them to stay. We are also partnering with community organizations and service providers throughout the province to ensure that newcomers get the help they need to settle and to build a new life.

The Atlantic Immigration Pilot project, which we launched last spring, is a great example of good work that we can accomplish through partnership. Under the Atlantic Immigration Pilot project, employers must seek designation from the Department of Advanced Education, Skills and Labour in order to be eligible for expedited permanent residency processing. And I might add that people who apply under the Atlantic Immigration Pilot project, their particular applications will be processed in a very efficient and fast manner, Mr. Speaker.

Following designation, employers must request provincial endorsement of individual international workers they wish to hire. As part of the designation process, employers must show evidence of challenges in facing local vacancies, and so some of the criticism that's out there, people quite often not understanding what the program is all about, can easily say oh, well they're coming and taking our jobs. That's not the case, Mr. Speaker, and there are mechanisms in place to ensure that all local vacancies are taken care of, or in fact employers have to give written proof that they've tried to fill these positions.

For three years, Newfoundland and Labrador will be allocated up to 442 nominations annually for immigrant workers, plus their family members. The goal of this pilot project is to

develop approaches for immigration that will enhance retention of immigrant workers.

One of the challenges we've had, Mr. Speaker, is in the retention area. Sometimes it's been easier to bring immigrants in, but the retention has been a problem, and we've seen numbers as low as 11 per cent retention. We need to change that, and through our efforts today to promote the Atlantic Immigration Pilot program, the department has met with over 60 employers throughout the province.

I'm also pleased to report 126 employers have sought designation under the project to hire and transition nearly 1,100 international workers to permanent residency over the three years of the pilot. To date, 100 employers have been approved and the department has received requests to support nearly 100 international workers and 80, to date, being approved.

Mr. Speaker, we have to make it easier. We have to make sure that the policies that we have in place are friendly and enable us, working with the federal government, to expedite those applications. The Department of Advanced Education, Skills and Labour has been holding a series of information sessions for employers throughout the province on the Atlantic Immigration Pilot project so that everyone is fully aware of this program and are able to make application under this program.

Mr. Speaker, I know, unfortunately, my time is running out. I didn't even get through about half of what I needed to talk about, but I just want to express, as minister responsible, that I take this file seriously and I look at the opportunities that we can get within the programs that are available.

As a minister, over the years, I have seen the evidence of what immigrants can bring to our country and to our province. I applaud all of the immigrants and encourage them to continue to practise their culture within the freedom that this province has to offer and this country has to offer. I wish them all the best as they continue to work through and as we, as a province, continue to work to improve immigrancy within the Province of Newfoundland and Labrador.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Conception Bay East – Bell Island.

MR. BRAZIL: Thank you, Mr. Speaker.

I'd first like to take the opportunity to welcome you as Deputy Speaker to the Chair. I know it's been a lifelong goal of yours, with your background in parliamentary procedure, to be able to sit in that chair and proceed over these proceedings here. Welcome!

SOME HON. MEMBERS: Hear, hear!

MR. BRAZIL: I look forward to the next period of time of you doing that.

SOME HON. MEMBERS: Hear, hear!

MR. BRAZIL: I do also want to thank the hon. Member for Virginia Waters – Pleasantville for putting forward the private Member's resolution and the Member for Mount Scio for seconding that. It's a privilege to be able to speak in the House again.

It's always a privilege when we talk about private Members' resolutions, because it gives an opportunity for any Member in this House of Assembly to be able to present something, with a seconder, that's either near and dear to them or reflects the policies or process or programs that the people in Newfoundland and Labrador are asking for.

It gives an opportunity for everybody to speak their own mind, through their own views and their own ability, to outline exactly if they're in favour of something and if so, why; if they have challenges with it and if so, why; or if they feel it's something that should move forward but there are changes that can be made to it. So it's a great democratic process. It's an opportunity for me here – and I know my colleagues on this side, some have spoken and some more will speak over the next hour or so, about what this means.

When we talk immigration, I'll start by saying I support the premise here and the intent of increasing immigration in Newfoundland and Labrador. We know the importance of it. I'm

just going to read the resolution so as I start to speak about the components that I support and outline some of the pieces of advice I'd like to give to the government as they try to implement this in making sure that this becomes successful, that they'd understand that it's not with malice by no stretch of the imagination.

It's purely about trying to reflect how we support achieving the goal of an immigration increase in Newfoundland and Labrador, so that not only are we multiculturally sound in this province, but it moves our economy, it provides the services that we need. Particularly, it opens up a whole new ability for us to draw upon the world and share our expertise and draw expertise from other cultures here.

I'm just going to read what has been presented:

WHEREAS increasing immigration is key to the prosperity of Newfoundland and Labrador; and

WHEREAS Newfoundland and Labrador is facing significant demographic challenges that has Canada's most rapidly-aging population and lowest birthrate and is projected that by 2025 the province will experience a 10 per cent decline in the working population resulting in 35,000 fewer people in the province's labour market;

THEREFORE BE IT RESOLVED that this hon. House support the Government of Newfoundland and Labrador in its goals to increase immigration so that Newfoundland and Labrador will welcome approximately 1,700 immigrants annually by 2012.

I'd find it hard for anybody not to support wanting to increase immigration and wanting to support the viability of this great province of ours, and to be realistic about the fact that we do have a major concern and we are facing a major challenge here. That is because of our aging population. It's because of our dwindling birthrate. It is, unfortunately, because of out-migration for a number of reasons. Some of it is people want to explore other cultures themselves.

We have created a great culture here of being able to educate our young people. Not only educate them from an academic point of view, but educate them that the global market is at

their fingertips. We only yesterday recognized a young medical student here who has a global ability now to do something in Newfoundland and Labrador, but promote it somewhere else.

Fortunate enough, his family immigrated here only a number of decades ago, so it shows about the importance of immigration in this province. But it particularly shows how we instill in our own citizens here an ability, first of all, to stay here but, second of all, also to be able to engage other cultures here and include them to come here. How we do that is going to be the challenge in Newfoundland and Labrador.

I know the Minister of Advanced Education, Skills and Labour has outlined some of the programs and policies that they've put in place. I was fortunate enough, before my days in politics, to have worked for that department and worked very closely with the number of strategies that were implemented from 2005 on. I had the privilege of working with Nellie Burke at the time who was the equivalent to an assistant deputy minister who ran the immigration office and the staff that she had compiled at the time: very competent.

A number of them were Newfoundlanders and Labradorians who had been here for decades but had immigrated here. Others were Newfoundlanders and Labradorians who had a working relationship with promoting immigration. Others were Newfoundlanders and Labradorians who had the skill set, who had never worked in the field of immigration.

When I started to work closer with them, I got a better understanding of exactly how all three components are necessary if we're to ensure that immigration is going to be one of the things that helps solve some of our population issues; helps solve some of the needs that we have when it comes to providing services; helps to ensure that we're a multicultural society here and our understanding and tolerance is above anywhere else in the world.

I noticed the programs and services they would implement went a long way to do that. Some of the simple things that were implemented at that time under the budget lines that were given and under the administration of the day – and I'm glad to see that AES are still following through

with those types of programs; they didn't scrap it. The former minister knows, he helped move it along and the present minister is doing that same thing.

When I was the critic last winter for AES and under the immigration file, I sat in on a briefing one day and we had a whole discussion and I could tell, when I was talking to the senior bureaucrats and would say something and they'd say: How would you know about that? Because this was the discussion 10 years earlier that there are steps, there are phases and we had those discussions with the general population, with new immigrants who had come here, with agencies like the Association for New Canadians who serviced those and welcome immigrants who arrive in our province and try to find the proper fit, be it from an education point of view, an employment point of view, be it finding ways as getting English as their second language. In some cases, try to make English as their first language because some immigrants would come in and say: I want to be fully fluent in English as quick as possible and they would commit to that, but that's not necessarily the best thing either.

If we want to be multicultural, it's about acknowledging their own cultures and having them being integrated into the components of our culture that fit well for them and fit well for our own society. I thought we've done a great job over the last number of years.

Is there a lot more to do? Of course there is. The issue becomes around, and it was mentioned there by one of our previous speakers – I think it may have been the Minister of AES – it's about retaining those immigrants who come here. I mean, obviously they're not coming here for the tropical weather; we realize that. It's pleasantly surprising when you find out those who come from warmer climates it doesn't take very long for them to fit in to our environment here and accept it and engage it. They find the cultural things that we do as a society is a challenge to them, at times, but it's engaging to them.

No doubt, they become even more productive members of our society and accepted the same as all of us.

MR. LETTO: (Inaudible.)

MR. BRAZIL: Exactly.

I've been fortunate enough, and the Member for Lab West notes that as you travel around and you see the people who have immigrated from all different backgrounds, all different parts of the world, have come and made that their home and have gone out of their way to bring other members of their family or other members of their communities here.

We have that ability. The challenge will become implementing a set of policies and programs and services that ensure that they get here, but particularly ensure that the services they need engage them enough that they stay here. That's the other thing. It's one about attraction; another is about retention.

Only a number of years ago we had a retention and attraction strategy that was about not only immigrants but it was also about our own residents and how do we do that. I don't think you discriminate against either or the other, you have to provide services that are equally attractive and less bound that people can't meet certain needs or certain goals that they want to be able to stay in our society and that you give everybody an opportunity to have a fulfilled, engaged livelihood here.

That becomes the challenge. The challenge here is about – announcing a strategy is great and I wholeheartedly support it and I would think the Opposition here will support it. What we need to see is some more concrete approaches to how you're going to achieve those goals; how you're going to be able to draw a larger spectrum of immigrants here; how we engage. We have a great opportunity here.

Memorial University does it probably better than anybody with our international students. How do we find a way that we don't put hindrances in place that they don't continue to come here? When they get here, how do we find ways that they can be better engaged in our society so they get connected, so they stay around?

I know we've changed some policies over the years where students can now leave campus and be employed, which I think was a very positive move forward. Students come here, we've engaged certain things around other supports for

housing and these types of things. We win on both ends here. We're getting younger people coming. They're high-end academic achievers. They've already made a long-term attachment here, anywhere from two years to five to six to seven years. They've been integrated within our society. But, just as importantly, they've helped us integrate us into their cultural society and that's opened up many doors here from an economic point of view.

It's opened up many doors for us to get a better spectrum on the fact that we can open up businesses. Cultural businesses here that were based on our traditional ways of doing things, now because we have input from people who come from other cultures can say your marketable skill or your marketable product can be sold in my home country and here's how and why you would market that.

I have talked to business people who have employees who come from different cultures who are helping open up markets that would have never existed because they would have had no way, no ins there.

So the premise of immigration, it's not just about the populous part. That's an important part. We accept that and I know it's one of the premises here because we have to fulfill some of the needs we're going to have as we age in a population and as we want to keep our education facilities open.

AN HON. MEMBER: (Inaudible.)

MR. BRAZIL: Exactly.

We want to be able to continue those types of processes, but to do that we also have to find other ways to engage our immigration strategies here. It has to be supportive. We already got an outlet here. We can't go backwards when we look at international students at our post-secondary institutions here. CNA does a great job, MUN, through its own campus and the Marine Institute: phenomenal. We have to be able to sell that from another perspective.

We have to be able to sell to the world that we're a province you want to come to. Canada is an easy sell. There's nobody in this world who doesn't look to Canada as a democratic, safe,

open opportunity for people to be able to live the dream, fulfill their own economic needs, and make their family live in a safe, happy environment. We need to be able to sell.

We're the Far East of North America. We need to be able to sell that. We need to be able to sell the services we have here and why it's great to come here. We can't do that with overburdening tax issues. We can't do it with cutting services. We can't do it with not providing education services or health care services. So we need to be able to find that happy medium there. One drives the other.

If we don't have services that draw people because we've put in tax regimes that are just not viable, or we've cut some services to the core that people are saying basic things that I've left a certain country that I'm coming from, I need to be able to have here before I can live the dream of what is expected in Newfoundland and Labrador and what's expected in a democratic country like Canada.

You need to go back and start reflecting on some of the other issues that are already in play, that are going to be detrimental to being able to put your Immigration Strategy forward. And that's an easy fit. We've had so many people immigrate here from all different areas, having that open dialogue with them, have an open dialogue with the other parts of society that help foster, flourish and support new Canadians and new Newfoundlanders and Labradorians who arrive here. How do you support their particular needs? Are there certain things that we didn't think of? Particularly, the other not-for-profit groups, getting them engaged so that they're open for more welcoming to particularly our new Canadians.

I note one of the programs back in our day when I was a civil servant under the Immigration Strategy, they had a pot of money, grants to immigration youth organizations. What it was about was existing youth organizations who would get small pots of money to do something that was engaging for immigrant young people.

I remember the Boys and Girls Club here in St. John's and, particularly, in the centre of the city, would have a big core of new, young immigrant men and women coming to their facilities to be

engaged and would sponsor cultural education nights. It was two parts: one night it would be the young people from – it was Mundy Pond or Buckmasters Circle or whatever street it was, Merrymeeting Road, would go in and talk about the culture of Newfoundland and Labrador. So all these other young people from different cultures would get to understand and learn what went on in Newfoundland and Labrador, what presently goes on, what certain words mean so that they don't take it offensively and these types of things and engage them in that.

The next week it would be the opposite. One of the cultural young people or the group of young people from a particular country or a particular region would come and do the same. So it was a learning experience there. I thought what a wonderful way about not only tolerance, but engagement, but education. It was so positive when you see all the young people then. It was never about the culture that you're different than I am. You know what; you have something I'd like to learn about. You saw so many positive things there.

We need to get to that point again. We need to be able to say let's not put hindrances here, let's give supports that open up immigration, that prevent people from not having tolerance and understanding. But at the same point, let's go back to taking out some of the negative things that we have here on cuts to programs and services and tax issues to ensure that Newfoundlanders and Labradorians get to stay here, and that we have an ability to attract immigrants from all other parts of the country so they want to come here, stay, be engaged and be productive citizens.

Thank you, Mr. Speaker.

MR. SPEAKER: The hon. the Member for Windsor Lake.

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

I'd like to join my colleague on the opposite side in congratulating – I think this is the first time I've had the chance to speak to the Chair, as you've sat in it, and I want to say congratulations on your new role. I know we'll be well served in this House by not only your experience, but also your knowledge of the rules

of the House. I look forward to being checked when I need to be checked, Mr. Speaker.

It's a real privilege for me to stand and speak to this PMR today, particularly in the context of the wonderful district that I represent in this House, which is the District of Windsor Lake. As was mentioned earlier in the debate this afternoon, there are a number of us in this beautiful province of ours that represent much more diverse districts than maybe others have the privilege of doing so, and I would consider myself to be in that category.

Mr. Speaker, my first experience with immigration and immigrant issues happened back in 1999, almost 20 years ago. My family had supported and was part of a group that supported a refugee family of seven children and a mom and dad who came to Canada and settled here in St. John's. They were from Kosovo, war-torn Kosovo at the time, and they came here specifically to be safe.

I think, Mr. Speaker, there is no Member in this House of Assembly who would close the doors of Newfoundland and Labrador, particularly to those individuals who are fleeing from circumstances around the world where their lives, the lives of their children, the lives of their family are put in danger.

Certainly the challenges of that family and the families since then who have chosen, for safety reasons, to ask for refugee status in our country and in our province, those choices are very difficult and the challenges that they have are insurmountable sometimes.

To the Member opposite representing the District of Conception Bay East – Bell Island, I would also acknowledge that his comments around retention are very important. It's one of the reasons why supports and services, not only for individuals who enter our province through refugee status, but also through other immigration streams, are so critical. That we can provide that support and transition early in the establishment of the lives of those individuals, because I'm sure we can all appreciate that if any of us packed our bags and had to, or chose to, for economic reasons, move to another part of the world, that we would ourselves be faced with insurmountable challenges, and that a warm

and welcoming and open and respectful community would be certainly an imperative to our ability to thrive and survive with our family and live a life that we had hoped.

Mr. Speaker, last night I had the privilege of participating at a mentorship program at Memorial University in the department of engineering; this is a mentorship program that I've participated in on four different occasions. It's specifically designed to support immigrant students, so students who are on the international student roster. It was a real privilege for me to meet these young people, just as it was for me to meet that family back in 1999 when I was able to help them with so many of our community.

The young people I met last night were from Venezuela, Brazil, China and many other foreign places in our world, and what they all had in common was a passion to stay in our province and to be part of our community. As a student, many of them had experienced the things that all of us who choose to live in Newfoundland and Labrador value so much, the value of community, the value of relationships, the value of friendships.

Those students who have extremely high technical skills in the area of ocean technology, for example, in the area of engineering related to the oil and gas sector and also the areas related to environmental science, are so talented and equally passionate about joining the workforce here in Newfoundland and Labrador and finding an opportunity for themselves, that it's really inspiring to see how attractive our province looks to those individuals.

Mr. Speaker, to speak today about the PMR that my colleague from Virginia Waters has put forward, a very important PMR, I think it's a privilege for all of us because we understand that as we face the reality of what is, in fact, the demographics of our province, that in addition to recruitment and work to attract expat Newfoundlanders and Labradorians back to our province, we must also look at holding ourselves accountable in the area of immigration.

It was a real privilege for me to be a part of a government that recognized that there is a need to establish a target and establish a goal. A goal

and a target that is achievable and doable, particularly in light of the action plan that was created to support the target, some 39 concrete actions that government and stakeholders will hold themselves accountable to, to ensure those targets of 1,700 people are met.

Mr. Speaker, I mentioned the District of Windsor Lake that I come from. I've attended Chinese New Year celebrations. This weekend I will have the privilege of attending Diwali, a wonderful celebration at the Hindu Temple. I have also had the opportunity to attend, with colleagues from this House, very moving and poignant events at the mosque in St. John's and I think we really need to look at how passionate the immigrant community is about our province. It's not just those of us that had the benefit of being birthed here, but those who choose to live here also are equally passionate Newfoundlanders and Labradorians that deserve and need our support in order to sustain and thrive in our wonderful province.

Mr. Speaker, we referenced earlier the realism around our population reality as we are facing it. In most recent days, I think every Member of this House would be aware of, for example, the Harris Centre Report, which was released back in early September, where there was a great amount of academic research that was committed and done and talked about, Newfoundland and Labrador has the most rapidly aging population, and that trend needs significant intervention.

The strategy our government has put forward and the target we've established, I believe is a part of that intervention that we needed to have on addressing the aging population. On October 5, the parliamentary budget officer released a report where he indicated the population and demographics of provinces like Newfoundland and Labrador would have a significant impact on the future ability of a province to sustain its services, and its critical public sector services that we provide.

Mr. Speaker, for those reasons and for the reasons that many of my colleagues have identified here today, I'll be proudly joining my colleagues on the government side, and as I've heard so far, most of the Opposition on supporting this PMR. You know, we only need

to look very close to us in the Maritime provinces, to the tiny Province of PEI, who has this year exceeded its population target for population growth. As a matter of fact, PEI has exceeded their population growth targets for six out of seven years in the region.

Mr. Speaker, I would stand here today as a Member of this House and challenge us all to look at the target that our government has established as one of the mechanisms where we can really do the work that we must do to turn around the population trend. I would argue, Mr. Speaker, that we should set our sights on taking that title from PEI and looking at changing the demographic outlook for the province. I believe people in this province have the capacity and the desire and the will, and this Legislature has the ability to make that happen, Mr. Speaker.

Mr. Speaker, we talk about the great initiative through the Atlantic Growth Immigration Strategy, the great partnership that we have in Atlantic Canada, the Atlantic Canada Pilot Program, which the Minister explained in his speaking notes earlier. Those are all examples of things we're working on, not only in our province but in Atlantic Canada to stem the tide of the population demographic tsunami that we are all facing in Atlantic Canada.

Mr. Speaker, I do want to take a quick moment. The Member for Conception Bay South in his comments earlier talked a lot about some of the things that our government has had to do in order to make sure that we were able to continue to provide public sector services. I would challenge him to really think about and consider his part, his party's part, in establishing the circumstances that our province is faced with today and the fiscal reality that we're faced with.

I think everybody on this side of the House of Assembly, and I'm sure on the opposite side of the House of Assembly, is very anxious to continue to reduce taxes and make sure that our province is competitive, but having to deal with the circumstances from years and years of denial about the truth and the facts, I think, has really put the people of the province in a situation where realism has to be the rule of the day.

That's why I was so pleased that my colleague from Virginia Waters spoke about this PMR,

and that the context of the conversation here today has been around the realism that we are faced with a population need. That's why *The Way Forward on Immigration* and the 39 actions that have been identified and the target of welcoming 1,700 new immigrants by 2022 is such an important part.

We'll be welcoming professionals. We'll be welcoming entrepreneurs. We'll be welcoming individuals that want to come into our community and purchase existing businesses, maybe set up their own businesses. They'll be coming to be consumers and participants in our economy. That's important. It's important for the future of our province. It's important for the future of our communities.

We need those people to be here to be part of not only the cultural fabric of our wonderful province and our wonderful districts, but equally to be part of an economy that requires people who are purchasing, who are buying and who are innovative in creating businesses, just like we have in Newfoundland and Labrador today in many, many communities. Also, those individuals as entrepreneurs can bring capital.

When we look at the risks around succession planning in our province, particularly as business owners move on and move out of the established businesses, making sure that there's capital and there's transfer of that wealth and those enterprises that are going concerns, is a really important part to make sure that communities throughout Newfoundland and Labrador have a possibility of being sustained.

Mr. Speaker, the other thing I want to speak to really briefly before my time runs out, and that is the all-important issue of family unification as part of immigration. I am very proud to be a part of a government that recognizes through the work in the Department of AESL, that not only is it important to attract and equally retain individuals that can contribute through an economic mechanism, through a job or a career or a business they've established, but equally recognizes that in order to retain that individual, that family unification and making sure that families can get reunited as quickly as they can in the context of the rules of immigration is important.

When we get down to the bottom line and we talk about immigration, when people choose to come to our province, to establish their roots next to our roots, they want to do it with their children, they want to do it with their parents, they want to do it with their loved ones. I think it's a very important part of why our Immigration Strategy is designed to be one that is economic in priority, but family unification is a significant portion of that.

Mr. Speaker, I want to congratulate my colleague from Virginia Waters and thank the good constituents from the District of Windsor Lake for the privilege of sitting in this House. I look forward to continuing to hear the debate as the afternoon unfolds, and I'll be proudly standing with my colleagues to support this PMR later today.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MS. MICHAEL: Thank you, Mr. Speaker.

Welcome to the Chair.

It's a pleasure and a privilege to stand this afternoon and to speak to this private Member's motion. I am very happy to have the opportunity, and I thank the Member for Virginia Waters – Pleasantville and his seconder for bringing this to us.

Obviously, I think some of my colleagues have already said, there's no way we can say we don't want the goal of government that it has set with regard to immigration, the goal to increase immigration so that Newfoundland and Labrador welcome approximately 1,700 immigrants annually by 2022. Is that realistic? I'm not sure.

I think we need an analysis of why we had a bit of a jump between 2015 and 2016, for example, and why things moved the way they did from 2007 up to where we are now. Because without knowing why that increase happened – and I'm not really sure why it happened. I can look around me and figure it out, why that between 2010 and 2015 things went up the way they did.

I can look at the university. I can say, okay, I think numbers went up there. I can look at the College of the North Atlantic.

In this part of the city where I live, we have a high rate of new immigrants in this area. I can sort of figure out why they're here, but we haven't really gotten an analysis of where the growth came from. Some of it, of course, was because of Syrian refugees. We realize that, but I would like to see a full analysis of why we've had the increase that we've had over this past year in particular. That will help us decide whether or not the figure that's been set by government as its goal, the 1,700, is realistic, because the factors that made that happen may not be there in two or three years' time. So we need a full analysis of why that happened in order to decide whether or not that goal is realistic. However, having said that, we have a goal. Therefore we have to look at, how can we get to that goal or even close to it?

While government has a strategy, and it's a wonderful document, a lot in it. A lot of it looks good. A lot of it sounds good. I don't see the practical things that are needed listed to be there to show how we're going to do it. How are we going to get to this goal? For me, the first step is to analyze how we got where we got.

For a moment, before going on on the policy level, I want to speak a bit on a personal level because I did grow up in an immigrant family and an immigrant community, the Lebanese. It's a long time ago. My grandparents brought their family over in 1910, their beginning family. Some were born in Lebanon, some were born here. That's a long time ago. I think about what it must have been like for them in terms of from the first day they landed.

Well, one of the things that's interesting – and I pick up on what was said by the Member for Windsor Lake – when my grandparents came, my grandfather's brother was already here and his sister was already here. So when they came they had family waiting that was here for them, to help them as they got started, and that whole community grew like that.

I think what's really important is that community was a very successful community. People from the Lebanese community are

everywhere in this province today. Our food is everywhere in this province today. I always get amazed by meeting somebody who knows kibbeh and who knows Immjaddrah, because their friend was Lebanese or their friend's grandmother was Lebanese on the West Coast. Lots of people, you can go into homes and they're cooking Lebanese food, not everybody. It's not huge, but the impact is there everywhere around the province, especially on the Island.

That whole connection with family having people who understand is so important. Even when I think about myself, and it may be hard for people here to understand it because I probably don't look different to you, but when we were growing up here in St. John's we were called names. We looked different. Our relatives, our grandparents spoke another language and we actually suffered for that. We really did. Nobody called it anything. Nobody said there was racism or anything like that, but it existed. It was there.

We have other groups in our province who experience that as well, our Aboriginal groups, our people on the West Coast of the province with a mixture of French and Aboriginal. It was here. When you experience it, you understand how hard it is for people who are coming in new who look different and sound different. That has to be part of the training that goes on.

I speak to new immigrants all the time and I hear stories of how they're not being understood. People may try all they want, they may not even recognize that they do not understand, but it is so important, and it is so important to retention. It's so important if we're going to keep people here.

Some of the things I read in the strategy I'm really pleased about. We definitely do have to have more language training. We definitely do have to have awareness programs for people from here who are the people who are meeting immigrants, either because of government programs or in the university or in the college, even in the retail sector. Understanding what immigrants are going through and listening to them – I think somebody already talked about that. It's not what they get from us; it's what we get from immigrants and being open to that.

If we are going to retain people, we not only have to help them fit in here, we have to fit in to them. One of the ways of doing that, and the government does have it in the strategy and it's what I most want to speak to, is that there are organizations who are organizations of the immigrants, of immigrant communities, and we need more and more to support those organizations.

Here in St. John's, for example, we have the Association for New Canadians. We also have the Refugee and Immigrant Advisory Council. We also have the Multicultural Women's Organization of Newfoundland and Labrador. It's through these organizations that a lot of the strategy that's outlined in the government's document – it's through them that those strategies are actually going to happen.

Some of those organizations like the two in particular, the refugee organization and the Multicultural Women's Organization – RIAC, the refugee committee – they operate completely and totally on volunteer work, volunteerism. Yet the work that they are doing with refugees is crucial in this province.

Refugees come from the hardest situations when they come here. What best organization to be dealing with them. I'm not saying that AESL and our various government programs shouldn't be there, but you know what, the people who understand them the most are the organizations who are made up of people who are refugees, people who are immigrants. All of whom are quite capable, who are quite professional.

If we're going to really have this strategy work, I really urge government to look at how we put supports in place in the organizations formed by refugees and formed by immigrants in their own organizations because they are the ones who understand who they're serving. I can't emphasize that enough.

The Multicultural Women's Organization, for example, they know the barriers that are being faced by women, the women who come here. They know them. They are those women. They have those barriers. They know them. They don't have to be convinced.

What they're doing is so important. For example, they do outreach. They do home visits. They do case work. They advocate for women. They hold conferences. They hold workshops. They are raising awareness. Up until only, what, two budgets ago I think, they did that totally voluntarily.

I think it was two budgets ago – the former minister of Finance might be able to nod her head yes – that they finally started getting money as a women's organization under the fund that is there for women's organizations. They know the need so they are fighting, for example, really trying to convince those who have the money and those who make the decisions that you have to have more English as a second language and adult basic education for women.

The thing is that it can't always be that they can go to the college and just do those programs. Very often, they can't because they don't even know where to start. Some of them are here as single parents; they don't know where to start. Some of them have no educational background and they don't know where to go or they don't know what to do.

One thing they don't have – and this is something that is crucial, is crucial for all women, not just immigrant and refugee women, but if they're going to get out, if they're going to go out and get English as second language courses, if they're going to do ABE, adult basic education, they have to have child care. And we do not have adequate child care, period, in our province, so we really need to look at this, this whole issue, with regard to the need for child care and the support so these women can go out into the community and feel they are part of that community that they're living in.

So the Multicultural Women's Organization, they have started providing language training for those who are not eligible for the federally-funded ESL program. You see, that's the problem, that with government programs very often there are angles to it. Sometimes it is that you have to be working; sometimes it is that you have to be officially unemployed. There are all kinds of different angles. Very often, women fall into the cracks and they can't access any of these programs.

An organization like the Multicultural Women's Organization, they actually offer the programs. Because then the programs happen, for example, in their offices. It happens at times when the women can go there. Sometimes you have child care happening as they go and do the English as second-language courses.

We need to make sure that the strategy is not just promising that the community organizations are going to be supported, that the government and the department and the minister realize that it is urgent that these organizations be supported. For example again, with the Multicultural Women's Organization – and I am focusing on women, you've picked that up – they've been delivering trans-cultural competency and awareness sessions for service providers for 10 years now. And wouldn't it be great if government identified different areas in government that needed this kind of training, and then contracted a group like the Multicultural Women's Organization to actually be the ones to give the training. Not try to say: Oh, we can do that out of our department.

Do you know what? It doesn't work. We have that experience going on I think right now with the deaf and hard of hearing children for example and with the closing of the School for the Deaf. People inside of government thinking they know what's best and not listening to the deaf and hard of hearing community.

Well, it's the same thing with immigrants and refugees. They need to be the ones who are driving the programs; they need to be the ones who are telling us what's needed. We have to really listen and work with them. If not, the goal of 1,700 is not going to be met because retention is our major issue. We may be going up in numbers but our retention isn't, so we're only retaining about 64 per cent. If that continues, then we're not going to reach the goals.

So I really encourage the government, I encourage the minister to see how they can work hand in glove with those in the community who are already working with the community of immigrants and refugees in the effort to keep people here, to keep them here safe and to keep them here living good lives.

Thank you very much, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Trimper): Any further speakers to the motion?

I recognize the Member for St. George's – Humber.

MR. REID: Thank you, Mr. Speaker.

It's great to have an opportunity to rise today and participate in this important debate here in the House on immigration and what government is doing to increase immigration in this province.

I just wanted to take a few moments to talk about some of my views on this issue and to support the motion made by the Member for Virginia Waters – Pleasantville. I also wanted to share with the House some of my personal experiences in relation to immigration and some of my work experiences and how it relates to immigration as well.

Other Members have mentioned that immigration and new people coming to this province really adds to the economics that happen, the cultural vitality that's here in this province and things like that. That's certainly the case. I've experienced that myself in several ways.

Also, the five-year plan that the government has outlines a number of concrete actions that government is taking to increase immigrants and to retain immigrants in this province. I'm very pleased that we're able to offer our support here today for those actions.

In terms of my personal involvement with immigrants and people who are coming to this province, it is in relation to some work I did back in the 1990s as a volunteer teacher, ESL teacher, English as a second language teacher at the Association for New Canadians.

At that time there was just, compared to what we are having today it was sort of a trickle of immigrants coming to the province. There were a lot of people who had left flights in Gander or left vessels that had docked in the province that were involved in the fishing industry, but there are also people from other countries who are

fleeing conflicts in their home countries who ended up here in Newfoundland.

As a teacher at the Association for New Canadians, I had an opportunity to talk and meet a lot of these individuals and to get an experience of them coming to this country at that time. A lot of them were very entrepreneurial. They had fled the countries they were from in order to come to a country like Canada that had many opportunities. They were very interested in learning about Newfoundland culture and becoming involved in Newfoundland culture.

Some of them, even at the early stages when they were still learning to speak English, were very entrepreneurial. They wanted to start a business. They wanted to know how they could buy a home. They wanted to know how they could do these things. I think many of these people have gone on to start businesses, to add to the arts and culture of this province and to just add to the culture that we have here in the province and to the vitality of the province.

Another experience of mine in relation to immigrants, new people coming to the province, is part of my own experiences as a visible minority. Some people may think I'm not a visible minority, but I lived for two years in Korea teaching English as a second language at a university in Korea. So we had an opportunity, I guess, to see the world as an immigrant from another sort of point of view.

It's interesting to see the struggles we had as people in a different culture, different environment. Sometimes the interactions we had with a culture we didn't fully understand, and I think that's the same thing that happens to many people as they come to this province. They have traditions and things they don't understand, that they bring to this country and they don't understand in some cases.

We have a lot of learning to do from each other. I think that was a very eye-opening experience for me, the time that I had spent in Korea. It's interesting that I've talked to some people who have moved to our province and they tell me their experiences are much the same. That's interesting as well.

The other thing I wanted to just mention quickly was my experiences teaching at the Faculty of Business. I taught some courses in the MBA program there, and about half the students in some of my courses were people from other countries and other provinces than Newfoundland and Labrador. Again, it's interesting to see the dynamics of people from other countries and people from this country in the classroom, and how the people from outside really enrich the experiences of people who are doing courses here in this province and the way they added to the discussion that was happening, the way they added to the innovation and the innovativeness of people in the classroom.

There was a lot of talk about different experiences in different countries. How do you do this here? How do you do that there? It was great to have that sort of a dynamic in the classroom. I think what happened in some of those classrooms are things that can happen in Newfoundland society generally. As we have people from outside come in and share their ideas with us and to learn more about our culture and to exchange ideas.

I think just as I went to Korea to teach for a while, to learn things from there – we have a more internationalized workforce today. We have people from Newfoundland – you can find Newfoundlanders and Labradorians all over the world, really. You can find them anywhere in the world. Newfoundlanders have gone out, they've learned new things and they've come back. Just as that's happening with Newfoundlanders, people from other countries are coming here and learning new things and adding to the culture here. It is great things that are happening, and it's great.

In conclusion, I want to compliment the Member for Virginia Waters – Pleasantville on bringing forward this motion because it gives us an opportunity to express our support for what the government is doing in terms of the concrete actions that are being taken. It also gives us an opportunity to show that we're a welcoming culture. Although we still may have a ways to go in some regards, as the Member for St. John's East – Quidi Vidi mentioned, we are generally an open and welcoming province and I think that's an important statement that we make here.

Thank you, Mr. Speaker, for the opportunity to speak.

SOME HON. MEMBERS: Hear, hear!

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

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

Mr. Speaker, I haven't told you this before, but it's a privilege to get up and represent the beautiful people from the beautiful District of Cape St. Francis.

Mr. Speaker, I only have a few minutes to speak today on this motion. I want to thank the hon. Member across the way for bringing in this motion. It's an interesting motion, indeed. It's something that our province and our people are recognized – as the speaker just before me recognized. We're recognized around the world, and we're recognized as a place to come to because we have such good people.

The biggest asset we have in Newfoundland and Labrador are our people. If we want to attract immigrants from all over the world and get people to come here to work and stay, the main reason they'll come is because of the people we have in Newfoundland and Labrador.

We see it every day in our neighbourhoods. I know in the area I'm from, we see people coming with different expertise and different ideas, new technologies. Like one Member said about the hon. Member for Gander, the Minister of Health, we recognize that people who come from other parts of the world bring a different variety of things to our economy. They bring a different variety of things to our people, and they open our eyes to see how different parts of the world work, also.

It's very important that we do the strategies we need to do to make sure we attract people from different parts of the world to come to our province. A big thing we need to do is to ensure that they stay in our province. We can look at different strategies in order to be able to attract people to come here, but it's a huge world we live in. It's competition that's vying for these people to come to different parts of not only

Canada, the United States and different parts of the world.

We have to have a place so that we're attractive and people want to come here. Again, like I just said, we have a great sell. Our best sell are our people. It's not our climate. It's definitely not our climate. I mean, we can go from one extreme to the other. Now this fall has been a beautiful fall, but we do have reasons for people not to come.

I just look at why people would want to come here. Like I said, it's our people. It's a good environment, but we also have to make it attractive for people. We just had in the little town I'm from, Flatrock, a Come Home Year and I spoke to a lot of people that I haven't seen for years and years and really want to come back to Newfoundland and Labrador. No matter where you go, I'm sure in every community and everyone across the way, on both sides, know that there are friends and relatives and they'll tell you I wish I could come home to Newfoundland and Labrador.

The problems we have here are economic problems. We have high taxes. I know a gentleman; he lives down in the southern states and he came home and the biggest thing he talked about was filling up the car, the rented car that he had and the amount that he had to pay for gas.

He was up to the house and he said: I don't mind the beer being a little bit more expensive, but I can't put up with the price of gas. He was right because the difference, when we figured it out, was probably about 20 or 30 cents a litre on what we were paying and what he is actually paying down there.

There are all kinds of things that we have to do. What government should be doing is not only to attract immigrants from all over the world but to also to keep our people here. These days – and I know in my district and speaking to other people in their districts, it's a huge issue. It's a huge issue, and I'd say more so in rural Newfoundland than in the St. John's area, we need to be able to attract our own to stay.

I know while we have some good industries in tourism, our fishery is so-so, but we need to get

some reasons for people to move to different parts of our province. It's a huge problem. While it would be nice to see people from different parts of the world moving to rural Newfoundland, which we want them to, but it has to be attractable.

Making it easier for people to move may mean making some adjustments to what we're doing. I know government – and we go up and we go down as the oil prices go up and down, our economy is really reflective on our natural resources that we have and how they sell, but in order for us to be attractive for people we have to make sure that we don't have too many barriers in place for them to come here. When a person comes from a different part of the world and they look at Canada, they're going to look at it say: Okay, why would I go to Newfoundland; why would I go to Ontario; or why would I go to BC – just using examples.

We have to be attractive. While we have the greatest people in Canada, as far as I'm concerned, we do have the highest taxes in Canada and we do have obstacles that stop people from coming here.

MR. CROCKER: That is not true.

MR. K. PARSONS: It is true, Minister of Transportation. We pay the highest gas prices in Canada. Go in and have a look at it and it is based on taxes that are charged to –

MR. SPEAKER: Order, please!

I ask the Member to address his remarks to the Speaker.

MR. K. PARSONS: Okay, no sweat.

MR. SPEAKER: Thank you.

MR. K. PARSONS: It was just the Minister of Transportation was heckling me, so I had to answer him. I never heckle him when he gets up, but that's just who I am. He can be who he wants to be. That's up to himself. I don't do that kind of stuff.

I only have a few minutes left. I think we all in this House want to attract people to our province. I do believe it makes our province a

whole better place when we do. It brings diversity to our communities; it brings expertise, whether it's through medical procedures or anything at all. People from around the world, they bring a different type of life to us. So it's something we really need to do.

In order to attract people in this province, we need to be smart. Like I said earlier, in today's economy and today's world, people want to know where they can live and where they can afford to live. We have a lot of Newfoundlanders and Labradorians that are moving away every day because they can't afford to live here anymore. So how can we expect immigrants to come here and want to stay?

I think that while I agree with what the Member is trying to do here – I agree with you – but I really believe as a government we have to make it attractive for the people to stay here and for people to come here.

Thank you very much, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

The final Member to speak will be the Member who sponsored the motion.

I recognize the Member for Virginia Waters – Pleasantville.

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

I'd, first of all, like to say a big thank you to all the Members that spoke either in favour or semi-in-favour of this private Member's resolution. The hon. Member for Windsor Lake, the hon. Minister of Advanced Education, Skills and Labour, the Member for Conception Bay South, the Member for Cape St. Francis, the Member for Conception Bay East – Bell Island, the Member for St. John's East – Quidi Vidi and the Member for St. George's – Humber: I'd like to thank you very much for your opinions on this private Member's resolution. Many of the concerns that you raised or questions that you raised are addressed in the immigration action plan.

I'd like to just highlight a couple that were mentioned by the hon. Member for Signal Hill – Quidi Vidi talking about making sure – and I think the hon. Member for Conception Bay East – Bell Island also talked about making sure we have a plan on how we're going to strengthen the relationships that we have built and partnerships that we have built.

There are 39 concrete actions that we're going to take in this plan. In addition to that, there are also things, the objectives that we want to do and the focus areas for this Immigration Action Plan which are strengthening the partnerships; maximizing pathways that we currently have; enhancing education, attraction and promotion activities, which I think the Member for Cape St. Francis alluded to as well; improving settlement and retention which, again, the Member for Cape St. Francis mentioned, which was good and I think the Member for Conception Bay South mentioned that as well.

I do want to thank the minister for bringing forward some of the issues that I couldn't bring forward in the initial time, which was great. Also, I'd like to say a big thank you to our government and the previous minister of Finance who – I think it was the Member for St. John's East – Quidi Vidi who was talking about the Multicultural Women's Association. We, in fact, increased funding for them this past year which was important for us to do because of the Immigration Strategy, but also the great work they do.

One thing that the Member for St. John's East – Quidi Vidi did say that I fully agree with is that we should have money invested into the community where the community operates and delivers the services better than we can as a government. I have always believed that and I continue to believe that and I will always believe that. The community out there, in some aspects, deliver services much, much better than we can and much more efficiently and reach much more of the community because they are right close to those individuals. So I think that's important.

I'm just going to take a couple of minutes and close debate on this. As we mentioned before, we facing a demographic tsunami in this province and it's important for us to find ways to make it more sustainable. Immigration is one of

those key aspects; it's not the only one. There are lots of other opportunities we can provide: make more employment opportunities, investment in industries and grow those industries so individuals within our province and those who want to come to our province have the ability to find employment. That's a key piece for retention which has been discussed here today as well.

The majority of those immigrants who come to Newfoundland reside in the metro St. John's area, which is great that I get the opportunity to interact with many of these immigrants on a day-to-day basis, and as many of my colleagues from the metro area would have those same interactions that I do.

The diverse communities across our province, it makes them stronger the more diverse they are. I think someone highlighted on that already. I would tend to agree that the more diversity we have in our community, the more tolerance we have, the more abilities we have to create things that are a little different in our community which is important. I hope you all choose to support this motion so we can all make our communities stronger and more diverse.

In my own personal district, I have the Muslim Association; the only mosque in our province sits in my district. I know many of you had come out to support the mosque and the Muslims in our community just last year when we had the human shield. So I think it's very important that we, as a government and as MHAs in this hon. House, try to support initiatives that are going to increase some of aspects that we have problems with in our province, which is population density and things like that. We have to increase those things and one way to do it is this.

I think one of the Members in the Opposition mentioned that Memorial University does things right with respect to students and immigration for students. I think that's fantastic. We know that; that's why we invest in those areas and that's why we're trying to expand those areas as well.

Canadians began welcoming large numbers of Syrians fleeing their country in December of 2015. Groups of families in my district offered help to refugees and I think the Member for

Windsor Lake talked adequately about that, the fact that she was involved with a family from – not Syria but another part of our world. It's important that we always try to help those in need.

It's important that we find ways that we help individuals raise families in St. John's and in our province. I know that 69 per cent of immigrants reside in our metro area but it's an opportunity for us all over our province, especially with our agricultural opportunities, to have immigrants everywhere in our province. I think that's an important thing but they have to feel welcome, as many of my colleagues have said. It's important that we're trying to create educational opportunities, increase opportunities for language barriers so those don't exist in our population.

So we all know refugees tend to settle in larger centres in Canada so it's important that we focus on immigration versus refugee support, which is important as well but we've got to make sure that we're focused on our strategy which is immigration. We need to do more to entice immigrants to our city and our province. We need to support them, learn from them so that they choose to stay here and feel part of the fabric of our community.

I'm honoured today to stand here in the House. I think we have most of the support across the House, and hopefully we do. I'm honoured to stand here and state my support for this private Member's resolution. Hopefully, we'll get my colleagues in the House to support this as well.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

Motion carried.

It being Wednesday, and in accordance with Standing Order 9, the House stands adjourned until tomorrow, 1:30 in the afternoon.