



Province of Newfoundland and Labrador

FORTY-EIGHTH GENERAL ASSEMBLY
OF
NEWFOUNDLAND AND LABRADOR

Volume XLVIII

SECOND SESSION

Number 45

HANSARD

Speaker: Honourable Perry Trimper, MHA

Tuesday

February 27, 2018

The House met at 1:30 p.m.

MR. SPEAKER (Trimper): Order, please!

Admit strangers.

I'd like to welcome everyone to the sitting today. I apologize for the snowstorm. I didn't have much to do with it but I'm glad to see everyone convene, and please bear with us.

I would like to introduce to all of the hon. Members, and to our folks in the gallery, Ms. Alden Spencer. She is our newest Page.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: I think I need to check the records, but – and not the fact that she is from Marystown, but the fact that she has also served as a Page in the House of Commons. So she comes with federal experience.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Welcome, Ms. Spencer.

Statements by Members

MR. SPEAKER: Today, we will hear Members' statements from the hon. districts of Conception Bay South, Bonavista, Mount Pearl - Southlands, Mount Pearl North, and Labrador West.

The hon. the Member for Conception Bay South.

MR. PETTEN: Mr. Speaker, recently I had the pleasure of attending the Duke of Edinburgh's International Award Ceremony at the Capital Hotel.

One of the most prestigious awards Canada offers to our young people is the Duke of Edinburgh's International Award. Established in Canada in 1963, the tri-level non-competitive program encourages youth to set and achieve goals in the areas of community service, skills, fitness and adventure.

Today I stand to recognize five young people from my district who received gold pins, bronze and silver certificates from the Hon. Frank F. Fagan, Lieutenant-Governor. Congratulations to:

Anna Hutchings, bronze; Shawn Baker, silver; Evan O'Reilly, silver; Kendra Bishop, silver; and Brooke Pottle, gold.

These students are part of the COSTA – Challenge Our Students To Achieve program, an initiative to support students with special needs. The Duke of Edinburgh's International Award recognized that challenges vary from person to person and that all youth should be rewarded for remarkable achievements.

Mr. Speaker, these individuals have worked extremely hard in attaining these awards. I ask all Members of the House to join me in congratulating them on their achievements.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MR. KING: Mr. Speaker, business is booming on the Bonavista Peninsula. Over the past several years there have been a number of new businesses start, and more on the way.

The Newfoundlander Cider Company, located in Milton, is the latest to have a successful launch. Holding their official launch this past Friday, owners Chris Adams and Marc Poirier released their Forager and Old Tilt brands. These can be found in St. John's and Clarendville NLC stores, and from what I've been told they are in high demand. I certainly can't wait to try them.

Chris, who is from Milton, and Marc harvest apples locally from abandoned and neglected apple trees that were planted decades ago by early residents. Their entrepreneurial spirit came from their love of cider and a hobby of crafting it at home. They had a dream to do this on a large scale which resulted in Newfoundland's first cidery.

I ask all hon. Members to join with me in congratulating the Newfoundland Cider Company on their launch and wish them well for the future.

SOME HON. MEMBERS: Hear, hear!

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

MR. LANE: Mr. Speaker, it's my privilege to stand in this hon. House to recognize the tremendous success which was the 36th annual Frosty Festival in the City of Mount Pearl.

Once again, this year's festival included various activities for citizens of all ages and interests including: *A Night of a Thousand Stars* featuring the Spirit of Newfoundland; a Pedestrian Parade of Lights; two community breakfasts; an indoor and outdoor family fun day; a lip sync contest; a concert and dance featuring the Fables, the Irish Descendants and Rum Ragged; an Irish pub night; a seniors bingo; a jigs dinner and variety show; Battle of the Brains trivia night; and a dinner theatre, just to name a few.

Mr. Speaker, as I'm sure you can appreciate, any festival of this magnitude would not be possible if it were not for the hard work and co-operation of a number of community partners. I would therefore ask all Members of this hon. House to join me in congratulating the City of Mount Pearl, the Frosty Festival Board of Directors, the various community groups and organizations, the corporate sponsors and all of the community-minded volunteers who contributed to the great success story which was Frosty Festival 2018.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: And now for another perspective on this great event: the hon. the Member for Mount Pearl North.

SOME HON. MEMBERS: Oh, oh!

MR. LESTER: Mr. Speaker, you just stole my opening line.

Mr. Speaker, I rise in this hon. House today to congratulate all that helped make the 36th Annual Mount Pearl Frosty Festival a huge success. The Frosty Festival has become the largest winter festival in Atlantic Canada. This year's festival was spectacular with over 70 events throughout 12 days, attracting over 50,000 participants from Mount Pearl and neighbouring districts.

The people of Mount Pearl and surrounding areas donned their warmest winter gear and came out to enjoy the many fun-filled events. On opening night, I dressed up as Farmer Jim and had the honour of transporting Frosty himself in a fantastic Parade of Lights, which lit up the entire parade route.

Mr. Speaker, I would like to extend congratulations to all of those who contributed to the success of the Frosty Festival: the board of directors, the committee members, the community groups and sponsors, and hundreds of volunteers who dedicated countless hours to making sure all of the events were successful.

I ask all hon. hon. Members to join me, once again, in thanking and congratulating the 36th Annual Mount Pearl Frosty Festival on its tremendous success again this year.

SOME HON. MEMBERS: Hear, hear!

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

MR. LETTO: Thank you, Mr. Speaker.

AN HON. MEMBER: This is about the Frosty Festival.

MR. LETTO: Not about the Frosty Festival.

I rise in this hon. House today to recognize an outstanding group of athletes in Labrador West. On February 6, we gathered to honour and award approximately 78 athletes in over nine different categories. The top three categories are: Teen Athlete of the Year, the Alfie Award and the Builders Award, along with Most Spirited, Athletes Choice Coach Award and the Rising Star Award.

Matt Ryan and Amanda Daniels took Male/Female Teen Athlete of the Year. Kyle Pawlett and Tony Lawrence accepted the Alfie Award, which is an award that is presented in honour of Alf Parsons for his dedication to sport and the community of Labrador West.

The Builders Award recognizes a volunteer's outstanding and long-term contribution to an organization that is significant to the founding and growth of a recreational organization. Rick

Delaney and Brian Barnett undoubtedly deserve this award for everything that they have contributed to their respective organizations and community.

Lab West has an abundance of very talented athletes and it is exciting to see them rewarded for their achievements at the provincial, national and international level.

I ask all hon. Members to join me in extending well-deserved congratulations to all those athletes and their accomplishments.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Statements by Ministers.

Statements by Ministers

MR. SPEAKER: The hon. the Minister of Tourism, Culture, Industry and Innovation.

MR. MITCHELMORE: Mr. Speaker, I rise in this hon. House today to celebrate the ongoing success of our province's tourism industry.

I was pleased last week to attend the Hospitality Newfoundland and Labrador Conference and Trade Show in St. John's where the Premier provided the results of our 2016 Exit Survey, the most detailed exit survey our province has ever produced.

Mr. Speaker, tourism has become a pillar of our province's economy – growing to support over 2,600 businesses and nearly 20,000 jobs in Newfoundland and Labrador. That is why we continue to build, strengthen and foster our connections with the Newfoundland and Labrador Tourism Board partners, including Hospitality Newfoundland and Labrador and Destination Management Organizations. Working together, we are realizing our full potential of our tourism opportunities that exist throughout our province.

In 2016, non-resident visitors spent \$562 million in Newfoundland and Labrador. Our own residents made nearly 4 million trips within the province and spent more than \$560 million. As a

result, total tourism spending was over \$1.13 billion.

SOME HON. MEMBERS: Hear, hear!

MR. MITCHELMORE: Our estimates show that our success with attracting non-resident visitors continued last year when we achieved the highest level of non-resident visitation and tourism spending in the history of the province.

SOME HON. MEMBERS: Hear, hear!

MR. MITCHELMORE: Last year, we welcomed over 553,000 visitors for the very first time – an increase of 3 per cent over 2016.

Non-resident visitor spending reached an estimated \$575 million in 2017, an increase of 2 per cent over the previous year. This is the highest non-resident spending the province has ever seen. Compared to 2015, non-resident visitation increased 8 per cent and spending increased 11 per cent in just two years. That success highlights the incredible product that exists in our province and the tremendous effort of our tourism operators.

Mr. Speaker, our government remains committed to working together with industry to reach \$1.6 billion in visitor spending by 2020, and to make sure that Newfoundland and Labrador remains the high-demand destination it has become.

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.

I thank the minister for an advance copy of his statement. In our province today the tourism industry is, without a doubt, one of the few bright spots we currently have under a Liberal regime. The news that the tourism industry has steadily increased is no surprise to this side of the House, Mr. Speaker. The reason why is because it was this –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MS. PERRY: – side of the House that brought the tourism industry to the heights that we see today.

SOME HON. MEMBERS: Hear, hear!

MS. PERRY: I think it's important to reiterate this fact, Mr. Speaker, because of the hard work that the PC government did with respect to the tourism sector.

That fact aside, Mr. Speaker, there is no individual and no government that can take credit for the beautiful province in which we live. It gives me great pleasure and pride –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MS. PERRY: – to know that the global community continues to experience what we all know, that our Province of Newfoundland and Labrador is place unlike any other.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

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

I, too, thank the minister for an advance copy of his statement. This statement really is about the hard work, ingenuity and creativity of our people across Newfoundland and Labrador, and the hardworking people in our tourism department.

Congratulations to the 20,000 or more who work in tourism and all the others working in the arts and heritage sectors who contribute to our high quality tourist attractions. Many of these people work very hard to stretch their limited resources every year, often not knowing if they will receive government's contribution until the tourism season is well underway.

Long-term, substantial investment is needed every year to enable this sector to achieve its potential and help our economy diversify. Perhaps, Mr. Speaker, this is, again, a case for the need for multi-year funding for groups in the tourism industry.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Further statement by ministers?

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

MS. DEMPSTER: Thank you, Mr. Speaker.

It's really nice to hear the Member for Fortune Bay - Cape La Hune acknowledge the good work happening by the government.

SOME HON. MEMBERS: Hear, hear!

MS. DEMPSTER: I rise in this hon. House to recognize two outstanding Olympians from this province: Kaetlyn Osmond and Liam Hickey.

In January 2018, Ms. Osmond, as the reigning Canadian champion, was named to Team Canada in figure skating for the 2018 Olympic Winter Games in Pyeongchang, and won not one, but two Olympic medals – a gold in the team event and a bronze in women's singles.

Kaetlyn scored a season best in her long program for a combined score of 231.02. Kaetlyn's bronze medal marks the first time a Canadian has won an Olympic medal in women's singles since 2010. Her medal also gave Canada its 27th medal at the Games, surpassing our country's previous all-time high at the Winter Games.

Mr. Speaker, earlier this month, Mr. Hickey was named to the Canadian sledge hockey team and will compete in Pyeongchang in the coming weeks at the 2018 Winter Paralympic Games. Even more remarkable is the fact that he is a multi-sport athlete having competed for Team Canada in wheelchair basketball at the 2016 Summer Paralympic Games in Rio, Brazil.

Over the past week or so, Mr. Speaker, I, along with the rest in our province and country, was so excited to watch Kaetlyn represent, not just her hometown and not just her province, but her country on the world stage and I am just as excited to watch Liam and his team in the coming weeks as they work to bring home another gold medal for Canada.

Mr. Speaker, I invite all Members of this hon. House to congratulate Kaetlyn on her incredible achievement and join me in wishing Liam nothing but success in his strive for excellence.

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.

I thank the minister for an advance copy of her statement. This side of the House will absolutely stand up and recognize the great effort and accomplishments put forth by our Newfoundland and Labrador athletes.

Ms. Kaetlyn Osmond in figure skating and Mr. Liam Hickey in sledge hockey are the pride of the province right now. We are elated to join with all Members of this hon. House to recognize and celebrate their accomplishments. These young people are an example to us all for what we can achieve with hard work and dedication.

I wish them well and look forward to celebrating with them.

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 very much, Mr. Speaker.

I want to thank the minister for the advance copy of her statement. I'm delighted to join with her in celebrating these two athletes on their

outstanding achievement as Olympians and community leaders.

I've been following Kaetlyn Osmond's sporting career since I saw her win her first bronze medal at the Canadian seniors in 2012. I'm one of her biggest fans, Mr. Speaker. I can't be any happier today than I am.

I wish Liam Hickey all the best. I hope that he too will be as brilliant and as happy as Kaetlyn was when she won the other night.

Thank you so much.

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.

My first question today is to the Minister Responsible for Newfoundland and Labrador Housing.

I ask the minister, if she can confirm a recent report by news outlet *allNewfoundlandLabrador* that stated that a company owned by the Premier is getting a \$400,000 forgivable loan to develop a housing project in the Premier's district?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

Well, I'll be happy to respond to this question.

First and foremost, this was a decision that was made by the prior administration. It was the premier of the day, I think the Member who just asked the question. So this is about a PC decision that was made.

First of all, I want to say that all money awarded goes actually to the tenants, the tenants that would live in those affordable housing units. I

would also say, Mr. Speaker, the person in question would have been a company that I was part of. I disclosed my interests within that company.

I also want to reiterate that on the application process, the shareholder of that company was fully disclosed to Newfoundland and Labrador and all those that were reviewing this merit-based application. It is also my understanding that the CEO did the analysis, as well as his minister.

SOME HON. MEMBERS: Hear, hear!

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

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

Well, I'll ask the Premier, because he seems to be willing to talk about this today, if he can confirm that it was him who actually applied for this \$400,000 forgivable grant from government while he was an MHA in 2014. Was it actually the Premier who applied for that grant?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

On the disclosure statement that was made to the Commissioner for Legislative Standards, this was fully disclosed. On the application, it was fully disclosed who the shareholder was at the time, Mr. Speaker. This was all part of the analysis on which was a merit-based process.

Added to that, this was all happening in the transition from coming into Premier of the province. As a matter of fact, I suspended at the time all progress on this application and sought a conflict of interest opinion from the Commissioner for Legislative Standards, Mr. Speaker.

They had met with the CEO of NLHC and, of course, his minister would have been involved in making sure this application got to this point. The money that was awarded is into the hands of the tenants, based on all the criteria set out by Newfoundland and Labrador Housing.

SOME HON. MEMBERS: Hear, hear!

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

MR. P. DAVIS: Mr. Speaker, I understood the contract was actually with the company, Jade Holdings, to which the Premier is the owner of Jade Holdings.

Now, I asked the Premier if he was actually the one who applied for the funding in 2014. He didn't answer that. And the funding does not go to the tenants, the funding goes to the developer. The Premier's company is the developer.

Premier: Can you tell us and confirm for us that the funding was actually finalized while you were Premier?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

The reason why the funding was finalized later on was this reason that I just mentioned. There was no money transferred at all. The company deliberately did not do that. It was suspended. The process was suspended until the blind trust had been put in place. There was no conflict of interest.

The Commissioner for Legislative Standards supported that. The application and the analysis was done by the NLHC, Mr. Speaker. It was approved when the Member was a former premier of this province. And indeed, I will tell you that the money meets the criteria. It's a loan and it goes into the pockets of the tenants in subsidization of rent for those that live in that affordable housing unit.

SOME HON. MEMBERS: Hear, hear!

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

MR. P. DAVIS: Mr. Speaker, to be clear, it's a forgivable loan. The way the forgivable loan works is the Premier's company receives \$400,000 from the government that he leads, while he was Premier, so he could develop 10 units, and the affordability is given to the tenant because they receive a lower rate of rent, but it goes in the developer's pocket. It's a benefit for

the developer, the Premier is the owner of the company and he actually applied for the grant.

Premier, is this in contravention of the contract?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

The decision was made and announced by the former premier. It was announced by his minister. The former premier actually announced this, along with a number of other successful companies. It was a merit-based application. The benefit goes to the tenants, Mr. Speaker.

The forgivable loan, if indeed the applicants, as would with any company under affordable housing project, if you meet the criteria, the rent is actually put in place by Newfoundland and Labrador Housing. The only beneficiary of this are indeed the tenants who get rate subsidies, like they should.

It's a project meant for people, low-income earners, people with disabilities and vulnerable people in our society to receive a rent subsidy, Mr. Speaker. The criteria is put in place by Newfoundland and Labrador Housing.

SOME HON. MEMBERS: Hear, hear!

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

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

The Premier wants the people to believe that the tenants were the sole beneficiary when, in fact, it's his company that benefits from receiving \$400,000. When the 10-year expiration comes, so for a 10-year period they have to apply a certain rate, when the 10 years expires, the beneficiary of what was constructed and built is the owner of the company – simply the owner of the company. He, as a Member of the House of Assembly, made application for this grant, for this process. And while he was Premier, the contract was finalized.

Isn't that correct, Premier?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

No, indeed it is not correct. It's not correct. Because this money doesn't support construction costs or development costs. What this money goes to support is rents. Mr. Speaker, if you compared the rents in the area, the rates are set by Newfoundland and Labrador Housing, it is actually the tenants – speak to the tenants themselves. When they look at and you do the comparisons of rent in any area, those that live in affordable housing units will actually get a decreased rent.

Mr. Speaker, it is very clear, the clear beneficiaries of this would be the tenants that get rent subsidies, those that live in affordable housing units. The announcement was made by his government on a merit-based application process by his minister, and I will table this if need be, made on July 1, 2015. I believe he was premier of the day.

SOME HON. MEMBERS: Hear, hear!

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

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

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

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

As this goes on, we will hear more about how Newfoundland and Labrador Housing raised this as an issue with him and, as he just said, he waited until it was in a blind trust before the money actually flowed. He said that just a few minutes ago in his own answer. He waited until it was in a blind trust before the money flowed.

It was the Premier's company. That \$400,000 went into the Premier's pocket, Mr. Speaker, to offset and reduce construction costs so he could reduce the rental rates for 10 years. After that, it's all his, Mr. Speaker, the full blow; \$400,000 becomes his and his only as the owner of the company. This is in contravention to what the rules say.

I ask the Premier: Do you agree? It's wrong. It should never have happened in the first place.

MR. SPEAKER: The hon. the Premier.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

PREMIER BALL: Thank you, Mr. Speaker.

Again, I'm very happy to speak to this. Number one, it was his minister at the time that actually did the analysis on this. There were meetings with the CEO. The Commissioner for Legislative Standards clearly understands this.

The difference here would be, let's say the \$400,000 did not come, what would happen is those tenants would end up paying essentially \$300 to \$400 a month more to live in those units. That's essentially what you'd do for this construction. So the clear beneficiary of all of this is those that received the lower rents. As a matter of fact, the criteria is put in place what that rent should be, what the wages should be of those tenants, Mr. Speaker.

This criteria is clearly put in place by Newfoundland and Labrador Housing and he was fully aware of this when he was premier of this province.

SOME HON. MEMBERS: Hear, hear!

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

MR. P. DAVIS: The Premier says things that he doesn't know to be factually correct, Mr. Speaker. That's what is happening here today. But what is factually correct is that –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. P. DAVIS: I can understand why Members opposite are upset about having to hear this today.

What the report by *allNewfoundlandandLabrador* indicated was that the 2016 contract between the Premier and

the company that he owns, Jade Holdings, and Newfoundland and Labrador Housing had a stipulation, and according to the report it says: That no provincial MHA shall be admitted to any share or part of any contract agreement or commission made pursuant to this agreement, or to any benefit arising from it.

Well, Mr. Speaker, the Premier receives a benefit because he's going to own this forever, if he so desires. Is that not a benefit, Premier?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Mr. Speaker, if the criteria are not met, this is a loan that would not be forgivable. So if the criteria wasn't met to put in place the subsidized rents for those tenants over that 10-year period, well, it's not a forgivable loan and you pay that loan back at a rate of the loan, plus 6.25 per cent.

Clearly, I want to say this, if I was looking for a benefit, why would I have voted against their budget in 2015?

SOME HON. MEMBERS: Hear, hear!

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

MR. P. DAVIS: I don't know, Mr. Speaker. We're grasping now.

Mr. Speaker, according to what the Premier has said here today, and what's been reported by *allNewfoundlandLabrador*, I think the facts are very, very clear. The Premier, an elected Member of this House of Assembly, applied for a forgivable loan when the contract says it cannot be –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

Order, please!

MR. P. DAVIS: They don't like it, Mr. Speaker. They don't like it.

Mr. Speaker, the Premier, who is an elected Member of the House, applied for a grant. The grant, the money flowing and the finalization of

the contract occurred while he was sitting as the Premier. He was sitting as the Premier of this province. It's a forgivable loan that he will clearly benefit from.

I ask this House, I ask the Premier: Will you co-operate and agree to an immediate call of the Commissioner for Legislative Standards to launch a full investigation in this matter, and I ask the Premier if he'll agree and co-operate with such an investigation?

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

MS. DEMPSTER: Mr. Speaker, all MHAs, when they are elected, disclose their private interests to the Commissioner of Legislative Standards. The Opposition would know that. We do that every year. We're doing it again on April 1.

Mr. Speaker, what the Member is asking about today is affordable housing, an application made back in 2014 when they were in government. Mr. Speaker, at the time Jade Holdings – the Member at the time proactively disclosed his involvement with Jade Holdings.

Mr. Speaker, it was their PC appointed representative, the CEO of Housing, John Ottenheimer at the time, that signed off on this. It went through a very rigorous process. All of the checks and balances were in place, and it was their government that approved it and announced it in July '15.

SOME HON. MEMBERS: Hear, hear!

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

Order, please!

MR. LESTER: Mr. Speaker, in a public meeting held this past week in Port Blandford to discuss the proposed resource harvest via clear-cutting, the Liberal MHA for Terra Nova was quick to throw the former Minister of Forestry under the bus, saying that he had no idea that decisions in the department's five-year plan affected his district.

Does the minister accept responsibility for this oversight?

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

MR. BYRNE: Mr. Speaker, forestry management plans are reviewed on a five-year basis. They come up on every forestry management area. They're available not only online, but they're presented publicly. And, as well, the town council of Port Blandford, I understand, was presented with the information itself.

The town council of Port Blandford reviewed the forestry management plan and did actually recommend some modifications, some amendments, which were accepted. The plan then went to an environmental assessment process, and there were further modifications done at that time.

So, Mr. Speaker, yes, I would accept that we can always improve. I'm delighted that not only myself, but the MHA for the area will be meeting with the town council and members of the Town of Port Blandford to continue on developing a very sustainable forestry management plan for the area.

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Hear, hear!

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

MR. LESTER: Mr. Speaker, to make matters even more interesting, the Terra Nova MHA was, at that time, through the development of a five-year plan, the parliamentary secretary to the very department he claims kept information from him.

Does the Premier believe it's reasonable that a parliamentary secretary can be so disengaged?

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

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

I'll just stand and speak on this about engagement. Any Member that's elected in this House of Assembly should stand up for the people that put them in. This Member here went down to a public meeting and said: I wasn't aware of it. Since then, he has spoken to three or four ministers that were involved. He is getting to the bottom of this for the people that elected him.

For you to stand up here and try to say the Member for Terra Nova is not doing his job, I'll ask you one question: What do you think of the Leader of the Opposition in the comments that you made? Why don't you stand up and be responsible for the comments that you made? Why don't you stand up? If you want to do it, if you want to disclose everything, here's your opportunity. If you want to throw the Member for Terra Nova under the bus when he's standing up –

MR. SPEAKER: Order, please!

MR. JOYCE: – you stand up and be a man and say what you said about the Leader of the Opposition.

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

The hon. the Member for Mount Pearl North.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. LESTER: Mr. Speaker, to remain on topic, which is what the people of this province want us in this Legislature to do.

SOME HON. MEMBERS: Hear, hear!

MR. LESTER: When the original decision was made pertaining to the clear-cutting near Port Blandford, when would the MHA for the area have been aware of those details?

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

MR. JOYCE: I didn't think he would want to stand up and say what he said about the Leader of the Opposition. I didn't think that.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. JOYCE: Mr. Speaker, the MHA found out about it when the town and when the group – about a week, 10 days ago is when he found out about it. Whatever happened, and I say to the – the minister mentioned there are better ways for us to communicate to MHAs. There are better ways for all of us to communicate, and that's what we're doing.

I can tell you one thing. The Member for Terra Nova walked down and he stood up to the meeting and said: I'll work with the people to see what we can do with this.

SOME HON. MEMBERS: Hear, hear!

MR. JOYCE: He had the courage to go down and face it. He's working for the people in Terra Nova which he has always done, which he always will do. I have to applaud him for that, Mr. Speaker.

So stand up if you want to talk about what we say about throwing people under the bus. Tell us what you think of your leader.

SOME HON. MEMBERS: Hear, hear!

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

MR. LESTER: Mr. Speaker, in the public meeting the MHA promised to make changes to clear-cutting allocations.

I ask the minister: Will the department be making changes to the five-year plan as was promised by the MHA?

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

MR. BYRNE: Mr. Speaker, I am very pleased that the MHA for Terra Nova and myself will be meeting with representatives from the town in the coming week.

We are very open to amendments. In fact, as I stated earlier, Mr. Speaker, there have already been amendments to the forestry management plan for the area that were proposed by the Town of Port Blandford. They were accepted and adopted and they were included in the current submission.

Does that mean it can stop there? Absolutely not, we have to balance. This is a working forest. We're sustaining industry, we're sustaining jobs but we also recognize we're sustaining tourism industry jobs as well. That balance is very important.

If the Member opposite wants to stand up and say there should be no forestry activity whatsoever in that zone, I'd be happy to hear that from the Member but I would not accept it.

SOME HON. MEMBERS: Hear, hear!

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

MR. LESTER: Mr. Speaker, if this plan is rejigged and the annual allowable cut is reduced, have any considerations been given to the impact on the province's harvesters and forestry operators?

MR. SPEAKER: The hon. the parliamentary secretary for the Department of Municipal Affairs and Environment.

SOME HON. MEMBERS: Hear, hear!

MR. HOLLOWAY: Mr. Speaker, it is very true that I was at the public meeting that happened in Port Blandford last Tuesday night, so were officials from Forestry.

It is correct that I found out about this issue about 10 days ago. I always stand on behalf of the constituents of my district. I found out about what's going on. Information and accurate information is always important. I will work with the minister and this government to make change that benefits everybody, including the people of Port Blandford.

SOME HON. MEMBERS: Hear, hear!

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

MR. LESTER: Mr. Speaker, further to possible immediate implications to industry, will this set precedent if our five-year plan is varied on future pressures from outside interests on industry and resource sustainable development?

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

MR. BYRNE: Mr. Speaker, if the hon. Member would like to get his story straight it would be really appreciated on this side of the House, because one minute he's saying that it's ridiculous that the plan is not changing, now he's saying what are the consequences of the plan changing.

I just stated for the record a minute ago, not only have there been changes to this plan that have already been adopted for this particular planning cycle as a result of input from the Town of Port Blandford, but we're also prepared to accept any additional amendments, recognizing the balance that this is a working forest which sustains good-paying, middle-class jobs for people in the area while at the same time recognizing there is a very viable, sustainable tourism industry. That's what amendments are all about: seeking compromise for the best interests of the economy and the people of Port Blandford.

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Hear, hear!

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

MR. HUTCHINGS: Thank you, Mr. Speaker.

Mr. Speaker, could the Minister of Natural Resources define what a fundamental decision is according to the C-NLOPB and the Atlantic Accord Implementation Act and her involvement with any regarding Husky and the near miss with the iceberg in March of 2017?

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

MS. COADY: Thank you, Mr. Speaker.

A fundamental decision is a decision that comes from C-NLOPB, so the board of directors would make a decision and it requires the sign off of both the province and the federal government as joint managers of our offshore. A fundamental decision would be, for example, if you're going to have a new well available, so decisions that require joint management from both governments.

Mr. Speaker, the incident that the Member is referring to for Husky is a very serious one. C-NLOPB are the experts. The chief safety officer is responsible for that. So no fundamental decision has come forward, but there have been discussions.

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Hear, hear!

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

MR. HUTCHINGS: Mr. Speaker, the C-NLOPB in our research indicates that non-compliance in relation to safety can result in a fundamental decision. According to section 30 of the federal *Atlantic Accord Act*, when a fundamental decision is made, both the federal minister and the provincial minister shall be given written notice.

Minister, when were you given written notice about suspending Husky's operation?

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

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

I will note it says "can result." Mr. Speaker, we have been in discussions with C-NLOPB. Obviously, we knew and understood the severity of this incident. We allowed the experts of C-NLOPB under the requirements of the chief safety officer to do their work. That's very important, Mr. Speaker; they are experts. I'm sure the Member opposite would not want political interference in such serious matters.

The day that the requirement for Husky to stop operations was made we were informed –

actually, it was the day before we were informed. We are continuing, as the investigation is continuing, to discuss things with the C-NLOPB.

SOME HON. MEMBERS: Hear, hear!

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

MR. HUTCHINGS: Thank you, Mr. Speaker.

The minister is correct, it can result; but recognizing the scope and the seriousness of this incident, I think it would certainly call into question that provision of the legislation.

According to the act again, the minister shall advise in writing the board and each other, whether that minister approves or disapproves of that decision.

Minister: Can you tell us, did you give your approval to the decision to suspend Husky's operations for nine days?

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

MS. COADY: Mr. Speaker, if he had reviewed, kindly, the entire act, it does allow for C-NLOPB to make reference to very important matters around safety. It does allow C-NLOPB that scope of work. It ensures that the chief safety officer, of course, is the person who leads these investigations, is an independent officer. I'm sure he does not want political interference on such serious matters.

Mr. Speaker, so there has been no fundamental decision come forward. We were advised that this was going to be the penalty that C-NLOPB was to impact at that particular time. Following the preliminary assessment of their investigation, I will remind the Member opposite the investigation continues.

SOME HON. MEMBERS: Hear, hear!

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

MR. HUTCHINGS: Thank you, Mr. Speaker.

Under the Atlantic Accord provisions of joint partnership and joint jurisdiction, both the federal government and the province have a role in oversight, and if the concerns with that oversight were what the C-NLOPB is doing, it's certainly the obligation of the minister here in the province and the officials in her department to certainly pursue that if they don't think what's being done is being done.

The SeaRose was issued a suspension of nine days, 10 months after what could have been a catastrophic incident. No penalty has been given to the operator at this point in time.

Based on the failure and what's been identified in the ice management plan and obviously the risk that employees were put in, I ask the minister: Have you lobbied for, or what's your position on a financial penalty?

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

MS. COADY: Mr. Speaker, it would be inappropriate for me to lobby for anything at this point. C-NLOPB is tasked with the responsibility for safety in our offshore. Immediately, as soon as the incident occurred, they did bring a Husky executive into a meeting, they did ensure the order for compliance was made, and then they started an investigation.

That investigation led to a preliminary result in January of a suspension of operations – a very serious matter for Husky. In fact, it resulted in a change in personnel here in Newfoundland and Labrador. It resulted in the attention of the senior executives of Husky nationally.

Thank you, Mr. Speaker.

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Ferryland for a very quick question, please, no preamble.

MR. HUTCHINGS: Thank you, Mr. Speaker.

I ask the Minister of Environment: There were 360,000 barrels of oil on that vessel. The vessel

was built for a 100,000 metric-ton iceberg. The iceberg that was identified was –

MR. SPEAKER: No preamble, please.

MR. HUTCHINGS: – 100,000 metric tons in a million. What environment and practice would have been in place if something had happened? Were you involved?

MR. SPEAKER: The hon. the Minister of Natural Resources for a quick response, please.

MS. COADY: Mr. Speaker, because the ice management plan was already being enacted, some of the operations on the vessel were already in wind-down mode. That is what I understand.

Therefore, there was no environmental, as I understand it, serious risk at that point. What was at risk was safety. That was the most paramount issue for C-NLOPB and that is why they have acted accordingly.

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Hear, hear!

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

MS. MICHAEL: Mr. Speaker, the Atlantic Accord 2005 review will address, among other things, the extent to which this province has realized, and I quote, “lasting fiscal and economic gains from its offshore petroleum resources revenues.”

I ask the Premier: What is he going to be able to use to prove that there's even a plan for achieving economic stability because of the offshore development?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

As most people in this province would be aware of right now – and I'm sure Members in this House of Assembly – I did write the prime minister back on February 13 asking for a meeting to put in place the measures and what it

would look like when we did the review of the 2004 agreement of the Atlantic Accord.

The Member is right that some of that is about equalization, about the fiscal imbalances that you would actually see in Newfoundland and Labrador relative to other provinces. All of this will inform what this review looks like. We have until 2019 to have this review completed.

Mr. Speaker, right now, under the current formula, Newfoundland and Labrador would not receive equalization payments. I will tell you, from when I go around this province comparing ourselves, this is really not what reflects the definition of a have province.

SOME HON. MEMBERS: Hear, hear!

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

MS. MICHAEL: Mr. Speaker, the Atlantic Accord clearly states that the Government of Canada provided us with \$2 billion upon passage of the implementing legislation to allow the province to reduce its outstanding debt of \$11.5 billion in 2005. Government's projected debt for March 2018 is \$14.7 billion.

I ask the Premier: Is he expecting another handout of billions of dollars without demonstrating how he plans on gaining fiscal stability?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

Well, first and foremost it's always nice to be able to have the discussion with our federal colleagues. Back in 2005, as the Member mentioned, what happened with the nearly \$2 billion and the cheque, kind of, we-got-it type scenario was this: It actually meant that the expiry date of the Atlantic Accord would have been 2017. To get that \$2 billion, what it essentially did was move the expiry date back to 2012.

To put this in terms, it's essentially kind of a cash advance. We all know what that \$2 billion went to reducing debt, and given the financial situation that many countries and many places in

the world experienced during that timeline, the value of that \$2 billion essentially – a paper transaction was essentially lost.

SOME HON. MEMBERS: Hear, hear!

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

MS. ROGERS: Mr. Speaker, government promised local businesses would be the major retailers for cannabis. They issued an RFP and still haven't told perspective retailers what the selling price will be, only that they will earn 8 per cent commission. No viable business can work like this. This is utter chaos, Mr. Speaker.

I ask the minister: What will the NLC be paying Canopy Growth for a gram of cannabis? What is NLC establishing as the retail price, and when were they planning to tell perspective retailers?

MR. SPEAKER: The hon. the Minister of Tourism, Culture, Industry and Innovation.

MR. MITCHELMORE: Thank you, Mr. Speaker.

Newfoundland and Labrador has taken an approach where we're going to a private RFP model through the NLC to retail cannabis based on the federal government's decision to legalize recreational cannabis later this year.

What was announced just on February 20, that there's an RFP for 41 stores, there are different tiers, and based on that, the primary objective would be to have a remittance of 8 per cent which is very similar to what the NLC would have as a commission rate on alcohol sale and for brewers, agents, liquor express here.

We have to recognize on the outset that there is a significant cost to government when it comes to setting up and establishing from a public safety point of view –

MR. SPEAKER: Order, please!

MR. MITCHELMORE: Thank you.

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

MS. ROGERS: Mr. Speaker, the proposed licensing rules with restrictions on location and a small commission of 8 per cent make it impossible for retailers to cover costs including overhead, insurance, extra security, trained staffing, let alone make a profit. The only viable cannabis business will be the large multinational invited in by this government to produce and sell cannabis. I tell the minister, this is not the same as selling a bottle of rum; this is a gram of marijuana.

I ask the minister: Will he cancel the RFP and work with small businesses to come up with a retail model that will allow them to be viable?

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

MR. OSBORNE: Thank you, Mr. Speaker.

Mr. Speaker, I have a great deal of confidence in the executive and the board at the NLC. They've been in the business of selling controlled substances for decades. This is new territory we're getting into; it's a brand new product we're getting into. We will evaluate how this goes over the next year.

The percentage point that is paid to cannabis, Mr. Speaker, is the exact same as what's paid to alcohol sales, and we do have private industry selling alcohol in this province and making a profit.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Time for Oral Questions has ended.

Presenting Reports by Standing and Select Committees.

Tabling of Documents.

Tabling of Documents

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

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

I have here to table for the House, a copy of a media release dated July 31, 2015, from the former PC administration with quotes from the hon. Clyde Jackman and Mr. John Ottenheimer, former Chair and CEO, approving 60 projects for the affordable home project.

Thank you.

MR. SPEAKER: Further tabling of documents?

Notices of Motion.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

Notices of Motion.

Notices of Motion

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

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

I give notice that I will ask leave to introduce a bill entitled, An Act To Amend The Legal Aid Act, Bill 34.

Further, I give notice that I will ask leave to introduce a bill entitled, An Act To Amend The Public Inquiries Act, 2006, Bill 35.

MR. SPEAKER: Further notices of motion?

Answers to Questions for which Notice has been Given.

Petitions.

Petitions

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

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

School-aged children are walking to school in areas where there are no sidewalks, no traffic lights, and through areas without crosswalks and where they put the safety of these children at risk.

We, the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador to ensure the safety of all children, removing the 1.6 kilometre busing policy where safety is an ongoing concern.

Mr. Speaker, it's a huge concern. I've presented this petition several times now in the House of Assembly and I continue to present it because it's a huge issue in my area. I understand that probably you can't change the whole 1.6 kilometre busing zone, but where there are areas where there is high traffic volume it's huge.

Like on Torbay Road, for example, where the new Juniper Ridge School is located, some 16,000 cars a day travel along that route. There are no sidewalks there, Mr. Speaker. There are no traffic lights there.

The Town of Torbay, with permission from the Department of Transportation, which I think, were allowed to put in some crosswalks there. During the day, and this time of year when plowing is done – and we're very fortunate that there hasn't been a rough winter, because when it's a rough winter there are absolutely no sidewalks. Children have to walk along the shoulder of the road which is very narrow, and that shoulder of the road could be anywhere between a foot to 16 inches. So you're talking young children in grades four, five, six and seven who are walking along the shoulder of the road with traffic; 16,000 or 17,000 cars a day travelling on that.

I'm just asking the minister and asking the department, I'm asking the government to consider the safety of our children, to consider these children who have to walk along in a high traffic area where there are no sidewalks, where there is no street lighting to indicate for traffic to slow down.

Again, I thank the Town of Torbay for the good job they did. They went and got permission from the Department of Transportation and Works to be able to put crosswalks in the area.

This is a very serious issue. I'm going to continue to present this petition because the safety of our children should be foremost for everybody in this House of Assembly.

Thank you very much, Mr. Speaker.

MR. SPEAKER: Further petitions?

The hon. the Member for Conception Bay South.

MR. PETTEN: Thank you, Mr. Speaker.

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

WHEREAS policing is vital to the protection and service of our province's communities;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge government to increase the presence of law enforcement in the Conception Bay South area.

And as in duty, your petitioners will ever pray.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

Thank you.

MR. PETTEN: Mr. Speaker, this is a petition I've presented many times since I've been elected, actually. I've spoken to the minister on this and we've had good conversations. I've also spoken to the RNC on numerous occasions. It's a work in progress, but it's something that I don't want to fall off the – importance to me as the MHA for the area and the people that I represent.

Policing and police presence in my community, being the second largest municipality in the province, right now people have spoken to me and I've spoken public on it. We don't feel, as a community, we have the proper police presence for the size of our community. The stats show, based on the level of crime, the types of crime, the dynamics, the geography of our district. It's a linear district. It's 26 kilometres from one end to the other. It's all linear with 400 kilometres of by-roads which are the town's responsibility.

Getting to and from one area to the other, for instance, from Topsail to get to Seal Cove, it's

quite a distance. It's quite time consuming. So much so, I've heard anecdotal stories of people who are in the criminal world know where the police are located in CBS because it's not an interconnected grid of roads getting through. They know if the cars are in Topsail, you have time to commit your crime and do your business in Seal Cove.

Now, those sources are really good. I take it for what it's worth, but it makes sense. I've heard these stories many times. Actually, the RNC have never – I spoke to them about it and they actually agreed as well.

So it's an issue that I want to keep on the burner. I want to keep it going. Like I said, I have spoken with the minister and I am in constant contact with the RNC because everyone agrees this is a big issue, as well as the town. It's something that I want to keep on the burner. I believe we do – our population, our stats, our geography, everything demands more police presence. It's something that I'll continue on. I'd like to see an office of some sort and increased police presence in my district, Mr. Speaker.

Thank you very much.

MR. SPEAKER: Further petitions?

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

MS. ROGERS: Thank you, Mr. Speaker.

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

WHEREAS 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 rose only 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.

Now, Mr. Speaker, the folks who are signing these petitions, many of them are small business owners, many of them are people who earn minimum wage, many of them are parents of young people who earn minimum wage, many of them are minimum wage earners themselves who are not youth, who are working in the service industry, who are working in the tourism industry.

It was interesting to hear the minister talk about the tourism industry and the great gains that have been made. Yes, that's true, but a majority of the jobs in the tourism industry are minimum wage jobs. Tourism operators in different parts of the province, who I've spoken to, have talked about how hard it is to get workers during the tourist season, and mainly because their wages are so low they can't afford housing. So it might seem contrary to common sense to talk about raising minimum wage at this time when we know the province is hit by a really hard economic situation, but when is a good time, Mr. Speaker?

We know that economists the world over, that policy-makers the world over, that private industry, even large business owners the world over know that fair minimum wage is good for the economy. It is good for our communities. It is good for our society.

This act is not a frivolous, uninformed request; it's actually based on sound economic principles. And for that reason, Mr. Speaker, I am happy to continue to stand –

MR. SPEAKER: Order, please!

MS. ROGERS: – and raise an issue to speak to this petition because it makes sense, even at this time.

Thank you very much, Mr. Speaker.

MR. SPEAKER: Further petitions?

The hon. the Member for Ferryland.

MR. HUTCHINGS: Thank you, Mr. Speaker.

Mr. Speaker, it's a pleasure to rise today and present a petition on behalf of residents in my district, particularly related to the Witless Bay Line, Route 13. It's a well-travelled highway and a significant piece of infrastructure as the connection from the Trans-Canada Highway to Route 10 and plays a major role in the commercial and residential activity of our region.

Therefore we petition the hon. House of Assembly as follows:

We, the undersigned, urge the Government of Newfoundland and Labrador to perform brush cutting on the Witless Bay Line, Route 13, immediately for driver safety and provide clear visibility for the driving public in recognition of the high volume of vehicles travelling this on a daily basis.

Mr. Speaker, I've certainly spoken to this before here in the Legislature in regard to upgrades to that piece of highway. We've done significant upgrades over the past couple of years but more are required now. There's some immediate maintenance required.

As well, a large component of that is some brush cutting that hasn't been done in quite a while. That goes to the safety and visibility of travellers on that piece of highway which is quite busy. As I said, it connects the TCH to Route 10 and the whole Southern Avalon. We have people that work on both sides in communities and in the regions which travel daily, obviously, from commerce back and forth, and residents and all of those that travel that highway.

I have spoken to the Minister of Transportation and Works. Even up to the point of yesterday, I had a discussion with him on it. They are looking at doing some immediate work in regard to asphalt and, as well, the brush cutting. He even informed me – and I certainly appreciate that – that he drove the highway on the weekend past and does recognize some of the challenges we have in regard to that piece of highway.

This petition is signed by residents and people that use it. It calls on the minister and government to do some work. As I said, I've had discussions with him and looking forward to some progress to be made in the very near future.

Thank you, Mr. Speaker.

MR. SPEAKER: Further petitions?

The hon. the Government House Leader.

MR. A. PARSONS: Orders of the Day, Mr. Speaker.

MR. SPEAKER: Orders of the Day.

Orders of the Day

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

MR. A. PARSONS: Mr. Speaker, I would like to call Order 2, third reading of Bill 30.

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

MR. A. PARSONS: Mr. Speaker, I move, seconded by the Minister of Service NL, that Bill 30, An Act To Amend The Workplace Health, Safety And Compensation Act, be now read a third time.

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

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

This motion is carried.

CLERK (Barnes): A bill, An Act To Amend The Workplace Health, Safety And Compensation Act. (Bill 30)

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

On motion, a bill, "An Act To Amend The Workplace Health, Safety And Compensation Act," read a third time, ordered passed and its title be as on the Order Paper. (Bill 30)

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

MR. A. PARSONS: Mr. Speaker, I move, seconded by the Minister of Advanced Education, Skills and Labour, that the House resolve itself into a Committee of the Whole to consider Bill 29.

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

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

The motion is carried.

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

Committee of the Whole

CHAIR (Warr): Order, please!

We are now considering Bill 29, An Act To Amend The Labour Standards Act.

A bill, "An Act To Amend The Labour Standards Act." (Bill 29)

CLERK: Clause 1

CHAIR: Shall clause 1 carry?

The Chair recognizes the hon. the Member for Conception Bay South.

MR. PETTEN: Thank you, Mr. Chair.

I have a question on this bill; clause where we are allowing practitioners to issue certificates under the act. I ask the minister, is that something that was ran by the Newfoundland and Labrador Medical Association? Because it jumps out to me as they're doing the work of a medical doctor. Has that been vetted between the NLMA with actually doing this work?

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

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

It's a pleasure to rise and support my colleague here. The issue about nurse practitioners and certificates is in actual fact to align ourselves more fully, both with current practice in other areas and also with federal code. Nurse practitioners are now authorized or free to sign off CRA certificates, for example, for applications for pension and these kinds of things.

This ability to sign off on certificates here is something that is entirely consistent with now the *Canada Labour Code* and also our own practice. Our last remaining hold out, in actual fact, in some areas is some private insurance companies. The bulk of them have actually moved towards doing this. I'm hoping that when we get this enshrined in the act, in the amendments, that will be the final trigger to deal with that.

The issue of nurse practitioners, particularly, is one that is very acute for rural. The NLMA have always made it their position that anything that we can do as a government to reduce red tape and paperwork is to their members' advantage,

and I don't think this would cause any difficulties with them at all.

CHAIR: The hon. the Member for Ferryland.

MR. HUTCHINGS: Thank you, Mr. Chair.

Just to clarify what the minister indicated. This would be CPP disability, I guess, and I know EI, Employment Insurance sick benefits, there's a 16-week period there by application. So would this also apply in regard to the medical practitioner now being able – consistent, I think, in other jurisdictions and with the federal method of doing it that the practitioner can now issue the medical documentation required for the application in that case.

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

MR. HAGGIE: Yes.

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

MR. PETTEN: Thank you, Mr. Chair.

I, too, just want clarity with the Minister of Health as well. The nurse practitioner, I understand the concept of the certificate but some of these cases it requires more medical, I suppose, involvement, the more detail, the more evasive. How much leeway does a medical practitioner have when giving these certificates? Does it require certain testing, certain checkups, what have you, in the medical field? How much leeway do they have in being able to issue certificates for the various things, whether it be CPP, EI or what have you?

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

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

Actually, this issue relates to a subject close to my heart, which is scopes of practice. There is a diagnostic skill set for which nurse practitioners are trained. There is a larger diagnostic skill set for which family doctors are trained. Then there is a different diagnostic skill set for which specialists are trained.

It is not uncommon for a primary care specialist to send a request for something, such as a long-term disability certificate, to a specialist as they feel the information required on that certificate, particularly with some of the wordings – for example, with CRA about it being life altering and a significant burden on their daily activities. It may not easily fall within the scope of a family practitioner and would be better answered by a specialist.

Similarly, you may encounter situations where a nurse practitioner, because of their scopes of practice and experience, may prefer either a family doctor or a surgical or medical specialist to fill in that documentation. That's entirely a matter of judgment and would be left to the discretion of the practitioners involved.

CHAIR: Shall the motion carry?

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: Those against?

Carried.

On motion, clause 1 carried.

CLERK: Clauses 2 through 7 inclusive.

CHAIR: Clauses 2 through 7 inclusive.

Shall the motion carry?

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: Those against?

Carried.

On motion, clauses 2 through 7 carried.

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

CHAIR: Shall the enacting clause carry?

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: Those against?

Carried.

On motion, enacting clause carried.

CLERK: An Act To Amend The Labour Standards Act.

CHAIR: Shall the title carry?

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: Those against?

Carried.

On motion, title carried.

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

CHAIR: The hon. the Government House Leader.

MR. A. PARSONS: Yes, Mr. Chair, I move that the Committee rise and report Bill 29.

CHAIR: The motion is that the Committee rise and report Bill 29.

Shall the motion carry?

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: Those against?

Carried.

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

MR. SPEAKER (Trimper): The hon. the Chair of the Committee of the Whole.

MR. WARR: Mr. Speaker, the Committee of the Whole have considered the matters to them

referred and have directed me to report Bill 29 without amendment.

MR. SPEAKER: The Chair of the Committee of the Whole reports that the Committee have considered the matters to them referred and have directed him to report Bill 29 without amendment.

When shall the report be received?

MR. A. PARSONS: Now.

MR. SPEAKER: Now.

When shall the said bill be read a third time?

MR. A. PARSONS: Now.

MR. SPEAKER: Now.

On motion, report received and adopted. Bill ordered read a third time presently, by leave.

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

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

I would call from the Order Paper, Order 3, third reading of Bill 29.

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

MR. A. PARSONS: Mr. Speaker, I move, seconded by the Minister of Advanced Education, Skills and Labour, that Bill 29, An Act To Amend The Labour Standards Act, be now read a third time.

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

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

This motion is carried.

CLERK: A bill, An Act To Amend The Labour Standards Act. (Bill 29)

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

On motion, a bill, “An Act To Amend The Labour Standards Act,” read a third time, ordered passed and its title be as on the Order Paper. (Bill 29)

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

MR. A. PARSONS: Yes, Mr. Speaker, I would call from the Order Paper, Motion 4.

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

MR. A. PARSONS: Mr. Speaker, I’m very happy to stand here today and speak to Motion 4, which is a resolution that was read into this House yesterday afternoon which concerns Standing Orders. Today, I would move that this resolution be seconded by the Minister of Education and Early Childhood Development – there it is, all acronyms.

Again, I shouldn’t take too long to speak to this today. Just for people who may be listening or watching, Standing Orders are essentially the rules that govern this House and the Members of this House in procedure, how we operate. They’ve been around some time. In many cases, they can change but the Orders that operate this House can, in some cases, be quite dated and, in many cases, they need to be changed over time to handle changes in technology, changes in protocol, any number of things.

What I’m very happy to say is that since 2015, I’ve served as the Chair of the Standing Orders Committee, and colleagues from the other side of the House, we’ve met on a number occasions. In fact, Mr. Speaker, you’ve sat in on some of these meetings, as well as Table staff and others, to talk about changing the Standing Orders.

It’s interesting, because in the time leading up to 2015, I’m not sure, I certainly don’t know if I’d seen any meetings of the Standing Orders Committee. It’s not something we had seen

much change in, but I’d like to think we’ve seen significant change in the past couple of years on a whole number of things.

We’ve gone at this from the approach of, instead of trying to look at everything and change everything in one swoop; we’ve looked at trying to change things piecemeal. In that way, we’ve made significantly more progress in just two years than probably there was made in the 10 years prior to that.

Now, I will say that many of the changes might not be things that are noticed by those who do not sit in this House, but I think in many cases they’re noticed by people in the House, staff, people who work within government. Little things, like putting in a fixed schedule for the House of Assembly whereby in the past there was no – there was an idea of when the House would sit but now we go on a fixed calendar, which has been quite useful to everybody. It’s been quite helpful to families and making a more family-friendly Legislature.

We’ve put constituency weeks in, which I think are positive for everybody. Generally, in the past, the spring sitting has been something in this House where Members can be gone from their districts for quite some time. So by doing this, we do not shorten the sitting of the House. We do not lessen the amount of work. What we do is allow for breaks during this schedule for Members to go back to their district. As everybody knows, we have quite a vast geography to cover. It’s a chance to go back and talk about legislation, to talk about government policy, to talk about issues. It’s a chance to do that, and it’s worked quite well. Again, similar to what we see in our House of Commons.

Again, I can say, we just recently had other meetings talking about things like legislative committees, which I’d like to think we’re working on a process that could see legislative committees reintroduced into this House of Assembly, which I think is also positive.

Today, what we’re doing is two-fold. One I think is a more substantive change, and one is more of a housekeeping change where we’re amending Standing Order 24, which is just more of an oversight from the past where we’re adding the term: government orders in the

section. Again, like we do with legislation in many cases, you get a chance to review, to correct errors, omissions, anomalies. In this case, it's just a, I think, standard housekeeping issue.

We're changing Standing Order 25, which deals with Members' statements. This is something we've dealt with in the past where we talked about the number of Members' statements made in this House and we've now made it, I think, more proportional to the number of Members in this House.

To those who may be watching, Members' statements are an opportunity for Members in this House, private Members, to stand up and speak to an issue, usually from their district, of importance, whether it be an anniversary or historic event.

Yesterday we heard a very positive one from a Member regarding one of our provincial heroes, Ms. Kaetlyn Osmond. Ms. Osmond was the subject of a Member's statement and I'm sure, I can guarantee you in the future we'll hear more statements about Ms. Osmond as she continues on with, what is already a brilliant skating career.

Now, this is one change that I think is significant. Maybe not to those out there, but I think it's important. It concerns Standing Order 92, and it's regarding petitions. I've had the opportunity, having sat on both sides, to enter petitions in the House and to sit on the other side and listen to petitions.

We all understand the concept of petitions. It's an opportunity to stand up, to read into the House a petition which is basically – it's an order from the people, usually your district, asking, or calling upon government, calling upon the House of Assembly, to take some action of some form. They can be quite useful. We've seen them in the past actually have some success on various topics. They can be successful, and in many cases it's a chance to bring attention to a particular issue of importance to your district, or to the province, or to certain people.

One of the big issues we deal with as a Standing Orders Committee is a chance to make them

more 21st century savvy, we'll say. Right now we have a very old form prescription that's laid out there and how it's supposed to be written. It has to be in writing. We've talked about the opportunity to bring more technology into this so that people get a chance to do it online. That's something we are interested in, although there are some limitations that we face in being able to do that.

Again, we are trying to take steps to make this more accessible to the public, but I'd like to think right now they are still accessible. There are not many places of business in my district where I haven't driven around and had a petition or seen a petition asking for people to sign. They get a chance to come into this House and list them.

It's a great opportunity – especially, obviously, for Members of the Opposition, we've seen them from government in the past as well – to stand up. Usually you read what is called the prayer, you read out what the petition is asking for, and then you have an opportunity to discuss the significance of why this is such an important issue and make sure government is listening.

We see this every day in the Orders of the Day. After Question Period, that's one of the things that come up. Members of the Opposition get a chance to stand up and speak to that, and I think they work quite well.

One of the issues in particular that I always thought was difficult was that in many cases the Member of the Opposition takes the time to stand up and read the petition, to discuss it, to lay out why it's so important. He can be quite passionate. Obviously, this is something that's coming from, in many cases, your constituents. Their names, their signatures, their addresses are right there. They took the time to sign this. It's gone to the House, it's been vetted.

It used to be very difficult, I found, sitting here. In many cases, I would see a petition that might be related to something for my department and we never had a chance to respond. I think it would be important. It's one thing for the constituents to hear this again. It's all televised. The constituents see that it's being put forward. I also think the constituents want to hear what is government's position, policy and opinion on

these issues, but there's no opportunity. Standing Orders did not allow for that.

I've always referenced one particular exchange I saw in this House where the former Member for Bay of Islands, currently the Minister of Municipal Affairs, entered a petition regarding – it may have been the Corner Brook hospital, which is something he was known for. Any chance he could, he brought in a petition on the Corner Brook hospital, the West Coast hospital.

During this particular time, it was the former premier of the day, who I could say the name. It was Mr. Tom Marshall, who was the premier, I believe, or he may have been minister of Finance. I can't quite remember. But either way, the premier at the time, or Mr. Marshall, whatever capacity he was in, stood up and wanted a chance to speak to it.

The rules dictate that unless the Opposition gives leave, they can't speak to this. That was unfortunate. In this particular case, the Member for Bay of Islands at the time, currently the Minister of Municipal Affairs – he's still the Member for Humber - Bay of Islands, I think – gave leave.

What we witnessed that day in the House was what I thought was a really significant, important and, I would say, genuine, thoughtful, well-played-out debate. It wasn't theatrics. It wasn't some of the gamesmanship that goes on – which I have no problem with, but this was a real debate. We had two Members for the West Coast, one in government, one in Opposition, and we saw a debate back and forth in the House. It was excellent.

Even as the Members sat there listening, watching, I thought this is something that our constituents do want to see, but it's only allowed when the Opposition gives leave. Since that time I've taken the opportunity – I think one day a Member of the Opposition raised a petition on something that's near and dear to me, which is Marine Atlantic. I stood up and asked for leave to speak to that and I wasn't given leave, which is fine, that's the rules. But I thought if the petition is coming in, I think people want a chance to hear the rebuttal to that.

There are a lot of petitions that come in. I remember some of the ones that – it's funny, they come in now and it did before. It might be something on snow clearing. It might be something on transportation issues, tourism issues, social issues. You name it, they come in. Every one of them is important. It's an important piece for the democratic process, but I also think an important piece of the democratic process is the chance to respond to the petition. So that was brought up during one of our Standing Orders meetings, and I'm quite pleased to say that during these meetings we had an excellent debate within our committee, which again is made up of Members of both sides.

What we have here is an amendment to our current Standing Orders that will see the current Standing Order 92 amended by renumbering Standing Order 92(1) by adding immediately after that: A minister in their discretion may reply to a petition, and the minister shall occupy no more than 90 seconds in doing so.

Just so people understand that, currently petitions extend for up to three minutes. This is one-half of three minutes, which is similar to a process we have now during Ministerial Statements where a minister stands up and speaks for any amount of time on a Ministerial, but the Official Opposition gets one-half of that time and I believe the Third Party would get one-half of that time. So we used the same formula here where a minister will get 90 seconds to respond to this petition.

Again it's discretionary. There's no obligation. In some cases, a petition might come in that you had no idea it was an issue. You shouldn't be forced to respond to that, to anything that you're not aware of. It gives you a chance – and I'll get into this now in a second. So again, it is discretionary. In some cases there will not be a response, nor should there, but it's just an opportunity to give the response in particular cases.

A minister's response under Standing Order 92(2) may be given on the day the petition is presented or the next sitting day only. What that allows for – and I'll use myself; I might sit here on Monday, hear the petition from the Member opposite, I can respond that day and, in some cases, I may be well versed on that issue. For

instance, the one I referenced earlier, Marine Atlantic, I can stand up and talk about it that day. It's something that I've lived with all my life. It is something I live next to and deal with, but it might be an issue I'm not aware of. So in order to give me a chance to provide a better debate, a better response and a better answer to the people that are signing the petition, I can come back the next day and respond to that with the same formula.

But we don't want a system where people come back a week later responding to a petition when the fact is we've all forgotten about it. So it's incumbent upon the minister to come back right away in the next sitting day to make sure that they respond to that.

Finally, where in a session multiple petitions of the same subject matter are presented a minister may respond to each petition in the manner contemplated under 92(3), but only one response to a petition with the same subject matter may be made on each sitting day. The fact is that some petitions can be repetitive, and that's fine because in many cases you have numerous petitions on that issue. That's fine and dandy, and again it's a great tool for Oppositions to use to get their point across.

In this case, what we're saying is that if their petition came in on a Monday and the minister didn't respond and then it came in on a Tuesday, we don't want multiple responses to the same petition. We don't want to belabour this process; we're providing an opportunity here.

What I would suggest is that my understanding is that this will be a provisional Standing Order. So similar to the Standing Orders we changed where we brought in Wednesday morning sittings and House of Assembly schedules, we brought them in provisionally, which means we gave it a test drive, so to speak, saw if we liked it, and then we vote on whether we accept it permanently. This will be provisional. It's an opportunity for us to pilot this in many ways, to try it to see how it works, and hopefully it will be beneficial to the process that we have here. If not, we have an opportunity to say did we want to scrap that, did we want to change it, did we want to modify it, alter it, whatever.

So what I can say is that, again – and just so people understand, this is not a government initiative, this is something that's done by a Standing Committee of the House on Standing Orders of the House made up by multiple Members who we've sat down and discussed this on multiple occasions. During this time Members from all over this House will get an opportunity to speak to this. I'd like to think that today I've spoken on behalf of our caucus, on behalf of government to say that our position is to support this. I think it's important to the people of this province to hear what government's positions are, and I think this is another opportunity to do so, but one that can be done in a responsible manner.

We've already had the chat in the last 24 hours on relevance and repetition. It's an opportunity for government to stand, if they choose, to speak to this. And again, every legislature has their own rules. In some cases you must respond in writing, you must do this and you must do that. Every legislature has their own Standing Orders, their own rules. In this case I think it's a good chance – it was only in the last 15 years, 20 years that we've made the move to television in this House, where people have a chance to witness their parliamentarians in action. This is a chance now they should also see a response, if they see choose, in action as well on TV.

I can say that we're willing to support this. And at this time before I sit, I look forward to the commentary from my colleagues across the way. I look forward to supporting this resolution, and then to the incoming change which we will see during this session of the House. Hopefully, starting tomorrow on petitions we'll have an opportunity, in certain cases, to have a great debate on important issues to the people of this province.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. HUTCHINGS: Thank you, Mr. Speaker.

I'm certainly pleased to rise to speak to this particular motion today dealing with the

Standing Orders of this Legislature. For those out there not totally familiar, there's a whole range of rules and operational requirements that are listed under the Standing Orders of this Legislature and the Parliament, which basically direct the flow of activity here in all sittings. Obviously, as the presider of the precinct, Mr. Speaker, you would look to those in terms of ruling as you conduct this Assembly and we, as parliamentarians, the various leaders of the particular caucuses, would use that as they proceed through the process in the House as well.

Today, in this particular motion as put forward by the Justice and Public Safety Minister looking at particular amendments to those Standing Orders, in particular Standing Order 24(3)(b), as the minister indicated when he introduced this, it's rather a minor change where what's added to that section is government orders.

When we look at the motion and look section 25 in relation to a Member who makes a statement by any subject in the House, which we here refer often to a Member's statement where a particular Member here in the House, one of 40, can get up and speak to a particular item, an occurrence, an event, a whole range of activities that are part of their role in representing those people they represent in their district.

This goes on further, and I'll speak to that. The provision now that looks at those actual statements on those particular events that can happen, they're done here in the House. As I said, it's on a range of activities. It could be an anniversary, historic event, some accomplishment of an individual or a group. We hear from time to time the recognition of a death of a very notable individual in the province, in recognition of that here in the people's House, in the Chamber and matters of local, provincial, national or international significance.

Just recently, Kaetlyn Osmond and her tremendous accomplishments at the recent Olympics were brought here to the floor of the Legislature. It's an activity and a function of the parliamentary process here to allow recognition of things happening in our Province of Newfoundland and Labrador and activities with

people or groups. They're allowed to be brought here to the Assembly.

As we know, too, the Assembly is broadcasted to most of the province, for people to hear and understand and to recognize what has taken place. As well, it's forever entrenched historically in *Hansard*. Because once it's spoken here or it's delivered here, it's entrenched in *Hansard* for all of history, so you could go back.

I remember being at an individual's home just a little while ago and they had an old document from the late 1800s, which was from the Legislature of Newfoundland and Labrador, the country of Newfoundland and Labrador, I guess. But in that itself – the document, very old – you could go through it and look at Members' statements and activities in that document that was preserved forever. When these events take place here and elected Members speak to them, it's forever entrenched, not for that point in time but for history.

This goes on to say: "Statements by a Member shall not be used to comment on aspects of provincial government policy or to reflect on the decision or direction of the House" So this is sort of out of the normal breadth and thrust of political debate. This provision looks at, as I said, the recognition of individuals, folks, activities or events that are important to the people of the province. And it's important, as elected representatives, that we celebrate it, we bring it here so it's shared with the people of the Province of Newfoundland and Labrador what that actual event it.

Again, getting to the debate back and forth across here, these are not meant to pose any question, rather it's to express an opinion or giving that Member of the Legislature here the ability to speak to that particular issue they want to bring here to the House. They think it's important, either in their district level, or certainly from a provincial level, or even sometimes a national level in regard to what that understanding is.

Such statements, again, outside of that debate back and forth are not debatable. They do not lead to the introduction of a motion and the statements themselves are not responded by to

any other Member at that point in time. It's nothing like the normal Question Period that you would ask someone sitting on this side of the House in terms of an Opposition Member would ask a minister or a parliamentary secretary a certain question, they would respond to it; it would be outside the context of that and would not be commented on and would just be presented here in the House.

The motion also goes on and reflects on the Standing Orders, an amendment on a provisional basis. It talks about Standing Order 92 is amended by renumbering it as Standing Order 92(1) and then going forward and looking at the whole issue of the minister.

Right now, we present petitions in the House of Assembly, there's a format for that petition; it's outlined in the Standing Orders. That could be anything related in your district as an elected official. It could be an issue of public policy that you wanted to bring to the attention here in the House. At a particular time in the normal proceedings of the day, there would be a time for petitions. We usually have six in that area, usually from the Opposition side, not many from the government side. They would be issues of concern. It could be a particular district issue, or it could be a public policy issue that we want to bring attention to.

That would be the petition that would be presented here in the Legislature. You need so many required signatures, again, to authenticate the concern being expressed by individuals and you would present them here in the House. Just today I presented a petition on a piece of road infrastructure in my district in regard to some of the requirements that are needed. I presented one with regard to education and certainly the school in Mobile, some of the education aspects of that.

I remember a bridge in Trepassey in my district, Stoney River bridge and the replacement of that and bringing awareness to it. So within that context, too, you could have discussions with the minister of the day in regard to that particular area and some of the possibilities in addressing the concerns that are put forward by those residents in the petition.

That petition is certainly grassroots democracy because it allows those individuals in any part of

the province to speak directly right here in the people's Legislature, for issues of importance to them. In the bigger scope of things, sometimes it may not seem big on a provincial scale but on a community scale or on a regional scale, it's very important to those individuals. Within that petition, as I said, it's a grassroots democracy. They have the ability to sign a petition, put their name on it, say where they're from and basically format what that concern is and we can present it here in the Legislature to be heard.

This provision of the Standing Order we're talking about here speaks to that petition process and goes to the process of a minister who's responsible for that area where that actual petition exists to have an ability to respond and to give some feedback on the issue that's being proposed in the actual petition.

"A Minister in his or her discretion may reply to a petition, and the Minister shall occupy no more than 90 seconds in so doing" So some issue you bring up here in the Legislature in terms of invoking government to take some action, identifying an area of concern, would give an opportunity for a minister to respond at that time; or it also suggests "a Minister's response under Standing Order 92(2) may be given on the day the petition is presented or the next sitting day"

That would be, obviously, an opportunity, if the minister wasn't aware of the actual details, to put together some information or details or have further discussion on it. Then could report back to the Legislature and have a brief period to bring that information back, and for those that presented the petition, certainly for their benefit, too, I think, to hear what the response would be to the actual petition. I think that helps from a legislative point of view and from being elected representatives that you're not bringing a petition in, presenting it and you really don't hear back.

I know from my time in government and as a Cabinet minister, when we got petitions presented, copies would be referred back to the department. We'd always try to respond in writing to a group or individuals who had signed the petition to try and let them know, from a department perspective and from a government policy perspective, what was the direction and

how we were moving forward on the particular item that was brought here in the House that was of concern to them.

That's a change in regard to the Standing Order and what this motion is about in regard to a ministerial response to a particular issue that's brought here in the House through a petition. It also goes on to say: "Where in a session multiple petitions of the same subject matter are presented" That often happens because an issue could be of such importance that there are multiple signatures and multiple communities or people or others that have concerns. There could be similar petitions. It could come from different people; it could come from different Members on a particular topic or issue.

What this provision is suggesting is that "a Minister may respond to each petition in the manner contemplated under Standing 92(3), but only one response to a petition with the same subject matter may be made on each sitting day." So they could get up either the immediate day or the day after when they have 90 seconds to respond to the actual multiple petitions but, obviously, the understanding of what that petition was about would be the same. They would have the ability to get up and respond to that petition.

I'm certainly looking forward to further discussion in regard to this resolution. As I said, this is an ongoing process in regard to the Standing Orders. The committees that have been struck over the past couple of years, I think, have done some good work. They are committees that have been established by all Members of the House. I know the Parliamentary Calendar. I look at things like that in regard to give (inaudible) to the parliamentary session over a period of time. It helps in regard to families with young kids in terms of managing time frames, going back and looking at districts and having time to get back to your district in between legislative sessions. Because there is always work that needs to get done and there are always discussions and things that need to be done for that period. So that break allows that to happen.

That's an example here today of some of the work that's done by the Standing Orders Committee that's made up of people here in the

Legislature, on all sides of the House, bringing forward recommendations to enhance the Standing Orders and the operations here that you do, Mr. Speaker, and you use in terms of how this House is administered and hold us in good standing, we would hope, in terms of the process and what gets done.

I'm certainly pleased to speak to this resolution. I'm looking forward to further discussion, and I'll be eager to hear what other Members have to say.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for St. George's - Humber.

MR. REID: Thank you, Mr. Speaker.

It's great to have an opportunity to rise and talk to this motion in the House today.

Just before I get going, I want to say I'm a Member of the Standing Orders Committee as well. Basically, what has happened here is the Standing Orders Committee is a Committee of this House that, outside the sitting hours of this House we meet, we discuss issues related to the operations of the House in terms of the Standing Orders.

Now, the Standing Orders – for the information of people who may be watching – are the rules which we operate in this House. They're the rules that govern how we conduct our business here in this House. So what this motion is doing is it's taking some of the provisions that we talked about in this Standing Committee and they're bringing them to the House for ratification.

The Committee can't make the changes themselves, but they can make recommendations as to changes that would be beneficial, that they think would be beneficial after their examination of these various issues. They bring them to the House through a motion of the Government House Leader. Then we all have an opportunity here in this House to discuss it here and then to have a final vote on the implementation of these

changes to the Standing Orders, the rules which we govern our operations here in this House.

Mr. Speaker, these changes to the Standing Orders, this motion identifies a number of changes in relation to – and it's interesting to note, the House is sort of moving cautiously. When you make changes to something as fundamental as the rules under which you operate, you don't want to throw everything out and start with everything new. You want to sort of gradually implement some changes.

I think the Committee is recommending sort of a provisional adoption which gives us an opportunity to look at these rule changes to see how they impact the operation of the House. If it's beneficial, then we can go on to make them permanent changes to the Standing Orders. So I think the fact that these changes are provisional is a very important and a very prudent manner to proceed.

We make several changes; this motion would make several changes. One, related to Members' statements. I think Members' statements are very interesting. Each House of Assembly or legislature across Canada has different Standing Orders. In our Standing Orders, Members' statements are non-partisan in nature. They're of issues of a non-controversial nature. We congratulate people; we recognize an achievement that someone has had. It's an important recognition of people in our communities by individual Members, and they bring that to the House.

In other Houses, they have partisan comments. These Members' statements take on a whole different nature than they do in our House. It's usually a sharp, quick partisan jab back and forth across the House. We have lots of opportunity for those types of things in debate in our House. Again, I think it's important that we have these sort of non-contentious, those non-partisan opportunities to just congratulate people, recognize people in our communities. I think that's a very positive aspect of our House. So I'm pleased we're continuing with that.

The other changes are in relation to petitions, Mr. Speaker. Petitions, I guess, have a really historic nature. The Member opposite, when he spoke, mentioned that it's really grassroots

democracy. Yes, I would agree with that. It's really one of the few opportunities where the words of people are directly heard in this House. It's an opportunity for someone to write a petition, to get a number of people to sign the petition and to have a Member present their words in the House.

Of course, this has a long, historic tradition in our democracy, and even before in our development of democracy where you could petition a king even. So it's a very interesting, important part of our House. This motion, sort of, changes how we deal with them. Previously in this House, Members would present the petitions and they would be heard by Members of this House.

The changes being made here allow for ministers to respond immediately, or in a day afterwards, to petitions, to issues that people have raised through their Members in this House. So I think that's a very positive step because it's important that people not only have the opportunity to voice their concerns but they have the opportunity to hear government's response.

As I said, in terms of Members' statements, each legislature has different ways of proceeding in terms of how they operate. In other Houses across Canada, there are provisions that government must respond within a certain period of time. Some require written responses to petitions within a certain period of time. Other legislatures don't require responses. So I think this change in our rules is a prudent way of proceeding as well.

We've allowed the opportunity for ministers and parliamentary assistants to respond to issues that have been raised. I think that's a very important change to have made. In the future, we may consider looking at some other options but I think that's a very positive change to have made as well.

In conclusion, Mr. Speaker, I just want to say I think we're moving in the right direction. I think the provisional nature of these changes gives us a chance to test it out.

I think the Standing Committee and other Members of the committee; I just want to say we

worked very well together. I think sometimes in this House we have a lot of partisan back and forth but when we sit down in committee, usually it's people talking about what is best for this province. I think that's a very positive aspect of committee. It's a way sometimes – sometimes committees are public, sometimes we just sit down, there are no recordings or whatever, just the minutes are kept, but I think it's been a very positive experience for me.

I'm very positive about these changes that have been made, and I look forward to hearing what other people have to say on them as well.

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 very much, Mr. Speaker.

I'm pleased, too, this afternoon to stand and speak to the resolution that deals with changes to our Standing Orders. As others have said, it's actually a pleasure being on this committee. I'm really glad to be part of the discussions that we've been having over the last while – actually, a couple of years now.

I think I said once before in this House that I've been on that committee for years and we had never met. So it's been a real pleasure since the general election that this committee is in operation, because we all recognize there are changes that need to happen to how we proceed in the House. Experience tells us that with different things, things can be done better, things can be done differently. It's imperative, I think, that we constantly have a Standing Orders Committee operating, not just in name but operating, functioning and deal with the ways in which we conduct business in the House of Assembly.

I think it's fair to say that as we started our work it was pretty daunting. The Standing Orders had not been changed in quite a while. A lot of the Standing Orders – I wouldn't say a lot, but some things are outdated, even in language, language needs to change, et cetera. I think one of the

things we agreed to is a committee was an important way to go, and that was to deal first with things that would be easier to change, easier to put new things in place, to use a common parlance, to deal with the low-hanging fruit.

The low-hanging fruit is just as important as that which is further away from you, but we went with things that were a bit simpler to deal with first. One was – that we've already amended – putting a new calendar in place, actually having a calendar. The fact that now in 2018, we even know what our calendar is going to look like in 2019.

So I think giving ourselves that discipline of putting a calendar in place, understanding that circumstances can change the calendar, understanding there are always things that are going to come up that could make it different, but to have a calendar in place – and we've been pretty faithful to that calendar since that got put in place last year. That's an example of one of the things we could do easily and did.

Now with the resolution today, we have other things which were easy to deal with. Adding government orders, for example, in a listing in the Standing Orders. Another one was our Members' statements. I think it's important. I don't think we are doing anything differently than what we now have in the Standing Orders.

I think the Standing Orders actually do reflect what we do as Members here in this House when we stand and recognize an individual or recognize a community or an accomplishment. I think the Standing Orders now actually say what we do.

Since I've been in this House, I do not remember anybody making statements as a Member which dealt with government policy. I don't ever remember that happening. I don't remember us in the House, any Members, making statements that could be embarrassing or that could be trying to get at another party in the House. I think we all see it as a moment for really respecting people in our constituencies and organizations in our constituencies.

I think what we now have in the Standing Orders – and that's part of today's resolution that we'll

be passing – is language that does reflect what we try to do here in the House of Assembly. It was really good being part of this discussion.

We've also made changes to the petitions that we bring here in the House. The actual changes to how the petition will now be worded is not in the Standing Order itself. That, I imagine, would be in an appendix like it is now. The appendix will reflect the new – I suspect there will be an appendix, but it will reflect the new way in which a petition will be worded, so we won't be using sort of archaic language as we were using.

Very often people would look at the form they had to put a petition in – you know they'll contact me and say: We're looking at doing a petition on such an issue, what is the format we have to use for the House of Assembly? When we would give them the format and they'd see this archaic language, it was a bit strange to them.

One of the things that always struck me was the word "sheweth." In the old form of our petition it was the old English spelling, S-H-E-W-E-T-H, and people would say: Is that a typo? They never could understand. That's old English, so we're getting rid of the old English. It's less archaic, and just a simple explanation of what the petition is about and then presenting the prayer of the petition. So I think that's really good.

I do like the idea that we all agreed that petitions can be responded to by ministers. Very often I've had people say to me: You read petitions for us in the House, what did the minister say? I'll say, well, the minister doesn't usually stand and respond to a petition. People who are asking us to read these petitions want to hear what the government has to say about the petition. They just don't want us presenting it, they also want a response from government.

I think it is extremely important that ministers who are responsible for an area can choose to stand, especially – a petition could be dealing with an issue that maybe has been resolved since people signed the petition. So it gives an opportunity to the minister to be able to stand and say that's already been taken care of. I can tell people this is what is happening. That makes it even more meaningful that the petition has been brought.

I think it's really, really good that we are allowing that, and I think we have some precise language there about when it can happen. A minister would respond either on the day the petition was presented or the next sitting day only. Because sometimes you get repetition of petitions, so you won't get a minister standing every time a petition is similar to the one that was read the day before. You won't get a minister standing every time and speaking to that petition.

When the petition is first presented the minister will be able to respond, if the minister feels the requirement to do so. We have that covered here as well. "Where in a session multiple petitions of the same subject matter are presented a Minister may respond to each petition in the manner contemplated ..., but only one response to a petition with the same subject matter may be made on each sitting day."

I think that's extremely important, that we don't have too much repetition going on because then that would make the whole thing, I think, a bit of a mockery of the whole thing. I think what's important is the understanding that there may be something very direct that the government can respond to in the petition and now the possibility will be there.

As has been said by some of my other colleagues, we do have some major issues that we're going to be looking at as the Standing Orders Committee. The Government House Leader mentioned the legislative committees, which are so important for the work here in the House of Assembly. I really look forward to our work in the Standing Orders Committee on the legislative committees. I don't know how quickly we can get that work done to bring some discussions here into the House with regard to how legislative committees work –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

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

I don't know how quickly we can get that work done, but I think it is very important because it

will be part of further democratization of what's happening here with regard to bills in particular.

We have a lot of work to do. What we're doing today, as I said, is pretty simple but important, especially the petitions, because I think the petitions in particular really do affect the constituents. The petitions affect the people in the province. How easily they can put a petition together and how we can present it for them and if now we can elicit response from government, then I think that piece of work is really good.

The Government House Leader did talk about the discussion we had with regard to online electronic petitions. We really looked at it from a number of angles and it really, at this point in time, didn't seem like something that we were capable of doing. Number one, it takes money; people understand that. Every time you come up with an idea, it's not as simple to say oh, we can do that. Getting the programming, being able to make electronic petitions work, really does take money.

I would like to think that when we have a bit more flexibility with money in the province that perhaps we can do that. I've had people ask me about electronic petitions, and I think it's good for them to know that we haven't gone that route yet, not because we haven't discussed it and we've looked at it from various angles. There are actually I think only two jurisdictions in the country who use them; one is Ottawa and the other one is Quebec.

So we have looked at it, we've looked at it in detail, but we thought as a Standing Orders Committee that it wasn't something that we were able to recommend at this point. I think it's important to point that out for people who were hoping that we could, at some point, move to electronic petitions.

I think keeping with the resolution that we have on the Table, Mr. Speaker, these are the main points I'd like to make. I say to those listening: Hang on, because we have much more to do, like the legislative committees, and we'll be back with other resolutions, I'm sure.

Thank you.

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

MR. LANE: Thank you, Mr. Speaker.

I'm not going to take too long here, but I just wanted to make a couple of comments on it. Mr. Speaker, I don't have any issues, really, with what's being proposed here. Certainly, the change as it relates to Members' statements and so on, that has already been discussed, I have no issue or concern with that. I just wanted to make a couple of comments as it relates to the idea of petitions and some of the changes being made regarding petitions.

First of all, I think it's a good idea to actually give ministers an opportunity to respond to petitions. It makes all the sense in the world to me. If a Member in the Opposition can stand up and bring forth a petition on behalf of constituents, read that petition, speak to that petition and raise the concerns, then I think the process, quite frankly, up until now has been somewhat flawed that a minister can't respond, so that the people can hear the other side of the story and maybe understand why something is not being done. Or if the minister has something to update, when it might get done and how it might get addressed, then the minister can address that. I think it's a very positive move, to be honest with you, and I will be supporting it.

The only couple of points I will make on it, though, is that when we look at the amendment that's being made here, it says: "A Minister in his or her discretion may reply to a petition, and the Minister shall occupy no more than 90 seconds in so doing" It says a minister. It doesn't specify a minister.

The only point I would make there is that I believe that if I were, for example, to present a petition on K to 12, then it should be the Minister of Education that's responding to that petition. It shouldn't be a free-for-all for any minister to stand up and respond to a petition about something that has nothing to do with his or her department.

I'm sure the intent here, when this was talked about, I'm assuming would be that it would be the minister of the department for which the petition is being brought forward would be the

appropriate person to respond. I assume that's the intent but it doesn't say that. So technically speaking, based on what's written here, I can bring forth a petition for the Department of Natural Resources, for argument's sake, and the Minister of Health could respond to it because it doesn't say the particular minister. I just use that as a random example.

I think that's something that would be better if it was spelled out that it's the minister for the department of which the petition is presented should be the minister that responds, not some other minister. I think it would also be helpful to have reference in here to relevance as well. Relevance is very important in debate, Mr. Speaker. Certainly when we're looking at any legislation or bills and so on, relevance is a factor. Relevance should be a factor in petitions as well. That should be by the person presenting the petition, as well as the minister now, if the minister is going to respond to the petition, it should also be relevant, and the Speaker should be calling relevance on those issues.

If I'm speaking to a particular issue, I present a petition, then my commentary should reflect the spirit of the petition. I should not be using it as an opportunity to try to bash somebody on the other side and, in response to that, a minister in responding to petition should likewise have to stick to the pray of the petition and not use that as an opportunity to take shots across the bow and so on, on unrelated matters. I think that's important.

Like I said, the petition should be relevant. We had an incident, Mr. Speaker, in the last sitting of this House – I recall it distinctly – where a Member actually presented a petition, it was about the book tax, and that was after the book tax had been repealed. Here we were presenting a petition asking the government to take back the book tax when that had already occurred. So why are we presenting a petition asking government to do something that they already did?

That's just another example in terms of relevance. I think relevance should apply to the person presenting the petition, it should apply to the commentary on the petition and it should apply to the minister that is responding to the petition. Mr. Speaker, obviously, that would be

within your purview to ensure that it is relevant, but it would be nice to see an actual statement written into the Standing Orders that speaks to the issue of relevance of petitions, both in the presentation and in the response to those petitions.

The only other point I wanted to make – and it has been raised here, because I've had a lot of people contact me as well, and that's about the electronic petitions. I understand, in listening to the Member who just spoke, she said that it was considered and they felt that they couldn't do it at this time. There are obviously technology issues there and there's a cost associated to it. I'm not sure exactly because she didn't indicate how cost prohibitive it is or how challenging it would be to do it.

I do think, though, that as we modernize the House, we have technology, I realize not everybody in the province, 100 per cent, can avail of it. We can still have the paper petitions for people who can't avail of it but for most people who can, it's another avenue for people to get their points across and it would make it a lot smoother and a lot easier.

So I say to the Members of the Standing Orders Committee, don't abandon the idea. Park it for now but don't abandon it. Maybe at a later date go back and revisit it, when we're able to do it, but I would encourage it to happen.

Other than that, Mr. Speaker, that's all I have to say on this matter. I will support the Standing Orders.

Thank you.

MR. SPEAKER: Further speakers?

The hon. the Government House Leader.

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

In closing the debate on this, I'd like to thank my colleagues for their input on this. Some of the people who spoke sat in on the meetings and we take what everybody says seriously. We value what people are saying because we do want to make these Standing Orders better and we want to make them relevant.

Regardless of which side you sit on, Standing Orders are meant to continue on. They're not meant to be partisan. They're meant to be something that governs this House throughout the ages, as opposed to throughout administrations.

I think the changes that have been made, which would be provisional, I think they're positive. We continue to work together to try to make further changes that better this process that this House follows, to make changes that improve the work we do for our constituents and improve the functionality and the operation of this House of Assembly.

On that note, I'm going to take my seat. I thank my colleagues for the input and for their comments on this. We look forward to working together to come up with more, likely for the fall session of the House of Assembly.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

This motion is carried.

The hon. the Government House Leader.

MR. A. PARSONS: Mr. Speaker, I move, seconded by the Minister of Natural Resources, for leave to introduce a bill entitled, An Act To Amend The Access To Information And Protection Of Privacy Act, 2015, and I further move that the said bill be now read a first time.

MR. SPEAKER: Does the hon. Government House Leader have leave?

CLERK: (Inaudible) it's first reading.

MR. SPEAKER: I'm sorry, first reading. My apologies.

It is moved and seconded that the hon. the Minister of Justice and Public Safety shall have leave to introduce a bill entitled, An Act To Amend The Access To Information And Protection Of Privacy Act, 2015, Bill 33, and that the said bill shall now be read a first time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

The motion is carried.

Motion, the hon. the Minister of Justice and Public Safety to introduce a bill, "An Act To Amend The Access To Information And Protection Of Privacy Act, 2015," carried. (Bill 33)

CLERK: A bill, An Act To Amend The Access To Information And Protection Of Privacy Act, 2015. (Bill 33)

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

When shall the said bill be read a second time?

MR. A. PARSONS: Tomorrow.

MR. SPEAKER: Tomorrow.

On motion, Bill 33 read a first time, ordered read a second time on tomorrow.

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

MR. A. PARSONS: Mr. Speaker, I move, seconded by the Minister of Natural Resources, for leave to introduce a bill entitled, An Act To Amend The Order Of Newfoundland And Labrador Act, Bill 31, and I further move that the said bill be now read a first time.

MR. SPEAKER: It is moved and seconded that the hon. the Minister of Justice and Public Safety shall have leave to introduce a bill entitled, An Act To Amend The Order Of Newfoundland And Labrador Act, Bill 31, and that the said bill shall now be read a first time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

The motion is carried.

Motion, the hon. the Government House Leader to introduce a bill, "An Act To Amend The Order Of Newfoundland And Labrador Act," carried. (Bill 31)

CLERK: A bill, An Act To Amend The Order Of Newfoundland And Labrador Act. (Bill 31)

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

When shall the said bill be read a second time?

MR. A. PARSONS: Mr. Speaker, if I may, prior to answering that, as I explained yesterday in this House, you can only do certain procedures of each bill on a certain day, and at this time what I would like to do is explain what I am proposing to my colleagues across the way and to the House, and would ask leave to proceed to second reading.

What I am suggesting, as it relates to this bill, the Order of Newfoundland and Labrador, I'm asking leave for second reading so that I may, as the introducer of this bill, speak to it. I would then move to adjourn the debate until another day so that the Opposition Members could speak to that bill in second reading another day, and I would ask leave of my colleagues to be able to do that.

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

MR. HUTCHINGS: Thank you, Mr. Speaker.

Yes, it is my understanding that we would give leave to introduce second reading, government, the minister applicable would speak to that issue, we would adjourn debate, and then we would be free to do our research and to come back on another day to debate the bill in second reading.

We give leave for that.

MR. A. PARSONS: Thank you.

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

MS. MICHAEL: Yes, I give leave for that, for this bill, Mr. Speaker.

MR. SPEAKER: And the independent.

MR. LANE: I give leave.

MR. SPEAKER: Okay.

The hon. the Government House Leader.

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

MR. SPEAKER: If I may, Sir.

This bill has now been read a first time.

When shall the said bill be read a second time?

MR. A. PARSONS: Now.

MR. SPEAKER: Now.

On motion, Bill 31 read a first time, ordered read a second time presently, by leave.

Motion, second reading of a bill, "An Act To Amend The Order Of Newfoundland And Labrador Act." (Bill 31)

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

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

Before I begin, I'd like to thank my colleagues across the way for giving leave to this. Again, sometimes it's a bit unusual to move through different readings of the House, but in some

cases it's due to the nature of the procedures in this House.

In this case, one of the issues we've discussed in the past is Oppositions, and governments really, everybody wants ample time for legislators to review legislation. In this case, we always provide a briefing to the Opposition on the legislation but I don't believe the Opposition has had ample time to do their research. I respect that having done that before and having had it done to me, not being given ample time.

In this case, I appreciate the fact that I will speak to second reading. I'll lay out government's position on this but it will in no way basically force the Opposition to speak today. They'll have an opportunity to do the adequate research, to come back and we'll likely call the bill tomorrow or another day.

So I appreciate the co-operation of the Members opposite. What I will promise to do is prior to my time ending, and I believe I have 60 minutes to speak to this, which I will not use, I will adjourn debate on this bill which will then preserve second reading for the Opposition to speak, as well as other Members of government as well.

I look to the clock, Mr. Speaker, and not that I – okay, it's started now. I wouldn't want to force more than 60 minutes of my speaking on the Members of both sides.

Anyway, I'm happy to stand and speak to this bill. This is a bill that traditionally falls under Executive Council, but as House Leader I'm happy to stand and speak to this. This is a very positive piece of legislation. In fact, we saw announcements very recently about the latest recipients of the Order of Newfoundland and Labrador, which is certainly a prestigious honour, which is conferred on Newfoundlanders and Labradorians who have gone above and beyond. It's our best and brightest, so to speak.

What I want to do, the bill itself is – and I always take an opportunity to talk to people. Even though it's very short and very small in terms of the actual amendments that are being made, it is substantive in that it's changing the composition of the committee that selects the recipients of the Order of Newfoundland and

Labrador. It's changing the composition of the Advisory Council.

I have some notes here that I'd like to refer to about why we're doing what we're doing and how this has come about. The Order of Newfoundland and Labrador is the highest honour in this province. We're all aware of the Order of Canada which is a significant honour. This is the highest that this province has to offer.

It goes to any of those individuals who have demonstrated excellence and high achievement in any field of endeavour that benefits this province and its residents. It can be very wide open but it applies to the worlds of business, the worlds of sport and the worlds of social enterprise, to those that have helped others in times of need, to heroes.

I don't have in front of me the list. I'm sure people here in this House have had constituents that have been recognized or family members that have been recognized. It's a big thing, it's a big deal and we certainly recognize those individuals.

Perhaps the one I'm most familiar with just recently, the one that sticks out, is Katarina Roxon from the community of Stephenville and what's she done –

AN HON. MEMBER: Kippens.

MR. A. PARSONS: Kippens, sorry. She swims in the pool at Stephenville, so I'm halfway right.

What she's done not just in terms of athletics in this province, but the example that she's set to our youth across this province has been tremendous. That's just one individual. It's amazing how young she is to be given this high honour, but that just goes to show the impact she's had representing our province across the world and the inspiration that she's set for so many.

There were a number of other individuals. I apologize; I don't have the list of names in front of me. When we see these names, in many cases we can sit back and say these are the best that we have to offer. It's great to recognize these people. Many don't do it for the recognition, but it's nice for us to recognize those people that

stand out in our province. Again, they represent us throughout this country, throughout this province and throughout the world.

The first Order members that were inducted were in 2004. This bill originally came to this House back in 2001 and it received Royal Assent May 24, 2001. The first Order, as I said, came in 2004. Since that time, we've had 99 people that have been inducted into the Order of Newfoundland and Labrador.

The original act established the Order, had set out the eligibility for membership to the Order, the process for nomination, for appointment and, in fact, even for removal from the Order. It established the roles and duties of the Lieutenant-Governor as chancellor to the Order, as well as the Advisory Council and secretary to the Advisory Council.

The Order is administered by the Order of Newfoundland and Labrador Advisory Council. There's a committee that's established of a number of individuals whose job it is to select through the many worthy nominees and to pare that list down to those people that will be given that honour in that particular year. I would like to think that it's not led by government, it's really meant to be a non-partisan achievement and that's why we have people from different fields. As I go through the list here, they will be set out and you'll see that some of these people, in many cases, aren't selected by their name alone, it's selected by the office in which they sit, which I'll get to now shortly.

This Order, Advisory Council, they're in power to consider the nominations and they submit to the chancellor the names of not more than eight individuals each year who are worthy of receiving the Order and then the chancellor bestows the honour on those put forth by the council.

Now, the council has a very important role in this process; they are the ones that review the nominations. They decide who should receive it based on the criteria. So you can imagine these nominations come in, that it's a difficult process. You have to go through – obviously, they select eight; there are certainly more than eight people that are nominated in a given year, and it's up to eight. It's not more than eight but, in many

cases, it may not be the full eight. Again, I don't know how the process works or how many these receive; it's not information for which I'm privy to.

But, no doubt, the role that this council plays, they are the gatekeepers, they are the ones that really, in many cases, establish to the chancellor who is befitting of receiving this honour.

The original act was designed to allow for a non-partisan Advisory Council. At that time, when it was designed, in 2001 it got Assent, Cabinet could appoint not more than four members and three council members served by virtue of their position. The three ex officio members were the chief justice of Newfoundland and Labrador, the Clerk of the Executive Council and the president of Memorial University whose terms would not expire.

Again, there are different people who will fill these roles, but the office stays the same. So whoever comes into these roles whether it's the chief justice, which we've seen turnover in that position, the president of Memorial, there's a turnover for that, and the Clerk of the Executive Council. The other members are appointed by the LGIC, and they only serve a maximum of two three-year terms. All council members serve without remuneration, with the exception of the reimbursement for travel costs that they have to do for council business; pretty standard stuff.

In 2005, there was an amendment brought by the government of the day to replace the chief justice and the president of Memorial with two members of the Order to be selected and appointed by the LGIC for a three-year term and to allow for the LGIC to designate the chairperson. The Clerk of the Executive Council was designated as chairperson in 2006 and has continued to serve in that capacity ever since.

So 2005, not long after this act came in and after the first recipients, the act was amended here in the House of Assembly. I've had an opportunity to review the *Hansard* from the debate. It wasn't a substantive debate. There were a lot of questions by the Members in the Opposition at that time. The House Leader, at that time, for government didn't – there wasn't a whole lot of debate there, but the changes were certainly made.

The amendment that we're putting forward today, and I don't mind reading it out here, so I'll go actually to the legislation itself: "The Order of Newfoundland and Labrador Advisory Council is established consisting of" I'm getting ahead of myself. Subsections 12(1) and (2) of the Order are repealed and the following substituted – so they're getting rid of those two sections and bringing in these couple here.

"The Order of Newfoundland and Labrador Advisory Council is established consisting of (a) the following 4 individuals, each of whom is a member by virtue of his or her office: (i) the Clerk of the Executive Council, (ii) the Chancellor of Memorial University of Newfoundland, (iii) the Chief Justice of Newfoundland and Labrador or, where he or she is unable to serve on the council for any reason, the Chief Justice of the Supreme Court of Newfoundland and Labrador, and (iv) the Speaker of the House of Assembly; (b) 2 individuals who are members of the Order who shall be appointed by the Lieutenant-Governor in Council, each for a term of 3 years; and (c) not more than 2 individuals appointed by the Lieutenant-Governor in Council, each for a term of 3 years. (2) The Clerk of the Executive Council shall be the chairperson of the council."

Subsection 15(1) of the act is repealed and the following substituted: "15.(1) A member of the Order may resign from the Order by giving written notice of intention to resign, signed by the member, to the Chancellor."

"3. The members of the Order of Newfoundland and Labrador Advisory Council holding office immediately before the coming into force of this Act shall continue to hold office until the expiry of their terms."

"4. Schedule C of the *Public Service Commission Act* is amended by inserting immediately after the statutory appointment reference '*Optometry Act, 2012*, subsections 9(1) and 27(4) with respect to ministerial appointments' the statutory appointment reference '*Order of Newfoundland and Labrador Act*, paragraph 12(1)(c).'" That's more of a housekeeping part, that last particular section.

So what we're doing, in plain language, Mr. Speaker, is we're changing the structure of the Advisory Council to reinstate the roles for the chief justice and the university. We're putting those roles back in after they had been taken out. It's proposed that the chancellor of Memorial University be installed as a member of the council by virtue of their office, in lieu of the president of the university. The chancellor primarily holds a ceremonial role in convocation of the university, an important role with the universities governing bodies. A position on this council would not detract from the chancellor's ability to carry out the normal functions of their office.

It is further proposed that the Speaker of the House of Assembly be added as a new ex officio member of the council. The Speaker, as you know, serves a non-partisan role in presiding over the provincial Legislature. I'd like to point out that both British Columbia and Ontario both include their Speakers of their legislatures on their advisory councils which handle a similar body.

The addition of the Speaker increases the size of the council from seven to eight. Two general members are going to be removed. The new council will consist of four members by virtue of their office: the clerk, chief justice, chancellor and Speaker; two members of the Order of Newfoundland and Labrador to be appointed by the LGIC; and two general members to be appointed by the LGIC upon the recommendation of the Public Service Commission in accordance with the process established for independent appointments. Again, that's a bit of a change.

These changes are in keeping with the original intent of the act. What they'll do is basically continue with the good work that's been done by the Advisory Council.

The final change, as I noted, is housekeeping. This provides for resignation and termination from the Order. The side note refers to resignation only. The amendment clarifies the side note by adding: and termination. The language in the section does not change. It clears up a section that may have had some ambiguity there before, Mr. Speaker.

I'd like to think the changes we are proposing here are certainly not controversial by any means. I don't think it will take away from the level of the recipients of the Order of Newfoundland and Labrador that we've seen over the past number of years. What we're simply doing here is going back to the act as it was when it was created.

We're going back to the composition of the council as it was created and prior to its amendment in 2005, which was to take these two – in many cases I can't say ceremonial. Obviously, the president of MUN or the chancellor of MUN, you can use the word "ceremony," but they play significant roles. Their selections won't be based on anybody who's in government; it's based on who has those roles, as well as the chief justice which, again, is not an appointment by anybody within the province.

The chief justice of our Supreme Court or the chief justice of Newfoundland and Labrador is a federal appointment. In fact, when we looked at our chief justice right now of our Court of Appeal, that's a vacant position; we're waiting right now. If we could fill that within the province, we would, but it's a federal appointment and has to be done by the Privy Council.

I'd like to think, Mr. Speaker, this is a positive change. One meant to bring the Order of Newfoundland and Labrador and their Advisory Council back to what it was. At this time, I am looking forward to the contributions of the Members opposite or any Members. I believe, actually, we have Members on this side who would like to be able to speak to this piece of legislation as well.

In keeping with what I stated earlier, in order to allow for us to have debate on this bill and to not close second reading, what I'm going to suggest at this time, Mr. Speaker, is I would certainly adjourn debate right now on Bill 31.

Thank you.

MR. SPEAKER: All those in favour of the motion to adjourn please say, 'aye.'

SOME HON. MEMBERS: Aye.

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

The motion to adjourn the debate is approved.

The hon. the Government House Leader.

MR. A. PARSONS: Mr. Speaker, I move, seconded by the Minister of Health and Community Services, for leave to introduce a bill entitled, An Act Respecting The Newfoundland And Labrador Centre For Health Information, Bill 32, and I further move that the said bill be now read a first time.

MR. SPEAKER: It is moved and seconded that the hon. the Minister of Health and Community Services shall have leave to introduce a bill entitled, An Act Respecting The Newfoundland And Labrador Centre For Health Information, Bill 32, and that the said bill be now read a first time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

The motion is carried.

Motion, the hon. the Minister of Health and Community Services to introduce a bill, "An Act Respecting The Newfoundland And Labrador Centre For Health Information," carried. (Bill 32)

CLERK: A bill, An Act Respecting The Newfoundland And Labrador Centre For Health Information. (Bill 32)

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

When shall the said bill be read a second time?

The hon. the Government House Leader.

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

Similar to the bill we just commenced second reading on, we have a similar situation with this

piece of legislation that I'd like to ask the co-operation of my colleagues. This is obviously a very important bill but it's one that, due to the storm that came today, there were issues with the briefing from within the Department of Health. There was an issue there, no fault of anybody intentionally – certainly, no fault of the Opposition or anything there – but the briefing for that was supposed to go ahead today and it did not.

The briefing will be set up, because we can't have legislation in this House that's being debated by Members who have not been given an opportunity to review legislation, to be briefed on legislation and to ask questions on legislation, specifically of Members within those departments that have that knowledge.

That being said, I was hoping to do something similar with this bill in that, regardless of whether the briefing occurred or not, what I'm suggesting is with leave of the Members opposite, the Minister of Health could hopefully open second reading of this bill, speak to the government's position on this particular piece of legislation at which time upon his conclusion of his opening remarks on this bill, he would adjourn debate on this bill so that we could allow for the briefing to happen and allow for the Members opposite to partake of that briefing to prepare themselves. We would recommence second reading of this bill at another time, whether that be tomorrow, Thursday – a time that's appropriate, determined on conversation.

So at this time I would ask that leave of my colleagues across the way.

MR. SPEAKER: Does the hon. Government House Leader have leave to proceed into second reading?

The hon. the Leader of the Third Party.

MS. MICHAEL: I'm really sorry, Mr. Speaker. I would like to say yes, but for the reasons outlined by the Government House Leader, I'm not blaming anybody, but not only did we, as the Third Party, not get a briefing on the bill, I didn't even get a copy of the bill until this afternoon because no briefing had been held.

I know what the minister wants to do, but not having read it, to be sitting and listening to the minister without having even read the bill, having a sense of what's in it, I really cannot give leave.

MR. SPEAKER: Okay. So the hon. the Government House Leader does not have leave.

The hon. the Government House Leader.

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

It's unfortunate that – again, I'm not sure if I would have had leave from the Members of the Official Opposition or the independent Member. It's good to know that the Official Opposition and their House Leader, as well as the independent Member for Mount Pearl - Southlands would have given leave.

Because of the fact that the briefing did not happen, did not in any way change the fact that the Minister of Health could have debated this bill today and we could have had some kind of activity in this House, but the Leader or co-leader, or interim leader of the NDP has chosen not to allow debate here today which does not in any way impede her ability to debate.

On that note, given that the NDP doesn't want to continue to debate today in this House, which is quite unfortunate, I would move, seconded by the Minister of Natural Resources, that this House now do adjourn.

Thank you.

MR. SPEAKER: It is moved and seconded this House do now adjourn.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

This House stands adjourned until tomorrow at 10 o'clock.

On motion, the House at its rising adjourned
until tomorrow, Wednesday, at 10 a.m.