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Speaker: Honourable Derek Bennett, MHA

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The House met at 1:30 p.m.

SPEAKER (Bennett): Order, please!

Admit strangers.

Good afternoon everyone.

Today, I would like to welcome in the public gallery members from the Coalition of Persons with Disabilities Newfoundland and Labrador, as well as persons from the disability community of Newfoundland and Labrador.

Welcome.

SOME HON. MEMBERS: Hear, hear!

Statements by Members

SPEAKER: Today we'll hear statements by the hon. Members for the Districts of Lake Melville, Placentia West - Bellevue, St. George's - Humber and Stephenville - Port au Port.

The hon. the Member for Lake Melville.

P. TRIMPER: Speaker, our hearts are broken in Lake Melville after losing a good friend, retired German Air Force Colonel Helmut Röhrig. He was in command of German flight training at 5 Wing Goose Bay from 2002 until 2006.

A proficient Tornado fighter pilot, Helmut was an inspirational leader amongst those deployed, as well as those of us living in Labrador. His civic priority was community integration offering numerous German cultural events while participating with the locals in snowmobiling, fishing, golf, music and the international Rotary Club. Over the years, Helmut and his wife Gudrun hosted many of us at their farm, filled with Labrador memories, in Sensweiler, Germany.

In 2006, to ensure a legacy of appreciation, Helmut created a fund to continue German Air Force support of several Labrador

community causes. He returned often to rekindle friendships and support ongoing military training at Goose Bay.

In a few weeks, the Rotary Club will organize the 33rd long-term care facility Christmas party, sponsored by the German Air Force.

As family and friends gather in Germany to celebrate the life of Colonel Röhrig, I would ask this House of Assembly to extend our appreciation for his legacy of international friendship and co-operation.

Danke schön.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Placentia West - Bellevue.

J. DWYER: Thank you, Speaker.

Today, I stand in this hon. House to recognize the Victory Pentecostal Church located in North Harbour, Placentia Bay in the beautiful District of Placentia West - Bellevue.

The Pentecostal message first came to North Harbour in 1921. In 1922, two young ladies came to hold meetings and they preached the Pentecostal message. They were followed by two men, Mr. John Barnes and Mr. R. C. English which led to the construction of the first Pentecostal Church.

On September 22, I was honoured to join Pastor Troy Seabright and the church community at the Victory Pentecostal Church to celebrate their 100th anniversary followed by a beautiful service on September 24.

It is safe to say that they are a small church with a big heart. I would like to extend my sincere thanks and gratitude to the church for allowing me to celebrate such a tremendous milestone with them.

I ask all hon. Members of the 50th General Assembly to please join me in congratulating the Victory Pentecostal Church on their 100-year celebration and wish them great success with their future endeavours.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

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

S. REID: Speaker, William – or Bill – Pardy is one of Pasadena's leading citizens. In his life he has done many things. He has been an economic and community practitioner with over 40 years of professional experience in Canada and internationally.

For 12 years he was a councillor and mayor of Pasadena. As a successful businessperson and volunteer, he is known for his combination of hard work and an aptitude for creativity, innovation and problem solving. Besides his work and experience at home in Pasadena, he has lived and worked in Quebec, Scotland, Ukraine, The Gambia and has completed numerous assignments in Europe, throughout Africa, Asia including China, Hong Kong, Taiwan, Thailand and India.

In his humanitarian work, he has been a supporter and contributor to people in some of the poorest countries in the world. Mr. Pardy is an avid essayist with articles and essays published by universities in academic and other journals and throughout various media sources.

Speaker, I ask all Members of the House to join with me in recognizing the work of Mr. Pardy for all the work he has done and continues to do at home and around the world.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

T. WAKEHAM: Thank you, Speaker.

Jim Mercer of Stephenville Crossing, originally from Bell Island, is a man of many talents. Jim is probably best known for sharing his love of music with communities in Bay St. George. Jim volunteers countless hours, contributing to numerous community events, fundraisers, prisons and retirement homes.

Playing music has been a hobby of Jim's since receiving his first button accordion for his birthday at the age of four. After his retirement from social work, his hobby turned into a passion. Self-taught, Jim is proficient in many instruments: piano, guitar, mandolin, saxophone, fiddle, banjo, button accordion, piano accordion and the list goes on.

In recent years, in an effort to keep traditional music alive among the youth, Jim has been visiting the schools in Stephenville and giving accordion lessons to students from Grades 4 to 6 on their lunch breaks – yes, on their lunch breaks. His young accordion group is often the main attraction at many local events in the community.

In 2020, Jim received the Governor General's award, the Meritorious Service Medal, for his efforts to preserve and pass on traditional music and for creating programs that promote traditional instruments and folk music integral to the heritage of Newfoundland's West Coast.

I ask all hon. Members to thank Jim for his dedication to sharing his love of music with so many others.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Statements by Ministers.

Statements by Ministers

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

T. OSBORNE: Thank you, Mr. Speaker.

I rise in the House today to celebrate the opening of new Memorial University Faculty of Nursing learning sites in Gander and Grand Falls-Windsor.

SOME HON. MEMBERS: Hear, hear!

T. OSBORNE: Sites outside of Memorial's St. John's campus, such as Gander, Grand Falls-Windsor, Corner Brook and Happy Valley-Goose Bay create opportunities for students who want to become nurses to receive their education closer to home.

We take great pride in increasing opportunities for people to earn their nursing degrees. We also take great pride in the number of nurses who we have recruited to work in Newfoundland and Labrador.

This year, every nursing graduate was offered employment to work in our province. Since April, 239 new nurses have been hired.

SOME HON. MEMBERS: Hear, hear!

T. OSBORNE: Mr. Speaker, we continue to provide significant financial incentives, including signing bonuses, educational bursaries and incentives for nurses working abroad who want to return home.

We are focused on retention. We have offered retention bonuses earlier this year totalling \$10 million, incentives to nurse practitioners who commit to work in family care teams and are implemented recommendations from our collaboration on the Nursing Think Tank. All of this is the result of government's plans to transform our health system.

We encourage nursing students, graduates and nurses who work abroad to visit to learn more about the ways we are working to add more nurses to our health care system.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

B. PETTEN: Thank you, Speaker.

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

We applaud every student who chooses to become a nurse whether at the St. John's campus or campuses at Corner Brook, Happy Valley-Goose Bay, Gander or Grand Falls-Windsor. We believe these nursing students ought to be offered job opportunities, right at their point of entry in our nursing programs.

Our province needs them and wants them here. We ought to make this clear, right from the start. Let's encourage them to see their future here and plan to settle down here. Our health care system cannot function without nurses. We've seen too many of our experienced nurses move away or leave their profession because their concerns have not been listened to or properly addressed.

They have been accused by their own government of not working hard enough and demanding too much. That is the root cause of the crisis in retention. Things have to change and every step in a better direction is important. Nurses have raised concerns about travel nurses being offered benefits far in excess of their own. They see nurse recruitment efforts abroad getting a higher priority than nurse retention efforts here at home.

Yes, we need nurse recruitment and we welcome those who come, but retaining the

professionals we already have and offering jobs to those who already have training, these are crucial steps in restoring our health care system.

We will stand by nurses and keep the heat on this government because our nurses need better.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Torngat Mountains.

L. EVANS: Thank you, Speaker.

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

We, too, celebrate this expansion. Newfoundland and Labrador needs these new graduates to remain here in our province. So we call upon the government to treat retention of all workers as a main priority so that our public health care system can return to a healthy state.

Thank you.

SPEAKER: Are there any further statements by ministers?

Oral Questions.

Oral Questions

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

T. WAKEHAM: Thank you, Speaker.

The Seniors' Advocate did a survey on the percentage of seniors who could not afford their medication.

I ask the Premier: Do you recall the Advocate's statistic?

SPEAKER: The hon. the Premier.

A. FUREY: Thank you, Mr. Speaker.

While my head has a lot of statistics in it, that's not one that I could accurately state today in the House. That said, we're always working with seniors to ensure that, given the high cost of living currently, we're doing everything we can and we will be doing more. But we are trying, of course given the cost-of-living issues, to address all of their issues including arguing to the federal government to remove carbon tax from the home heat.

SOME HON. MEMBERS: Hear, hear!

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

T. WAKEHAM: The actual statistic, for the Premier's knowledge, is 25 per cent. Twenty-five per cent of seniors say they can't afford their medications.

Does the Premier know the percentage of seniors who did not purchase medical devices for lack of money?

SPEAKER: The hon. the Premier.

A. FUREY: Once again, Mr. Speaker, we are committed to our seniors. We are committed, as the Minister of Finance has suggested, we increased the seniors' supplement. We are giving back to, not just the seniors, but to everyone across the province. We'll continue to make sure that we are doing everything we can to support them.

Again, I point to the fact that our voice was heard with the prime minister and any senior on a fixed income now no longer has to pay carbon tax on their home oil.

SOME HON. MEMBERS: Hear, hear!

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

T. WAKEHAM: Mr. Speaker, I remind the Premier that carbon tax has not been eliminated. It has been paused and the only reason it has been paused is because there is an election coming.

The only way carbon tax would get eliminated is when the Liberal governments get eliminated. It's that simple.

SOME HON. MEMBERS: Hear, hear!

T. WAKEHAM: Does the Premier know the percentage of seniors who went without food or did not purchase the food to meet their dietary requirements?

SPEAKER: The hon. the Premier.

A. FUREY: Thank you, Mr. Speaker.

Let me address the preamble. With respect to the carbon tax, it was this side of the House that argued with the federal government –

SOME HON. MEMBERS: Hear, hear!

A. FUREY: It was us who made sure that the federal government understood.

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

A. FUREY: And while this is a good first step, surely, the Members opposite can appreciate it is a good step for seniors on fixed incomes who had to pay carbon tax otherwise on home heat, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

T. WAKEHAM: Speaker, the hypocrisy has not been lost on anyone in this Province of Newfoundland and Labrador. They know who introduced carbon tax to the province.

SOME HON. MEMBERS: Hear, hear!

T. WAKEHAM: They knew who voted to increase it, so they know exactly what this Liberal government did when it comes to carbon tax.

SOME HON. MEMBERS: Hear, hear!

T. WAKEHAM: The answer for the Premier's information on the statistic about food is 60 per cent. Sixty per cent of the seniors say they went without food or did not purchase the food they needed to meet their dietary requirements.

Does the Premier know the number of people who said their family does not have enough money to live on?

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

S. COADY: Thank you very much, Speaker.

I really appreciate the question because it is an important one. But I'll go back and I'll thank the Premier for his diplomacy –

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

I'm not having Members shouting back and forth. I need to hear the question.

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

S. COADY: I'll thank the Premier for his diplomacy and tenacity in ensuring that the prime minister removed over 17 cents in carbon tax from home heat.

SOME HON. MEMBERS: Hear, hear!

S. COADY: So thank you, Premier.

This is in addition to the \$500 rebate that the province is giving – especially for seniors – those that live with oil heat and

qualify for the program. We've given free driver's medicals, Speaker. We've ensured a 15 per cent increase in Seniors' Benefits. We're doing everything that we can to support our seniors and to support families in Newfoundland and Labrador.

SOME HON. MEMBERS: Hear, hear!

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

T. WAKEHAM: Speaker, I'd like to point out that that statistic that I talked about is 30 to 40 per cent. Thirty to 40 per cent of people seniors say their families don't have enough money to live on.

I ask the Premier: How many people in this province are relying on food banks right now?

SPEAKER: The hon. the Premier.

A. FUREY: Thank you, Mr. Speaker.

I'd like to point out a statistic that is familiar to everybody in this province, including the seniors who would be struggling right now. The fact is that if it wasn't for this government, they'd be paying double in their electricity rates because of Muskrat Falls – \$5.2 billion – we're paying \$192 million every single year because of decisions made by that side of the House to ensure that seniors' electricity rates do not double.

SOME HON. MEMBERS: Hear, hear!

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Are Members ready?

The hon. the Leader of the Official Opposition.

T. WAKEHAM: Speaker, as I said before, one day Muskrat Falls is a great thing and then, the next thing, it's not. When they want to talk about hydroelectricity

development and green energy, Muskrat is a good thing. When they wanted to talk about poverty, it's not a good thing. This is not about Muskrat Falls. This is about the seniors of Newfoundland and Labrador who are struggling right now to make ends meet.

Premier, all of this highlights the need for a poverty reduction strategy that's indexed to inflation.

Why has it taken this Liberal government almost a decade and we still do not have a poverty reduction strategy?

SOME HON. MEMBERS: Hear, hear!

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

S. COADY: Thank you, Speaker.

Allow me to address some of the preamble. I can tell you who did not think the Muskrat Falls project was valuable, was Commissioner LeBlanc and he did a full inquiry on the Muskrat Falls and called it a debacle. Speaker, I can say over and over again that it's costing this province – last year we paid \$192 million in rate mitigation to Hydro to ensure that the people of this province, including seniors, including those in poverty do not have their rates doubled, Speaker.

This is absolutely the truth and I can say to the Member opposite, the poverty reduction is foremost on this government's mind.

SOME HON. MEMBERS: Hear, hear!

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

T. WAKEHAM: Speaker, last week, the Liberal government announced virtual physician coverage, 24-7.

I ask the Premier: Will doctors providing virtual care under this new contract be paid

the same rates as other doctors in our public system?

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

T. OSBORNE: Thank you, Mr. Speaker.

Mr. Speaker, I can tell you what won't be happening with doctors in this province, despite the fear mongering of the Member opposite, they always look for the bad in the good announcement. This will provide additional primary care for individuals throughout the province.

The Member last weekend with media said that we will have a drain of physicians, like travel nurses in this province, Mr. Speaker. That is not the case. In fact, if he did his homework he would have seen through the RFP, which is a public document released, that this company will not be able to poach our doctors, there will not be a drain of doctors from this province.

I wanted that correct for the record.

SOME HON. MEMBERS: Hear, hear!

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

T. WAKEHAM: Speaker, I'll quote from the minister's press conference, again, I quote: The proponent that we've gone with has guaranteed us access to physicians. There's another quote that says: They will have 24-7 virtual physician coverage – he's talking about New-Wes-Valley – which should help keep that site open, provided we have a nurse practitioner for the site. That doesn't sound like 24-7 guaranteed coverage.

I ask the minister: How many nurse practitioners are currently working at that site?

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

T. OSBORNE: Thank you, Mr. Speaker.

Mr. Speaker, we are recruiting nurse practitioners as the Member opposite knows. We've actually decreased the number of diversions from our category B medical sites throughout the province; we continue to do that. Primary care for our emergency departments will help reduce the number of diversions. More importantly, it will provide primary coverage virtually with a physician for all patients initially on Patient Connect; eventually all patients throughout the province.

Again, how is this a bad thing, I ask the Member.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Opposition House Leader.

B. PETTEN: Thank you, Speaker.

Obviously the minister doesn't know the answer to that question, otherwise he would have told us in the first 10 words instead of carrying on for 30 words.

Mr. Speaker, the minister likes to refer to fear mongering; we like to refer to it as accountability. It's our role in the Official Opposition to ask questions and we'll never be accused of fear mongering. We're doing what's right for people in this province.

SOME HON. MEMBERS: Hear, hear!

B. PETTEN: No apologies, Minister.

Speaker, it has been almost a full year since we began sending cancer patients to Toronto because of a shortage of radiation therapists. Patients, at a scary time of their lives, are sitting alone in Toronto hotel rooms.

Speaker, when is the Liberal government going to start providing cancer care at home?

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

T. OSBORNE: Mr. Speaker, we would like to stop having to send patients to Toronto, but the alternative is that they don't have the care that they need. We have been able to reach an agreement with Toronto, Mr. Speaker, that they will provide the care they need while we are recruiting.

The reality of the fact is that we recruited six individuals to that unit, Mr. Speaker, in recent months. We continue to recruit. We do want to get the extra unit open, but we do need to ensure we have the proper staff so that people can be provided the treatment in the fourth unit safely and properly. Until then, we will continue to send them to Toronto so that they have the care that they need, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Opposition House Leader.

B. PETTEN: Speaker, it is no good to recruit in the front door when the stampede is continuing out the back door. The fourth machine has been shutdown for over a year and the failure rests at the feet of the Members opposite.

How many more hundreds of cancer patients are going to have to leave the province before government fixes the retention problem?

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

T. OSBORNE: Mr. Speaker, I'm not sure if the Member heard my previous answer, but we've recruited six individuals to that unit in recent months. We will continue to recruit.

There is a shortage of those specialists throughout the country, Mr. Speaker, that is a known fact. We have been successful in recruiting six individuals to that area of

health care. We will continue to recruit, Mr. Speaker. It is competitive but we have had success. We'll continue to ensure that we recruit to that area so we can get the fourth unit open.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Opposition House Leader.

B. PETTEN: Speaker, the failure is that they couldn't keep them.

SOME HON. MEMBERS: Hear, hear!

B. PETTEN: That's your failure. You can recruit all you want but if you can't keep them, it is a revolving door, Mr. Speaker.

Speaker, again we can recruit all we want but this government has failed to hold on to these professionals leaving the province for more pay and better working conditions elsewhere, that is the problem.

Hundreds of our residents are not getting the critical cancer treatment within the 28-day national standard. When is this going to stop?

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

T. OSBORNE: Again, Mr. Speaker, I can continue to say we recruited six individuals to that area of health care delivery, recently. We will continue to recruit, Mr. Speaker. Yes, of course, we want to get people below the benchmark wait times, Mr. Speaker. It is more important that we provide the health care while that unit is shutdown and we send them to Ontario to ensure that we provide the health care that is required.

We make no apologies for ensuring that people have the health care that they need. Unfortunately, there is a shortage across the country in that area. We have put in place, Mr. Speaker, market adjustments to help retain those individuals recently. We've

made that pensionable. I know the Minister of Finance is working on the pensionability issue for all market adjustments.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Bonavista.

C. PARDY: Speaker, whenever government is asked about what they've done for seniors, the Premier issued an answer, as did the Minister of Finance and President of Treasury Board, that they've increased the Seniors' Benefit to combat the cost of living for them, but it's not indexed.

Speaker, across the province, the Seniors' Advocate has identified that 40 per cent of seniors cannot afford to eat a proper diet.

What measures can we expect now to address this crisis? Seniors know well that the Liberal sugar tax did not help the seniors afford their food.

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

S. COADY: I can say what did help – what did help was the Premier's diplomacy in making sure that 17 cents of the carbon tax is removed from home oil heat, Speaker.

SOME HON. MEMBERS: Hear, hear!

S. COADY: That will certainly help. What else helps is the fact that we do have a program to support seniors and others –

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

The hon. the Minister of Finance and President of Treasury Board, you have 25 seconds.

S. COADY: Thank you, Speaker.

What does help is the \$500 that we are giving from the Province of Newfoundland and Labrador to support people that heat their homes with oil. What does help is a 15 per cent increase in the Seniors' Benefit that can be stacked upon the Income Supplement as well, Speaker. We've been able to cut the cost to driver medicals as well, giving free driver medicals. These all help seniors, Speaker.

SPEAKER: Order, please!

The minister's time is expired.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Bonavista.

C. PARDY: If this government didn't bring in the carbon tax on home heating fuel, then we probably wouldn't have the issue with the cost of living we currently have as one indicator that we currently have.

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

C. PARDY: The Seniors' Advocate, I repeat, states that at this point in time 40 per cent of seniors can't afford to eat a proper diet. After Thursday's questions on the cost of living in this House and the plight of Newfoundlanders, I received an email from a couple in my district: 2½ years is how long this couple has been waiting for an occupational therapist to visit their home in Bonavista to avail of the home modification program through Newfoundland and Labrador Housing Corporation.

SPEAKER: Get to your question.

C. PARDY: How is 2½ years an acceptable wait time for this couple?

SPEAKER: The hon. the Minister of Labrador Affairs.

L. DEMPSTER: Speaker, I want to address the Member's preamble because it's unbelievable how there's no accountability for facts or truth. It is absolutely wrong to – I was the minister in the summer of 2019, carbon was coming, it was being pushed top-down. At that time, we made a decision that was best with the circumstances we were in for the people of this province and home heat, we got an exemption there.

Speaker, day after day, to talk about what's

–

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

If Members continue, they will be named and lose their speaking privileges. It's hard to hear the Member speak.

The hon. the Minister of Labrador Affairs.

L. DEMPSTER: We come in here day after day and talk about seniors and the high cost of living. The cost of living right now in Newfoundland and Labrador and across this country is higher than it's ever been. It's terrible. There are many reasons, Speaker, and they don't like us to talk about the project they sanctioned for \$6.6 million and then it became almost \$14 million; \$190 million year over year that (inaudible) –

SPEAKER: Order, please!

The minister's time has expired.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Bonavista.

C. PARDY: Speaker, I've asked two questions in the House this afternoon. Forty per cent of the seniors cannot form a proper diet and I asked: What are you going to do for these seniors?

The second one I'd asked is the couple in Bonavista has been waiting 2½ years to get a visit from the occupational therapist. Is it acceptable? If not, what are you going to do about it?

SPEAKER: The hon. the Minister of Labrador Affairs.

L. DEMPSTER: Speaker, if there hadn't been as much noise there I might have got to addressing the question.

As the former minister for seniors in this province, when I was in the department we had \$286 million, the most ever in the history of Newfoundland and Labrador in poverty reduction initiatives. We have continued to build on that and we're going to continue to do what we can for seniors in this province, Speaker, in these very trying times.

I know there was a shuffle of critics over there on the weekend but the new leader cannot distance himself from the decisions that he made. You can't pick and choose who you care about in Newfoundland and Labrador. We care about rural areas as well and we'll continue to support and keep nurses in communities. We won't make big, impactful decisions without consulting, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Placentia West - Bellevue.

J. DWYER: Speaker, we are in to question 15 or 16 now and we still never got an answer. It's hard to deal with Question Period like that; still no answers.

Speaker, the minister has promised a feasibility study relating to alternatives and costs incurred by citizens of Marystown due to the closure of the Canning Bridge. One such alternative is the utilization of a Bailey Bridge while we await construction of a new bridge.

Will this Liberal government make this study public?

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

J. ABBOTT: Speaker, thank you very much for the opportunity to respond.

As I mentioned last week, I was in Marystown and we had a public meeting. We discussed a number of options to make transportation from the north, south and south, north in Marystown while we had to close down the existing bridge.

One of the options put forward was looking at the idea of a Bailey Bridge. We are currently studying that. Once we get our analysis completed we'll be sharing that with the Member, with the House, with the community and the public generally and determine what the course of action we can move forward.

The stipulation I made in Marystown was quite simply this: If it is technically feasible to do it, we will. If it's not, we won't.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The Member for Placentia West - Bellevue.

J. DWYER: I appreciate the answer.

I would ask the minister: How much longer are we going to have to wait for the feasibility study? How advanced is that since October 5?

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

J. ABBOTT: Speaker, I guess the answer to the question is as soon as it's completed, we'll obviously make that available. It's a very technical analysis that is required. We have our consulting engineers involved. We

have our staff involved. We will be consulting back with the town and the community before we make a final determination. That's going to take several more weeks but, once it's completed, we'll be sharing that with the public, with the House and with the Member.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

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

J. WALL: Speaker, there's snow in the forecast and for those experiencing homelessness in our province, they are still waiting on solutions. Unfortunately, last week the answer was in rat-infested conditions.

How will the minister get those who are currently experiencing homelessness in our province in out of the cold?

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

P. PIKE: Thank you for your question.

Last week, when the people that we moved complained about where they went, we immediately went there. The City of St. John's, as well, went there and did full inspections. We moved the three individuals that were there to a different location.

But I've got to tell you, we have to encourage people who are experiencing homelessness to look at our shelters. In our shelters, we offer wraparound supports for those individuals who, hopefully, we can then ease them into housing units. That's where we're to with that.

I'd also, if I can –

SPEAKER: The minister's time has expired.

SOME HON. MEMBERS: Hear, hear!

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

J. WALL: Speaker, in a scrum on October 26, the minister mentioned that a company or consultants have been hired to do a full review of public housing units.

Can the minister please explain the scope of their work and when can we expect to see those results?

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

P. PIKE: Thank you for your question.

The first thing I'd like to say before I begin is to talk about – if you wouldn't mind – the news today of the fire was really heartbreaking – the fire we had down on Lime Street, as well as down at Livingstone. Our thoughts are with the families that were displaced during this fire. It's something that nobody wants to hear. We also thank our first responders and the people that live in that neighbourhood.

SOME HON. MEMBERS: Hear, hear!

P. PIKE: I just want to say that our staff, our social workers have been on site since the fire this morning and, as well, working with the Canadian Red Cross to help those individuals and provide shelters and places for them to get in out of the cold.

So we'll continue to work –

SPEAKER: The hon. minister's time has expired.

The hon. the Member for Exploits.

P. FORSEY: We haven't seen a consultant's report, Speaker.

Minister, during Estimates this spring, it was noted there were a number of unfilled positions in the Fisheries, Forestry and Agriculture Department, contributing to

extensive delays in Crown Lands and processing time.

I ask the minister: What is the vacancy rate in your department?

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

E. LOVELESS: Thank you, Mr. Speaker, and thank you for the question.

I wasn't the minister that was in Estimates at the time. A former minister who has done fabulous work in that area – there are vacancies in Crown Lands; we recognize that. I visited the office in Corner Brook a couple of weeks ago and the first question I asked was in terms of the vacancy rate.

There are some challenges. We're working on those challenges in terms of recruitment. It's not the norm. The former department I was in, as well, there are always challenges in terms of recruitment but we'll keep our feet to the fire in terms of recruiting others to come in to help with those files in Crown Lands.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Exploits.

P. FORSEY: Speaker, again, we are hearing of staff department being overworked, understaffed and struggling to keep up with the needs of the people. While the department is slow to respond, residents are being taken to court over their own homes.

Will the minister address the vacancy in positions?

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

E. LOVELESS: I thank the Member for the question.

As I said, the first question that I asked in terms of the vacancies: Where are they? How many? I recognize that. It's not that the department is slow in responding. The challenge of recruitment is a challenge, no matter if it's government or outside of government, but it's a challenge that I'm aware of. I have my sleeves rolled up and I'm going to address it.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Terra Nova.

L. PARROTT: Speaker, winter months are quickly approaching.

What has the Liberal government done to ensure the province does not experience a fuel shortage?

SPEAKER: The hon. the Minister of Industry, Energy and Technology.

A. PARSONS: Thank you, Speaker.

Certainly, winter is fast approaching. What I can say is the same as we always do every year. We certainly keep in touch with suppliers, distributors. It's, basically, a weekly conversation that we have in our department. We're cognizant of the fact that we are reliant on outside supply but it's something that I leave in the very solid, dependable hands of staff within IET. We'll continue to do that.

But I would invite anybody if they ever have any concerns to feel free to reach out to us at any time. You can never be too proactive when it comes to these things.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Labrador West.

J. BROWN: Thank you, Speaker.

Speaker, during the discussion after the state of the province, the Premier stated when questioned about housing: This did not catch us entirely by surprise. In the House of Assembly on October 16 while discussing the housing crisis the Premier stated: "You can't have a plan for something that hasn't occurred yet."

I ask the Premier: Which is it, was the government fully seized with the housing crisis or did the Premier just misspeak again?

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

S. COADY: Thank you very much, Speaker.

I'm sure the Member opposite has reviewed the Budget Speech from last year. We certainly put in a tremendous amount of money. The Budget Speech for this year put in over \$140 million, that included \$25 million for those experiencing or at the risk of homelessness; \$17 million to maintain and modernize provincial social housing; \$16 million for rental assistance programs; \$10 million in grants for homeowners in low income; and, of course, \$70 million for affordable housing program to help construct over 850 affordable homes.

Certainly, Speaker, we have been working very hard in ensuing that we address social housing, but we're also equally seized with keeping housing more affordable.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Labrador West.

J. BROWN: Thank you, Speaker.

The Canadian Housing and Mortgage Corporation projects 60,000 homes need to be built in this province over the next six years to even meet the current demand.

Why hasn't this government released a plan that acknowledges and meets the targets set out by the CMHC?

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

S. COADY: Thank you very much, Speaker.

I've already read into the record some of the considerable investments that we're making in social housing; some of the considerable work that is being done. This is on top of work that has been done previously, Speaker. This is just this year, I've read into the record.

Not only have we invested in social housing but we've also invested in a five-point plan to ensure that we keep housing affordable, things like the new residential rental property rebate; things like ensuring that surplus buildings and land belong to the government are made available; things like secondary and basement suite incentives; things like ensuring that we have a housing development loan program; things like homeownership assistance programs.

Speaker, I can continue to go on but we're doing our best for housing.

SPEAKER: Order, please!

The minister's time has expired.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Torngat Mountains.

L. EVANS: Speaker, the Premier has announced he will apologize to residential school survivors of Nunatsiavut. We need that apology to be sincere. Most survivors are now seniors, but his government has continually failed to address quality of life issues our elders in Nunatsiavut face.

I ask: How can we accept the Premier's apology is sincere?

SPEAKER: The hon. the Minister of Labrador Affairs.

L. DEMPSTER: Thank you, Speaker.

My mind goes back to 2017 when the prime minister came to this province and he offered an apology. It took place at the Lawrence O'Brien Arts Centre in Goose Bay. I happened to be there at that time.

On the heels of that, the former premier made a commitment to carry out apologies to the residential school survivors in our province. People who were impacted – their pain and their trauma was real – impacted by institutions where they attended with people that were entrusted to provide and care and nurture for them.

We have been working on these apologies since that time, Speaker. COVID delayed things a little bit. One apology has happened and I'm really pleased that my department have been working very closely with the Nunatsiavut Government and the Premier has fully committed and will be making his way to –

SPEAKER: The hon. minister's time is up.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Torngat Mountains.

L. EVANS: Speaker, yes, residential school survivors, their trauma is real – was real, is real. They demand quality of life.

Speaker, I ask the Premier – the Premier: Will he address the quality of life issues residential school survivors' face: the ability to heat your house so you're not cold; the ability to buy food so you're not hungry; the ability to access adequate health care so you're not bumped off medical flights; not receiving a cancer diagnosis until it is too late; now cripple from treatable conditions because the treatment comes too late.

I ask the Premier: Will he address quality of life issues facing our residential school survivors?

SPEAKER: The hon. the Minister of Labrador Affairs.

L. DEMPSTER: Speaker, I didn't get time to answer all of the Member's questions.

She asked was the Premier sincere. She's seen the advisory, I imagine most people in this House have, the Premier is spending three days, six apologies. This is about the residential school survivors. We cannot lose sight of who this is about and if they were not ready, this would not be proceeding at this time.

This is something that we have been working on for months and months and months. The circumstances around the apology are very heavy. I actually listened to an individual who has suffered a lot of pain and trauma on the radio this morning, CBC, and they asked would he be going to see the Premier. Yes, he said, I will be going. I want to hear what he has to say.

We cannot lose sight of that and I think we need not question the sincerity of the Premier when the House is sitting and he committed to three days and six apologies. I'm glad to see that this is finally coming to fruition, Speaker.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The time for Oral Questions has expired.

Presenting Reports by Standing and Select Committees.

Tabling of Documents.

Tabling of Documents

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

S. COADY: Thank you, Speaker.

In accordance with Section 60 of the *Financial Administration Act*, I'm happy to table the Public Accounts for 2022-23. We, again, have an unqualified audit opinion from the Auditor General.

SPEAKER: Are there any further tabling of documents?

Notices of Motion.

Notices of Motion

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Speaker, I give notice that I will on tomorrow move the following motion:

That in accordance with Standing Order 65, the Public Accounts Committee shall comprise the following Members: the Member for Exploits, the Member for Placentia - St. Mary's, the Member for Baie Verte - Green Bay, the Member for Labrador West, the Member for St. George's - Humber, the Member for Lake Melville and the Member for Cape St. Francis.

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Speaker, I give notice that I will on tomorrow move in accordance with Standing Order 11(1) that this House not adjourn at 5:30 p.m. on Tuesday, October 31, 2023.

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Speaker, I give notice that I will on tomorrow move that notwithstanding

Standing Order 9, this House shall not adjourn at 5 p.m. on Wednesday, November 1, 2023, but shall continue to sit to conduct Government Business and, if not earlier adjourned, the Speaker shall adjourn the House at midnight.

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Speaker, I give notice that I will on tomorrow move in accordance with Standing Order 11(1) that this House not adjourn at 5:30 p.m. on Thursday, November 2, 2023.

SPEAKER: Further notices of motion?

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

S. STOODLEY: Speaker, I give notice that I will on tomorrow introduce a bill entitled, An Act to Amend the Pension Benefits Act, 1997, Bill 61.

SPEAKER: Are there any further notices of motion?

Answers to Questions for which Notice has been Given.

Petitions.

Petitions

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

P. LANE: Thank you, Speaker.

We, the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador to institute a six-month pause on approving industry projects on the Southwest Coast and urge the government to initiate an independent inquiry.

WHEREAS a Cumulative Effects Assessment will be conducted to include industry risks on water systems; and

WHEREAS there will be meaningful consultation hosted by the Newfoundland and Labrador government to openly discuss the proposed projects, specifically the Cumulative Effects Assessment, government role, as well the role of Local Service Districts and Indigenous bands; and

WHEREAS, if approved, there is a regional benefits package, during the entire project lifespan, of company profits provided directly to those affected in the region; and

WHEREAS, if approved, each company must be required to open an escrow account before any project commences to completely fund decommissions and land rehabilitation;

WHEREUPON we, the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador to institute a six-month pause, with time extension possibilities, on approving industry projects on the Southwest Coast.

Mr. Speaker, I present this on behalf of those people and all the people who have signed this petition. I do so, not necessarily because of my own personal views, but because every citizen in this province has a right to be heard.

I've actually presented petitions in this House of Assembly on one side of an issue and then on the other side of the issue, because I truly believe that all citizens do have that right, to have their voices and their opinions heard in this House of Assembly, pro and con for any particular issue, subject or project.

There's no doubt there are some people here that are against a project, in totality, but there are also a lot of people who just have concerns about the process. I understand the minister has said in this

House, and I do appreciate that, that compared to Nova Scotia, our process has been much more thorough. But in the meantime we do have a very, very significant document, several thousands of pages – technical information – and a lot of people are just looking for more time to be able to digest all that technical information, make informed decisions and to have another opportunity to be able to present their concerns, if they have any through an environmental process and to the government, just to make sure that the project is done right.

I will also say that there are people who have concerns about the impacts it might have on the power grid. I understand that Hydro has said that if you hook up to the grid it would be the responsibility of the proponent, but there are people wondering will upgrades be required to the grid because of all these projects, and will those costs end up being passed on to ratepayers? And there's a concern about that. There's also a concern about cumulative effects, health effects –

SPEAKER: Order, please!

The hon. Member's time is up.

P. LANE: – that could come from this project.

Thank you, Speaker.

SPEAKER: The hon. the Member for Bonavista.

C. PARDY: Mr. Speaker, the tendering process or procurement process in our province, on occasion, results in long wait times that impact local businesses and negatively impacts economic development in the District of Bonavista. While due diligence is essential, greater efforts must be made to reduce the time period involved in order to maximize economic development.

We, the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador to establish and adhere to reasonable timelines for the tendering process to be brought to its conclusion.

I'd like to be able to highlight two examples in the District of Bonavista, which serve as the genesis for this petition. There was a call on October 27, 2020, for office space in my district for CSSD. The business placed their \$8,000 deposit on it, and they kept the space open because they were going to be available for the office space for CSSD.

Well, the start date was October 27, 2020. This spring, 2½ years later, the business or the company got their information that they were not successful. I say before I move on to my second example, think – \$8,000 tied up and the second thing, a fleet of office space tied up waiting for a decision and I would say that's unconscionable and that should not happen.

The second one I'd like to mention is a more recent one. I was fortunate enough to become an MHA in 2019. One of the first visitors in the office was a business lady who was interested in purchasing the Trinity Train Loop. She walked in and said that she's been trying since 2013 to occupy this property, Trinity Train Loop in Trinity. Well, finally in 2023 the RFP was issued. It was issued on January 20, closing March 3.

Now the House is wondering where are we now with that tender? Well, we are now October 30 and there is no response back from the bids on the Trinity Train Loop. We're looking at half a year. This lady's fear is it's going to be as long as the businessperson who had the office space and waited 2½ years. We have to do much better.

SPEAKER: The hon. the Member for Placentia West - Bellevue.

J. DWYER: Thank you, Speaker.

These are the reasons for this petition:

The closure of the Canning Bridge in Marystown has had a devastating impact on residents, fire and emergency services and the local economy.

The Department of Transportation and Infrastructure are well aware of the poor condition of the bridge, most recently documented in a bridge inspection report completed in January 2020, which confirmed the Canning Bridge was in poor condition.

Therefore, we petition the hon. House of Assembly as follows: We, the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador to immediately begin the process to replace the Canning Bridge.

The process has started, and I'm pleased to say that, but there is a group that's been formed in the Marystown area. All very prominent citizens, very much community leaders. They brought forward at the public meeting on October 5 – and I will say publicly that I do support their initiatives and how they're organized and what they're doing.

One of the things that they brought to the floor of the assembly when we met on October 5 at the hotel in Marystown was the implementation of a Bailey Bridge to kind of get us through the interim, because the impact is so great. People don't understand that, yes, it's an inconvenience to people that are looking from the outside looking in, but you ask somebody from Beau Bois, Little Bay, Shoal Point, Johnny Green's Neck, the north side of Marystown how this is affecting them and you'll get some pretty stark answers.

I think a Baily Bridge is something that I can support. I have no problem with that, but I just want to make sure that the government is looking at it that way as well.

The other thing I'd like to mention while presenting this petition, I noticed on one of the signees here, she's actually a worker that I was with on the weekend – they had a Halloween dance for the disabilities community, and she was there and she was telling me some of the impacts just on her being able to take care of these two adults with special needs. The thing is that we always talk about low income and fixed incomes and stuff like that, but the other thing I'd like to mention is that it's the middle class that are hurting too because of this, and you are adding this now on top of the cost-of-living pressures that are already on these people.

I just want to let the people know, the low income, the fixed income, the middle class, and everybody on the south side and in the Marystown area that I support them. I would support a Bailey Bridge, if it's a feasibility comes back and it's a great option, but I want to make sure that the people of Marystown know that I want that option explored and I want to hear the answer when it's prepared and ready to be presented here at the House of Assembly.

Thank you, Mr. Speaker.

SPEAKER: The hon. the Minister of Children, Seniors and Social Development, for a response.

P. PIKE: Well, I'd like to respond because I attended that meeting as well. There was a lot of support there for getting a new bridge in Marystown. There are also a lot of questions around the Bailey Bridge and if we could find a Bailey Bridge that would be long enough to go across. That's being explored now by the department.

The other thing that we were exploring as well is some sort of social busing, social transportation so we can help people living in the area to get to where they want to go on the other side. Because as we all know, anybody that knows Marystown, realizes that on the other side of Marystown is where

all the services are. So if we could help there in some way, that would be great.

Myself and Minister Abbott, we certainly did propose that at our meeting. We would like to have a discussion with yourself and the people on that committee in the Town of Marystown, the council and so on. We would like to sit down and have a chat with them about that, just to see if that's something just in case the Bailey Bridge is not feasible.

Thank you.

SPEAKER: The hon. the Member for Ferryland.

L. O'DRISCOLL: Thank you, Speaker.

The background to this petition is as follows:

Route 10 on the southern Avalon forms a large section of the Irish Loop. This is a significant piece of infrastructure and is the main highway along the Irish Loop. This highway plays a major role in the residential and commercial growth of the region.

We, the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador that immediate brush cutting is required on Route 10, the Southern Shore Highway, as large sections of brush along this highway is a significant safety hazard for the high volume of travelling motorists who travel the highway daily. This work is essential in the prevention of moose-vehicle accidents along the Route 10.

Speaker, I've done this a few times now along the way, but it's certainly encouraging to see, after I was out the weekend in the Bay Bulls area, that the department was out and doing some brush cutting. Where they were doing it, the guardrail was totally engulfed in alders along the side of the road. They got a good portion of it done. Hopefully, they're back at it again today. I

don't know, I left before they were there today. I hope they're there.

But with that being said, they need to get out and do the maintenance. So now with snow coming tomorrow, that probably shuts that down while they're going to be doing snow clearing or doing sanding of the roads. In the summertime is when this needs to happen.

I've been on this now a nice bit in regard to bringing a petition for it. Maintenance is where it's to and to prevent all this. I've said they've done a great job. It looks clean. They've got a place to remove the snow in that area, but when you get further up in the district, up in La Manche and Tors Cove and further along in Cape Broyle and Calvert – going to a function last week, we met a moose on the way back and you don't get a chance to experience it until you're there and you say, how did you not see that?

The alders and the brush are on the sides of the roads. It's thick and you just can't see anything and you're up there on a rainy night, it's something that's vital for our area. I get a lot of people when I go to functions: Can you get something done with the brush cutting? It's hard to see when you're driving, especially in the nighttime when it's literally right on the sides of the road.

So it's something I hope the minister in his next budget will be able to look at that. I know that there's a tender out that supposedly closed on October 19. I'd love to have an update on that when he gets a chance.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Labrador West.

J. BROWN: Thank you, Speaker.

Once again, I bring this petition: the anti-temporary replacement worker legislation. These are the reasons for the petition:

The anti-temporary replacement worker laws have existed in Quebec since 1978, in British Columbia since 1993, and the federal government has committed to introduce the legislation by the end of 2023.

The use of temporary replacement workers during a strike or lockout is damaging to the social fabric of a community, the local economy, as well as residents.

Any temporary worker legislation has shown to reduce the length and divisiveness of labour disputes.

Since 2015, the right to strike has been clearly under the *Canadian Charter of Rights and Freedom* because it helps stabilize the power imbalances between the worker and the employer.

The use of temporary replacement workers undermines that right.

Therefore, we, the undersigned, call upon the House of Assembly to urge government to urge government to enact legislation banning the use of temporary replacement workers during a strike or lockout.

Mr. Speaker, I bring this petition forward again from the residents of Labrador West who are seeking to see this legislation enacted. They want to see it be in line with the federal government when they bring theirs in 2023. It has been in Quebec and it has been in British Columbia for quite some time.

We want to make sure to maintain that balance between worker and employer. For me, from seeing it, is the idea that this will help restore that balance and make sure that these labour disputes don't drag on needlessly.

I know my colleague, the Minister Responsible for Labour, we've had some discussions and we will continue to have some discussions, but I think this is the way that we can fix that balance. Like I said, we see the federal government committed to doing it; we've seen some of our cousins in the federation with Quebec and British Columbia have done it and others provinces, I believe, are also exploring the options right now as the federal government is bringing this forward.

So once again, I ask our minister to take this under serious consideration and do this.

Thank you.

SPEAKER: The hon. the Member for Torngat Mountains.

L. EVANS: Thank you, Speaker.

This petition is to reinstate the freight boat, the marine shipping service between the Island portion of our province and the Northern Labrador communities.

We, the undersigned, are concerned citizens of Newfoundland and Labrador who urge our leaders to return the marine shipping services between the Island portion of our province and our Northern Labrador communities.

This marine freight service was removed in the spring of 2019, resulting in freight having to be trucked to the port of Happy Valley-Goose Bay, then shipped to our northern communities. Since then, the additional shipping has directly impacted prices of building materials; vehicles, including trucks and off-road vehicles; household goods; and many essential services for our communities.

Our Northern Labrador communities are totally isolated, with no road access, and marine transportation services are limited to five months in the summer, on average. With the cancellation of the direct marine

freight service from the Island portion of our province to our communities, residents are witnessing exorbitant price increases of basic needs impacting overall quality of life.

Now, Speaker, I talk a lot about quality of life and this NL Nutritious Food Basket came out just recently. It shows that the North Coast is paying, for a family of four, \$1,868. That is almost \$1,900 and that is \$632 more a month than on average in Newfoundland and Labrador.

But if people can't relate to that price difference impacting people on the North Coast trying to access nutritional food, well then I'll draw your attention to what they're paying for a jar of jam. Speaker, my glass of water is about 500 millilitres. For a jar of peanut butter, it's \$9. Actually, it's \$9.59.

So, Speaker, what we're facing now is not a crisis. We've got a crisis on top of a crisis because the price of our food has gone up significantly but also the cost of heating our home has gone through the roof. People can't afford to heat their homes. People can't afford to access nutritional food.

Speaker, that's having an impact on quality of life. People who are on fixed incomes, like our elders, our elders in our community are being squeezed because they're losing autonomy. They're losing control over their lives because a lot of times, now, they can't afford to heat their house so they have to welcome people in to their house to live with them to help support the ability to heat their house. That's removing autonomy from our elders.

Our low-income families are really, really struggling because if you can't adequately heat your house and feed your children, your children will be taken from them and a lot of our families have files open with Children, Seniors and Social Development. Some of them are closed but some of them remain open.

Basically, not only are we jeopardizing quality of life, we're jeopardizing future generations.

SPEAKER: Order, please!

The Member's time is expired.

Orders of the Day.

Orders of the Day

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Speaker, I call from the Order Paper, Motion 9.

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Speaker, I move, seconded by the Deputy Government House Leader, that pursuant to Standing Order 11(1) this House not adjourn at 5:30 p.m. on Monday, October 30, 2023.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

The hon. the Government House Leader.

J. HOGAN: Speaker, I call from the Order Paper, Motion 6.

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Speaker, I move seconded by the Minister of Industry, Energy and Technology for leave to introduce a bill entitled, An Act Respecting the Quarry Resources in the Province, Bill 58, and I

further move that the said bill be now read a first time.

SPEAKER: It is moved and seconded that the hon. Government House Leader shall have leave to introduce a bill, An Act Respecting the Quarry Resources in the Province, Bill 58, and that said bill be now read a first time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

Motion, the hon. the Minister of Industry, Energy and Technology to introduce a bill, "An Act Respecting the Quarry Resources in the Province," carried. (Bill 58)

CLERK (Hawley George): A bill, An Act Respecting the Quarry Resources in the Province. (Bill 58)

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

When shall the said bill be read a second time?

J. HOGAN: Tomorrow.

SPEAKER: Tomorrow.

On motion, Bill 58 read a first time, ordered read a second time on tomorrow.

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Speaker, I call from the Order Paper, Motion 7.

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Speaker, I move seconded by the Minister of Industry, Energy and Technology for leave to introduce a bill entitled, An Act to Amend the Mineral Act, Bill 59, and I further move that the said bill be now read a first time.

SPEAKER: It is moved and seconded that the hon. Government House Leader shall have leave to introduce a bill, An Act to Amend the Mineral Act, Bill 59, and that said bill be now read a first time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

Motion, the hon. the Minister of Industry, Energy and Technology to introduce a bill, "An Act to Amend the Mineral Act," carried. (Bill 59)

CLERK: A bill, An Act to Amend the Mineral Act. (Bill 59)

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

When shall the said bill be read a second time?

J. HOGAN: Tomorrow.

SPEAKER: Tomorrow.

On motion, Bill 59 read a first time, ordered read a second time on tomorrow.

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Speaker, I call from the Order Paper Motion 8.

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Speaker, I move, seconded by the Deputy Government House Leader, for leave to introduce a bill entitled, An Act to Amend the House of Assembly Accountability, Integrity and Administration Act, Bill 60, and I further move that the said bill be now read a first time.

SPEAKER: It is moved and seconded that the Government House Leader shall have leave to introduce a bill, An Act to Amend the House of Assembly Accountability, Integrity and Administration Act, Bill 60, 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.

SPEAKER: All those against, 'nay.'

Motion carried.

Motion, the hon. the Minister of Justice and Public Safety to introduce a bill, "An Act to Amend the House of Assembly Accountability, Integrity and Administration Act. (Bill 60)

CLERK: A bill, An Act to Amend the House of Assembly Accountability, Integrity and Administration Act. (Bill 60)

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

When shall the bill be read a second time?

J. HOGAN: Tomorrow.

SPEAKER: Tomorrow.

On motion, Bill 60 read a first time, ordered read a second time on tomorrow.

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Speaker, I call from the Order Paper, Order 10.

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Speaker, I move, seconded by the Deputy Government House Leader, that An Act to Amend the Access to Information and Protection of Privacy Act, 2015 No. 2, Bill 56, be now read a second time.

SPEAKER: It is moved and seconded that Bill 56 be now read a second time.

Motion, second reading of a bill, "An Act to Amend the Access to Information and Protection of Privacy Act, 2015 No. 2." (Bill 56)

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Thank you, Speaker.

I'm pleased to rise today to introduce Bill 56, titled An Act to Amend the Access to Information and Protection of Privacy Act, 2015 No. 2.

Confidentiality is an essential consideration for the Interpersonal Violence Disclosure Protocol Act, more commonly known as Clare's Law.

The purpose of this bill is to add Clare's Law to ATIPPA Schedule A in order to protect the confidentiality of those who utilize this new safety tool. Before we get started on the details of the amendment, let me remind everyone about what Clare's Law is and what it aims to accomplish.

The spirit that underlies Clare's Law is our government's belief that people at risk have a right to know if their partners have histories of violence or abuse. We knew there was more that could be done to

protect individuals by providing information they need to make informed decisions about their own personal safety. Clare's Law will allow those feeling unsafe in an intimate partner relationship to request information from the police about the risk of experiencing violence. I think we can all agree on the importance of preventing this type of violence in our province.

Clare's Law is named after Clare Wood, a British woman who was murdered by her partner in 2009. Clare's family fought for a disclosure protocol that would enable individuals to obtain information from police about a partner's documented history of violence in hopes they may safely leave relationships when a risk of violence may be present.

The purpose of the amendment before us is our belief in the importance of ensuring that users of this legislation are safe and protected. There is an elevated risk if abusers become aware that their partners have made an application for disclosure to police. It is essential for the provincial government to take necessary steps to protect the information of people who wish to avail of the *Interpersonal Violence Disclosure Protocol Act*.

Currently, Royal Newfoundland Constabulary records generated during the processing of applications under the act would be subject to ATIPPA. This presents a significant risk of harm as even the refusal of access could cause an abuser to infer their partner has made an application. Adding section 6 and 7(1)(b) of the *Interpersonal Violence Disclosure Protocol Act* to Schedule A is intended to exempt records generated during the processing of application under the *Interpersonal Violence Disclosure Protocol Act* from release in the event of the nature of request.

Applicant records processed by the RCMP would be accessible under both the *Access to Information Act* of Canada and the *Privacy Act* of Canada. The federal

government takes applicant safety seriously and have advised they will apply all appropriate exemptions contained in their legislation.

By adding Clare's Law to Schedule A, it will join other pieces of legislation for which protecting the confidentiality of vulnerable people is of the utmost importance. As there are similar provisions in the *Adoption Act, 2013*; the *Adult Protection Act, 2021*; the *Children, Youth and Families Act*; and the *Fatalities Investigations Act*.

During consultations on Clare's Law with the Office of the Privacy Commissioner, the Privacy Commissioner agreed with the approach to protect records collected under this process in order to ensure applicants are protected. The proposed amendment will do just that.

Given the sensitive nature of Clare's Law, significant due diligence was taken to help determine how this protocol could be applied in a provincial context, through consultation with other jurisdictions, engagement of provincial police forces and working with other stakeholders. Taking the appropriate time to get this legislation and regulations right is something I believe we can all agree on.

In closing, this amendment will help protect vulnerable people from their abusers or would-be abusers, finding that they are subject of a Clare's Law application.

Speaker, we are on the cusp of making Clare's Law a reality. Some Members may wonder when the regulations and protocol will come into force and I'm happy to report that passing this amendment removes the final hurdle on the road to making this happen.

SOME HON. MEMBERS: Hear, hear!

J. HOGAN: Thank you for the opportunity to discuss Bill 56. I ask for the support of all Members in passing this bill. I look forward

to participation from Members on all sides of the debate today.

I would be remiss if I didn't mention the former Minister of Justice, current Minister of Industry, Energy and Technology, who spearheaded this. It was his initiative that got this moving and I just happen to be here to get it over the finish line but I wanted to thank him for all his work.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Thank you, Speaker.

As I review the Act to Amend the Access to Information and Protection of Privacy Act, 2015, Bill 56, we will have no issue in terms of supporting this important bill.

We know from what the minister has noted and from briefings that we've heard that this is a very important step. It is focused on confidentiality and we agree that that is of the utmost importance, especially for those individuals who will utilize the process that's involved here. The purpose of this amendment is to protect those users and they would be potentially the individuals who are at risk. Therefore, the issue is whether they have the right to know.

Now, of course, we know that there's a delicate balancing act here that's in play that we have to look at: The balancing of the person's right to privacy versus the person's right to have disclosure and have knowledge of this information. This amendment, the Act to Amend the Access to Information and Protection of Privacy Act, is very important. It will designate, from our understanding, several ways for the police to disclose a person's history of abusive behaviour to those who may potentially be at risk from such behaviour.

As the minister has highlighted – and I think it needs to be addressed as well from my position in terms of the importance of this bill and how it relates to Clare's Law – when we look at Clare's Law, we see that it's directly focused on the issue of interpersonal violence or intimate partner violence. We know, as well, that that's a serious issue in our province.

I certainly could quote the statistics with respect to how people are subjected to violence and this statistic would be actually wrong, Speaker, because we know that violence is under reported. It's grossly under reported in terms of being reported to the police. So the thing that we need to acknowledge here is that certainly, not all, but most of victims or survivors, if they are fortunate enough to survive, are women and girls.

So I think what we need to really understand this amendment is we need to look at what is it that perhaps prompts women and girls not to report that they have been the subject of violence. It's a multi-faceted issue but I think it can be looked to as the fear perhaps of reporting to police, the intimidation factor, the perpetrator may be close to them. It may be a person that they know. It may be a family member or a partner, of course. Sometimes it is people and persons in positions of authority and trust. It could be employers.

There are many reasons why an individual, a woman or a girl, does not report these types of offences where they have been subjected to violence and that they have been abused. They may be in denial. They may believe how this could happen to me or believing that it could never happen to me. They may be blinded by some idea that it is love or what they think is love.

But, nevertheless, the reality is they may be at great risk. That is what this piece of legislation here today is focused on. It is about the potential for risk that many face or they may be at great risk, so that is why this

particular piece of legislation is very important.

Let's just look at the practical implications of this legislation. The goal is intended to reduce intimate partner violence. Now we know that Clare's Law was intended for that purpose. It was passed by this hon. House of Assembly back in 2019, but yet has to be proclaimed in law.

Now that is obviously very disconcerting. We are looking at almost four years and it still has not been enacted. Now, I understand the issue and perhaps partial explanation for the delay is because this is a very delicate matter. When you are balancing competing interests of the right of the person to have privacy and yet, the right of the victim to have the information about someone who is potentially putting them at great risks, but still, four years? Reasonably when this law was passed back in 2019, we would think that perhaps maybe a year, maybe 15 months to develop and to understand the implications to look at the protocols. Give them ample opportunity to realize these protocols and that they would have to be fixed in regulation rather than legislation.

So we know that's what's happened here. This has to be fixed in protocol, in regulations. That it will be, my understanding is, amendable at the ministerial level, which is outside this hon. House. It is outside the House of Assembly. It is outside the Legislature.

We understand that when there are competing rights and interests, a person's right to privacy versus a person's right to know this information, that that would take time. But again, it is very disconcerting and very troubling that it still hasn't been enacted. It still hasn't been proclaimed. I think that is something that we need to be concerned about because, obviously, I'll be asking the minister about the potential victims of intimate partner violence and are they continuing to be exposed to

unnecessary harm until this, Clare's Law, is enacted and proclaimed.

So that is very concerning; I think that will have to definitely be addressed. I know that the minister, in his comments, indicated that this is the final hurdle and that's really great to hear. We're very, very pleased to hear that this is it; this is the final step. Hopefully, that means that this law will be proclaimed forthright and we're very hopeful that's going to happen.

Speaker, the other thing I wanted to mention is when I heard the minister, he indicated that the RNC, the RCMP and Privacy Commissioner have all been consulted; so that is very good hear that those entities have been consulted and are very supportive of this legislation and so that's great. One thing that has concerned me is that – and perhaps the minister can address this when we get into Committee or in his response here – when this law was passed in 2019, it was my hope to see that government would publicize the developments with respect to the protocols and inform, not only the Opposition, but the public about how things were progressing, if there were any changes and that people would be fully aware of the rules. Perhaps the minister can shed some meaningful light on that, because that is a very important part of when we're seeing this law being passed that there is response to the public and the public are engaged, that there's consultation involved as well.

I know that the minister has stated that they have engaged in due diligence, that they consulted with other jurisdictions, that they've consulted with the police and other stakeholders. We look forward to hearing exactly what stakeholders were consulted and the input that they have had with respect to this particular last piece of the puzzle.

Again, I'm happy, as critic for Justice and Public Safety, to see this further protection that's provided under ATIPP. I think when

we look at the implications – for example, if a convicted offender is trying to find out if someone was asking about their particular past before this bill, before this Bill 56, they would be basically subject to ATIPP.

AN HON. MEMBER: (Inaudible.)

H. CONWAY OTTENHEIMER: Okay, would not be subject to ATIPP. Now there is further protection under ATIPP. All of that request, so if we have a convicted offender out there who was trying to find out if someone's delving into their past that request by that convicted offender, including any emails, would be subject to ATIPP.

This is good. This is a very important, good step. It will protect the confidentiality of that individual. That person who feels that they're potentially at risk, that victim, survivor who feels that they're potentially at risk will be protected. The convicted offender will not be able to find out who they are. We have to applaud that. That's an important step.

Again, we need to see further action on this. Government needs to get Clare's law finalized once and for all, so that the innocent victim and survivor can be protected completely when it comes to – I mean, it will not provide complete protection and we've heard from certain groups out there that say well, we don't want this to provide a false sense of security for victims either, or survivors, but it certainly will help protect them. It will give more tools and more safeguards to help them in that regard.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Minister Responsible for Women and Gender Equality.

P. PARSONS: Thank you, Speaker.

I, too, want to speak to this important legislation. I can remember back earlier in our mandate, shortly after this government took office, following the election in 2015, it was the former minister, of course, who was passionate about this. Again, my thanks are to him and, of course, our current minister and department because as we can all appreciate it is a very important piece of legislation. I appreciate the Member opposite for her comments because I know she also appreciates this and sees the value.

But as Minister Responsible for Women and Gender Equality, I want to unequivocally state, Speaker, that violence of any kind will not be tolerated in this province. I'm pleased to be part of this initiative as well and working with my colleague and my staff, of course, from the Office of Women and Gender Equality.

This initiative that will be announced, of course, we're going through the House right now, will certainly increase the safety. It will be an extra tool to help increase the safety for all Newfoundlanders and Labradorians.

As we know, Speaker, women and gender-diverse people are the targets of gender-based violence attacks and sexual assault attacks. We know that. Statistics prove that. Also, I can reflect, I just had a recent FTP, federal-provincial-territorial conference this past summer in PEI, this topic was also discussed at that national table. Not all jurisdictions have implemented this legislation, but we will be a leader in that regard.

By preparing to proclaim into force the Interpersonal Violence Disclosure Protocol of Clare's Law, the Government of Newfoundland and Labrador is increasing the safety for all individuals in intimate relationships who are at risk of violence from their partners.

Just a bit of background on it, Speaker. Clare's Law is named after Clare Wood, a

British woman who was murdered by a former partner back in 2009. The Wood family fought for this disclosure protocol that would enable individuals to obtain information from police about a partner's documented history of violence in hopes that they may safely leave a relationship when at risk of violence, which may be present.

My career prior to this, I was a journalist and I'll never forget some of those intimate partner violence cases that I covered. I can't help but wonder should that legislation have been available back then in the early 2000s and whatnot, would some of these women – would they still be alive today?

One case in particular that I followed actually for an entire summer was a woman went missing and there was a complete search throughout the Black Hills toward Signal Hill and Cape Spear. I'll never forget that, covering that case and seeing the searchers search the woods for her body. We came to later find out that her body was indeed discovered in parts in a suitcase in another location in our province.

I can't help but wonder had that woman known that her partner, at the time, had a violent history, that this person was later released in the news that indeed did have, would it have made a difference? I can't help but wonder that. It's those sorts of stories that will never leave me.

So being the Minister Responsible for Women and Gender Equality, I'm passionate about this. I'm happy to see this. I'm grateful for my colleagues, that they see the value in this and our government as a whole.

I just wanted to say that, Speaker. I look forward to the further comments in this House because I know everybody here in this House of Assembly supports all the initiatives that we can to protect the people, in this case, women and gender-diverse people in particular here, Speaker.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Torngat Mountains.

L. EVANS: Thank you, Speaker.

I'll just speak briefly on the amendment to Bill 56. This act is being amended to add the *Interpersonal Violence Disclosure Protocol Act* to Schedule A. It's really important to talk a little bit about the amendment and also to include Clare's Law. I know the Minister Responsible for Women and Gender Equality spoke eloquently about her first-hand information about domestic violence and that we should be doing everything here in government to ensure that vulnerable people in relationships are being protected.

The Access to Information and Protection of Privacy Act, ATIPPA, contains an element called Schedule A. Most of my reference will be in relation to that.

A lot of people out there in the general public don't really know much about this. They hear references to Clare's Law so that's basically the only context that they can relate to it. But the legislation or pieces of legislation that's listed here takes precedent over ATIPPA. Therefore, when an individual requests information that's been gathered and recorded under legislation identified under Schedule A, there is no duty to disclose that information, therefore it remains private. A lot of times that privacy is about ensuring that vulnerable people are protected.

Some examples of the legislation covered under Schedule A are not only about the relationships with abusive partners, some of the examples of the legislation covered under Schedule A include section 64 to 68 of the *Adoptions Act, 2013* also some sections of the *Patients Safety Act* and another point to raise, as well, is that it's

under section 5.4, the *Energy Corporation Act* related to Muskrat Falls and commercially sensitive information.

So just looking at this now, the goal is to ensure that abusers cannot use ATIPPA to obtain documents that show information the police might have disclosed about them and to whom. So it's about privacy and protecting vulnerable peoples in abusive relationships.

All records pertaining to an investigation or activity conducted under Clare's Law will be barred from release to the public. Speaker, we support this amendment. As the minister spoke, Clare's Law was passed in this House of Assembly in 2019, but it's not yet enacted.

We're pleased to support anything such as amending this act to bring Clare's Law into law and it can be active in protecting vulnerable people and serving the purpose that it was brought forward to this House in 2019.

The one thing I also want to add is legislators. When we're looking at amendments, we must use caution; caution has to be exercised when debating exemptions to Schedule A. While some might be in the public interest, as we spoke about and was spoken passionately about, it might be in the public interest or in that of the affected party such as adoption records where we need to protect people as well. Others exemptions could potentially be for nefarious purposes such as those as related to the *Energy Corporation Act*. So we've got to use care and caution.

But for us, here, in the Third Party, we support this amendment. We're hoping now and we're looking forward to a time when Clare's Law will be enacted, Speaker, and we'll have some questions for the minister in Committee.

SPEAKER: The hon. the Member for Bonavista.

C. PARDY: Thank you, Speaker.

I just want to talk on this bill for a few moments, Bill 56. I can't speak for the entire House, but by the looks of it, I think we're all unanimous in our support of Bill 56. I know that my hon. colleague from Harbour Main has taken the lead on this bill for our caucus. We've had discussions around our table and outside of this Chamber on the importance and the significance of this bill, and we're certainly following her lead to be fully in support of it. And just to ditto that, I know the Minister of Justice and Public Safety, in his preamble, said something like – to paraphrase – the spirit that underlies is the government believes that the security of those who may be in harm's way of domestic violence are assisted.

I know not only government, I think we all need to do whatever we possibly can to make sure that those who may be in harm's way, domestic violence situations, intimate partner violence, we do everything we can to assist them.

On Saturday April 29, myself and the Leader of the Official Opposition, the MHA for Stephenville - Port au Port, we went to Bonavista. In Bonavista, there was a group that was having an awareness and a fundraiser, and that group in Bonavista is named Saltwater Community Association Inc. They wanted to be able to better prepare for those women who would be fleeing gender-based violence. What can they do?

Since that time, they've established the Bonavista Peninsula Status of Women's Council. There are other established councils in the province, but they want to make sure that they look after that region, Clarendville-Bonavista Peninsula, to make sure that anybody fleeing violence can have a place to find safety and refuge in and close to the homes where they are. The closest now would be Marystown or Gander.

So we wanted to look at that in our district. I stand to be corrected, but I think the only council that may not be supported by government now may be this one, on the Bonavista Peninsula, that supports the whole peninsula. Now if there are others I stand corrected, but I'm sure I'll hear that at some point in time in the future. I commend them for starting it, and I know that if government can find it within their financial means to use them within their umbrella for funding; it would be a good thing.

We often think that when we have this act and we look at Clare's Law, we always think that violence happens somewhere else. It doesn't happen close to home. Somewhere else it happens. We need to be cognizant of it, but it doesn't happen close to home. We said that we don't have much data to support it that we see frequently, but *The Telegram*, this summer, reported that we see a 53 per cent increase in gender-based violence reports to the RCMP. That is significant: 53 per cent increase.

Probing a little further on gender-based violence, from the Clarenville to the Bonavista region in 2019, there were 113 reported incidents of gender-based violence. I'll repeat that, in the Bonavista to Clarenville region in 2019 there were 113 reported incidents of gender-based violence. In 2020 the number grew to 144. So to think that it always occurs somewhere else is wrong. It occurs everywhere and the initiative, such as Bill 56 and others, they help to make sure that we provide the security for those that might find themselves in harm's way.

The federal government recently announced – and I heard my hon. Member for Harbour Main question many times – they committed to eradicating gender-based violence in 10 years. She asked the question several times; this province still doesn't have a violence prevention plan. I say, imagine, we're going to do what we can to support others, but in our Province of Newfoundland and Labrador we do not have a violence

prevention plan. We need to do more in that capacity and I thank the hon. Member for bringing that up and she brings it up around our table quite frequently.

I don't need to speak more on the bill for the sake of redundancy and repeat what anybody said, Speaker, but we certainly support Bill 56. We were wondering about Clare's Law, when it was coming into effect. We're glad that this is the last hurdle. I would assume that probably Monday of next week it should be in full force in the Province of Newfoundland and Labrador.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

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

P. LANE: Thank you, Mr. Speaker.

I'm not going to speak on this very long, just to say that I support Bill 56. I think, as has been said numerous times now, anything that we can do in this House of Assembly to protect the most vulnerable, protect women and families, protect gender-diverse people, that's what we need to do.

We passed Clare's Law in this House of Assembly a couple of years ago, which was a very good move, but obviously this legislation is needed to accompany Clare's Law so that when somebody does utilize the provisions of Clare's Law to find out about an intimate partner, that partner would be none the wiser for it and hence that person will not be adversely impacted were the partner to find out. That's really what this is all about.

So just to say for the record, for *Hansard*, that I will be supporting it.

Thank you.

SPEAKER: Seeing no other speakers, if the Minister of Justice and Public Safety speaks now, he will close debate.

The hon. the Minister of Justice and Public Safety.

J. HOGAN: Thank you, Speaker.

Thanks for what sounds like the full support of the House on this amendment to ATIPP to make sure that we have the right protocols in place to proclaim the *Interpersonal Violence Disclosure Protocol Act*.

Thanks to the Members from Harbour Main, the Minister Responsible for Women and Gender Equality, Members from Torngat Mountains and Bonavista and Mount Pearl - Southlands for their comments as well.

I just want to remind everyone, and some people have said it, that this act was proclaimed. We're not here to debate the act and the merits of the act. I think the House unanimously supported that act a few years ago. It is unfortunate it took a few years to get here, at this point in time, but this is the last hurdle. But what we are here to debate today is whether we should exempt records generated under this process from release under ATIPP.

Again, thanks for the support from everybody in the House and look forward to questions in Committee.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Is the House ready for the question?

The motion is that Bill 56 now be read a second time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

CLERK: A bill, An Act to Amend the Access to Information and Protection of Privacy Act, 2015 No. 2. (Bill 56)

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

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

J. HOGAN: Now.

SPEAKER: Now.

On motion, a bill, "An Act to Amend the Access to Information and Protection of Privacy Act, 2015 No. 2," read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill 56)

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Speaker, I move, seconded by the Minister of Environment and Climate Change, that this House resolve itself into a Committee of the Whole to consider Bill 56.

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

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion 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're now considering Bill 56, An Act to Amend the Access to Information and Protection of Privacy Act, 2015 No. 2.

A bill, "An Act to Amend the Access to Information and Protection of Privacy Act, 2015 No. 2." (Bill 56)

CLERK: Clause 1.

CHAIR: Shall clause 1 carry?

The Chair is recognizing the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Thank you, Chair.

Minister, so this bill has been passed. When will it be finally enacted?

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

J. HOGAN: Thank you, Chair.

Hopefully we'll get Committee done today and we'll do third reading later this week. After that, as I said, it's the final hurdle and I expect that the *Interpersonal Violence Disclosure Protocol Act* proclamation will be extremely soon to follow after we finish third reading of this act today.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Thank you, that's great news.

Why have we been waiting four years?

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

J. HOGAN: Thank you, Chair.

I'm not going to hide from the fact that four years was too long to get this protocol in place. It's great that the House did pass this act back in 2019. There has been a lot of work that went into developing the protocol which will exist under the regulations. There have been consultations with almost 50 groups through engageNL, with Indigenous governments, organizations, with women's organizations, offender rights groups, legal groups, the Information and Privacy Commissioner, RNC, RCMP, internal consultations with Women and Gender Equality and IAR. There was time to do that consultation.

The protocol itself is substantive. There is some detail in that to ensure this is being done properly. It did take some time. Definitely a little bit longer than everybody wanted, but we can see the finish line.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Thank you.

That's great to hear, 50 groups. That's very encouraging.

Another aspect of Clare's Law that we need to consider and has to be particularly sensitive to the circumstances of women and girls in Indigenous communities because of the lessons we've learned from the recent Inquiry into Missing and Murdered Indigenous Women and Girls.

Was there consultation with any Indigenous groups or organizations?

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

J. HOGAN: Thank you, Chair.

Yes, there were definitely consultations with Indigenous governments, including Nunatsiavut, NunatuKavut, Innu Nation, Miawpukek, Qalipu, Sheshatshiu First Nation, as well as Newfoundland Aboriginal women's groups, the Newfoundland Native Women's Association, First Light St. John's Friendship Centre, Labrador Friendship Centre, on and on and on. I can certainly provide the full list to the House of all those consultations. But as you can hear from naming a few, it was extensive.

CHAIR: The Member for Harbour Main.

H. CONWAY OTTENHEIMER: Thank you.

That's excellent and if you could provide that list that would be great. But that's wonderful to hear.

Is the minister worried with respect to potential victims of intimate partner violence that they have been exposed to unnecessary harm in the last four years since this was passed, Clare's Law was passed?

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

J. HOGAN: I'm sorry; can I just ask the Member to repeat that question?

CHAIR: The Member for Harbour Main.

H. CONWAY OTTENHEIMER: Are you worried that potential victims of intimate partner violence were exposed to unnecessary harm in the process, in the four-year process of waiting for this to come to where it is today?

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

J. HOGAN: Yeah.

So, of course, over the past four years, all of which I wasn't a Member of the House of Assembly, I don't know if worried is the right

word, but I feel terrible that anyone who is subjected to interpersonal violence in this province, whether it was before or after this amendment comes into force.

Just to be clear, too, that once the *Interpersonal Violence Disclosure Protocol Act* is proclaimed, it's one tool that an individual in this province can use to prevent ongoing abuse or prevent abuse from happening in the first place. But it's not going to solve the problem altogether. I want to be clear that this government doesn't think that.

There are all kinds of other options that we need to continue working on in this government and in this province to lower the rates of interpersonal violence in this province, including things like education for young individuals in schools to know the harm, that they can be causing intergenerational trauma. I mean, people learn this thing from their parents and their grandparents and we need to continue to work on that. This is one thing that we are doing to try to lessen the risk of that happening again.

CHAIR: The Member for Harbour Main.

H. CONWAY OTTENHEIMER: Thank you, Minister.

I concur. We need to be taking steps like these because violence is still far too prevalent in our province and to find new and better ways like this to protect our vulnerable, especially when we know that people need our help. This amendment really does indicate that we are hearing them and are trying to find new ways to protect them from harm. So I think that's great.

Does the minister have any idea from the law enforcement agencies, because I see that there has been good consultation with these agencies, how many potential individuals have been at risk? Now, I know that there is an under reporting of violence

and that is clear. We know that the numbers of people who are victims of abuse are high, but has there been any idea from consultations with law enforcement of the individuals who have been at risk?

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

J. HOGAN: Thank you, Chair.

I don't think we'd be able to give those, we wouldn't have those numbers right now until the protocol is in place, but I think you mentioned it when you were speaking during second reading and I think you just mentioned it again, that there has been chronic under reporting of this issue, not only in the province, but in the country. One thing I think this certainly will allow is for individuals who don't feel safe in reporting it to the RNC or the RCMP and potentially going through the court process, where obviously their partner would know that an allegation has been made against them, this will allow this to be done in privacy so that individual doesn't have to run that risk in the future.

CHAIR: The hon. the Minister Responsible for Women and Gender Equality.

P. PARSONS: Thank you, Chair.

I just also wanted to build on the hon. Member who had some questions as well around the consultation. I just want to add some things in here to the record with regard to this because obviously violence prevention is pertaining to what we're discussing here today.

The establishment of an Indigenous Women's Reconciliation Council, I mean it's huge. It's something that this government has done and that came from a direct report from the Missing and Murdered Indigenous Women and Girls recommendations that we received as a government from the Newfoundland and Labrador Indigenous Women's Steering Committee. That's one

tool, as my colleague said, but it's about a number of tools to work together to do just that, to do what we can for prevention.

Also, a number of other things that government has done as initiatives are: a revised Harassment-Free Workplace Policy has been implemented; improvements to the *Occupational Health and Safety Regulations* including provisions to address workplace harassment and worker-on-worker violence; the updated *Family Violence Protection Act* has also been done; and the introduction of bail supervision and electronic monitoring programs.

These are just some. Obviously, the Interpersonal Violence Disclosure Protocol, what we're talking about now; the protection of intimate images act is also something that this government has introduced; changes to the Residential Tenancies Act to allow for early termination or rental agreements in cases of domestic violence; also, we've implemented changes to the *Labour Standards Act* which follows victims of family violence to take a total of 10 days of leave a year should they be fleeing this.

I just wanted to add that in for the record, for the hon. Member's background info.

Thank you.

CHAIR: Thank you.

The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Minister, back in April of this year you told the media that you were drafting regulations. Can you just speak to the regulations and where that stands and what's been done in that regard with respect to the protocols?

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

J. HOGAN: Essentially the protocol is the regulations. As I said, we're working on that

with all the groups through the consultations to develop those regulations.

Like I said, this is the final hurdle. Once we get this amendment passed, we're ready to proclaim it. You can take from that that when we're ready to proclaim it, obviously, the regulations and the protocol are done as well.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: You mentioned also that the Information and Privacy Commissioner has been involved. Obviously, the Information and Privacy Commissioner has seen the bill and provided an opinion. Can you tell us about that opinion? Can you table it, perhaps?

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

J. HOGAN: The Information and Privacy Commissioner has agreed with the approach to protect records collected under this process in order to ensure that applicants are protected. Whether that was in written form or during a consultation, I can check, and if there's a written opinion that we're allowed to provide or we can provide, we'll do that.

CHAIR: Thank you.

The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: The other questions really related to the consultations. I wanted to know if you've consulted with the Status of Women – so obviously that has taken place – and other women organizations that you've consulted with, and the RNC Intimate Partner Violence unit. You named a number of stakeholders that you've consulted with. Perhaps we could have that provided, that would be helpful too.

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

J. HOGAN: Sure, we'll provide a complete list, but just for today, some of the women's groups – and I hate to leave anybody out, that's why we'll provide the full list, but includes Provincial Advisory Council on the Status of Women, St. John's Status of Women, Corner Brook Status of Women, Bay St. George Status of Women Council, Gander Status of Women Council, Labrador West Status of Women Council, NorPen Status of Women Council. We've done some consultations for sure.

CHAIR: Thank you.

The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Thank you, and that completes my questions.

Thank you, Minister.

CHAIR: Thank you.

Further questions?

The hon. the Member for Torngat Mountains.

L. EVANS: Thank you, Chair.

Just looking at my questions now. Some of them were asked and answered previously. Just looking at the consultations you listed there. It's actually quite pleasing to see the level of consultations you said you went through with all the different groups and stakeholders about protecting people and people's privacy and making sure vulnerable people are not harmed by any loopholes. So I think that's a positive thing. This amendment, we're in favour of anyway.

Also, one of the questions that I had was about consultation with the Office of the Privacy Commissioner, and you've already answered that saying he agreed with it. So that's a positive thing as well. Also, I have

some questions on the protocol and regulations, but from your answer are you saying that the regulations now are drafted, ready to go once the amendments are put in place and the Clare's Law enacted?

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

J. HOGAN: Yes.

CHAIR: The Member for Torngat Mountains for further questions?

L. EVANS: Yes.

CHAIR: Thank you.

L. EVANS: I think the only questions I have left that wasn't asked was will the addition of Clare's Law to Schedule A have any unintended consequences? I did talk about that earlier. For instance, will it allow government to share information in the aggregate for research purposes or in order to determine how well the act or protocol and regulations are working?

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

J. HOGAN: So I don't know of any bad, unanticipated consequences. Obviously the purpose of this is to keep the information to a very small circle of people, including the applicant, the RCMP and/or RNC. The RCMP and RNC would have obviously had this information anyways.

What can be done now though, I'm sure the RCMP and RNC will be able to gather data to calculate and determine how many of these requests are being made over a period of time, which I'm sure can be used for research purposes in the future but without disclosing anyone's personal information, obviously.

CHAIR: The Member for Torngat Mountains.

L. EVANS: Chair, that's the end of my questions.

Thank you.

CHAIR: Thank you.

Further questions?

Shall the motion carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clause 1 carried.

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

CHAIR: Shall the enacting clause carry?

All those in favour, 'aye.'

CHAIR: All those against, 'nay.'

Carried.

On motion, enacting clause carried.

CLERK: An Act to Amend the Access to Information and Protection of Privacy Act, 2015 No. 2.

CHAIR: Shall the title carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, title carried.

CHAIR: Shall I report the bill without amendment?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

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

CHAIR: The hon. the Government House Leader.

J. HOGAN: Chair, I move that the Committee rise and report Bill 56.

CHAIR: The motion is that the Committee rise and report Bill 56.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Motion carried.

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

SPEAKER (Bennett): Order, please!

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

B. WARR: Speaker, the Committee of the Whole have considered the matters to them referred and have directed me to report Bill 56 without amendment.

SPEAKER: Chair of the Committee of the Whole reports that the Committee have

considered the matters to them referred and directed him to report Bill 56 without amendment.

When shall the bill be received?

J. HOGAN: Now.

SPEAKER: When shall the bill be read a third time?

J. HOGAN: Tomorrow.

SPEAKER: Tomorrow.

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

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Thank you, Speaker.

I call from the Order Paper, Order 3.

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Speaker, I move seconded by the Minister for Digital Government and Service NL that the House resolve itself into a Committee of the Whole to consider Bill 52.

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

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

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

Committee of the Whole

CHAIR (Trimper): Order, please!

We are now considering Bill 52, An Act to Amend the Buildings Accessibility Act.

A bill, "An Act to Amend the Buildings Accessibility Act." (Bill 52)

CLERK: Clause 1.

CHAIR: Shall clause 1 carry?

The hon. the Member for Mount Pearl-Southlands.

P. LANE: Thank you, Mr. Chair.

During second reading of this bill, I think I did as best I could to express my utter disappointment with this bill, the fact that as far as I'm concerned, it was a slap in the face to the advisory committee who made recommendations on the *Buildings Accessibility Act*. Also touched on the fact that, beyond this particular piece of legislation, which is really meant to mandate private business, and when they need to make their facilities accessible, that this also applies and has been used by our own provincial government when it comes to government-owned public facilities that in the year 2023 are still not accessible. That includes schools; that includes this Legislature; that includes courts, and many other public buildings.

My colleague from Labrador West, I think he said all of the public buildings in his district, none of them are accessible. I had a person point out to me over the weekend, which I wasn't aware, that when you think about the courts – our main courts down at Atlantic Place – and if a person had to go to Atlantic Place to utilize provincial court that – I wasn't there to actually confirm it with my

own eyes, but this person told me that there's not even a blue zone in Atlantic Place for a person with a disability to access the court. In 2023 that's absolutely shameful.

I want to read into the record, this is the actual recommendation. Because there was a committee that was put in place by the government, an advisory committee, to make recommendations on these matters, including this piece of legislation. Now the piece of legislation of course that we've come up with here, is that we're basically saying that the only way we're going to see that 1981 rule dissipate, if you will, is if a business is to make renovations to the building or to change the purpose of the building, the use of the building.

Other than that, as long as that business continues to carry on in the same inaccessible building, for the next 100 years, then it will remain not being accessible, unless they do renovations. That's what this watered-down, useless piece of legislation is doing.

But that wasn't the recommendation. So I'm going to read the recommendation, for the information of the minister, if she wasn't aware. And this was sent to me by someone who was on that committee, and the board recommends the following:

"All buildings shall meet the accessibility requirements in the Act, using a time-phased approach." Not the approach of renovations or change of use, a time-phased approach. "The following timeline is recommended: Within five years from Royal Assent, all buildings must have adequate accessible parking" – my God, that's a lot to ask for, accessible parking in 2023, five years, "walkways, entrances and washrooms, while ensuring access to main common areas."

So they recommended, given the fact now that these people have had these buildings since 1981, this is 2023, that's 42 years or

more – these buildings are at least 42 years old. And after 42 years we're going to give them another five years – that's what's recommended, another five years, that'd be 47 years at least – for all buildings to have adequate accessible parking, walkways, an accessible entrance, and washrooms, while ensuring access to the main common areas. I don't think that's much to ask. It's shameful that we've got to be asking for it.

Next one: "Within ten years from Royal Assent, all buildings must have at least an additional 30 percent of the building square footage in compliance with the **Buildings Accessibility Act**."

So that's 42 plus 10, that's 52 years. A person who had a building that was in 1981 – now, a lot of these buildings are older than 1981, but a minimum 52 years old, that they're saying 30 per cent of the building be accessible. Then an additional 10 years – so they then recommended within 20 years – buildings must be 100 per cent compliant with the *Buildings Accessibility Act*.

After this act would be proclaimed, a person with a building in 1981 or older would have 20 years to be completely accessible. Which means 62 years old, in 20 years' time, a building in 1981 would be 62 years old to be fully accessible – at least 62. That's 1981. A lot of the buildings were built way before that. So at least 62 years old, an additional 20 years' notice to be 100 per cent accessible from the date that this legislation is proclaimed.

I think that we're doing a real disservice to people in this province with disabilities. And it's not just people, as I said before, who were born with disabilities. We also have to continue to remember we have an aging population and there are many people in this province, many seniors, who were not born with a disability but they developed a disability over time. Access is important to them.

To say that a person who has issues with access – they may or may not utilize a walker or wheelchair but the fact of the matter is they have issues with access and it's today that's it's too much trouble to have proper blue zones; to have some parking spaces for that building for those people to park close to the entrance; to cut down the curb on the sidewalk, whatever, just to cut back the lip – a curb cut-down as it's referred to – so if someone had a wheelchair they could get up onto the sidewalk to get to the building; to widen an entrance or to put some push buttons on a door; and, my God, imagine actually having a washroom for the general public that everybody is able to access. My God, can you imagine? How dare people want such a thing? How dare they want a washroom?

Like I said, this is a growing population for our seniors. I think businesses would be in their best interest to do it anyway. I've said that. It would be in their best interests to do it anyway because with that growing population of people requiring these things, it would make good business sense to do it on your own anyway because look at the potential customers that you're losing because you're not accessible. As legislators, we have a greater role to ensure – we talk about inclusion all the time. We talk about diversity. We talk about being welcoming and ensuring that everybody is treated fair, everybody is treated equal, yet we're going to pass a piece of legislation that does absolutely nothing to move this cause further. It does nothing. Next to nothing. Maybe not nothing but next to nothing, as far as I'm concerned.

Unless I'm missing something in this bill – and I hope the minister is going to clarify where I'm wrong because this is talking about making that change when there are renovations, making that change if the building changes use. It doesn't say making that change, period. Now, that's how it reads. If I'm reading it wrong, and I hope I am, then I hope the minister will set me straight and I will applaud the minister and I

will vote for this bill. If what I'm saying is wrong, I will vote for this bill. I will applaud the efforts, but this is not very clear to me. It's not very clear to me. Quite clearly, it says to me that we're only going to make these changes after somebody decides to change the use of the building or someone decides to renovate the building.

In terms of renovations, if the building is subdivided up into different pieces, only the part that is renovated has to be. Again, the way I read it, if you had a bar and a restaurant and there was an entrance here for the bar and over on the side there's the restaurant, the way I read this, at least, is that if the bar gets renovated, you have to make it accessible, but you don't need to make the restaurant accessible because it's two different aspects of that building. Again, that's how I read it. Maybe I'm wrong. I hope I'm wrong, but that's how I'm reading it. I look forward to the clarification.

If all we're going to do is say that we're not going to make changes until there are renovations or changes of use and so on or changes of property owners or whatever, then we're doing a disservice, because we have buildings that have been there for years and years and years and nothing has been done because of this 1981 rule.

Again, I will emphasize the fact that, beyond this rule here, I'm hoping that the minister responsible for public infrastructure is going to stand at some point in time and say, do you know what? I don't care about this 1981 rule, you're absolutely right. We cannot have public buildings that are not accessible and we're going to do an inventory of all the schools and courts and AES offices and every other government building that exists, that are out there, and we are going to commit to, at the very least, making sure publicly owned building and facilities are accessible for people in our province. I'm hoping that's going to happen.

As I heard someone say over the weekend, it's kind of hard to push this down the

throats, so to speak, of business owners if government is not going to lead by example. They're going to have public buildings that are not even accessible. I would hope that that's going to happen, regardless of what we pass in this House, on this piece of legislation, regardless of the 1981 rule or anything else, I would hope we could have a commitment and a plan to finally ensure that publicly owned buildings are accessible for persons with disabilities in our province.

With that said, I will wait until the minister does respond and if I'm totally off base and I'm totally wrong with what I'm reading here, then I will apologize. I will support –

AN HON. MEMBER: (Inaudible.)

P. LANE: Good. Get ready. Good. If I'm wrong, I will and I will vote for this legislation, happily, but that's not what I'm reading. So I look forward to the clarification.

Thank you, Mr. Chair.

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

S. STOODLEY: Thank you, Chair.

I'm happy to provide some more information and give some additional background that might help clarify things for individuals.

I guess, firstly, I just want to thank the work of the Buildings Accessibility Advisory Board. They gave us a report of recommendations in July 2021. It's been on our website since just after that and then we used that as a basis to do a series of consultations: What We Heard. I, personally, participated in three virtual sessions. We learned a lot. It was very informative.

I also agree with the Member for Mount Pearl - Southlands that it is good business to be accessible, so, obviously, we encourage all private buildings and private

businesses and building owners to do whatever they can to be accessible, absolutely.

During second reading, we heard a lot about public buildings and, obviously, I think that's an absolutely fair point about public buildings not being accessible and I think after the Minister for TI will speak to that a little bit. But, absolutely, that is an absolute fair point. My personal opinion is public buildings, we should do whatever is reasonable to make them accessible.

I want to talk about the 1981 exemption and give a bit of an overview. Currently, today, as legislations in place, if the building is built before 1981 and a building owner is undergoing renovations, they just have to make sure the value of the renovations they're doing is less than half of the value of the building. So it could be 30 per cent, 40 per cent, 45 per cent. If it's 45 per cent, they don't have to do anything accessible. They are completely exempt and that is the single biggest improvement that we are making here today, in my opinion.

We are getting rid of that. That is a loophole that's bad for everyone. What we are replacing that with is the National Building Code. We do not have a provincial building code at the moment. We have this act and so that kind of 1981 rule exemption is in place. So it's either one or zero. With the 1981 exemption, whatever you're changing as part of that building, that's what had to be accessible. I heard suggestions in second reading that that's not the case so I just want to clarify that.

With what happens today, under the 1981 exemption, buildings pre-1981, if they were doing renovations greater than 50 per cent of the value of the building, everything had to be fully accessible and only the area of change had to be fully accessible. Part of the problem is that there is no grey area whatsoever. Obviously, we can all imagine that not all buildings can be realistically 100 per cent accessible.

So what we are proposing today, in terms of the 1981 exemption, is removing that and applying the National Building Code, which gives our team a lot of flexibility in working with building owners. There will be no year to be applicable or not; everyone is equally applicable. This act will apply equally to all buildings no matter when they were built and if someone is undergoing renovation or making a change, they go through the design review process with our team of experts. They have to submit their building plans and their design plans to us and we will work with them to make it as accessible as it reasonably can be. That's part of the benefit that what we are proposing today delivers to residents of the province.

Compared to what we have today, I know what we are introducing is not perfect, but in five to 10 years we will have a significant number of additional buildings that have a lot more of those buildings be accessible than what we have today. So I think that is a very good thing.

It will mean more cost for businesses when they are undergoing renovations, absolutely. So our hope is that, maybe in working with our team, they can come up with a plan that makes it more accessible and they can budget for that and maybe hold off a bit and save up some additional money to do those renovations. We can't think that they can do something for less money, so once they save up that extra money, then go ahead with the renovations that they've agreed with my team under the National Building Code.

I know saying the National Building Code is a bit intangible, you can't put your finger on it like you can say: this is not accessible. The National Building Code, I've spent hours looking into it, it is a very comprehensive series of rules.

I know in second reading someone else brought up that Ontario has their own building code, but Ontario's Building Code is based on the National Building Code. All

provinces have signed on to an agreement whereby moving forward, where possible, all provinces align by the National Building Code so that it gives business, it gives developers, it gives the industry more confidence and assurance that what they are doing across provinces, they know what to expect rather than each province in Canada having a bespoke set of rules.

So that's also with the spirit in which we align with the National Building Codes. It will improve the accessibility. It will make sure that as nationally rules change, we will keep up with that, and it will remove any exemption. There will be no more exemption for any business regardless of the year that it was built. So I think that is a big benefit.

I guess the other final point I just wanted to raise, and I'm happy to answer lots of questions as we go through this in Committee, but when we undergo that building design review process, someone sends in their building plans to our team and then we review those against the code and against the accessibility regulations. Then fire and life safety review as well. So there are a few stages of checks.

That only happens when a building is undergoing renovation or a change in occupancy class. So, for example, I take the point about a stand-alone business, if it's not accessible in 20 years, if no renovations occur and if the use class of that building doesn't change, it will remain the same. I take that point, fair. But that would be the case in every single jurisdiction. The building codes only apply when you're making a change. There's no legal mechanism for us to apply to this act to a building that is not making any change, that is stand-alone.

Now, I do think that business owners should be making their businesses accessible. I do think government should be making our buildings accessible, 100 per cent. What we're talking about is the minimum

standards that apply to everyone and in no jurisdiction do the building codes reach out and apply to buildings that are staying as they are.

I would love all buildings to be accessible, I really would. But the building codes apply when a building is undergoing change and that applies in every single jurisdiction. I really feel that what we're bringing forward today is a concrete augmentation of the accessibility rules that we have today. It will mean, in the future, a lot more buildings are accessible than what they are right now. It's not perfect. I see this as the *Highway Traffic Act* where we're coming in with one, two amendments every sitting of the House and improving things. I'm happy to have more discussions.

Again, I just touched on one of the recommendations. There are other changes that we're making here today. I just wanted to provide that context and I'm happy to answer lots more questions.

Thank you.

CHAIR: Thank you.

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

E. JOYCE: Thank you, Mr. Chair.

I'm going to stand and just have a few words on this, because I was heavily involved with the people with disabilities, the Canadian Paraplegic Association, for over 20-something years. This has always been a contentious issue, about accessibility.

I heard the Member for Mount Pearl - Southlands say that anything he says here today, say it's not true and he'd apologize. But obviously there's no need, because it's true. We have an advisory committee; the minister has an advisory committee. So the advisory committee sits down, they do their work, and actually the recommendations of the advisory committee is not, say, walk in

and do this now. They're even giving time for businesses to make a plan to have it done in the future.

So this is not something they're saying we should do it right now, have it done. As you move along in the years and do it in phases over the years. So in my personal opinion, what the minister is proposing here now, it's almost like it's taking away from the original act and it's making it weaker. It's actually weaker. So if you walk in now, for a building before 1981, if you're doing 60 per cent of the work, the other 40 per cent doesn't have to be wheelchair accessible. It just doesn't have to be accessible to people with disabilities. So it's almost like weakening the actual act.

AN HON. MEMBER: (Inaudible.)

E. JOYCE: Well, you're saying it's not, but that's just my view. I can see it, so if you've got 100 per cent anything by 1981, right now if you do 50 per cent of renovations, you have to do the whole building.

AN HON. MEMBER: (Inaudible.)

E. JOYCE: I'm just saying the legislation, I can assure you, you've got it wrong. If it's 50 per cent of the building that you're going to renovate, 50 per cent plus one, I think, or 50 per cent plus one of the building, you have to do the whole building. That's a fact.

And now what we're saying is okay, if you do 70 per cent, the other 30 per cent won't have to be done. That's in the legislation; that's what you wrote. That it had to be done by 1981, 50 per cent plus one. If you do 50 per cent plus one of the renovations, the whole building has to be done. I'm not arguing with you; I'm just telling you the way it is. I'm not into arguing.

The advisory board that you have, Madam Minister, they made some solid recommendations. So the question I would ask is: Why do you have an advisory board? The advisory board that comes back, and

they're the experts and that's why they're on the board, and they have all the expertise and they know the drawbacks of it all.

P. LANE: And you put them there.

E. JOYCE: And you put them there, that's true. You appointed them, to give you some guidance and recommendations along the way.

AN HON. MEMBER: And same thing with the Board of Regents.

E. JOYCE: Same with the Board of Regents, yes.

But this is the point, I say to the minister, you say it's a step in the right direction and I'd be one of those people to say, no, it's not. It's actually weakening the original legislation. I don't know why you won't go back and say, okay, let's go back and look at this here again, because it's definitely – you mentioned government buildings also that are not up to code. This Legislature has the authority to do that.

If we have some business down there who are doing any type of renovations, any type of renovations at their building right now, before 1981, we have the authority to come in and say, you have to come in and you have to make it accessible to people with disabilities. A government building can come in, gut the whole place out, renovate it from stud to the roof and don't have to do it. There's something fundamentally wrong with that.

I'm going to take my seat because I just wanted to speak for a few minutes on it and express my displeasure over that. Hopefully, the minister will take this back, haul this bill off the table, bring it back and go back with the advisory board to see what we can come up with to make it stronger, not weaker.

Thank you, Mr. Chair.

SOME HON. MEMBERS: Hear, hear!

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

S. STOODLEY: Thank you, Chair.

So just to clarify for anyone listening, you can look at section 9 of the regulations and section 7(3) of the act, which deal with this. Both indicate that when the 1981 exemption is applied or not, the only thing that has to be made accessible is the area of the building that is being renovated under that exemption. The percentage of the building renovated, under the exemption, is the section of the building that would need to be accessible.

I absolutely disagree with the argument that we are regressing. I absolutely, categorically disagree with that. As a result of this legislation, we will see a lot more buildings become accessible that would not have been specifically because of this exemption.

Thank you.

CHAIR: Thank you.

The hon. the Member for Cape St. Francis.

J. WALL: Thank you, Chair.

It's always a pleasure to stand and represent the people of my beautiful district and happy to speak, for a few moments, in Committee to Bill 52.

Chair, it's safe to say that accessibility benefits all members of our society, including people with disabilities. Improving the accessibility brings about increased quality of life, which creates more independence and better social integration. Of course, we have to look no further, Chair, than the Health Accord. In there it said accessibility leads to better health outcomes and results in cost savings for a number of government departments.

Of course, we look at accessibility about giving equal access to everyone. Without there being equal access to facilities and services that we all have in our communities and throughout our province, persons with disabilities will never be fully included.

Chair, before my career here, I spent a full career of 28 years working with those who were mentally delayed and autistic. Many of those individuals at the group home which I worked – and worked proudly, I might add – had accessibility issues. I'm fully aware of the struggles that the persons that I cared for over that period of time have faced throughout their years and, of course, helped them in any way, shape or form that we could.

I'm looking forward to when we get to asking questions. I have numerous, numerous questions for the minister with respect to this act.

I will say that during the technical briefing, there wasn't any background or material given on the slide deck. That was disappointing, Chair, because it's important that we update this old act. Many advocates around our province have been calling for it. It was a little disappointing that there wasn't more information forthcoming, but I do have many questions, Chair. I'm interested to see the minister's response. I look forward to that.

Thank you, Chair.

CHAIR: Thank you.

No response from the minister.

I next recognize the Member for Torngat Mountains.

L. EVANS: Thank you, Chair.

I'm just going to speak briefly on something that I didn't have a whole lot of time to prepare for, so I don't have a prepared speech or I'm not grandstanding. Some

things have come to light just recently that I do find disturbing.

Before I get into that, I just want to draw attention to the fact that there's a group throughout the province, they're referring to themselves as persons from the disability community in Newfoundland and Labrador. Right now, I'm just going to echo some of the things that they've put forward. I know that they asked for a delay for the bill. It's my understanding, I wasn't present, but I think the minister said or didn't feel the need for a delay. I just want to be able to talk a little bit about the rationale or what I perceive is the rationale behind their request.

Those people have stated in writing to us, to their knowledge, no one in the disability community had any information that these amendments were being read during the sitting. Now we're actually, today, doing second reading in the House of Assembly. To me, that's a bit concerning. That's a failure because what we were discussing with these proposed amendments was supposed to be for the betterment of accessibility. Then when you take people across the province that face disability every day, they face barriers every day and they're coming together as a voice, calling themselves people from the disability community in Newfoundland and Labrador, and they basically didn't know about these amendments, it is quite unsettling.

Just looking at what they communicated to us. The first proposed amendment is stated as the removal of the pre-1981 exemption from the current act. Basically, the biggest gist of this amendment is about the removal of the pre-1981 exemption from the current act, that's what people in the province would think. But they're really, really concerned and what they say is, this is not the case. So in actual fact, they feel letdown. They feel failed by this government.

Just looking at this, they also raised the issue: the Buildings Accessibility Advisory

Board, along with many voices from the broader disability community, have urged government to remove this exception for a long time. So they thought this amendment was coming up; they thought that this pre-1981 exemption was going to be removed so that buildings would be forced to become accessible. In actual fact, what they're seeing is that's not the case.

Looking at the *What We Heard* document, the *What We Heard* document was compiled by consultation of the Department of Digital Government and Service NL regarding changes to the act. I think the reason why they're upset and they're concerned is that they feel let down because, in actual fact, what they're seeing when they watch the proceedings is they see nothing there from the minister that ensures that this pre-1981 exemption is actually going to be removed. I will quote: while the current proposed amendment states a removal of the pre-1981 exemption, nothing in the explanation by the minister as to how this would be realized actually demonstrates any removal of the exemption. So the minister explained it only relating to what they'll do is when renovations occur.

In actual fact, to me, I think we need – everybody here in this House of Assembly don't face the barriers that people with disabilities face. It is so easy for us to just get on with business. But in actual fact, people here in this House of Assembly should be paying attention. Nobody is paying attention. I don't know if you notice. Nobody is paying attention. Nobody is paying attention that a group calling themselves persons from the disability community in Newfoundland and Labrador has problems with this legislation. No one in this House is paying attention that, in actual fact, they actually called for the minister to have a delay of this bill. To me, to say that the minister doesn't feel the need, in actual fact, is disrespectful. It's disrespectful for people who face barriers in their day-to-day life.

(Disturbance in the gallery.)

CHAIR: Order, please!

I remind folks in the public gallery, we welcome your observation, but we ask you to refrain from showing any action either way.

Please enjoy the debate.

Thank you.

L. EVANS: I remind this House that somebody who applauds because they want something to be done about barriers they face in everyday, they can't clap but we can speak over whoever is trying to advocate on their behalf. I'm reading notes from this group and there's so much chatter here it's really hard to even hear myself think. At the end of the day, as MHAs, we need to make sure that when we bring forward amendments that we consult with everybody and especially people who are facing barriers.

In actual fact, from what I've read from the persons from the disability community in Newfoundland and Labrador, they feel let down. They feel this is not the case. They felt that it was going to be stronger legislation. In actual fact, we should not be referring to removal of the pre-1981 exemption from the current act when, in actual fact, that's not actually happening.

I'll just go on here. I'll just quote here. Their understanding, in fact, is there's no removal of the pre-1981 exemption. Any existing non-compliant buildings can maintain the status. So therein lies the failure. Any existing non-compliant building can maintain the status as long as it does not undergo renovation or change the use that gets reported to the department.

Also, we heard about creative solutions being offered to avoid compliance with the act. So this is concerning. I think that at the end of the day we have to be able to justify

why we're passing this act without actually meeting the needs of the people. The group goes on to say: There are several other proposed amendments, in their opinion, that are less offensive, but are still not terribly valuable to people with disabilities, that face these physical challenges every day in their life.

Chair, I have to say, I don't actually have a physical disability. But I have to tell you I had the honour of meeting and actually becoming friends with Mel Fitzgerald, who recently passed away. I've got to tell you, to me it was an honour because in actual fact it was getting to know a superstar, a national hero, and also I got to know a side of Mel Fitzgerald where he was a tremendous advocate for people with disabilities. He always tried to champion, make sure that there were changes that were positive.

I also had the honour and I have the honour today of knowing Joanne McDonald, who is a tremendous advocate. One of the things that they always talk about is the barriers they face in day-to-day life. And in actual fact, I think that in order for us to be respectful, we have to ensure that their voice is heard.

So when I read this: To our knowledge no one in the disability community had any information that these amendments were being read during this sitting, I think that's a failure. Also, when they were consulted, if they were consulted, they thought that the pre-1981 exception was going to be removed. So in actual fact what they see in the House is a watering down of that. In actual fact, we failed as MHAs. We failed to provide respect for citizens of our province, for advocates who are advocating not only for themselves, but the betterment for others. They understand the challenges that others face because they face them themselves.

Chair, we have to ensure that their voice is heard. In Question Period, we should ask

why the minister actually refuses to have a delay and respect people with disabilities who want to have a further say, and make sure that in actual fact there's being serious work done, real action taken to remove the barriers of people –

CHAIR: Order, please!

The hon. Member's time is up.

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

S. STOODLEY: Thank you, Chair, and thanks to Members opposite for their feedback.

I have a few things just to mention. As I know all of our colleagues understand the principle of parliamentary privilege where, before a bill gets introduced into the House, it's not appropriate for us to be disclosing that to outside individuals.

We did issue a press release on second reading. I will say that advocates in this community have been rightfully vicious with me, wanting this ASAP. I guess vicious is the best word I can think of, but, you know, criticized for not being fast enough. So I really am hesitant and don't agree with stopping this process because this will absolutely improve accessibility for people in the province.

I will also say that we are absolutely removing the 1981 exemption and, moving forward, there will no longer be a year by which buildings before applied differently to buildings after, the building accessibility rules will apply the same to all buildings regardless of the year they were built. So I do want to clarify that for anyone if it's not clear.

I also want to re-emphasize that building codes and building rules apply when a building is undergoing change. A builder owner or manager brings a series of changes, they send design plans to our

office and we have experts who review those design plans. Today, it's kind of a black and white. Yes, it's approved. Yes, it meets; no, it doesn't. Moving forward, we'll have a lot of area for collaboration and using the National Building Code to maximize accessibility for people of the province, so I'm very happy with that. In no jurisdiction anywhere do building rules reach out and impact buildings where there's no change.

I guess working within the international building framework that we have, this is the best and most reasonable solution forward, acknowledging that there's always room for improvement and happy to continue those discussions with stakeholders.

Thank you.

CHAIR: Thank you.

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

E. JOYCE: Thank you, Mr. Chair.

I'm going to stand just to have a few words on the actual act and what's in the piece of legislation here today.

Section 5: "This Act does not apply to buildings existing on December 24, 1981 except for the buildings or class of buildings that the Lieutenant-Governor in Council may prescribe by regulation."

When you go to section 7(1): "A person shall not reconstruct, add or change the use of a building unless provision is made to have the building comply afterward with the requirements of this Act and the regulations."

The minister brought up section 7(3); 7(3) is very important. Section 7(3) of the act: "Where a person makes alterations to a building existing prior to December 24, 1981 to improve the availability and accessibility of the building to persons with disabilities,

the alterations shall comply with the requirements of this Act.”

That is the act. They shall comply with the act to be doing any renovations. But what has been proposed here now, and I read right from the act that the minister proposed: “... clarify that where a building is reconstructed or added to, only the portion of the building that is reconstructed or added is required to comply with the Act and regulations.”

So, Minister, when I stand up and say that now this is weakening the act, just go to section 7(3). Section 7(3) says: When you start any construction, the building has to be brought up to the code. What you are recommending here today is that just the portion that is being renovated is all you need to bring up to the code. So, in my opinion, this is weakening the actual act. It is actually weakening the act.

When you look at section 7(3) that you said yourself – and I’ll read it again if the minister is shaking her head: “Where a person makes alterations to a building existing prior to December 24, 1981 to improve the availability and accessibility of the building to persons with disabilities, the alterations shall comply with the requirements of this Act.”

AN HON. MEMBER: (Inaudible.)

SPEAKER: Order, please!

E. JOYCE: You are right; they shall comply. The whole building shall comply.

Here, you’re saying just what is being done. So you can tangle with the words all you like but I can tell you, the intent of the act and the actual act itself is to ensure that if you are going to do it, 1981 and any building after that should have to be put in for the full renovations to make it accessible for people with disabilities.

This is a downgrade to the act and I won’t be voting for it.

Thank you.

CHAIR: The hon. the Minister of Digital Government and Service NL for a response, please.

S. STOODLEY: Thank you.

I do want to assure this House and anyone listening with 100 per cent certainty that the current exemptions only apply – if under the current exemption when one of those buildings has to become accessible, only the alterations, only the section of the building being changed, has to apply today.

I want to clarify that we are absolutely improving accessibility with the proposed changes.

Thank you.

CHAIR: The minister has concluded.

The hon. the Member for Terra Nova.

L. PARROTT: Thank you, Mr. Chair.

I have my concerns with this act. Obviously, as an individual who’s an amputee and is fortunate enough to be able to put a leg on to walk, I’ve spent a significant amount of time in a wheelchair. I understand what people face on a daily basis.

Now, as the minister just talked about when it comes to alterations, I can give you the name of a business in my district that wanted to put in an accessible front door to a building that was pre-1981. They were told they couldn’t put in a front door unless they changed the bathrooms and everything else associated with it. Under the current act, they had to change everything. This isn’t coming from some inspector in the Town of Clarendville. This is coming from your department, from Service NL and the individual did not make their establishment

accessible because of the exorbitant cost associated with it.

So while the minister is confident in what she speaks about, I would like to understand that her department enforced it in that way and that is the way they interpret it. Because from my experience dealing with businesses, they have not at all enforced it that way. They have told people they had to do the whole building.

So when we go to the new act and we start talking about things, if you have a building that's six stories, as an example, and someone wants to do a renovation on the fifth floor, the new act says that you only have to do the fifth floor. What if there's no elevator? So the fifth floor will be accessible, everything will be set up for someone in a wheelchair or who got accessibility demands, but there won't be an elevator to get them upstairs. So how does that work? I don't think this act goes to that point.

What I would say to the minister is that perhaps you need to look at those considerations and understand how it affects people who have accessibility issues. I would say to the minister, borrow a wheelchair, come into this House of Assembly and see how it works because it doesn't work very well. I don't think you have got to be very intelligent to figure that out.

At the end of the day, if this act is going backwards, which it certainly will in some instances, we need to take some time and look at it and understand that we're making the right legislation for the people that require it.

Now, there are positive steps in this legislation, make no mistake about it, but are they all the right steps? I don't know that they are. Maybe we should take a bit of time and understand that we're doing the right thing because contrary to what she said about stopping this and not moving it fast

enough, it would be way worse to make the wrong decisions in the essence of time than it would be to make the right decisions the right way it should be done.

There are lots of people over here who you can talk to, who you don't talk to. There are lots of ideas from people up in the gallery and lots of coalitions around the province who deal with these issues on a daily basis. I would suggest that we do a reset on this bill, take a little bit of time and understand how it affects the people that you're trying to help because you're not going far enough with it.

One other thing I need to add. The Member for Torngat Mountains talked about people talking in this House. Sometimes both sides of the House need to talk amongst themselves to figure out what they're hearing from an individual or how they're going to interpret a bill or vote for it. Sometimes conversation is needed in this House. It isn't always made to be dismissive or ignorant. I absolutely do not respect the way you handled that. At the end of the day, this side of the House was talking about this bill and these people are here on a regular basis, I don't know that it's always the same for other individuals in this House.

This bill doesn't go far enough, Minister. I think you need to understand there are flaws in it. I highlighted a very big flaw there. If you're only going to do a percentage, if you're only going to do one floor, you only do a certain section, you're going to alienate people in other ways. The department does not enforce the 1981 act the way that you just said.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

S. STOODLEY: Thank you, Chair.

Thank you to the Member for their feedback. I'm not aware of the specific example that the Member raised. If they wanted to send it over, we could certainly look into that more in more detail.

We do have a Buildings Accessibility Advisory Tribunal, I think it's called, and they can make decisions on disagreements. That's also an avenue that's available to businesses and building designers as they renovate their businesses.

Sorry, that's all I have right now.

Thank you.

CHAIR: Thank you.

The hon. the Member for Mount Pearl - Southlands.

P. LANE: Thank you, Mr. Chair.

I just want to agree with the notion that we have a little reset on this. I understand, we've been talking about this for a long, long time and I understand that there are people who want to see this passed. I want to see it passed. But when we're talking about even a little rest here, the reality of it is, is that we're here this week; next week is constituency week. We're not here in the House of Assembly per se. There's no reason why we can't haul this back and we cannot convene a meeting of Members from the three parties, independents, bring in a couple of people who are on the Advisory Committee or COD NL or whatever, just to take a look at what we're doing and potentially make an amendment because we're shut down next week for constituency week, then we're back for a week. You can always bring it the week after next and make a few changes. I don't understand why we can't do that.

While I do understand that if I'm a business owner and so on, even though they're given 10 years, 20 years and so on, I do understand that there's a cost associated to

making significant renovations, but surely God, Minister, surely God, I'm looking at recommendation 1 that was made by the Advisory Committee for the five-year time frame. Here's what they're asking for, I'm going to repeat it: Five years from assent of the bill, adequate accessible parking. Now just think about that for a second, adequate accessible parking.

Are you telling me that it's unreasonable to say that if you have a building, that if it's before 1981, we can't say to them, listen, b'ys, you have five years to paint a couple of blue zones in front of your door? Right now, most businesses around has a blue zone and they have a sign stuck up so that if it snows in the wintertime, you know where the blue zone is, and a bit of blue paint. As a matter of fact, we don't even have all the blue paint anymore, now there's just a little blue square inside the thing, it's even less paint.

I mean, surely goodness, that's one thing that we can be saying, 1981 or not: B'ys, we're giving you five years to paint a blue zone in front of your building.

What else are they asking for here? An adequate walkway. So, for example, if you had a blue zone in front of your building and there's a walkway or a sidewalk, a curb, whatever, you cut down the curb so someone with a wheelchair can push the wheelchair onto the sidewalk to go into the door. Is that a big deal to ask over five years?

To have an entrance, a proper door and a button to push to get in and out of the place. I mean, these are not major. These are not major renovations. These are not hundreds of thousands of dollars. These are very basic things that anyone should be doing anyway, at the very least.

At the very least, can we amend this bill, take it away here now, take some time to get together and talk about a few of these minor things. At the very least say yeah,

even if we say more time is needed, more consultation at a later time to look at the major renovations, like to renovate a whole building and the costs associated with that, surely goodness we can agree in this House, to just take this aside for a few days. Before the House closes, the week after next, we're in here, we can make an amendment to the legislation that, at the very least, says if you own a building, even if it's 1981 or older, you still have five years and we're going to make you put in a few blue zones and a sign and curb cut-down and a proper door for someone to get in to and make their washroom accessible.

I mean, this is not major stuff. At the very least, we should be able to do that. To say that well, we can't do that because people in the disability community want this legislation passed and they're mad at me or whatever, or vicious, whatever the word was, because I haven't got it done yet. I'm not talking about taking this away and bringing it back next year or two years' time or forgetting about it, I'm talking about take it away right now, let's get together, get representation, get some people from COD NL, get the advisory committee and, at the very least, see if we can come to some kind of a compromise that sees us moving a little bit more progressively than what we are now. That at least ensures that if a person has a building, whether it be 1981 or not, that they can have a doorway that someone with a wheelchair could get in and push button and a curb cut down and a bit of blue paint on the parking lot.

That's not a lot to ask for. I think that's more than a reasonable compromise. I think we should be doing it all, don't get me wrong. I think we should be doing it all, but at the very least we should be able to get together and agree on making that kind of a change so that we can see some kind of positive progress, so people can see some positive progress that we're not being totally dismissive of the needs of people with disabilities.

Just think about it, we're going to pass legislation that says: as long as that building doesn't change, you don't need to have a blue zone. That's what we're passing. You don't even need to have a blue zone, a bit of blue paint in front of your parking lot and a curb cut down, you don't need to do it because it's 1981. That's what we're saying and we're okay with that. I'm not okay with that. I'm not okay with that and I'm not going to vote for it. I won't be part of it.

There is a way that I think we can all get together here and at least make some more positive momentum than what's proposed in this bill, that at least sees us moving the needle a little bit further towards accessibility. I don't think it's a lot to ask for. I'm asking the minister to suspend debate for now and let's, like I say, have some representation from the government, the Official Opposition, the NDP, independents, bring in some people from the advisory committee, put this together and at least talk about some change, some reasonable change that pushes us further ahead than what we are.

Barring that, I will not be supporting it, I will not be part of it.

Thank you.

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

S. STOODLEY: Thank you to the Member for their feedback.

I do want to stress that the way building codes work applies when something changes. That is in effect in every single jurisdiction in North America. In no jurisdiction do building codes reach out and impact buildings that are not undergoing change. That is the staple of how building codes work, 100 per cent across North America. I think that's important to keep in my mind.

In terms of the blue zone, I'm just getting some additional information. There are requirements for businesses to have blue-zone parking. That's not really the same thing as making your building accessible. I'm just getting some more information on that.

We made changes to blue-zone parking in 2018 and they do apply everywhere. That has nothing to do with renovations and they require painting and signage. That's more of a parking lot and the parking. So they do apply and that's not about the building. There is a separate set of parking regulations. In 2018, the changes went from 4 per cent to 6 per cent. So 6 per cent of the parking has to be accessible blue-zone parking. Just to add that information.

I'm happy to answer any other questions.

Thank you.

CHAIR: Thank you.

The hon. the Member for Mount Pearl - Southlands.

P. LANE: Thank you, Mr. Chair.

I just want to say, Minister, I don't see the point of having a blue zone if the curb is not cut down and there is not a door that people can access. So it all kind of ties together, to be honest with you. You can't really have one without the other. What I am suggesting is, at the very least, a few basic changes.

As for not being able to go to a building unless there is a renovation made; there are lots of buildings around, I would suggest, including government buildings, that may be even newer than 1981 and they're still not accessible. Can you go and force them to come to compliance or only if they make a renovation?

We're legislators here; we're the ones who make the laws. I can't see why we can't make legislation, as it is suggested, to say

that you're going to be compliant by a certain date and in certain ways and end of story. We are the legislators.

I'd like to understand the explanation as to how, legally, we can't do it because I believe we can do it. What do we do right now if someone had a building that was built in 1985 or 1990 and they're not compliant? Do we have to wait for them to make a renovation before we say make your building accessible?

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

S. STOODLEY: Thank you, Chair.

I will mention that I agree that we should encourage all businesses to be accessible, absolutely. I fully support maximizing accessible spaces across Newfoundland and Labrador, absolutely.

There will be a new building code for Canada in 2025. Right now, I think part of adopting the new building code aligns us with that. Any newly constructed building has to fully, 100 per cent, comply with the new building code, at the point where they submit their design plans to our department for review. So that's kind of how building codes work.

Again, thank you to the Member for their feedback.

CHAIR: Thank you.

I next recognize the Member for Cape St. Francis. I understand he has a series of questions back and forth. If there are other speakers, just catch my eye and we'll fit you in.

Thank you.

The hon. the Member for Cape St. Francis.

J. WALL: Thank you, Chair.

As I said earlier, I do have many questions for the minister so I'd like to get into those.

Minister, did you have any consultation with the Coalition of Persons with Disabilities?

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

S. STOODLEY: Thank you.

We did have three engagement sessions, virtual, that I participated in and my understanding is multiple individuals from that organization participated in those consultations. We also had an engageNL survey, I think, with over 150 participants but we don't know who submitted – public engagement doesn't tell us who submitted those, but my understanding is people from that organization were a part of the virtual consultations that I held.

Thank you.

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

J. WALL: Thank you, Chair.

Has the minister consulted with Municipalities Newfoundland and Labrador?

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

S. STOODLEY: Thank you.

In the virtual consultations, there were many individuals from municipalities across the province. A lot of people who worked for municipalities, they were particularly interested. I just recall they were particularly interested in how it would impact the building work of their municipalities.

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

J. WALL: Thank you, Chair.

Has the minister consulted with the Canadian Federation of Independent Business and with the St. John's Board of Trade? If so, are there any concerns from both groups?

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

S. STOODLEY: Thank you for the question.

Just to circle back on the last one. Yes, we specifically consulted with municipalities in Newfoundland and Labrador and they were also consulted by the Building Accessibility Advisory Board.

I'm just going to wait for triple confirmation from my team, but we would have consulted with the Federation of Independent Businesses, as well as the construction association. We did have multiple developers participate in our sessions and the breakdown of that is in the *What We Heard* document, which is on our website.

There's the questionnaire: Are you a building owner? We had 11 building owners, five building operators, six construction industry professionals; a range of different people participated in the online questionnaires.

We did have businesses.

Thank you.

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

J. WALL: Thank you, Chair.

With respect to definitions, Minister, definitions of reconstructed, added to or undergoes a change in use. How will that be defined?

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

S. STOODLEY: Thank you.

The change of use, that's when an occupant – I'm assuming the Member is referring to when the accessibility rules will kick in and where they'll kick in. If the class changes, so if it goes from like a school to a hotel or a school to an apartment building, or like a retail place to a restaurant or whatever the different classes are and then major renovations would be moving a wall or widening a space. I guess it would depend on the space, but whenever the team would have to submit their design to our department for review, that's when the rules essentially would kick in.

Thank you.

CHAIR: The Member for Cape St. Francis.

J. WALL: Thank you, Chair.

With respect to these definitions, will it be by construction value or by square footage altered in the renovations?

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

S. STOODLEY: So the value part is what we're getting rid of, the pre-1981 part. There's no reference to value or square footage. It's more about making a substantial renovation or moving a wall, changing the layout or if the class of building changes.

Thank you.

CHAIR: Thank you.

The Member for Cape St. Francis.

J. WALL: Thank you, Chair.

Minister, with respect to small business owners, we have many of them throughout the province. What happens when a business owner has a break-in or vandalism occurs and needs to replace windows or doors?

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

S. STOODLEY: So I guess it would depend on the scope and scale of what we're talking about, but a broken window, if someone replaces a window on a business, the team does not need to send our experts design documents for review.

Thank you.

CHAIR: The Member for Cape St. Francis.

J. WALL: Thank you, Chair.

Again, with respect to change in use and this definition and municipalities – so municipal zoning and business occupancy. So, for example, Chair, there's a takeout for many decades. Now it's going to offer the option of eating in or a neighbourhood pub becomes an office. How is that going to be affected here with respect to municipal zoning or business occupancy?

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

S. STOODLEY: Thank you.

I think maybe the latter example where you're talking about a pub to an office – again, not being an expert in municipal zoning – that sounds like one option where the rules would apply. In that case, it would apply to the whole building. Our team would work with the building designer or the owner within the National Building Code to plan out accessible changes. Our team would make the final determination, erring on the side of accessibility. Then if they couldn't come to an agreement or if the business owner was unhappy with the determination, they have the option of appealing to our building accessibility advisory tribunal. They could appeal the decision.

Thank you.

CHAIR: The Member for Cape St. Francis.

J. WALL: Thank you, Chair.

How will the minister protect an individual expecting to buy a commercial property, who may not be fully aware of the limitation for future use with respect to the changes in this bill?

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

S. STOODLEY: Thank you.

My team works every day with business owners across the province. It's not the easiest thing in the world to understand all the rules and regulations that apply to your business. We have this thing called BizPal, which tries to make it easier, so you can go there. It hasn't always been up to date; we have a staff member currently updating it. We try to clarify for people when they are buying a business, renovating a business, changing the use of a business, there are various – and I come across this a lot, because in addition to building accessibility, my team also do the fire and life inspections on behalf of Justice.

We also have the boiler, pressure vessel rules, so the rules around distilleries, and any kind of industrial, commercial tanks, anything pressurized has to have inspections, and there are very specific rules to follow. On a daily basis, I have businesses, members of the public reaching out. My team do a lot of help, and we try and do light-touch education, working collaboratively together and we are trying to protect members of the public and some of those, in terms of like a pressure vessel kind of thing.

But then we also on this side, the accessibility side, trying to make things more accessible, and not all business owners are happy – I spent a lot of time with business owners yelling at me. Again, that's part of it, and I guess in terms of a small business owner having to comply, we try our best with outreach. There are things like

BizPal where you can go and look up what you're doing and it kind of gives you hints on the things that might apply to your business.

You can always reach out to our team. We have pretty helpful information on our website. For example if you're starting a home-based business like baking or – food inspection, we try to have a lot of information on our website that's easy to find and easy to understand of all the rules that apply to your business in Newfoundland and Labrador.

Thank you.

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

J. WALL: Thank you, Chair.

Does the minister have any concerns about altering the cultural and historical value of buildings, which we have many of throughout our province?

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

S. STOODLEY: Thank you.

So we did consult with Heritage NL, and you won't see it in the legislation but we do have a process whereby any building that – I can't remember the criteria – meets a certain set of criteria that's been agreed with Heritage NL, they will be involved in the process to review the approval plans essentially with the business.

With a view of accessibility and heritage combined, our team will collaborate with Heritage NL and the business owner to come up with a way forward that kind of satisfies everyone as much as possible, from a heritage, cultural – I'm assuming that's what the Member references when he used the word cultural. From a heritage perspective and accessibility, the National Building Code gives us that flexibility where

we can work together with that lens for everyone's benefit.

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

J. WALL: Thank you, Chair.

Here in the Official Opposition we were wondering why there's nothing in this bill to encourage private developers to construct more fully accessible private homes. Could the minister please comment on that?

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

S. STOODLEY: Thank you.

That's an excellent question. I personally fully support the idea of a certain percentage of new homes being fully accessible. I note that that was one of the recommendations the Advisory Board gave us. That was one thing that was very interested in, but that is a municipal responsibility in Newfoundland and Labrador, so the municipalities are responsible for the rules around buildings.

I do encourage and I will be encouraging all municipalities to adopt rules for developers that state a certain percentage of new buildings must be fully accessible and/or have accessible features. That's municipal jurisdiction and I will be and continue to encourage all municipalities to adopt that.

Thank you.

CHAIR: Thank you.

The hon. the Member for Cape St. Francis.

J. WALL: Thank you, Chair.

Could the minister please comment on the report of the conclusions of *What We Heard* document that her department compiled and found that 83 per cent want action now to

fully address the building accessibility? Could you please comment on that?

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

S. STOODLEY: Thank you.

Yes, obviously one of the recommendations was that, I'll just read it. "Buildings constructed before 1981 that are open to the public be required to be made accessible for persons with disabilities." That was the recommendation and 83 per cent did agree to that.

What we are proposing removes that exemption. So all existing buildings will be treated the same, regardless of what year they were built and any new buildings will have to be 100 per cent fully compliant with the building accessibility rules.

Thank you.

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

J. WALL: Thank you, Chair.

Does the minister agree with the first recommendation of the Buildings Accessibility Advisory Board that says in 20 years all buildings should be fully accessible?

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

S. STOODLEY: Thank you.

I fully support maximizing accessibility, a million per cent. The primary hurdle with that recommendation is that – and I think some of the members of the advisory board would understand that – the building codes only apply when something changes. Nowhere in any jurisdiction in North America do building codes go out and touch buildings that are not undergoing change.

So that is really the challenge and I guess I'll leave it there.

Thank you.

CHAIR: Thank you.

The hon. the Member for Cape St. Francis.

J. WALL: Thank you, Chair.

Getting back to small businesses throughout the province, Minister. What do you expect will be the added cost for small businesses to complete this added work? Is there any assistance available from any government department to offset the cost?

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

S. STOODLEY: Thank you.

I know we've all been looking at the Building Accessibility Advisory Board recommendations and one of their recommendations is an extensive grant program. They did recommend, you know, grants and stuff. That is outside of my area of responsibility.

I think we, as a government, recognize the housing shortage at the moment. We've invested with Newfoundland and Labrador Housing into the five-point housing plan. I know the Minister of CSSD also has some accessibility funding within their department. The Minister Responsible for the Status of Persons with Disabilities, they have funding that can help some businesses and information about that would be on their website.

CHAIR: Thank you.

The hon. the Member for Cape St. Francis.

J. WALL: Thank you, Chair.

With respect to you colleagues, the Minister of CSSD and the Minister of Transportation

and Infrastructure, have you chatted with them about the cost of renovations for the provincial government buildings?

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

J. ABBOTT: I'm sorry I was trying to do something else here, I apologize.

If I can get my notes here, a couple things I just wanted to bring to the attention of Members in discussing this bill today in terms of public buildings owned and managed by the Department of Transportation and Infrastructure.

So first and foremost, for any of the leases that we entertain for public space for offices and the like, they all have to meet accessibility standards currently that are in place. All our contracts, tenders and lease agreements will meet accessibility standards for today's standards. That's something we've committed to.

Secondly, if we are doing any renovations on any public buildings – and that's been going on for some time – they will also have to meet current building accessibility standards. We're doing that.

Third, we are commissioning, literally as we speak, a study of any other of our large remaining buildings that we own to ensure that we can now move forward, based on this legislation, to make sure that we can upgrade those facilities to meet accessibility standards. We're committed to doing that.

If you recall, in terms of the accessibility legislation that we approved here in the House almost two years ago, there is certainly a concerted effort by the government to improve accessibility standards right across the board, including building accessibility standards. Even though we have two pieces of legislation, that will certainly put more emphasis on some of the things I think the Member for Mount Pearl - Southlands and others have

mentioned about access, what's happening in a business or in the community at large so that we can improve accessibility there.

There was mention made of the House of Assembly. I know people in the gallery have brought this to our attention in the past because of limitations, to put it mildly, to be able to be in the gallery. We have made some modifications there. That is under the purview of the Speaker's office, not the department. If the House wishes to, and in my view should, up its game when it comes to accessibility, recommendations then will be made to my department to make those changes.

We've had that discussion when I was Minister of Children, Seniors and Social Development. We did meet here when we were talking about the accessibility legislation with the former minister of Transportation and Infrastructure and the Speaker to identify, at a superficial level, things we know need to change. We also need the House to turn its attention to making this facility, this House, more accessible for elected Members, for staff and obviously for the public who come to the galleries.

We will continue, and when we get the results of our study of our buildings, we'll make that available to the House as well to indicate the degree that we are compliant, but also the degree where we're not compliant on a go-forward basis.

For me, that's certainly essential, the principles I had in the former department I certainly want to bring into this department because I had advocated for the department to do the study. Now I am charged with getting that study done. So that's important to me. My department works very closely with Digital Government and Service NL in terms of the legislation and the regulations because obviously our two mandates do intersect and we want to ensure that.

I hear what the minister said in terms of where we are in this point in time. I think it's generally agreed by all of us here that more can be done and needs to be done, but this is, right now, where we are based on consultations, based down to the consultations with the private sector and other stakeholders, this represents a compromise as to where we are. As time moves on, we will and can do more when it comes to improving accessibility.

I'm laying a lot of credence to the Accessibility Standards Advisory Board because they have started their work and they will be coming forward with their recommendations to the minister and then the minister to government in terms of the changes in business processes, communication processes, as well as some of the things we're talking here today.

So I think, from where I stand, in terms of where we are, in terms of public buildings, a lot has changed, a lot has improved. We look at the Colonial Building, a very significant piece of architecture and heritage, built heritage. When we did the renovations on that, we made sure that that was accessible. That's the standard we need to bring right across the board.

So I'm looking forward to seeing how we can do that in other buildings, big or small, rural or urban, because every person coming to a government facility needs to be treated with respect. We need to make sure that they can and should have access when they, obviously, present themselves.

For instance, if you look at out in Stephenville, Stephenville Crossing, obviously we're doing a major retrofit of a building there. Why? One of the limitations of the courthouse there was around accessibility. So we are totally renovating a building to now facilitate better access to the courts.

We do it in our hospital facilities, of course, and that's important, though we know that

some facilities are compromised in terms of access because of the age and the location and those kinds of things, so we obviously make the best approaches there to allow people to access that.

I know all of us can have and do have an individual, separate story of a facility that is totally not accessible and it is not appropriate. What I have talked to my staff about is to the degree we can and should modify that facility, then we will do that to the best of our ability.

Chair, I will pass it back to you.

Thank you.

CHAIR: Thank you.

The hon. the Member for Cape St. Francis.

J. WALL: Thank you, Chair, and I'd like to thank the minister for the level of detail in his response.

With respect to the government buildings that won't be accessible and the study that's being done as you just mentioned, Minister, are you prepared to table that list to the House of Assembly when the time arises?

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

J. ABBOTT: Yes, and we're prepared to do that at any time.

CHAIR: Thank you.

The hon. the Member for Cape St. Francis.

J. WALL: Thank you, Chair, and thank you, Minister.

I'd like to ask the minister, again, back to her legislation today, how will you ensure that small home-based businesses, which we have many across our province, for example such as a hair salon – how will you ensure that they are not forced to make

radically expensive renovations to adhere to this bill?

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

S. STOODLEY: Thank you, Chair.

In terms of home-based businesses, we are going to be adding to legislation the current practice that we have in place. So my understanding is the current legislation is a bit unclear and so we kind of have an agreed framework that the team has been enforcing and now we're going to be entrenching the current practice into legislation. There are specific rules around home-based businesses. Some home-based businesses do have to incur cost.

I had one individual, their contractor did an incorrect job in building the business and they were not able to open their business because they did not build it to meet accessibility rules. So there are rules around home-based businesses, such as there has to be no entrance, I guess, between the home part and the business part. There has to be a firewall between both sections. I'll have to get the specific list and it will be in the legislation.

I guess there will not be a change to the practice in home-based businesses; we're just putting in legislation what our practice has been in applying the building accessibility legislation to home-based businesses.

Thank you.

CHAIR: Thank you.

The hon. the Member for Cape St. Francis.

J. WALL: Thank you, Chair.

Continuing on with home-based business, how will the definitions here protect homeowners who only utilize small portions

of their personal home for their home-based business?

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

S. STOODLEY: Thank you, Chair.

The rules around home-based businesses practically are not going to change. We currently have a set in place and we are entrenching those in legislation or regulations. I'm just going to get them up so I can read through all of them. Sorry, I have a lot of documents in front of me. I'm just going to have to dig that out and I will be able to – if you give me a minute, my team will direct me to that. I will read exactly how they apply to home-based businesses.

You can go on if you want. I can come back to it.

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

J. WALL: Thank you, Chair.

I'll look forward to that response from the minister.

How will the deviations for exceptional circumstances be measured? How and who will decide the equivalent or greater accessibility?

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

S. STOODLEY: Sorry, I realized I was looking at the wrong bill.

Your question was – here we go. So I'll go back to the last one. On page 3 of the bill, if we look at section 4, if you're talking about home-based businesses, 4(a) here, a portion of a home that contains a business is subdivided or divided by firewalls from the remainder of the private home. It does not have a means of entry between the portion of the private home that contains the

business and the remainder of the private home. Then a boarding house, lodging house or bed and breakfast accommodation with sleeping accommodation that's provided for more than 10 boarders, lodgers or guests. So that is the current practice and we are putting that into law.

Sorry, what was your second question?

CHAIR: The Member for Cape St. Francis.

J. WALL: Thank you, Chair.

My second question, Minister, was with respect to deviations for exceptional circumstances, how they're going to be measured. How and who will decide equivalent or greater accessibility?

CHAIR: The Minister of Digital Government and Service NL.

S. STOODLEY: Thank you.

So the deviations and the principles are outlined in the National Building Code and our director will be able to make those decisions and then the director will apply the deviations as per the National Building Code and then anyone who disagrees with those can appeal to our building accessibility advisory tribunal.

Thank you.

CHAIR: Thank you.

The Member for Cape St. Francis.

J. WALL: Thank you, Chair.

The minister just mentioned the director. Who will be the director with respect to this, Minister?

CHAIR: The Minister of Digital Government and Service NL.

S. STOODLEY: So I don't want to give their name.

CHAIR: Title?

S. STOODLEY: Their title is the director of engineering and inspection services within Digital Government and Service NL.

CHAIR: Thank you, Minister.

The hon. the Member for Cape St. Francis.

J. WALL: Thank you, Chair, and thank you, Minister.

How many fines have been issued for non-compliance and why increase the fines if it has never been issued?

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

S. STOODLEY: Thank you.

I don't have the total number of fines. My understanding is it's not significant. We try and take a handholding, work-with-you approach.

Our hope is that the fines act as a strong deterrent. That's why we're significantly increasing the fines. We know that when we increased the fines for blue-zone parking, we saw the occurrences decrease dramatically so our hope is that the significant increases in fines act as a deterrent.

Sorry, we had two fines recently for businesses not complying with the *Buildings Accessibility Act*.

Thank you.

CHAIR: Thank you, Minister.

The hon. the Member for Cape St. Francis.

J. WALL: Thank you, Chair.

Can the minister please share with us the amount inspections that have been completed over the past year?

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

S. STOODLEY: Thank you.

I don't have the number here and I guess the process would be when a building is in the design phase, the designs have to be stamped by an architect or an engineer. They are sent to our department and our department review the designs. We would not inspect all of those. We more provide approval at the design stage, so they would look at blueprints or the technical drawings of buildings.

It's before the building starts rather than after the fact and I think we would do inspections if we got a complaint or something. We don't just proactively go and inspect all buildings for accessibility. Now, there are fire and life safety inspections that my team do on behalf of JPS.

The building accessibility review is done in advance of the build and we would inspect if there was a complaint.

CHAIR: Thank you, Minister.

The hon. the Member for Cape St. Francis.

J. WALL: Thank you, Chair.

One last question for the minister and I want to go back to what my colleague from Terra Nova said earlier in Committee with respect to a five-story building and upgrades are being made to one particular floor.

If upgrades are not needed for all floors, how is a person with disabilities supposed to access the floor that is going to be upgraded? Could you please enlighten us?

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

S. STOODLEY: I will say that currently with the exemption and the way that the 1981 exception applies or not applies, that is only

to the area of the building that is undergoing construction.

The same applies with the new building. Individual EDGE cases would go by the National Building Code and where possible, you know, realistically, if a building owner was making renovations, I don't know if they would just significantly make renovations to the top floor and nowhere else. They would still have to submit those design plans to our team and that would be a discussion that we would have with them.

It depends on a lot of factors: If it's on Water Street versus if it's a stand-alone new build. There's a whole lot – I do want to clarify because I think my colleagues have mentioned there might be some areas of uncertainty. All new commercial and public buildings will be required to be fully accessible. I just want to put that out. I think I said that but I just want to make sure that everyone is aware of that.

Thank you.

CHAIR: Thank you, Minister.

The hon. the Member for Cape St. Francis is done.

Any further questions?

The hon. the Member for Mount Pearl - Southlands.

P. LANE: Thank you.

Minister, would you say it's fair to say that if somebody had a building since 1981 or before, which would be 42 years old and possibly longer than that, if they didn't care enough about access and making buildings accessible for people with disabilities for 42 years, would you think that on their own now they're going to ever make their buildings accessible unless they're forced to do so? Don't you think some of these people might find reasons, say, not to

renovate, just so they don't have to be compliant?

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

S. STOODLEY: Thank you.

I guess I will say that removing the 1981 exemption will mean that no one gets off without any accessibility. Before, if you did a construction on a pre-1981 building and you spent 40 per cent of the value of the building, you did not have to try one little bit to be accessible, whatsoever.

The change we are implementing today means that that portion of the building will have to be fully accessible and/or work with my team within the National Building Code to make it as accessible as possible. It is a significant improvement in accessibility.

I'll just answer a previous question. So in terms of building accessibility inspections, in the year 2021-2022, we completed 351 building accessibility inspections.

Thank you.

CHAIR: Thank you.

The hon. the Member for Mount Pearl - Southlands.

P. LANE: Minister, again you're saying that if renovations are made. I guess my point is that if somebody had a building for the last 42 years, or longer, and in those 42 years they could not take it upon themselves to make their building accessible, then I wonder what are the chances that they're going to do so in the future unless there is some provision, as was recommended, to force that to happen over time. That was my question.

CHAIR: The hon. the Member for Torngat Mountains.

L. EVANS: Thank you, Chair.

Just looking at the amendment, there's a new definition for persons with disabilities, it includes mobility impairments, including reaching or manipulation disabilities; visual impairments and hearing impairments. It was brought to my attention by correspondence from persons from the disability community in Newfoundland and Labrador that there were recommendations in the *What We Heard* document that clearly state a recommendation that was extended to include persons with mental, intellectual, visual and other identifiable accessibility disabilities and 89.04 per cent of the respondents to the government-led consultations completed supported that recommendation.

My question to the minister is: Why was that recommendation left off the definition?

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

S. STOODLEY: Thank you.

I guess I will say in terms of built environment, things like a mental disability and stuff, that is not within the scope of changes to a built environment. The National Building Code is continually update every few years. Doing that, aligning with the National Building Code, ensures that the building accessibility standards across Canada become the standards here for building accessibility.

I think that's a significant positive change in what we're making. Nationally, if other areas of accessibility become part of the National Building Code, then that will automatically be adopted as part of our building code. I just want to mention that.

In terms of other areas of accessibility, I know my colleague for Transportation and Infrastructure now, in the last sitting, he passed changes to the *Accessibility Act* and that focuses on other areas of accessibility. Actually, part of within my roles as Minister of Digital Government and Service NL, I'm

also working on other types of accessibility that are not physical disabilities. I'm working on legislation to bring forward to this House at a future date other types of accessibility that are not related to the build environment.

So that is something that we are looking at across departments and even within my own department. This specific piece of legislation is around our build environment.

Thank you.

CHAIR: Thank you, Minister.

The Member for Torngat Mountains.

L. EVANS: Thank you, Chair.

I'd just like to add to the minister's response to my question, I do see this as a lost opportunity. When almost 90 per cent of the respondents who took the time to interact and be a part of the consultation process recommended and supported the larger definition because when we're looking at building accessibility, and this is the *Building Accessibility Act*, we're not talking about the buildings of buildings, we're actually talking about the end product: What's the end product of a building that we see? A big part of it is accessibility. We're a lot more aware now of some of the issues that challenge people to be able to interact freely inside of the public buildings. So I think this is a missed opportunity and we could've actually been bolder and stronger and lead the way in terms of accessibility and inclusion.

But I'll go on to my second question now. Just looking at the *Accessibility Act*, it was passed on November 4, 2021. This empowered the Lieutenant-Governor in Council to appoint the Accessibility Standards Advisory Board to form the standard development committee to research and develop accessibility standards.

My question is: Was there any collaboration between the Accessibility Standards

Advisory Board and the department staff, the Department of Digital Government and Service NL? Was there any collaboration with staff during this consultation or if they had a strategy in place to communicate about conflicting policy when overlap does occur.

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

S. STOODLEY: I guess I will say we have a Building Accessibility Advisory Board. They met with many different organizations. They met different people within the provincial government. They would have had people within our department available to them as helpful resources. They provide advice on a range of different things. I guess that's the best I can answer that question.

Thank you.

CHAIR: Thank you, Minister.

The hon. the Member for Torngat Mountains.

L. EVANS: Thank you, Chair.

I just want to go back to the definitions, too. We did ask during the briefing about the definition. It says here any building will need to adhere to the accessibility regulations when the following occurs: the owner undertakes any renovation that changes the layout of the space. We did ask and it was said back to us again, any changes to the layout that can impact accessibility. This is not a strong definition.

My question would be, because it's not a strong definition, I was wondering if the minister would be able to expand a little bit more on what she means by renovation and what she means by spatial changes. Ontario does have a more prescriptive definition.

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

S. STOODLEY: Thank you.

I will say that the Ontario code is the National Building Code and when we apply the National Building Code if and after this legislation comes into force the same definitions will apply. The Ontario building code is the National Building Code. They just kind of take it and say it's the Ontario building code.

Thank you.

CHAIR: Thank you.

The hon. the Member for Torngat Mountains.

L. EVANS: Thank you, Chair.

I guess what will happen is the definition then would be upgraded to actually include the installation of new interior walls, floors or ceilings?

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

S. STOODLEY: Anything that's in the National Building Code will apply to Newfoundland and Labrador after the regulations come into force.

Thank you.

CHAIR: The hon. the Member for Torngat Mountains.

L. EVANS: Thank you, Chair.

I do have another question here. Again, it goes back to the recommendations that were referenced earlier. A constituent afflicted with a spinal cord injury who requires the use of a wheelchair has reached out to our caucus on Thursday, October 26, 2023 with feedback regarding an amendment to the *Buildings Accessibility Act*. The constituent is concerned that the government is rejecting the

recommendations from the Buildings Accessibility Advisory Board.

In particular, the concern is that there would be no incremental mandatory process for adhering to the recommendations put in place. Essentially, it appears instead of having all the buildings over time ensure that people, like this constituent, can participate in society with bathrooms, walkways, the legislation does not reflect this recommendation. I think that's some of the issues raised here by the independents and also by the Official Opposition.

I ask the minister: What justification was there for this recommendation to be rejected and how can the minister reassure that people with severe disabilities will be able to actually be included when it comes to accessing buildings?

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

S. STOODLEY: Thank you.

I fully support maximizing accessibility for everyone in Newfoundland and Labrador, 100 per cent. When we look at how building codes are applied across North America in every single jurisdiction, building codes apply when a building is newly constructed or when there is a change to a building, a use class or a significant renovation within a building. That is when codes apply. There are fire and life safety codes –

SOME HON. MEMBERS: Oh, oh!

CHAIR: Order, please!

It's just getting a little difficult to hear the speaker.

Thank you.

S. STOODLEY: There are fire and life safety codes and there are building accessibility codes. I believe there is also discussion for international energy codes.

There is a range of codes that apply when a new building is being constructed or a building is undergoing construction, a renovation or change.

That is how building codes work across every single jurisdiction in North America. So we are proposing what I believe is a reasonable improvement in accessibility in Newfoundland and Labrador. More buildings will have more places accessible in the next five or 10 years than they will under the current legislation.

Adopting the National Building Code allows our team to work with building owners to improve accessibility in a way that is flexible, that favours accessibility rather than a black and white, because we know that not everywhere is black and white.

So I strongly believe that this – it's not perfect and there's always room for improvement. There is no mechanism within North America for reaching out and changing buildings that are not either newly being constructed or not undergoing change.

This is our team's best way forward that we're bringing forward today.

Thank you.

CHAIR: Thank you, Minister.

The Member for Mount Pearl - Southlands.

P. LANE: Thank you.

I guess I just want to comment on what the Minister of Transportation and Infrastructure had said about government-owned buildings and just to seek some clarification.

The minister talked about the fact that we have public services which are either being delivered through publicly owned facilities or we also lease buildings and so on. What I heard the minister say was that any leases that we would have would be in compliance

with standards and with the new standards and as well on public buildings based on these new standards that we're adopting.

I guess the concern I have is that based on these standards that we are now adopting, if we currently have – I'm just going to use the example of an AES office as an example, and there was one over at the old Regatta Plaza. I don't think it's there anymore, but there was. I believe there may have been some accessibility issues there because the building was, again, older than 1981.

So even by today's standards, if we had an AES office in a building that was older than 1981, even if we adopted this new legislation, that as long as that building didn't undergo renovations, we'd be satisfied to keep that AES office not accessible because we don't have to. By the same token, if we have a school or a courthouse or a government building, the new legislation we're adopting says that we don't have to make it accessible unless we're doing renovations.

We could conceivably, to the minister's point, be following the law, following the standard. The standard says this government building was built in 1979, so I'm going to follow standards by keeping it not accessible because I don't have to. Technically, you would be following even the new standards as adopted.

I guess my point is at the very least, when it comes to public buildings, I don't care if the building was built in 1921 or if the building was built in 2024. It doesn't matter. We should say we don't care when the building was built. Any publicly offered services, whether they be in government-owned or leased spaces, that those facilities are going to be as a matter of government policy – never mind this policy – all of them are going to be accessible. That's what I'm getting at.

I think that might be the intent of what the minister was saying but when he said based

on the standards that exist and on the law, that if we just base it on the standards and the law even under this change, whether we agree that it's a positive step or it goes far enough or not, under this change we could have buildings now that are older than 1981. We could be leasing them, we could own them and we wouldn't have to make that building accessible because there are no renovations or changes in use.

So I was looking for some assurances, I guess, from the minister of more of a government policy that would say I don't care when the building was built, we will endeavour to make all government facilities accessible, period.

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

J. ABBOTT: Thank you, Chair.

I appreciate both the comments and the question from the Member for Mount Pearl - Southlands.

I guess I've got to sort of clarify some of my earlier comments. So in terms of – and I thought the examples you used were actually very good and very germane to the discussion – the taking any leasing of a private building, we would stipulate in our tender and in our contract that we need it to be accessible based on the usage both employees and – quote, unquote – visitors, general public. That would be independent of their requirement under the legislation if they were doing modifications for somebody for the other part of the building. But it definitely needed to be clarified.

In terms of the government policy, as I mentioned, any time we're looking at any renovations on any of our buildings, up to now and as we speak and certainly going forward, we're going to make sure they are accessible. That being said, there are buildings right now that we are not looking to do any modifications on and do not meet accessibility standards.

My view, my position and my department's position – and I'll speak on how to separate it from government overall – is that where we can, when we can, we will want to make those accessible. So that's why we're commissioning the study to see what that gap is and what the need is and what the cost will be. Then we will put that into our budget planning and infrastructure planning on a go-forward basis.

SOME HON. MEMBERS: Hear, hear!

CHAIR: The hon. the Member for Torngat Mountains.

L. EVANS: Thank you, Chair.

The minister has made references to adopting the National Building Code.

My question is: Will that guarantee that all public buildings and those covered under this act, will they over time become accessible to persons with disabilities?

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

S. STOODLEY: Thank you.

In terms of the process, after the regulations are in force, any design approval that comes in to our team of a new build, after that day, will have to be fully accessible. Any new change, occupancy change, a class change or major renovations to a business, when the design review comes to our team, that will have to be accessible, as much as absolutely possible and that will be a consultative approach with our team in alignment with the National Building Code.

Thank you.

CHAIR: Thank you, Minister.

The hon. the Member for Torngat Mountains.

L. EVANS: Thank you, Chair.

I think, for people with disabilities in our province, who have to access public buildings, what they would like to see is a commitment from this government to ensure that all public buildings over time would gradually or quickly have to comply with accessibility requirements for everybody, to make it accessible for people.

My next question, Chair, is: Under the *Accessibility Act*, public bodies including government departments are required to create an accessibility plan by November 4, 2023, to address the prevention, identification and removal of barriers in the policies, programs, practices and services of the public body.

Will the accessibility plans for executive branches of the government set a higher standard for accessibility than that in the act? Lead the way, so to speak.

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

S. STOODLEY: Thank you.

That question deals with another piece of legislation that's not in my department. We can certainly get that information for the Member, but that's unrelated to this piece of legislation today.

Thank you.

CHAIR: Thank you, Minister.

The hon. the Member for Torngat Mountains.

L. EVANS: I just thought it was a good avenue here for me to raise it and bring it to your attention and hopefully you'll get back to us on that.

Thank you, Chair. That's the end of my questions.

CHAIR: Any further speakers?

Shall the motion carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

The motion is carried.

On motion, clause 1 carried.

CLERK: Clauses 2 through 4 inclusive.

CHAIR: Shall clauses 2 through 4 inclusive carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clauses 2 through 4 carried.

CLERK: Clause 5.

CHAIR: Shall clause 5 carry?

The hon. the Member for Labrador West.

J. BROWN: Thank you, Chair.

Speaking with this – and I believe the Member for Terra Nova mentioned this – the way the legislation is written now, let's say if there's a five-story building and they renovate the fourth floor to make it accessible, it doesn't mean the pathway from the door to the fifth floor is actually accessible. That is the way it's currently written. Therefore, I propose an amendment.

Chair, I move the following amendment. That clause 5 of the bill be repealed and replaced with the following: Subsection 7(3) of the act is repealed and the following substituted: 7(3) Notwithstanding subsection

(1), where a person reconstructs or adds to a building, portions of the building are required to comply with the requirement of this act and the regulation where (a) it is the portions of the building being reconstructed or added; and (b) it is a portion of the building through which a person must pass in order to access the portion of the building being reconstructed or added from the main entrance.

That is seconded by my colleague from Torngat Mountains.

CHAIR: Thank you.

The Committee of the Whole will recess to review the proposed amendment and report back shortly.

Thank you.

Recess

CHAIR: Order, please!

The Committee of the Whole have reviewed the proposed amendment tabled by the Member for Labrador West and we find that the proposed amendment is not in order.

Shall clause 5 carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clause 5 carried.

CLERK: Clauses 6 through 18 inclusive.

CHAIR: Shall clauses 6 through 18 carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clauses 6 through 18 carried.

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

CHAIR: Shall the enacting clause carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, enacting clause carried.

CLERK: An Act to Amend the Buildings Accessibility Act.

CHAIR: Shall the title carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

The title is carried.

On motion, title carried.

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

CHAIR: The hon. the Deputy Government House Leader.

L. DEMPSTER: Thank you, Chair.

I move that the Committee rise and report Bill 52 carried without amendment.

CHAIR: It is moved that the Committee rise and report Bill 52 carried without amendment.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

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

SPEAKER (Bennett): Order, please!

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

P. TRIMPER: Thank you, Speaker.

The Committee of the Whole have reviewed the matters referred to them and asked me to report that Bill 52 has been carried without amendment.

SPEAKER: The Deputy Chair of the Committee of the Whole reports that the Committee have considered the matters to them referred and directing that Bill 52 be carried without amendment.

When shall the report be received?

L. DEMPSTER: Now.

SPEAKER: Now.

When shall the bill be read a third time?

L. DEMPSTER: Tomorrow.

SPEAKER: Tomorrow.

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

SPEAKER: The hon. the Deputy Government House Leader.

L. DEMPSTER: Thank you, Speaker.

I move, seconded by the Government House Leader, that this House do now adjourn.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

This House do stand adjourned until 1:30 p.m. tomorrow.

On motion, this House at its rising adjourned until tomorrow, Tuesday, at 1:30 p.m.