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Speaker: Honourable Ross Wiseman, MHA

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The House met at 1:30 p.m.

MR. SPEAKER (Wiseman): Order, please!

Admit strangers.

Statements by Members

MR. SPEAKER: Today we have members' statements from the Member for the District of Bonavista South; the Member for the District of Port de Grave; the Member for the District of Signal Hill – Quidi Vidi; the Member for the District of The Straits – White Bay North; the Member for the District of St. John's East; and the Member for the District of St. John's South.

The hon. the Member for the District of Bonavista South.

SOME HON. MEMBERS: Hear, hear!

MR. LITTLE: Thank you, Mr. Speaker.

I rise today to recognize Mr. Bramwell Mouland, resident of Bonavista, for the countless hours of volunteer work that he has given to our Province throughout his life. Mr. Mouland is quite devoted to his community and its residents. He once said, "We have a responsibility to serve each other as we are able to do."

Bram committed thirty-six years to our children's development, both as a school teacher and principal. He has served as Bonavista town councillor for twenty-six years, and because of his vision, Bonavista now has the boardwalk walking trail and a Habitat Stewardship Agreement with the provincial government, located in the town's centre.

He has been a very active member of the Bonavista Lions Club for thirty-four years, including numerous terms as a president, past District Governor for Eastern Newfoundland, and recipient of the Melvin Jones Fellowship Award.

Mr. Mouland was a founding member of the Matthew Legacy Committee. He was a member

of the Discovery Regional Economic Development Board for several years, and is a member of the Retired Teachers' Association. Bram is active within the church community, having served on numerous boards.

Honourable colleagues, please join me in honouring Bramwell Mouland for the lifetime dedication he has contributed to Newfoundland and Labrador.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for the District of Port de Grave.

MR. LITTLEJOHN: Thank you, Mr. Speaker.

I rise today in his House to recognize the Conception Bay North Figure Skating Club on their fortieth anniversary. The club was officially formed in 1973 under the leadership of its first President, Anne Wakelin.

The club has seen many changes over the last forty years while growing the sport of skating throughout Conception Bay North. The club operates out of both the Bay Arena and the S.W. Moores Memorial Stadium. As well, more than 200 skaters from beginners, to recreational and competitive represent the club at all levels of competition.

Through the years there have been many volunteers and skaters who went on to distinguish themselves. Josh and Rebecca Babb won the 1998 Canadian Junior Dance Championship, Heather Dawe and Matthew Wakeham were provincial Novice champions, and Christine Moores was President of Skate Newfoundland and Labrador.

Success though, is not measured by champions or volunteer leaders. Success is the thousands of children who have learned to skate in its programs. Skating is a lifelong physical activity which enhances people's health.

I ask all hon. members to join me in congratulating the Conception Bay North Figure Skating Club on forty years of success.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

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

It is a real honour to stand today to recognize Tim Facey, an integral part of the Virginia Park community for thirty-five years. Tim started teaching physical education at Virginia Park Elementary School in 1978. He retired in June, but remains committed to the students as a member of the school council.

Tim has been Chairman of the Board of Directors of the Virginia Park Community Centre for twenty-eight years. I cannot tell you how often I have seen Tim at events in Virginia Park, organizing or helping out in some way or other.

He volunteered on both the provincial and national level for conference committees and received the Award of Honour for his outstanding contribution, professional competence, and long-time devotion and dedication to physical education in this Province.

The Virginia Vaulters gymnastic display team that he founded in 1979 has performed more than 200 shows in the Province.

Tim says he deserves the rest retirement will bring, but I suspect we will continue to see him at school and community events for a long time to come.

In the meantime, Mr. Speaker, I ask all hon. members to join me in thanking Mr. Tim Facey for his many contributions to Virginia Park in the last thirty-five years.

SOME HON. MEMBERS: Hear, hear!

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

MR. MITCHELMORE: Thank you, Mr. Speaker.

Mr. Speaker, I rise to congratulate Tana Genge of Anchor Point for her participation in Miss Achievement Newfoundland and Labrador and receiving the New World Fitness Healthy Living Award.

On November 10, I attended the Miss Achievement gala, which is a sponsorship program for young women between age thirteen to eighteen who are high achievers and a big part of their school and community groups.

Tana is community-minded, volunteering her time with the cross-country ski group and Operation Christmas Child. Tana, an honours student, contributes to extracurricular activities including student advisory, guidance team, drama troupe, book club, Students Working Against Tobacco, Tutoring for Tuition, and part of every sports team.

She has received numerous awards for speak offs, drama, cross-country skiing, minor hockey and various sports at regional and provincial levels, including Female Athlete of the Year. She earned the Girl Guides Canadian Cord and achieved Bronze Cross and Bronze Medallion status with the Lifesaving Society and is a recipient of the Johnson Horizons Scholarship, awarded by Memorial University.

I ask all hon. members to join me in congratulating Tana Genge and all participants, these young women are role models – truly shining examples in their community and Province.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

SOME HON. MEMBERS: Hear, hear!

MR. MURPHY: Mr. Speaker, I rise today to congratulate a business in my district which celebrated fifty years of operation since September of this year.

Jack and Jill Nursery and Kindergarten was opened in September 1963 by Jean Barnes, who had been Principal of Winterton private school.

The school originally had two classrooms in St. Thomas's Parish Hall, a nursery class of three- and four-year olds and a kindergarten class which was more attractive to many parents than the alternating schedule for kindergarten in the public system.

In the early 1970s, Jack and Jill relocated to St. Michael's Parish Hall. In 1982 it moved again to its current home in St. Mark's Parish Hall on Logy Bay Road. It discontinued kindergarten classes and became Jack and Jill Preschool in 1986. In 1991, Joanne Kavanagh, who became the owner and operator in 2009, started working there.

Today, Jack and Jill Preschool has morning and afternoon classes for forty-nine students, some of whom are the children of those who attended Jack and Jill in their early years.

I ask all hon. members to join me in congratulating everyone at Jack and Jill Preschool on a successful fifty years of operation.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. OSBORNE: Thank you, Mr. Speaker.

I am pleased to stand today and convey my sincere congratulations to three young people in my district. Joshua Lehr of Bishops College High School, Shaziana Kaderali of Booth Memorial High School, and Liam Long of

Booth Memorial High School have all been awarded the Electoral District Scholarship.

These scholarships are awarded to the three high school graduates in each district who achieve the highest Department of Education scholarship score, which is derived from the results of the public exam.

It is always exciting to see young people excel in the area of academics and this award is no doubt an achievement through hard work and dedication.

I would like all hon. members to join with me in congratulating these Electoral District Scholarship winners, and I extend wishes that they will be further rewarded with a bright and prosperous future.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Statements by Ministers.

Statements by Ministers

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

SOME HON. MEMBERS: Hear, hear!

MR. KENT: Thank you, Mr. Speaker.

I am pleased to rise today in this hon. House to highlight the considerable progress we have made in advancing the Provincial Solid Waste Management Strategy in Newfoundland and Labrador.

In May, 2007, the provincial government announced the implementation of a multi-year Provincial Solid Waste Management Strategy to ensure efficient and effective management of solid waste in Newfoundland and Labrador. To date, we have invested a total of \$147 million in the strategy, including \$84.5 million from the provincial government and \$62.5 million from federal Gas Tax funding.

Mr. Speaker, in the last two years, we have seen tremendous success throughout the entire

Province. The Central Newfoundland Regional Waste Management Facility, located at Norris Arm, was opened through a total investment of \$64.6 million. A further investment of \$16.5 million this year will fund the construction of a materials recovery facility which will be built at the Norris Arm site and allow residents of the Central Region to begin recycling.

Also, \$3 million in funding was announced in the spring of 2013 for the construction of a transfer station in the Eastern Region. This new facility, which is expected to become operational in the last quarter of 2014, will accept residential and commercial material for transfer to the Regional Integrated Waste Management Facility located at Robin Hood Bay.

Mr. Speaker, imperative to the successful implementation of the strategy is the setup of Regional Service Boards to administer waste management programs across the Province. In the spring of 2013, the department announced two new Regional Service Boards for the Burin and Bonavista Regions. With these additions, there are now six regional service boards in place across the Province.

In Labrador, we have worked with the Towns of Wabush and Labrador City to establish a well-managed landfill for that area. In Happy Valley-Goose Bay we are working the regional committees on the design of waste management solutions. In Southern Labrador, the regional committee has received recommendations from a consultant, and is now beginning planning for a centralized landfill for that area. Finally, on the North Coast we are working with the regional committee to seek a consultant to begin a review of potential solutions in that area.

Mr. Speaker, my department remains committed to the delivery of waste management services across the Province. We will continue to work with our Regional Service Boards and communities as we proceed towards full implementation of the strategy by 2020.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for the District of Bay of Islands.

MR. JOYCE: Thank you, Mr. Speaker.

I thank the minister for an advance copy.

Once again, you can see that it is a polling period. Once again we see the same rhetoric coming out time after time after time. We always hear the rhetoric. I notice in this Ministerial Statement there is nothing about Western Newfoundland. The plan was done in 2003 and was supposed to be developed in 2012, just like the hospital in Corner Brook. All we hear is more and more statements about it.

They just announced about a year ago Don Downer as Chair of the Board in Corner Brook, the same person who did the advisory committee on the land management, which they shelved. That is how important they think his work is. Because of his connections with the Minister of Finance, he is the regional board.

We see in Labrador in 2003, the South Coast of Labrador, nothing done. Up again in Northern Labrador, we are going to start consultations. Once again, Mr. Speaker, we see a polling period, we see rhetoric, we do not see a lot of action, but we do see in Western Newfoundland, and I warned all the councils of this here, because of the political connections and because they want to keep in good, the subsidy has been dropped with no conditions to build a waste management site in Western Newfoundland, something we should be careful of and something we should be right about.

I say to the minister, if you are going to make these statements, let us have something behind it, not just during polling period.

SOME HON. MEMBERS: Hear, hear!

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

MR. MURPHY: Thank you, Mr. Speaker.

I am thankful to the minister for the advance copy of his statement. I just want to say while government and the taxpayers are putting an awful lot of money back into waste management as well, we still have the problem with smaller communities out there and their waste management funding. Smaller communities are having a particularly large problem these days with having to fund waste management. It is costing a small community.

So I say to the minister, it is great to hear down at Municipalities NL over the last week that they are working on that funding formula, but at the same time as that they have been working on that funding formula and saying they are going to come out with that funding formula pretty much now since 2008. It has been a long, hard go towards a funding formula and an arrangement around that.

I also want to address the simple fact with the minister, as well, that there is a large problem out there that we are dealing with, with illegal dumping. While we are talking about waste management on one hand, Mr. Speaker, we have to get a bigger handle on what is happening with illegal dumping. It is a growing problem.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Does the hon. the Member for The Straits – White Bay North have leave?

AN HON. MEMBER: Leave.

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

MR. MITCHELMORE: Thank you, Mr. Speaker.

I thank the minister for an advance copy of his statement. Regional service boards are good models. NorPen was one of the first, which is in my district.

One of the things that I cannot support is looking at having to truck garbage all the way to Central

without having a real plan because the cost will simply be prohibitive for my constituents.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

SOME HON. MEMBERS: Hear, hear!

MR. MCGRATH: Mr. Speaker, I am very pleased to rise today to provide hon. members with an update on the significant progress being made on all three phases of the Trans-Labrador Highway.

Phase I, representing close to 530 kilometres from Labrador City-Wabush to Happy Valley-Goose Bay, is very close to completion, with just sixty kilometres between Churchill Falls and Happy Valley-Goose Bay remaining to be paved in 2014. I look forward to the momentous occasion of being one of the first motorists to drive on a fully paved highway from Labrador West to Happy Valley-Goose Bay next summer.

Mr. Speaker, two project tenders recently awarded called for the widening and upgrading of eighty kilometres on each of Phase II and Phase III of the Trans-Labrador Highway. Significant progress was made this past construction season on both two-year projects. Over 90 per cent of the work is now completed on the eighty-kilometre section of Phase III, from Happy Valley-Goose Bay heading south; and 20 per cent of the work is completed on the eighty-kilometre section of Phase II, from Red Bay heading north.

The Trans-Labrador Highway is one of the largest infrastructure projects in our Province's history, spanning close to 1,100 kilometres and navigating some of the most remote land in our country.

Mr. Speaker, Labrador is fittingly referred to as the Big Land and with the current boom we are seeing in the energy and resource sectors, the economic opportunities are even bigger. Every

kilometre that is widened and upgraded is significant to both residents and visitors of Labrador, and every kilometre that is paved helps to advance growth and prosperity for the region.

More than \$500 million has been invested to date on construction of the Trans-Labrador Highway and we will continue to invest to ensure completion of this megaproject, helping to shape our Province's future.

Mr. Speaker, we all look forward to the completion of the Trans-Labrador Highway and to fulfilling our promise to the people of Labrador.

SOME HON. MEMBERS: Hear, hear!

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

MS DEMPSTER: Mr. Speaker, I would like to thank the minister for an advance copy of his statement. It is wonderful that finally, after six years, that 530 kilometres that you can drive from Goose Bay to Churchill Falls, is going to be completed next season.

I want to talk about what is happening in my district, Mr. Speaker. From Red Bay right now today, as I stand and speak, we have mail service that has been interrupted; there is a mail truck that lost two axels yesterday off its vehicle. We have teachers today who have not been able to compute for work because of the condition of the road. We have social workers who have not been able to go into work today, Mr. Speaker.

Right now today – and anybody here, I invite you to check my Facebook and look at the pictures – we are driving in two feet of mud. While the pavement has been announced and is coming and that is wonderful, they were six years working on the Goose Bay end, we have to have maintenance continue on the road. We cannot wait five or six years. It is a big safety issue to the travelling public.

The minister talked about Safe and Caring Schools yesterday. We have kids, Mr. Speaker,

who are being bused on this section of the road. We have Cartwright that is a gateway to the Mealy Mountain Park; it is not even on the horizon for pavement. The shrimp processing facility in Charlottetown, a number of communities travel six months of the year, it is not even on the horizon, Mr. Speaker.

Also, if we had six inches of stone put on the gravel road for the interim we would be able to maintain this, Mr. Speaker, but what happens is, and I will correct him next week –

MR. SPEAKER: Order, please!

I remind the member that her time has expired.

MS DEMPSTER: Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MR. MURPHY: Thank you, Mr. Speaker.

I would also like to thank the minister for the advance copy of his statement.

What we are hearing out of Labrador is some great investment, which is great. That is fine and dandy. It is one thing, \$500 million is a good number; a lot of that no doubt is probably federal money. At the same time, Mr. Speaker, it also tells you whenever the minister stands up on his feet and gives us an update, he is talking about of course some sort of concrete plan they had for Labrador, and that is great but we need a little bit more in Labrador at the same time.

We would also like to hear from government what is happening on the Island portion of the Province as well. The Island of Newfoundland also needs a good concrete plan when it comes to road construction. If they came out with a proper plan for road construction perhaps we would see a lot more investment happening because they would be able to maintain it a lot better.

Mr. Speaker, it would be nice to hear an update from government as regards to what sort of representation they are making to our own federal representatives to get more federal money put into roads as well.

Thank you, Mr. Speaker.

MR. SPEAKER: The hon. the Minister of Justice.

SOME HON. MEMBERS: Hear, hear!

MR. KING: Thank you.

Mr. Speaker, I rise today to discuss an important project for the Province's correctional system. On October 7, I had the great pleasure to announce that the provincial government is moving forward with the planning of a new penitentiary for Newfoundland and Labrador.

SOME HON. MEMBERS: Hear, hear!

MR. KING: A new facility, Mr. Speaker, would replace Her Majesty's Penitentiary in St. John's, which is currently the Province's primary location for housing medium and maximum security male prisoners. With the recent closing of Kingston Penitentiary in Ontario, HMP has the distinction of being the oldest prison in Canada. First constructed in 1859, HMP has a capacity of 175 inmates, and though it has received extensive renovations over the years, it has certainly outlived its usefulness as a correctional facility for Newfoundland and Labrador.

We have heard the concerns of stakeholders on a number of occasions with regard to the challenges related to the facility, and we believe that the time has come to start planning for a replacement.

Mr. Speaker, we have been urging the federal government to contribute to the construction of a new penitentiary for Newfoundland and Labrador for a number of years. So far, they have been unwilling to participate in the project, and we can wait no longer to proceed as the

safety and the security of our inmates and our staff is paramount.

A public Request for Proposals has been issued and the successful proponent will be asked to develop the functional space requirements as well as provide a cost estimate for the new penitentiary. After this phase of the planning is complete in 2014, the government will consider the project budget and the proposed schedule for implementation.

The planning of a new penitentiary is a very exciting development for all of those connected within our justice system, and most especially for those in the field of corrections, Mr. Speaker. Not only would a new facility ensure a safer environment for staff and inmates, with this first important step, we have also now established the ability to do a design that provides opportunities for enhanced rehabilitation services for those incarcerated.

Mr. Speaker, the security and the safety of all residents of Newfoundland and Labrador is of paramount importance to this government. By proceeding with the planning of a new penitentiary to replace Her Majesty's Penitentiary, we are taking a significant step in making our communities safer places in which to live.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

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

I thank the minister for an advance copy of the statement announcing the new plan for His Majesty's penitentiary. That is not a slip of the tongue, I think it is going to be His Majesty's by the time we ever see a new penitentiary.

The fact is that it is necessary. It is something we have called for and it should happen. I think this is going to be a good news announcement because it is today, and it is going to be a good

news announcement every time that they make it over the next number of years. Something similar to the Corner Brook hospital, it is a great big project that we are going to announce every time we need to put out a bit of good news.

I look forward to seeing the results of the RFP. I do not know whether it ties in with this week's theme of justice and protection because I think we are doing themes here. It could tie-in to the by-election that is coming up in Carbonear – Harbour Grace. That is the place that has been rumoured to be a site.

I do not know. I do not know what the message is, but I look forward to seeing this. I look forward to speaking to the progress of this over the next decade or so.

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

MS ROGERS: Thank you, Mr. Speaker.

I thank the minister for an advance copy of his statement. This facility is long overdue and long promised. However, this appears to be an announcement of planning for planning.

I would like to know some hard facts, such as what timeline do we see for completion of an actual penitentiary. I hope we will not be subjected to endless re-announcements like we have on the hospital in Corner Brook.

I would also like to know exactly where government intends to build this new penitentiary. It is a curious timing of this statement, Mr. Speaker. I would hate to think government is playing by-election politics in Carbonear – Harbour Grace where people were promised such a facility years and years ago.

Thank you very much, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Does the Member for St. John's North have leave?

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

Does the Member for St. John's North have leave?

AN HON. MEMBER: Yes.

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

MR. KIRBY: Thanks to the minister for an advance copy of his statement. There is no question that Her Majesty's Penitentiary needs to be replaced but we cannot – I say to the minister, and I say to the Premier – you cannot let Stephen Harper and the federal government off the hook. They have increased spending for corrections elsewhere in Canada in the past few years and there must be a cost-sharing arrangement for the capital cost construction of the facility.

Do not let them off the hook.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Oral Questions.

Oral Questions

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

MR. BALL: Thank you, Mr. Speaker.

Yesterday, government confirmed that a forestry contractor had been removed from a major piece of work at the Muskrat Falls. He also went on to say that there was a rigid process that would be followed to select a new contractor. We have checked the Nalcor Web site for a Request for Proposal. It is not posted, yet we hear in the media that the contract has been awarded.

I ask the Premier: Was there an RFP for this multi-million dollar piece of work?

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

SOME HON. MEMBERS: Hear, hear!

MR. DALLEY: Mr. Speaker, contracts of this magnitude, contracts associated with Muskrat Falls, we go through a bidding process and companies will have an opportunity to provide their bids. There is a rigid process, Mr. Speaker, very extensive, to ensure that they pick the best contractor to be able to deliver what needs to be delivered, and more importantly be able to maintain the cost of the project.

Mr. Speaker, they went through this process, they were unsatisfied with the work of the company, they have been removed in the best interest of the project and now they are ready to go forward with the next bidder.

SOME HON. MEMBERS: Hear, hear!

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

MR. BALL: Thank you, Mr. Speaker.

The minister mentioned move forward with the next bidder; so was there an RFP in place for this contract that has been awarded today?

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

SOME HON. MEMBERS: Hear, hear!

MR. DALLEY: Mr. Speaker, it is my understanding that the company that has been selected was a part of the original bid process; however, I can certainly verify that and report it back to the House if it becomes necessary.

SOME HON. MEMBERS: Hear, hear!

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

MR. BALL: Thank you, Mr. Speaker.

Since the minister said yesterday that there is a rigid and extensive process that is usually followed, why did Nalcor not follow that rigid process this time?

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

SOME HON. MEMBERS: Hear, hear!

MR. DALLEY: Mr. Speaker, clearly, they went through a process and there were a number of bids. I am sure the bids were ranked and, in this particular case, the successful bidder has not been complying with the work that needs to be done. As a result of that, they have been removed, Mr. Speaker.

I would suspect again I can report back – because, Mr. Speaker, contrary to what they may be suggesting, I do not review all of the bids; I do not make the selection for the companies. It is hands off from government and that is the way we should have it.

It is a fair process, Mr. Speaker, extensive, where the experts do the evaluations. In this case again, I suspect it was the next bidder, but I will check on that and certainly report back to the House.

SOME HON. MEMBERS: Hear, hear!

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

MR. BALL: Thank you, Mr. Speaker.

Yesterday, we raised concerns about the about the Aboriginal component to bidders on the Muskrat Falls Project.

So, with the company that has been awarded this contract, my question would be to the minister: Is there an Aboriginal component to the company that has been selected?

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

SOME HON. MEMBERS: Hear, hear!

MR. DALLEY: Mr. Speaker, it is my understanding that this was not an Aboriginal-first contract. I do know, as I stated yesterday, the importance here in a project of this size, that

there are opportunities for everyone. There are 500 people in Labrador now, roughly, working on this project. There are a number of companies from the Innu and Innu partnerships that are availing of the contract opportunities. There are, obviously, things built around a project of this size, Mr. Speaker, to ensure that it is the least-cost option for the people of the Province.

That is the focus, and a goal for Nalcor; but, at the same time, our government has negotiated benefits for the people of Labrador, for the Aboriginal groups in Labrador. By all accounts, by the update on the Web site from Nalcor, they are certainly getting those benefits.

SOME HON. MEMBERS: Hear, hear!

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

MR. BALL: Thank you, Mr. Speaker.

One of the questions that we would have about awarding this contract in such a short time frame is: How much was this contract awarded for? It is public funds, so I ask the minister: How much was this contract worth?

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

SOME HON. MEMBERS: Hear, hear!

MR. DALLEY: Mr. Speaker, I want to speak to that, because the Premier spoke to it yesterday, about the sensitivities around commercial information, and that we are through a bidding process – and it is important, in that information, that it be protected.

I will give you an example. Just recently a company, under ATIPP – two ATIPP requests from the company to Nalcor for information; Nalcor determined that it was commercially sensitive, Mr. Speaker. There is a process in place to challenge that, and the process was followed. It was challenged in the highest court in the Province, the Supreme Court of Newfoundland and Labrador.

The judge made a ruling on a request for commercially sensitive information. I quote, the judge said, “I cannot accept this argument. It is clear to me that the information provided by the consultant is clearly commercially sensitive information....” It goes on to say the harm far outweighs the non-disclosure –

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Hear, hear!

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

MR. BALL: Thank you, Mr. Speaker.

It is quite unusual, I believe, that you would see public funds being spent on a project that we owned, the ratepayers of this Province would own, yet we are not allowed to see the numbers in the bidding process.

There are two mechanic’s liens that were posted against Great Western Forestry. I ask the minister: Who is responsible? Has Nalcor accepted responsibility for those mechanic’s liens?

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

SOME HON. MEMBERS: Hear, hear!

MR. DALLEY: Mr. Speaker, Nalcor certainly accepts the responsibility of managing the Muskrat Falls Project. They have a process put in place. They have experts to work through all of the processes with respect to contracts and awarding of contracts.

In this particular case, the contractor has been removed. Outside of that, Mr. Speaker, the commercially sensitive information around that, I cannot reveal that and I do not have that information. With respect to who is responsible, certainly Nalcor is going to manage the project.

SOME HON. MEMBERS: Hear, hear!

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

MR. BALL: Thank you, Mr. Speaker.

There are ongoing problems associated with Great Western Forestry. It was publicly discussed in many places around the Province, and everybody who was watching this project was aware of it.

I ask the minister: How much extra will it cost this project because of the removal of Great Western Forestry?

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

SOME HON. MEMBERS: Hear, hear!

MR. DALLEY: Mr. Speaker, I do not have a number as to how much extra it is going to cost, if in fact it is going to cost anything. I would assume there are things built into the contract. Again, some of that stuff is commercially sensitive information, but if there is anything that I can bring to the House or share with the member opposite, I am more than willing to do so.

I think what is important here, Mr. Speaker, two things: Nalcor is a Newfoundland-owned company, the people own it. They are a great company with expertise that has the responsibility to manage this project. I will say again, contrary to issues with contractors, this project – this project – is about the lowest-cost option for long-term energy supply for the Province. It is the right thing to do, Mr. Speaker, and I believe Nalcor are the right people to manage this project.

SOME HON. MEMBERS: Hear, hear!

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

MR. BALL: Thank you, Mr. Speaker.

In April of this year, we projected a deficit of \$563 million based on \$105 a barrel of oil.

I ask the minister: When we will expect this year's mid-year update?

MR. SPEAKER: The hon. the Minister of Finance.

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: Thank you.

The mid-year update is traditionally released in the latter part of November or the early part of December. Mr. Speaker, the report will be forthcoming. If it is not in two weeks, it will be next week.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for the District of Bay of Islands.

MR. JOYCE: Mr. Speaker, yesterday the minister said there was no extra million dollars gone to anyone when referring to the Roddickton pellet plant. Well, the Auditor General said, and I quote, "...the Department paid the company approximately \$1.0 million that should not have been considered an eligible expense of the project."

I ask the minister: Will you now say that your comments yesterday were incorrect or are you claiming the Auditor General is wrong?

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

SOME HON. MEMBERS: Hear, hear!

MR. DALLEY: Mr. Speaker, let me clarify again. First off, Mr. Speaker, we respect the work of the Auditor General. We invited the Auditor General in to do the work on behalf of the people of the Province, and, Mr. Speaker, his recommendations we take very seriously.

In this particular case, Mr. Speaker, the Forestry Diversification Fund was set up to help the integrated saw millers of the Province who were

going through some very difficult economic times, and the Northern Peninsula was one of them. The fund was provided, Mr. Speaker, there was no clarity around the tax issue. There was, I think it was a \$7 million loan plus \$2 million, about \$9 million, Mr. Speaker, including \$1 million from the Green Fund. Mr. Speaker, no clarity around the taxes. It was initially used, but since that time receipts have been provided to reimburse the million dollars. So there is no extra million dollars for the company.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for the District of Bay of Islands.

MR. JOYCE: I will just let the minister know, you should go read the Auditor General's report because the money was not initially used. It was reimbursed back to the company. Read the Auditor General's report if you are not going to read your own department's files.

MR. SPEAKER: Order, please!

I will remind the member once again, please direct all your comments through the Chair.

MR. JOYCE: Yes, Mr. Speaker. I am sorry.

Mr. Speaker, the minister said that some of the economics changed – an excuse for the failure of the \$11 million pellet plant – but the Auditor General said the money was approved for the project even though the department's own assessment questioned its long-term viability. The assessment said, and I quote: The Province will be taking a significant risk by approving the funding.

I ask the Premier: Why did you, as Minister of Natural Resources, approve this project against the advice of your own officials?

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

The hon. the Minister of Natural Resources.

SOME HON. MEMBERS: Hear, hear!

MR. DALLEY: Mr. Speaker, our government has a long history of supporting the economic development in the Province.

SOME HON. MEMBERS: Hear, hear!

MR. DALLEY: Mr. Speaker, go down to the South Coast, and we can all admit there is a risk in the aquaculture industry. There are 1,000 people working in the industry, Mr. Speaker. We have allowed a whole region of the Province to survive because we were prepared to work with that region and take the risk. We did the exact same thing on the Northern Peninsula. I can tell you, Mr. Speaker, that story is not over. The story is not over on the Northern Peninsula. We continue to work with the operators.

I ask the member opposite, if we are not prepared to take the risks are you going to stand and say we should not do anything in Corner Brook? Stand on your feet and tell us we should not take the risk.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

The hon. the Member for the District of Bay of Islands.

MR. JOYCE: With the Corner Brook pulp and paper in operation for almost eighty years, with almost 400 or 500 people working there and the woodlands department.

I ask the minister: How many people are working today in Roddickton for the \$11 million?

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

SOME HON. MEMBERS: Hear, hear!

MR. DALLEY: Mr. Speaker, the Corner Brook pulp and paper mill could have gone the way of all the other mills, many, many mills in the country. We had three in the Province and we

lost two. The Corner Brook pulp and paper mill could have gone the way of the other two.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. DALLEY: Our government tried to support and got involved, Mr. Speaker. It never worked out but we have continuously supported Corner Brook, the people who work there, and the company. We have a good working relationship. We look forward to supporting the economics of the Corner Brook region and Western Newfoundland again, Mr. Speaker.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. DALLEY: I will say, Mr. Speaker – I will say, and I will say it to the people of the Northern Peninsula, even though they are opposing to us having that investment and to trying to give you an opportunity to survive, we are going to continue to work with you. I say, Mr. Speaker –

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for the District of Bay of Islands.

MR. JOYCE: Thank you, Mr. Speaker.

I will answer the question, five part-time jobs. I know the minister did not know or was too embarrassed to say. It is starting to sound like Bull Arm, the Joan Cleary situation where we had to drag all the information out from the Premier.

Mr. Speaker, the Premier did not do her due diligence on this project and now the people of this Province are out \$11 million. Now she is considering the same company for another pellet plant in Central Newfoundland.

I ask the Premier: Given your track record with pellets plants and this company, will you guarantee that all the taxpayer funds are repaid before you approve a new project for this company?

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

SOME HON. MEMBERS: Hear, hear!

MR. DALLEY: Mr. Speaker, I am going to inform the member opposite, without being too crass, he really does not know what he is talking about. The reality is that we have been in a long-term discussion about the wood fibre supply in Central Newfoundland. Mr. Speaker, we have two commitments around that: one is that the fibre be developed for the economy of Central Newfoundland; and secondly, because of the co-dependence in the forest industry, that we develop this to the benefit of all of our forestry industry, which has about 5,000 people working in this Province.

I can tell you, the company on the Northern Peninsula is certainly a part of that equation. No more or no less than Cottlesville, or Sexton, or Burton's Cove, or Corner Brook Pulp and Paper, Mr. Speaker. There is a co-dependency in the industry and we are going to try and find a way to support it.

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Hear, hear!

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

MR. OSBORNE: Thank you, Mr. Speaker.

Yesterday, government announced that the *Norcon Galatea* will be used on the Bell Island run.

I ask the minister: How long does government intend to lease this vessel, and how much is the lease costing the taxpayers of this Province?

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

SOME HON. MEMBERS: Hear, hear!

MR. MCGRATH: Thank you, Mr. Speaker.

Mr. Speaker, we are in a contract with the *Norcon Galatea*. She is on her way to Portugal Cove today, actually. Over the next couple of days there will be an orientation process where our employees will be orientated to the ship. There has been over \$1 million – when that ship was sold – invested into it for improvements; new engines, new emergency equipment put on it, revamps made to the passenger area. We have entered into a contract, a short-term contract, and we will continue to use the *Galatea* for the benefit of the people on the Tickle for as long as we need.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. OSBORNE: I am going to dumb this down for the minister, Mr. Speaker.

How long is the lease? How much is the lease?

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

SOME HON. MEMBERS: Hear, hear!

MR. MCGRATH: Thank you, Mr. Speaker.

Mr. Speaker, as I just told the member opposite, we have entered into a short-term contract. It is an open contract that we will use for as long as we have to. We will continue. As long as the people need the service on the Tickle that will be in a contract.

SOME HON. MEMBERS: Hear, hear!

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

MR. OSBORNE: Mr. Speaker, government sold the *Hamilton Sound* to a private company for a meager \$214,000. With an investment of approximately \$1 million, this vessel was converted into like-new condition.

I ask the minister: If this vessel is like new, why would government themselves not have invested \$1 million and kept this ferry in service? Would that not have been sound, financial management?

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

SOME HON. MEMBERS: Hear, hear!

MR. MCGRATH: Thank you, Mr. Speaker.

Mr. Speaker, at the time that – and as everybody knows, we are in the process of renewing our ferry fleet now. Last week I made the announcement of \$51 million to go into a new ferry on the Fogo Island – Change Island run, and a \$10 million investment into the Bell Island – Portugal Cove infrastructure system. I also announced that we are in the process of looking at a second 80 metre ferry.

At the time that we sold the *Galatea*, we decided it was not in our best interest to keep that ship because it was not part of the new system. We are quite pleased with the investment the new owners have made in that and we will avail of that system.

SOME HON. MEMBERS: Hear, hear!

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

MS DEMPSTER: Mr. Speaker, in September of last year the Department of AES rebranded their strategic plan for 2011-2014. Missing from the new version is government's commitment to begin implementing a new four-year poverty reduction action plan.

I ask the minister: Why have you gone back on your commitment to reduce poverty levels through a new four-year plan?

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

SOME HON. MEMBERS: Hear, hear!

MR. O'BRIEN: Yes, Mr. Speaker.

As a matter of fact, I am glad the hon. member referenced one of the greatest strategies ever developed in the free world in regard to poverty reduction –

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

MR. O'BRIEN: - \$148 million hailed by people. You should listen up to the people who hailed this as one of the best strategies ever developed in North America, I say to the hon. member.

Social housing is being invested in, and various other components of the Poverty Reduction Strategy. We are investing in our most vulnerable people, I say to the hon. member. I say she should read the Poverty Reduction Strategy from the beginning to the end.

SOME HON. MEMBERS: Hear, hear!

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

MS DEMPSTER: Mr. Speaker, in November 2012 the then Minister of AES said a new poverty reduction plan was coming very soon.

I ask the minister, one year later: When will you release the new action plan on this great Poverty Reduction Strategy?

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

SOME HON. MEMBERS: Hear, hear!

MR. O'BRIEN: Mr. Speaker, each and every strategy that we have developed over the last number of years – and great strategies we have developed – are all ongoing. We are investing

in the people of the Province. We are investing in the most vulnerable people of our Province.

No school fees, free textbooks, prescription drugs in the Prescription Drug Plan, not counting affordable housing and putting 1,700 affordable units into the revenues of Newfoundland and Labrador Housing, in their bank, Mr. Speaker. That is the kind of things that this government is doing. That is the kind of things that we are going to continue to do, I say to the hon. member.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Torngat Mountains.

MR. EDMUNDS: Mr. Speaker, we have a serious situation with homelessness in some Inuit communities in Northern Labrador. Many communities have seen an increase in clientele who are in need of shelter, with Nain having the greatest demand.

I ask the minister: What is your strategy to address existing homelessness in communities in Northern Labrador?

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

SOME HON. MEMBERS: Hear, hear!

MR. O'BRIEN: Mr. Speaker, I am quite aware of the issue in regard to Nain. As a matter of fact, I have been in Nain many, many times, not only as a minister and a member of government but also in my personal life.

Yes, there are challenges in Nain at the moment. Newfoundland and Labrador Housing has been working closely with Torngat Housing and has been working closely with the Nunatsiavut Government. We have built two units to get our complement up to thirty-five units right now in regard to affordable housing in Nain.

I plan on visiting Nain very soon, as soon as possible actually, and I will be meeting with the First Minister there to discuss options and

discuss the issue in detail. Hopefully, with all partners involved, we can come up with a solution for Nain, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Torngat Mountains.

MR. EDMUNDS: Mr. Speaker, I fully realize that all government agencies and front-line workers are doing their best to combat homelessness. The reality, Mr. Speaker, is that the resources are simply not there to even turn the tide on homelessness.

I ask the minister: What are your long-term plans to address homelessness in Northern Labrador communities?

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

SOME HON. MEMBERS: Hear, hear!

MR. O'BRIEN: As the hon. member referenced in his preamble, Mr. Speaker, that it takes all levels of government, all partners, to come to the table in regard to addressing that very most important issue in Newfoundland and Labrador. We have been cognizant of that and that is the reason why we came forward with our Poverty Reduction Strategy in the first place. We recognize the need, and we have invested approximately \$148 million every year now for the last number of years in regard to that very issue.

I will be looking forward to visiting Nain in the very near future, addressing the issue, and talking it through. Hopefully, with the partners all at the same table, we will come up with a solution for Nain, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for the District of St. Barbe.

MR. BENNETT: Mr. Speaker, in August this government committed funds to pay connors to

pick the sea lice off the salmon on the South Coast. When we did an ATIPP and asked how many sea lice we have, the minister said it was highly confidential. Well, in British Columbia it is not highly confidential; it is public information, through DFO.

I ask the minister: When will he commit to be as open as the government is in British Columbia regarding Connors?

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

SOME HON. MEMBERS: Hear, hear!

MR. HUTCHINGS: Thank you, Mr. Speaker.

Mr. Speaker, I understand there was a request and if I can remember the request correctly, I think there was 14,000 items identified in regard to identification of sea lice. I will certainly go back and check on it again.

As a government, we are very committed to the aquaculture industry. We are open; we are going for consultations now, a very diverse process in terms of meeting with stakeholders and moving the industry forward. If there is further information the hon. gentleman needs or requires, let us know and we will try and get it for him.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. member, for a very quick question without preamble.

MR. BENNETT: Mr. Speaker, in Norway they are slaughtering salmon due to sea lice and in Ireland they are covering –

MR. SPEAKER: Without preamble, I say.

MR. BENNETT: I ask the minister: Why wouldn't he follow the Norwegian model of openness, instead of the Irish model of cover up?

MR. SPEAKER: The hon. the Minister of Fisheries and Aquaculture, for a quick response.

SOME HON. MEMBERS: Hear, hear!

MR. HUTCHINGS: Mr. Speaker, sea lice are naturally occurring in the wild. They are not introduced by farmed salmon. We have engaged in activities in terms of looking at the research, entered into a project with Memorial University with stakeholders looking at sea lice and the possible reduction.

As I say, they naturally occur in the wild; they are not introduced by farmed salmon. We are going to continue to build industry on the South Coast, even though the hon. party on the other side –

MR. SPEAKER: Order, please!

The hon. the Leader of the Third Party.

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

New Canadian Forces helicopters from Sikorsky, the same manufacturer of the helicopter that crashed off St. John's in 2009, are required to have a thirty-minute run dry capability.

Mr. Speaker, I ask the Premier: Will she push the federal government to join her in ordering the C-NLOPB to ensure the same level of protection for offshore workers as we have for our military personnel?

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

SOME HON. MEMBERS: Hear, hear!

MR. DALLEY: Mr. Speaker, I will reiterate today our government's firm position on our belief and support for offshore safety, and whatever measures. I said the other day whatever it takes, whatever we can do, every opportunity we will advocate for the people who work in our offshore.

Mr. Speaker, certainly around the operations of the offshore, we leave that to the experts. The C-NLOPB has the experts there. It is a joint

board between the federal government and the provincial government. They do a good job in oversight.

They build a relationship with the industry, but not just the industry, the people who work in the industry which is ultimately most important here for all of us. Mr. Speaker, we still take the stance that if there is anything we can do to support offshore safety, we will do it.

SOME HON. MEMBERS: Hear, hear!

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

MS MICHAEL: Mr. Speaker, I ask the minister: Doesn't he believe that our offshore workers deserve the same protection as our military personnel?

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

SOME HON. MEMBERS: Hear, hear!

MR. DALLEY: Mr. Speaker, I believe our offshore workers, the Newfoundlanders and Labradorians who go to work out there every day, deserve the absolute best safety anywhere in the world.

SOME HON. MEMBERS: Hear, hear!

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

MS MICHAEL: Thank you, Mr. Speaker

I ask the minister then to make sure that they get it.

Mr. Speaker, recently issued federal regulations for offshore safety ignore a requirement that offshore helicopters be able to operate for thirty minutes after complete loss of gearbox oil, a feature that would have avoided the tragedy of March, 2009.

I ask the Premier: Will she formally request the federal government join with her in instructing

the C-NLOPB to immediately implement this vital regulation?

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

SOME HON. MEMBERS: Hear, hear!

MR. DALLEY: Mr. Speaker, any regulation, anything that can be done to support the offshore that is within the means, that is reasonable, that is a benefit to the people who go out there to work each and every day, we are going to support it. We will have discussions with the federal government.

We went through an inquiry in this Province, a very difficult time in this Province. There were twenty-nine recommendations and we were very clear that we support the recommendations. We have been very clear, Mr. Speaker, that we support offshore safety, and we will support the C-NLOPB in their work. We will have discussions of anything. Any opportunity that we will be able to enhance offshore safety, we are going to support it.

SOME HON. MEMBERS: Hear, hear!

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

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

More words. Canadian emergency physicians are warning in a report released this week that more patients may die or require a second ER visit within a week if they are seen in a crowded ER, something they call a public health crisis. Health professionals here are calling for more physicians and nurses in the ER to address this crisis.

Mr. Speaker, I ask the Minister of Health and Community Services: What steps has she taken to alleviate the immediate public health crisis in the ERs in this Province?

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

SOME HON. MEMBERS: Hear, hear!

MS SULLIVAN: Thank you, Mr. Speaker.

Mr. Speaker, our goal right throughout our health care system is to provide quality care and efficient care. We have about 170 facilities within Newfoundland and Labrador that we are working through with 20,000 employees, and we are doing a very good job in those facilities.

SOME HON. MEMBERS: Hear, hear!

MS SULLIVAN: Mr. Speaker, the CAEP report that came out had eleven suggestions, eleven strategies. We have already begun on seven of those. We did not need a report. We have been working away. As well, we have had an emergency department strategy in place for quite some time, and we are seeing huge results as a result of that strategy.

SOME HON. MEMBERS: Hear, hear!

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

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

I ask the minister: Where is the plan for increasing long-term care to solve the hospital blockages that are causing the ER problems?

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

SOME HON. MEMBERS: Hear, hear!

MS SULLIVAN: Thank you, Mr. Speaker.

Mr. Speaker, some of the improvements we are seeing in our emergency departments as a result of that have to do with exactly what the CAEP had suggested. In terms of the number of visits, though, we have seen an increase of 16 per cent, in terms of visits to our ER departments. In spite of that, we have seen decreases in the wait times.

Let me give you some of those numbers. Times to an initial physician have decreased by 17 per cent, Mr. Speaker. The total length of stay in an emergency department has decreased by 11 per cent.

AN HON. MEMBER: (Inaudible).

MS SULLIVAN: Now, Mr. Speaker, I hear her over there saying we are not answering the question. In terms of long-term care, \$600 million annually is invested in long-term care.

SOME HON. MEMBERS: Hear, hear!

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

MR. MURPHY: Mr. Speaker, the recent contract for new ferries has the business community in the Province asking questions. They are upset. The Tory Blue Book of broken promises allowed for Newfoundland and Labrador content in the purchase of the new ferries.

What efforts did government put into finding Newfoundland and Labrador businesses that would be able to carry out components of the ferry replacement program?

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

SOME HON. MEMBERS: Hear, hear!

MR. MCGRATH: Thank you, Mr. Speaker.

Mr. Speaker, we put out an RFP on the eighty-metre ferry. We had fifteen proposals that came in. I have to note that there were no companies from Newfoundland and Labrador that bid on the eighty-metre ferry. We can only put out a proposal and hope that they will bid.

The company, Damen, that we have chosen to build the eighty-metre ferry is looking very forward to working with Newfoundland and Labrador companies in the future on this ferry and many others.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for St. John's East for a very quick question.

MR. MURPHY: Mr. Speaker, are there any business opportunities that are going to come with these ferries being built overseas?

MR. SPEAKER: The hon. the Minister of Transportation and Works for a quick response.

SOME HON. MEMBERS: Hear, hear!

MR. MCGRATH: Thank you, Mr. Speaker.

I will try to dumb it down, Mr. Speaker. I just said that Damen, the company that we have given the proposal to for this ferry, is looking forward to dealing with companies here in Newfoundland and Labrador.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

The time for Question Period has expired.

The hon. the Opposition House Leader.

MR. A. PARSONS: Mr. Speaker, during Question Period, upon a question from the Leader of the Official Opposition, the Minister of Natural Resources referred to notes and quoted from them, I would ask that he table those documents.

MR. SPEAKER: The time for Question Period has expired.

Presenting Reports by Standing and Select Committees.

Tabling of Documents.

Notices of Motion.

Answers to Questions for which Notice has been Given.

Petitions.

Petitions

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

MR. KIRBY: Thank you, Mr. Speaker.

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

WHEREAS autism spectrum disorder has been estimated to occur in as many as one in eighty-eight children; and

WHEREAS individualized and intensive early interventions are important for improving outcomes for children with autism; and

WHEREAS long wait lists are forcing many parents to wait up to two years before their children receive needed paediatric assessments and diagnostic services; and

WHEREAS the Intensive Applied Behavioural Analysis Program is not available to children after Grade 3 while research supports the use of Applied Behavioural Analysis throughout the lifespan; and

WHEREAS a co-ordinated, multi-agency approach among key government departments and agencies is needed to ensure that individuals with autism spectrum disorder are provided with services that will promote independent living; and

WHEREAS a comprehensive province-wide strategy for autism spectrum disorder will decrease the lifetime costs of treating and providing services for persons with autism;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge the government to develop a comprehensive Province-wide strategy for autism spectrum disorder in consultation with parents, advocates, educators,

health care providers, and experts in the autism community.

As in duty bound your petitioners will ever pray.

Mr. Speaker, people from all over the Province have signed and been signing this particular petition. During this sitting of the House or since we resumed sitting in the fall, I have been presenting this petition and another specifically about the Applied Behavioural Analysis Program. This is something that is not new.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. KIRBY: The call for a comprehensive strategy is not something that is new or novel at all. I believe the former Member for Carbonear – Harbour Grace was actually in the health portfolio at one point when this was something that was being discussed.

It is not going to go away. I think it only makes sense from a variety of different perspectives if you cannot hear the social perspective, or the mental health perspective, or the education perspective. There is a very good economic argument to be made here.

The better we treat, serve, educate, and provide services for people with autism in their younger years, the less costly it will be in the long run to the taxpayers of the Province to provide services throughout their lives. This is a way to save government money while providing a higher level of services to those people with autism in our communities who need it.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

The hon. the Member for the District of Bay of Islands.

MR. JOYCE: Thank you, Mr. Speaker.

I stand today to rise on a petition concerning the road, Route 450. I will read the petition:

WHEREAS we are concerned over the deplorable condition of Route 450; and

WHEREAS many residents of the Town of Lark Harbour and York Harbour travel this road on a daily basis; and

WHEREAS after repeated requests for upgrades and repairs, the road has continued to deteriorate; and

WHEREAS there is only one road in and out of these communities and many of our residents are of an aging population with health issues; and

WHEREAS having the road completely give way would pose a whole set of issues; and

WHEREAS we feel that the condition of this road presents an accident waiting to happen;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge the Government of Newfoundland and Labrador to give serious consideration to making repairs to this road.

Mr. Speaker, I brought this petition up yesterday also. This is a condition of the road that has been brought to the former minister's attention on numerous occasions through letters from me and town councils.

I met with the current minister who has done some repairs in the last little while, the washouts that were done. He has put in guider rails. The big concern there is by Copper Mine Brook, the road has given way which is eighty kilometres down to thirty. The minister has committed to monitor the situation.

It was late in the year when I brought it to the current minister's attention. The minister said he will monitor it and see what can be done. They are going to monitor it on a regular basis, have an engineer have a look at the site, and I thank the minister for that.

Mr. Speaker, my concern here is that some of these damages have been done since March and April. I have written the previous minister on numerous occasions. The Town Council of York Harbour and the Town Council of Lark Harbour have written the minister on these dangerous situations, Mr. Speaker, and there has been no work done.

I read one letter from the former minister, Mr. Speaker. He said: Yes, the work will be completed. In August another letter went off to the towns, and myself, and it said some may be completed.

Mr. Speaker, this is a very dangerous situation. The current minister is aware of it. The current minister is going to be looking it and monitoring it. I thank the current minister for that.

Some of the guide rails, Mr. Speaker – and I will just give you an example. A guide rail that has been washed away since last April, with over a 200-foot drop, has just been replaced. I thank the minister for that, but it took him eight months to get it. Eight months for this government – the duty of any government is to keep the people safe. This is not a luxury. This is definitely not a luxury.

When you get both town councils – Mr. Speaker, I will be presenting more petitions –

MR. SPEAKER: Order, please!

I remind the member his time has expired.

MR. JOYCE: Thank you, Mr. Speaker.

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

MR. MITCHELMORE: Thank you, Mr. Speaker.

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

WHEREAS Route 432, Grenfell Drive, is the primary highway for residents on the Great Northern Peninsula East; and

WHEREAS prior to 2012's repaving and patches, Route 432 had a twenty-kilometre rough road sign; and

WHEREAS without repaving on the remaining section of Route 432, this past investment will rapidly erode; and

WHEREAS Route 433 connects Roddickton-Bide Arm, Englee and Conche and it too is in deplorable condition; and

WHEREAS it is the government's obligation to provide basic infrastructure to all Newfoundlanders and Labradorians; and

WHEREAS an improved road network is needed to enhance road safety, and help with local commerce, enhance tourism and create new business opportunities surrounding this section of highway.

We, the undersigned, petition the House of Assembly to urge government to allocate funds under the provincial roads program to pave this section of Route 432 and 433.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, in 2012 I commend the former Minister of Transportation and Works for utilizing a budget as effectively as possible to fill in all of the potholes on that section of highway to make life better for the residents that travel that route. More work needs to be done there to ensure that the people utilizing that highway, the commuters and the commercial activity that is happening there, so that we are protecting and getting best value for our tax dollars.

On Route 433, which passes through the Town of Roddickton-Bide Arm, and is the turn-off route to Conche as well as to Englee, in many places you will see the crocodile marks, basically, where all the ripples are there. It is a

shot road. It really needs some investment there. It is gone beyond being able to fill with tar and patch and fill that. It really needs to be pulverized. There needs to be an investment made in that section of road, as the petitioners are stating.

I have driven over it several times doing my constituency work serving constituents; however, the residents who live there on a daily basis must travel. They have to travel for government services and for all kinds of services. It is a road that is in bad condition that certainly would like to see made a priority by the Minister of Transportation and Works.

Thank you, Mr. Speaker.

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

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

I am standing on a point of order. Just a few minutes ago, I stood in this House and asked the Minister of Natural Resources to table the document from which he quoted during the Question Period. I refer to page 433 of Bosc and O'Brien, "Any document quoted by a Minister in debate, or in response to a question during Question Period, must be tabled. Indeed, a Minister is not at liberty to read or quote from a despatch... or other state paper without being prepared to table it...."

Now, there has been enough time, I think, in the House, Mr. Speaker, for the document, which I would note was two pages stapled, to be tabled here so we can review the document to which he referred during Question Period.

MR. SPEAKER: The hon. the Government House Leader, to the point of order.

MR. KING: Yes, Mr. Speaker.

The minister is quite prepared to table the document from which he quoted. It is a one-page sheet and is certainly prepared to table it now. Mr. Speaker, it is my understanding that you –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

The member is standing on a point of order.

The hon. the Government of House Leader.

MR. KING: Maybe you can clarify. My understanding, as was just quoted by the member opposite, is that you have to table what you read from. I am seeking some direction here because I understand that you could have 100 pages on your desk, but you read from one and you are expected to table the one.

Maybe you could clarify?

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

The Government House Leader has raised a question. If a member is reading from a document, obviously the reference they may be reading from may be just one page in that document or one sentence in that document. If you are reading from a document, you are responsible to table that document. That is the content that is extracted from that document, so you table that document.

The hon. the Government House Leader, to the point of order again?

MR. KING: Yes, Mr. Speaker.

I appreciate your clarification. There are two pages and we are quite prepared to table it. I would ask the Opposition to be mindful; there is some sensitive information in here. The minister did not realize it was a part of this; otherwise, you are welcome to it.

MR. SPEAKER: Continuing with petitions.

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

MR. KIRBY: Thank you, Mr. Speaker.

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

WHEREAS play-based, full-day kindergarten has been proven to give children a stronger start in school and in life; and

WHEREAS a full day of learning early in life can help improve children's reading, writing and math skills, and provide them with a strong foundation for future learning; and

WHEREAS full-day kindergarten provides opportunities for children to socialize with others and develop academic and social skills that are necessary for future success; and

WHEREAS children in full-day kindergarten programs are able to remain in familiar surroundings with staff and friends all day, rather than moving between different locations; and

WHEREAS full-day kindergarten makes the transition to Grade 1 easier for both parents and children; and

WHEREAS provinces that invest in full-day kindergarten are seeing a return on investment in terms of better school achievement and fewer children at risk of falling through the cracks;

We, the undersigned, petition the House of Assembly to urge the government to introduce a full-day kindergarten program for children and families in Newfoundland and Labrador.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, this is something that we have been talking about for some time. Of course, the Minister of Education, the hon. Member for the District of Burin – Placentia West, is actually on the record – I believe he did an interview with both the CBC News and also with *The Telegram* newspaper whereby, I believe, he said it was inevitable. He certainly acknowledged that it is

something that we are going to have and perhaps something that we ought to have.

I think we are all in general agreement – I know the Liberal Party at one of its recent conventions endorsed the idea - we are all in agreement that this is a good idea. We certainly know from research that 85 per cent of brain development in humans is complete by the end of kindergarten. We know that for every dollar invested in early learning and care there is a return of about \$2.54. There is a lot of advantage of full-day kindergarten programs. In some provinces, they not only have full-day for five year olds, they have it for four year olds as well. There is really a lot of advantage here.

A lot of parents are calling for this, certainly people with young children of their own or people who have had children themselves and put them through school or had to deal with child care while they are working. In a lot of cases both parents are working. They know this is a real advantage for their children, for them, and good for the economy.

MR. SPEAKER: Order, please!

I remind the hon. member that his time has expired.

MR. KIRBY: Thank you.

MR. SPEAKER: The hon. the Member for Torngat Mountains.

MR. EDMUNDS: Thank you, Mr. Speaker.

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

WHEREAS there is an identified need for all levels of care in all regions of Labrador; and

WHEREAS the Paddon Home is suitable for all levels of care;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge the Government of

Newfoundland and Labrador to conduct a needs assessment to identify the needs of all levels of long-term care in Labrador, and to reopen the Paddon Seniors Nursing Home, located in Happy Valley-Goose Bay, to provide all levels of care.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, earlier in Question Period I asked the minister some questions on homelessness in Labrador. That just includes one portion of our population who are going through a crisis situation, which has been identified by representatives from the community of Nain, as well as myself.

Mr. Speaker, we have another level of homelessness, and that is with our senior citizens. A lot of seniors who go out to seniors homes are put on waiting lists. We have long-term care patients who are in the Miller Centre here in St. John's awaiting a chance to get back home. There is simply nowhere for these seniors to go.

These seniors come from Aboriginal backgrounds. They have different cultures, and to see them in the Miller Centre – and I have visited them at the Miller Centre. I am saddened to see the state of these people, who are from Inuit backgrounds, who are here in St. John's just simply existing and waiting to get into a long-term care facility that is closer to home than here in St. John's.

When the long-term care facility in Goose Bay opened it was immediately filled up. There is still a wait-list for long-term care patients in that facility. There is a lot of talk about opening a long-term care facility maybe in Nunatsiavut, somewhere in Labrador on the North Coast.

Mr. Speaker, we have a long-time resident who gave years and years of municipal service, who is from Makkovik and lives in Mary's Harbour. He is going through bouts of depression. It is simply not an ideal situation for seniors who come from an ethnic background.

I humbly urge this government –

MR. SPEAKER: Order, please!

I remind the member his time has expired.

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

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

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

WHEREAS violent workplace incidents involving convenience store clerks and gas station attendants are a serious health and safety issue; and

WHEREAS many public and private sector employees are being left in vulnerable situations, especially in the opening and closing of their buildings and establishments; and

WHEREAS all workers deserve protection from danger and harm; and

WHEREAS current government regulations are woefully inadequate in providing even basic protection for these vulnerable workers; and

WHEREAS it is the responsibility of employers to keep workers safe and the responsibility of government to ensure employers adhere to regulations;

We, the undersigned, petition the House of Assembly to urge government to immediately enact legislation and regulations to protect workers in hazardous workplaces, including late night shifts in convenience stores and gas stations. This legislation must direct employers to have a minimum of two workers on site after 10:00 p.m. and before 6:00 a.m., or have a secure barrier between the worker and customer in place between these hours.

Mr. Speaker, I am sure everybody in this House is aware of the many dangers that are going on, especially on the Avalon Peninsula and the Northeast of the Avalon these days, with different break-ins, number one. It is not just break-ins; it is the hold ups where employees have to face people who are now armed. It is something which ten years ago in this Province we probably would never have thought about, or what people were armed with may have been nothing more than maybe a stick or a baseball bat, which is bad enough in and of itself.

Now we are seeing people going into convenience stores, especially when they are open late at night, armed with handguns, armed with knives, armed with weapons that can really do damage to a worker, Mr. Speaker, and can really frighten the workers. So it is really important that we become aware of the need of the workers in these stores; in the convenience stores and gas bars in particular that are open at night.

The workers are alone, and while more and more we are starting to see some things put in place, like locked entrances or barriers, it is not something that is yet required and it is not something we are seeing in every store. What we are looking for, Mr. Speaker, and what we are calling for is legislation so that we really have solid legislation that would make sure there would be protection there for these workers.

So, Mr. Speaker, I will hopefully have more petitions of this nature, and when I do I will come back to the floor and speak to it.

Thank you.

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

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

I have a petition to the hon. House of Assembly of the Province of Newfoundland and Labrador in Parliament assembled the petition of the undersigned humbly sheweth:

WHEREAS residents of the Southwest Coast must travel the Trans-Canada Highway between Channel-Port aux Basques and Corner Brook for work, medical, educational, and social reasons; and

WHEREAS Marine Atlantic ferries dock at Channel-Port aux Basques at various hours on a daily basis resulting in extremely high volume of commercial and residential travellers using this section of the TCH; and

WHEREAS the world-renowned Wreckhouse area is situated along this section of the TCH; and

WHEREAS the Government of Newfoundland and Labrador initiated a twenty-four hour snow clearing pilot project in 2008 that excluded the section of the TCH from Channel-Port aux Basques to Stephenville;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge the Government of Newfoundland and Labrador to include the section of the TCH from Channel-Port aux Basques to Stephenville in the twenty-four hour snow clearing project.

As in duty bound your petitioners will ever pray.

Mr. Speaker, there has been four days in this House, and it is the fourth time I have stood up and put this petition in. As I say this, we have horrible weather conditions afflicting many places in this Province, especially in the Central areas and Western areas. On a usual basis, there are not many places worse than travelling across the Wreckhouse between Port aux Basques and Corner Brook.

Now, the fact is, as I have said many times, but I will continue to say until government makes the right decision and includes us in the pilot project. They have made the decision to include trunk roads, they have made the decision to include other parts of the Province; yet, the main entry for rubber-tire traffic to this Province is not being covered.

We have people getting off the boat at all hours of the day and night not getting that coverage. We have ambulances travelling on the roads. We have expectant mothers travelling the roads, but they had better hope they do it during the times that they are already clearing, and that they do not do it during the late hours of the night or else they are not going to be given the same treatment that they should be elsewhere.

I call upon the minister and his department to make the right decision. I am going to continue standing up. I am going to continue asking for it. I would like to see it done because it is the right decision to make and it is going to save lives.

Thank you, Mr. Speaker.

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

MR. BENNETT: Mr. Speaker, to the hon. House of Assembly of the Province of Newfoundland and Labrador in Parliament assembled, the petition of the undersigned humbly sheweth:

WHEREAS there is no cellphone service in the Town of Trout River, which is an enclave community in Gros Morne National Park; and

WHEREAS visitors to Gros Morne National Park, more than 100,000 annually, expect to communicate by cellphone when they visit the park; and

WHEREAS cellphone service has become a very important aspect of everyday living for residents; and

WHEREAS cellphone service is an essential safety tool for visitors and residents; and

WHEREAS cellphone service is essential for business development;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House to urge the Government of Newfoundland and Labrador to partner with the private sector

to extend cellphone coverage throughout Gros Morne National Park and the enclave community of Trout River.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, this petition keeps coming. There are many people in Trout River and also in the surrounding area, people who pay for cellphone coverage, pay for cellphones, and they are of absolutely no benefit to them when they are living at home.

One of the initiatives this government announced this week is to extend 911 services. For sure, 911-service is a very important safety feature to be extended throughout the Province. One of the features of 911-service is that it is very handy to have a cellphone to be able to call 911. People who are visiting that area would have difficulty. What would they do? Would they go knock on a door and ask if they could use a telephone because somebody is having maybe a heart attack?

There was a story on CBC Radio this morning about somebody who had a heart attack and died last night on the Avalon Peninsula. In that particular community, there was no cellphone service available and there is discrimination between Bell Aliant that they charge more for certain public groups in this Province than they do in the Province of Nova Scotia, and that is being addressed.

It is important that people throughout the Province not be discriminated against in the advancement of 911 service. For sure, cellphone service would be an important part of a 911 service in Trout River as well as elsewhere.

Thank you, Mr. Speaker.

MR. SPEAKER: Orders of the Day.

Orders of the Day

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

MR. KING: Thank you.

I would like to ask leave of the House, if I may, the Minister of Finance intended to table a document earlier.

AN HON. MEMBER: No leave.

MR. SPEAKER: No leave.

Leave has been denied.

MR. KING: Okay.

MR. SPEAKER: The hon. the Government House Leader on Orders of the Day.

MR. KING: Thank you, Mr. Speaker.

I move Motion 7, pursuant to Standing Order 11, that this House not adjourn at 5:30 p.m. today, Thursday, November 21 –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

The hon. the Government House Leader.

MR. KING: Thank you, Mr. Speaker.

I move Motion 7, pursuant to Standing Order 11, that this House not adjourn at 5:30 p.m. today, Thursday, November 21, 2013.

Further, I move Motion 8, pursuant to Standing Order 11, that this House not adjourn at 10:00 p.m. today, Thursday, November 21, 2013.

MR. SPEAKER: It has been moved and seconded that this House do not adjourn at 5:30 p.m. on Thursday, November 21, 2013 and it has been further moved and seconded that this House do not adjourn at 10:00 p.m. on Thursday, November 21, 2013.

All those in favour, 'aye'.

SOME HON. MEMBERS: Aye.

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

Motion carried.

The hon. the Government House Leader.

MR. KING: Thank you, Mr. Speaker.

Mr. Speaker, referencing our Order Paper –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

The Speaker is having difficulty hearing the recognized speaker.

The hon. the Government House Leader.

MR. KING: Thank you, Mr. Speaker.

Mr. Speaker, referring to our Order Paper, I move, seconded by the Minister of Health and Community Services, for leave to introduce a bill entitled, An Act To Amend The Pharmaceutical Services Act, Bill 10, and the said bill be read a first time.

MR. SPEAKER: It is moved and seconded that the hon. Minister of Health and Community Services shall have leave to introduce a bill, An Act To Amend The Pharmaceutical Services Act, Bill 10, and that the said bill be now read a first time.

Is it the pleasure of the House that the minister shall have leave to introduce Bill 10, and that the said bill be now read a first time?

All those in favour, 'aye'.

SOME HON. MEMBERS: Aye.

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

Motion carried.

Motion, the hon. the Minister of Health and Community Services to introduce a bill, "An Act To Amend The Pharmaceutical Services Act," carried. (Bill 10)

CLERK: A bill, An Act To Amend The Pharmaceutical Services Act. (Bill 10).

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

When shall the bill be read a second time?

MR. KING: Tomorrow.

MR. SPEAKER: Tomorrow.

On motion, Bill 10 read a first time, ordered read a second time on tomorrow.

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

MR. KING: Thank you, Mr. Speaker.

Mr. Speaker, I move, seconded by the Minister of Municipal and Intergovernmental Affairs, to ask leave to introduce a bill entitled, An Act To Amend The Municipal Elections Act, Bill 18, and so move that the bill be now read a first time.

MR. SPEAKER: It has been moved and seconded that the hon. Minister of Municipal and Intergovernmental Affairs shall have leave to introduce a bill, An Act To Amend The Municipal Elections Act, Bill 18, and that the said bill shall be read a first time.

Is it the pleasure of the House that the minister shall have leave to introduce Bill 18 and that the said bill be read a first time?

All those in favour, 'aye'.

SOME HON. MEMBERS: Aye.

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

Motion carried.

Motion, the hon. the Minister of Municipal and Intergovernmental Affairs to introduce a bill, "An Act To Amend The Municipal Elections Act", carried. (Bill 18)

CLERK: A bill, An Act To Amend The Municipal Elections Act. (Bill 18).

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

When shall the bill be read a second time?

MR. KING: On tomorrow.

MR. SPEAKER: On tomorrow.

On motion, Bill 18 read a first time, ordered read a second time on tomorrow.

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

MR. KING: Thank you, Mr. Speaker.

Mr. Speaker, I move, seconded by the Minister of Municipal and Intergovernmental Affairs, to ask leave to introduce a bill entitled, An Act To Amend The City Of Corner Brook Act, The City Of Mount Pearl Act, The City Of St. John's Act And The Municipalities Act, 1999, Bill 20, and I so move that the bill be now read a first time.

MR. SPEAKER: It is moved and seconded that the hon. Minister of Municipal and Intergovernmental Affairs shall have leave to introduce a bill, An Act To Amend The City Of Corner Brook Act, The City Of Mount Pearl Act, The City Of St. John's Act And The Municipalities Act, 1999, Bill 20, and that the said bill be now read a first time.

Is it the pleasure of the House that the minister shall have leave to introduce Bill 20 and that the said bill be now read a first time?

All those in favour, 'aye'.

SOME HON. MEMBERS: Aye.

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

Motion carried.

Motion, the hon. the Minister of Municipal and Intergovernmental Affairs to introduce a bill,

"An Act To Amend The City Of Corner Brook Act, The City Of Mount Pearl Act, The City Of St. John's Act And The Municipalities Act, 1999". (Bill 20)

CLERK: A bill, An Act To Amend The City Of Corner Brook Act, The City Of Mount Pearl Act, The City Of St. John's Act And The Municipalities Act, 1999. (Bill 20)

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

When shall the bill be read a second time?

MR. KING: Tomorrow.

MR. SPEAKER: On tomorrow.

On motion, Bill 20 read a first time, ordered read a second time on tomorrow.

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

MR. KING: Thank you, Mr. Speaker.

I move, seconded by the Minister of Health and Community Services, to ask leave to introduce a bill entitled, An Act To Repeal The Health Care Association Act, Bill 26, and I so move that the bill be now read a first time.

MR. SPEAKER: It is moved and seconded that the hon. the Minister of Health and Community Services shall have leave to introduce a bill, An Act To Repeal The Health Care Association Act, Bill 26, and that the said bill be now read a first time.

Is it the pleasure of the House that the minister shall have leave to introduce Bill 26 and that the said bill be now read a first time?

All those in favour, 'aye'.

SOME HON. MEMBERS: Aye.

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

Motion carried.

Motion, the hon. the Minister of Health and Community Services to introduce a bill, "An Act To Repeal The Health Care Association Act", carried. (Bill 26)

CLERK: A bill, An Act To Repeal The Health Care Association Act. (Bill 26)

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

When shall the bill be read a second time?

MR. KING: Tomorrow.

MR. SPEAKER: Tomorrow.

On motion, Bill 26 read a first time, ordered read a second time on tomorrow.

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

MR. KING: Thank you, Mr. Speaker.

I call from the Order Paper, Order 11, under second reading of a bill, An Act To Amend The Human Rights Act, 2010, Bill 25.

MR. SPEAKER: The hon. the Minister of Justice.

MR. KING: Thank you, Mr. Speaker.

I move, seconded by the Minister of Environment and Conservation that Bill 25, An Act To Amend The Human Rights Act, 2010, be now read the second time.

MR. SPEAKER: It has been moved and seconded that Bill 25, An Act To Amend The Human Rights Act, 2010, be now read a second time.

Motion, second reading of a bill, "An Act To Amend The Human Rights Act, 2010". (Bill 25)

MR. SPEAKER: The hon. the Minister of Justice.

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

I am certainly very pleased to stand and introduce this legislative change that we are bringing forward toward in the Human Rights Act. For those who were following the debate around this issue at all, what we are talking about today is a very small change with respect to physically what is happening within the Human Rights Act, but I think it is fair to say a very significant change relative to how it will be received by our public.

I am just going to give you the quick synopsis. The change we are making today is that we are adding gender identity and gender expression as prohibited grounds of discrimination within the Human Rights Act. As I said, it is a very small change relative to the physical terms that we are inserting in the act, but a very important change, and I am certain a very big change, as it is being received by those out in the community and those who have been advocating for it.

By way of a little bit of background to this bill, Mr. Speaker, the Human Rights Act was brought in by government in 2010. That was following a series of consultations that went across Newfoundland and Labrador engaging stakeholders and engaging members of the public on their views about human rights and what they felt should go in the act, what should not be there, and the kinds of things that we ought to consider.

The whole intent of the Human Rights Act was to recognize that people in society needed to be treated equally, treated fairly, treated with dignity and treated with respect, and provided equal opportunities and equal rights in society. The purpose of the act is to ensure to the extent that we can that happens. It aims to create a climate of understanding and a culture of respect for each other, and respect for other persons in society.

When the act was passed in 2010, a number of people have asked the question why gender identity and gender expression would not have been included. When the act was initially

passed, Mr. Speaker, there was what you might call an evolving dialogue occurring around the definitions and what ought to be included in the act and what ought not to be included. We consulted not only across the Province but we consulted widely with other jurisdictions across Canada.

It was very clear at the time that the act was written, that there was no agreement on the language and what the language should say, other than we needed to talk about prohibited grounds of sex as a basis for discrimination. Because it was still evolving, it was decided at the time that the language would not be used in the act.

I will say, however, that gender identity and gender expression, while it was not included as specific language in the Human Rights Act, it was indeed very much considered as a ground for discrimination. The Human Rights Commission has always accepted and continues to accept to this day any cases brought before them that has to deal with gender identity and gender expression.

While we are fixing the terminology, I just want to be very clear for members of the public, there has never been a case related to gender identity or gender expression that has been refused because this terminology was not included in the act. I want to be very clear on that situation. However, having said all of that, though, we do recognize that the environment we are living in has evolved considerably over the last three years. We have continued to consult and listened to what people were saying to us and we have looked at what other provinces are doing, and very clearly, we now believe it is time to update our legislation.

Mr. Speaker, this is no different than we do with any other piece of legislation from time to time. We bring in all sorts of things into the House of Assembly. Later today we are probably going to go back and talk about some justice bills, for example, that I brought in a few days ago. Sometimes it is about housekeeping items and sometimes it is about making substantial changes.

My point is that is the normal proceedings in this Legislature. You bring in a bill and from time to time you need to make changes to update it, to make sure it reflects current thinking and current practices. That is what we are doing today. We are adding gender identity and gender expression because we believe the time is right to do that.

I have talked to any number of individuals, and I want to thank individuals who have had input in this, and who have talked to me about this and met with me on this. I do want to take a moment to recognize my colleague from St. John's Centre who has been a strong advocate for this. I certainly thank her for her voice on this issue on behalf of people in her district and on behalf of other people associated with her throughout the Province.

As I said, it is a good change. If I did not think it was a good chance to make, I would not be doing it. So I do thank you for your input in this and I look forward to hearing from you in a few moments on this particular issue. As well, I look forward to hearing from my colleague across the way from Burgeo – La Poile in a couple of minutes.

Mr. Speaker, with those introductory remarks, I am going to conclude. There is not a lot more to be said at this point on this particular issue. I think I have made the points I want to make which is – again, in summary, this is a change that I am very supportive of. I think the time is right to update the legislation.

Also, to remind people that we have not rejected – excuse me, not we. The Human Rights Commission has not rejected any cases to this date because of gender identity or expression. They have always accepted any cases brought before them, but this now I think enshrines it in the legislation, that this is indeed grounds for discrimination. I think it makes it very clear to those who may be affected by this or who are paying attention, that we do respect gender identity and gender expression as grounds for discrimination.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Verge): The hon. the Member for Burgeo – La Poile.

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

I am certainly very happy to stand today and speak to Bill 25, An Act to Amend the Human Rights Act, 2010. I would also like to thank the Department of Justice for providing us a briefing on this, as they have on other bills this week. I think the minister said it right in that the bill itself is very small, but in many ways it is very large. It is small physically, but what it does is something that a lot of people have been asking for, for some time.

I do not mind saying that my colleague, the Member for St. John's Centre, has been one of the ones leading the charge. Obviously, it has had some results. Congratulations to her on that.

I just want to give some background to this. The fact is we do have a Human Rights Act. We go back to the fact that the Declaration of Human Rights was signed back in December, 1948. Then it was actually brought into this Province back in 1971. The fact is, as times change and society changes, we have to update our legislation. Just like any piece of legislation, you have to update them to make them relevant with today's society. We have done the same here with the Human Rights Act.

We know that in 2010 the legislation was updated again to reflect the new regulations and the new protections that were needed, and it increased the efficiency. We are back here again today to add some new sections to that.

For those who are watching, it says the preamble to the act, "...is amended by adding immediately after the words and comma 'sexual orientation,' the words and commas 'gender identity, gender expression'". Then, "Subsection 9(1) of the Act is amended by adding immediately after the words and comma 'sexual orientation,' the words and commas 'gender identity, gender expression'".

Again, it is the right move and I applaud government for bringing this forward. I appreciate and I know where the minister is coming from when he says you want to put it on record that there have been no claims that have ever been turned down. That is obviously good and positive, but we need to make sure our legislation is proper and right. We cannot just rely on that forever. We need make sure that our legislation is updated.

Some of the questions I had during the briefing were simple. Are we the first Province? Are we the last Province? Where are we in the grand scheme of things when we talk about this? At the time, back in 2009 when the government did their human rights consultations, only the Northwest Territories had gender identity in legislation.

As we speak to this today, Manitoba, PEI, Nova Scotia, and Ontario have now put this language in their legislation, and it seems that the trend is to include both. This is information that we get from speaking to the legislators and to the solicitors with the Department of Justice when we talk about this. I understand that this is also at the federal government level, but the bill is stuck in the Senate. One of the reasons for that is that Mr. Harper up in Ottawa tends to do omnibus bills.

Actually, right now, this bill is being proposed together with a hate crime bill. Again, it may not pass because people are linking this together. That is how Mr. Harper tends to operate, is to tie together these pieces of legislation. It is funny, you see his commentary from back years ago when he talked about omnibus bills were terrible, and then he gets in and omnibus bills become the new trend and the way to do things.

Enough about Mr. Harper, we are going to speak about the good things this Province is doing right here.

We already know that under prohibited grounds of discrimination we have race, colour, nationality, ethnic origin, social origin, religious creed, religion, age, disability, disfigurement, sex, sexual orientation, marital status, family status, source of income, and political opinions.

So we are adding to that a large group, and I am very glad to see that we are adding to it now.

I do find it interesting – and I am sure that the member to my right may speak to this after – I do find it interesting that in previous debates and questions on this, the former Minister of Justice was very adamant that this legislation was fine and dandy. Actually, I think the quote, “...it was impossible to encapsulate it all into one single provision...” and that all discriminations under that issue are adequately covered under the sex discrimination in the act. So these are just some of the responses.

Again, there was another one, “The conclusion, Mr. Speaker, was definite on all sides that it was too confusing an issue to try to explain it in one single provision in the Human Rights Act.” Obviously, that has been changed now. The department and the new minister have made sure to include it, and kudos to them for making sure that it was done. I am glad to see that we have managed to pull it together and that it is not too confusing an issue – it should not be.

I am not going to speak to this much longer, Mr. Speaker; I am just happy to be a part of this debate. I think it is a good change. It is one we are all going to support. It is going to have unanimous support from this House – certainly unanimous support from this side. I am happy to speak to it today, Mr. Speaker.

Thank you very much.

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

MS ROGERS: Thank you, Mr. Speaker.

I am so very happy to be able to stand today and to speak to this, Bill 25, An Act to Amend the Human Rights Act.

I want to thank the Minister of Justice for this excellent piece of work. I would also like to thank the staff from Legislative Counsel from the Department of Justice for the thorough briefing that they gave us, and for the work that they have done on this particular piece of

legislation over the years, since the consultation on the Human Rights Act.

I had the pleasure of meeting with the minister and his staff from Justice to talk about the importance of this amendment to the Human Rights Act and to talk about clarity among some of the issues and some of the outstanding questions. It was a very positive meeting.

I cannot help but think how wonderful it is when we do have the chance in this House to be able to collaborate. Again, it reminds me of how wonderful it would be if, at times, we could have all-party standing committees, legislative committees. so that we could work together, so that we could come up with the best legislation possible to address the needs of the people of Newfoundland and Labrador. That experience of working closely with the minister was such a positive experience, and I thank him and I praise him for providing that opportunity as well. Thank you very much.

I would also like to congratulate the presidents and the board of directors and the staff of the Newfoundland and Labrador Human Rights Commission who have worked so hard to enact and to administer the Human Rights Act for the people of Newfoundland and Labrador. This is a change that they too wanted to see happen. So, I am sure that they feel very proud of the work that they have done; the work that they have done in collaboration with the department, with the direction that they have given the department on this particular issue.

Mr. Speaker, human rights are never given. Nobody gives disenfranchised or vulnerable people or minorities their rights. They are hard won. They are won after hard work, after brilliant work, after persistent, courageous work. Hard work from both those directly affected but also by their allies, by people in organizations who understand that when anyone is left behind, we are all affected. We cannot as a society go forward when someone is left behind. In fact, what we have to do then is we have to go behind and start pushing. This is a win-win situation for everyone.

I can remember, Mr. Speaker, over thirty years ago, maybe even longer than that, when the Canadian Charter of Rights was being amended and when we wanted women's rights enshrined through clause 28 in the Charter of Rights and that they were negotiated out of the Charter of Rights. We were told not to worry it did not matter, but it did matter. We knew how important it was to have the rights of women explicitly stated in the Charter of Rights, and we worked so hard.

I would like to remind everybody once again that human rights are not given. They are won after hard persistent work, work that sometimes is collaborative. That is the ideal situation. When one group is vulnerable in society, we all lose as a society.

This bill is about amending our Human Rights Act to include gender identity and gender expression as prohibited grounds of discrimination. This week in Newfoundland and Labrador there is programs for the Transgender Week of Awareness and Action.

On Monday, I was lucky enough to be able to go to city hall for the flag raising of the transgender pride flag. There were a number of young trans folks there, Mr. Speaker. I was very moved by it because a lot of these young people were young people who were absolutely tortured in school, who were vilified, who were so misunderstood. They were able to stand together, be acknowledged by legislators, by politicians, by human rights activists and with such pride raised their flag.

There were a few people there, trans folks who were afraid of having their picture taken, or were afraid if the media caught them. They know it is still not safe in their own communities, or it is not safe in their places of work.

It was incredible to watch this historic moment because I do believe it is the first time that the trans flag was raised at city hall for the Trans Week of Awareness and Action. It was a positive thing and it was a good thing. Nobody lost by it. As a matter of fact we were all winners; we all gained.

The change that is being recommended here not only gives explicit rights and protection to trans folks but it also gives all of us guidance and direction on how we live our lives in our society, how we live together peacefully and in respect. It is a recommendation not only to protect trans people but a recommendation as to how we all should live our lives together. That is a good thing. It affects us all. It is a win-win situation; this is only positive.

The transgender population in the world is emerging today. People are coming out. They are identifying, they are self-identifying as we saw in the flag raising on Monday. That means we see some pushback. We have seen that in the history of human rights all over the world. When women fought for rights during the civil rights movement in the US, when gays and lesbians fought for rights, what we saw then is an increase in misunderstanding, in prejudice and injustice, an increase on a daily basis, a push back. That is what we have been beginning to see with trans-folks as well. We have seen there is a push back because of their emergence, but ever so why we need to have our Human Rights Act amended.

Again, trans folks are among the most vilified, misunderstood group of people in our society today. For a long time they have not been afforded equal rights or freedoms, and have been subjected at times to atrocities and absolute inhumane treatment, sometimes at the hands of lawmakers and society at large. This can only be a positive thing. It is step in the right direction.

Amending our human rights legislation shows us once again that our Human Rights Act is a living document. That it is not cast in stone; that as we evolve as a society we understand one another more. We understand the scope and the breadth of human rights legislation and how it must change and how it must reflect and respond to our understanding as we grow as a society. As a society we know that we have less tolerance for hatred and discrimination, and for crimes based on hate. Consequently, our Human Rights Act must respond to that.

I have stood in this House for over a year presenting petitions and doing member's statements on the issue of trans rights. I am so glad, Mr. Speaker, that I will not have to do that any more because this legislation, this amendment is exactly what we needed. I have listed the difficulties and the incidents of discriminations and crimes of hate, and I have talked about how difficult it has been for trans-folks who are our brothers, our sisters, our mothers, our fathers, our neighbours, our co-workers.

Yesterday, November 20, was the Transgender Day of Remembrance. The Transgender Day of Remembrance actually started in Canada, but now it is celebrated or acknowledged all over the world. It is where we remember those who have been murdered directly or who have taken their own lives because of hate and discrimination.

On that day we acknowledge the empty places that exist by the loss of these people. Empty places in family's hearts, in communities, empty places in the hearts of people who have lost people because of hate and discrimination. The people whom we have lost are somebody's brother, sister, uncle, father, mother, little brother, little sister, a neighbour, a co-worker, a classmate, or someone's teacher. Our remembrance is not just to sit and mourn. Our remembrance must compel us to action and compel us to the type of action that we are acknowledging here today.

I am proud of our Province of Newfoundland and Labrador. I am proud that this Province, and I am proud that this Minister of Justice, I am proud that our Human Rights Commission, I am proud that our Legislative Council has worked hard to include both gender identity and gender expression in our Human Rights Act. That is important, Mr. Speaker, that we have both gender identity and gender expression. That is the best practice in human rights legislation.

I am happy that after all the work of trans activists and human rights activists all over Newfoundland and Labrador, we will be able to proudly proclaim that we have fully amended

our Human Rights Act to include both gender identity and gender expression in our legislation. We will, as a Province, be able to say we have joined other provinces in this progressive piece of legislation Ontario, Manitoba, Nova Scotia, the Northwest Territories, now Quebec, and PEI has just introduced in their province as well; this, joined by the United Nations Declaration of Human Rights.

This will affect issues of housing and employment in health care in a positive manner for trans folks. For instance, in the Province right now, as it stands, any person who needs to be assessed and diagnosed is sent by the Province to CAMH in Toronto. It is a Centre for Addiction and Mental Health where there is a formalized process of assessment and diagnosis. It is a costly procedure. It takes a lot of time. People have to leave their own homes and communities in order to do it, but there are doctors who are fully qualified to do that assessment and diagnosis.

I gave a letter, as a matter of fact, to the Minister of Health about half a year ago, identifying doctors in the community who can do that assessment and diagnosis right here in the Province and who are willing to do so. They are psychiatrists, family practitioners, and physiologists. As a matter of fact, one of the psychiatrists I included in that list was a psychiatrist who actually did the diagnosis and assessment at the Centre for Addiction and Mental Health in Toronto. Why can she not do it here?

The Minister of Health had said she was very willing and open to making changes, so that assessment and diagnosis can be done here so that our people do not have to travel to Toronto under great expense, taking time off work, when in fact that process can be done here.

There are other issues that will be affected. One of the things that may seem so simple and inconsequential is the very fact of being able to change your sex on your driver's licence. Imagine if you were a man transitioning to a woman and from all outward appearances you dress like a woman, you look like a woman, you

pass as a woman, but when you have to show photo ID, when you are flying, when you have to give your licence for work purposes, it says that you are a man. That is so difficult because that means every time that happens this person has to say, I am not who my ID says I am. It is a really, really difficult situation for trans people.

Mr. Speaker, I am not going to speak much longer, but before I finish I want to also praise the Department of Education for the incredible work it has done in the schools to make the schools more inclusive and safe for all lesbian, gay, bisexual and transgendered students, staff and teachers all over the Province. Our Province has been a leader in that area, and our Department of Education has been a leader in that area.

I am not sure if the current Minister of Justice, at the time that was introduced was the Minister of Education, I am not sure if that was the case, but it was an incredible progressive step forward; the first Province in the whole country, probably the first education department in the world to do such comprehensive work and such progressive work.

I think that as a Province we must stand on our laurels for doing such incredible work because that work is not just about changing attitudes. That work in fact has saved lives because of the high suicide rate among LGBTQ students who are tortured in schools. I would like to commend this government for taking that action, that very concrete action. That it is not just philosophical, it was concrete steps.

Mr. Speaker, the trans folks in our community, I have talked about how difficult their lives can be. I have talked about the discrimination. I also want to talk about the strength and the creativity. I would like to talk about the positive contributions trans folks make to our communities because they are our police officers, politicians, union leaders, teachers, nurses, and doctors. Trans folks are included in all aspects of our community. Again, they are our brothers, our sisters, our family, our co-workers, and our neighbours.

I am very happy that this legislation in fact honours the fact that trans folks have a right to full and equal participation in our society. They have the right to full access to all services and programs. This is the right thing to do. Amending our human rights legislation at this point is the right thing to do. I would like to commend, again, the Minister of Justice for taking this stand. I would like to thank him for taking this stand.

Mr. Speaker, I have been able to celebrate at gay pride. I have been able to celebrate at trans pride. I would hope that all of us at this point would take part in that pride, that we can all be proud that this is a historic moment and this is a moment that we can celebrate. This is a moment where we say that all people are equal and have rights in our society in Newfoundland and Labrador.

Thank you very much, Mr. Speaker.

MR. SPEAKER: I recognize the hon. the Member for Signal Hill – Quidi Vidi.

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

I am glad to have an opportunity to speak to this bill today. It is a very important bill. I am not going to speak long. I think my colleague from St. John's Centre has done a wonderful job in speaking to the bill and I am not going to repeat a lot of what she has said.

I wanted to speak to it because it was four years ago when I first stood in this House and asked a question of the then Minister of Justice with regard to the lack of recognition of gender identity and gender expression in our Human Rights Act. The question, I think, was extremely important because the question talked about what the situation is for transgendered people, what it was then and what it still is, and pointed out the level of discrimination that transgendered people suffer from right around this country, not just in our Province.

We know it is much wider than just what we experience here in our own community; it is

worldwide actually. We know there are many human rights cases that demonstrate that unless gender identity is specifically included as a prohibited ground of discrimination, then the ability of transgender persons to access employment rights and parental rights, health care, and even basic safety would continue to be challenged.

What we have done today – I hope what we are doing is making our society a safer place for transgender persons. In 2010, when the government announced the new Human Rights Act, which came after the consultations and the review that had taken place, I spoke again to the issue. At that time I was so very disappointed that in the new act, which we received only three years ago in 2010 – that the new act, in spite of representation by the community during the review, did not include gender identity and gender expression under the prohibited grounds section of the act.

Today, we are moving forward as my colleague has said, with a huge step. I, too, thank the Minister of Justice. I am sorry it took three years; I do not know why it was not put in the act in 2010. It does show a movement in thinking. I think that movement in thinking on the part of the government, that movement in thinking inside of the Department of Justice is extremely important.

I want to raise one point. The thing that I think we have to be aware of is that by putting this in the act we are helping transgender persons definitely in fighting for their rights when their rights are trampled on. The rights exist. What we are doing today is recognizing the right, the right for all people in our Province, every single group of people, every individual, to be protected under the Human Rights Act.

The human right belongs to the individual, it belongs to the community, and it belongs to people as a whole. What government is doing is recognizing the right. Now hopefully there are no groups of people in our Province who are not covered by our Human Rights Act. That is extremely important.

What we need to recognize is that though individuals get protected under the act, and now trans persons are protected under the act, people still suffer discrimination. The act protects and the act allows them to make claims of discrimination if they happen, and that protection is there, but we need to be looking at more than just individual cases. We need to be looking at human rights from a much broader issue than just individual cases of discrimination or individual cases of harassment or individual cases of bullying.

We have to bring the act another step as we go down this road of trying to protect people. I think the other step means looking at the systemic nature of discrimination so that it is not just an individual case here and an individual case there and an individual case somewhere else, and those cases get dealt with if somebody goes forward and asks the commission to look at their claim. The discrimination, in every case that I can think of, whether we are talking about discrimination based on gender, whether we are talking about discrimination based on race, whether we are talking about discrimination based on gender identity, no matter what it is there is a systemic nature to discrimination.

Unfortunately, our act still does not recognize that systemic nature of discrimination. In my own experience when I was working in the women's community and working with women in resource development, for example, looking at getting women into trades and technology, there were cases of women in the same workplace having more than one experience of discrimination, yet not being able to have the commission look at the systemic nature of discrimination in that workplace. You could only look at each case separately from the other.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MS MICHAEL: Thank you, Mr. Speaker; that is helpful.

We have to look at the fact that while we now are including trans persons under our Human

Rights Act, they still have a very heavy road ahead of them. My colleague mentioned some of the areas in which they still experience discrimination. What I am concerned about for everybody, now particularly for trans persons as well, is that they not be left with this issue of having to deal – if they do experience discrimination, if they are harassed, if they are bullied, that they do not have to, every time they might have that experience, go to the Human Rights Code.

If they get discriminated with regard to employment and it happens more than once, if they have every time to treat that as individual case, number one, that is very hard to do; and number two, it is not recognizing that we have a systemic reality with regard to discrimination.

So I would like the Minister of Justice, and I am really delighted that he has brought things to the point that he has brought it, to look at the presentations that were made at the time of the review, even though it is five years ago since the review was done, around systemic discrimination and see how it particularly now becomes even more important as we bring trans persons into the whole coverage that is the Human Rights Code. Attached to that is also the need for harassment and bullying to be recognized also as acts of discrimination under the Human Rights Code.

Once again, we have given protection now to trans persons, and that is extremely important, but everybody, every single one of us, hopefully is now covered under the Human Rights Code. The very fact that there are groups that are discriminated against is a systemic issue.

So I do ask the minister to take this as a moment to do further work in his department, in the Department of Justice, to look at the systemic nature of discrimination, to take that extra step, and to bring that into our Human Rights Code so that we can ensure every group that has been named under the Human Rights Code, every group that has been named as a group that needs protection, know the protection now is going to be more than just for an individual in one of those groups that are protected; but that we

recognize the systemic nature of the discrimination. That, I think, would bring our Human Rights Code really up to the mature level where it needs to be.

We have taken another giant step today with this bill. There is no doubt about it. I would really like us to go that final step of becoming really a mature Human Rights Code by bringing in the issue of systemic discrimination.

I put that before the House, Mr. Speaker. I put it before the Minister of Justice. I hope that we can continue to have discussions on the whole issue of systemic discrimination because I think it is an extremely important one. I see the minister nodding, and I trust actually that we will have that discussion.

I thank you very much, Mr. Speaker, for having this time today.

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

MR. MITCHELMORE: Thank you, Mr. Speaker.

I commend the Minister of Justice for bringing forward such progressive legislation that amends the Human Rights Act of 2010, and it does so to include the words gender identity and gender expression after the word sexual orientation. This really broadens the language and provides further clarity around gender identity and gender expression under grounds of alleviating discrimination. That is very positive and progressive.

In the briefing that we received by the Department of Justice, they had highlighted the efforts that have been taken to do consultation and highlighted that we certainly are not the first province in Canada that have introduced and passed legislation. Provinces such as Manitoba, Ontario, Northwest Territories, and Nova Scotia recognize gender identity under their human rights legislation as well. Prince Edward Island currently has introduced a similar piece of legislation in their Legislature.

What is really positive to see is that there were two working groups on this piece of legislation around gender identity and gender expression and that there were consultations that had taken place throughout major centres of Newfoundland and Labrador where the public had the opportunity to be engaged and to provide their feedback in the process of this legislation.

What had come forward in the legislation was through, as well, listening to the public, listening to the engagement, the groups, the submissions, and to allow citizens to help in how we change and broaden the human rights legislation. That is very important.

One of the pieces that is noted is that the definition of gender identity and gender expression is not listed in the legislation, and it is not listed in the other acts as well. They do not explicitly define them and what was noted is that the definition of gender identity and gender expression would fall under how it is defined under the Human Rights Commission in Newfoundland and Labrador.

What I like to see about this is that it shows that the Human Rights Act is a living document, and that the intent is to broaden and build a more inclusive society, and acknowledge all people's human rights. That is very positive, so it is a piece of legislation that I can support, Mr. Speaker.

Thank you.

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

SOME HON. MEMBERS: Hear, hear!

MR. KIRBY: Thank you, Mr. Speaker.

It is a pleasure for me to get up and speak in support of this legislation, Bill 25, An Act to Amend the Human Rights Act.

I know that the Minister of Justice has said that the tribunal has never denied a case based on gender identity or gender expression, but it is

sort of like the fine print becoming the regular size print. In this case, of course, there was no fine print, but it is now in black and white at least for everyone to see. No one can misinterpret what our intent is here.

There has been a lot said about this. I would say for the benefit of everybody who is watching at home it is important to understand what exactly it is we are talking about here. It is always important to know. Basically, the Newfoundland and Labrador Human Rights Act provides for equal rights, opportunities, and freedom from discrimination.

Freedom from discrimination based on gender identity, what are we talking about? Gender identity is linked to one's sense of self. It is different from somebody's sexual orientation. Someone's gender identity might actually be different from their birth-assigned sex. Gender expression refers to the external attributes, or behaviour, or appearance, or dress, and so on by which people express themselves, and through which other people perceive that person's gender. That is what we are talking about.

Discrimination happens when a person is treated differently or unequally because of their gender identity or their gender expression. It results in a disadvantage to that person. Discrimination is any action, whether it is intentional or not, that treats someone less favourably than other members of society because of that person's identified or perceived gender, or gender identity, or gender expression.

I believe, Mr. Speaker, that no person should be treated differently while at their work, while at school, at a post-secondary institution, while they are seeking shelter, while they are eating a meal at a restaurant, or at any other time because of their gender identity or their gender expression. We should never tolerate bigotry or violence anywhere.

It is very positive to see that this was the result of consultations by the working group on gender identity. We are certainly looking forward to having responsible changes, responsive changes that are very much in line with changes that are

happening all across the provinces of Canada right now, and have been for some time. I will not go through what they are. My colleague, the Member for The Straits – White Bay North had mentioned some of that.

I think it is unfortunate that Harper's government in Ottawa has yet to pass Bill C-279. As a result, people have to rely on the implicit protections under the Canadian Human Rights Act as enforced by the Canadian Human Rights Tribunal.

I encourage the Minister of Justice – I know there are opportunities for you to meet with your colleagues from across the provinces and territories - I encourage the Premier, who has an opportunity to have conversations with First Ministers from across Canada, to impress upon Ottawa to stop playing procedural games, tying this legislation together, sending it to the Senate in order to pass other legislation, and toughen up the language in our federal Human Rights Act to ban discrimination based on gender identity and expression.

I also look forward to this government embarking on a program of communication with employers to ensure what is required to be in place, is in place in the workplace in terms of – I was going to say accommodating people but this is not about accommodation. We cannot accommodate discrimination – to ensure that proper protections for workers are there in the workplace and best practices are adopted from other jurisdictions, wherever they may be, to ensure that everything is in compliance.

I welcome these amendments to our Human Rights Act, our Human Rights policies and our principles, as a people here in Newfoundland and Labrador.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: If the hon. the Minister of Justice speaks now he will close the debate.

The hon. the Minister of Justice.

MR. KING: Thank you, Mr. Speaker.

It is a pleasure again to stand and close debate on this particular legislative amendment that we are making to the Human Rights Act.

I want to thank all of those who participated in the debate here so far today. I appreciate the comments made by members opposite and their contribution to discussing this important issue.

As I said in my opening comments, the thrust here, while very simplistic in terms of the physical changes we are making to the act, indeed are very substantial changes in what it means for those people who feel this may pertain to them. So I am very pleased to do that. We are recognizing gender identity and gender expression as part of the Human Rights Act now.

As I said a few moments ago, to be clear, there has never been a case that has been refused by the Human Rights Commission of this nature. Any case brought forward has been considered under the broader language that currently exists.

Again, not to repeat too much, but just to remind people that legislative changes happen all the time. This is about simply updating and renewing what we currently have in place. The legislation that was brought before this house and supported by members in this House in 2010 was what government and other members, because it was supported by the entire House, felt was the best legislation at the time. Of course, things change, time moves forward and things evolve. Our understanding and our approach to issues changes, evolves and gets better. That is what this is about today; making changes that are appropriate and reflects where we are as a society.

One of my colleagues mentioned it is good to see us doing this because it is happening all across Canada. For the record, even if the House passes this today, less than 50 per cent of the provinces and Territories have actually done this in Canada. With the support of my colleagues here, I can safely say that when we pass this we are going to be breaking ground and

be one of the leaders in the country. We are not actually followers here. We still will have less than 50 per cent of the provinces and Territories. I want to put that out there.

I also want to respond to, I think it was the Leader of the New Democratic Party who talked about the challenges with discrimination in society and the barriers some people face. I acknowledge her comments, I accept her comments, and I agree with her on that. It is a challenge every day to make sure people understand their rights, first of all, and the freedoms they enjoy as part of a democracy. All of us have to work very hard, and as a government we try to provide leadership in that area.

Also, it is a challenge, as she said very well, to make sure people understand how they should treat people. We talk about employers, for example, in the workplace, and we talk about social gatherings. It is important for people to understand what discrimination means. Oftentimes people are very deliberate in being discriminatory against people, but oftentimes people are doing it unintentional.

Part of what we are trying to do, even in this discussion today, is to bring attention to this issue and to ensure that people who are following this debate – and hopefully if we get any media coverage whatsoever from that, hopefully that will give further attention to the whole issue of discrimination, harassment, and the role of the Human Rights Commission to try and protect people's rights and ensure that people live in a society where they are not harassed and not discriminated against.

So, I do thank all members who contributed to this discussion. I also want to say, as the member recognized, the Member for Signal Hill – Quidi Vidi, that I am open to further discussion on this. If there is a way – and my colleague from St. John's Centre, whom I know has a strong interest in this area – that government can continue to make this human rights legislation stronger in anyway whatsoever, I am more than open to that discussion and prepared to sit down and have a

chat, because it is a piece of legislation that spans all political parties. It is not about the politics of this particular policy initiative.

Human rights legislation is a piece of legislation that talks about what we believe society ought to be like and what we believe we ought to expect from people in terms of their behaviours and their actions. It talks about the safety and the securities that people ought to enjoy, and how people ought to expect to be treated in society. I am more than open to working with my colleagues across the House if there is a way to make further changes in this piece of legislation as we move forward.

Having that said, Mr. Speaker, I want to thank, once again, all members for their contribution to debate and I will take my place.

MR. SPEAKER: Is it the pleasure of the House that the said bill be now read a second time?

All those in favour, 'aye'.

SOME HON. MEMBERS: Aye.

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

Carried.

CLERK: A bill, An Act To Amend The Human Rights Act, 2010. (Bill 25)

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

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

MR. KING: Now.

MR. SPEAKER: Now.

On motion, a bill, "An Act To Amend The Human Rights Act, 2010", read a second time, ordered referred to a Committee of the Whole presently, by leave. (Bill 25)

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

MR. KING: Thank you.

Mr. Speaker, I move that the House resolve itself into a Committee of the Whole to consider Bills 25, 11, 14, 15, 22, 23, and 6.

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

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

All those in favour, 'aye'.

SOME HON. MEMBERS: Aye.

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

Carried.

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

Committee of the Whole

CHAIR (Littlejohn): Order, please!

We are now considering Bill 25, An Act To Amend The Human Rights Act, 2010.

A bill, "An Act To Amend The Human Rights Act, 2010". (Bill 25)

CLERK: Clause 1.

CHAIR: Shall clause 1 carry?

All those in favour, 'aye'.

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay'.

Carried.

On motion, clause 1 carried.

CLERK: Clause 2.

CHAIR: Shall clause 2 carry?

All those in favour, 'aye'.

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay'.

Carried

On motion, clause 2 carried.

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

CHAIR: Shall the enacting clause carry?

All those in favour, 'aye'.

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay'.

Carried.

On motion, enacting clause carried.

CLERK: A bill, An Act To Amend The Human Rights Act, 2010.

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: I am just going to ask the Government House Leader, does he have any preference in terms of going to the next Committee of the Whole and which bill?

MR. KING: Sure. If it is fine with the House, when you get through I can give you the next number, if that is good for members opposite.

We will start with Bill 11.

CHAIR: We are now considering Bill 11, An Act To Remove Anomalies And Errors In The Statute Law.

A bill, "An Act To Remove Anomalies And Errors In The Statute Law". (Bill 11).

CLERK: Clause 1.

CHAIR: Shall clause 1 carry?

All those in favour, 'aye'.

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay'.

Carried.

On motion, clause 1 carried.

CLERK: Clauses 2 through 11.

CHAIR: Shall clauses 2 through 11 carry?

All those in favour, 'aye'.

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay'.

Carried.

On motion, clauses 2 through 11 carried.

CLERK: Clause 12.

CHAIR: Shall clause 12 carry?

All those in favour, 'aye'.

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay'.

Carried.

On motion, clause 12 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 Remove Anomalies And Errors In The Statute Law.

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.

MR. KING: Bill 14, Mr. Chair.

SOME HON. MEMBERS: Oh, oh!

CHAIR: Order, please!

We are now considering Bill 14, An Act To Amend The Judicature Act.

A bill, “An Act To Amend The Judicature Act”.
(Bill 14)

CLERK: Clause 1.

CHAIR: Shall clause 1 carry?

The hon. the Member for Burgeo – La Poile.

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

I just have a couple of questions for the minister on Bill 14. This is mainly going around the change of title from registrar to CEO. I understand there has been an acting CEO.

My questions would be: Does the acting CEO remain now as the full-time CEO, or will there be a process now to appoint a new person? Secondly, is it an appointment process or is it a consultation process? I think that was what was discussed in the briefing with the staff. Thirdly, once this is done and we actually have the change from registrar to CEO and it is permanent, not acting or interim, can you confirm that there is no pay raise or change in pay scale for that position?

CHAIR: The hon. the Minister of Justice.

MR. KING: Mr. Chair, my understanding is that the current salary that is there for the acting position is the one that will be maintained and that there will be a public process to move the position from temporary to permanent. If it pleases the member opposite I will confirm that for you for the record a little later today, but that is my understanding.

CHAIR: Shall clause 1 carry?

All those in favour, ‘aye’.

SOME HON. MEMBERS: Aye.

CHAIR: All those against, ‘nay’.

Carried.

On motion, clause 1 carried.

CLERK: Clauses 2 through 28.

CHAIR: Shall clauses 2 through 28 carry?

All those in favour, ‘aye’.

SOME HON. MEMBERS: Aye.

CHAIR: All those against, ‘nay’.

Carried.

On motion, clauses 2 through 28 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: A bill, An Act To Amend The Judicature Act.

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.

MR. KING: Thank you, Mr. Chair.

We will move to Bill 15, Commissioners for Oaths.

CHAIR: We are now considering Bill 15, An Act To Amend The Commissioners For Oaths Act.

A bill, "An Act To Amend The Commissioners For Oaths Act". (Bill 15)

CLERK: Clause 1.

CHAIR: Shall clause 1 carry?

The hon. the Member for The Straits – White Bay North.

MR. MITCHELMORE: Thank you, Mr. Chair.

In debate I asked the minister, and he clarified around the nineteen years old that there was legislation introduced by a previous Administration that the age of majority would be nineteen years of age.

I would like to ask the minister if there was any consultation with the department or discussion around looking at amending the age of majority legislation to bring the regulations around the

Commissioners for Oaths down to eighteen years of age.

CHAIR: The hon. the Minister of Justice.

MR. KING: No, Mr. Chair.

In this particular context, the age of majority legislation sets out the definition of nineteen years of age, which is used for all types of legislation across government. In the context of this debate here today, we simply applied what is currently law in the Province to this particular bill. We did not attempt through this bill to amend another piece of legislation.

The quick answer is simply no. We did not look at lowering the age of majority. We simply used what is currently in legislation and applied it to this piece of legislation.

CHAIR: The hon. the Member for St. John's North.

MR. KIRBY: Thank you, Mr. Chair.

In debate I raised the question of the fees that may be set by Commissioners for Oaths and I pointed out that in the Province of Quebec \$5 is what the charge can be, and in Nova Scotia it is \$19 and change, less than \$19.50, I believe. The current legislation in section 14 says, "The minister may set the fees that a commissioner for oaths may charge...."

I am just wondering if the minister can tell us what fees he currently allows Commissioners for Oaths to charge, and whether or not there was any conversation about actually enshrining it in the act.

Thank you.

CHAIR: The hon. the Minister of Justice.

MR. KING: Again, the short answer is no to that particular question, Mr. Chair. We did not contemplate as part of this legislation. Fees are not part of what we are dealing with here. We did not contemplate setting fees at this point and I have not set fees at this point. In

Newfoundland and Labrador right now it is wide open. It is up to the individual commissioners to set the fee as they wish.

CHAIR: The hon. the Member for The Straits – White Bay North.

MR. MITCHELMORE: Thank you, Mr. Chair.

In the clause it states that a person who is nineteen years of age is appointed by the Minister of Justice and can be a Commissioner for Oaths. Also, certain members of society, like a Member of the House of Assembly or an elected mayor, at the age of eighteen can be elected. So are these people who would be eighteen years of age restricted from being a Commissioner for Oaths as this legislation has clearly stated?

CHAIR: The hon. the Minister of Justice.

MR. KING: Mr. Chair, the legislation we are debating here today speaks specifically to those who apply to become Commissioners for Oaths. In one particular section, we talked about the minister having the ability to appoint individuals because they are required to be commissioners as part of their work, such as some who work in the court system; however, that piece of information parked to one side, it also specifically designates those who you just described. So if you are elected to politics, you become a commissioner by virtue of your position.

While the age limit is there, it is only there for what I would suggest is optional, application-based requests. Because it is in the legislation, if you are elected as a town councillor, a mayor, or an MHA at seventeen, then you would get all the rights and privileges the legislation gives you by virtue of holding that office.

CHAIR: Shall clause 1 carry?

All those in favour, 'aye'.

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay'.

Carried.

On motion, clause 1 carried.

CLERK: Clauses 2 to 5, inclusive.

CHAIR: Shall clauses 2 to 5 inclusive carry?

All those in favour, 'aye'.

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay'.

Carried.

On motion, clauses 2 through 5 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: A bill, An Act To Amend The Commissioners For Oaths Act.

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.

MR. KING: Thank you, Mr. Chair.

Bill 23, the Law Society Act.

CLERK: We are now considering Bill 23, An Act To Amend The Law Society Act, 1999.

A bill, "An Act To Amend The Law Society Act, 1999". (Bill 23)

CLERK: Clause 1.

CHAIR: Shall clause 1 carry?

All those in favour, 'aye'.

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay'.

Carried.

On motion, clause 1 carried.

CLERK: Clause 2 and clause 3.

CHAIR: Clause 2 and clause 3.

All those in favour, 'aye'.

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay'.

Carried.

On motion, clauses 2 and 3 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: A bill, An Act To Amend The Law Society Act, 1999.

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.

MR. KING: Thank you, Mr. Chair.

For clarification, since we are still in Committee, for the member opposite, the appointment of the chief judge is an appointment by the Lieutenant Governor in Council, but it requires consultation with the two chief justices of the Supreme Court.

AN HON. MEMBER: (Inaudible) CEO.

MR. KING: The appointment of CEO – that is what I meant to say. Sorry, I might have said something different. The appointment of the CEO is an appointment by the Lieutenant Governor in Council, but it has to be through consultation with the two chief justices of the Supreme Court.

We will move now, Mr. Chair, to Bill 6, the Highway Traffic Act.

CHAIR: We are now considering Bill 6, An Act to Amend the Highway Traffic Act.

A bill, “An Act To Amend The Highway Traffic Act”. (Bill 6)

CLERK: Clause 1.

CHAIR: Shall clause 1 carry?

The hon. the Member for St. John’s East.

MR. MURPHY: Thank you, Mr. Chair.

It is good to get up and ask a few questions on this particular piece of legislation. I have checked around with some people after the bill was introduced and we had debate the other day. There are a couple of questions that I do have for the minister.

The first question stands about enforcement and how the bill is going to be enforced. I guess I am referring to people, for example, like paramedics that may be responding to the scene of an accident or tow truck operators that may be at the scene of an accident where there are no police that are present yet, but something happens. I am just wondering if government is

considering any way of reporting that there may have been a violator in that particular situation.

CHAIR: The hon. the Minister of Service Newfoundland and Labrador.

MR. CRUMMELL: Mr. Chair, we had extensive consultations with the police, other officials and people that this affects. Certainly, police officers will have that ability, if they are on the scene, to call ahead to another police car if they see a violation and have that vehicle pulled over. Other operators or people who are affected on the scene can do just what the general public can do; they can call in a complaint and register a complaint on that. There will be witnesses on the scene as well.

It is just the same protocols that you would follow in everyday activities on the highways. So if you see a violation, you can report a violation and the enforcement officials will act on it then.

CHAIR: The hon. the Member for St. John’s East, a follow-up question.

MR. MURPHY: Thank you, Mr. Chair, yes.

The other question has to do with about it standing up in court. One officer who I talked to asked about the fact that because the piece of legislation does not have a fixed speed, for example, other provinces would have a fixed speed as regards to the drop in speed. The enforcement part of it, I am wondering about if that was going to stand up in court or not as regards to the law as it presently reads. There is no fixed speed there; it is a bit of a concern.

CHAIR: The hon. the Minister of Justice.

MR. KING: Thank you.

That would be a difficult question to respond to Mr. Chair. You would be asking us to make a presumption on how the court would rule. We are unable to do that. It is difficult to determine unless it is tested in court whether it would stand up or not.

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

MS MICHAEL: Thank you, Mr. Chair.

I brought this up in second reading and I know the minister did respond to it. I still have questions with regard to the speed limit, and the fact that in our bill we are not setting a speed limit. It will not be in regulations either. That is my understanding from the minister that we cannot expect to see a speed limit in the regulations either.

When you look at the provinces and territories that have this legislation, more of them have a speed limit than not. There are some that do not; there are some that have similar language to ours. I am just wondering: What evaluation was done by your department of the effectiveness of where they had the speed limit in comparison? What kind of an evaluation was done to come to the decision that you came to?

CHAIR: The hon. the Minister of Service Newfoundland and Labrador.

MR. CRUMMELL: We did look at the other jurisdictions, Mr. Chair. What we found in the other jurisdictions are the ones that had no speed limit set were the ones that enacted this legislation lately.

They are finding in talking to police – they are telling us that it is better not having that exact speed limit in the act itself. They are saying that they need to have some discretion around this. If you are not pulling over or if you are driving unsafely, that is when they would make that charge. Besides that, if you are going 100 kilometres an hour and they say reduce the speed to seventy kilometres an hour, they are afraid that could cause a problem as well for traffic behind the car that is slowing down. They are afraid of that pile up that could happen in back of that.

You have to slow down safely. It is a judgment call and the police are the ones who consulted us on that and said that in other jurisdictions that is best practices.

CHAIR: The hon. the Member for Signal Hill – Quidi Vidi, on a follow-up question.

MS MICHAEL: It is another question and it has to do with the fines, and I accept what you are saying. I did not look at it from that perspective of the more recent ones in comparison to the older ones. We have had some emergency workers call our office about it, so there is concern. I think it will have to be explained clearly so that they understand where the decision came from. I am happy to do that too, when they call. I will give the explanation that you gave here in the House.

The other question, though, has to do with the fine. I am just wondering why the fine – you did not use the same fine that is used now for slowing down when there is road maintenance, because the fine seems to be smaller. It is smaller than that fine. I was wondering why you did not use the same fine, because basically it is the same thing.

CHAIR: The hon. the Minister of Service Newfoundland and Labrador.

MR. CRUMMELL: We certainly looked at benchmarks within our legislation, Mr. Chair. We also looked at other jurisdictions as well. It was determined that was a fair fine and a fair demerit points in all the analysis that was done. The due diligence was done here, Mr. Chair, and our officials are comfortable that this is where we needed to land on this.

CHAIR: The hon. the Member for The Straits – White Bay North.

MR. MITCHELMORE: Thank you, Mr. Chair.

In debate, we had talked about how the public would be notified, and the Minister of Service NL said there would be a campaign. The act comes in three months after it receives Royal Assent.

Could the minister provide an actual update as to what the department will be doing in that campaign? What are the details, and what is the

budgetary amount that will be used to notify the public? Will there be a mass mail out to driver licence holders, or will there be an online component?

What will the department be doing to notify the public, because that has been a problem? In other jurisdictions when the laws have been enacted, the general public did not really know they were breaking a law, despite this being something that is a very common sense piece of legislation.

CHAIR: The hon. the Minister of Service Newfoundland and Labrador.

MR. CRUMMELL: Mr. Chair, we are cognizant of the fact that we do need to communicate effectively what the new changes are, what the new laws are. We plan a robust communications plan. We are still in the planning stages right now but you can rest assured we will be doing everything that we think is appropriate to make sure we communicate this to everybody out there.

This legislation is more about awareness. It is as much about awareness as it is about the enforcement piece and other things as well. We need people to drive safely, to be aware. Every moment they are on our roadways to drive safe, and we will be raising and ramping that up in our awareness campaign prior to this taking effect.

So, we will be working on that, and I will be happy to bring it to the House at an appropriate time.

CHAIR: The hon. the Member for St. John's North.

MR. KIRBY: Thanks, Mr. Chair.

It occurred to me after we had debate the other day on this, that the first person on an accident scene oftentimes is not an emergency vehicle with rotational or flashing lights in operation. It is members of the public who, out of interest in helping their fellow Newfoundlander or Labradorian, stop and check and see what is

going on and then calls emergency responders, whether that is through 911 or the local fire department or what have you.

Having said that – well, I do not have a specific recommendation. It just appears to me if there is going to be an allowance for emergency responders, I ask the minister – if you do not have an answer today – to think about how it is that we caution the general public in those instances as well. With the cellphone law we have now, I do not know if folks see it themselves, but anywhere from the Outer Ring Road to the vast expanse of the Trans-Canada Highway or the Trans-Labrador Highway, you will see people pulled over on the side of the road, sometimes out of their vehicle – then that is a danger as well – but when people are getting out to respond in the case of an emergency, I think there is a danger there as well.

Again, I do not have a specific recommendation. I just wanted to point that out, because it seems obvious that it is not always somebody in the police service, the fire service, or a paramedic who is the immediate responder in the incidence of a roadside accident.

Thank you.

CHAIR: The hon. the Minister of Service Newfoundland and Labrador.

MR. CRUMMELL: You are exactly right. Building a safety culture is not just one piece of legislation, Mr. Chair; it is numerous things in our community. It is communicating with our children, with our friends, with our families. It is building that safety culture and understanding what is common sense on the roadways.

This legislation is to create awareness of common sense, because most people do this already. Most people do slow down in these circumstances, most people do drive prudently. We know that not everybody out there are doing the proper things all the time, but raising awareness is what we are talking about here as much as about enforcement and bringing in the legislation.

CHAIR: Shall clause 1 carry?

All those in favour, 'aye'.

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay'.

Carried.

On motion, clause 1, carried.

CLERK: Clauses 2 and 3 inclusive.

CHAIR: Shall clauses 2 and 3 inclusive carry?

All those in favour, 'aye'.

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay'.

Carried.

On motion, clauses 2 and 3 inclusive, 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: A bill, An Act To Amend The Highway Traffic Act.

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.

MR. KING: Thank you, Mr. Chair.

We move now to Bill 22, the Food Premises Act.

CHAIR: We are now considering Bill 22, An Act Respecting Food Safety In Food Premises.

A bill, "An Act Respecting Food Safety In Food Premises". (Bill 22)

CLERK: Clause 1.

CHAIR: Shall Clause 1 carry?

The hon. the Member for Bay of Islands.

MR. JOYCE: Thank you, Mr. Chair.

I was just going to ask a few questions here. Clause 2.(d) "“food premises” means a place where food is prepared, manufactured, handled, cut, processed, packaged, displayed..."

Does this include government agencies like the hospital, long-term care facilities, and places like that?

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

MS SULLIVAN: Yes, it does, Mr. Chair.

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

MR. JOYCE: My next question and this is what I was speaking to the other day. If it does, does the whistle-blower legislation apply to these government employees who work at these government institutions? Because we, as a group, have been trying to initiate whistle-blower legislation but we see in this act that anybody who reports any violations of this act are covered under the whistle-blower legislation.

Are we now creating a situation where people who are working in food premises or food preparation, in any of these governments, are they now going to be included under the whistle-blower but not all government employees? For example, the people of Transportation and Works who see some violations in their department, they are not covered but yet we see people serving food. Am I correct on that?

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

MS SULLIVAN: Thank you, Mr. Chair.

Mr. Chair, I certainly cannot speak for other departments but I can tell you that considering the importance of food safety, section 17 here is very clear in this bill and it does provide protection to persons who make reports to inspectors about suspected violations of this particular act. That protection, Mr. Chair, is given as well in other health protection legislation.

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

MR. JOYCE: Mr. Chair, we can see right away we are creating a two-tiered system for people who want to report violations. I agree with it being in there, by the way. That is not a

disagreement that it should be in there. I definitely agree.

I use Transportation and Works as a prime example. Does this legislation here now take a group of individuals for food safety, but not safety on the highways? It is an issue, Mr. Chair. I will ask the minister again, when it comes to this will this whistle-blower legislation be enshrined just for people who work in the food service industry, preparation, and packaging of this food? It is an issue.

I agree it should be there. There is no dispute that it should be there. I have no problem with it being there. Have you consulted with the other ministers on this, how other departments that maybe now – and I use Government Services, licences like in the building up in the Herald Towers. There is a small area there which is licensed by Government Services.

Have they consulted with Government Services? Any government employee who is not in Government Services but is governed by Government Services in the licensed premises, if they see someone not handling food properly, if they report it, they are not in the food service industry but they are government employees who avail of these services in government buildings, are they protected under this whistle-blower legislation, or is it just the people who prepare the food and serve the food?

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

MS SULLIVAN: Thank you, Mr. Chair.

Mr. Chair, the legislation I have before the House right now refers only to food premises. The legislation I am referring to in this particular bill, this particular act, has a particular clause that looks after food premises and any inspections that happen within the food premises. As well, under section 17, as I just indicated, it provides protection to anyone who brings forward a complaint. That is true as well for any other health protection legislation under the act. That is the only work that I would have done in relation to this bill.

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

MR. JOYCE: I ask the question again and it is relevant. I use the Sir Richard Squires Building, a government institution and a government building. There may be a restaurant in it or a little cafeteria. If some employee sees an infraction, who works with Government Services or who works with Crown Lands, if they report it are they included?

I do not mean to belabour it. So they are not included? It is just the people who actually prepare and serve the food? It is not the people who actually eat the food who happen to see it and who happen to be a government employee? That whistle-blower does not extend to them?

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

MS SULLIVAN: The short answer is no, it does not.

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

MR. JOYCE: We see a two-tiered system starting again. I can assure you of that, Mr. Chair, because in this act which we see with whistle-blower all throughout it is protecting people for whistle-blower legislation. It is going to be enshrined.

I will be voting for the bill, by the way, but I have to make it quite clear what we will be voting for here when we vote for the bill is an act that one part of the government will be okay with whistle-blower but other people who provide safety are not. Mr. Chair, we are voting for the bill. It is a good bill. I have no problem with the bill whatsoever.

We are also making sure that we are aware that we are going to be creating a two-tiered system for people. Only if you prepare food or eat food, you are protected. Anybody else is not protected. I just want to make it quite clear.

I will be voting for the bill, no problem. I ask the minister again: Fish being sold out around; anybody who processes fish or anybody who is selling fish, say our local fishermen who go out and sell some fish in the back of a truck, are they going to be under this act also? Will there be inspectors for that? Will it be approved under that? Will they send inspectors out?

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

MS SULLIVAN: Thank you, Mr. Chair.

Mr. Chair, I do not see how that is applicable here. It is illegal to sell fish out of the back of a truck.

CHAIR: The hon. the Member for Bay of Islands, on a follow-up.

MR. JOYCE: I think the minister should look at some lobster stands that actually have licences to sell. People do have a licence to sell lobster. That was not a flippant question, by the way. I was not being flippant. I am talking about people who do have a lobster stand, who do have a licence to do it, they do sell it, and some might sell it in the back of the truck, but do have a licence. I was not being flippant there whatsoever. That is a serious question because in a lot of cases there are people who have fish markets.

I use an example. When a seal is sold out on the waterfront in St. John's, that person does have a licence. My question is: Are they going to be covered and are they going to be regulated also?

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

MS SULLIVAN: Thank you, Mr. Chair.

Mr. Chair, there will be no changes to the regulations of meat and fish with the Food Premises Act, and I apologize if I misunderstood your question before. I thought I had heard out of the back of a truck.

However, fish is regulated. We need to understand the differences here and I will try to give those differences. Fish is regulated under the Fish Inspection Act and those regulations. Fish purchased by food premises must be done in compliance with that particular act, the Fish Inspection Act.

For example, and my officials were good enough to give an example, under the Fish Inspection Act food premises operators must obtain their fish products from a fish processor, not a harvester. A fish processor licensed under the Fish Inspection Act would be considered an approved source under this bill. Hopefully that provides a little more clarity.

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

MR. JOYCE: It is pretty bad, Mr. Chair, when you try to be nice and you still get picked on

Mr. Chair, the other one I was going to ask here is Part II, Licensing and Approvals. "A person shall not construct or alter a food premises unless plans and specifications prescribed in the regulations respecting the design and construction of the food premises are submitted to and approved by the inspector."

My question then: Does this override, say, the City of Corner Brook inspections? Would the inspector have the final say or do you have to submit it to them? The City of Corner Brook usually has their own regulations and the City of St. John's has their own regulations, so does this override the inspector itself?

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

MS SULLIVAN: Thank you, Mr. Chair.

Mr. Chair, usually when a town is looking for something of that nature there are a number of permits that have to be sought. They would have to seek the regular permits under the regulations.

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

MR. JOYCE: I would assume that in a town like the City of Corner Brook, and I will use the city, for example, if someone makes an application to the town, the town would send it out to the different departments. Is that the way? The way the act says here is the design and construction shall be submitted and approved by an inspector. Does it have to go to the town or does it just go to the inspector, and the inspector sends it out to everybody? The way it is here is confusing.

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

MS SULLIVAN: Thank you, Mr. Chair.

Mr. Chair, again I am not sure that I understand, but it would be the proprietor who would have to get the necessary permits. Conditional permits can be applied for, and then once all of the permitting is in place that would be awarded in due course.

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

MR. JOYCE: Thank you, Mr. Chair.

I am still a bit confused on it, because usually it goes to the city or the town. I see the parliamentary assistant shaking his head. Why don't you stand up and answer it? If you have the answers, stand up and answer it. These here are very serious questions, I am sorry, if you cannot have the answers.

Mr. Chair, there is another one I was going to ask, and I just going to –

SOME HON. MEMBERS: Oh, oh!

CHAIR: Order, please!

MR. JOYCE: I was just going to ask the minister – and then again, this here is just something for consideration for the minister. We are looking section 10.(4), "Within 24 hours

of the issuance of an order under subsection (3) an inspector shall give written notice of that order to the operator outlining the reasons....”

It is just something for the minister – should it say here working days, because if someone does it on a Friday, 4:00 o’clock, then they have to have it done by Saturday or Sunday? I was just wondering if you can make it clearer for that, so that someone will not come back and say, we did it, but it is violation.

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

MS SULLIVAN: Thank you, Mr. Chair.

Certainly, we will provide the clarity around that. Thank you for that point.

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

MR. JOYCE: One of my last questions – when are the regulations going to be out so we can review the regulations?

CHAIR: The hon. the Member for The Straits – White Bay North, while the minister is looking.

MR. MITCHELMORE: Thank you, Mr. Chair.

I spoke in debate to Bill 22 and I have questions after reviewing the previous Food and Drug Act under which you see, under section 2, the definitions have changed. That there is no concrete definition for things like temperature conditions for food cold storage, and it does not specify any cold storage parameters, whereas previously that information was available.

The temperature and the conditions of food is something that is very important when it comes to looking at how you could have an airborne or a different type of infection spread through food. So I would just like the minister to clarify why such definitions would be removed.

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

MS SULLIVAN: Thank you, Mr. Chair.

Mr. Chair, the food premises regulations which are currently in effect are still in effect; they will not change. So when we are talking about things like sanitation, cleanliness, equipment, temperature of food, et cetera, those will remain in place as they are.

CHAIR: The hon. the Member for St. John’s North.

MR. KIRBY: Thank you, Mr. Chair.

I was following intently the exchange between the hon. Member for Bay of Islands and the Minister of Health and Community Services. Reading back over Part IV of the legislation again under protection from liability with respect to, “A person who reports to an inspector or peace officer a violation or suspected violation of the Act...” – and I will not go on there.

“A person shall not dismiss, suspend, discipline, demote, harass or otherwise disadvantage or penalize an individual where...” – and it goes on to talk about where a person in good faith sort of makes a reasonable effort to report violations. I know we argue over the terminology, but it is for all intents and purposes sort of a whistleblower protection.

There are cafeterias and food premises in long-term care facilities that are operated by the Province of Newfoundland and Labrador. I do not know if there is a Tim Hortons down at the Health Sciences Centre or not, but I think you can still get something to eat down there that does not come out of a machine that you have to put a toonie into.

There are food premises there. So if you are taking food up to your room – I am not talking about Tim Hortons – if you are taking your cafeteria food or let’s say you are confined to your bed, you just came out of an operation – and I have been in that situation myself. I just had a serious operation, I cannot move from where I am because I am under sedation or what

have you, I say to the Minister of Environment and Conservation.

Where I am then, that place that I am in, where I am taking my food because I do not have any other option, is that considered to be a food premises then or did it just come from the food premises? If the food premises is on the same site as the hospital or long-term care facility, this may have to be clarified by the courts at some point if it is not made explicit in regulation; but it would not seem to me to be a far stretch of the imagination that if one could not have their food in the food premises that was part of that facility, if that was not an option for you just by virtue of your medical condition, then it would seem to be that this protection from liability would apply to, let's say, a nurse or a nurse practitioner or a nurse's aide or some other health care practitioner who just happened to be caring for you at that time.

I think it is a good question. It may be a very likely scenario if you think about just the aging population of the Province and the population of individuals who are normally in our hospitals on a given day. It is something for consideration if you do not have an answer immediately.

Thank you.

CHAIR: The hon. the Member for The Straits – White Bay North.

MR. MITCHELMORE: Thank you, Mr. Chair.

I just wanted to ask the minister, because the old act had a number of pieces of language around the proper representation of goods and how that needs to be displayed, it seems like that is not there in the current act.

Also, nowhere in Bill 22 is there language requiring point of sale information that would be around clarity such as fish products prior to its point of sale, whether it was frozen or if it was fish. How, in a food establishment, can we be guaranteed as consumers that the product is truly fresh or if it is something that has been frozen before? These things may be covered under the

Fish Inspection Act as you talked about, but I do not see the language as it was in the old act around the proper representation of foods, and that is a consumer issue.

I would just like some clarity, if the minister is able to provide on that.

Thank you.

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

MS SULLIVAN: Thank you, Mr. Chair.

Mr. Chair, this particular legislation does not apply to packaging, so there would be no changes to what was in the previous legislation. Again, we are not referring to anything of that nature at all.

CHAIR: Shall clause 1 carry?

The hon. the Member for Bay of Islands.

MR. JOYCE: I asked the minister earlier about the regulations. I am not sure if there is any time put aside for the regulations.

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

MS SULLIVAN: Thank you, Mr. Chair.

Mr. Chair, I do not know the time frame, but I will certainly undertake to find that out and let you know.

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

MR. JOYCE: I will just ask the minister a last question and I will do this just for the people of the Province so that if they have some degree of safety and some degree of concern, it will be alleviated by this. It is section .8(1), "The minister may designate persons or classes of persons to act as inspectors for the purpose of this Act and the regulations".

I just ask the minister: Can you just give us the qualifications of these people, these inspectors, just so we can ensure the confidence of the people of Newfoundland and Labrador that when there is an inspection done that it is done of highly trained, highly qualified people so that can ensure that food safety and we can ease our own mind?

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

MS SULLIVAN: Thank you, Mr. Chair.

Mr. Chair, according to the information I have around qualifications, employees have an undergrad degree in science, followed by another degree in environmental health, and certification as a public health inspector in Canada. Yes, I would be happy to table that.

Thank you, Mr. Chair.

CHAIR: Shall clause 1 carry?

All those in favour, 'aye'.

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay'.

Carried.

On motion, clause 1 carried.

CLERK: Clauses 2 through 23 inclusive.

CHAIR: Shall clauses 2 to 23 inclusive carry?

All those in favour, 'aye'.

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay'.

Carried.

On motion, clauses 2 through 23 carried.

SOME HON. MEMBERS: Oh, oh!

CHAIR: Order, please!

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: A bill, An Act Respecting Food Safety In Food Premises.

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.

MR. KING: Mr. Chair, I move that the Committee rise and report Bills 11, 14, 15, 22, 23, 6, and 25. I believe I hit them all.

CHAIR: I think so.

The motion is that the Committee rise and report Bills 25, 11, 14, 15, 6, 22, and 23.

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, Mr. Speaker returned to the Chair.

MR. SPEAKER (Verge): Order, please!

The hon. the Member for Port de Grave.

MR. LITTLEJOHN: Mr. Speaker, the Committee of the Whole have considered the matters to them referred and have directed me to report Bills 25, 11, 14, 15, 6, 23, and 22 without amendment.

MR. SPEAKER: The Chair of the Committee of the Whole reports that the Committee have considered the matters to them referred and have directed him to report Bills 25, 11, 14, 15, 22, 23, and 6 carried without amendment.

When shall the report be received?

MR. KING: Now.

MR. SPEAKER: Now.

On motion, report received and adopted.

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

MR. KING: Thank you, Mr. Speaker.

I move, seconded by the Minister of Service Newfoundland and Labrador, that Bill 6, An Act To Amend The Highway Traffic Act, be now read a third time.

MR. SPEAKER: It has been moved and seconded that Bill 6 be now read a third time.

All those in favour, 'aye'.

SOME HON. MEMBERS: Aye.

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

Carried.

CLERK: A bill, An Act To Amend The Highway Traffic Act. (Bill 6)

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

On motion, a bill, "An Act To Amend The Highway Traffic Act", read a third time, ordered passed and its title be as on the Order Paper. (Bill 6)

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

MR. KING: Thank you.

Mr. Speaker, I move, seconded by the Minister of Education, that Bill 11, An Act To Remove Anomalies And Errors In The Statute Law, be now read a third time.

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

All those in favour, 'aye'.

SOME HON. MEMBERS: Aye.

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

Carried.

CLERK: A bill, An Act To Remove Anomalies And Errors In The Statute Law. (Bill 11)

MR. SPEAKER: Is it the pleasure of the House to adopt the motion that the bill be now read a third time?

All those in favour, 'aye'.

SOME HON. MEMBERS: Aye.

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

Carried.

I believe the Clerk already read the bill.

The bill is now read the third time and it is ordered that the bill do pass and its title be as on the Order Paper.

On motion, a bill, "An Act To Remove Anomalies And Errors In The Statute Law", read a third time, ordered passed and its title be as on the Order Paper. (Bill 11)

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

MR. KING: Thank you.

Mr. Speaker, I move, seconded by the Minister of Finance and President of Treasury Board, that Bill 14, An Act To Amend The Judicature Act, be now read a third time.

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

All those in favour, 'aye'.

SOME HON. MEMBERS: Aye.

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

Carried.

CLERK: A bill, An Act To Amend The Judicature Act. (Bill 14)

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

On motion, a bill, "An Act To Amend The Judicature Act", read a third time, ordered passed and its title be as on the Order Paper. (Bill 14)

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

MR. KING: Thank you.

Mr. Speaker, I move, seconded by the Minister of Fisheries, that Bill 15, An Act To Amend The Commissioners For Oaths Act, be now read a third time.

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

All those in favour, 'aye'.

SOME HON. MEMBERS: Aye.

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

Carried.

CLERK: A bill, An Act To Amend The Commissioners For Oaths Act. (Bill 15)

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

On motion, a bill, "An Act To Amend The Commissioners For Oaths Act", read a third time, ordered passed and its title be as on the Order Paper. (Bill 15)

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

MR. KING: Thank you.

Mr. Speaker, I move, seconded by the Minister of Health and Community Services, that An Act Respecting Food Safety In Food Premises, Bill 22, be now read a third time.

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

Is it the pleasure of the House to adopt the motion that Bill 22 be read a third time?

All those in favour, 'aye'.

SOME HON. MEMBERS: Aye.

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

Carried.

CLERK: A bill, An Act Respecting Food Safety In Food Premises. (Bill 22)

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

On motion, a bill, "An Act Respecting Food Safety In Food Premises", read a third time, ordered passed and its title be as on the Order Paper. (Bill 22)

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

MR. KING: Just for clarification, that was Bill 22?

MR. SPEAKER: Yes.

MR. KING: Thank you, Mr. Speaker.

I move, seconded by the Minister of Education, that An Act To Amend The Law Society Act, 1999, Bill 23, be now read a third time.

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

Is it the pleasure of the House to adopt the motion that Bill 23 be now read a third time?

All those in favour, 'aye'.

SOME HON. MEMBERS: Aye.

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

Carried.

CLERK: A bill, An Act To Amend The Law Society Act, 1999. (Bill 23)

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

On motion, a bill, "An Act To Amend The Law Society Act, 1999", read a third time, ordered passed and its title be as on the Order Paper. (Bill 23)

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

MR. KING: Thank you, Mr. Speaker.

Mr. Speaker, I move that the House resolve itself into a Committee of the Whole to consider a Resolution Relating to the Advancing or Guaranteeing of Certain Loans made under the Loan And Guarantee Act, 1957. (Bill 24)

MR. SPEAKER: The motion is that the Speaker now leave the Chair for the House to resolve itself into a Committee of the Whole on Ways and Means.

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

All those in favour, 'aye'.

SOME HON. MEMBERS: Aye.

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

Carried.

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

Committee of the Whole

CHAIR (Littlejohn): We are now debating the related resolution and Bill 24.

A bill, "An Act To Amend The Loan And Guarantee Act, 1957". (Bill 24)

Resolution

“That it is expedient to bring in a measure further to amend The Loan and Guarantee Act, 1957, to provide for the advance of loans to and the guarantee of the repayment of bonds or debentures issued by or loans advanced to certain corporations.”

CHAIR: Shall the resolution carry?

The hon. the Minister of Finance.

MR. MARSHALL: Thank you, Mr. Chair.

I thank you for this opportunity to rise in this House today to speak and to urge, seconded by my colleague, the Minister of Fisheries, the passage of this particular bill, Bill 24, which is entitled, An Act to Amend the Loan and Guarantee Act, 1957. In reality it is really a procedure we go through pretty much every year to amend the schedule to the legislation.

The Loan And Guarantee Act, of course, gives us authority to issue loans and guarantees through this House. What happens is that every year the government, the Minister of Finance of the day, brings forward for ratification in the House of all guarantees that the government has issued or that Cabinet has issued since the Minister of Finance stood in the House the year previously to seek such ratification.

So the bill will amend the schedule to the Loan And Guarantee Act, 1957 in order to ratify the new loan guarantees or any changes or any increases in guarantees. Changes in the guarantees would include an increase in the amount of the guarantee because the loan may have been increased, or the term of the loan may have been extended. So we are here to ratify those guarantees.

In this legislation, since the last time the Minister of Finance did this, there has only been one guarantee, and it is a guarantee related to the Newfoundland and Labrador Immigrant Investor program. I think over the last number of years these are the only guarantees that are brought forward for ratification.

Well, it is unfortunate the Minister of Innovation, Business and Rural Development is ill today and could not be here, but the previous minister, who is the alternate, the Minister of Fisheries, will be here to speak to that part of the bill.

Over the years, Mr. Chair, governments have provided guarantees that will support the borrowings of a number of companies, some of which are privately owned companies and some of which are owned by the government, Crown-owned corporations. Except under established programs, such as the Aquaculture Working Capital Loan Guarantee Initiative or the Fisheries Loan Guarantee Program, the use of loan guarantees is diminishing.

The use of loan guarantees to provide financial assistance to the private sector has been reduced substantially from what it used to be. Those few non-program guarantees that are still outstanding under old programs essentially represent special circumstances and they have been in place for many, many years.

Mr. Chair, where circumstances do permit, it has been the government's strategy to attempt to negotiate with the companies and their lending institutions for gradual reductions and the ultimate elimination of this particular form of financial support. Amendments to the schedule to this act, as I said earlier, are a regular item in the financial administration of the Province with the last amendment having been approved in this hon. House in May 2011.

Under the authority of the Loan and Guarantee Act, 1957, and subsequent approval by the Lieutenant Governor in Council, which of course is the Cabinet, the Minister of Finance is authorized from time to time to provide guarantees to either the private sector or to Crown corporations that would cover a variety of financing requirements, with the most common being guarantees of operating lines of credit. A company might get an operating loan or credit from the bank or a credit union, and the loan is only granted by the bank if a guarantee can be provided by the government. The government has done that on occasion.

The legislation, the Loan and Guarantee Act, requires that all such guarantees that have been approved by Cabinet, signed by the Minister of Finance, and therefore issued be ratified in this House through an amendment to a schedule to the act. It is not the act we are amending; it is a schedule to the act.

This goes back to the principle that I have raised in this House, a very important principle, that if the executive of the government is going to spend money or is going to guarantee the repayment of money, the government must come to this House to seek the approval and the ratification of the elected representatives of the people. We have done that with main Supply; we have done it with Interim Supply and Supplementary Supply. This time we are doing it for whatever guarantees the government has issued, and there is only one.

The current bill, Mr. Chair, includes as I said only one amendment, which is increasing an existing guarantee. The change that is subject to the current amendment, as I said, is a recurring one on behalf of the Newfoundland and Labrador Immigrant Investor Fund Limited, which is a Crown corporation and since 2005 has been the vehicle for the Province's participation in the Government of Canada's Business Immigration Program.

The Government of Canada has an immigration program where people can come into this country and what they will do is they will invest by making loans, and those loans are allocated from the Government of Canada to the provinces. Newfoundland and Labrador is one of the provinces that participate in the program. It does so through the Newfoundland and Labrador Immigrant Investor Fund. The money allocations we do receive from the Government of Canada by this corporation are based on monies lent by the immigrant investors.

These receipts become repayable after a five-year period. For this repayment, the loan, there is a guarantee; the fund promises to pay the money back within five years. This promise by the fund to pay back the Government of Canada after five years is guaranteed by the Government

of Newfoundland and Labrador. The government guarantees that if the fund does not pay them back, the government will. This is a condition. This guarantee from the Province is a condition of the Province participating in the particular program.

Mr. Chair, in the year 2010-2011 the Immigrant Investor Fund started to repay the advances it had been receiving that had accumulated. It started paying it back to the Government of Canada after the initial start of the program in 2005-2006.

The current amendment we have here today is going to secure the repayment of a net increase of another \$61.1 million and that relates to an advance that had been received, advances of \$107.2 million, received by the corporation less repayments that had been made of \$46.1 million. These receipts and repayments were made during the years ended March 31, 2011 and March 31, 2012.

Now, Mr. Chair, for the year ending March 31, 2013, the net guaranteed amount actually decreased by \$22.2 million as a result of the repayments exceeding new advances. Therefore, no further amendment is necessary for that fiscal year.

Mr. Chair, I understand that as of March 2013 there was about \$239 million in the fund, and that was made up of cash of \$146 million, approximately; there was also money invested in strip bonds of about \$94 million; there is interest receivable – interest that was due – of about \$139,000; and if you add those up it will come to \$239 million.

Over the years the fund has accumulated a surplus of \$3,658,000, which means that we have enough money in the fund to pay back our obligations to the Government of Canada, and we would still have about \$3.5 million, \$3.6 million, or \$3.7 million remaining.

Mr. Chair, ratification of the guarantees through an amendment to the act provides the statutory authority to make any payment under the guarantee if the Province is ever called upon to

do so. So, the Loan and Guarantee Act gives the Province the authority to sign the guarantee, or the Minister of Finance the authority to sign the guarantee after it is approved by the Cabinet.

The guarantee can be issued and it is a valid guarantee, but it must be ratified in this House to give the Province the authority to pay it, if they are ever called upon to do so – if there is default by the borrower, if the borrowers default, the Province would have to step in. So there are no financial implications as a result of the changes to this loan guarantee, unless a result of default the Province is called upon to honour the guarantee.

Mr. Chair, the Minister of Innovation, Business and Rural Development will be able to answer specific questions about the Newfoundland and Labrador Immigrant Investor Fund Limited. By moving this bill and the resolution, I am seeking the approval of the hon. members to this year's amendment to the Schedule of the Loan and Guarantee Act, 1957, and I would urge the passage thereof.

Now, Mr. Chair, what I am going to do, I am going to take my seat at this point. I think that pretty well explains what we are doing here today. I know my colleague, the Minister of Fisheries, will get up and answer any questions that members of this House would have with respect to the particular fund.

Thank you, Mr. Chair.

SOME HON. MEMBERS: Oh, oh!

CHAIR: Order, please!

The hon. the Member for Burgeo – La Poile.

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

I am happy to speak to this. My question is for the minister: How many loans has the Province made under this fund in the last year?

CHAIR: The hon. the Minister of Fisheries and Aquaculture.

MR. HUTCHINGS: Mr. Chair, to date, there has been some representation made on some projects. They have been reviewed. They were funded through other streams in the department, so there has been none made to date.

CHAIR: The hon. the Member for Burgeo – La Poile.

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

Just to clarify from the minister, there has been no projects whatsoever under this fund?

CHAIR: The hon. the Minister of Fisheries and Aquaculture.

MR. HUTCHINGS: That is correct, to date, yes.

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

MR. JOYCE: Thank you, Mr. Chair.

I am going to have a few words on this one because I remember when the government brought this bill in the last session of the House and they withdrew it from the Order Paper, Mr. Chair. When we reviewed this investment fund the last time it was on the Order Paper and we went through it, we found some startling details about it as compared to other provinces, what it is being used for, how it is being used, why.

It is ironic when the minister stands up, the Minister of Finance, talking about all the great projects, there has not been one project approved under this one – not one has been approved under this fund, Mr. Chair.

In actual fact, Mr. Chair, if you want to talk about an investment fund, immigration – here we are, created it when Ross Reid started the new population growth, the immigration, and we have a fund here now, Mr. Chair, that can help out the Province from the federal government under the Citizenship and Immigration Canada Business Immigration Program. We have not used one penny – not one penny.

Mr. Chair, I go back with the Auditor General back when the Auditor General did a report in January 10 that if the program, when he reviewed it, was cancelled the Province of Newfoundland and Labrador would have lost \$5 million, if the program ended at that time, Mr. Chair.

That was done by the Auditor General that if the program at the time was cancelled, it was \$5 million that we would have lost. I tell you how we would have lost that, Mr. Chair. The Province is being charged 7 per cent.

AN HON. MEMBER: (Inaudible).

MR. JOYCE: At the time. I say to the Minister of Finance, it is what the Auditor General is saying, is that at the time we were being charged 7 per cent administration fee. Without using the fund, without creating any economic benefit from the fund, without investing it, the fund that we get more than 7 per cent, we end up, if the fund had been cancelled at the time, if the program had been cancelled, with a \$ 5 million loss.

What happened then, after bringing that up to the government, they said: Oh no, we are going to negotiate with the federal government to decrease this fee from 7 per cent to 5 per cent. According to the Minister of Finance, that has been done down to 5 per cent.

In the briefing today, we were told that the fund is in a bond – all the fund is in a bond. The question is: Is it receiving more than 5 per cent? Are we still losing money like we did in 2010 if it ended – and the minister said the reason why we need this today is if, as in this case, the federal government says we are going to cancel the program, we want the money back, the question is: How much would this cost the taxpayers of the Province of Newfoundland and Labrador, as we speak?

Back in 2010 and 2011, it was \$5 million. I do not know because we do not have the amount of how much – and we were told today that they were being very, very cautious over of the bonds. They are going to try to ensure that the

bonds are more secure which means a low risk. So the question is: Are we losing money today on this fund, which was supposed to create economic development in rural parts of the Province? The money was intended for us to use it around the Province for different development, for different economic development, for different projects, Mr. Chair. So these are the questions.

I have to ask a question here now. I noticed here in one of the briefings and some of the research that I did on it, Mr. Chair, the funny part about it – the minister can stand up and explain this later when he gets a chance – on the last page, last section, buried right in the back, “Non-compliance with Immigration and Refugee Protection Regulations. During the year, Citizenship and Immigration Canada (CIC) formally advised the Corporation that as it has not made any investments as required under the Federal Immigration Investor Program (IIP), it was considered to be non-compliant with the Immigration and Refugee Protection Regulations. The Corporation faced possible suspension of future IIP allocations until such time that the circumstances that gave rise to the suspension cease to exist. The Corporation has provided CIC with information related to investments it is presently considering which could address the issue. CIC indicated to the Corporation that, based on its review of the information provided by the Corporation... –

SOME HON. MEMBERS: Oh, oh!

CHAIR: Order, please!

MR. JOYCE: I know, Mr. Chair, they do not want to hear this.

“...the Corporation would be considered in compliance with the IIP should it proceed with the proposed investment.”

Mr. Chair, because I remember asking the questions back in 2010-2011 on this here – we had some very, very hot investments ready to go. We are told again today by the previous minister, the Minister of Fisheries, we have some investments that we are still looking at.

Now, Mr. Chair, I do not want to get into it but they had to do the same due diligence with the programs they were looking at in 2010-2011 and the minister is saying we are still looking at it. We would not have thrown away \$10 million at the Roddickton plant up in Roddickton, the pellet plant, Mr. Chair. We would have done our due diligence. That is what we should have done.

Again, I do not think they are doing due diligence, Mr. Chair. I do not think so. I think the problem here is the government has this fund, and have no idea of how they are going to help economic development with this one. When I come back a little later I will explain some of the other places, some other provinces, how they use this fund. I will just give an example about this Province.

I ask the minister to stand up again today and see if we lost any money in the last five years on it, when it was up, and explain if this is actually factual that we are in non-compliance. My question is, if we became involved with a federal program, if we have the money in, if we are not using it and we are losing money, why are we still involved? Not one time did we use this fund.

You are telling me there was not one project in Newfoundland and Labrador since 2005, 2008 that we could have used for this fund, not one? Yet, we have to keep it in a bank account, being charged 7 per cent, now down to 5 per cent according to the minister, down to a 5 per cent fee on this.

I ask the Minister of Fisheries when he stands up: How much are we getting on our bonds? I am sure there are bonds. I am sure it is a fixed bond. I am sure the minister can give us that, give us an analysis of how much – if we never, that is fine, if we never lost any money. We will find out now.

Why aren't we using the fund? I will give you some good examples of how these funds were being used in other provinces, and what type of economic development they were used for, Mr.

Chair. Why has it not been used in rural Newfoundland and Labrador?

I see my time is getting short, Mr. Chair.

SOME HON. MEMBERS: Hear, hear!

MR. JOYCE: I hear people saying hear, hear once again, Mr. Chair. I always said when the members opposite hear something bad they do not want to hear it. When they want to face something they do not want to hear it. That happens on a regular basis here when you bring up things about economic development for rural Newfoundland and Labrador. Show that there is a fund of over \$250 million that they do not want to use, what happens? Sit down. We do not want to hear it. Everything is rosy.

Mr. Chair, guess what? I am going to get up again. I am going to speak about other issues, other investments and how this money could have been used for a lot. I look forward to the minister explaining how much we are getting for the bond. I hope to see what investments we may be using, and what projects are being considered. Back in 2010, there were some very, very hot projects. I am just wondering, are these projects now the same ones they were going to use at the time?

I will take my turn and I will have another opportunity.

Thank you, Mr. Chair.

CHAIR: The hon. the Minister of Fisheries and Aquaculture.

MR. HUTCHINGS: Thank you, Mr. Chair.

Mr. Chair, the American investment fund, as was indicated by the Minister of Finance, evolved in 2005. The agreement with that – there were disbursements from the fund to the Province on a monthly basis with a commitment that after five years the payback of that fund would begin. Initially, the administration fee for that fund was 7 per cent and it was changed, reduced to 5 per cent.

Initially, the funds were held in an ordinary bank account. The interest of return at the time – I do not think due to that rate – was not consistent with what we would need to payback at the fifth year when we start to back it back. What happened at that particular time is there were funds invested in strip bonds. What that allowed was the interest rate on that money to be increased. We started the first payback after the first five years. We are meeting those administrative costs based on the investments we are getting on those returns.

As was indicated by the Minister of Finance today, there is a surplus of approximately \$3.8 million. To date, we are meeting our obligations. There have been no funds lost. We can meet our obligations under the terms of the agreement.

As well, there was reference made by the hon. member in regard to non-compliance. I guess there were discussions in regard to the guidelines of the fund and Citizen and Immigration Canada, and there was representation made. Correctly, he said the Auditor General did point it out. There was representation made and a strategy developed on what would be targeted for investments and types of things the Province would look at: infrastructure, large-scale economic business opportunities, and those types of things.

Some of the things we felt were important and consistent with some of the things that are happening in the Province were considered areas in oil and gas and look at areas in terms of Arctic opportunities. Some of those areas were presented to Citizen and Immigration Canada in regard to the oversight and that was accepted in terms of how we would view projects and possible investments. So we are in line and in compliance with the guidelines of the fund.

As well, as I indicated, we are meeting our financial obligations. As I said, every five years, it started in 2005. In 2010, we started paying back the funds. With the interest rate on our investments, we are meeting our obligations in terms of the administrative costs. We are still receiving funds, again, on a monthly basis.

Thank you, Mr. Chair.

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

MR. JOYCE: What is in your own report in the non-compliance is because you have not used the fund. It is not the type of programs may be used that may be acceptable. The non-compliance is because you have not used the fund. If you want to see that, I can show you your own document from your department that was sent out.

My question: Has this been settled with this department in the immigration fund so that you start to use it? It has nothing to do with what projects may be used; it has nothing to do with if they meet the criteria. The question is: Are you in compliance because you have not used the fund? Has that been settled?

CHAIR: The hon. the Minister of Fisheries and Aquaculture.

MR. HUTCHINGS: Yes, Mr. Chair.

What the gentleman identifies is there were issues with compliance because of non-usage of the funds. There was representation made to Citizen and Immigration Canada in regard to what the Province would look at in terms of types of investments they would do. Some of the areas I talked about and we would review some of those projects as they would come up.

In terms of that, my understanding is we are in compliance. We will continue the investment on a monthly basis. We are meeting our obligations in terms of paying back on the schedules that are outlined by Citizen and Immigration Canada. So we are in compliance.

CHAIR: The hon. the Leader of the Leader of the Third Party and Member for Signal Hill – Quidi Vidi.

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

Minister, in 2010, the Auditor General made some important points with regard to this fund, and the Auditor General pointed out that the guidelines for the fund allow them to be used to finance capital projects, and identified capital projects such as in health care and education, et cetera, that bodies in the Province such as Memorial, the College of the North Atlantic, or the health authorities, certainly could have access to this money.

So I am wondering: Is that something that has ever been considered? It seems to me there an awful lot of projects going on in the Province in health care and in education. Has there ever been any consideration given to accessing the fund for such capital projects? It has been pointed out by the Auditor General. Have you done any paying attention to what the Auditor General is pointing out here?

CHAIR: The hon. the Minister of Fisheries and Aquaculture.

MR. HUTCHINGS: Thank you, Mr. Chair.

Yes, to the hon. member's question. There have certainly been a number of projects considered. From a provincial perspective and a government perspective, we have been quite fortunate over the past number of years in terms of revenues and investments we have had available through various funds and various departments for capital expenditures. There is a five-member board of directors that oversees actual applications or interest in terms of particular projects. As I said, some were reviewed; but overall, in terms of investment, it was chosen to use other funds to do it.

The other important part to remember is that the Province is guaranteeing these loans, and they need to be paid back after five years. So, we certainly need to do due diligence in terms of making sure that any investment or any partnership that is done, that we can meet those requirements of a five-year paying back those funds; because, if not, obviously the liability rests with the Province.

Thank you, Mr. Chair.

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

MS MICHAEL: Thank you, Mr. Chair.

The IBRD officials have said that there is positive and useful discussion going on around the investment money in economic development and infrastructure. These discussions are going on with the federal government. So, what could be the types of discussions that are going on between the Province and the federal government with regard to the use of the money for economic development?

CHAIR: The hon. the Minister of Fisheries and Aquaculture.

MR. HUTCHINGS: Thank you, Mr. Chair.

Yes, there are a number of discussions, as I said earlier, looking at the oil and gas sector, from a research and development point of view. I mentioned that we have Arctic opportunity initiatives in terms of possible infrastructure. Aquaculture is certainly one that we would look at, and overall transportation. It is a wide range of ones that we are discussing and see how we could access this fund.

Again, the five-year requirement for payback is important in terms of liability to the Province. It is broad in spectrum in terms of what we are looking at. I understand IBRD is quite active in terms of looking at what projects they may be able to use the fund for.

CHAIR: The hon. the Member for The Straits – White Bay North.

MR. MITCHELMORE: Thank you, Mr. Chair, for the opportunity to speak to now Bill 24; because I believe we were debating the Loan and Guarantee Act, which was a former bill, Bill 39, talking about the Immigrant Investor Fund for fiscal years 2010-2011, 2011-2012, as the briefing noted today, so we are moving forward to look at guaranteeing the amount of money, even though the term has now been lowered to \$243 million.

It is a significant fund and it is one that I spoke a number of times to, when it comes to how this money can actually be utilized and how it has been utilized in other jurisdictions within the country. Because this fund is put forward by immigrants who come to Canada who at least have a net worth of \$1.6 million. They invest this money as a means to come into the country as a business investor and be able to maintain a visa to entry. Then, they are lending this money and get paid a form of interest and it comes back to them as it gets distributed to the provinces on a share basis, based on the number of immigrants that come into Canada.

That is our share of the fund; however, we are only using it from an investment perspective into, basically, strip bonds which can yield a low amount of interest, especially if you are taking a large sum of money out of the pot, which we are seeing right now. The fund has actually gone down quite significantly. It is poised right now. If it continues on the path that it is going, as the Auditor General said, it can lose money and it can be a liability to the Province of Newfoundland and Labrador and the taxpayers of Newfoundland and Labrador. That is quite a legitimate claim, Mr. Chair.

I am very interested in this Immigrant Investor Fund because I have had constituents inquire and want to be able to look at using the fund as a means because other traditional lending institutions are not available to them when it comes to government programs in IBRD; they are restrictive in terms of lending. The traditional financial institutions will not lend because of the risks associated when it comes to things like those getting into residential rental units, even though it is on a commercial basis that somebody may have six or ten units and want to create that.

The market may be capped and it might be a captive market. We know that you are going to be able to rent because of the vacancy rates that are available, but you cannot get the capital. You cannot get the capital to modernize or invest and develop those particular units. That creates a problem. It further adds to the housing

crisis that we have in certain areas, even in rural areas of the Province.

There are traditionally some lenders of last resort that may be able to provide up to \$150,000. If you are looking for capital that you need to get, the Immigrant Investor Fund can be that capital so that you can renovate, build that asset, and have equity. Then you have a general revenue stream so you are not putting the Province's finances at risk.

The Province has taken significant risk with money in the past. It certainly has picked its share of losers. There is no way that a government knows if a company is going to be a winner or a loser. That can happen.

At the end of the day, government is taking risk with the general revenues. It could be looking at using this fund in a way where it is looking at it as a set guideline that we are going to invest in places that we traditionally would not be investing in. Whether it be in the housing type market, whether it is administered through the Newfoundland and Labrador Housing Corporation to create that fund to help alleviate the housing crisis by using the Immigrant Investor Fund to do so because you are constantly going to have a revenue stream. That is not something that is readily available.

The minister can stand and maybe clarify that. There have been people who have inquired and the department officials there said no, we do not do that.

When it comes to British Columbia, they have utilized the fund quite significantly. In some levels they have gone into venture capital. The opportunities for venture capital in British Columbia are far greater than what it is in Newfoundland and Labrador. There is a small window to capture that, but it is very high risk.

Some of the other things that they have gotten into is their public projects and infrastructure such as \$45 million to the Province of BC to help fund three projects creating a total of 288 jobs, \$23 million for redevelopment of a general hospital, a six-story building for a seventy-nine

bed acute mental health facility, and a regional hospital emergency department expansion.

They have been able to create jobs and invest in their economy in a way where we are seeing gaps happen. Maybe some of our general revenues that are going out to small and medium businesses could be going out in the fund, rather than being utilized through IBRD in that forum. Then that money can be freed up in general revenues to be investing in more public infrastructure. There are options out there as to how we use the finite resources that we have. Right now, if we continue to sit on the bonds, that fund will lose money at the end of the day.

We need to look at where we can capitalize. In British Columbia they looked at digital media, information technology, life sciences, and clean technology. Well in Newfoundland and Labrador we have the opportunity to be a leader in arctic or in ocean technology, or be using the fund for infrastructure such as how we get into international shipping for export, whether it be wharfing infrastructure as used in the aquaculture business to look at – putting in \$23 million, as government states, has been able to lever \$400 million into the provincial economy.

We could be doing that in the forestry as well, getting into bio-fuels, getting into combined heat and power, getting into different forms of using gasification. There is investment that can be made in biomass and how we fuel that and fuel these opportunities that are there. This fund is there.

I realize the restriction of the five years, but there are cases where people can if they get the capital. In many cases businesses fail because they cannot get the capital. They cannot access the capital through traditional means. If they have assets and if they have the ability and the business case is there, with the appropriate oversight then government, through its board and the people there, can be looking at lending money because lending money is the opportunity to create more dollars.

In many cases when the appropriate regulations are there, even lenders of last resort make a

return on investment. They do not generally lose money. Banks do not generally lose money. Credit unions do not generally lose money. Even CBDCs, which are lenders of last resort, they generally do not lose money.

If you look at BC and their fund, they have been able to have a net operating income of \$5 million. The Auditor General's report highlights that if we continue on the way we are going – maybe when the Auditor General's report had listed the revenue that is there, but where it is right now and where it is headed, based on the amount of money that is there, the millions of dollars, when you talk about losing \$22 million from your overall investment, that is quite significant. That is going to have an impact on the revenue.

British Columbia has \$25 million in cash and short-term investments this year. We cannot proudly say in Newfoundland and Labrador that we have \$5 million in net operating income through our fund and \$25 million in cash and short-term investments. I wish we could, but they had the oversight to look at using the fund and capitalizing on it so they could create economies. That is what we need to do in rural Newfoundland and Labrador, is to look at using that fund.

SOME HON. MEMBERS: Oh, oh!

CHAIR: Order, please!

MR. MITCHELMORE: The fund has significant potential. I can see where on the Great Northern Peninsula in the forest industry how that fund could be used to provide capital that is needed to create those opportunities; in St. Anthony, to look at expanding on the Arctic Opportunities that are there.

We need to be able to have a process in which applications can be fully submitted and be reviewed, and not be very comprehensive and going months and months before you get a response from a person who is supposed to be overseeing this particular matter. There needs to be better protocols and a better way to do business. The private sector does not do it that

way and the public sector should not do it that way either.

We should be able to use that fund and make money for residents of Newfoundland and Labrador. The people of the Province and the taxpayers expect it. They expect better governance and better regulation from the department and those there.

So I ask the Minister of Finance and the Department of Innovation, Business and Rural Development to start implementing better policy and utilizing the Immigrant Investor Fund before we start losing taxpayer dollars. It just makes sense. It is about being fiscally responsible, so start acting on that and take action.

Thank you, Mr. Chair.

CHAIR: The hon. the Minister of Fisheries and Aquaculture.

MR. HUTCHINGS: Thank you, Mr. Chair.

Mr. Chair, just a couple of comments in regard to the discussion on risk. We have in Innovation, Business and Rural Development and in many departments in government risk capital, we will call it, and funds that we recognize that risk. Just in IBRD, the Small- and Medium-sized Enterprise Fund is the fund that helps many types of businesses in terms of capital growth, on the technology side, and a number of areas there. We recognize that indeed is high risk and that is why we develop those funds. That is why we can continue to support them.

On the non-profit side, the Regional/Sectoral Diversification Fund, again, a very important fund that drives non-profit activity and in parallel, drives economic activity. So we recognize that risk. What we are talking about here is a fund that is very distinct in terms of what the guidelines are and what the requirements are in terms of paying it back. As I said, a five-year period, so you have to be diligent in terms of what you are looking at and where you go to invest those funds.

The hon. member did mention possibilities that we are and will look at. He mentioned one, Arctic Opportunities as possible infrastructure and how important that is as we move forward, in terms of looking to the Arctic and looking for growth in terms of economic opportunity. Maybe some of those, as we review them, will come to light and we will have a comfort level in terms of investing these funds in a project like that to make sure we protect the public, because we have to protect the –

CHAIR: Excuse me.

I want to remind members they are not supposed to speak to people in the galleries.

MR. HUTCHINGS: In regard to loss of funds, as I said, we are meeting our obligations in terms of the funds in regard to a payback over five years. A surplus is there now of almost \$4 million. So we are not losing funds. We are meeting our obligations, and we will pay due diligence to that to protect the general public from any loss of funds.

Thank you, Mr. Chair.

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

MR. JOYCE: Thank you, Mr. Chair.

I will just stand again and speak on this bill for another little while, Mr. Chair.

Once again, I asked the Minister of Fisheries to clarify about the immigration fund, where you talk about non-compliance; yet, I never received an answer if we are in non-compliance because we have not used the fund. Yet, we get on about how we can use this, the projects that we are thinking about using it for the last five or six years are within the guidelines. We are talking about how we are going to use the fund is within the guidelines; yet, there is not one time the Minister of Finance or the Minister of Fisheries has stood up and said that in their own minister's report, if it is correct.

If it is correct, someone should stand up. If it is not, I would ask the Minister of Innovation, Business and Rural Development to take back the report and correct it. One of the two things is not correct, either we are in compliance or the minister is putting out a report with information which is inaccurate. I ask the minister to stand up later to clarify this. Do it for me, because we hear a lot of this other information about: no, it is not, we are in compliance. The minister's own report says it.

Once again, I think I heard the minister say that to date, right now if the fund was ended today we would be in \$3 million, or there is a \$3 million extra –

MR. MARSHALL: (Inaudible) surplus.

MR. JOYCE: – surplus right now. That is good, because in the first little while it was at 7 per cent and we were \$5 million down.

Let's look at some of the ways that we should look at it. I know the Member for The Straits – White Bay North mentioned BC. I also have some facts about BC, Mr. Chair, about the two areas where they used their immigration fund. The two areas where they used their fund were public sector infrastructure and venture capital fund management investments. Just look at some of the things that they invested in.

The British Columbia Institute of Technology, Aerospace Technology Campus; they loaned \$60 million to aid in the construction of the facility. As a result of that loan, 300 full-time jobs were created. The facility opened in 2007. That is just one.

My question is: Did we look at any of those types of projects, Mr. Chair? Did we look at any of those types of projects that we can develop here in Newfoundland and Labrador with this fund that we can use? Did we look at that? That is something that is a question.

We just go to another one. They loaned \$5 million to help the university Technology Enterprise Facility. They loaned \$5 million to purchase this facility and, "The facility has

generated 90 full-time jobs and accommodates major institutional research projects...". The university institute up in BC has ninety full-time jobs by investing the money. Those are just two possibilities of how this fund was used in BC. I understand BC probably has more funds than Newfoundland and Labrador, but if we scale it back that is how you use the funds. That is what the fund is used for.

Mr. Chair, here is something the Minister of Finance would be interested in I am sure. I am very sure it is very dear to his heart, the same as mine. In health care centre and school projects, there was \$39 million for a complex care facility project, which saw the creation of ninety-four residential care beds, fifty assisted living units, and created 250 full-time jobs.

Here we are out in Corner Brook now and part of the complex in Corner Brook is long-term care beds, a long-term care facility. Could this fund be used for that to free up the funds of this Province for other major infrastructure in the Province? That is one thing I know the minister has mentioned; there is going to be 100 long-term care beds in Corner Brook. Can we use that fund to free up capital funds, the funds that we have in the Province, for other projects? Have we considered that? That is my question. Have we considered that? That is something we have to look at to see if we considered. If not, why not? Those are just some of the examples.

There was \$29 million for replacement of a secondary school of 825 students. Could we use any of that fund for building a school? We hear the Minister of Education up here just about every day talking about the number of schools, which is great; that are being built. There is a new one being built in the west end here now in St. John's, which is great and which is good.

Have we ever thought about using that fund for building schools so we can have some capital free? That is the other thing. It is a prime example. BC used the fund; they are able to use the fund. They use the fund, Mr. Chair. My question is: Did we consider that?

Mr. Chair, here we are another opportunity. It was just mentioned here \$32 million for renovation and replacement of a secondary school for Grades 9 to 12. Have we looked at this before? Have we looked at that possibility, I ask the Minister of Education? Was that possibility ever looked at so we could use some of these funds to build schools around the Province?

That is the question that we need answered because there is a lot of money in this fund. There is a lot of money here that we can use. There is a lot of money here that we can use to free up other money for infrastructure in the Province, water and sewer, and the hospital in Corner Brook. Who knows, that might come up on a regular basis, the hospital in Corner Brook, free up some more funds for this immigration fund so now we can speed up the hospital.

I know the Minister of Finance was out in Corner Brook talking about the Province is flush with cash and that is not a problem for the hospital in Corner Brook. I still have that quote. My question is: Can we free up some of those funds that the Province needs for infrastructure like hospitals so we can speed up the project like the hospital in Corner Brook? Mr. Chair, that is very important to the people of Western Newfoundland. This fund can definitely help out because we see here up in BC that we could use it for such projects.

This is a suggestion to the Minister of Finance and the Minister of Innovation, Business and Rural Development. I am not being critical of anybody here. Did we ever think about using any of this fund for water and sewer projects throughout Newfoundland and Labrador, in rural Newfoundland? Did we ever think about it? That is another opportunity where we say that we spent so much, and there is no doubt there has been some investment in water and sewer in a lot of towns in the Province. Have we considered using this fund so we can speed up these projects and help out with these projects?

People are saying, we hear it, and I am sure the government hears it, and I am sure the government are saying it, and I agree, on many

occasions you cannot do everything overnight, but if we use this fund, Mr. Chair, can we alleviate a lot of these problems here to help out with the water and sewer projects in Newfoundland and Labrador? It is a big issue. It is a big concern in rural Newfoundland and Labrador, and a lot of these funds can be used for these types of projects. With so many boil orders in the Province, so many people asking to have upgrades to their systems, and so many people and so many towns and communities asking if there is any way with the infrastructure aging, with their sewer aging, can we have more money? Can we use this one?

My question is, and I have not gotten it answered yet, if we have this fund, why have we not used one cent of this fund? It is a question.

CHAIR (Verge): Order, please!

I remind the member his speaking time is up.

MR. JOYCE: Thank you, Mr. Chair.

I am sure I will be back to have another few words.

CHAIR: The hon. the Member for St. John's North.

MR. KIRBY: Thank you, Mr. Chair.

It is my first opportunity to have a few words to Bill 24, An Act to Amend the Loan and Guarantee Act, 1957. That was a long time ago, a good year, though, 1957, I say to the members opposite.

This is more than housekeeping legislation, and it is designed to ensure government's obligations, financial obligations, are a statutory expenditure and ratifies the increase in the value of the guarantees that we are talking about here. I want to thank the hon. minister for so graciously providing a briefing with his officials to discuss the proposed amendment to this particular piece of legislation. I have to say that the departmental staff were quite helpful in providing quite in-depth information about this particular piece of legislation.

Now, of course, we are all acutely aware that the Province's success in attracting and retaining immigrants, people from other parts of the country and other parts of the world is critical, is really critical to our success in many ways. I hope to be able to get into that in some depth as we go through our debate on this particular bill.

Not only do we benefit in an economic way, in a financial way, from the talents, the skills, the abilities, the things that immigrants to Newfoundland and Labrador bring – and we want to benefit in that respect, I would say. Most Newfoundlanders and Labradorians understand that intrinsic economic value but also want to, for a variety of other reasons, have immigrants move to Newfoundland and Labrador and to choose to make their home here more permanently.

Our government continues to put an emphasis on immigration. We see that in a variety of documents that the government has produced – and I will get into some of those as well – over the past year even, but certainly since the October 2011 general election; documents that emphasize immigration as a fundamental building block of our future economy, our demographics, and also, of course, our well-being as a Province in Canada that certainly wants to build on our economic strength now, and to ensure that it is strong well into the future for our kids, to ensure that the next generation has the same opportunity that my generation has, and other generations for sure.

The Newfoundland and Labrador Immigrant Investor Fund was established in 2005. I am not sure that has been pointed out at this point, but it was established in 2005. It is a Crown corporation. The purpose of the fund is to receive and invest in the Province's monthly allocation of funds received from the federal government's Business Immigration Program. Investments made through the program take the form of five-year, zero interest loans to fund economic development and job creation initiatives in various regions, really, across the country I would say.

Newfoundland and Labrador receives funding from the federal program, which is to be repaid after five years. It is a revolving cycle and the amounts depend on the volume of immigrant investment in any one given year.

One of the problems that we have right now in Canada is that the Harper government, though, it really catered to a lot of immigrant communities across Canada during the last federal election, has really changed its tune quite a lot when it comes to immigration and has, in some ways, tightened immigration laws that may certainly have led to, up until this point, a decrease in the numbers of immigrant investors and then the subsequent amounts of immigrant investment funds that have accrued and then, of course, been devolved down to our Province. This accounts for some of the changes perhaps in the amounts the Province has been able to access.

Harper's changes, in particular, point out that they have required new investors to have a personal net worth of \$1.6 million. That has been doubled. That is up from \$800,000. It also requires them to make an investment of \$800,000, and that is up from \$400,000. So, you can see here they have doubled the amount of net worth that an immigrant investor has to possess and they have also doubled the amounts of the investment that they are required to hand over, if you will.

The provincial government provides a guarantee of repayment. This particular amendment, which is made in Bill 24, secures the repayment of the net total of monthly allocations, less repayments, in the amount of \$61,061,398. These amounts were received by the Newfoundland and Labrador Immigrant Investor Fund Limited – that is the Crown corporation that I was referencing earlier – during the fiscal years 2010-2011 and 2011-2012.

Certainly, it begs the question as to why we are dealing with two years here at once. I guess because before Christmas last year, when we were dealing with Bill 60 and Bill 61, we did not have an opportunity to deal with this legislation due to the filibuster that was going on around the

question of Bill 60 and Bill 61 which were the bills that enabled the Muskrat Falls Project.

The schedule for repayment is set out in the Loan and Guarantee Act. Currently, the total amount of allocations guaranteed by the Province will be \$265,291,070. There is no doubt this is all extremely important subject to thorough discussion and crucial for the Province if we are to diversify our economy going forward.

We are certainly all well aware the government's Population Growth Strategy document, which we can discuss in some detail as well, goes on at length about the importance of the attraction of immigrants and the attraction of immigrant investment there to this Province. It is an important tool for ensuring a strong and productive economy for future generations.

Newfoundland and Labrador businesses, there is no question, offer significant incentives on their own. We have quite a bit of business activity, especially in our natural resource sectors. I heard an advertisement on the VOXM radio station earlier today with the hon. Minister of Fisheries and Aquaculture talking about the \$1 billion fisheries industry that we have in our Province. Obviously, that is fairly robust and the hope is to continue to build onto that.

Our mining and our mineral sector is fairly robust. We have had a lot of challenges when it comes to our forestry, but I am an optimistic guy and I think that really things are going to come around. I am very encouraged that we may have a company coming from abroad to look at maybe the addition of an additional pellet operation. There is certainly always room in our forestry industry for revitalization.

We have competitive labour costs in Newfoundland and Labrador that is for certain. We have an educated population. Government offers a number of tax credits to companies and corporations. We have world-leading centres of excellence in the areas of research and development, whether that is at College of the North Atlantic, the Marine Institute, and Memorial University.

CHAIR: Order, please!

I remind the member that his time for speaking has expired.

MR. KIRBY: Thank you, Mr. Chair.

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

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

I am certainly happy to stand again and speak to An Act to Amend the Loan and Guarantee Act, 1957. I stood earlier and just had a simple question for the minister. I will give him credit; he stood up and answered that question. The answer was what I thought it was, which is there has been absolutely no activity whatsoever under this federal program – none.

Just so people out there who may be watching understand what it is; I just want to give a history. We have been here and discussed this before. The Newfoundland and Labrador Immigrant Investor Fund Limited was incorporated in April 20, 2005 with the purpose of investing in the provincial economy to improve business and employment.

The funds are provided through participation in the Citizenship and Immigration Canada Immigration Investor Program. Five years after the funds were received, the corporation repays these amounts to the CIC along with a commission fee, which was 7 per cent and is now 5 per cent.

Again, this report I have here is from the Department of Innovation, Trade and Rural Development and just talks about the fund. It talks about how the cash balance has steadily increased and at this point, in March 2009, it was up to just under \$150 million and then talked about the repayment that had to start in May 2010. At that point, it had not made any investments and the funds had not been utilized.

At that point back then, if the fund was terminated, there would have been a shortfall of \$5 million that the Province would have to pay

for. This is interesting stuff so people understand why we are here talking about it. This is federal monies that provinces had the opportunity to access and pay it back with the purposes of generating economic development.

One of the reasons I have to stand and talk to this is because several times this week members from the Official Opposition have stood and asked questions about something like the pellet plant in Roddickton which was, I understand, a project undertaken by the Province in order to generate economic development. Now, the point of the questions was that it was basically deemed high risk. The minister at the time said we are doing it anyway, and it has turned out to be a failure.

MR. JOYCE: Who was the minister?

MR. A. PARSONS: The minister who is the Premier now. It was deemed a failure. Now, that is how I take it.

MR. MARSHALL: So far. It is not over yet.

MR. A. PARSONS: So far, okay, and I appreciate – the Minister of Finance tells me that so far it is a failure, but it is not over yet.

The reason I have to talk about this is that is our job as an Opposition – I know government does not like it, but they understand it; they deal with it. Our job is to ask questions, especially about taxpayer funds and how they are utilized. Any time we ask a question like that the ministers, not this minister but especially the Minister of Natural Resources comes back and says: How dare you question us on economic development? Again, they talk about the mill in Corner Brook.

There is a big difference between the mill in Corner Brook, as the Minister of Finance knows, and the Roddickton pellet plant. There is a big difference between five jobs and 500 jobs. The point I try to get at is that we get questioned why do we dare question this government on economic development, but we have a bill here today where we just have to amend a Loan and Guarantee Act to talk about the repayment funds and allocation, and the whole point I am getting

at, is we had a great opportunity at economic development, one that has been done in other provinces, very successfully, and we have done exactly nothing, zero, with this pot of money.

If government just wanted to stand up and say: Do you know what? We have failed at this so far. That would be an acknowledgement. The problem is the response continues to be: Well, this is what we are trying to do. We are going to pay it back and everything else.

One thing I will note, and this is March of 2013 – and I know the Member for Bay of Islands brought this up as well – this year, eight years after the start of this program, Citizenship and Immigration Canada advised the corporation that as it has not made any investments, as required, it was considered to be non-compliant. The corporation faced possible suspension of future IIP allocations until such time that the circumstances that gave rise to the suspension cease to exist. At that point the corporation said: Well, here is some information we have; here are some investments that we are considering.

Again, Citizenship and Immigration Canada said: Well, based on our review of that information you have provided, yes, you would be in compliance. If you put this forward and say yes, we are going to do it, this is a project that is going to work, we would said yes, this one is compliant, it falls within it, and therefore you would be back to the whole point of this, which is we are giving you money to start to generate economic development.

Here is the problem. That was March 2013; this is November 2013 – and maybe I am wrong. I hope I am wrong. Maybe the Minister of Fisheries could update me. Maybe he said it earlier. Maybe he could tell me if that project did go ahead. I would be interested to know if that project, which would have kept this corporation out of non-compliance, did happen.

Now, if the minister wants to stand up and tell me it happened, I would gladly sit down and say, do you know what? It has been a success. It would be a success because we finally did it. My problem is that when I sit down, I do not

think I am going to get that answer. I think we are going to get the same old, same old, which is: No, we are still 0-for-whatever; we have a zero batting average when it comes to this fund. I just find this interesting.

I do not need to echo what has been said by other members when we talk about the successes they have had in British Columbia, about the jobs that have been created, but when you look at some of the stuff that was suggested here. Maybe we could work with Memorial University or the College of the North Atlantic, or the regional health authorities.

These were all ideas that were discussed, ways we could use the funds to finance capital projects for health and education. Those are pretty big priorities. No such projects have been undertaken. Again, I have to question: Why have we not been able to use this money? I know it is there. I know that we have not; I know that we pay it back. Why have we not been able to use it? These are good ideas, obviously.

The Minister of Finance, if you would only tell the Minister of Fisheries to stand up and put that on the record. That would be perfect. That would be, we do not have the answer. That is fine if you do not have the answer. That is fine, or maybe you do have the answer. Either way, it would be nice to stand up and put it on the record.

If we have the answer, great, tell us what it is; or if we do not have the answer, well not so great, but at least tell us. Put it on the record. Tell us why you have not done a single, solitary project with this federal money. Why have we not done anything? I come back to this, there were all these ideas suggested. I do not know why we could not get them to work.

Now, I am going to get a chance after – my time is starting to run out. I am going to get a chance after, because one of the things it talks about, obviously, is Immigrant Investor Program. I know we have taken some steps with our Population Growth Strategy to talk about increasing immigration to this Province. I figure

this pot of federal money would be a good way to start that but, to date, nothing.

Here is the other interesting thing. We note that the corporation was aware of the opportunities when it came to MUN and CNA and the regional health authorities. There have been discussions, and a Cabinet paper would be prepared on this matter. A paper has been drafted by the corporation but has not yet been submitted to Cabinet.

My questions there, and these are serious questions: (a) can you confirm that the paper has been drafted; (b) if so, has it been submitted to Cabinet; (c) if it has not been submitted to Cabinet, why has it not been submitted to Cabinet; and, (d) if you do not have anything drafted, what have we been doing since the delivery of this report by our own Department of Innovation, Business and Rural Development? This is like four years old now. What are we doing? What is going on?

I had a whole bunch of questions there. I am going to sit down now and I am going to hopefully get some answers to those questions. Then we will continue the debate at that point.

Thank you, Mr. Chair.

CHAIR: The hon. the Government House Leader.

MR. KING: Thank you, Mr. Chair.

I move that the Committee rise, report progress and ask leave to sit again.

CHAIR: The motion is that the Committee rise, report progress and ask leave to sit again.

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, Mr. Speaker returned to the Chair.

MR. SPEAKER (Wiseman): The hon. the Member for the District of Lewisporte.

MR. VERGE: Mr. Speaker, the Committee of Ways and Means have considered the matters to them referred and have directed me to report some progress and ask leave to sit again.

MR. SPEAKER: The Chair of Committee of Supply reports that the Committee have considered the matters to them referred and have directed him to report progress and ask leave to sit again.

When shall the Committee sit again?

MR. KING: Tomorrow.

MR. SPEAKER: Tomorrow.

On motion, report received and adopted.
Committee ordered to sit again on tomorrow.

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

MR. KING: Mr. Speaker, I move that the House do now adjourn.

MR. SPEAKER: It has been moved and seconded that this House do now adjourn.

All those in favour, 'aye'.

SOME HON. MEMBERS: Aye.

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

Motion carried.

This House stands adjourned until 1:30 p.m. on Monday.

On motion, the House at its rising adjourned until tomorrow, Monday, at 1:30 p.m.