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HANSARD

*Speaker: Honourable Ross Wiseman, MHA*

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The House met at 2:00 p.m.

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

Admit strangers.

**Statements by Members**

**MR. SPEAKER:** Today we will have members' statements from the Member for the District of Baie Verte – Springdale; the Member for the District of Bay of Islands; the Member for the District of St. John's North; the Member for the District of Mount Pearl South; the Member for the District of Bonavista South; and the Member for the District of Port de Grave.

The hon. the Member for Baie Verte – Springdale.

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

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

He was a tireless community volunteer. I rise in this hon. House today to pay tribute to Ming's Bight former Fire Chief, Boyce Mitchell.

Born on April 8, 1951 to Roland and Alfreda-Mae Mitchell of Woodstock, Boyce married Ella Regular in 1973. Together they raised three children: Kathy, Penney, and John. Upon completing high school he worked at the fish plant and then went on to work with the Department of Transportation.

Later on, he selected underground mining as a career for which he spent thirty-three years. Besides a fire chief for thirty-three years, Boyce was also a member of Baie Verte RCMP Auxiliary and a faithful member of Calvary Pentecostal Church. A true unselfish volunteer, Boyce mentored many of the Ming's Bight fire department members. Immense respect for him was evident at last year's firemen's ball –

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

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

**MR. POLLARD:** – as members and community leaders recognized his outstanding service.

In his leisure time, he loved to salmon fish, sing, play his guitar, and simply to hang out with family. Described as a small man with a big heart, Boyce found joy in serving others.

Honourable members, please join me in remembering Boyce Sterling Mitchel – forever loved and forever remembered by family and friends.

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, I rise in this House today to recognize Wilfred Bellows of Summerside, who has been selected to represent 4-H Newfoundland and Labrador at the International 4-H Conference being held in Washington, DC, from April 4-11.

A level II student at Templeton Academy in Meadows, Wilfred has been a member of the Summerside 4-H Rockets since he was five years old. He has competed locally and provincially in 4-H competitions and has won various events. He is currently a member of the 4-H executive and junior leader.

The 4-H youth organization promotes leadership and life skills, self-reliance and personal development, and this conference will further enhance leadership skills and abilities while giving participants an opportunity to gain a better understanding of 4-H in Canada and the United States.

In addition to the conference activities, participants will also get an opportunity to tour Washington and visit some of the nation's famous cultural sites, including Lincoln Memorial and Capitol Hill.

Mr. Speaker, I ask all members to join me in congratulating Wilfred on his accomplishments

and with his leadership skills; this Province is in safe hands.

Thank you, Mr. Speaker.

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

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

**MR. KIRBY:** Mr. Speaker, I stand today to congratulate the Leary's Brook Junior High Grade 9 boys' basketball team on their outstanding performance at the 2014 Newfoundland and Labrador Winter Games.

The Leary's Brook Eagles represented St. John's North at the games. Their head coach was Physical Education teacher, Colleen Hogan, along with assistant coaches Scott Green and Shawn Gifford, and their manager Theirry Landu.

In an amazing show of sportsmanship in the last minute of a round-robin match, the Eagles noted an opposing player on the host team who had not played before. They agreed the player should have a chance to score, and passed him the ball – the opposing player – three times. He scored on the buzzer with everyone cheering loudly.

A second highlight for the Eagles was winning the silver medal in the championship game. This was impressive since no player on the Eagles has played basketball longer than three years, and some have played for only two years.

I ask all hon. members to join me in recognizing the skill and sportsmanship of silver medalists from Leary's Brook: Emanuel Ring, Felly Elonda, Joshua Coombs, Robert Wheaton, Kyle Williams, Jack Shea, Jordan Pitcher, Thomas Osmond, Jeremy Kakoko, Tyler Philpott, Mitchel Hand, and Noah Cumby.

Thank you.

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

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

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

Mr. Speaker, it is my privilege to rise in this hon. House to offer congratulations to a group of individuals who have made a significant contribution to sport in my community.

Once again, this year's Mount Pearl Athletic Awards was a tremendous success, which highlighted the achievements and emphasized the important role that sport has played and continues to play in the development of youth and adults alike within our great city.

There were a number of very worthy nominees again this year nominated in five categories. Congratulations to this year's winners: Peter Halliday Executive of the Year award winner, Mr. Ron O'Neil of Mount Pearl Soccer; Coach of the Year, Mr. Doug Halliday of Mount Pearl Track and Field; Female Athlete of the Year, Malorie Harris for her accomplishments in the sport of basketball; Male Athlete of the Year, tremendous hockey and ball hockey player Patrick O'Keefe; and Team of the Year, the Mount Pearl Masters Soccer Team.

Mr. Speaker, I would ask all members of this hon. House to join me in congratulating these individuals on this significant accomplishment and wish them all the best in their future sporting endeavours.

Thank you, Mr. Speaker.

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

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

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

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

I would like to rise to recognize Bonavista resident Douglas Strickland, who has devoted his life to helping others. As a youth, Mr. Strickland joined the local Sea Cadets, spending many summers training in Cornwallis, Nova Scotia. He went on to join the army and was

sent to Germany as a peacekeeper during the Korean War.

Douglas has been a member of the Royal Canadian Legion since 1959, holding such positions as President, Vice-President, Sergeant-at-Arms, Chaplain, and Parade Marshal. A few years ago, he received the fifty-year service medal.

Mr. Strickland has been heavily involved with the Anglican Church ever since he was a young boy. He has been a Sunday school teacher, a choir member, and a Lay Minister for thirty years.

Douglas made his career in health care. Starting as an orderly, he went back to school to become a Registered Nursing Assistant and a Plaster of Paris technician. He continued in these roles for twenty-four years. Still today, in retirement, Mr. Strickland visits the homes of fellow community members to aid with home care.

Mr. Speaker, please join me in honouring Douglas Strickland, a true volunteer and humanitarian, who sets an excellent example for us all.

Thank you, Mr. Speaker.

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

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

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

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

I rise today in this House to recognize Ms Donna Fowler for her community service and her philanthropy. Donna owns and operates Kelly's Landing in Bay Roberts – a popular pub.

Through her business, she has supported and raised thousands of dollars for local teams, organizations, and charities throughout the years. Two years ago, after the death of her son-in-law, Dale, Donna began a fundraising campaign to support the dialysis unit at

Carbonear General Hospital. Through a jail and bail, and with the support of the local fire department and the RCMP, local residents were arrested and jailed until the desired funds for their release was raised.

To date, Donna and her team have raised in excess of \$30,000. This money has fully furnished the dialysis waiting room area and has purchased a specialized chair for cancer patients at Carbonear General.

Many times, these acts of philanthropy go unnoticed by the general public and community. Donna's desire to do good every day is a trait we should all admire and commend.

I ask all hon. members to join me in congratulating Ms Donna Fowler for her caring heart.

Thank you, Mr. Speaker.

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

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

### Statements by Ministers

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

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

**MS SHEA:** Mr. Speaker, I rise in the House of Assembly today to acknowledge the provincial government's continuous support of women in leadership through outreach and professional development in Newfoundland and Labrador.

Mr. Speaker, the first of our four Oventions Leadership Lunch & Learn sessions took place on February 21, in Clarenville with keynote speaker, Iris Petten. The second was on March 7, in Grand Falls-Windsor and featured Anne Whelan. The third will take place on April 11, in Corner Brook featuring Anastasia Qupee, and the fourth will be held on May 9, in Happy Valley-Goose Bay with Anne Whelan.

Mr. Speaker, these sessions are a great opportunity for women in different regions of the Province to hear first-hand the experiences and approaches taken to leadership by such prominent Newfoundland and Labrador women.

Iris Petten is a business leader and has corporate board experience in industries such as fishing, education, logistics, and transportation. Ms Petten currently serves as chair of Memorial University's Board of Regents, and is a corporate board member of Canada Post Corporation, and Canship Uglan Limited.

Anne Whelan currently leads Seafair and is a board member of Newfoundland Power, Newfoundland and Labrador Oil Industry Association, Atlantic Provinces Economic Council, and the Argentia Management Authority.

Anastasia Qupee is an Innu woman from Sheshatshiu, Labrador. She was the first Innu woman to serve as chief in her community, serving two terms from 2004 until 2010. She also served as a board member on Innu Nation, Labrador-Grenfell Regional Health Authority, and is involved in a number of joint businesses. Ms Qupee is currently the Human Resources Director for the Sheshatshiu Innu First Nation.

All sessions begin at 12:00 p.m. and run until 2:00 p.m. Topics include mentorship, core competencies, women on boards, and creating strong networks. The cost is \$15 per participant, and anyone interested in attending one of the remaining sessions can register at the NLOWE Web site.

Mr. Speaker, Ovations events are organized by a committee of representatives from the Provincial Advisory Council on the Status of Women, Newfoundland and Labrador Organization of Women Entrepreneurs, the Government of Newfoundland and Labrador, as well as community and business leaders.

Through initiatives such as the Ovations Leadership Lunch & Learn sessions, the provincial government remains committed to supporting the advancement of women in

leadership throughout Newfoundland and Labrador.

Thank you, Mr. Speaker.

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

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

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

I thank the minister for an advance copy of the statement. The achievement of women leaders is always something to celebrate. Women have fought for and won their place in politics, in corporate governance, and in their own communities. We all have women in our lives who encourage us, who act as role models, whether consciously or not. They may not be presidents or chairs on committees or anything, but they run families and community groups. They have raised daughters to be pioneers in their own right.

Women remain under-represented in leadership roles, so providing opportunities for women to network and share their successes and challenges are worthwhile in ensuring their representation in all spheres of life.

Thank you, Mr. Speaker.

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

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

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

I would also like to thank the minister for an advance copy of her statement. How often we are asked: Who would you most like to have lunch with?

Mr. Speaker, I would be thrilled to have lunch with any one of these wonderful women, Iris Petten, Anne Whelan, and Anastasia Qupee. They are all wonderful leaders who have done so much to advance the status of women. It would be a pleasure to hear their stories, stories

of determination, stories of challenges, success, and creative solutions to scaling over horrendous blocks and barriers, and I would love to ask their opinions on issues affecting the lives of women in this Province.

Of course, Mr. Speaker, I would have to ask them what they thought of this government closing the Family Violence Intervention Court. I am sure they would have some questions about that, themselves.

Thank you, Mr. Speaker.

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

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

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

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

Mr. Speaker, I rise in the hon. House today to discuss the importance of achieving fair access to provincial shrimp resources for harvesters in the inshore sector.

Mr. Speaker, the federal government just issued short-term quotas to get the shrimp fishery started, but there are clear indications there will be a significant reduction in the total allowable catch for shrimp this year in response to a decline in shrimp stocks. If the federal government applies a policy called Last In, First Out, almost all of this reduction will be experienced by the Province's inshore fleet. This fleet sector comprises small boat harvesters, and this quota cut would severely jeopardize many enterprises.

The Last In, First Out policy was established in the 1990s to protect the interests of the offshore sector when inshore harvesters became new entrants in the shrimp fishery. Those harvesters have since become full-scale stakeholders over the last twenty years, and just like offshore harvesters, they have made major investments in their operations, and make a significant contribution to the success of the provincial fishing industry. That is why the provincial

government is advocating to ensure any quota reductions in shrimp are shared equitably by offshore and inshore fleets.

Mr. Speaker, I have discussed this issue on several occasions with the federal minister Gail Shea, most recently at the Seafood Expo North America in Boston, and also with Rob Moore, Minister of State of ACOA and Regional Minister for Newfoundland and Labrador. At every opportunity, I have emphasized the Province's position that any decisions regarding allocation should: consider which harvesters are adjacent to the resource, be consistent with stabilized sharing arrangements established for other fisheries, and avoid pitting one valued fleet sector against another. This position has been expressed by the Province since 2010, and we expect the federal government will make fair and equitable decisions when final quotas are assigned. We are prepared to work with the Government of Canada to help inform a fair resolution.

Mr. Speaker, the provincial government agrees with the needs to protect shrimp resources when fisheries science indicates conservation efforts are necessary. However, more than 2,200 plant workers, more than 250 small boat enterprises, and fourteen offshore companies stand to be impacted by quota cuts. I call on all members of this hon. House, and Members of Parliament in Ottawa, to advocate for the best interests of our shrimp fishery, and for the communities that rely upon it.

Thank you, Mr. Speaker.

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

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

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

I, first of all, would like to thank the minister for the advance copy of his statement. Mr. Speaker, the threat of the shrimp cuts have certainly been on our agenda. In fact, we wrote to the federal government on March 7 to outline our concerns and to seek a meeting with the minister. We

have pressed for a solution that will mitigate the negative impacts on the many plant workers, harvesters, and communities.

While government contends they have been advocating for cuts to be shared by the offshore and inshore fleets, what concerns me, Mr. Speaker, is the minister saying they are prepared to work with the federal government. I am wondering why this engagement is not already taking place now. It is too late for us to go in after the fact. I am also concerned that the minister gave no indication of the plans he has in place when workers, harvesters, and communities get slammed with these quota cuts.

Mr. Speaker, indeed we must conserve and we must be ready to deal with the fallout of any cuts, but what we need the most is a real voice in the managing of our resources so that the provincial government is not just another advocate, but a co-manager of our fisheries. It is time for this government to get to work on securing joint management so we can have a louder voice in our renewable resources.

Thank you very much, Mr. Speaker.

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

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

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

I thank the minister for the advance copy of his statement. He has outlined a very serious matter for our shrimp industry and for the people who work in that industry. There must be a fair sharing of the resource between both fleet sectors. As we all know, in this fishery the difference is merely one of classification. Both fleets are dealing with the same source.

In 2003, DFO implemented a long-term strategy, which emphasized people living adjacent to the resource have to benefit the most. DFO may have dropped this principle, but it is still the right one and we have to fight for it. If DFO implements Last In, First Out, which is not a

written or defined policy of that department, we could see great financial damage done to the people who have invested millions in shrimping enterprises as well as job losses in local plants.

Mr. Speaker, I would say to the minister, this is one fight we must all engage in together. We have to be united in this fight for the people of the Province.

Thank you, Mr. Speaker.

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

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

**MR. JACKMAN:** Mr. Speaker, I rise in this House today to recognize today, April 2, as World Autism Awareness Day, and to assure individuals and families affected by this disorder that our government has heard their concerns, and we are making the necessary investments to address timely diagnosis, and improved services.

My colleague in the Department of Health and Community Services announced last week that Budget 2014 makes provision to increase capacity for autism assessment and treatment and to reduce wait times for children with autism and other developmental conditions. An investment of \$2 million this year, annualizing to almost \$4 million in 2015-2016, will allow for the addition of twenty-two positions in the regional health authorities this year, increasing to thirty positions next year. These positions include a developmental pediatrician at the Janeway, child management specialists, occupational therapists, and speech language pathologists.

In addition to these investments, Mr. Speaker, Health and Community Services have been working with Eastern Health to develop an action plan. The intent is to make more efficient use of resources already in place to ensure that wait times are reduced and that children receive the care they need as soon as possible.

Mr. Speaker, in terms of the K-12 education system, a comprehensive review of services in

recent years has resulted in the creation of six positions for autism itinerants at regional offices, autism resource kits for each school, and the development of a Provincial Professional Development Plan, which to date has seen more than \$1.2 million invested in specialized training for teachers and student assistants.

Our work continues, Mr. Speaker, in January, I announced our involvement in an Atlantic partnership called “Autism in Education” through the Atlantic Provinces Special Education Council. This partnership will see more online autism training delivered to teachers, administrators, and other educational personnel to help implement teaching strategies for students with autism and other developmental disabilities.

In short, Mr. Speaker, we have been working very hard to address the growing need for autism services, both for children and adults. We will continue to work with the Newfoundland and Labrador Autism Society, and with health and education professionals, to address the issues as they arise.

Thank you, Mr. Speaker.

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

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

**MR. KIRBY:** Thanks to the minister for an advance copy of his statement and thanks to the Members of the House of Assembly who wore a little blue today in recognition of the day.

Last week, the US Centers for Disease Control and Prevention released new figures on the prevalence of autism spectrum disorder and the numbers are quite startling. They now estimate that one in sixty-eight children has autism – a 30 per cent increase from just two years ago.

World Autism Awareness Day is an ideal time for members of this hon. House to reflect on what we need to do to address the needs of people with autism, both young and old alike. The first thing we need to do is listen to people

with autism and their advocates. They have told us that the wait-lists for assessment are too long and that needed interventions often come too late to be effective.

They have told us that the intensive applied behavioural analysis program should be available to those who need it, regardless of age. They have told us that we need a co-ordinated, multi-agency approach among key government departments and agencies to ensure that individuals with autism are provided with the services they will need to promote their independent living. We have been told what needs to be done, Mr. Speaker; now is the time to act on that advice.

Thank you.

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

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

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

I, too, thank the minister for an advance copy of his statement. Obviously, I am glad to see an increased capacity for diagnosis and treatment of autism in the Province. Any increase at this moment would be extremely important. With now one in sixty-eight children diagnosed with autism spectrum disorder worldwide, delays in getting a diagnosis is a critical issue in Newfoundland and Labrador. Early intervention is the key factor in these children’s success in school and in the world that they will enter into when they finish their schooling.

With a wait time for diagnosis of up to two years, which is a disgraceful time, Mr. Speaker, and more than 300 children on the wait-list, it is good that government is finally taking steps to address the problem but they are only first steps.

I encourage the minister to listen closely and often to the parents, the families, the health care professionals, and concerned citizens on how to mitigate this serious condition. I encourage him to listen to the children and adults themselves who have autism spectrum disorder.



Thank you, Mr. Speaker.

**MR. SPEAKER:** Oral Questions.

**Oral Questions**

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

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

Almost three months ago, government announced that they would draft a terms of reference for a review of the provincial energy system, that they would make it public and choose an independent body to conduct their review. After missing the deadline by over a month, government today announced that they would hire a consultant to look at the provincial energy system. There was no mention of it in the public terms of reference or independent bodies to conduct the work.

So I ask the Premier: Why does this announcement today differ so much from what you said back in January?

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

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

**MR. DALLEY:** Mr. Speaker, we have an electrical system here in the Province that has been meeting our needs for some fifty years, in terms of our electricity system and the regulation and the framework – but there is a reality that the needs in this Province are changing. Our government has been firmly committed to meet those needs, Mr. Speaker, and the changes.

We have been firmly committed, as we move forward to address issues of availability and reliability of power through the development of Muskrat Falls, that we would clearly undertake a review, a very close look at the broad system of our electricity system within the Province as we move from an isolated system to an interconnected system.

Mr. Speaker, we committed to the people of the Province that we would have an independent review of this done, and we will do an RFP where someone totally independent of government will take a very broad look at our electrical system – all for the benefit of the people of the Province so that we can make sure as we move and connect to the North American grid we are going to meet that standard –

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

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

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

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

Well, that just reminds me that back in January this must have been somewhat of a knee-jerk reaction to announce that independent bodies would look after this review that the minister talked about. Obviously that is quite different from what we saw announced today.

So it is clear that the review by government is nothing more than just an attempt to shift the blame of what is known as DarkNL off government. The PUB is already well underway in reviewing the provincial energy system and will provide a study both before and after the Muskrat Falls Project is completed.

So I ask the Premier: Why not just get out of the way of PUB, let them do their work, and do the comprehensive review that they can?

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

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

**MR. DALLEY:** Mr. Speaker, the member opposite was probably aware – if not, he should be – we have outlined in our Energy Plan of 2007 that as we move to the new system of an interconnected system – the last jurisdiction to connect with North America – that we would need to get in line with North American standards, and as outlined in our Energy Plan,

we would do that review. So this is not a knee-jerk.

The other thing that we committed, Mr. Speaker, publicly, and I certainly commit today to the people of the Province, that we want the PUB to do their work, we are not going to get in the way of the PUB and what they are doing, we are not going to provide oversight to the PUB in terms of the work they are doing. We are doing an independent piece of work on the broader aspects, Mr. Speaker, to make sure that for all of us in this Province we have confidence in our system going forward, and to make sure that whatever changes we need to make to get in line with North America, we are prepared to do it.

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

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

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

We have clearly outlined there has been a lot of changes since January in that response. Mr. Speaker, the federal government is effectively holding the Province hostage with the latest fee increase at Marine Atlantic that was effective yesterday. Since 2012, we have seen an astounding 11 per cent increase in fees. These increases are passed on to consumers and negatively affect tourism and our economy.

I ask the Premier: What actions have you taken to offset these harmful increases?

**MR. SPEAKER:** The hon. the Minister of Tourism, Culture and Recreation.

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

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

Mr. Speaker, we are aware of the increases. Actually, they are up as high on our seniors over the last three years of 23 per cent. Although we have seen a decline in the number of rubber tire traffic to this Province, it is still a significant deterrent. I have raised it with the CEO of Marine Atlantic. I recently, at the HNL

conference, sat a table with them and mentioned it in the speech to the delegates, and also reiterated to him at the table.

Mr. Speaker, we are aware of this. We realize the investment of \$900 million they have made with the two new ferries and marine improvements. However, we have to be aware and we have to be concerned when it impacts not only our tourism market but our commercial market as well.

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

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

**MR. BALL:** Mr. Speaker, we know – and I mentioned this couple of times in the last few days – that the rubber tire traffic that the minister talks about goes back to the mid-1980s. It is the first time since the mid-1980s we have seen traffic less than 100,000 passengers.

Mr. Speaker, the federal subsidy agreement between the federal government and Marine Atlantic is up for review next year. There is a fear that the federal government will reduce funding even further, driving up Marine Atlantic rates.

I ask the Premier: What representation have you had with the federal government – not HNL, we know here in the Province everyone supports this intervention – to ensure that the Marine Atlantic subsidy is appropriate?

**MR. SPEAKER:** The hon. the Minister of Tourism, Culture and Recreation.

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

**MR. FRENCH:** Mr. Speaker, actually the decline in rubber tire traffic is not only a provincial trend, it is a trend worldwide. If the hon. member did some research he would see that any ferry operations throughout the world will see a decline in rubber tire traffic.

However, Mr. Speaker, what we do when we have an issue with an agency, a Crown

corporation of the federal government, we deal with them directly. I have had numerous meetings with the chair explaining how important it is to the tourism industry and to the commercial industry of this Province. This goes way, way back to even the reservation system.

I have been intimately involved with Marine Atlantic. Like I said, just recently as a month ago we talked about this. I am surprised the hon. member never brought it up sooner because it has been a known thing now for some weeks. It only came into effect today and that is the reason I guess for the questions.

Thank you.

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

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

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

I remind the minister that there is some ferry traffic that is up in our Province. You need to look at the *Apollo* ferry as an example.

Mr. Speaker, today is World Autism Awareness Day. Just last week the Centre for Disease Control indicated that one in sixty-eight children have Autism Spectrum Disorder. They also said that the earlier a child is provided with these services is better. We are aware that government has put \$2 million into additional services, but mostly after diagnosis. There are about 400 children in our Province waiting to see a specialist.

I ask the Premier: Early intervention is critical, why have you let the wait-list get so long, delaying children with autism from getting the early care they need?

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

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

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

Mr. Speaker, when our Premier was sworn in as Premier he said that we have a duty to do more around social justice. One of the pillars of our Budget Speech this year was fair society. We also said that we would listen very carefully to what the public was saying, and we have heard that more needs to be done in autism. Our investment speaks for itself this year; Mr. Speaker, \$2 million this year, annualizing to \$3.9 million next year, all for the sake of children with autism and other behavioural disabilities.

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

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

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

I have to remind the minister that many members opposite were sworn in in 2003 when this was a much different problem than we are seeing today. Applied Behavioural Analysis, or ABA therapy, is provided to children in this Province up to Grade 3. It is scientifically proven to work. The problem is the Province is ill-equipped to diagnose and provide ABA services. Some children who require these services no longer qualify for ABA because they are too old when they get diagnosed.

I ask the Premier: Will you now commit to putting in a true provincial strategy for autism?

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

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

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

Lots of members on this side of the House were also sworn in in 2003, Mr. Speaker, and that is why in 2011-2012 we did do more around autism then. We put \$2.9 million in a year so that ABA could be brought in from kindergarten to Grade 3, Mr. Speaker. That is this government that did that.

We also did more this year, Mr. Speaker. When you look at the number of positions, that will help with reduced wait times and with the ABA program. We have one developmental pediatrician, twenty child management specialists, one social worker, one clinical lead, three occupational therapists, and four speech language pathologists. Mr. Speaker, this brings our investment annually now up to \$12.5 million a year. Mr. Speaker, that speaks to our commitment to children with autism.

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

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

**MR. KIRBY:** Mr. Speaker, the Minister of Education recently said that collapsing the four English language school districts into one would produce a savings of around \$12 million. Instead of saving money last year, the minister's expenditures on school board operations exceeded the estimates by \$10 million.

I ask the minister: How can you continue to say the school board merger saved money when you actually overspent your budget by \$10 million?

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

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

**MR. JACKMAN:** Mr. Speaker, we committed, when we were into restructuring the one thing we were not going to impact upon was front-line services. We maintained a cap. We have maintained a student-teacher ratio that is the best of all provinces in all of Canada.

I do not know if the member realizes it or not, but each year cost for operations go up, Mr. Speaker. The accumulated costs, I will say to the member, things like a 52 per cent increase in rental costs for the school board office, and utilities go up. Busing costs that were at \$1.47 million, \$52.6 million this year, speaks to our investment, but clearly the member does not quite understand how it is all operating.

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

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

**MR. KIRBY:** Mr. Speaker, the minister said he would save money and he saved none. On top of the \$10 million in overspending last year, the budget for school board operations next year is over \$4.5 million higher than the amount budgeted last year. The evidence is clear. No money was saved last year and no money will be saved next year.

I ask the minister: How many years will we have to wait to see his savings of around \$12 million? Will we have to repeal Bill 29 in order to get that information from this government?

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

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

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

**MR. JACKMAN:** I can only shake my head at him, Mr. Speaker. I just said utility prices have gone up, rental costs have gone up. If we had not restructured the board – I have already said to him, we saved \$5 million by the upper management we have cut out by reducing and going to one board. In fact, operational costs, if we still had the boards in place, would be an additional \$5 million. The member just clearly does not understand.

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

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

**MR. LANE:** Mr. Speaker, yesterday the Minister of Service NL said that government only uses Public Tender Act exemptions in emergency situations. Of course, nothing could be further from the truth, as this government has increased the total value of tender exemptions to over \$100 million a year.

I ask the minister: If you only use tender exemptions in emergencies, why for two consecutive years did the Auditor General say they were used inappropriately?

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

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

**MR. CRUMMELL:** Mr. Speaker, even the Auditor General says the exemptions are rarely used. Less than 2 per cent of tenders put out there are untendered and they are done for certain circumstances. They are done for sole-source providers. They are also done for emergency services. When emergencies are happening in our community and we need to go out there and get something done and get something fixed right away, we go there and we go get that. It is a rare occurrence.

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

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

**MR. LANE:** Mr. Speaker, as I said, that is \$100 million of rare occurrences.

Mr. Speaker, as an example the minister's emergency situation exemption was used to justify over \$33,000 in spending for the last Royal visit, an event that was planned many months in advance. The AG also provided other examples, like \$24,000 to book two hotel suites for meetings and \$38,000 for laundry equipment.

I ask the minister: Why are you hiding behind the emergency situation exemption for non-emergencies? Doesn't that go against the spirit of the Public Tender Act?

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

**MR. SPEAKER:** The hon. the Minister of Service Newfoundland and Labrador.

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

**MR. CRUMMELL:** Mr. Speaker, I would suggest that we would not be using that provision for these types of contracts. I certainly will look into that and see how these contracts unfolded, but there are reasons out there for when we need to spend money and we need to do it in an efficient and effective way.

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

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

**MR. CRUMMELL:** It is all about saving the taxpayers money and doing it the right way, Mr. Speaker.

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

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

**MR. BENNETT:** Mr. Speaker, in 2008 government announced that retired judges will be hired on a per diem basis to deal with court backlogs. They budgeted \$177,000 in 2008 for this service. However, the current annual budget has been cut by \$70,000, a 40 per cent reduction, and our courts are still backlogged with some child protection cases delayed month after month after month.

I ask the minister: After making this announcement six years ago, why has government failed to deliver on its commitment?

**MR. SPEAKER:** The hon. the Attorney General.

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

**MR. F. COLLINS:** Mr. Speaker, certainly child protection and child custody is a top priority of this government. If there is one vulnerable group we have a special obligation to it is the children. With respect to Child, Youth and Family Services cases going to the courts most of these cases are very complex matters and they do not proceed ordinarily in the parameters of the legislative guidelines, not only in Labrador, but in Newfoundland as well, right throughout the Province.

Mr. Speaker, these are complex cases and they do not always follow the time guidelines, but legal aid, for example, in Labrador has set up a new legal aid unit to focus specifically in Child, Youth and Family Services, staffed by a solicitor, a social worker, and –

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

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

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

**MR. BENNETT:** Mr. Speaker, six years ago when government announced this program, they said that justice delayed is justice denied, but once again they are all talk and no action. Government has even admitted they do not keep statistics on the numbers or types of matters heard by per diem judges.

I ask the minister: Shouldn't his government be proactively tracking and improving a program they claim would reduce backlogs in our justice system?

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

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

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

I appreciate the question. I suspect we will get into more detail with the member opposite when we get into Estimates around the Budget lines. I do not have specific dollar amounts in front of me that I can respond to specifically. What I can do, though, is confirm that we do use per diem judges as a way to relieve stress on the system.

If you look at the history of the judicial system in Newfoundland and Labrador going back six years, as the member, I think, referenced in his preamble to the question, you will find there have been significant improvements in justice in Newfoundland and Labrador, not only investments in the court system, but investments in police services, investments in the legal aid service, and in the Sheriff's Office. I could go

on, Mr. Speaker. If you want to talk about investments in the justice system and who is committed to improving justice, this government's track record has been very clear over the last six years.

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

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

**MR. BENNETT:** Mr. Speaker, this morning the Director of Child Welfare said there is an increase in the number of children in care due to a significant increase in family violence and substance abuse. Going against common sense, government is moving in the wrong direction by eliminating the Family Violence Intervention Court.

I ask the Minister of Justice: Will he reinstate the Family Violence Intervention Court to spare children of the emotional harm of witnessing family violence?

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

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

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

In the Department of Child, Youth and Family Services, when it was developed in 2009, one of the pieces of work we knew we had to deal with was improving the provision of services to children and youth in Newfoundland and Labrador. We have done a number of things in developing this in this department.

One of the things we have done is we have developed a new organizational model. It is a very structured, formal organizational model that allows us to look at the caseloads for social workers throughout Newfoundland and Labrador. We are lowering the caseloads, year after year, of social workers in Newfoundland and Labrador. That gives them the opportunity to do more work with families, do more work with children, and identify needs and concerns within family homes, and that creates a better

service to the children and families in Newfoundland and Labrador.

I will speak further on that when I get the opportunity, Mr. Speaker.

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

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

**MR. BENNETT:** Mr. Speaker, I noticed the former PR director for the RNC took the question on family violence and did not answer it.

I ask the question again: Yes or no, will the Minister of Justice reinstate the Family Violence Intervention Court?

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

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

**MR. KING:** Mr. Speaker, day after day we stand in the House of Assembly here and we hear members opposite ask, ask, and ask for investments. Never once do they talk about being financially prudent and offering up examples of where they would make changes.

Now, Family Violence Intervention Court –

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

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

**MR. KING:** Day after day I listen to the Member for St. John's Centre have her view on the family violence court. I ask for the decency and respect to at least answer the question in a sensible manner, Mr. Speaker, I say to the member opposite.

The Family Violence Intervention Court was a budgetary decision. In this year's Budget, we invested close to \$500,000 in domestic violence, Mr. Speaker. We are hiring new police officers, we are hiring new analysts, we are investing in a model that works, that is being led by the RNC,

and it will be a Province-wide model, unlike the previous.

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

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

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

**MS DEMPSTER:** Thank you.

Mr. Speaker, when the former Premier was accused of patronage for creating a deputy minister position responsible for population growth for Ross Reid, she said this was not some trivial role. Eight months later, Reid was whisked off to the Premier's Office and the portfolio was never reassigned.

So I ask the minister: If this is not a trivial role, why is there no longer a deputy minister responsible for population growth?

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

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

**MS SHEA:** Mr. Speaker, the Population Growth Strategy is something that is well needed in this Province. We know we have an aging population, we have labour market demands, and we have a birth rate that is certainly not what we had years ago. We need to ensure that we grow the population in this Province so people are able to take advantage of the opportunities and we are able to maintain the services that people need to live in Newfoundland and Labrador.

Mr. Speaker, I can assure the hon. member that the team of people who are putting together the Population Growth Strategy in this Province are extremely credible individuals. They will do stellar work in this area and they are highly respected in this Province. At some point, once this report is released, the strategy, they will see that these people have done a stellar job.

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

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

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

Three staff, Mr. Speaker, have been tasked with growing the population: two analysts and an executive director. Meanwhile, the deputy minister responsible for it all was reassigned, it seems, to grow the population of the PC Party.

I ask the minister: If population growth is a priority, why did the deputy minister cease to exist when Reid became the Premier's Chief of Staff?

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

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

**MS SHEA:** Mr. Speaker, this government has taken a number of initiatives to encourage people to work, to live, and to move to Newfoundland and Labrador. Whether that is our child care strategies, or full-day kindergarten, it is our labour market, the training opportunities, the low tuition that we have for our post-secondary students. We have done more to keep people in Newfoundland and Labrador than any government in this history.

Mr. Speaker, the individuals who are working on our Population Growth Strategy, as I said, are extremely credible individuals. Their credentials are impeccable; they will do a stellar job on that strategy. I hate the fact that somebody would stand here and criticize the credentials of these individuals. They will do great work for this Province.

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

**MR. SPEAKER:** The hon. the Member for St. John's South, for a very quick question without any preamble.

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

I ask the Minister of Municipal and Intergovernmental Affairs when he will reduce

or eliminate the tax on public transit for the City of St. John's.

**MR. SPEAKER:** The hon. the Minister of Municipal and Intergovernmental Affairs, for a very quick response.

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

**MR. KENT:** Mr. Speaker, we are very pleased with the progress we are making with our review of the provincial-municipal fiscal framework. All issues are being examined. We received great input from the City of St. John's and other municipalities throughout the Province. The process will continue over the next year.

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

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

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

Government has decided to add one developmental pediatrician to address the unacceptably long wait-list for children awaiting diagnosis of autism.

I ask the Premier: When is this pediatrician going to be hired?

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

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

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

Mr. Speaker, as I said previously, we have made a significant investment into children with autism and other developmental disabilities and conditions. I also listed off the numerous positions that we will be hiring with that \$2 million this year and \$4 million next year. We are very committed to this. We will start the recruitment as soon as possible so that our children can get the services that they need and get the wait times reduced.

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



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

**MS MICHAEL:** It is pretty sad that she does not even know when the hiring is going to start.

How can one extra pediatrician address a backlog of almost 400 children awaiting diagnosis, I ask the Premier?

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

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

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

Mr. Speaker, since we have been in government we have increased funding to children with autism year over year. We have made significant investments in 2011, 2012, and again this year. Next year there will be thirty positions up from the twenty-two. That shows our dedication to this issue.

I have already said it will be as soon as possible. I am sure staff in the Department of Health is working on this as well as the PSC as soon as possible.

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

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

**MS MICHAEL:** Mr. Speaker, what I am looking for is: What is the plan for the elimination of the wait-list? I can see that we are not going to get it, so I am going to move on.

We regularly hear of people going through –

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

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

**MS MICHAEL:** – hell in the emergency rooms of this Province. Vulnerable people in urgent need find, instead, neglect and suffering because of an overworked staff and an inadequate system.

I ask the Minister of Health and Community Services: What is the government going to do to fix the ER crisis in this Province?

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

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

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

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

Mr. Speaker, as a government we are committed to shorter wait times and we want to ensure that patients are assessed and treated in a timely manner. There was a press release that was put out today highlighting some of the initiatives in Budget 2014. I can tell you that the President of the NLNU did have a conversation with the Minister of Health, as well as myself, and talked about the demands on the emergency wait times. We have listened and we have responded in this Budget.

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

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

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

We are being told of people waiting up to three weeks in emergency rooms; we are talking about something very critical.

I am asking the Premier: How can this government allow this treatment of people to continue?

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

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

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

Some of the information I have from 2010 to 2013 that the hon. member might be interested in, if she is willing to listen, is that while the number of visits have increased by 16 per cent in

our emergency wait rooms, the initial physician assessment has decreased by 17 per cent and the length of stay has decreased by 11 per cent.

As I said, we have invested into wait times this year. In fact, 32 per cent of the positions added in the Department of Health and the entities this year are in nurses; four of them are specifically for emergency wait times. That is something that we heard from the President of the NLNU and we have responded, Mr. Speaker.

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

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

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

Mr. Speaker, Her Majesty's Penitentiary has capacity for 145 inmates and the St. John's Lockup has eighteen beds. Last week I heard reports of severe overcrowding; over 190 inmates at HMP and thirty-nine in the lockup, including women. People were sleeping on floors in deplorable conditions.

Mr. Speaker, I ask the minister: How many inmates are currently housed in each of these facilities?

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

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

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

The member raises a very important point around the condition of Her Majesty's Penitentiary. We have talked about it many times in this House, and I appreciate the opportunity to stand and speak to that because it is our government that made the announcement last year that we were tired of waiting around for the federal government who were not stepping up to the plate to support us.

We made the announcement that we were moving forward to plan for a new penitentiary, to plan for a new correctional facility that would

provide adequate and proper housing for inmates and correctional officers, and would provide appropriate programming and reprogramming to help these individuals transition back into society, Mr. Speaker.

We have done that because we recognize the challenge that is down there and the conditions that are down there. In this year's Budget, Mr. Speaker, our Finance Minister announced an additional \$1 million to further that project because we are committed to rectifying that problem that has existed for so long.

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

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

**MS ROGERS:** Mr. Speaker, the fact that a staff member actually posted the video of the riot scene at HMP shows just how desperate the situation is there, how desperate staff are for this government to do something about it, and how desperately we need whistle-blower protection.

Mr. Speaker, I ask the minister: When is he going to introduce whistle-blower legislation?

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

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

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

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

I am very pleased again to respond to that. I have already indicated on the Order Paper here today that Bill 1 is whistle-blower legislation and you will be seeing it within a matter of a week or so. We are fine-tuning the legislation.

I will also go back to the previous comment. I fully recognize there are correctional officers, like any employee of government, who are not happy with the way things are going. I can also say to the member opposite that the leadership of the correctional officers at HMP are very happy with what has been happening in their

relationship with government. They are very happy with recent announcements to make changes to the way things are done down there. They are very happy we have installed metal detectors at a number of places in the penitentiary.

We recognize, Mr. Speaker, like any issue in this Province, we cannot do everything for everybody on any given day, but we are doing our best and we are working –

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

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

**MR. SPEAKER:** The hon. the Member for St. John's Centre, for a quick question without preamble.

**MS ROGERS:** Mr. Speaker, why has the minister made a budgetary decision of \$500,000 on the backs of battered women and children by closing the Family Violence Intervention Court?

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

**MR. SPEAKER:** The hon. the Minister of Justice, for a quick response.

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

**MR. KING:** Mr. Speaker, our government is investing significantly in domestic violence in this Province. We invest in a new Department of Child, Youth and Family Services. We invest in adult corrections. We invest in policing services in this Province. We invest in victims' services. In this particular Budget, we made a further announcement in domestic violence following a model of the RNC.

Mr. Speaker, since I read from it, I am prepared to table it.

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

**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 Leader of the Third Party.

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

**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 the US Centers for Disease Control now estimate that autism spectrum disorder affects one in sixty-eight children, which represents a 30 per cent increase from the estimate two years ago; and

WHEREAS early diagnosis of ASD is essential because there is a critical developmental period when early intervention is vital for future success of children with ASD; and

WHEREAS there are approximately 380 children on a two-year wait-list for an ASD diagnosis which in this Province can only be made by a developmental pediatrician, and there is only one available at the Janeway Children's Hospital; and

WHEREAS although Budget 2014 announced that another developmental pediatrician will be recruited, more must be done to reduce the wait-list for a diagnosis so that children can get the early treatment they need; and

WHEREAS in other provinces an ASD diagnosis can be made by specialists certified and trained in ADOS;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge government to allow other specialists trained and certified with ADOS to make the autism spectrum disorder diagnosis.

As in duty bound, your petitioners will ever pray.

I am very pleased to be able to stand on behalf of the petitioners, Mr. Speaker, to raise this issue, especially today, which is the world day for autism. I think some of these petitioners probably hoped to be here today in a demonstration, but because of the bad weather were not able to turn up.

Mr. Speaker, we cannot underestimate the urgency of this petition and what these people are calling for. The people who have signed this are all friends and families of young people and some older people with autism. Some of them are the parents of children who are still waiting to be diagnosed, who are on a two-year waiting list for diagnosis. Their treatment cannot start until the diagnosis happens, Mr. Speaker, and they are desperate for that.

When they hear that just one pediatrician has been hired to help with the backlog to make sure that diagnosis happens, they almost despair. They are happy that is happening, but they recognize we are far behind in this Province when it comes to who is allowed to do the diagnosis. They are asking for us to get on board with other provinces in Canada so that other specialists and other physicians may be trained, Mr. Speaker, to do the diagnosis.

I thank you for the time.

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

**MR. JOYCE:** Thank you.

Mr. Speaker, I rise again today to present a petition:

WHEREAS we wish to raise concerns regarding the recent delay of the construction of the new hospital in Corner Brook Newfoundland;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge the Government of Newfoundland and Labrador to commit to the planning and construction of a new hospital in Corner Brook as previously committed to and in a timely manner as originally announced without further delay or changes.

Once again, Mr. Speaker, I stand to present a petition on behalf of the people from Corner Brook, Summerside, Carter Avenue, and positions all over. What I find every day I present a petition, the Parliamentary Assistant to the Minister of Health always criticizes me here publicly, on Twitter.

Mr. Speaker, I am just getting tired of it on behalf of the people. I am left with one conclusion; if the Parliamentary Assistant consistently is criticizing me because I am presenting these petitions on behalf of the people, I am assuming it is with the concurrence and the okay by the Minister of Health.

Mr. Speaker, I say to the people of Western Newfoundland – who I spoke to again last night, who heard the comments – it is time to have a public forum on the health care in Western Newfoundland. It is time for all of us to sit down and work together on this. It is time for all of us.

We hear statements now from the Premier, the Member for Humber East that we are going to do a \$500,000 study because he does not agree with the information that the Department of Health has put there, Mr. Speaker. How can you make a decision? I ask anybody who is listening today, how can you make a decision of not to put a radiation unit, not to put the PET scanner if the Premier is saying we do not know if it is safe to do it or not? Obviously, it should have been done well before the decision was ever made.

Mr. Speaker, I am presenting this on behalf of the people. I ask for an open discussion. I ask not to be criticized publicly because I am doing this. I think it is time for the Member for Humber West and Humber East to start presenting these same petitions that these people have, or at least give me the courtesy of doing it on their behalf which I am doing on behalf of the people of Western Newfoundland, and on behalf of the people of Corner Brook. I will continue to do so.

I hope I do not get nailed to the cross by the Parliamentary Assistant to the Minister of Health, Mr. Speaker. I am doing what I am elected to do and I will not stop. I ask for the assistant of the Premier and the Member for Humber West to help in this cause, to help us to work together to get what is needed, what was committed to, and put the proper information out in public. The people of Western Newfoundland deserve it.

Thank you, Mr. Speaker.

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

**MR. SPEAKER:** The member has about eighteen seconds to present his petition.

**MR. LANE:** I will save it, Mr. Speaker.

Thank you.

### Orders of the Day

#### Private Members' Day

**MR. SPEAKER:** This being Private Members' Day, I will now call upon the Member for Burgeo – La Poile to introduce the motion on the Order Paper in his name.

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

I am happy to stand here today on Private Members' Day to read this private member's resolution that is being entered, and it is a very simple one:

BE IT RESOLVED that this hon. House of Assembly urge government to immediately repeal Bill 29.

What I would like to do is I would like to start off today, as mover of this resolution I have two opportunities to speak to this. What I think I am going to do is use the first portion of my time to speak to some history and some of the background to where we are today. Then later on I will have the opportunity to hear members from the other side, members of the Third Party as well, speak to it and then I will be able to conclude.

If we want to go back, we can start off – I think it actually was a PC government under former Premier Brian Peckford who made the first Freedom of Information Act, back in, I believe it was the late 1980s. That was the first piece. As time moved forward, what happened next was we had a Liberal government that did some consultations and looked at amending and reviewing this piece of legislation. They did this review. One piece was entered, but, unfortunately, the second part could not be done because we had a change in government in 2003.

What we need to see here is we have to go back to understand what was going on before 2003 though. I guess the theme is openness, transparency and accountability. In 1999, the PC Blue Book stated: The PC government will establish a new Freedom of Information Act to reduce the wait for information and to ensure ministers – again, I remind everyone who is watching, ministers belong to Cabinet. That is a theme that will come up later – actually provide the information requested where that information belongs in the public domain. This was the beginning of it, the first comments here.

Then in 2001, coming from the then Opposition Progressive Conservatives, when it talked about ATIPP, it said: The party who rejects it can completely ignore the recommendation of the Citizens' Representative. That is significant. Now we need to keep this in mind, this context because there is a big change in what happened – what somebody said before they got in power.

When they got in power, after so long there was a little change in tune.

It was also said, too, this was November 26, 2001 by the former Premier. It talked about the legislation that was being debated. He was paraphrasing: In the absence of the public, which means in secret or code of silence. It would seem to me, and going forward a little bit to our debate, our filibuster that was in June, 2012. It seems that the former Premier would have agreed with the majority of the amendments that we actually suggested but were voted down by government.

In 2003, there were more promises. The 2003 Blue Book stated specifically, a Progressive Conservative government will “Proclaim new Freedom of Information legislation which will include amendments that will clearly identify information that should be in the public domain, including cabinet documents...”. Now I think that is very important because that is just one part of a greater issue, a lot of promises made in 2003 about openness, transparency, and accountability.

There is the other one, too, about every time the public paid for a government-commissioned report they would release it within thirty days of actually receiving it, then indicate the action they will take within sixty days, and ensure prompt, public access to all government reports in hard copy and on the Internet. Again, these were all promises that were made.

I think I can sort of continue through that decade, all of these promises made, talking about openness and transparency. We continue on and then we get to 2011. In 2011, there is another election, the same government that is there and has been there since 2003. What we see then is a sort of changing of the guard. I think it was in place before then, but it was systemic by this point and what we had was an actual hardening of that, and it led to 2012.

In 2012, I believe it was in May or June of 2012 – I think it was June – we had the introduction of Bill 29. Of all the different pieces of legislation that have ever been entered in this House of

Assembly, I think this one is actually probably more remembered by the public than any other piece, just in terms of its title, Bill 29. Sometimes you use different terms to describe a piece of legislation, good, a long time coming, or necessary, but in this case the word you hear all the time is infamous. That is not necessarily a positive connotation, Mr. Speaker.

In the 2011 election, they said, “We will continue to demonstrate that our commitment to accountability is unwavering.” We hear it, and then there are the terms open and transparent. The Auditor General had seen a few things at this point because he had actually tried to get some information or documents on this \$5 billion infrastructure program, but he was denied that. It turns out there was nothing there; there was nothing there at all.

We continue on. We have the debate in June 2012 and the vast majority of members in this House were here during that debate. There are some new people here who did not have the pleasure of sitting in on that. It was the first filibuster for, I would say, the majority of members here. It was certainly the longest one. I think there were about seventy hours of debate. I guess we all know the end result. The end result is that the government invoked closure on the debate and Bill 29 was effectively rammed down the throats of the people of this Province. That is what happened.

I think what we need to do, and this is important, is we have to look at what was said then and what has been said in the early parts of 2014. The early parts of 2014 are a bit different than what was said in June 2012. I am just going to go forward here. We will get to the commentary made by advocates, by the media, by the public, and by the Opposition. We will get to that. All of it was ignored, I would remind you, Mr. Speaker – all of it was ignored.

We have some quotes, and we have to remember these quotes were made then, and then we are going to compare it to what is said now. There was one minister who argued that the public actually does not have a right to know, and all

this is out of Hansard. It is actually out of Hansard, so it is there:

“Everything will be on the table each and every day for scrutiny, not only of the Opposition, but scrutiny of government, scrutiny of the public at large, and scrutiny of the media. Is that the way that a democratic society works? I say this to the hon. members: that is not the way a democratic society works.”

**MR. JOYCE:** Who said that?

**MR. A. PARSONS:** That was the former Minister of Municipal Affairs.

We already see that democracy does not include consultation with the public. I heard this one and I had to put this out, too, because this one is just a bit funny now when you listen to it. It is a bit hilarious: “I firmly believe in it” – in Bill 29 – “because we are and have been the most transparent government Newfoundland and Labrador has ever experienced since 1949.”

**MR. JOYCE:** Who said that?

**MR. A. PARSONS:** That was actually one from the former Minister of Municipal Affairs.

I am going to move on. Actually, I talked to the Member for Terra Nova, but he actually did not speak to that debate. You actually made no comments to that debate, so I cannot quote you. I cannot quote the Member for Terra Nova because he had nothing to say during that debate, which is unfortunate.

**MR. JOYCE:** Check Twitter.

**MR. A. PARSONS:** If the debate took place on Twitter, I am sure there would be a lot there.

I am going to reference a comment now. The former Minister of Finance at that time went on Open Line during that debate and his comments on Open Line were: This bill had no real effect at all and it was nothing more than a bit of housekeeping. I remind the public that the Minister of Finance at that time is now sitting across us as the Premier.

Let me see, I have to reference somebody who was not a minister then but he is a minister now: “This bill actually will result in government, boards, agencies, and other public bodies having the ability to release even more personal information than ever before, Mr. Speaker. That speaks to openness and that speaks to transparency.”

It was not just ministers. Backbenchers as well had something to say: “What we are doing now is taking a good piece of legislation and even making it better so we protect the people in this Province, and we pair that with how we act as a government here, Mr. Speaker.” Now, I do not need to name names, but the member on the other side knows exactly who said it.

**MR. BRAZIL:** I stand by it.

**MR. A. PARSONS:** Oh, so that member stands by it. Well, that is interesting to note, given where I am going with this, because there has been a complete reversal, I will remind the member, on your position – there was a complete reversal.

I will continue. One member said: “We are moving forward with those changes and we believe that we are improving upon the legislation, contrary to the belief of many of the people who have taken part in the discussion today.” Now, that is interesting and ironic. It is interesting because it is actually contrary to what the public was actually saying at the time, and it is ironic the person who said that is now the Minister Responsible for the Office of Public Engagement. So I have to put it out there, Mr. Speaker.

Now, I will continue. We have a lot here, and if there is anybody else – oh, I have to say this one, because this is someone I get to ask questions of in the House all the time, and that is the Minister of Health: “There is nothing in this legislation that we have introduced here tonight that would prohibit information from getting out there, absolutely nothing.” Again, another interesting quote.

Now, I do not have to talk about the questions we have asked here this week about our meetings being cancelled, again, meetings that have nothing to do with government that government somehow finds a way to cancel.

I will continue on. I only have three and a half minutes to continue on. I will get time later – I will get time.

It is funny. I really have to put it out there. It is funny, because now – I will table this, if you want. These are the new envelopes from this government.

**AN HON. MEMBER:** Props.

**MR. A. PARSONS:** Yes, props. I invite the Member for Fortune Bay – Cape La Hune to stand up and have her say to this, too.

**AN HON. MEMBER:** What does it say on the envelope?

**MR. A. PARSONS:** What is does say is secret. You cannot make this up, Mr. Speaker. Secret is actually stamped on the envelope. It is funny.

I am going to continue, and obviously I have the attention of the other side because there is a lot of chatter over there, and that is good. I hope they have all of this chatter when the review happens because they can tell us what they thought of it then, what they think of it now, and what they are going to think of it after – flip-flop, flip-flop, and flip-flop.

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

**MR. A. PARSONS:** I invite the Member for Port au Port. I do not think you had a word to say during that debate, my God –

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

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

**MR. A. PARSONS:** Yes, silence. Silence is golden, because that is he what he was during the debate, Mr. Speaker, absolutely silent.

Do you know what? They have all the time in the world to stand up here today, speak to this private member's resolution, and do the right thing, which is what we are saying to the government. What we said, actually, before but was not listened to was you cannot ram a piece of legislation like Bill 29 down the throats of the people. You had advocates, the Centre for Law and Democracy, who were coming out and saying this was going to put us in the same category as Uganda and the infamous country of Moldova. We are worse than Moldova.

You had advocates coming out. You had the media who said: Look, this is a bad idea. You had the public, and we know the public had something to say here because we saw the e-mails. They recommended to the majority of government members: Do not do this. What is important to remember is that contrary to what is being said a lot now, how we are listening, nobody listened then – nobody listened then.

I say to the Premier, too, the Premier is the same hon. gentlemen who stood here during the debate and said it was a waste of time. That is in Hansard, too. It was a waste of time for us to debate Bill 29.

I am going to continue. I only have fifty-six second. I know the members opposite want to get up and have their say about how we were right to condemn Bill 29, and I hope they do speak to it. I am wondering what they are going to have to say about the flip-flop that has occurred in this Province in the last two years. Now, we know it was not about doing what is right; we know it has to do with you did not listen to the electorate, the electorate deserted you, and now you are trying to win them back. How do you do that? By pretending to listen.

We are going to continue here. I am going to get my time on the back end, but I wanted to provide some context to the members who have short memories so they can remember what they said then. I look forward to what you have to say now.

Thank you.



**MR. SPEAKER:** The hon. the Member for the District of Lewisporte.

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

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

It is certainly my pleasure to have the opportunity to stand here today and to say a few words about this particular motion. The motion involves what we think is a very important matter to the people of Newfoundland and Labrador.

Mr. Speaker, the purpose of the Access to Information and Protection of Privacy Act is to make public bodies more accountable to the public, and to protect personal privacy by giving the public a right to access records, and by preventing the unauthorized collection, use, or disclosure of personal information by public bodies. We are highly committed to being accountable to the residents of Newfoundland and Labrador. That is why one of the first things we did when we came in power was to proclaim the Access to Information and Protection of Privacy Act.

Mr. Speaker, this piece of legislation was introduced to the House by the Liberals, but never proclaimed. It was this government that took the final step in proclaiming it. We could have continued to operate as the Liberals did, with no legal obligation to release information, but we chose to be more responsible –

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

**MR. VERGE:** – to be open, and to introduce measures that required government to legally release information and to protect, as well, the private information of the citizens of our Province.

The ATIPP Act is required to be reviewed, Mr. Speaker, every five years. It was amended in 2012 following the first statutory review by Commissioner John Cummings. The amendments that are in there are what is referred to now as Bill 29.

Mr. Speaker, the next statutory review of this important piece of legislation was required to begin in 2015. Based on feedback that we have received from the public, concerns that have been raised by Newfoundlanders and Labradorians, we are going to begin the review a year earlier. The review is going to be done by a review committee composed of top experts in law, journalism, and also in privacy legislation.

This motion, Mr. Speaker, simply asks that Bill 29 be repealed. We are asking a group of very competent individuals, a group to not only look at Bill 29, but to look at the whole access to information and protection of privacy legislation.

Our Premier made the announcement at Confederation Building just a few days ago. The Premier said, “We are fortunate that such highly qualified and respected individuals have agreed to undertake this important review. I have every confidence in their capabilities.”

We have every confidence in their abilities, Mr. Speaker.

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

**MR. VERGE:** Chairing the committee, a former Premier of Newfoundland and Labrador from 1989 through to 1996, Clyde Wells, a former Supreme Court Justice of Appeal from 1999 to 2009. We have every confidence in his ability, Mr. Speaker.

Also a member of the committee is Jennifer Stoddart, Privacy Commissioner of Canada for ten years, from 2003 to 2013. As well, we pulled in on the committee a member of the media, Doug Letto, who retired after a career with CBC spanning three decades. He was a senior producer of *Here and Now* when he departed as public broadcaster in late 2013 – a very, very competent group, Mr. Speaker.

We do not feel that it is our right to tell them how to proceed with their work. The people of the Province have spoken to us and they have said they have issues with Bill 29, they have issues with the access to information, and we

have listened. We have decided, Mr. Speaker, it is not what we think, it is what the people think, and that is why we have put in place this committee of very qualified individuals to do the review.

In addition, Mr. Speaker, we are going a step further, the review of the Access to Information and Protection of Privacy Act is only one component of our larger Open Government Initiative, an initiative that demonstrates our commitment to provide the people of the Province with greater access to information.

As we move forward with our Open Government Initiative, we will hear the views of our residents and we will release more information, where possible, based on the requests and the suggestions that we receive. We are committed to that process.

Mr. Speaker, the motion today asks that we simply repeal Bill 29. I want to ask, and I want to ask the mover of the motion: Is that all that would be needed? We do not think so, Mr. Speaker. A number of people do not think so. We want to have the whole Access to Information and the Protection of Privacy Act reviewed.

One of the legislative reporters in this House of Assembly also does not think so. James McLeod who works for *The Telegram* is noted as saying this, “But please, do me a favour: stop demanding that the government repeal Bill 29.” He goes on to say, “...just repealing Bill 29 wouldn’t make things better. In fact, in some ways, it might make things worse.”

Now, Mr. Speaker, given the quotes the Member for Burgeo – La Poile made from Hansard, I would like to add a few myself as you go back to those days in the debates of June, 2012. I take it that if the member is asking that we simply repeal Bill 29, it would make me think he does not see anything in it that is worthwhile.

The Member for Burgeo – La Poile in his debates says this from Hansard, “There are some parts that I agree with, and there are certainly

concepts that I agree with in this legislation and the intent of this legislation.”

Mr. Speaker, the Member for Signal Hill – Quidi Vidi in her debates said, “This piece of legislation is a large document. It is a very detailed bill that we are dealing with, a bill that talks to us about amendments that are needed to our information and privacy act. I have no doubt there are some amendments needed to the act, and there are some amendments in the bill that I certainly agree with.”

Mr. Speaker, the Member for Humber Valley, the present Leader of the Official Opposition, when speaking to Bill 29 said this, “I am not here to say that all those recommendations, as we debate this – they are not all bad. There are many of those thirty-three recommendations that are good recommendations and I believe they will improve legislation.”

The Member for Torngat Mountains stood on his feet and said, “I can understand the concern around privacy and releasing personal information, Mr. Speaker. I do not agree with that either; I think there are safeguards that are in place through current and proposed legislation. I do not have an issue with that part of this bill.”

Mr. Speaker, the Member for St. John’s North stood on his feet and said, “It may very well provide for stronger protections of privacy....”

Now, Mr. Speaker, there are some members over there now who sat on this side when Bill 29 was being debated. The Member for Mount Pearl South, and I quote from Hansard, “Mr. Chair, I have to tell you that I am somewhat disturbed – I am starting to feel somewhat disturbed by some of the commentary I am hearing across the way.” He was here then. “I am certainly glad that the Minister of Municipal Affairs and the Minister of Justice have addressed some of the issues that have been raised here tonight and some of the spin. I believe that is really what this is all about, Mr. Chair, it is nothing but a spin for political gain.”

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

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

**MR. VERGE:** Mr. Speaker, he went on to say, “There is only one reason why this amendment would be put forward. It is simply to delay the debate, keep it going, keep it going, keep it going and grandstanding, Mr. Chair. That is the only reason it is being done, so that the people will be watching from home, CBC, and other media will be covering it. They will be covering it in the newspapers, Mr. Chair. It is just an opportunity for these people across the way to grandstand and try to score political brownie points.” He goes on to say, “Mr. Chair, I think they are being very disrespectful in my humble opinion.”

Now, Mr. Speaker, when the Member for Mount Pearl South decided to cross the floor, in his media commentary he made the following comments: As previously stated, while I believe there are many good and necessary amendments contained within Bill 29, I have to be honest with you, at the time when Bill 29 was passed, as I said, there were a lot of good parts that I felt were good, and I still do. He goes on to say, Mr. Speaker: By the way, at no time did I say, nor am I saying now, there is a need to repeal all of Bill 29.

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

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

**MR. VERGE:** Mr. Speaker, the Member for St. John’s South, while there is no record of him speaking to this bill, Hansard clearly shows that he stood on his feet and he is noted, when division was called as having voted in favour of it.

Mr. Speaker, where the Liberal Party stands on the Access To Information and Protection of Privacy Act is clear. Mr. Speaker, it is clear where they stand. They stand just where they sit, all over the place. Depending on what day it is, Mr. Speaker, they are here, they are there, and they are everywhere.

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

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

**MR. VERGE:** It is obvious where they stand, Mr. Speaker. They stand just where they sit.

Now, Mr. Speaker, I would like to see the panel have the total right and the total time to do the work that we have asked them to do. We have an expert group of impartial, confident group of individuals who are going to look at this entire piece of legislation, not just the repeal of Bill 29.

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

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

**MR. VERGE:** Not just Bill 29, they are going to look at the entire piece of legislation, Mr. Speaker.

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

**MR. VERGE:** We in no way want to circumvent that. We in no way want to interfere with it. Our Premier has said when they come back with the recommendations government will take the recommendations very seriously. The recommendations will be made public. Mr. Speaker, we will take them very, very seriously.

That is why I want to propose an amendment to this private member’s resolution today, Mr. Speaker. I move, seconded by the Member for Conception Bay East – Bell Island, the following amendments.

The resolution is amended by replacing the resolution clause with the following:

BE IT RESOLVED that the House of Assembly urge the government to consider amending provisions of Bill 29 of the 2012-2013 legislative session entitled, An Act To Amend The Access To Information And Protection Of Privacy Act, subject to receipt and consideration of the forthcoming report, advice, and recommendations of the independent Statutory Review Committee currently reviewing the Access To Information And Protection Of Privacy Act whose members are: former Chief Justice and former Premier of Newfoundland

and Labrador, Clyde Wells; former Privacy Commissioner of Canada, Jennifer Stoddart; and, veteran journalist Doug Letto.

Thank you, Mr. Speaker. I will leave that amendment with you for your consideration.

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

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

The House will take a brief recess to consider the amendment.

### Recess

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

The proposed amendment is not in order.

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

**MR. SPEAKER:** The Member for Lewisporte has some time on the clock.

The hon. the Member for the District of Lewisporte.

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

I certainly respect the Speaker's ruling, the point being, of course, and I will reiterate just in closing, that we look forward to the work that is going to be done by the review committee, the very competent and qualified review committee. They will bring their recommendations back to government and we in no way want to interfere with that process. We look forward to when they bring back their report for consideration.

Thank you, Mr. Speaker.

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

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

**MR. BENNETT:** Mr. Speaker, we are here today debating a private member's resolution on openness in government. What does that mean about openness in government? What it means

is the information that is accumulated by government, assembled by government, compiled by government, and stored by government is the people's information. Unless there is some overriding or compelling reason why the people should not be given that information, then for sure the people of any democratic society are entitled to know the information that has been accumulated, put together, compiled, and stockpiled by their government, in this case, the government of the people who are sitting on the opposite side, on the government side.

There was a time when the political party that elected this government actually believed in freedom of information. They actually believed in accountability. They actually believed in transparency. There was a time, Mr. Speaker, and you can go back to publications they put out, when they put forth their programs in something called a Blue Book. If we look at the 1999 Blue Book, one of the clear statements was: A PC government will establish a new Freedom of Information Act to reduce the wait time for information to ensure ministers actually provide the information requested where that information belongs in the public domain.

That was fifteen years ago. I heard David Cochrane say the other day that he had been reporting on politics for fifteen years, so that is fifteen years ago. So when David Cochrane was a rookie, this was the position of the PC Party. It did not change.

In 2001, then leader of the PC Party said in November 2001: The party who rejects it – rejects freedom of information – can completely ignore the recommendation of the Citizens' Representative, and that is significant, and can ignore all sorts of other recommendations as well. The same leader, who was not the last Premier but the Premier before, the one in Virginia Waters campaigning for the guy who is trying to hold onto the seat that the last Premier vacated, largely because of Bill 29, said: Legislation in the absence of the public means that it is in secret; it is a cone of silence.

It would seem that the Premier who is out campaigning to hold onto the seat of the former Premier with the candidate who was a member of the Liberal Party, who voted in the Liberal leadership a few months ago, to get him to come and sit on the Blue side instead of on the Red side, where he said he was going to support the candidate who is now the person who is running for the Liberal Party in Virginia Waters, I understand he was her supporter and now he is running against her. So she was good enough to be leader, but not good enough to be the MHA, apparently.

They are campaigning out there right now, but the former Premier, the second-last Premier, the Premier once removed – or is it twice removed? – said the PCs will stand by their commitment to integrity, accountability, responsibility, and earning public trust. This was all put before the people in a book in 2003 called the Blue Book on which they were elected. It says, a direct quote, “A Progressive Conservative government will: Proclaim new Freedom of Information legislation which will include amendments that will clearly identify information that should be in the public domain, including cabinet documents, and will require full and prompt disclosure of the information...”.

Mr. Speaker, the government members stand up repeatedly and they say: Well, the last Liberal government brought in this Access to Information legislation but they did not proclaim it. This government was elected eleven years ago and they took ages and ages to proclaim it. They could have proclaimed it late in 2003 after they were elected, but they did not.

The 2003 Blue Book also says that this information will be released to the public and that they would release every government commission report within thirty days of receiving it. We have already seen that is not working this year. It is not working with the report on legal aid; it is not working on the report of the Sheriff’s Office. One the government sat on from December until a week or so ago and the other one they sat on from January until a week or so ago, so they are not

doing today what they promised they would do eleven years ago.

The history is that this government ultimately introduced something that became known as Bill 29. I think it is ironic they would pick the number twenty-nine because Bill 29 is almost reminiscent of Term 29, which is one of our Terms of Union that a former PC Prime Minister used to shaft this Province of millions of dollars in the late 1950s. It is amazing they would pick twenty-nine.

In 2011 in the election, having been trusted not once, not twice, but three times by the people, they were re-elected. In the 2011 election campaign this government said, this party said: We will continue to demonstrate that our commitment to accountability is unwavering. A day after the former Auditor General Wayne Loveys revealed in his annual report that his staff was denied access to documents on a \$5 billion infrastructure program, the last Premier said: I think we are very open and transparent. She also went on to say: Government has nothing to hide. Mr. Loveys has alternate ways of getting the same information – although she could not suggest any ways when asked by reporters.

Why say that you are supporting the efforts of the Auditor General who is only exposing financial transactions, who is causing government to be more financially accountable, and then hinder and hamper and get in the way of the Auditor General in him trying to access information?

Mr. Speaker, the debate came on, on Bill 29, in June 2012 – just nineteen months before this government decided that the whole thing needed to be reviewed. It was a wonderful bill in June 2012. As a matter of fact the then Minister of Justice said: This bill is to modernize our legislation. He said it was based on consultation, research, and best practice across the country. In fact, there is no evidence of that happening.

The Member for Gander, former Municipal Affairs Minister said in debate: Everything

would be on the table each and every day for scrutiny, not only of the Opposition – this is with openness and accessibility – scrutiny of government, scrutiny of the public at large, and scrutiny of the media. Is that a way a democratic society works? I would say to hon. members, that is not the way a democratic society works.

If it does not work with accountability and openness, how does it work? Not very well, apparently. He went on to say: I firmly believe in it – it being Bill 29 – that we are and have been the most transparent government in Newfoundland and Labrador since 1949. The other members who spoke to this, the former Minister of Justice who is now the Attorney General and the former Government Services member said: You know they make countless and countless requests for information. In fact, CBC did some follow-up on how many were the countless and countless. Well, Mr. Speaker, if you cannot count to 581 in a year, you cannot count very high. Five hundred and eighty-one requests in a year across fifteen departments, which works out to one request for access to information per week, per department of this government.

Mr. Speaker, it flies in the face of reason that government would try to stop one request per department per week if they were not up to something. What is this something? The something is they do not need to be open, they do not want to be open, and they do not want the people to know what is going on. Five hundred and eighty-one requests in 2010-2011, 579 requests the year before that with fifteen departments. That cannot be seen as being a whole landslide of requests for information.

The current Premier who was then Minister of Finance was on Open Line during the week of the debate trying to calm concerns maybe. He said the bill had no real effect at all. He claimed it was no more than a piece of housekeeping. Mr. Speaker, a piece of housekeeping that went on for sixty-nine or seventy hours in a filibuster.

I would say even though I stand here as a member of the Opposition, the Opposition did

not cause the opposition to Bill 29. We debated it, we opposed it, and we attempted to have people understand it. The real people who opposed Bill 29 were members of the media. We have a free and democratic society. We have freedom of the press. Fortunately, the media was able to make the general public realize what was going on in the House of Assembly. Not everybody watches the House of Assembly channel, and not everybody is really up on exactly everything that is going on.

Fortunately, and mercifully, we have a media in this Province that is assertive, aggressive, and informed. Quite often all of us do not appreciate what they do, including myself, from time to time; we do not always get the best stories we like. There is no evidence that the media in this Province is in any way biased or slanted. The media in my view did an excellent job on showcasing the shortcomings of Bill 29.

How did they showcase it and what did they say? On June 12 during the debate, *The Telegram* ran an editorial which said, *The End of Openness – June 12, 2012*. Mr. Speaker, you would think that with that kind of an editorial in the middle of the debate this government might sort of change course, slow up.

The editorialist wrote that, “Bill 29 takes the access to information provisions of ATIPPA and smothers them lifeless.” This was nineteen months before January past when the current Premier says we will have to have a look at this.

It was designed that we have to have a look every five years, but I would suggest, Mr. Speaker, when you drop from 60 per cent or 70 per cent in the polls down to somewhere between 20 per cent and 30 per cent and a lot of it is attributed to a particular piece of legislation, you better have a look at it really quickly. They are having a look at it, but in fact the people do not want the government to have a look at it. The people want Bill 29 gone, revoked, and repealed, and then go to work putting in a proper piece of legislation.

The individuals who have been hired, who are being paid, and who are being retained are an

excellent group of people. They know exactly what to do, but their hands are being tied right now by Bill 29. They have to try to work around this useless, damaging piece of legislation before they can make recommendations.

Wouldn't it be much easier to simply repeal Bill 29, get it over with, say now it is gone, and the old piece of legislation falls in place? The old piece of legislation was in effect two years ago. We seemed to be doing relatively well prior to Bill 29. All the chaos is caused by Bill 29 so why not, as my colleague from Burgeo – La Poile has proposed, repeal Bill 29, get it gone, and let the three commissioners do their job?

*The Telegram* editorial outlined some of the issues included in Bill 29, and they were very concise. Bill 29 may be a little bit involved and complicated, but the evidence is there and *The Telegram* drew the straight and the right conclusion that the freedom of information process is essentially dead in this Province. It says: By Bill 29, the government is saying we now have the permission to laugh in the face of any government member who tries to say we are open and accountable. They are not. *The Telegram* newspaper said: How stupid does the former Premier think we are to do this to us? "I won't forget. And I will do my best to make sure you don't either."

Mr. Speaker, other organizations spoke out against Bill 29. It is almost breathtaking to know that so many other entities in the media, Democracy Watch and the Canadian Association of Journalists, ranked us so low in how we deal with access to information.

In a direct letter, the Centre for Law and Democracy wrote to our Minister of Justice and said, "...with Bill 29 the Newfoundland government is moving" – and they did not say Newfoundland and Labrador – "in precisely the opposite direction" – opposite from openness – "towards greater secrecy and less openness." They also said, "It is also somewhat troubling that, as Newfoundland's Minister of Justice and a main proponent of reform for Newfoundland's transparency system, you have such a poor grasp

of the state of the right to information around the world." Such a poor grasp of the state of the right to information around the world.

The backlash did not stop there. The Canadian Association of Journalists headline says: CAJ opposes draconian changes to the ATI in Newfoundland and Labrador. On June 13, the next day, Toby Mendel said that the amended act would rank us behind Ethiopia, Guatemala and Uganda. He says the new cabinet exception, where they are able to not give us briefing books, is breathtaking in its scope, and he runs the centre. Mr. Speaker, this bill cannot be fixed, it cannot be doctored and must be repealed.

Thank you, Mr. Speaker.

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

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

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

I am pleased to have an opportunity to say a few words today on this motion. I listened carefully to the members opposite. I am already being heckled by the Member for Bay of Islands and I have been up for fifteen seconds. I hope I will have an opportunity to be listened to. I showed the members opposite the same respect. I am not surprised because what we are seeing here today, Mr. Speaker, from members opposite is theatrics and I will expand on that in just a few moments.

Mr. Speaker, we established the Office of Public Engagement because we are deeply committed to demonstrating commitment to Access to Information and Protection of Privacy. We need to responsibly administer the legislation that governs the release of information.

We have made great progress in recent years. The purpose of the ATIPP Act is to make public bodies more accountable. We think that is important, to make public bodies more accountable to the general public.

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

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

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

Mr. Speaker, as I was saying, the legislation is really important because it makes public bodies more accountable to the general public. It also protects personal privacy which is really significant as well.

Again as the Member for Burgeo – La Poile did, I would like to provide a little bit of context for those who are paying attention to today's debate. The ATIPP Act was proclaimed in 2005 with the exception of the privacy provisions that were proclaimed in 2008. It is required to be reviewed every five years; five years after coming into force and every five years thereafter. It was amended in 2012 and those amendments are now referred to as Bill 29.

Mr. Speaker, just a few months ago the Office of Public Engagement prepared a very detailed provision by provision comparison of the legislation pre-Bill 29 and post-Bill 29. The document includes a summary of each change and an explanation of the amendments that were made. It is available online; it is on the Office of Public Engagement Web site. I would welcome anybody who has an interest in learning more about the legislation and the changes that were made, to go online and review the document. I am not sure that anybody opposite has done so, Mr. Speaker. Maybe the fellows who were over here before they crossed read it at one point in time, I do not know. I know they voted for Bill 29.

I do not think they have read it because all we are seeing today is theatrics, not substance. We have had two speakers from the Official Opposition so far without hardly a reference to any specific provisions that were contained in the amendments that were made in 2012 – hardly a reference. All we continue to hear, without substance, from both the Liberals and the NDP is repeal Bill 29, without any constructive suggestions.

Mr. Speaker, just to emphasize how real these theatrics are today in the House of Assembly, the Member for Burgeo – La Poile held up an envelope earlier. As the minister who is responsible for our ATIPP legislation I want to acknowledge that it is really unfortunate that the member opposite received that envelope. These envelopes are normally used for Cabinet documents. This envelope was sent by a new employee who did not realize that was the case. There was certainly no intent on the employee's part to create a concern, as it was simply intended that the response be provided to the applicant in a timely fashion, in keeping with the legislative requirements, and that is what has happened.

What you will not hear the member opposite today say is what was in the envelope. I would encourage him when he gets up to conclude – and he will have fifteen minutes to do so. I would like to hear him tell us if he received the information he asked for. Did he receive the information he asked for in its entirety, Mr. Speaker? Did he receive it within the required timelines? That would be interesting to know.

I would like to hear the member stand and say what was in the envelope, what was the nature of the request. Did he get the information that he asked for, and did he get it within the prescribed timelines, Mr. Speaker? Then we can have a sensible discussion about our ATIPP provisions and how they are being carried out by this government. We are deeply committed to following the legislation, and I will speak on that a little later if time permits.

Mr. Speaker, it has to be about balance. The key consideration of any Access to Information and Protection of Privacy legislation is about striking that balance between the release of information; the public has a right to know. Also, we have to make sure that information belonging to individuals, personal information, and commercially sensitive information, is protected at the same time. That is something that we keep in mind as we embark on our work each and every day.



We know, and we believe that residents in this Province have a right to access government information so that they can be involved in a meaningful way with the work of government, and so that they can play a role in shaping future policies and priorities of government. Without access to information obviously that would not be possible.

I also recognize, Mr. Speaker, that the public has to have confidence in the legislation, not only in the ATIPP legislation but in all the important decisions that are being made by governments each and every day. It is for that reason that this government has advanced the statutory review of our Access to Information and Protection of Privacy legislation.

It was required to begin in 2015. Based on the feedback we have been receiving from the public, based on the fact that we know there are concerns out there about our ATIPP legislation and the amendments that were made in 2012 specifically, we are beginning the statutory review a full year earlier than required under the legislation. It is being undertaken by a blue-ribbon panel, a panel of top experts in privacy legislation, in journalism, and in law.

The Member for Lewisporte did a good job of telling the story of the committee that has been assembled: Jennifer Stoddart, Doug Letto, and Clyde Wells. Clyde Wells will chair the committee; a former chief justice, and a former Premier of the Province.

I appreciate the Member for St. Barbe acknowledging that it is an excellent committee. We have full confidence that these folks will do a comprehensive, balanced, and thorough review of our legislation. Mr. Speaker, it is shocking and offensive that the Member for St. Barbe would stand in this House today and suggest that somehow this committee's hands are being tied. Nothing could be farther from the truth. In fact, what the Opposition is intending to do today, through this resolution, is tie the hands of those doing this important work.

The committee is not just going to review the amendments that were made through Bill 29.

That would be short-sighted. They are going to review all aspects of the legislation. Every single word in the legislation is going to be reviewed by this committee.

I challenge the members opposite to explain themselves. How is it that the hands of these committee members are being tied? The approach we are taking by allowing this committee to do its work without interference, giving them the resources and time they need to do this work without interference, is going to lead to a stronger piece of legislation rather than just simply repealing Bill 29.

We are looking forward to the results of the review of the ATIPP Act. We fully expect it is going to provide us with a really strong framework to support Access to Information and Protection of Privacy in this Province well into the future. There is going to be significant public consultation. We commit to publicly releasing the findings and the recommendations of the committee.

Nobody's hands are being tied; it is quite the opposite. This is going to be a full, open, thorough, and transparent review process. We are going to give the committee the time and resources they need to do this work.

The challenge with the motion that is presented today – and let me tell you why I cannot support it – is that the act has already been formally referred to the review committee and that is in accordance with section 74 of the act. To take any actions to repeal or amend the act would actually interfere with the authority that has been vested in the committee.

There is the fundamental problem with the motion that has been put forward today. We cannot interfere with the work of this committee. It has been appointed to do important work. I think there are a lot of people out there who have confidence in the individuals we have appointed. I ask the members opposite to respect the process, and to participate in the process as well. Unfortunately, several of them are not even listening to the debate today, Mr. Speaker.

Mr. Speaker, in the few minutes I have left I would like to talk about some of the other work we are doing beyond reviewing the ATIPP Act. That is one component of a number of steps we have taken. This is a government that is committed to reviewing the Access to Information and Protection of Privacy legislation. This is only one component of our larger Open Government Initiative that we have recently embarked upon, an initiative that really shows our commitment to provide the people of the Province with the best possible Access to Information.

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

**MR. KENT:** We have also committed to whistle-blower legislation, Mr. Speaker. As was mentioned in Question Period today, in the days ahead we will be introducing that legislation in the House of Assembly, Bill 1.

Back to the Open Government Initiative, it really marks a new approach in the way we are going to connect with the people of Newfoundland and Labrador, the way we are going to engage citizens, and the way we are going to collaborate with citizens and stakeholders. Governments around the world are embarking on Open Government action plans. They are being evaluated based on their openness, accountability, and responsiveness to their citizens. We are prepared to do the same, and we are prepared to show leadership on this, as the Premier and members of this government have already done.

We are not simply going to roll out a plan. We are going to spend more or less the rest of this year going around the Province and engaging the people of Newfoundland and Labrador to find out what kind of information they want from government. What kind of data would they like to see available? How do they want to collaborate? How do they want to be informed? How do they want to be connected to the working government? How do they want to play a role in shaping the policies and decisions that this government will make?

It is a great initiative and it is one that is based on best practices from other jurisdictions nationally and internationally. We hope that our Open Government Initiative will be among the best in the world by the time we are finished. I would encourage members opposite to get involved. I would encourage people throughout Newfoundland and Labrador to get involved.

We want to identify issues, we want to identify solutions, and that is the approach we are going to take. We want to capture the insight and expertise of the people of this Province. What we have done so far, Mr. Speaker, as I have said in several Question Periods in this House, is only the beginning.

The public consultation process will be in-depth. We are going to use various methods to connect with people and to allow them to have input. An action plan will be developed. The draft action plan will be released. We will seek input on that as well. Ultimately, we are going to have a plan in place that the people of Newfoundland and Labrador can be proud of.

Our commitment as a government, Mr. Speaker, is to provide the public with as much information as possible, and we are utilizing proactive disclosure to do that. We do not want people to have to go through a formal request every time they want to access information. We have released countless numbers of documents and pieces of information through proactive disclosure, through our open information Web site. That information is available. There will be more and more added as we roll out our Open Government Initiative. I commend the departments that have stepped forward and taken proactive disclosure so seriously in recent months. We have made major progress.

We are identifying new opportunities all the time to increase access to information. We want to hear from people. We want to hear from people about how we can improve that. So as we move forward with the Open Government Initiative, we want to hear from residents. We will release more information wherever possible; based on the requests and suggestions we

receive. We are committed to releasing as much information as we possibly can.

Mr. Speaker, I want to talk about some of the numbers because the Member for St. Barbe made reference to the fact that some provisions of our legislation are not working. Well, we have taken many steps to improve Access to Information for our citizens. We are the only Province in Canada to post all completed provincial government responses to Access to Information requests online.

Since January of last year, responses to more than 340 requests for information have been posted online in their entirety. In addition, all Orders in Council, the decisions of Cabinet, are published on the Office of Public Engagement Web site within two weeks of them being signed by the Lieutenant Governor.

The Member for St. Barbe, in his fifteen minutes of fame today, indicated that response times are not working – they are not working. Mr. Speaker, over the last number of months, our departments have worked hard to comply with timelines. They are outlined in the legislation. We knew we needed to do better and we have done better. I am pleased to say the responses are provided within legislative timelines more than 90 per cent of the time.

Now, a year ago that was not the case, Mr. Speaker. Eighteen months ago that was not the case. We have made dramatic improvements in response times and we are striving for 100 per cent. We are constantly striving to do better and we will do better.

I am also pleased to tell you that in the last six months of the requests processed and posted online, more than 50 per cent resulted in full disclosure of information and a further 33 per cent resulted in partial disclosure. These statistics, Mr. Speaker, demonstrate improvement over the previous time frames. They show our commitment to releasing as much information as we possibly can.

So as an Office of Public Engagement, we are working with other government departments and

agencies, we are working collaboratively with them, to improve their proactive disclosure practices. We are challenging every government department and every government entity to make more information publicly available, and not only make it publicly available, but make it easily accessible in a format that makes sense, that is easy to use and easy to understand.

To date there are more than fifty proactive disclosures on our new open information page: fisheries and wildlife reports, child care and protection statistics, Income Support data, ongoing capital works projects, and the list goes on. We are listening to the public and we will continue to seek public input and we will make more information available.

All of these ongoing initiatives will provide a strong, open government culture in this Province. We will build on these policies. We are listening, Mr. Speaker. Times are changing.

I would challenge the members opposite and I look forward to hearing the closing remarks later this afternoon from the Member for Burgeo – La Poile. I would challenge the Liberals to lay off the rhetoric and lay off the drama, and take part in the review process. Take part. Do not show such disrespect for the review process as you are showing by this motion today. Take part in the process and if they cannot take part, Mr. Speaker, I ask them at the very least to respect the process.

Thank you.

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

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

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

I am very happy to be able to speak on behalf of our caucus on this private member's resolution:

“BE IT RESOLVED that this Honourable House of Assembly urge Government to immediately repeal Bill 29.”

Mr. Speaker, I want to talk about how Bill 29 actually impacts the lives of the people of the Province. We are not just talking about theoretical legislation here; we are talking about how a piece of legislation actually affects the day-to-day living of the people of the Province of Newfoundland and Labrador. That is the essence of what I would like to talk about here today.

We all remember the day Bill 29 was tabled by government. I remember that evening sitting in the office with the leader of our caucus, the Member for Signal Hill – Quidi Vidi and she was deep in to the legislation. She was reading it thoroughly and at one point she said: Oh my God, this is so serious; the ramifications of this are incredible and far-reaching. Then she said also: We are going to have to filibuster on this because the issues are so far-reaching and will have such major effects on information, not only for Opposition members but for the people of the Province and for the media, Mr. Speaker. What she was looking at and what I want to talk about today is how this piece of legislation negatively affects the lives of the people of Newfoundland and Labrador.

This piece of legislation was introduced when the current government was not facing re-election worries and it was showing its true colours. It was arrogant, it was indifferent to the concerns of the public, and it was contemptuous. It still is, Mr. Speaker, it is contemptuous to the elected members on this side of the House. It is absolutely contemptuous, even though we have all, each and every one of us, been elected by the people of our districts.

We all remember what was said by the experts at that time. At that time, the Centre for Law and Democracy noted that changes to the Province's Access to Information legislation were "breathtaking", and not in a positive way, Mr. Speaker. They were not talking about a breathtaking view here. What I want to do is shine a light on some of the ramifications of this legislation. They said, "Newfoundland and Labrador will rank lower than some Third World countries if the amendments pass."

Government introduced the legislation so they could slam the door shut on what people could know about what their own government was doing, what their own government was intending to do, and on what basis the government was making decisions. Slam the door shut they did, Mr. Speaker. It is still slammed shut.

The Member for Mount Pearl North is talking about all the documents you can get online. Quantity, Mr. Speaker, does not make up for quality – quantity does not make up for quality. We can talk about as well all the documents that are not online, all the information that we do not have access to do because of this shameful piece of legislation and because of this regressive piece of legislation.

The reality of Bill 29 is that it is a thorn in the crown, in the side of this government. Bill 29 expanded the scope of Cabinet secrecy, making whole new classes of documents off limits from public oversight. For me, Mr. Speaker, that is one of the key problems with this and this is one of the key areas that have ramifications on the lives of the people in this Province.

The changes in Bill 29 when implemented made the Province's open records laws weaker than those in Mexico, Ethiopia, Nicaragua, Bulgaria, Guatemala, Uganda, and other places as well. The amendments allowed Cabinet ministers to keep practically anything they want secret. It allowed Cabinet members to do that and, Mr. Speaker, in fact they are doing that because remember the door has been shut and it has been slammed shut.

Why did they do that? They did it because they thought they could get away with it. Was it because of Muskrat Falls? We do not know, Mr. Speaker. Perhaps it was because of Muskrat Falls. They wanted to be able to shut the door, lock it, and throw away the key. That is what they did, but they underestimated the people of this Province.

The people of this Province were listening. This government is talking about how much they are listening to the people of the Province, but on this issue, the people of the Province were

listening. They listened and they heard. They understood what this was about. They understood that this was a piece of legislation that was affecting how they were governed, and it was a piece of legislation that was going to ultimately affect their lives.

This government was out of touch, they were arrogant, they underestimated the people of this Province, and now they are sorry. Now they are sorry, now they are going to have a review. I say, Mr. Speaker, I am happy that they are having a review. In the meantime, just this morning the Premier said in the media that when he asked people what they did not like about Bill 29, they could not put their finger on it. He said he was told people had a feeling government was secretive.

That condescending attitude still persists. In fact, people want to know what their government is doing. People have the right to know what their government is doing. We all have a right to know what the government is doing, and on what basis government is making its decisions. That is what Bill 29 does. It prohibits people from knowing on what basis government is making decisions that affect the lives of the people in this Province.

This government is supposed to be working on behalf of people. They should be ready to prove it; they should be ready to be accountable for their decisions. They should be ready to be able to reveal on what basis they make their decisions. Also, Mr. Speaker, this piece of legislation has added to the democratic deficit that we have here in this Province. This again is not just about legislators or people who are interested in parliamentary procedure – it is not just for those, it is for everybody in the Province.

Because the fact that we do not have all-party standing committees, which in fact would make public, more public and more transparent information and testimony before government and before the Opposition parties, and that gives us clear, transparent information on the basis of which government decisions are made. We do not have that. We should be having that.

As a matter of fact, there should have been an all-party standing committee looking at this particular piece of legislation, where we had experts and average citizens testifying before government and before other elected officials on what they wanted to see happen, giving their opinions in an open, transparent way. We do not have that.

The introduction and implementation of Bill 29, coupled with the lack of all-party standing legislative committees, makes the democratic deficit in this Province shameful. It is absolutely shameful, but it works to the advantage of this government. This government can do what it wants and does not have to explain anything to anyone. Except they will have to once they go to the polls, that is for sure.

Government knows that the lack of standing committees – and ours is one of the only jurisdictions in Canada that does not have standing committees – contributes to our democratic deficit. This government says again that they are listening. I would like to say that the people are listening to what this government is saying and they do not like it.

I want to give an example, Mr. Speaker, and I hope that the Minister of Justice does not laugh at me again today when I bring up this example. I would like to give a classic example of how this particular bill proves that we have a democratic deficit. People want to know why their Family Violence Intervention Court was cut. I would like to know why this Family Violence Intervention Court was cut. I am sure that there are members across the hall, I would like to know how – the members across the floor would like to know. I am sure there are many of them would like to know why it was cut.

Mr. Speaker, we do not know why it was cut because there were reports and internal reviews done. They have been protected now under Cabinet secrecy. That is the relevance to my example. The documentation has been hidden. This government has made a very clear, deliberate decision. We ask on what basis and they will not reveal that.

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

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

**MS ROGERS:** Mr. Speaker, I have asked for that evidence and I have been denied that evidence. The Family Violence Intervention Court directly affects the lives of women and children who have been victims of violence, but we do not know on what basis that decision was made.

Mr. Speaker, the court was cut in last year's brutal Budget, brought to you by the same people who are trying to portray themselves as very kind, considerate, and attentive. Government conducted a Core Mandate Review which they said allowed to make the decisions on what was to be cut.

I asked to see that work. Nope, government invoked Bill 29. I asked to see the Core Mandate Review. Again this Minister of Justice said that all the cuts were based on that.

Although he said the other day he did not really make decisions based on the best interest of the courts. They were arrogant in the refusal to make public any information on this massive overhaul by the people's government. They would not release that information. Then they cut the court, and there is no real reason given for it. It is just cut.

I asked for an assessment that had been done on the court, an assessment that showed how successful the court was. Government refused, saying the report was a Cabinet secret. Here we have a public court, a public program created for the people of the Province to address the terrible issue of domestic violence, a progressive court which offered comprehensive treatment and results and protection for women and children. This is just one example, but it is a textbook example, Mr. Speaker. It is a textbook example of the government's love of secrecy.

Mr. Speaker, this was a public program, funded by public dollars with a review done, and this government is hiding that. It is saying the review of this program is a secret. We are going to keep it a secret, and we are not going to let

you know how well this court was operating. We are going to cut it, and we are not going to let you see why. Even though we know, and there are all kinds of people talking about how well it worked. This is an example of how insidious, how incredibly insidious and undemocratic this particular legislation is.

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

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

**MS ROGERS:** Mr. Speaker, justice has to be done; it cannot just be seen to be done. We all know that, we all hear that expression. I believe what we have to do – I am happy that there is a review, but that is a review that looks at our whole ATIPPA. I believe we do not know when that review will be completed. We also do not know how long it will be held in Cabinet before it is released. We do not know that. It may take a year, it may take two years. We do not know that.

I fully support this recommendation. I support that we repeal Bill 29 and continue with the previous legislation until the review is complete. Unless we do that, Mr. Speaker, the people of the Province of Newfoundland and Labrador know that the door to information has been slammed shut, and this government has thrown away the key.

Mr. Speaker, for instance, the report on sexual exploitation and trafficking of children, we asked for that report. Once again, this government said no, that is a Cabinet secret. This is again a report where several community groups participated. It was paid for by the people's money, and it was presented to the government on behalf of the people of Newfoundland and Labrador.

This government has chosen to lock that up again. They have locked it up and they have thrown away the key, just like they said they would with Bill 29. Everything is Cabinet secrecy. This is a kind of government that says I am going to do this because I said so. I am not going to give you the information; you are just going to have to believe me because I said so.

Mr. Speaker, the people of the Province are listening, this government is not listening. They are not listening to the people. The people of the Province are listening and they are hearing loud and clear. They are hearing the message loud and clear that this is a government that is not listening to them.

Mr. Speaker, I have stood up in the House and presented a petition to repeal Bill 29 for two years now, petitions signed by people all over Newfoundland and Labrador. Again, it is my position, and the position of my caucus that Bill 29 should be repealed, held off to the side, back to the older legislation until the complete ATIPPA review is completed. Anything else would be that this government is not truly listening to the people of the Province. The people of the Province still know this is a government who holds and keeps secrets from them.

Thank you, Mr. Speaker.

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

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

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

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

I am certainly happy to stand today and speak to the private member's resolution, Mr. Speaker, in terms of what is happening in regard to this motion and listening to the debate this afternoon up to date. I am certainly pleased. From our perspective, our government, under the current Premier has announced that we will be implementing the legislation as it exists now in terms of going through a review on the ATIPPA legislation, not just Bill 29 but all of that legislation as is required under the act.

The act is almost ten years now, getting close to that. We have used that legislation now to go early to do the review. It has been talked about, the members of that committee, their stature, and what they are going to bring to this committee in terms of oversight of the whole legislation. That will look at the maturity of the legislation over

the past number of years in terms of how it has been applied, other things that have been identified within departments and within government, and other amendments to other pieces of legislation. That will all be looked at, which is so important and recognizing the breadth and scope of those who sit on that committee that is going to provide that review from the judiciary, from a lady that is well-versed in national privacy information and protection act, and from the media.

It brings a broad base of knowledge and expertise to the table to look at this, look at the whole legislation, look at what is happening to date since the legislation was proclaimed by this government, how has it been applied, and what else needs to happen to the legislation. It will be a very robust process, outlined very clearly. There will be very good parameters in terms of the committee and what they do, how they do it, and report back to government. It will be a public document and then we will have a discussion on where we go from there.

Mr. Speaker, I wanted to just bring a little context too in terms. We often talk in here about oversight and who looks after particular pieces of legislation, where is the sounding board for things that happened? I wanted to speak to just the role of the Privacy Commissioner who oversees this piece of legislation. He is an independent officer of the House of Assembly. He has a broad range of responsibilities and powers under both the Access to Information and Protection of Privacy Act and as well the Personal Health Information Act.

With respect to the Access to Information and Protection of Privacy Act, the Commissioner is responsible for conducting reviews of decisions, and investigating and attempting to resolve any complaints about access to information and the protection of privacy, including public bodies that are covered under ATIPPA. He can also make recommendations in order to uphold the act and encourage better compliance.

Mr. Speaker, in my prior role with the original creation of the Office of Public Engagement, I was involved with and was responsible for the

administration of the ATIPP legislation. Through that I had many interactions with the Privacy Commissioner in a very proactive role dealing with issues. One of the issues we deal with is time frames. He spoke of that in terms of how we had to improve time frames. We collectively did that. We improved the time frames, working with the Privacy Commissioner and continue to improve the administration of the act.

It is interesting to go back and see what the Privacy Commissioner has said about the amendments since the last review was done, and some of the things he talked about in terms of those amendments being implemented and how he has viewed it. As I said, he is the oversight. He is the independent oversight, no bias, not influenced by anybody. He reports to the House of Assembly as I said. That is a good context in terms of getting some insight in to what has transpired.

He has said publicly the impact of Bill 29 has not been huge. He certainly says there is openness here. He talked about a time period to mature, for legislation to mature. It takes some time for public bodies and others to see how that legislation is going to apply, to see how it is interpreted. Then through that we go through a process which is in the legislation I said of a five-year review. He certainly supports that.

No doubt as well in my discussions with him, - and it was very informative - when we came to particular issues that came under ATIPPA, he would ask: Is this the way it should be? Is that the way it should be? Through the accumulation of all that information and as we go through that, that is how we get to better legislation and get amendments done. That is why we are going through this review. This review has now been sanctioned and will move forward.

As I said, he has gone through and looked at it. I have worked with him in terms of various pieces of the amendment and legislation. People on both sides of the House here have quoted Hansard in regard to the debate on this piece of legislation. Many have said there were pieces in

it that certainly were welcomed and were needed.

That is why when we talk about repealing Bill 29, repealing Bill 29 does not allow for that comprehensive legislative review that is required under the act, which is now going to proceed by a very qualified committee that has been appointed. They will provide that broad-based oversight and review and certainly do consultations, which are so important. They will hear from the public and hear from everybody out there who has interest in it. They can come forward and express their opinion.

From that, those recommendations from this very well-informed panel will bring that forward to government as a public document and will be made public. That is the process, and it is a very transparent and open process. That is what we need to do and that is what we are following through on right now.

Mr. Speaker, as we have said, and I think my colleague, the Minister of Municipal Affairs and the Minister Responsible for Office of Public Engagement, one of the recommendations of Cummings when he did his last report was that most governments, divisions in governments, and entities should have a policy of public disclosure. I know working in the Office of Public Engagement, and I started there when the office was created, we have been very proactive in the amount of information, normal information, that is produced by departments and how that easily flowed out to the general public. It could be Web sites and it could be people just asking for it.

What has evolved and what needs to evolve, which has, is that access is available to the public. If someone calls up a department and there is no infringement on the privacy provision of the act, then that information is readily available. We have done that through the Office of Public Engagement, through public disclosure, and through Mr. Cummings, who did the last review. That was his recommendation and we have certainly followed that. We continue to make significant information available as we should.



Again, going through this process now we are talking about in terms of the review will do a comprehensive overview, allow us to build on the legislation we have now, and make sure it is the best legislation we can have. We will certainly lead the way in that.

I think it is important, too, and I do not think it is talked about in terms of the review that is taking place, what the parameters are of it. I think it is important the public would know that and get an understanding of what those are. I will just take a few minutes and just go through that in terms of the parameters of the review.

“The Committee will complete an independent, comprehensive review of the Access to Information and Protection of Privacy Act, including amendments made as a result of Bill 29, and provide recommendations arising from the review to the Minister Responsible for the Office of Public Engagement (the Minister), Government of Newfoundland and Labrador. This review will be conducted in an open, transparent and respectful manner and will engage citizens and stakeholders in a meaningful way. Protection of personal privacy will be assured.”

The scope of the work; what is the scope? What are the parameters of the work that is going to be done? “The Committee will conduct a comprehensive review of the provisions and operations of the Act” – the whole act – “which will include, but not be limited to, the following: Identification of ways to make the Act more user friendly so that it is well understood by those who use it and can be interpreted and applied consistently; Assessment of the ‘Right of Access’ (Part II) and ‘Exceptions to Access’ provisions (Part III) to determine whether these provisions support the purpose and intent of the legislation or whether changes to these provisions should be considered; Examination of the provisions regarding ‘Reviews and Complaints’ (Part V) including the powers and duties of the Information and Privacy Commissioner, to assess whether adequate measures exist for review of decisions and complaints independent of heads of public bodies; Time limits for responses to access to

information requests and whether current requirements are appropriate; Whether there are any additional uses or disclosures of personal information that should be permitted under the Act or issues related to protection of privacy (Part IV); and Whether the current ATIPPA Fee Schedule is appropriate.”

As you can see, Mr. Speaker, the scope and breadth of this review is extensive and it is certainly what we need. It is under the requirements of the legislation in regard to the five-year provision to do it. This certainly meets that requirement as we have outlined here.

Further, it goes on to say, “Consideration of standards and leading practices in other jurisdictions: The Committee will conduct an examination of leading international and Canadian practices, legislation and academic literature related to access to information and protection of privacy legislation frameworks and identify opportunities and challenges experienced by other jurisdictions...”. So we look elsewhere as well.

No doubt the panel will look at the experience and what it has been to date in regard to the legislation and amendments that have been made, but will also go broader based in terms of other jurisdictions and what they have seen in terms of privacy legislation, how is it implemented, and what the challenges are. Collectively, that will be added to the review and no doubt will be part of their recommendations as well, so we ensure, at the end of the day, we have some of the best legislation, comprehensive legislation, for the people of Newfoundland and Labrador.

Mr. Speaker, as well, they will consult with the Information and Privacy Commissioner for Newfoundland and Labrador and get his input. I talked about the fact when I was responsible for the Office of Public Engagement, I certainly had very good conversations and input from him in regard to the legislation and its administration. Again, he is the one doing the reviews and oversights, so no doubt he can add valuable information to the process as well. We look

forward to what he can add, as well, in the overall process.

It is so important, as well – there are stakeholder consultations and public consultations – that anybody in Newfoundland and Labrador, any group and any individual, can be part of this and can speak to their experience, their understanding, their ideas, and anything they have had in terms of this legislation. That is so important, that they can be part of it, and everybody can be part of it so we can have the best possible legislation we can have.

The committee process is certainly receiving representation, as I said, from all individuals and stakeholders. Hearings can be held in such place and time as the committee deems necessary to hear from representatives, from persons, or from entities. So it is very broad, wide open, no limitations, and certainly any written submissions or anything like that will be accepted by the committee.

Further from that, a final report will certainly be made and submitted to the minister, an executive summary with all the research and analysis of the legislative provisions and leading practices in other jurisdictions that will make up that report. Certainly, a detailed summary of the public consultations, what was heard, and the findings and recommendations will be presented to government as well. That will be public and form the basis as we move forward with what will basically be our third five-year period in terms of this legislation. Again, previously it was this government that proclaimed it. This was the first government that operated under the legislation. That will form the basis, all of that information and this comprehensive review, as we move forward to the next five years under the legislation.

In regards to repealing Bill 29, we have already started the legislative process under the act. As I said, the very committee that has been appointed, the three-panel committee and the expertise and knowledge of those, is underway. The legislation has been referred to them with these parameters that I have outlined in terms of a broad base and open scope and in terms of

what they can do. There are no limits, really, in terms of how they do it and who they consult with. We are certainly looking forward to the process and that process has started.

I have referenced the Privacy Commissioner as the oversight and what his input has been in regard to those amendments over the past number of years. I am confident that this process is a well-grounded process, it meets requirements of the legislation, and it is going to meet the requirements of Newfoundland and Labrador. At the end of the day what is important about all of this is that people have confidence in the system and they have confidence in the ATIPPA legislation. We believe we have listened to people, and this process will meet the needs of Newfoundlanders and Labradorians. At the end of the day, we will have the very best legislation we can possibly have.

I salute the Premier in terms of the initiative he has taken in us, the government, to do this now and to move it up. There was another year left, but we feel it is important, certainly, in listening to people and what we heard in some of the parts of prior amendments that they wanted to see it reviewed at this point in time.

We used legislation to do this. As a government we are looking forward to those results and working with the people of Newfoundland and Labrador to have the best possible legislation we can, and make sure they have access and the protection of privacy that they deserve as Newfoundlanders and Labradorians.

Thank you, Mr. Speaker.

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

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

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

It is a pleasure to stand in debate this afternoon and support my colleague, the Member for Burgeo – La Poile's private member's motion to

repeal Bill 29. Like my other colleagues in caucus I will start with a quote and it is, “We’re continuing to fight government’s Official Secrets Act and proposing amendments at every available opportunity... To this point, we introduced five amendments in second reading and nine in committee, yet government has rejected each one.” That was a quote for the Member for Humber Valley, the Leader of the Official Opposition.

We certainly have had a lot to say in debate, proposed options to improve the bill that was put forward, but it is quite clear that the best opportunity right now is to move forward and repeal Bill 29. The Leader of the Official Opposition goes forward and says in this same release that government should, “...withdraw their draconian Bill.”

The Leader of the Official Opposition certainly got it right in calling it the official secrets act. This government claims to be open, but in reality no other organization employs secrecy more frequently than this government.

Government utilizes secrecy to withhold information from people. The pro-secrecy attitude is a hallmark of the current government and it has become accepted and established in its practices. The effectiveness of access legislation and its implementation are undermined by pro-secrecy attitudes. It is systemic by this current government.

We only have to look at a quote by the former Minister of Finance and the current Premier of this Province that the bill had no real effect at all. He claimed that it is no more than just a bit of housekeeping. That was said, that this bill is just a bit of housekeeping, which has had significant impacts on people and on information.

The current Premier continues to state that government brought in this legislation, this ATIPP Act and that they had to live under these rules. It appears the most secretive government in the history of Newfoundland and Labrador does not want to live under those rules, so it created all these exceptions under Bill 29.

The Access to Information and Protection of Privacy Act under Bill 29 restricts access and can have any document certified as a Cabinet document and kept secret. That is one of the implications of this bill; any document can be certified as a Cabinet document. We took exception with that in debate. Other members have talked about that they campaigned previously on saying they would make all these documents public, they would make reports public, and they would even make Cabinet documents public. They are certainly going back on their word here.

There is a clause that gives ministers final say in all the disputes, and removes the power of the Information and Privacy Commissioner.

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

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

**MR. MITCHELMORE:** This is absolutely shifting power away from the people, which government is supposed to be doing, and moving it to the Cabinet table. I wonder how many stamps the executive Clerk has gone through stamping document after document secret, as we have seen here, and we received information. About how many of them have gone?

Is government renting space to be able to file away all of these Cabinet documents, all this information that it fails to make public. Certainly we are living in exponential information times, Mr. Speaker. Any information that is put forward – this government says they are putting the most that has ever been in history. We are living in exponential, technological times so obviously there is more and more information that is being produced. We only have to look at how information is shared so quickly through Facebook, through Twitter, and through the media. It is almost instantaneous. Why is government choosing to hide so much information?

We look at the core principles, Mr. Speaker. The amendments have successfully broadened

the definition of Cabinet secrecy, which is counterintuitive to the core principles around which Access to Information legislation is based; the right to access, government transparency, government openness, and government accountability. Mr. Speaker, this Bill 29 fails. It actually rescinds what the previous legislation had provided. Less information is being made available because of government secrecy and because of the amendments that have been put forward.

One of the other things that is put there is they shut out the Auditor General. The Auditor General is critical to government oversight, however, the Auditor General's office can no longer access information that is deemed official Cabinet secrets. If I was sitting at the Cabinet table and said, well I do not want to release this report, I do not want to release this information or anything that is sitting here around my table, I will just give it to the Clerk to have it stamped.

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

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

It is getting difficult to hear the hon. member.

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

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

In reality any piece of information that government is ashamed of or would seem as a mistake, they will not reveal that because they will stamp it as a Cabinet document. They can hide behind it.

Another big issue that I take when it comes to the bill itself, Bill 29, and it is something that I think sparked a lot of debate in this House of Assembly, and that is around I believe it was clause 6. Things that could be frivolous and vexatious allow government to reject any access to information request that meets this broad category.

**PREMIER MARSHALL:** If you were the commissioner, would you want frivolous and vexatious? Is that what you want?

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

**MR. MITCHELMORE:** Okay, so the Premier is shouting across about the Information and Privacy Commissioner.

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

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

**MR. MITCHELMORE:** I will tell you about Mr. Ed Ring. I will quote Mr. Ed Ring here, “Public bodies are spending public funds and the public should be able to know how those funds are being spent. The public should be able to ‘check up on’ a public body to ensure public funds are spent in a fiscally responsible manner.” That is something I guess this government does not really care about, because they go on a billion dollar shopping spree with their current Budget.

The Commissioner Mr. Ed Ring said, “This is how public bodies are made accountable.” They are made accountable by being able to access public information on how public dollars are being spent. In many cases, if you go and look at the reports that the Office of the Information and Privacy Commissioner had to file, you will see in many circumstances where people have to go through the court process to try and even get information about themselves. They will not reveal information about office supplies, how Memorial University spends its office supply budget. They will not reveal that.

I have written letters to the Minister of Health and Community Services asking the number on the wait-list at the John M. Gray personal care home, and they will not reveal that information. Why will you not put information about wait times and wait-lists? Let us look at the report around sea lice that was requested. Government said in order to access that information, it is \$19,000-plus – \$19,000. The only thing about that, Mr. Speaker, it is certainly frivolous and vexatious on behalf of the government.

Also, they will not reveal their marketing budgets, the marketing between different departments, unless the Official Opposition pays over \$1,600 – \$1,600. This stuff should be made public. When government looks at making public information with the Office of Public Engagement, they are looking at saying that the information that is put forward, we found a lot of cases where that information has been outdated, and where it has been inaccurate.

Public libraries are listed as open. Things like child care centres that have opened up are not even listed. Schools that have closed for months or years are still on the public inventory. I think you have jumped ahead, launched something, and spent public money without really having a plan. It was all about appearances. It is all about power and not fiscal responsibility, I say, Mr. Speaker, absolutely not.

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

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

**MR. MITCHELMORE:** I am not the only one who feels this way, Mr. Speaker, because we look at Vallance-Jones. Vallance-Jones said, “It curates some of the worst provisions of the legislation and then modifies them and bundles them together in this package that seems to give incredible power to either disregard or condemn request all because people in government find access to be a bit of a bother.” I guess providing a wait-list to a long-term care centre is a bit of a bother.

There are certainly lots of issues with Bill 29 and there is a real reason why we should look at repealing it. There is trouble with secrecy, power, and control. People like the Centre for Law and Democracy have come out speaking against it. They have said: “The new cabinet exception is, well, breathtaking in its scope.” That is Toby Mendel. “I think it’s one of the widest exceptions of that sort I’ve seen anywhere.”

The former Minister of Justice has attacked the Centre for Law and Democracy as saying that it is cheap and amateurish, the debate and the

legislation around, and the Centre for Law and Democracy is a “two-bit outfit.” They have incredible integrity in trying to maintain democracy in the world.

Government can take action to become a more open, accountable, and transparent public body that the citizens of this Province expect and deserve. They can do it by repealing Bill 29. We can live under that legislation, the previous legislation, while the review is currently taking place.

I support repealing Bill 29. It is certainly necessary and I will let the Member for Burgeo – La Poile close debate. I hope government realizes they have to be more open and accountable, and they are being nothing but.

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 appreciate the opportunity to close debate on our private member’s resolution. I appreciate the commentary from members from all sides, from the Member for Lewisporte, the Minister of Municipal Affairs, the Minister of Fisheries, the Member for St. John’s Centre, and my colleagues the Member for St. Barbe and the Member for The Straits – White Bay North. It is obvious by the reaction and the chatter generated this is still an exciting topic for the government, or maybe a touchy topic for the government given the amount of chatter that was coming forward during the commentary and still coming as we speak.

What I wanted to do was I wanted to take an opportunity – I did appreciate listening to all the members to hear their say, and I will try my best to respond and to answer some of the questions and maybe rebut some of the points they made. I will start with the Member for Lewisporte who got up and gave his speech, and I am glad that he spoke to it because during the seventy hours

of Bill 29 he was not heard. You would not have known if he was in the House.

The reason that we knew he was in the House was he voted for Bill 29. He voted for it, stood up, and put his name on it. I have to give the man credit; he stood up and put his name on Bill 29. The theme of what he was saying was relying on the review. Certainly, it is not for me or anybody to cast aspersions on the panel. It is three top-notch individuals who are all going to contribute to this and I am glad government brought these people in. Their backgrounds speak for themselves, there is no doubt. The problem is we should not have gotten to this point, is what we are trying to say.

I will refer to the fact that the Premier announced this, but if anybody read *The Telegram* back on December 28 they will notice this is something the Leader of the Opposition had suggested in a year-end interview. We know the Budget consisted of a lot of items that were Liberal-pushed items and I am glad to see this review was something that was mentioned by us as well. I am glad to see our actions are getting results here. I really appreciate that. It is good to know that when we stand up, we question, we make suggestions, and we suggest policy, it is listened to because it is good, sound, and sensible.

Now, I want to talk about one of the problems. Again, the Member for Lewisporte mentioned different quotes from different people. One of the problems we have is that overall there was a bunch of recommendations made but, number one, they did not pick all the recommendations that were made in the Cummings report; and, number two, they would not let us debate them – they would not let us debate them. They shut down the House after, I think, we might have gotten to Clause 6. The House was shut down.

I will go back to a comment here. I cannot seem to find it, but basically I think the Government House Leader at the time said: Opposition is going to have all the time in the world to debate this – all the time in the world. Well I guess all the time in the world ended. It ended because it was shut down, closure was invoked, and

government did not want to hear another peep. That is one broken commitment there, but we do not want to get into broken commitments. This is only a private member's resolution; we do not have enough time.

I want to move on to the Minister of Municipal and Intergovernmental Affairs. Do you know what? He stood up and he did a great job. He made his point. He mentioned theatrics, which I found quite hilarious coming from the member who sits next to a giant calculator and did a nice Open Government Initiative with a lot of fancy clickers that cost the taxpayers \$5,000. Five thousand dollars for nice clickers at a time when there are people who are doing without, but we spend \$5,000 so government staffers could do a lot of clickers.

I am hoping the Minister of Finance will stand and speak to it. I do not believe she spoke to Bill 29 either. There is plenty of opportunity here. We can speak to this.

I made some notes according to what the minister said. He talked about the protection of personal privacy. You have never heard an issue about the protection of personal privacy. The problem was this government was worried about Cabinet privacy. That was where they were trying to get with this, it was Cabinet privacy.

The other thing that was mentioned, too, he said: What information have we not given you? I think the Member for The Straits – White Bay North did a fantastic job of letting government know a lot of information we have requested that we are not getting, or if we want it we have to pay through the nose for it on extortion-type fees.

One of them was a sea lice report from aquaculture on the South Coast, a huge topic and a huge issue. We have talked about it a number of times in the House. There was a report done. Somebody paid for it; I would assume it is the public. We asked for it. We asked to see this report. In order to get it, we have to pay \$19,000.

**AN HON. MEMBER:** Nineteen thousand dollars?

**MR. A. PARSONS:** Nineteen thousand dollars. Again, I rebut your argument there, Sir.

Another one we asked for and could not get, and I thought it was a simple request, was the marketing and advertising this government spends. I put that request in, but it is going to take four weeks of work and it is going to cost us, I think, just under \$2,000 to get this. It is absolutely amazing.

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

**MR. A. PARSONS:** The minister is referring to a secret envelope, again. You can keep talking about the secret envelope. I knew you guys were going through a branding process. I did not think the branding would actually have secret marked onto it.

I would have given the Member for Port au Port an opportunity to speak, but he chooses not to. I would suggest, Mr. Speaker, if the member wants to stand and contribute, by all means I invite you. I guess not. The speech was not written in time, I presume.

One thing I have to mention about this review, when this review does come out, I have heard a lot of talk about publicly releasing the review, but I have not heard once here today: Will you commit to the recommendations? Will you commit to do what they tell you to do? The problem is I do not think you will. You have a lot of talk about everything else, but you have never committed to implementing them.

I am going to continue on here. I have a lot of things to cover in just eight minutes. There was the mention of Open Government Initiative, OGI. I do not want to get into that because that is just – anyway, it is what it is. What is going on here is delaying from the right thing, which is to get rid of the debacle that is Bill 29 and go back to what was there.

I do not know if the Premier read *The Telegram* on December 28. I would hope he did, I would hope he read it. When the Leader of the Official Opposition did an interview he actually laid out what we would do. We would repeal Bill 29 immediately; that would be done in the first session. Now remember, that is something we did not get when we got elected, a first session in the fall. That did not happen. We waited until the spring. There would be public consultations done. We would live under the old legislation during the review.

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

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

**MR. A. PARSONS:** Public consultations, including people like the media, people working in the system, our legal minds, and our academic minds.

I might be confused. The Leader of the Opposition said this in December, and then government came out and did it, whenever it was they announced this transparency review, this Bill 29 review. We told you what to do. If you want to go all the way, if you want to do what it truly right, and remember, we gave you these suggestions back in 2012. We made a number of amendments, a number of suggestions, and every one was voted down, every single one. You voted them all down. You ran Bill 29 down our throats.

What we are telling is you can do the right thing here. You can repeal Bill 29. You can use the old legislation, do the review, and then continue on. Put sensible timelines on it that you stick to. Not the answer we get lately which is whenever we ask if you are going to stick to your review, they say we are not going to put a timeline on it anymore because if we do not live up to it, you are going to question us on it. You have to put in a timeline of six months and stick to it. Get the legislation in within six months.

It is all here, you can go online. I suggest you click the link. We know that *The Telegram* has some new paywall structure set-up. Do you know what? I am sure if you pay the \$8 you can

all still access this article from the Leader of the Opposition.

One thing I wanted to comment on, one of the members opposite, I think it may have been the Minister of Municipal Affairs said they have never identified what was wrong; they have never said what was wrong. There are a number of things that are wrong. If you want to get into the specifics, there is the Cabinet secrecy, and there are the terms frivolous and vexatious. Those were the nice terms that the former minister, the current AG, stood up and said, frivolous and vexatious.

Actually, another minister, the Minister of CYFS now, stood up and said, they make countless requests for information, but when you actually counted them it was eleven a week. It was an average. That is not just from us; that is from everybody. I guess countless actually can be counted. Again, frivolous and vexatious, it is just another means to deter people from accessing information.

They increased the costs. Here is another thing, there is a clause that gives ministers final say in all disputes and removes the powers of the Information and Privacy Commissioner. A number of systemic steps taken to reduce the ability of everybody outside Cabinet to get access to information, this is what they did. The only difference is, they have changed on it now. It is the same government, it is the same people, it is same tired ideas, but they have changed up. All they have new is a new shiny PR department to try to make them look better, but it is the same mindset. That mindset will never change its secrecy.

They can put on this show, but we all know how they truly feel about this. Any time a member brings up an issue there is some kind of excuse as to why that information cannot be provided. The member made a great example; oh we are putting out a lot of information. A lot of it is outdated, and it is inaccurate. When you do ask for something specific, as I said, you are told to pay through the nose, \$19,000 for an aquaculture report. I do not know if there is anything more ridiculous than that.

I will remind everybody on the other side, and maybe the people listening, that during that time there were twelve members of government who spoke to Bill 29. I think there are thirty-odd over there, there were twelve who spoke. I will remind everybody, that every single one of them voted for it. They voted for it. If there is anybody who did not vote for it, I invite them to stand up and correct me.

**AN HON. MEMBER:** I could not. I was not in the House.

**MR. A. PARSONS:** If the minister wants to identify that he was not in the House that is fine.

**MR. JOYCE:** When he did not agree with Bill 29 he did not show up. He would not even show up.

**MR. A. PARSONS:** The minister did not show up to vote.

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

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

**MR. A. PARSONS:** I hear certain members over there, members who did not have the time during the seventy hours of debate. They did not have time to talk then during a filibuster, twenty-four hours a day. They could not get up, did not have anything to say, no speeches written for them. Today, during a three-hour PMR to suggest to them that they can right their wrong they are not standing up, they are still sitting down but chirping.

What I would say to them is that this is your opportunity to stand up. Put it on the record. The only thing you put on the record is that you voted for it, supported Bill 29 in the face of overwhelming criticism from the public, from the Opposition, from the media, and from citizens.

In closing, I do not have much time but what I am going to say is that I think what we have done here today through our commentary is identified the fact that the Official Opposition knew you were wrong from the start. That is



why we filibustered Bill 29. We have suggested all along what was wrong with it.

The NDP can try to take credit but –

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

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

**MR. A. PARSONS:** What I would suggest is we have identified the issues, we have identified the problems, and we have identified the solution. The solution is that you can repeal Bill 29, go back to what was there and that was lived under. Do the right thing.

You have an opportunity to right a wrong. I am suggesting you take that opportunity today and do what the overwhelming majority of the public have suggested. Repeal Bill 29; that is what we will do. I ask them if they will speak to that today. I thank you for the opportunity to speak to this today.

Thank you.

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

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

We have all heard the motion.

All those in favour of the motion.

**SOME HON. MEMBERS:** Aye.

**MR. SPEAKER:** All those against the motion.

**SOME HON. MEMBERS:** Nay.

**MR. SPEAKER:** Motion defeated.

**AN HON. MEMBER:** Division.

**MR. SPEAKER:** Division has been called.

Summon the members.

### **Division**

**MR. SPEAKER:** Are the Whips ready?

All those in support of the motion, please rise.

**CLERK:** Mr. Ball –

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

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

The Clerk is calling the names.

**CLERK:** Mr. Andrew Parsons, Mr. Joyce, Ms Dempster, Mr. Edmunds, Mr. Bennett, Mr. Lane, Mr. Kirby, Mr. Mitchelmore, Ms Michael, Mr. Murphy, Ms Rogers.

**MR. SPEAKER:** All those against the motion, please rise.

**CLERK:** Mr. Marshall, Mr. King, Ms Shea, Mr. Davis, Mr. McGrath, Mr. Crummell, Mr. Felix Collins, Mr. Hutchings, Mr. Jackman, Ms Johnson, Mr. Verge, Mr. Littlejohn, Mr. Hedderson, Mr. Dalley, Mr. French, Mr. Kent, Ms Perry, Mr. Kevin Parsons, Mr. Cross, Mr. Little, Mr. Pollard, Mr. Brazil, Mr. Granter, Mr. Sandy Collins, Mr. Forsey, Mr. Cornect, Mr. Peach, Mr. Russell.

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

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

**CLERK:** Mr. Speaker, the ayes twelve, the nays twenty-eight.

**MR. SPEAKER:** The motion is defeated.

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

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

The hon. the Government House Leader.

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

Just before we conclude, I want to remind members of the House that tomorrow, April 3, the Social Services Estimates Committee will meet here in the House at 9:00 a.m. to review the Estimates of the Department of Municipal and Intergovernmental Affairs.

This afternoon, the Government Services Estimates Committee will review the Estimates of the Department of Finance and Treasury Board at 5:30 o'clock as well here in the House.

**MR. SPEAKER:** It being Private Members' Day, this House now stands adjourned until tomorrow, Thursday, at 1:30 p.m.