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*Speaker: Honourable Wade Verge, MHA*

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The House met at 1:30 p.m.

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

Admit strangers.

Today we have a number of people in the gallery I would like to recognize; first of all, Jessica Summers, and her mother, Norma. Jessica will be the subject of a member's statement in a little while.

I would also like to welcome Newfoundland and Labrador Construction Associations' President and COO, Rhonda Neary, Board Chair, Ed Legrow, Past Chair, Kirk Saunders, and recipient of the CCA Trade Contractors Award of Recognition, Kevin McEvoy.

I would also like to recognize Mr. Keith Andrews from Bishop's Falls. Mr. Andrews is a cancer survivor and a representative of Daffodil Place.

Welcome to the House of Assembly.

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

#### Statements by Members

**MR. SPEAKER:** Today we will hear members' statements from the Members for the District of St. John's North, the District of St. John's South, the District of Bonavista South, the District of Labrador West, the District of Signal Hill – Quidi Vidi, and the District of Bonavista North.

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

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

I am pleased today to recognize my constituent Mrs. Bridie Maher who recently celebrated her ninetieth birthday.

A native of Ferryland, Mrs. Maher married Alfred Maher of Aquaforte in 1944. She gave birth to fourteen children and today has a large extended family of twenty-one grandchildren and fifteen great-grandchildren.

Mr. and Mrs. Maher worked hard all their lives to support their family. Mrs. Maher went to

work for a wage at the young age of fourteen. After she got married, kept a garden, milked cows, made fish, made hay, and alongside her husband taught their children to do the same. She and her husband also ran a store and often took boarders into their home.

Mrs. Maher loves travelling almost as much as she likes politics. She is not a person who has ever been afraid to express her opinion either. She has been an avid volunteer all of her life and has never shied away from helping out wherever she could. At her apartment building, she always helps with organizing events like parties and celebrations for other residents.

I ask all hon. members to join me in extending birthday greetings to Mrs. Bridie Maher. She is an amazing ninety-years young and deserves to be celebrated.

Thank you, Mr. Speaker.

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

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

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

Members' statements are restricted to 200 words. It is impossible to do justice to somebody who has done so much in so few words.

Yesterday, the City of St. John's, and in particular the community of Shea Heights, lost a citizen who was well-recognized as a person who cared deeply for Shea Heights.

Harold Druken was a passionate advocate for the people and the needs of his community; whether it was organizing the building of a new home for a family who were affected by fire, organizing the Shea Heights Folk Festival, the Santa Claus parade, advocating for a community War Memorial, or fighting for building lots which would allow the community to grow. In fact, Harold's contributions were too numerous to mention all of them.

While Harold had a great love for his community – and everyone knew it – his love for his family was even stronger. It was easy to

see the love that Harold had for Linda, Marion, Harold Jr., and of course his grandchildren.

It is not often that we have an opportunity to meet somebody like Harold; I had the privilege to meet him and to work with him for the benefit of the community.

I was honoured to nominate Harold for the Order of Newfoundland and Labrador. He received the Queen's Jubilee medal for his volunteer work, he was awarded Citizen of the Year, but the real recognition lies in the respectful way his neighbours, family, and friends praise him. Harold's legacy will be the lasting contributions that he has made to his community and will continue to live on.

Rest in Peace, Harold.

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

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

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

Honourable colleagues, I rise in this House today to commemorate the Memorial United Church in Bonavista on celebrating its 200<sup>th</sup> anniversary in 2014. The church first opened its doors in 1814 and was formed by missionaries who came to Bonavista. After the missionaries left, it was then up to the community to keep the church viable.

The theme of the celebrations was "This far by faith." The celebrations began with a meet and greet and were a combination of both church and community activities. Some of the events that the church hosted were a garden party, a formal banquet, a traditional kitchen party, and ended with a worship service.

The cornerstone of the new church was laid on October 31, 1918 by master builder, Ronald Strathie. At the time of its consecration, the church was considered to be the largest wooden church east of Montreal. Today, it is one of the largest United Churches in the country.

Mr. Speaker, members of the House, please join me in congratulating Reverend Amanda Barnes, the organizing committee, the board of directors,

and members of the Memorial United Church of Bonavista in celebrating its 200 years of anniversary.

Thank you very much, Mr. Speaker.

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

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

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

I stand in this hon. House today to recognize the fortieth Great Labrador Loppet. Over 100 excited participants gathered at the start line on Saturday in Labrador West.

Skiers and snowshoers chose between three levels of events: ten-kilometre run, twenty-eight kilometre run, or the fifty-kilometre run. One individual ran the complete twenty-eight kilometres on snowshoes.

Besides local participants, we hosted participants from British Columbia, Manitoba, Ontario, Quebec, Nova Scotia, Happy Valley-Goose Bay, as well as the Island portion of the Province.

With conditions under clear blue skies and perfectly groomed trails, thanks to the Menihek's Nordic Ski Club as well as the White Wolf Snowmobile Club, skiers chose between classic or free technique.

Volunteers along the way provided food and drink to all participants; community volunteers and local organizations provided security and communications along the full length of the route, guaranteeing the safety of all participants.

In the afternoon, the youth presentations were awarded at the White Wolf Snowmobile Club and Saturday evening at the Smokey Mountain Ski Club, the adult presentations took place during an excellent steak dinner.

I ask all members to join me in congratulating all of the volunteers and sponsors on another successful Labrador Loppet.

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

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

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

Many of us have seen quite enough snow this year, but one of my constituents has been making the most of the snow and it has given her the opportunity to shine.

Jessica Summers won two silver medals in snowshoeing at the Special Olympics Newfoundland and Labrador Provincial Winter Games held in Corner Brook in February. She has also been invited to attend the selection camp for the 2016 Canada Winter Games which are being held in Corner Brook next year.

Jessica has been involved with Special Olympics for seven years, and she is a shining example of the important work of this non-profit organization, which serves more than 600 people with intellectual disabilities across the Province. They have fourteen active clubs, serving eighty-two communities and are constantly expanding to add new programs in every part of the Province.

With a handful of staff and an army of tireless volunteers, Special Olympics helps build, through sport, a world where every person is celebrated and accepted.

I ask all hon. members to join me in thanking Special Olympics Newfoundland and Labrador – and congratulating double medal winner Jessica Summers and I would like to add her volunteer mother, Norma, as well.

Thank you, Mr. Speaker.

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

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

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

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

When you welcome a new child into the world, you get no guarantee of what the future holds. When you are entrusted with the life of a special

child, you must step up to the plate and brace for the challenges that definitely are to come.

Jeremy George Watkins Cross, our son, did not look at cerebral palsy as an affliction – it would not and could not hold him back. He had personal strengths, a super memory, a desire to enjoy life, and a love for adventure. His wheelchair was not a burden; it was liberating. He lacked the ability to speak, but his communication was more than effective. He lived life large and left a mark on many.

High school graduation was a challenge – conquered; post-secondary – conquered; obtaining gainful employment – conquered; living with independence assisted by wonderful caregivers – conquered. He experienced ski slopes, the Tely 10, moose hunting, climbing walls, and the list goes on.

Jeremy, you were taken prematurely, but we are a better community because of your inspiration. I respect all hon. colleagues for your condolences and messages. I thank you all for sharing in our family's grief.

Jeremy, who lives on in our hearts, will never truly die.

Thank you, Mr. Speaker.

[Applause.]

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

#### Statements by Ministers

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

**MR. JACKMAN:** Mr. Speaker, I rise today to highlight Skills Canada Newfoundland and Labrador's annual skilled Career Day held last Friday at College of the North Atlantic Prince Phillip Drive campus in St. John's. I want to thank event sponsors from industry and academia and congratulate all participants, in particular the forty-eight gold medal winners from the annual competition who will now represent Newfoundland and Labrador at the national skills competition in Saskatoon in late May.

Over 350 junior high, high school, and post-secondary students, as well as registered local apprentices, participated in the annual competition. These individuals had the opportunity to showcase their tremendous abilities, and compete against some of the finest from around the Province of Newfoundland and Labrador in their respective programs.

Mr. Speaker, competitors travelled to St. John's from across the Province and represented several educational institutions. All competitors displayed incredible knowledge in their field of study and enhanced their skill level over the course of the competition.

In addition to the provincial competition, other featured activities for students and apprentices during skilled Career Day included interactive Try-a-Trade demonstrations, employment sessions, a career showcase, a skills work for women conference, and campus tours.

Mr. Speaker, as a government, we are committed to ensuring students and apprentices have access to high-quality training programs in Newfoundland and Labrador and can benefit from the opportunity to work directly with employers and businesses that support the many industries here in the Province.

We have been a long-standing supporter of interactive and engaging experiences for students and apprentices to help them get the hands-on experience they need to start in on their career path and contribute to the local workforce and provincial economy.

Best of luck to the forty-eight gold medal winners from the annual competition as you prepare for the national skills competition. I know you will represent your communities and Newfoundland and Labrador well and make us proud.

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 his statement. Bringing people together for these competitions provides valuable experience, allowing students to learn from one another and from industry. Congratulations to the forty-eight gold medal winners who will move on to the national skills competition. We certainly wish them the best.

Mr. Speaker, government has been working without up-to-date labour market information for two years – I would be remiss if I did not mention that again. Encouraging young people to try the trades without any concrete forecast of labour market needs is irresponsible.

We believe that career development should be a key focus for students. Having more co-operative program opportunities for high school students not just in the trades, but in other sectors would help young people better prepare for their careers.

Mr. Speaker, we cannot stress enough the need for comprehensive labour market information so that we are guiding students to pursue careers that will give them wonderful opportunities at the end, right here in Newfoundland and Labrador.

Thank you, Mr. Speaker.

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

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

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

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

I, too, thank the minister for an advance copy of his statement. I congratulate the medalists and wish them every success at the upcoming national competition. Skills Canada provide a great opportunity every year for students and apprentices to compete and to learn what it is like to work at different trades.

Many women have benefited from the Skills Work for Women conference which is a valuable part of this event. So I urge government to carry out the recommendations of

the Federation of Labour report and help apprentices progress through the programs all the way to journeypersons and a bright future right here in this Province we hope, Mr. Speaker.

Thank you.

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

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

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

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

I am pleased to rise in this hon. House to congratulate members of the Newfoundland and Labrador Construction Association on being recognized for outstanding achievement in the national construction industry. The association received the Gold Seal Association Award at the ninety-seventh annual national conference last week.

I also extend congratulations to Mr. Kevin McEvoy of Guildfords Incorporated on receiving the Canadian Construction Association Trade Contractors Award of Recognition. He has been honoured for his commitment and dedication to the Canadian construction industry and to the trade contractors sector of the industry.

The provincial government has invested close to \$7 billion in infrastructure throughout the Province, resulting in new economic development opportunities, improvements in transportation, as well as new schools and health care facilities. To achieve this success, we have had strong partnerships with industry partners, such as the Newfoundland and Labrador Construction Association.

Our government is taking a team approach to working with stakeholders in the industry in our Province. I recently had the pleasure of meeting with the Newfoundland and Labrador Construction Association to hear their thoughts on the construction industry. We discussed its strengths and challenges, where they believe the industry is headed, and what the provincial

government can do to support the construction industry and its workers in the coming years.

Mr. Speaker, those who work in the construction industry represent an extremely important role in our economy. They work in partnership with the provincial government and with other stakeholders, and they have played a strong role in the economic success of our Province.

Once again, I ask all hon. members to join me in congratulating Mr. Kevin McEvoy and the entire Newfoundland and Labrador Construction Association on receiving national awards and for their hard work and dedication to the provincial construction industry.

Thank you, Mr. Speaker.

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

**MR. SPEAKER:** Further statements by ministers?

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

**MR. OSBORNE:** I am sorry, Mr. Speaker, I was distracted for a moment.

I wanted to thank the minister for the advance copy of his statement. We, as well, would like to congratulate the Newfoundland and Labrador Construction Association for receiving the Gold Seal Award. We also would like to congratulate Mr. Kevin McEvoy for receiving the Canadian Construction Association Trade Contractors Award of Recognition.

The Newfoundland and Labrador Construction Association is a very important organization in our Province. Government needs to work closely with them to ensure a robust construction industry. Early tendering and multi-year tendering is important to ensure that the industry can plan and budget properly, not only for improvements in transportation, but also for schools, hospitals, long-term care centres, and so on.

We need to improve the apprenticeship program to ensure that it is easier for apprentices to get involved in the construction industry, whether it is through logbooks or block training. The construction industry will continue to be an

important entity in our Province and government needs to maintain a strong partnership with them.

Thank you, Mr. Speaker.

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

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

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

I thank the minister for the advance copy of his statement here today. Congratulations as well from our caucus to both Mr. McEvoy and the Newfoundland and Labrador Construction Association on their achievements. No doubt that long-term planning was essential and is essential, Mr. Speaker, to their success.

Long-term planning can work for roads, buildings, bridges, and ferry replacement as well. I urge government to consider – a long-term five-year plan would probably suffice as well for municipalities.

As of yet, Mr. Speaker, government still does not believe that a long-term plan is essential to everybody's success including this Province's. How can this government succeed, Mr. Speaker, without long-term planning? That is the question.

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

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

**MR. SPEAKER:** The hon. the Minister of Labrador and Aboriginal Affairs.

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

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

I rise in this hon. House to announce the Government of Newfoundland and Labrador will begin to officially fly the Labrador flag at the two gateways at the Labrador and Quebec borders.

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

**MR. RUSSELL:** In the coming months, flagpoles will be erected in both border-crossing locations and official ceremonies will be conducted to commemorate these at that time.

This is an important day for all of Labrador and as Minister of Labrador and Aboriginal Affairs, I am very proud to be part of an Administration that listens to what the residents of Labrador are saying. Flying the Labrador flag is an important milestone for this symbol which is recognized by all Labradorians.

The Labrador flag has been flying unofficially in Labrador for over forty years. It was first designed by former MHA Michael S. Martin in 1973 to commemorate Newfoundland and Labrador's twenty-fifth anniversary of joining Canada. Since its inception, the Labrador flag has become an iconic symbol of the Big Land. The flag is flown by many families and individuals residing in and outside of the Province.

Mr. Speaker, Newfoundland and Labrador is considered a unique and distinct place in our country and we add to the tapestry that makes up Canada. Likewise, Labrador is a very, very special part of our Province.

The provincial government is committed to ensuring the special circumstances and needs of Labradorians are considered in government programs and policies. The Labrador flag is an important piece of Labrador's history and it is something that unites Labradorians – and that makes it part of the entire Province's history.

Mr. Speaker, Labrador is my home. It is where my ancestors lie and it is where my children are growing up. I can say with pride that this is the greatest Province in Canada and I believe we have cause for great celebration in Labrador. Labrador's long legacy and vital place within this Province has made this new policy a reality.

Thank you, Mr. Speaker.

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

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

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

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

Mr. Speaker, finally, after forty years in existence, government is now going to fly the Labrador flag at the border crossings, in the Labrador Straits and Lab West. I would like to remind the minister that last year residents took matters into their own hands and erected the Labrador flag at both locations after requests from this government were denied. Our morning was actually held on September 6.

The Labrador flag is flying proud and strong and will continue to fly, Mr. Speaker. Residents came out in full support of the move and felt very proud in doing so.

Tomorrow, March 31, is the official Labrador flag day and we should all take time and recognize what Labrador contributes to our Province. The flag is an important part of Labrador history that unites the many different cultures and the peoples who live there.

Thank you, Mr. Speaker.

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

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

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

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

I am glad the minister is listening to something the residents of Labrador are saying. I know this announcement is a happy moment for them. I have heard them speak many times about having the Labrador flag flown officially, but the Aboriginal groups of Labrador would be even happier if government had listened to them and honoured its written commitment to consult in decisions that affect their lives more directly than even do their symbols.

The raising of the flag will not undo the insult that has been paid the Nunatsiavut Government and the other Aboriginal groups by extension when they were not involved in consultation

regarding changes to the Voisey's Bay Development Agreement.

Thank you, Mr. Speaker.

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

**MR. SPEAKER:** Oral Questions.

#### Oral Questions

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

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

The Premier has said that he is waiting until after the federal budget to bring down the provincial Budget. He said he expected the federal budget in the first or the second week of April. We know there is not a lot of conversation going on between our Province and the feds, but the federal minister has said that the budget may not be introduced until May of this year.

I ask the Premier: How long are you willing to make Newfoundlanders and Labradorians wait before they get their Budget 2015?

**MR. SPEAKER:** The hon. the Premier.

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

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

When we developed our plans earlier this year around the Budget, our intention was to wait until after the federal government had delivered their budget. We heard some weeks ago that their budget would not be delivered before early April.

We have developed a plan that we are following through on that would have our Budget brought down around the end of April. Regardless of what the federal government does at this point in time, we cannot move beyond that date. We are not willing to move beyond that date. We are targeting the end of April for the delivery of the Budget.

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



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

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

Most plans that people put in place would have a date in mind.

I ask the Premier: At least will you tell the people of Newfoundland and Labrador the date of Budget 2015?

**MR. SPEAKER:** The hon. the Premier.

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

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

As I said, we are targeting the end of April; the last number of days in April. We will make a specific date known in the coming days and weeks as that day gets closer, but I can tell you now, it will be very close to the end of April, Mr. Speaker.

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

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

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

Nalcor has promoted the benefits to the construction of a dome over Muskrat Falls. They actually called it positive mitigation against weather risk. Astaldi has admitted they did not achieve their target date of December to have the dome completely finished.

I ask the Premier: Can you confirm if this dome is now completed? If not, when will it be finished?

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

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

**MR. DALLEY:** Mr. Speaker, there was a plan by Astaldi to help mitigate against some of the weather conditions in Muskrat Falls with the erection of a dome. There are four phases to it. I understand that two has been completed. The plan now is to not do number three and four. I

think you will add additional capacity there to do some of the cement work in the summer season so that they can try to maintain their schedule.

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

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

In the beginning, the four areas to be covered were seen as something that would help the efficiency and help workers on that project.

I ask the minister: Why is it that you allowed Astaldi to back away from covering all four areas?

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

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

**MR. DALLEY:** Mr. Speaker, this was a decision, I guess, between Astaldi and Nalcor as to finding best ways to mitigate against the severe weather conditions in the region. Certainly, we all recognize that.

During the process of this work and recognizing the schedules and schedule pressures and so on, a decision was made to deal with just the two domes. Then the switch in the decision to add capacity to address some of those issues where we can get the work completed in the summer months versus having to deal with the adverse weather conditions. That was the decisions made, Mr. Speaker. There is no long-term impact on the project, and no cost on the project, Mr. Speaker.

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

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

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

Well, the cost on the project was actually picked up, as the minister knows, as part of the announcement that was made by the CEO of Nalcor.

I ask the minister: The savings now on not erecting the two pieces – your part of the oversight committee that looks at this project – will the people of Newfoundland and Labrador get the savings it deserves by not having this dome completed?

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

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

**MR. DALLEY:** Mr. Speaker, I think the hon. member would probably know, but any time we are in big project – and certainly we have some megaprojects in this Province – there are many aspects of the projects where there are gives-and-takes, puts-and-takes, where you may find that some work can get done quicker than others. You may find that some costs more or less than others.

Certainly through the scope of the project – the numbers have been released on the project – there are schedule pressures, as has been acknowledged as well, but any of the savings will go back into the project. That will occur on a number of aspects of the project while other aspects of the project, no doubt, will probably cost more, and that is the very nature of these large projects, Mr. Speaker.

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

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

**MR. BALL:** In the past, government has relied on the PIRA Energy forecast to help set the budget price for oil. In 2012, they even went as far to publish PIRA's forecast methodology and assessment of the future oil price trends. That document says that the low case for Brent crude is at \$58 a barrel between 2012 and 2025.

I ask the Premier: You are on record as saying that nobody could have seen the drop in oil prices, but your own report in 2012 by PIRA saw the potential for this to happen, so why did you ignore this important information and fail to plan for this difficult situation?

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

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

**MR. WISEMAN:** Mr. Speaker, that question sounds very similar to the one asked last week, so let me give a similar answer that I gave last week to the same question.

When we do our Budget forecast each year, we rely on a variety of sources of information. There are many people who are providing services for a fee to do forecasting for governments and investors of private companies. There are many people who do it and publish their information.

We reach into the market to provide access to as many sources of information as possible and if you look at the last couple of Budgets and our strategy for sustainability, that ten-year plan, we published then other sources that provided a broad perspective of forecasting.

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

The hon. the Leader of the Official Opposition.

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

I say to the minister, you paid for this information back prior to 2012. As a matter of fact, your own Energy Plan in 2007 said something very similar, between sixty and seventy.

Why did you ignore all the information that you already had paid for, I say to the minister? You saw this coming; why did you not plan for it?

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

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

**MR. WISEMAN:** Mr. Speaker, forecasting is always a challenge. When you sit in –

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

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

**MR. WISEMAN:** When you sit in 2015 and start talking about what someone might have said in 2012, you also need to consider what has happened since about 2010. If you look at a

period from about 2010 up to about July of last year, the forecasting the people were doing was suggesting that oil was going to be remaining at \$100-plus for a period of time.

When people do forecasts, they take a snapshot of what knowledge they have at that point in time and forecast into the future. As circumstances change, they revise those forecasts. Anybody who would have forecasted in 2012 will probably have revised it after that date.

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

The hon. the Leader of the Official Opposition.

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

There is no doubt the minister said that forecasting is a challenge. According to this government, planning is also a challenge.

I say to the Minister of Finance: Why did you sanction this project based on the information that you had in 2012 if you did not trust those numbers at that time?

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

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

**MR. DALLEY:** Mr. Speaker, the member opposite obviously does not support the Muskrat Falls Project, and does not support the 2,000 jobs that are down there. He is not supporting the fact that we need a new power system in this Province. We do not have enough power in the Province.

We need to find more reliability. We need to deal with the environmental issues in hydro, Mr. Speaker. We need to find new ways to invest our non-renewable profits from our resources into renewable. We need to find a way to move from our isolated to interconnected so we can improve the reliability. That is what the Nalcor project is all about.

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

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

**MR. DALLEY:** The difference of the day, Mr. Speaker, that recognizes that this was the least-cost option, the best for the people of the Province; that still stands today.

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

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

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

Since the Minister of Finance did not answer the question, maybe I will ask the Minister of Natural Resources. He seems to have the information.

Why are you ignoring the prices that PIRA predicted in 2012? Why are you ignoring the 2007 Energy Plan with those prices, I say that to the Minister of Natural Resources?

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

**MR. DALLEY:** Mr. Speaker, I am not sure if he wants a Finance answer or if he wants something about the project in Muskrat Falls, which is going to be one of the greatest projects –

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

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

**MR. DALLEY:** – in the history of our Province, and this government is going to take credit for it.

I can tell you the member on the other side, even though the Leader of the Opposition does not support it, I am quite sure sitting at his left hand there, Mr. Speaker, is certainly in favour of it when she sat on the Nalcor board and helped make these decisions. So we do not want to lose sight of that, Mr. Speaker; but, what I will say in the decision to build the project, the decision was made, Mr. Speaker, but it was not made on a weekly forecast or a daily forecast, it is a fifty-year project that is going to reap the benefits for Newfoundlanders and Labradorers for generations.

If we look at the long-term forecast for oil prices, I can tell you that this project will still be

the least cost and the best project for the people of Newfoundland and Labrador.

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

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

**MR. JOYCE:** Mr. Speaker, there is continued confusion across the Province over the 911 emergency phone system, especially as it relates to dispatch services. The ability to send the appropriate first responder should be priority one. Just answering a 911 call will not be good enough.

Former Minister Judy Manning said that local fire departments can receive dispatch services from both PSAP centres if they request it.

Can the minister confirm that this is still the case?

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

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

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

On behalf of Fire and Emergency Services Newfoundland and Labrador, I am pleased to report that Basic 911 service is up and running. We have our public safety answering points up and running in St. John's and Corner Brook, and the system is indeed functioning as it should.

It is up to fire departments and other emergency responders to choose how they wish to handle dispatch, Mr. Speaker. Nothing has changed in that regard, but I am pleased to say that Basic 911 service is in place across the Province. It has been a long time coming, and it is certainly an important first step in further expanding 911 services as we move to advance to Next Generation.

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

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

**MR. JOYCE:** Mr. Speaker, non-answers like that, I am starting to wish Judy Manning was back here.

Mr. Speaker, a check with two fire departments in Corner Brook and St. John's show completely different arrangements for providing dispatch. Corner Brook will charge their neighbours \$2,500 per year for the service. That seems excessive, given the low volume of calls from places like York Harbour and Lark Harbour. They had just two 911 calls last year for fire. That equates to \$1,125 per call. St. John's is proposing to charge towns a percentage based on calls dispatched.

I ask the minister: Why is there no consistent program in place making dispatch available and affordable to all those who want it?

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

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

**MR. KENT:** Mr. Speaker, if there are certain communities or certain fire departments across the Province that have specific concerns then they are welcome to contact Fire and Emergency Services. There are officials involved with our 911 bureau as well who will be happy to try and work with those communities and address those concerns.

Dispatch is handled by the local emergency providers and by fire departments. So it does vary across the Province. They could carry out the functions themselves. They could go to a regionalization model, which is something we would certainly encourage. They could share services with other emergency providers and fire departments. All of those options are available to our communities – it is up to those communities. Mr. Speaker, they can choose themselves how they handle things within their respective jurisdictions.

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

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

**MR. MITCHELMORE:** Mr. Speaker, when asked for a hazardous assessment and cost of

cleanup at the Abitibi mill property, the minister deferred. He instead touted the historical nature of the property and that it was a \$100 million asset – which grossly exaggerates the value.

I ask the minister: How can you peg the value of the mill property at \$100 million when you are unable to let the taxpayers know just how much you are on the hook in environmental liabilities?

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

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

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

I need to clarify my comment from last week. What I was referring to was that the integrity of what that represented to the people of Central Newfoundland was very important to us. So we wanted to make sure that as we dismantle the mill, we take it down in a respectful manner.

What I also went on to further reiterate was the fact that we will be working very closely with stakeholders – the municipalities around that area, other stakeholders there – to determine exactly what that piece of property will be used for. Part of that process when we look at the remediation will then be looking at the costing relevant to that.

Mr. Speaker, we have not identified what the usage for that piece of property will be. We are going to identify that after we talk with the stakeholders, after we take down the piece of property. Then we will be able to determine what kind of investment we need to make from the people of Newfoundland and Labrador.

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

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

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

**MR. MITCHELMORE:** Mr. Speaker, years after a botched expropriation and the feds paying \$130 million under NAFTA, there is still no clear indication as to what the cost of remediation is.

Given this is not the first unnecessary environmental liability this Province has undertaken, I ask the minister: Will you make public the hazardous assessments and the cost to remediate the Abitibi properties, as well as the additional sites and their liabilities? Don't you think the public has a right to know?

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

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

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

I do want to also acknowledge the fact that we received timber rights here; we have received hydro rights that will equate to hundreds of millions of dollars for the taxpayers of this Province, Mr. Speaker. So this was not a botched expropriation here. This was about ensuring that we had a piece of property that was owned by the people of Newfoundland and Labrador, and we continue to do that.

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

**MR. BRAZIL:** As I noted, as we remove the mill itself, we will then assess exactly what that piece of property will be used for. Then, in co-operation with my colleague and the officials in the Department of Environment, we will assess what kind of remediation will be necessary and what costing that will be, Mr. Speaker. We will then report that to the people of this Province and we will make that happen.

Thank you, Mr. Speaker.

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

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

**MR. MITCHELMORE:** Mr. Speaker, I find it offensive that the minister does not call that a botched expropriation.

In order to meet the required accounting standards by financial year-end 2015, the Auditor General recommends that government complete the required environmental assessments and re-evaluate how it records the liabilities. In 2013, the environmental liabilities

for the fifteen sites were listed at a mere \$28.3 million.

I ask the minister: Why are you failing to do your due diligence and continue to grossly discount the environmental liabilities on the taxpayers' balance sheet?

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

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

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

We certainly take the Auditor General's comments very seriously. In fact, we have been working with the Auditor General to put together a sites liability assessment program, Mr. Speaker.

So we are at a place right now where we have 145 out of 176 sites in the Province that we have done an assessment on. We are 80 per cent complete in our assessments and we will be done on time in the spring of the year just like the Auditor General asked.

Thank you very much, Mr. Speaker.

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

**MR. SPEAKER:** The hon. the Member for Trinity – Bay de Verde.

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

It has been six days since the minister committed to tabling a list of over \$40 million in write offs by government's Business Investment Corporation.

I ask the minister once again: When will you table the list?

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

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

**MR. S. COLLINS:** Thank you, Mr. Speaker.

As I noted before, information is being gathered. Once I have that I will put it forward.

Again, Mr. Speaker, I will reiterate the fact that a lot of these loans that were written off, as the member had raised, were made during the previous Administration.

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

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

**MR. S. COLLINS:** So we are going back – if I could finish, please.

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

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

**MR. S. COLLINS:** What we have here, Mr. Speaker, is a large piece of work. It is not over the last couple of years but it is this Administration, and more importantly the vast majority laid –

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

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

**MR. S. COLLINS:** – with the previous Administration. As I had said, the information is being compiled by officials and it will be tabled in due course.

Thank you.

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

**MR. SPEAKER:** The hon. the Member for Virginia Waters.

**MS C. BENNETT:** Mr. Speaker, the Auditor General identified that there are a lack of internal audit processes in place at Eastern Health which has a budget of over a billion dollars. He recommended implementation of an internal audit committee and internal audit processes.

Why has this not been done?

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

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

**MR. KENT:** Mr. Speaker, within our regional health authorities, within our department, and within all government departments we take the recommendations from the Auditor General very seriously. Some take longer than others to implement, but if the Auditor General has made recommendations, we do endeavour to follow them. That is a matter I will certainly pursue with Eastern Health which is the largest regional health authority in our Province.

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

**MR. SPEAKER:** The hon. the Member for Virginia Waters.

**MS C. BENNETT:** Mr. Speaker, in addition to not being able to forecast oil despite PIRA recommendations and the advice of their own Crown corporation, the Auditor General has continued to identify lack of strong financial oversight by this government, leading to a waste of taxpayers' money. Since 2008, there are 286 recommendations to improve financial accountability that remain not fully implemented.

Why are you not expeditiously acting on the AG's recommendations?

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

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

**MR. WISEMAN:** Another recycled question from last week, Mr. Speaker – not much creativity on the other side.

I say, Mr. Speaker –

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

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

**MR. WISEMAN:** Thank you for the protection, Mr. Speaker. Obviously, they must be anxiously awaiting Easter or something over there today.

Clearly, as my colleague just indicated, we respect the Auditor General. We appreciate the tremendous work that he does on behalf of the people of Newfoundland and Labrador. When recommendations are made, we take them

seriously and put in place an action plan to have them implemented to improve on internal controls, in some cases, improve on how we spend our money, but always with a view of improving programs and services for the people of Newfoundland and Labrador.

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

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

**MR. KIRBY:** Mr. Speaker, the minister can learn a lot about putting all your eggs in one basket.

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

**MR. KIRBY:** The Newfoundland and Labrador Coalition for Better Child Care held a public meeting on the weekend which exposed government's real lack of progress on child care. The coalition wants to meet with the Minister of Education and Early Childhood Development but, so far, they cannot get the minister to respond to their email.

In light of this government's failure to consult in the past, I will ask the minister: Will you now commit to meeting with the coalition?

**MR. SPEAKER:** The hon. the Premier.

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

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

It is interesting to watch as members opposite, the Liberal Opposition opposite, continue to bring questions to us that pertain to the work that is done by hard-working employees of the Government of Newfoundland and Labrador, Mr. Speaker. Today they talked about employees from Business –

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

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

**PREMIER DAVIS:** You have gone after employees from Business, Tourism, Culture and Rural Development. You have talked about health authorities, what they have done; Transportation and Works; Environment; and

now we are going to talk about the people who work in early education, Mr. Speaker.

We have a ten-year plan, Mr. Speaker, because we recognize we need to improve early childhood education in this Province.

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

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

**PREMIER DAVIS:** We have tackled quality, Mr. Speaker. We have tackled being able to provide opportunities for people who work in child care to have better education for themselves. We assist them with that so they can provide better services. We have increased the number of spaces significantly. We are also tackling the cost of child care to families in Newfoundland and Labrador, Mr. Speaker.

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

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

**MR. KIRBY:** Mr. Speaker, I said the minister would not respond to their emails. So we are not disputing the competence of early childhood educators; we are disputing your competence Mr. Premier.

As part of its child care strategy, this government promised to deliver a centralized child care registry and a revised inclusion supports program by the end of last year, 2014. Like a lot of other commitments, they failed to deliver on this as well, Mr. Speaker.

I ask the minister: When will the registry and the inclusion supports program changes be delivered? Are you giving up on your 10-Year Child Care Strategy after just two years?

**MR. SPEAKER:** The hon. the Minister of Education and Early Childhood Development.

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

**MS SULLIVAN:** Mr. Speaker, we will never give up on the children of Newfoundland and Labrador.

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

**MS SULLIVAN:** Mr. Speaker, as for his question around meeting with the coalition, the newly formed coalition, we actually are waiting on dates back from them so that meeting can be set up. I have been in touch – people in my department, rather, have been in touch to try to set up that meeting, and we are awaiting dates from the coalition itself so that we can in fact have that meeting.

Mr. Speaker, we are concerned about meeting the needs of all children in the Province, of our child care operators as well, and of the people who work with them – unlike some of the information that has been put out here around one particular study, which is totally erroneous and totally inaccurate.

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

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

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

**MR. EDMUNDS:** Mr. Speaker, the situation in Hopedale with their drinking water supply continues to worsen. As of this morning, the whole community is without water.

I ask the Minister Responsible for Fire and Emergency Services: How are you addressing the no water situation in Hopedale today?

**MR. SPEAKER:** The hon. the Minister of Labrador and Aboriginal Affairs.

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

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

When we first heard about this situation, that very morning I had been on the phone with the AngajukKak from the Inuit Community Government. Likewise, Mr. Speaker, we have had representation from Fire and Emergency Services; we have had Municipal Affairs involved. As a matter of fact, officials from those two departments are in Hopedale this week. The water situation this morning where they had zero water pressure has now been corrected and they are doing much better.



I just got off the phone before we came into the House here with the AngajukKak again to make sure that everything that we are doing for the people of Hopedale is the right thing to be doing at this time and that they are being served, and he is very happy with the co-ordination efforts up to this point.

Thank you, Mr. Speaker.

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

**MR. SPEAKER:** The hon. the Member for Torngat Mountains has time for a quick question.

**MR. EDMUNDS:** Mr. Speaker, after four Municipal Affairs Ministers in three years, why hasn't a long-term solution for Hopedale's water supply been implemented?

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

**MR. SPEAKER:** The hon. the Minister of Labrador and Aboriginal Affairs.

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

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

Just quickly, I would like to reiterate that when the situation arose, we were immediate in our response with bottled water being co-ordinated, pumps for back-up systems to be put in place, Mr. Speaker.

Right now, we are making sure that a short-term fix is being implemented in a correct fashion. As well, we are fully committed to an assessment of the long-term needs of the community of Hopedale.

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

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

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

The issue of silence around sexual harassment of women is ongoing and unresolved everywhere in our society, including inside the walls of government.

I ask the Premier: How is he fixing the discrepancy between what he has said publicly about giving women a safe place to step up and disclose and the actual situation inside the public service?

**MR. SPEAKER:** The hon. the Premier.

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

**PREMIER DAVIS:** Mr. Speaker, I have said time and time again and have clearly articulated the importance I put on a respectful workplace and the assurance that our employees are protected in their workplace, and that we follow up when there are concerns between employees and matters of importance in the workplace.

I have seen the articles that were published in *The Telegram*, Mr. Speaker. I can tell you that even the reporter himself indicates he had 150 pages of information. I can assure the member opposite that the article does not reflect the entire information, the facts of the matter, and the timeline that took place to these processes, Mr. Speaker.

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

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

**MS MICHAEL:** Mr. Speaker, protection of men who harass is endemic; the silence can be deafening.

What will the Premier do to make sure that women who are harassed in the public service feel secure that disclosure of harassment will be safe and bring positive results without jeopardizing their careers?

**MR. SPEAKER:** The hon. the Premier.

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

**PREMIER DAVIS:** It is a good question by the member opposite. I can tell you our respectful workplace policies have been evolving and have continued to be updated over recent years. As recently as 2012, our policies were updated, Mr. Speaker.

I can tell you before coming to the House today, I met with the Clerk of the Executive Council, I met with the Deputy Minister of the Human Resource Secretariat, and I want to make sure that our policies are as up to date as they can be, that they are effective, that they meet the needs of our employees throughout Newfoundland and Labrador.

I have asked the Clerk to engage with an external consultant to review our policies, to make recommendations to us on how we can make improvements so we can have the best policies and responses to our public employees that we can possibly have, Mr. Speaker.

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

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

**MS ROGERS:** Thanks, Mr. Speaker.

Mr. Speaker, in many parts of the Province women centres are the only places that help women deal with sexual assault, sexual harassment, and domestic violence. They support women and their children with housing, employment, mental health, food, and clothing.

The funding cycle ends tomorrow – tomorrow – yet no one from government has assured them of their core funding. Some do not know how they will pay their rent or their staff come Wednesday.

I ask the Premier: Will he immediately guarantee the women's centres their core funding, and that it will not be reduced this year?

**MR. SPEAKER:** The hon. the Premier.

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

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

I can tell you that we fully, and I personally, fully respect and appreciate the valuable work in partnership they do with government, with stakeholders, and people who are in need of supports and assistance throughout Newfoundland and Labrador, Mr. Speaker.

As we are going through this Budget process, and as you are well aware, we talked about earlier that we anticipate that by late April we will have our Budget introduced to the House, Mr. Speaker; but I want to confirm for the member opposite that the core funding for such organizations will be kept intact for this coming year.

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

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

**MS ROGERS:** Mr. Speaker, I ask the Premier, then: Is he guaranteeing that their core funding will not be reduced this year?

**MR. SPEAKER:** The hon. the Premier.

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

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

That is exactly what I just said, Mr. Speaker. The core funding will be maintained for this coming year.

We value the important work they do throughout Newfoundland and Labrador, Mr. Speaker. They provide invaluable assistance and supports to people in the Province who are in need of these supports and assistance. I have seen it firsthand, Mr. Speaker, the types of projects and programs they provide to people who find themselves in need and need those assistances and supports. We feel, and our government feels, that it is important that we keep their core funding intact for the coming year. Mr. Speaker, we are committed to it.

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

**MR. SPEAKER:** The hon. the Member for St. John's Centre has time for a quick question.

**MS ROGERS:** Mr. Speaker, many community groups are in the same boat.

I ask the Premier: Can he guarantee their funding?

**MR. SPEAKER:** The hon. the Premier.

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

**PREMIER DAVIS:** Mr. Speaker, I have said – and what I have said was very broadly, because there are a number of organizations throughout the Province that provide services that are important to us, important to us as a government, and are important to the people of Newfoundland and Labrador. As I have said, our intention is to keep core funding intact for such organizations and similar organizations as she has mentioned. There are a broad range of organizations in our Province that provide numerous services, Mr. Speaker.

What the hon. member is referring to is very important to Newfoundlanders and Labradorians, is very important to us as a government, and as I have said, their core funding will be maintained.

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

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

The time for Question Period has expired.

Presenting Reports by Standing and Select Committees.

Tabling of Documents.

**Tabling of Documents**

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

**MR. S. COLLINS:** Thank you, Mr. Speaker.

I am pleased to rise today to table the strategic plan for the Department of Child, Youth and Family Services for the time period of 2014-2017.

**MR. SPEAKER:** Further tabling of documents?

The hon. the Minister of Environment and Conservation.

**MR. CRUMMELL:** Mr. Speaker, in accordance with the Transparency and Accountability Act it is my pleasure to table the 2014-2017 activity plan for the Wilderness and Ecological Reserves Advisory Committee.

Thank you, Mr. Speaker.

**MR. SPEAKER:** Further tabling of documents?

Notices of Motion.

Answers to Questions for which Notice has been Given.

Petitions.

**Petitions**

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

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

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

WHEREAS the Eastern School District is considering a one-and-a-half year plan to bus Kindergarten to Grade 6 students to the Newfoundland and Labrador School for the Deaf; and

WHEREAS parents have expressed concern that long bus rides to school face dangers such as congested streets and busy intersections, especially during winter weather conditions; and

WHEREAS review of the Holy Family school system to recommend the Department of Education consider an alternative to having children attend the Newfoundland School for the Deaf; and

WHEREAS some parents suggest having Grades 5-6 attend Villanova Junior High to alleviate some congestion at Holy Family; and

WHEREAS parents are continuing to demand more flexible policies to meet the current needs of school children;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge government to change the proposal transferring children from

Holy Family school to the former Newfoundland School for the Deaf building.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, this is, I guess, all of the petitions that I have received, save the ones that I have presented on two separate occasions regarding the plan or proposed options for Holy Family Elementary school in Paradise. I understand that the Newfoundland and Labrador English School District board is meeting this evening to consider both of those options, to pick one.

I have spoken to a good number of parents who are in favour of this option and I have spoken to a good number of parents who are in favour of the other option. That is the four additional portables at the existing school versus busing the kids forty-five minutes to school. I do not consider either of those options to be acceptable. It is sad. It is unfortunate that we have arrived at this situation.

All those parents were expecting that their kids would be accommodated at an elementary school in Paradise, but unfortunately have come to a place where schools are overflowing in Paradise and there is no room. The earliest we hope government will be able to provide school facilities for those kids as per the law is September 2016. We cannot even really get a serious commitment as to whether or not that is going to happen.

We have about five, or maybe even six schools now that have been promised for September 2016. It is a tall order, and all of that work has been more or less thrown there because government has failed to plan for the growing population in Northeast Avalon, despite the fact that year over year over year over year we had all sorts of reports, projections around population, either internally or externally within the Province, across the Atlantic provinces and nationally.

It is unfortunate we have come to this place, Mr. Speaker.

Thank you.

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

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

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

WHEREAS Tordon 101 contains the chemicals 2,4-D and picloram; and

WHEREAS the chemical picloram is a known cancer-causing carcinogen; and

WHEREAS the provincial government has banned the cosmetic use of the pesticide 2,4-D; and

WHEREAS safer alternatives are available to the provincial government for brushing clearance such as manual labour, alternative competitive seeding methods, and/or the mechanical removal of brush; and

WHEREAS the provincial government is responsible for ensuring the safety and well-being of its citizens;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge government to cease the use of chemicals covered under its own cosmetic pesticide ban and begin using safer methods of brush clearance that will not place its citizens in harm's way.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, I have stood in this House a number of times talking to this petition and talking about the dangers of chemicals. I will not be long and I will not belabour it, but the simple fact of the matter is that the people have a right to know about these chemicals that are going into their environment. The workers themselves who are applying these chemicals are also being exposed to these chemicals as they are being sprayed around in our environment.

Mr. Speaker, I have to note, earlier the Minister of Transportation stood up and was talking about the awards to the Construction Association of Newfoundland and Labrador, and I talked about the simple point that there is a need here for long-term planning. Well, any long-term plan of course has to address several concerns and a concern of health around these chemicals. I think it is on everybody's mind, including the Members of the House of Assembly here whenever we are talking about roadside brush clearing – whatever it is being used for, for the clearing of roadside brush for vehicle safety obviously is a concern and moose. Government may have a valid reason for clearing the brush but they do not have to do it by the use of these particular chemicals.

Mr. Speaker, again, I will table this petition. Hopefully, government in its long-term planning of health will consider the usage of chemicals here and cease and desist the use of these chemicals in roadside brush clearing and probably go to a mechanical means that may end up in some green jobs, too, at the same time.

Mr. Speaker, I will leave this for the House of Assembly's consideration again.

Thank you very much.

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

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

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

WHEREAS most communities in the District of Cartwright – L'Anse au Clair do not have cellphone coverage; and

WHEREAS residents of coastal Labrador require cell coverage to ensure their safety and communications abilities; and

WHEREAS the opening of the Trans-Labrador Highway has increased their dependency on mobile communications;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge the Government of Newfoundland and Labrador to work with the appropriate agencies to provide cellphone coverage along the Trans-Labrador Highway and to all communities in coastal Labrador.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, this is a petition that if we were to meet the need of everything that it is asking for there I recognize it would be very, very costly. Of the seventeen or eighteen communities in my district, Mr. Speaker, I would say there are probably only two that get cell coverage well enough to use.

In addition to that, we have a 600 or 700 kilometre stretch of probably the most desolate remote road. Once you leave L'Anse au Loup, all the way to Goose Bay, there is nothing. I recognize that if you put in cellphone towers, that only covers maybe a five to ten kilometre radius; but, Mr. Speaker, I believe there is a responsibility here at some point for there to be a plan that we see cellphone coverage somewhere in that stretch so when things happen people are able to make a call out.

Mr. Speaker, we do not even have anything like Wi-Fi repeaters on towers, something of that nature which would be cheaper for people to make contact in the event of an emergency. Just recently we had a serious accident where a life was lost. They were hours and hours waiting for help, a very difficult situation.

I had this petition last week, and it is ironic that since last week, up to now, I spent most of Thursday night myself on a stretch of road outside Goose Bay because I encountered a very stubborn moose that refused to get off and I was held up until I was rescued at 4:00 a.m. in the morning. I share that, Mr. Speaker, just as an example. That you are on the road, it is the middle of the night and things happen, and you have no contact.

I will continue to petition on behalf of the residents of Labrador. I hope there is a plan that we will see in certain areas at least, Mr. Speaker, where you will have pockets of space where you

will be able to make a call, especially when something happens.

Thank you.

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

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

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

WHEREAS Route 434 Conche Road is 17.6 kilometres of unpaved road; and

WHEREAS the current road conditions are deplorable; and

WHEREAS the Canadian Automobile Association ranked Route 434 the seventh worst road in Atlantic Canada; and

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

WHEREAS an improved paved road would enhance local business, fish processing operations, and tourism, which is vital to the health of the communities affected;

We, the undersigned, petition the House of Assembly to urge the government to allocate funds in the provincial roads program to pave Route 434.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, the petition is signed by residents of Roddickton, Bide Arm, Englee, and Conche. This road has been around for nearly fifty years waiting for pavement. I recognize that the government of the day invested in rebuilding, realigning this road, spending about \$6 million, but stopped short of actually putting on the blacktop to pave the road. There needs to be some form of plan to do that here for Conche.

Currently, the CAA has its worst roads in Atlantic Canada ongoing and Conche is up there right again. It was in sixth place. The last time I checked it was at seventh.

Mr. Speaker, they have a strong economy here. A multi-year plan to pave would make a lot of sense when you have a fish plant hiring people from the region with hundreds and hundreds of commercial trucks going in and out. They have a strong tourism economy with the French Shore and the Tapestry.

This was aired actually on NTV News yesterday about the deplorable conditions of the road. When you look at that, I think there is opportunity to look at your priorities and find out and let the people of Conche know and in the region where this road actually ranks on the government's agenda. It is something that – the people in the community feel certainly forgotten.

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.

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 Family Violence Intervention Court provided a comprehensive approach to domestic violence in a court setting that fully understood and dealt with the complex issues of domestic violence; and

WHEREAS domestic violence continues to be one of the most serious issues facing our Province today, and the cost of the impact of domestic violence is great both economically and in human suffering; and

WHEREAS the Family Violence Intervention Court was welcomed and endorsed by all aspects of the justice system including the police, the courts, prosecutors, defence counsel, Child, Youth and Family Services, as well as victims,

offenders, community agencies and women's groups; and

WHEREAS the recidivism rate for offenders going through the court was 10 per cent compared to 40 per cent for those who did not; and

WHEREAS the budget for the court was only 0.2 per cent of the entire budget of the Department of Justice;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge government to reinstate the Family Violence Intervention Court.

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

Mr. Speaker, I have given this petition so often that I almost know it by heart. I believe many members of this House of Assembly here probably almost know it by heart. Many people in the House of Assembly would probably – members would probably think, here she goes again. We know exactly what she is going to say.

The odd thing, Mr. Speaker, is that the Family Violence Intervention Court made sense. It did what it was supposed to do. As a matter of fact, there are courts in this country that are modeled on our Family Violence Intervention Court. It worked. It reduced recidivism. It kept families together who want to be kept together. It lessened violence. It kept women and children safer. It kept women safer, it kept children safer. It offered the possibility of training and rehabilitation for offenders. It made sense.

It also made economic sense, because it cut down on recidivism rates. It also made economic sense because it cut down on court time. Mr. Speaker, there is no good reason not to do this. As a matter of fact, it is an economic solution as well.

Why this is not moving forward, the Premier has stated in his mandate letter to the former Minister of Justice – and I assume that mandate letter also is directed towards the current

Minister of Justice – that this is what government should do.

Thank you very much, Mr. Speaker.

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

The hon. the Member for St. George's – Stephenville East.

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

I have a petition today related to reducing the highway speed limit in the South Branch and Coal Brook area.

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

WHEREAS the speed limit is reduced along the Trans-Canada Highway in many areas where residents live near the highway; and

WHEREAS the current speed limit presents a danger in the South Branch and Coal Brook area; and

WHEREAS there is a significant danger specifically related to children getting on and off the school bus in the area;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge the Government of Newfoundland and Labrador to reduce the speed limit for the highway in the South Branch-Coal Brook area.

Mr. Speaker, if anyone has travelled through this area, they will know that the Trans-Canada Highway in the South Branch-Coal Brook area travels right through the community. There are houses on both sides of the road there. It presents a danger to people who live in that area to have the speed limits as high as they are. It is especially a danger in terms of the school bus stopping letting off children in that area. Sometimes they cross the road and things like that.

The petitioners are asking that the Minister of Transportation look at possible ways of reducing

this danger to children in the area. They would like the speed limit reduced, but I would also say they would be happy if the minister and the department were to look at innovative ways they could accomplish the same thing, such as having a side road where the bus could go off and let the children off, or some sort of underpass that goes underneath the highway or something like that. It might provide a solution to this area.

Mr. Speaker, that is the issue. It is a danger on the Trans-Canada Highway for children, especially when they get on and off the school bus. I would ask the minister and the department to look at possible solutions to this problem.

Thank you very much, Mr. Speaker.

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

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

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

WHEREAS hundreds of residents of the South Coast of the Province of Newfoundland and Labrador, including residents of the communities of Burgeo, Ramea, Grey River, and François use Route 480 on a regular basis for work, medical, educational, and social reasons; and

WHEREAS there is no cellphone coverage on Route 480; and

WHEREAS residents and users of Route 480 require cellphone coverage to ensure their safety and communication abilities; and

WHEREAS the Department of Innovation, Business and Rural Development recently announced significant funding to improve broadband services in rural Newfoundland and Labrador; and

WHEREAS the residents and users of Route 480 feel that the Department of Innovation, Business and Rural Development should also invest in

cellphone coverage for rural Newfoundland and Labrador;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge the Government of Newfoundland and Labrador to support the users of Route 480 in their request to obtain cellphone coverage along Route 480.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, again, this is a number of times I have entered this petition. This one is a bit older. The name of the department has changed. Sometimes that happens a lot. The names of departments change more frequently than the petitions, which we have seen a lot of that, but the substance of the petition stays the same. The substance is that right now there is no cellphone coverage along Route 480, along Route 470, and I am sure if we talked to a lot of members in this House, a number of other roadways in this Province.

Now, it is funny – actually there is an article in *The Gulf News* today, which is the paper that covers the Southwest Coast, and it specifically talks about cellphone coverage along Route 480, where we had two cars stuck on the road for up to twenty-four hours, in the middle of winter, road closed, and no equipment there. They talk about how we need this; it is a safety issue.

It is funny because when they wrote the department, there was an email back and the email talked about broadband. The email did not talk about cellphone coverage. What they did, they said we will continue to lobby private companies. Basically, the department admitted to doing what they have done for the last four years, which is nothing. They have done nothing except slough it off and say let's hope that Bell Aliant or some other private group will do something, but that does not work.

You see, at some point, this government has to take responsibility and even admit that this is a priority. I would love to see some members from the other side stand up and say do you know what, you are right; we should get on this. It affects more, I would imagine, on the other side than it affects here; but it is an issue that



affects a lot of people in this entire Province, and we need to do something about it.

I would suggest to the department and the minister when you get an opportunity, please have a look at this issue because right now sending statements to papers saying we are not going to do anything is just not cutting it. If we do not do anything, we are going to have the same winter next year, where vehicles are stuck on roads and they cannot call anyone because there is no cellphone coverage – but we all know there is lots of good work being done for broadband –

**AN HON. MEMBER:** Hear, hear!

**MR. A. PARSONS:** I say good for you and it is time to work on the cellphone coverage because right now it is not cutting it. Again, I hear the minister saying hear, hear. I say, we look forward to seeing that document that you were supposed to table six, seven days ago.

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.

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

WHEREAS the speed limit is 100 kilometres an hour on the Veteran's Memorial Highway; and

WHEREAS traffic entering the existing Veteran's Memorial Highway is often heavy at Jamie's Way intersection; and

WHEREAS because of heavy traffic turning left onto Jamie's Way, having to cross traffic that is travelling 100 kilometres an hour and higher is creating potential for serious accidents;

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

limit on the Veteran's Memorial Highway in the area of Jamie's Way to seventy kilometres an hour.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, I have signatures on this from Kingston, Carbonear, Salmon Cove, Victoria, and on and on it goes. It is actually a little bit confusing there now I would say to the Minister of Transportation and Works because as you head towards Carbonear, after you pass Jamie's Way, the speed limit is actually seventy; but if you are coming up on the other side, coming up towards Harbour Grace, it is 100. So when you are making the approach to Jamie's Way, it is quite concerning and there is such a mixed message there.

I would call upon the Minister of Transportation to have a serious look at this indeed. Any time that you have to go across three or four roads of traffic it is always concerning, especially where there are no lights there. I just call upon the minister and ask him, in a very respectful way, to have a look at that and just see what we can get done with it.

Thank you, Mr. Speaker.

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

**MR. SPEAKER:** The hon. the Member for Humber East.

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

WHEREAS the 2009 Throne Speech clearly states that government has provided free textbooks to students; and

WHEREAS this is an investment in education; and

WHEREAS unfortunately, all students attending independently funded schools have been deprived of equal access to this assistance; and

WHEREAS the Department of Education is perceived to show discrimination towards our

parents who exercise a choice of schooling for their child; and

WHEREAS all schools operate under the guidelines of the Schools Act.

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge the Government of Newfoundland and Labrador, beginning immediately, ask the Department of Education to provide free textbooks to all students who attend any school that follows the requirements of the Schools Act, 1997 (amended) Chapter S-12.2.

As in duty bound, your petitioners will ever pray.

Dated February 20, 2015.

This is the fifth petition that I have entered in the House on this matter. The Minister of Education knows full well that children who are home schooled get their books free. We are calling upon the Minister of Education to look at this matter very seriously, stop the discrimination against children in independently funded schools; they are following the same curriculum as every other child in this Province.

I am asking the minister to intervene as the previous Premier promised the parents attending these independently-funded schools said they would. I ask the minister to get on the ball immediately and rectify this situation.

Thank you, Mr. Speaker.

**MR. SPEAKER:** Orders of the Day.

The hon. the –

**MS DEMPSTER:** A point of order, Mr. Speaker.

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

The hon. the Member for Cartwright – L'Anse au Clair on a point of order.

**MS DEMPSTER:** Last week, Mr. Speaker, I made comments in this House, information that was given to me in what I thought was good

faith. It was later brought to my attention they were incorrect. Upon further checking, I confirm they do appear to be erroneous.

I called the chief of the Quebec Innu and apologized. I followed up with a letter of the same. It is my understanding that as a private member I am unable to table a document here in the House, but I have copies of that letter if there are any members in the House who would like to review the same.

Thank you.

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

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

There is no point of order.

#### Orders of the Day

**MR. SPEAKER:** The hon. the Minister of Natural Resources and Acting Government House Leader.

**MR. DALLEY:** Yes, Mr. Speaker, I call from the Order Paper, Order 3, second reading of Bill 43.

**MR. SPEAKER:** Order 3.

The hon. the Attorney General.

**MR. F. COLLINS:** Thank you, Mr. Speaker.

Mr. Speaker, I move, seconded by the Minister of Child, Youth and Family Services, that Bill 43, An Act To Amend The Provincial Court Act, 1991, be moved to second reading.

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

It is moved and seconded that Bill 43 be now read a second time.

Motion, second reading of a bill, "An Act To Amend The Provincial Court Act, 1991." (Bill 43)

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

**MR. F. COLLINS:** Thank you, Mr. Speaker.

Mr. Speaker, Provincial Court judges' salaries and benefits are set by a tribunal. That is the requirement of the Supreme Court of Canada and also a requirement of the Provincial Court Act, 1991.

Mr. Speaker, the act requires the reports from this tribunal within four years of the last report. The last tribunal brought down its report on September 30, 2010. That means that the current report was due under the act by September 30, 2014. That brings us to this amendment today.

This bill will amend subsection 28.2(1.2) of the Provincial Court Act, 1991 to extend the deadline for filing of the next report of a tribunal on the salaries and benefits of Provincial Court judges to December 31, 2015.

Mr. Speaker, all of the work of a tribunal is prefaced on the principle of judicial independence. It is for that reason that the tribunal has been established.

In order to set the context for the tribunal, for those people in the House who might not be familiar with it and for those watching, I want to say a few words about the principle of judicial independence because it is one of the cornerstones of our democracy and it permeates all the work of the tribunal.

Mr. Speaker, as I mentioned, judicial independence is a cornerstone of our democratic system of government. It is based on common law. It is also based on our Canadian Constitution.

Section 11(d) of the Canadian Charter of Rights and Freedoms guarantees that any person charged with an offence has a right "to be presumed innocent until proven guilty according to law in a fair and public hearing by an independent and impartial tribunal."

Now, Mr. Speaker, we are not talking about the tribunal to set compensation benefits here. When we speak about an independent impartial tribunal in this context, we are talking about the court.

Mr. Speaker, there are two dimensions to judicial independence. There is an individual

dimension and there is an institutional dimension.

The individual dimension relates to the independence of a particular judge who is responsible for his own court and conducting affairs of his own court in his own independent manner without interference or influence. The institutional dimension relates to the independence of a court in general that the judge sits in. So there are two dimensions, an individual one and an institutional one.

Any litigants who engage our judicial system, there should be no doubt that when they are before a judge, that judge is independent and motivated only by a search for the truth and a search for a just and principle result.

Judges must not only be independent, Mr. Speaker, but they must be seen to be independent. This independence is so important and so necessary because of the judiciary's role as protector of the constitution and all the principles and fundamental values that are embodied in that constitution. Including the rule of law, fundamental justice, equality and the preservation of the democratic process.

The Supreme Court of Canada, in a case called *Valente v. The Queen*, determined that there are three essential conditions for judicial independence. I go into these because they lead up to what this amendment comes from today. Three essential conditions for judicial independence: one is security of tenure; also administrative independence, the second condition; and financial security is the third essential condition.

If I could look at each one for a minute. The essentials of security of tenure are that a judge can only be removed for cause – can only be removed for cause only – and that cause has to be subject to an independent review and determination by a process to which the judge affected has a full opportunity to be heard.

It is tenure, Mr. Speaker, it could be for until the age of retirement, it could be for a fixed term, or it could be for just a specific adjudicative task. Whatever the tenure is, Mr. Speaker, it has to be guarded against interference by the executive branch of government. The executive branch in

government cannot in a discretionary or arbitrary manner in any way interfere with the judicial system.

Mr. Speaker with respect to administrative independence, we alluded to it briefly earlier, judges have to have control over such matters – the chief judge will have control over such matters of the assignment of a judge to various courts, have independence over the sittings of a court when they sit, court lists, and so on. These are essential for the administrative independence of judges. They have to be in control of their own courts.

Mr. Speaker, the third essential component is the essence of financial security. A judge's right to salary and pension should be established by law and not be subject to arbitrary interference. Again, by the executive or government in a manner that could affect the judicial independence. Governments cannot negotiate judges' salaries, like they could with unions, for example. That will be seen to be an arbitrary interference that would affect judicial independence.

In fact, Mr. Speaker, the Supreme Court of Canada has held that in order to ensure the financial security of the judiciary, judicial salaries can be maintained or changed only by an independent commission and that no negotiations are permitted between the judiciary and the government. The Supreme Court of Canada also held that salaries must not fall below a minimum level.

Mr. Speaker, that brings us to where we are in terms of an independent tribunal making decisions with respect to the salary and compensation package of judges. We are talking Provincial Court judges here, just so people may not be confused with Supreme Court judges. The Province has no jurisdiction over Supreme Court judges; these are federal judges and under the auspices of the federal Government of Canada. We talk about Provincial Court judges only.

The independent commission then, Mr. Speaker, intended to remove the judges' remuneration from the political sphere and to avoid confrontation between governments and the judiciary. It is a constitutional requirement that

such commissions themselves be independent, be objective, be effective.

The Supreme Court also ruled that these commission members serve for a fixed term. So it is not just a two- or three-month term to set the recommendations, but they serve for the whole term in which these recommendations are in effect, usually for a four-year term.

Appointments to the commission are not entrusted exclusively to either one of the parties. The appointment process has to be flexible and has to be representative of the parties.

To that end, Mr. Speaker, section 28 of the Provincial Court Act requires the Lieutenant Governor in Council to appoint a tribunal consisting of three persons: one person appointed by the judges – the chief judge or the judges appoints one individual; the government appoints a second individual; and, jointly, they select a chairman.

The current tribunal was appointed on December 4, 2014. The members are Bradford Wicks, QC, as the Chairperson; John R. Whalen is another member of the tribunal; and J. David Eaton, QC, is the other member. As I mentioned before, the legislation provides that the appointments are for four years and, as a result, these appointments will expire on December 3, 2018.

Mr. Speaker, the tribunal's mandate will be to make recommendations for the years, picking up from the previous tribunal, every four years of the tribunal and a set of recommendations – and this new tribunal that is appointed now will pick up where the other tribunal left off.

Now, because of delays over the years, there is a lag in the process that is why we are here today. The previous tribunal made recommendations to cover up to the 2012-2013 fiscal years, appointed in 2009, and it made recommendations on a compensation package to cover up to 2012-2013. Now as a result, this tribunal we are talking about today will report, if this provision is passed, on December 31, 2015; they will make recommendations to retroactively cover 2013, 2014-2015 and part of 2015-2016. It will also cover 2016-2017.

The tribunal's report, according to the act, Mr. Speaker, together with the recommendations and the reasons for the recommendations, must be provided to the Minister of Justice and Public Safety not later than four years from the date of the last tribunal report. This is important – four years from the date of the last tribunal report.

Mr. Speaker, the last tribunal was appointed in 2009 and reported to the minister in 2010. So the last tribunal report was September 2010. The legislation says that the report must be given four years from the date of the last report. Obviously, we are beyond that date.

That tribunal that was chaired by Mr. Lewis B. Andrews, QC, with John Clarke and David Norris as members, made a number of recommendations that were ratified by this House, including a salary increase of 11.5 per cent for Provincial Court judges at the time, effective April 1, 2009, with additional increases of 3 per cent effective on April 1 of each of the following years.

Mr. Speaker, the tribunal also made recommendations respecting interest on retroactive salary payments. It made a recommendation on the indexing of pensions. It made a recommendation on vacation entitlements and salary differentials for a chief judge and associate chief judge. It made recommendations on maternity and parental leave. It made recommendations on a judicial indemnity policy and sick leave. All these recommendations of the 2010 tribunal were accepted and adopted by the House of Assembly in a resolution on the government May 19, 2011.

Mr. Speaker, while the recommendations are not binding on government, they are almost always accepted and ratified. They will be ratified here in the House of Assembly so that, in effect, the benefits and compensation package for judges are set by law.

Subsequent to that, Mr. Speaker, the next report on salaries and benefits was required to have been presented to the minister by September 30, 2014. Throughout the fall of 2014, however, government was engaged in ongoing negotiations related to the reform of the Public Service Pension Plan. As we all know, government and unions negotiated a pension

agreement at that time that addressed a huge financial problem that we had with the unfunded pension plans. It took a lot of work, a lot of negotiation, and was heralded when it was announced.

Mr. Speaker, given that judges' pensions are also part of the tribunal's considerations, it was prudent to have those pension discussions and agreements out of the way before we commenced the review of the judges' benefits because pensions will be a part of the review as well.

In addition to that, we had problems finding willing nominees for the board. It resulted in the tribunal not being appointed as of September 30, 2014 and, as such, an amendment is now necessary to extend the deadline for the tribunal's report.

In order to ensure that the tribunal has sufficient time to receive written submissions, at the tribunal the government will make submissions on salaries and benefits –

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

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

**MR. F. COLLINS:** – the judges themselves will make submissions, and the tribunal will make recommendations based on those submissions. This bill then, Mr. Speaker, hopefully will be amended to extend the deadline for the tribunal's report to no later than December 31, 2015.

As the current legislative deadline for submitting the report, which was September 2014, has passed, the salary and benefits tribunal is currently in contravention of the act. The proposed amendment will include a commencement clause to bring the amendment into force retroactively on September 29, 2014. This is necessary to ensure that the legislation is deemed to have been amended prior to the time that the contravention began.

Mr. Speaker, a similar amendment was made in this House in June 2010. After a change of counsel on behalf of government, we had to extend the government's deadline for filing its brief and that delayed the commencement of the

tribunal's hearing. At that time, the agreement was amended that the next tribunal would report on September 30.

Mr. Speaker, the amendment now sets the deadline for the report of the tribunal, December 31, 2015. It needs to be retroactive to September 29, 2014 to remove any issue of legitimacy with the panel's late appointment, and the report will retroactively cover salary and benefits issues for judges for 2013 up to 2017.

Mr. Speaker, that is the purpose of this amendment, and I welcome the comments of other speakers in the House.

Thank you, Mr. Speaker.

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

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

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

I am happy to stand and speak to this very – I guess it is obviously very important, but it is very minor in terms of the size and how much actual printing is here. We have one section we are amending here, the Provincial Court Act, 1991. As the Attorney General has stated, we are changing a law to keep this government from continuing to be in contravention, or from breaking the law that they amended the last time.

I get the purpose of it, and I know the minister has done a very good job of explaining, giving some background on the judiciary. I took the time, actually, to read what he had to say in 2010, because this same situation happened back in 2010. We had the same debate about how we could not get this done on time. Again, the minister did a good job back then, or the Attorney General. He was the Minister of Justice. He gave a good backdrop of the judiciary and the Executive Branch. It was the same issue back then, that they had to amend the Provincial Court Act, 1991 because the tribunal was late and therefore in contravention.

I will not belabour this. I am just going to take my time and ask a few questions here. Maybe the Attorney General will have an opportunity to respond to them when he closes, or he can do it

in the Committee stage. If I do not get an answer, I will continue to ask those questions.

The question I have is – we went through this back in 2010. We had a debate here. The Minister stood up, "I am pleased today to introduce Bill 4, An Act To Amend The Provincial Court Act." So we went through the same thing then. We are doing the same thing now. We are amending a bill because we could not get it done on time. So the question is, why? Why could it not be done on time? Why are we here?

The funny thing is, this is the only bill, besides Interim Supply, that we have seen since the House was reopened. This is the only bill, Bill 43, one paragraph long. All the important issues, and we have one bill – and this is one that they had to redo from five years ago because they did the same thing then.

Again, I do not doubt the importance, and I do not doubt the need that we need to do this. We have to do it, because they are in contravention right now with the previous one. So, I put it out, a very simple question. Do you know what? There may be a very simple answer. I know we have three individuals appointed, and I reference the individuals named by the Attorney General. Again, I do not know much about Mr. Whalen, but I am sure he is well qualified. I have no doubt that he is going to do a wonderful job.

I have had the opportunity to meet or deal with people like Mr. Eaton and Mr. Wicks professionally. They are very qualified and competent. They are going to do a fine job representing the client they have, whether it is the government or being the Chair. There are no doubts about any of that. I am just wondering, is this something we will be back in four years having to deal with again because the fact is we are already behind the eight ball here?

The topic is pensions. I know we have had to deal with pensions, whether it is public service, whether it is MHAs. There is a bit of a hole on government's end, so we have to address everybody's pension. Everybody who is on the public payroll you have to reassess it.

I noticed then that the figures referenced by the Attorney General, the raises given then are

pretty substantial. I am not saying they were not needed. I understand that years ago when this was first brought in there were a lot of rackets. I do not think government actually implemented the figures that came back from the tribunal. They certainly could not be forced to do it because it is a case of how do we pay for it. It was tough times back then.

Then we went through a period when this was done in 2010-2011. This was a period when, to use the former Premier's words, we were flush with cash. Those are not times we find ourselves in now. There is no doubt it is important. There is no doubt it has to be done. I am wondering why we are at the stage again, why we have to pass retroactive law.

That brings me on to another question. I find this part interesting and I am sure that other members may bring it up if they get an opportunity. The second clause here, "This Act is considered to have come into force on September 29, 2014." This is retroactive law we are passing here.

**MR. LANE:** We could not do that with whistle-blower.

**MR. A. PARSONS:** That is the question I have. We stood here last session and debated whistle-blower, but no, no, no, you could not have retroactivity then. That is not good. Now, when government finds itself in a bind, please, please give us retroactivity. Please give us – we need the retroactivity because we cannot follow the law that we put in place.

If the Attorney General wants to stand up and tell us why whistle-blower could not be retroactive, because that is an issue that we brought up. They had years and years and years when it was part of their Blue Books and their platforms. Well, stand up and tell us why you could not make it retroactive.

I am looking at this. I am probably going to have some questions during the Committee stage. I find it interesting that we were called back into this House – and we are happy to be here and we are happy to get up every day. As an Opposition we get to make our member's statements and recognize worthy individuals and groups. We get to ask our questions, which we

love. Sometimes we do not always agree with the answers or the lack thereof, but that is part of it. We get to have that. Then we get to stand up and do petitions, but the other part that we get to do is we get to debate legislation, and there is an embarrassing lack thereof thus far.

What I can say is, no doubt, we are going to do second reading in Committee on this today. There is no doubt it is going to get passed. Then I cannot wait – I know this House will adjourn at some point for Easter, as it traditionally does, and I look forward to the legislation this government is going to bring after.

We know the Budget is coming and we know we had Interim Supply. That is it. That is absolutely – sorry, we know another one, ATIPPA. That is coming too, but that was written for him. They did not even have to write that bill. That was done for him. Thank you Clyde Wells and committee.

Again, I look forward to seeing what other legislation this government can come forward with. I know the minister referenced patient safety legislation, which is six years in the making. Now, that is not coming until the fall. That is coming in the fall. It is not coming in this session. We will see when that happens.

I find it interesting that of all the issues we have, this is the only one we could get done right now. The reason is they are late in doing it. They need to do it, and it is two paragraphs long. I look forward to having an opportunity to question the Attorney General on this during the Committee stage and finding out why we continue to be late.

We have to amend the Provincial Court Act in four years' time if we are going to be late then, but other than that – judges have pensions. I am not going to get into that. The AG does a fabulous job explaining the independence of judges. Great, but I am not going to take my time to discuss that.

I am going to listen to the Attorney General as he closes out, as he explains why this government is late, and making sure that this is done for the people of the Province.

Thank you, Mr. Speaker.

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

**MR. SPEAKER:** The hon. the Member for Baie Verte – Springdale.

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

It is certainly a privilege and an honour again to stand in this House to represent the District of Baie Verte – Springdale. It is always an honour – to speak on Bill 43. Before I do, I just want to thank Justice and Public Safety department officials for their briefing today. Thank you for your patience.

I also want to allude to my colleague, the Member for Bonavista North, for his inspirational, very moving moment today in paying tribute to his dear son. We welcome him back to the House of Assembly. We really appreciate his attendance here today. He has been a tower of strength to all of us.

Mr. Speaker, this bill, Bill 43, will amend subsection 28.2(1.2) of the Provincial Court Act, 1991 to extend the deadline for the filing of the next report of the tribunal on the salaries and benefits of Provincial Court judges to December 31, 2015.

In a nutshell, that is what this bill is all about, Mr. Speaker. Like any democratic system in the world, the principle of judicial independence is very, very important. It is a cornerstone to any democratic institution.

The Supreme Court of Canada determined that there are three essential conditions for judicial independence and the Attorney General pointed out them earlier – if case some people missed it, I will repeat them. One, security of a tenure; two, administrative independence; and, number three, financial security. I will just briefly give a sentence on each one, Mr. Speaker.

The essentials of security of tenure are that a judge be removable only for cause, and that cause be subject to independent review and determination by a process at which the judge affected is afforded a full opportunity to be heard.

Number two, with respect to administrative independence, judicial control over such matters

as assignment of judges, sittings of the court, and the court list have been considered the very minimal requirement for institutional independence.

Number three, the essence of financial security, is that judges' right to salary and pension should be established by law and not be subject to arbitrary interference by the executive in a manner that could affect judicial independence.

The Supreme Court of Canada held that in order to ensure the financial security of the judiciary, judicial salaries can be maintained or changed only by recourse through an independent commission and that no negotiations are permitted between the judiciary and government. Salaries must also not fall below a certain minimum level.

Independent commissions are intended to remove the amount of judges' remuneration from the political sphere and to avoid confrontation between governments and the judiciary. It is a constitutional requirement that such commissions be independent, objective, and effective.

That brings us to this end, section 28(1) of the Provincial Court Act, 1991, requires the Lieutenant Governor in Council to appoint a tribunal consisting of three persons to prepare periodically a report containing recommendations on the salaries and benefits of judges and the chief judge.

Now, Mr. Speaker, the act provides the tribunal with three people: one selected by government; one selected the judges; and then one Chair, which is jointly selected. The tribunal receives formal submissions from the government and the judges to have hearings in which each side will present their case, argue their case, put forward their submissions, and then there will be a ruling on the salary and benefits that are presented. That ruling is not binding on government, but it is usually accepted. It is accepted by being presented to and ratified by this House of Assembly.

The act requires the report within four years of the last one to be submitted, Mr. Speaker. The last tribunal brought down its report September 30, 2010, as alluded to by the Attorney General.



It means that the current report was due under the act by September 30, 2014. Now the legislation provides that the tribunal appointments be made very four years.

Yes, there are a number of delays in getting the tribunal appointed in 2014 for various reasons, and obviously there was a lag in that particular process and the process had to be effective and in depth. Government wanted to include the pension issue, so they had to wait until the Public Service Pension Plan issues were all sorted out.

The current panel was appointed on December 4, 2014. The Province originally asked for the report to be done by March 31, 2015 but the panel has asked for, as we all know, extra time, given the issues at hand. They want a thorough dialogue particularly around pension issues being raised, which will require experts and will require much more in-depth dialogue, study, and debate.

The amendment sets this deadline December 31, 2015 for the report to be submitted. Now, the amendment needs to be retroactive, as was pointed out earlier, to September 29, 2014 to remove any issue of the legitimacy with either the panel's late appointment or the timing of their report, Mr. Speaker.

The report will retroactively cover salary and benefits issues for judges for 2013, 2014 and 2015, and will also cover 2015-2016 and 2016-2017. Mr. Speaker, in conclusion, as the current legislative deadline for submitting a report has passed, the salary and benefits tribunal, yes, is currently in contravention of the act. So the proposed amendment, what we have on the floor in this House of Assembly today, includes a commencement clause to bring the amendment into force retroactively on September 29, 2014. This is necessary to ensure that the legislation is deemed to have been amended prior to that time and that the contravention began.

Mr. Speaker, that concludes my remarks on Bill 43. I look forward to other comments made by my colleagues in this House of Assembly this afternoon.

Thank you very much, Mr. Speaker.

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

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

**MR. J. BENNETT:** Thank you, Mr. Speaker.

In spite of the nice speeches given by the government members, the minister, and the Member for Baie Verte – Springdale, this bill is a lot simpler than this. It almost seems as if they are casting a smokescreen to obscure the fact that this is just pure incompetence that we need to do this at this time.

When you get a little tiny bill like we have, just a couple of paragraphs, and we need to pass it, we need to backdate it to last September 29 – why do we have to pass a piece of legislation which is such a simple piece of legislation and backdate it for seven or eight months or whatever it is? That tends to make somebody experienced with legal matters want to go back and figure out well, what is really going on here?

The basic underlying act was introduced and it is the Provincial Court Act, 1991. It was passed by the Wells government. Premier Wells' government passed this act. We are dealing with section 28. Section 28 says the appointment of a tribunal.

Mr. Speaker, there are two or three items to keep in mind. One is that the tribunal is appointed for all the reasons that the hon. member said, the tribunal really determines judicial salaries and benefits. The term of the tribunal is four years, but section 28 starts out by saying, "The Lieutenant-Governor in Council shall appoint a tribunal consisting of 3 persons to prepare periodically a report containing recommendations on the salaries and benefits of judges and the chief judge."

When you hear Lieutenant Governor in Council that means the government, so the government shall appoint a tribunal of three people who are supposed to carry out this study and make a recommendation. The term of the tribunal is four years. That is pretty straightforward. Four years is four years.

It goes on to say that “The Lieutenant-Governor in Council shall appoint a member to fill a vacancy on the tribunal and that person shall serve for the balance of the term of the member he or she is replacing.” So if somebody dies or moves away or becomes incapacitated, they reappoint somebody to fill up and do the rest of the term.

Now, section 28.1(1) says, “The minister may, at any time, refer a matter respecting salaries or benefits of judges to the tribunal for its review and recommendations.” So the minister does not need to wait four years. At any time that the minister sees fit, the minister may appoint a tribunal.

If the minister appoints a tribunal, the next subsection says, “The tribunal shall submit a report on a matter referred to under subsection (1) to the minister within 6 months following the date the matter is referred to ...” them. So if the minister says to the tribunal, I need a report on this. That means by legislation they have six months to do it.

According to the Wells legislation from 1991, there will be a tribunal at least every four years, more frequently if the minister decides it is necessary. Six months after appointment, they deliver a report. They shall deliver the report and then Cabinet reviews it, legislation is introduced, or regulations change.

This copy of the act says, “The next report required under subsection (1)” – the part we are looking is – “after April 30, 2007 shall be presented to the minister not later than September 30, 2010.” So that made me go back and look to the annual statutes – not the consolidation that we have at the end, the annual statutes. How do we get to the point where we are jumping around and we are not going four years anymore?

By a bill that was assented to on December 12, 2006, An Act To Amend The Provincial Court Act, 1991 – which is exactly what we are dealing with today. This little bill is the same as the one that government seeks to have passed, and I am certain everybody will support because it is necessary to do so. December 12, 2006 it says: this act shall be considered to have come into force on April 1, 2006.

This government, in 2006, was backdating legislation from December till April in order to be complaint with the law. The law that was passed in 1991, rather than amend the whole act – they were not getting around to governing is the problem. They have demonstrated that they cannot govern. This is clear, positive proof they were not getting around to governing in 2006 because they had to backdate legislation. They could comply with legislation that appears to have worked perfectly well from 1991 until after this government was elected – every four years. There was no complaint. It seems to have worked.

Well, to get us up to where we are today, An Act to Amend the Provincial Court Act, 1991. Mr. Speaker, I am looking at one which is in 2006, and I am looking at one in – it is almost like *Groundhog Day* all over again. We have to keep coming back to fix the same problem. It is like asking for an extension on your assignment if you are in high school, but it is the same assignment. They keep asking for the same extension and the same backdating.

This one, Mr. Speaker, was assented to on June 24, 2010. This one says that the next report “... after April 30, 2007 shall be presented to the minister not later than September 30, 2010.” So, by statutes in effect, if you are given four years from September 30, 2010, that means the last day to comply was September 29, 2014. So for four years we waited – in four years nothing happened.

Even though the minister says it is still about the tribunal being in compliance, in fact, it is so the government would be in compliance because the government appoints the tribunal. The government can appoint the tribunal. They had four years from September 30, 2010 until September 29, 2014 to get this done, and it was not done. Not only was it not done then, the legislation was not introduced last spring, the legislation was not introduced last fall, and now the legislation is being introduced and we are being asked to backdate it. We are being asked to backdate this legislation so the tribunal will be able to comply with the law and provide a report on judges’ benefits and salaries.

Well, the legislation says the minister could appoint a tribunal right away. If the minister

appointed the tribunal right away, then the tribunal could go to work. We appointed a commission for the boundaries. Why couldn't we have a tribunal appointed on a relatively short notice of three people? Those three people then would be required to produce their report within a minimum of six months, or such shorter time as the minister says.

What this piece of legislation now says: Oh no, not only do we want to backdate this legislation to September 29 – because they missed the four-year deadline from 2010 to 2014. Now they say they want the report to amend the law again so that the report will be presented to the minister not later than December 31, 2015. Now they want to backdate to last September, and then they want to go forward to the end of December, 2015.

This is simply to arrange for this government to be in compliance with its own legislation. Yes, it is relatively routine legislation. Yes, it is important legislation. It is pure incompetence on the part of any one of a number of ministers who have not been able to bring forth the bill, have not been able to get the job done over the last – if not the last four years, certainly over the last year or two.

So, although I have no reluctance to support the bill, I can see why people would have great reservations about supporting this government.

Thank you, Mr. Speaker.

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

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

**MR. K. PARSONS:** Thank you very much, Mr. Speaker.

It is indeed a pleasure to get up here again today, as I always say, to represent the beautiful District of Cape St. Francis and the constituents down there. Today was a little bit of a special day here today. It has nothing to do with the bill, and I hope you will give me a little bit of leniency.

I don't know how the hon. Member for Bonavista North did it today. I know he had a

bit of strength in his back pocket today, and looking down on him, to get him to do what he did. I know Jeremy was here with you. It is unbelievable how you did that today. I do not think I would ever be able to do it myself. I want to applaud you for that.

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

**MR. K. PARSONS:** Mr. Speaker, I am going to stand up here today and talk on this bill and bring it into laymen's terms. We have a couple of lawyers and every time I get in contact with a lawyer who is getting up to speak, it kind of confuses me. So I am going to try to do it my way and just explain what we are doing. I have nothing against these guys who are lawyers. I know they are great lawyers and they do a good job.

I have to thank the Department of Justice and Public Safety for the briefing they gave us. I read through the notes and the bill itself. I am just going to try to explain it to the general public in a way that I would if a fellow asked me: What was that all about?

This is what we are doing here today. There is a tribunal set up. A tribunal is a part of the law of Canada saying in order for you to determine how much judges get paid and what compensation and benefits they have, there has to be an independent tribunal set up with three people, and the three people will determine the benefits.

For example, I think it was in 2009 when the last tribunal was appointed, and they came with recommendations. They recommended salary increases to judges for 11.5 per cent. Then they went on and gave them an additional 3 per cent after that, in April of the same year. They looked at retroactive pay, which they did because the pay had to be paid because they were up (inaudible) before then.

That is similar to what you do with public servants. If their salaries are due to be paid at a certain time, then they get retroactive pay. That is basically the same thing that was done here with judges.

What this panel does is it meets; there is a chairperson and two persons on the panel. They

meet and the judges have the opportunity to go and state their case and say, this is the reason why I figure – they look at sick leave. They look at family leave, just like you would with anyone else. They have the same concerns I am sure; maternity leave for judges and whatnot.

I do believe altogether there are twenty-three judges and the chief judge. They all have the opportunity to go before the tribunal and basically state their case to say: Listen, this is the reason why I think our maternity leave should be changed. That is what this panel is set up for.

This time, as the hon. members over across the way mentioned, there was a delay. What I understand – and again I was briefed on this from the department – sometimes on tribunals and stuff like this because you want people who know what they are talking about and are informed about judges and whatnot, it was a bit difficult getting people. The judges had an issue themselves; they had a hard time getting their representative. The judges have a representative on this panel, government has a representative on this panel, and then they select the chairperson, both of them together, so that you have your three people: one from the judges, one from government, and the other one is the third person who is selected by both of them.

In the cases, what I have understood – and maybe it is something that government should look at. I do not know what they get paid or whatever, but maybe that is the reason why it is a hard job to attract people to these kinds of panels. Today, most lawyers that I know are very, very busy so it is a job to take something like this on. Whether they want to take it on, for what they get out of it, I do not know; but, according to what we have understood, it was a bit difficult getting those people to come aboard, we will say.

The other reason, they spoke about a delay, and the delay that they talked about was basically that with pension reform. When you look at the public service this year, there was major pension reform done to the public service. I think that not only will the judges' pensions be looked at, you are looking at uniform service and different groups like this that will also have their pension reform done, MHAs, and everybody else.

Apparently that is the reason why – and I know the hon. Member for Burgeo – La Poile was wondering why the date was moved out. My understanding on that, the date was moved out because they wanted to be (inaudible) – the same way that the Public Service Pension Plan was done, they wanted to have all the information there for the judges and whatnot on their pension reform.

This is a common thing. Like I said, under the law of Canada, this is the way it has to be done. I spoke last week and I talked about salaries for MHAs, and I am sure judges are the same; they would feel uncomfortable talking about their salaries and whatnot. So, this is the reason why we have this tribunal in place. It gives them a chance to go and speak to the tribunal and state their case why this should be done. Then they can look at different jurisdictions all over Canada and say okay, listen, the people in Ontario, or BC, or Alberta, this is what the judges are getting there, we want to be in the same – and usually what happens, and I have asked this question and the answer was yes, it normally is. The tribunal do not say okay, this is it; you are going to get this raise. It has to come back to government. It has to be passed here in the House of Assembly also.

They send the recommendations in, but what we are told is once this recommendation is done, unless there is something there that really out to lunch altogether, this will be passed. That is the normal thing I think since 1991 when it was first brought in. Once it comes to legislation here in the Legislature, we will pass it unless it is something out of the ordinary.

Just to let the general public know, this is just a group that is set up. It is an independent group that is set up to look at the salaries and the benefits that are given to our judges. Like I said, there is twenty-three and one chief justice.

What this panel will do is it will have hearings. People, the judges, and government will both have the opportunity to go to the hearings and state their cases, why they should get these benefits and why they should not get the benefits. Government will look at different things under the Department of Justice and see what is happening in the other jurisdictions and compare them to our jurisdiction.

Then the tribunal will get together. They will make recommendations like they did back in 2009 when they gave 11.5 per cent and then there was another 3 per cent afterwards for raises. I think that brought them in with the rest of Canada so that we make sure – because we all respect the role of what judges do in our society. It is very important that we make sure that we compensate them for the work they do. They do a great job. I know that there are heavy workloads on a lot of them. It is important that we get it done right. This is how it is done right. It is done right through an independent tribunal that will look at what compensation they get.

Like I said, it is not only the salaries they get; it is the benefits they get. It will also look at their pension plan. It will look at sick leave, maternity leave. So they are basically the same as other public servants. In order to be fair to the judges and make sure that it is not us or judges who are deciding, which I do not believe we should be deciding anyone's salaries in here, I think that this is the proper way of doing it.

I think the reasons that were given to us for the delay on this was pension reform, number one. With the public service pension reform, they have to go through the same process now too. They will have to go and they will look at different jurisdictions and see what the reform on pension plans are in different jurisdictions.

Also, the other reason for delay was that sometimes it is difficult to get people to sit on these tribunals. Today, when you look at the members of this tribunal – I know they were mentioned there before; I know a couple of them. I know that their workloads with law and their law firms and stuff like that are obviously very, very busy so it takes up – and whenever you serve on anything like this it is a huge commitment that these people give because I know that this is something that they have given up a lot of time and it takes away from probably the work that they doing on a daily basis so it is very difficult is my understanding – it was not only government that had a job to get someone appointed; it was also the judges themselves that had a hard time getting someone.

Those are the reasons why it is delayed, but the main thing that we are doing here today is passing this legislation, hopefully, so it gets

done. We are here to make sure that our judges are respected and treated fairly. This is what the tribunal is here to do and it will make recommendations to government. We will look at that and hopefully we will pass it then.

Thank you very much, Mr. Speaker, for the time. That is it for me.

**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 stand and to speak to Bill 43, which is An Act to Amend the Provincial Court Act, 1991. Mr. Speaker, I cannot imagine how difficult it must be to be a judge – I cannot imagine. The decisions that judges make affect people's lives. Again, I cannot imagine how difficult that is and what a responsibility to place on the shoulders of judges. I know that there is a whole judicial system that is there in place to support the work that they do, but it is an honourable profession, but an incredibly, incredibly difficult profession. I would like to thank the judges who preside in all the different courts in Newfoundland and Labrador for their service to the people of Newfoundland and Labrador.

Again, it is a duty that no one can take lightly. How incredibly complex their work is, again, because the decisions that they make can so drastically affect the lives of the people of the Province, of the people who come before them in their courtrooms. I would like to thank them for that.

It certainly is a job not for the faint of heart. The wisdom, the patience, the sense of social justice and fairness that it takes – again, it is a huge, huge responsibility.

Our Attorney General stood and spoke today about how important judicial independence is and that judicial independence is the cornerstone of our democratic government, it is the cornerstone of our democracy, and it is based on common law. He also referred to our Charter of Rights, that people are innocent until proven

guilty, and how important then independence and impartiality is to our whole judicial system.

As well, we know that the separation of our judicial system from our Executive Council, our executive committee, the Executive Branch of government, is so very important. Our Attorney General spoke very eloquently about that.

Now, he also talked about how important it is that the tribunal that is appointed for this particular role, for this particular duty, that their mandate is to make recommendations and to pick up where the other tribunal left off, and how important it is that that tribunal also is independent and impartial. That is very important. It reflects the whole basis on which our court system is found as well.

I wonder, Mr. Speaker, why, at this late date, we see the appointment of the tribunal when we know that the tribunal happens every four years. One would think that there was certainly enough time in our legislative agenda and schedule in the past year to be able to deal with such a matter, to be able to deal with such legislation. For instance, we were called to the House in January, there was probably time to deal with it then; or when we look at the legislative schedule in the fall, December, November, that there certainly would have been time for it then. One would wonder why it was not proposed then.

Mr. Speaker, I had the opportunity to read an address made to the Rotary Club of St. John's just this past January – January, 2015 – by the hon. J. Derek Green, who is the Chief Justice of Newfoundland and Labrador, and the Chief Justice of our appellate court. The Rotary Club has started a tradition of inviting him to speak to their club once a year.

It is very interesting, because what he does in his speech – and I would recommend all Members of the House of Assembly to read the speech, the address that Justice Green gave to the Rotary Club in January. Also, I would recommend that members of this House refer to the speech that he gave in 2014 and in 2013.

It is very interesting, Mr. Speaker, the issues that he raises, the issues of renewal and updating our court system and the issue of access to justice. A number of these issues he has repeated over

the past few years, but he has also given us an update on any progress that has happened on the issues that he has highlighted. It is great to see his hope and optimism, but it is also great to see his insistence and his persistence in endeavouring to make sure that our justice system is alive and responsive and modernized – modernized so that we can meet the needs of the Province.

One of the things that the chief justice said in his speech is that 50 per cent of people – he is talking about Newfoundland and Labrador now – will experience a legal problem over any three-year period.

**MR. SPEAKER:** I remind the hon. member that I have given her some leeway, but come back to the amendment, please.

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

What he is talking about is the role of judges and that the number of people who try to resolve their legal problems without assistance of a lawyer – often because they cannot afford one – is increasing.

Mr. Speaker, what we are looking at is the cost of justice. The cost of justice includes the cost of remuneration for judges as well. His concern that he has highlighted is that the cost of justice, access to justice, is often out of reach of people in the Province; they are unable to afford justice. That affects not only the people who are concerned, but it also affects our entire judicial system. Because the way people either represent themselves without representation of a lawyer affects how our laws are pushed and interpreted, so it affects the modernization of our laws.

Mr. Speaker, again, I highly recommend that people look at – you can download it and you can find it on the Internet, this speech by the hon. Derek Green. It is very informative. What I find very interesting is his issue of access to justice.

I would also like to say that the tribunal that looks at remuneration for judges was struck in 1999. The tribunal has had a bit of a turbulent history, with delays in the appointments to the tribunal itself. One would think that perhaps if

there is a schedule of every four years that it would not be such a problem. We know that every four years it is coming up. It is not like it is a surprise. There have been delays in the appointment to the tribunal itself.

The tribunal exists to ensure that changes to provincial judges' salaries are not made or appear to be made on a political basis. That is why the impartiality and the independence of the tribunal is so very important, because it also safeguards the whole issue of independence and impartiality of judges.

Government ultimately decides on Provincial Court judges' salaries. So the tribunal itself does not decide on the salaries, government does; but government must rely on the tribunal's recommendations because the tribunal is consultative, not binding. However, government must not take the advice of the tribunal lightly. It is a very important task. What they are upholding is that sense of impartiality and independence.

The Supreme Court has ruled that any changes to these salaries made without first referring the issue to an independent and effective tribunal is unconstitutional. So this role is very important, but again we know this comes every four years. It is not a surprise. So it is not clear as to why this tribunal was not appointed earlier.

Furthermore, judges rely on these tribunals as they cannot negotiate their own salary, as they would damage the image of judicial independence. Judges do not have a role in negotiating their salary. This is the job of the tribunal.

Also, the Supreme Court of Canada has ruled there is a basic minimum salary for judges in Canada necessary for the proper administration of justice. So this is, again, to safeguard all of those issues.

Mr. Speaker, I tell you, I would love to be able to talk a little bit more about the issues that were raised by Chief Justice Derek Green, issues that we should all become aware of, but I would strongly recommend that people in this House read his speech, not only the speech from January 2015 but the speech from January 2014 and January 2013.

Even though they are not supposed to, judges are speaking not about their own recompense, which is the work of this tribunal, but about issues as important as their salaries. It is the supports they need in order to ensure that people get a proper and fair treatment from the justice system and so it is important.

We are hearing from judges about the important issues. We know there is a judge in Labrador, for instance, who has been speaking about important issues for the justice system as he experiences it himself from the bench. The impartiality and the independence of judges are so very important. One would think their opinions, as well, are very important.

Justice Green also notes that there is an important – he would like to see even more separation between Executive Council and the judiciary, similar to what we see in our health system, and other branches of government and government departments. He notes that already the case with management and financial decision making –

**MR. SPEAKER:** I am going to ask the hon. member once again to come back to the amendment, please.

**MS ROGERS:** Yes, thank you very much, Mr. Speaker.

This is referring to the financial management. The tribunal, its recommendations are about the finances of the court. The justice would like to see again already a separation similar to the case of the management and financial decision making in the Province's hospital administrations, Memorial University, and the Liquor Corporation. One would hope that is something that we could see.

Mr. Speaker, that is about all that I have to say here. I would encourage people to read the justice's notes, particularly on the issue of access to justice. I look forward again – the justice system is such a strong foundation and underpinning to our democracy. I would like to thank those in the justice system who are working so hard to maintain an active, modernized justice system for the people of Newfoundland and Labrador.

Thank you very much, Mr. Speaker.

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

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

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

Before I really start, I would like to take about half a minute or thirty, forty seconds to express a sincere thank you to each and every member of this House for the messages and condolences that were sent my family's way in the last two weeks. It is not just from the House, it is from EAs and CAs, and members of all parties.

At a time when you do not realize how much impact it has on your life, every single message was read at least half a dozen times by just about every member of the family. Everybody was asking questions, who is this one, or who is that one, when they know some of the names are not there because they do not see them every day on the House of Assembly channel. Mr. Speaker, it was so uplifting and so heartwarming to have that, and I appreciate it from one and all.

I also want to mention the comments that were made around town on the day the House came back sitting and when our Speaker had a moment of silence. The class of that single tribute in this House spread, not just through my community but I have had other people from other parts of the Island who called and said they thought that wonderful. Everybody laid down every little thing they had and just took a moment to reflect.

Probably it gives us a little significant importance as to what life is all about and relationships we have with each other that we do not appreciate these relationships every day across with the too and fro but we do understand that we do have compassion for each other and that is what helps us get through the roughest times.

Thank you. Thank you very much from my family.

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

**MR. CROSS:** As Jeremy would want me: jump in with both feet and take part. I find it difficult to get up today somewhat, but I want to take a few minutes just to break the ice and to offer a point of view from – as I have always said when I have gotten up in the House, every person who gets up here, we have a distinct different point of view and when everybody's point of view comes forward, we will make the best collective decision for everything.

I might make one point that is different from what everybody else made today, but again, it is important in the total debate that we do. It is important for the whole debate.

Mr. Speaker, we briefed this morning on Bill 43 with members from the Department of Finance. We basically understand how this piece of legislation is necessary, or why we want it at this time, why it is necessary to have this, why it is retroactive, and why it has to be in place. There are certain things about it that make it distinct from most other pieces.

When we look at Bill 43, we are talking about a tribunal that sits and judges on certain things about our judges who sit on our benches. They make recommendations respecting retroactive salary payments, indexing on pensions, vacation entitlements, salary differentials, and all of these things.

One question I asked this morning of the officials there, I said, why is it important that we have to look at it this way? He said, well, this is really an arm's-length operation. Truly when you have an arm's-length operation, you have to sort of stand back and you have to take a sober look. We do a similar thing, Mr. Speaker, with the salaries of MHAs and benefits of MHAs.

It is impossible for us to sit on a committee that decides our own salaries. We can make representation to that committee, the same as the judges do. Because the judges have to be impartial, they have to be independent, they have to have a say. Then this arm's-length tribunal allows them to do their presentation, but because they have to be independent, then our population needs to see that this recommendation is not made by the judges themselves, it is made by an independent body, the tribunal.



As the Member for Cape St. Francis said, it is very difficult to get members on that tribunal. The last time around when the review was supposed to be back in September of last year, because of the difficulty of attracting lawyers who make a good day's pay to come forward to sit on a tribunal when you would probably make in a day sitting on a tribunal what you would make in an hour at your practice, it is very difficult to get people to step away from their practice and their busy schedules to come sit on these tribunals.

For a portion of time, there was a problem getting these people to volunteer. Because really that is what they are doing, they are volunteering. They have lawyers, or some other individuals – and generally they are lawyers, because I looked at the composition of the three members. They are all QCs or lawyers with some legal background. For them to sit and take that time, they are really volunteering.

When you are volunteering at that rate, you need to almost look at the schedule and see how it is going to fit in. How are you going to really attract them to this? What happened is the report was due in September, but the committee was not even filled at that point. It could not get filled. So it took a long time to get people to sit on that tribunal.

The other thing about it, and I made a note here this morning when they said it. Is that a part of it was difficulty with some of the items they were adjudicating on or they were reflecting on. It says they could not engage in the PSPP, Public Service Pension Plan, talks until other changes were made in the entire Public Service Pension Plan. That involved not just how much is everybody else going to get, Mr. Speaker, but it involved actuarial studies. It involved getting people involved – and we know how long these studies sometimes can take to get through. So what happens is there are all these extra things that made delays. There is this perfect storm sort of set up as it came through.

The other part of it is, this is sort of a repeat of something that happened about four years ago. So similar legislation was made then to sort of backtrack to allow this to smoothly flow. At this point, this piece of legislation is an amendment that allows for that to happen.

We do not have to second-guess all the time, oh, was there some ulterior motive for this; is there some reason why government was really not doing this or whatever? If you get totally analytical about everything, then you just get caught up in these details and you are always looking for these. Sometimes you should just take it on face value. It is difficult getting people on the tribunal; there are very many other difficulties as well. Through the whole thing, we really have to accept it for what it is, and there are delays here.

We need to be able to make this amendment and to bring some justice to this such that we see that not only is there the idea of this being independent, but also there is a perception of independence. All this fits together, Mr. Speaker. It allows this to happen succinctly. It brings it all together. For that reason, I can support this amendment to this piece of legislation today.

Thank you, Mr. Speaker.

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

**MR. SPEAKER:** If the hon. the Attorney General speaks now, he will close debate.

The hon. the Attorney General.

**MR. F. COLLINS:** Thank you, Mr. Speaker.

Mr. Speaker, I want to thank the other speakers today for the comments on this bill. It is a very important piece of legislation – albeit a very small piece of legislation, but a very important one, and it is necessary to get it done.

Mr. Speaker, a number of points I could respond to, and I will do it here – it may come up again in Committee, if so, be it. I will say this, the work of the tribunal has not been held up by virtue of delay of date in this provision. It has been full speed ahead for the tribunal since they were formed in December. They are organizing hearings, they are setting dates, they are receiving submissions, preparing submissions – and I think submissions are expected in April, Mr. Speaker, hearings I believe are set for May, and we have already had document exchanges. So the work is ongoing.

The provision is necessary, the amendment is necessary to make sure that we have no problem with the legitimacy because of the backdating, because of the retroactivity.

Mr. Speaker, the questions on retroactivity raised and why the delays – and it has been mentioned by members on this side of the House that these things are not unusual. The optics, perhaps, may not look good to the casual observer, but in this case this was not a reflection of incompetence, as suggested by the Member for St. Barbe. It has nothing to do with competency or anything else. There were reasons for the delays, and one of the biggest ones was getting people to serve on that tribunal.

We had a lot of difficulty, Mr. Speaker, getting people willing to give up their time to work on that tribunal. That combined with the pension reform – and that pension reform was very important to the judges and very important to have it out of the way and established so that the groundwork will be set for discussions on consideration of judges.

Mr. Speaker, the delay was for a reason, not because of incompetency on the part of the Department of Justice. There is not much competency in setting up a tribunal. So we are not talking about incompetency here.

With regard to retroactivity in general, yes, there is a general presumption against retroactivity in legislation, there is no doubt about, because it manifestly is unfair to go back in time to change the rules. That is what we were talking about in whistle-blower, but that is not the case here at all. That has nothing to do with retroactivity in this case. It has nothing to do with going back and changing the rules for people back at all. It is apples and oranges. I am not here today to debate the whistle-blower legislation. That has already been done. We are talking about two different ballgames altogether.

The only other point I want to make, Mr. Speaker, is that – and I failed to mention this in my original presentation – in the last five, six years we have a system in place for the appointing of Provincial Court judges. There is a judicial committee in place that receives applications from people in the legal community who want to serve on the bench.

These applications are considered under merits, Mr. Speaker, and a short list is kept. Every time there is a vacancy that short list is provided to the Minister of Justice and appointments are made from that list. Because of that, we have made some great appointments to the Provincial Court in the last five or six years and quite a number of them are women. I would suggest that perhaps over half the ones we appointed were women. As a result they have made great improvements and great additions. They have been great additions to the Provincial Court bench. We have been lauded and appreciated by the chief judge on several occasions on the appointments we have made.

Mr. Speaker, I will leave it at that. If there is something that comes up in Committee, we will try to address it.

Thank you, Mr. Speaker.

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

All those in favour, ‘aye.’

**SOME HON. MEMBERS:** Aye.

**MR. SPEAKER:** All those against, ‘nay.’

Carried.

**CLERK:** A bill, An Act To Amend The Provincial Court Act, 1991. (Bill 43)

**MR. SPEAKER:** The bill has now been read the second time.

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

**MR. DALLEY:** Now.

**MR. SPEAKER:** Now.

On motion, a bill, “An Act To Amend The Provincial Court Act, 1991,” read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill 43)

**MR. SPEAKER:** The hon. the Deputy House Leader.

**MR. DALLEY:** The deputy Deputy.

**MR. SPEAKER:** Okay, the deputy Deputy House Leader.

**MR. DALLEY:** Mr. Speaker, I move, seconded by the Minister of Health and Community Services, that the House resolve itself into a Committee of the Whole to consider Bill 43.

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

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

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

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

**Committee of the Whole**

**CHAIR (Cross):** Order, please!

We are now considering Bill 43, An Act To Amend The Provincial Court Act, 1991.

A bill, "An Act To Amend The Provincial Court Act, 1991."

**CLERK:** Clause 1.

**CHAIR:** Shall clause 1 carry?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

**CHAIR:** All those against, 'nay.'

Carried.

On motion, clause 1 carried.

**CLERK:** Clause 2.

**CHAIR:** Shall clause 2 carry?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

**CHAIR:** All those against, 'nay.'

Carried.

On motion, clause 2 carried.

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

**CHAIR:** Shall the enacting clause carry?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

**CHAIR:** All those against, 'nay.'

Carried.

On motion, enacting clause carried.

**CLERK:** An Act To Amend The Provincial Court Act, 1991.

**CHAIR:** Shall the title carry?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

**CHAIR:** All those against, 'nay.'

Carried.

On motion, title carried.

**CHAIR:** Shall I report the bill without amendments?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

**CHAIR:** All those against, 'nay.'

Carried.

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

**CHAIR:** The deputy Deputy Government House Leader.

**MR. DALLEY:** I move that the Committee rise and report Bill 43.

**CHAIR:** It is moved that the Committee rise and report Bill 43.

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

**CHAIR:** All those against, 'nay.'

Carried.

On motion, that the Committee rise, report Bill 43 and ask leave to sit again, Mr. Speaker returned to the Chair.

**MR. SPEAKER (Littlejohn):** The hon. the Member for Bonavista North.

**MR. CROSS:** Mr. Speaker, the Committee of the Whole has considered the matter to them referred and have directed me to report Bill 43 without amendment.

**MR. SPEAKER:** The Chair of the Committee of the Whole reports the committee has considered the matters to them referred and have directed him to report Bill 43 without amendment.

When shall the report be received?

**MR. DALLEY:** Now.

**MR. SPEAKER:** Now.

When shall the said bill be read a third time?

**MR. DALLEY:** Tomorrow.

**MR. SPEAKER:** Tomorrow.

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

**MR. SPEAKER:** The hon. the Assistant Deputy House Leader.

**MR. DALLEY:** Mr. Speaker, I call from the Order Paper, Order 1, Address in Reply.

**MR. SPEAKER:** It is called from the Order Paper, Order 1, Address in Reply.

The hon. the Member for Kilbride.

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

**MR. DINN:** Mr. Speaker, before I get started into Address in Reply, I just want to mention that, along with my colleague from St. John's South, he mentioned the passing of Harold Druken this morning. I saw Harold about a month ago. I used to see him very often. Actually, myself and Harold played hockey against each other and we faced off at Prince of Wales Arena many years ago. Harold was a fine man, very dedicated to his team, to his family, to his community.

I also played softball against him. He used to play softball with ABC taxi years ago. I used to pitch for a Molson team, some league in town. A commercial league I think it was or something. Anyway, Harold played softball, hockey.

I also played with him with Shea Heights one time on their team. The Goulds had their team picked one time and when I came to play after I had university courses done there was no room on the team for me so I ended up playing with Shea Heights after Christmas. We had the honour of putting the Goulds out of the playoffs. That was a bit of a pleasure.

Harold is a fine man. He is going to be missed very much by his family, his friends, and especially his community. I pass condolences on to his family and his friends.

Mr. Speaker, I am here today, and it seems like the Throne Speech that I am replying to was a bit of history. So I am going to give you a bit of a history lesson okay. I figured I will stay along that theme of history and I am going to talk about my district.

Goulds and Kilbride sprung up from the wilderness on the outskirts of St. John's in the early mid-1800s when governors and the House of Assembly at the time appropriated money to build a road from St. John's to Bay Bulls. This is half interesting to somebody who might want to listen. This road opened up thousands of acres of good farmland as it passed by the rivers in Kilbride, Fourth Pond, and Third Pond on its way to Raymond's River. I do not say there are too many who know where Raymond's River is at, but it is a river that runs down by the racetrack in the Goulds.

Then in the 1840s and the 1850s, other roads were built from the Goulds to Petty Harbour. They built a road from the Goulds to Bay Bulls, and then the Ruby Line was opened up in the 1850s and the Back Line opened in the 1860s. Settlers came primarily from Ireland, England, and Scotland to pioneer the Goulds and Kilbride area. They were attracted by the large grants of good land and the dream of a better life for themselves and their families.

The names of these earlier settlers can be seen today on the names of the roads that bear their surnames. You see names like: Ireland, Mugridge, Connelly, Ruby, Courtney, Chafe, all in Kilbride; Heffernan, Hannaford, Ryan, Barton, Hennessey, Cox, Bishop, Doyle, Dooley, Howlett, Lee, and Walsh in the Goulds. All names of streets named after people who are long family members in the Goulds.

The Murphys came to Kilbride, as well Lesters, Tobins, Aylwards, Williamsons, Hearn, Frizzells, Joyces came to the Goulds; Walters, Bows and Donovans came. There were even some Dinns who came, believe it or not. One of them is stood over here, one of the descendants, I guess.

Between 1847 and 1866, 140 grants of land were given out in the Kilbride-Goulds area. The population of the Goulds and Kilbride grew. Schools and churches sprung up. By the way of example, in 1900 a voter's list for the Goulds had eighty-six names on it. Once these early settlers came, when they came here to take possession of their land, their work was only starting.

I do not know how many of you people can realize, but when these people came to the Goulds the land that they occupied and they owned and got possession of, this land was forested, covered with trees a lot of it was. So these people had to go clear this land. In those days you did not clear land like you do today with a dozer, with a big rake on the front or back of it pushing off the stumps and everything else, everything was done by hand. If a fellow had a horse, then the horse would help. You could use a chain and haul the stumps out. These people had nothing to do with, only their hands and a few simple tools.

They had to clear the land. The hardest part of all I guess would be taking the stumps out of there. Rocks had to be picked. Homes, barns, and fences had to be built. Does anyone know what the first fences were built out of in the Goulds?

**AN HON. MEMBER:** Rocks.

**MR. DINN:** Out of rocks, that is right. They picked the rocks and put the rocks on the boundaries. The boundary rocks then were their fences.

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

**MR. DINN:** That is right. You see that today all over the place. That is right.

There were no chainsaws in those days or dozers, as I said already. There were no rock pickers, or farm tractors, manure spreaders, or harvesters. Everything had to be done by hand or with a horse and primitive tools. People had to use picks, shovels, mattocks, chains, saws, and axes. That is what they did their work with.

To get some idea of the hard work involved, just imagine – I do not know if any of you ever removed a stump, but just find a stump around that is eight inches in diameter. If not on your own property, find it somewhere and just try taking it up. I guarantee you, you have a day's work in front of you. Those people who came to the Ruby Line, Kilbride roads, and the Goulds, a lot of that early clearing had to be done by hand. I can guarantee you, they worked.

It was difficult to make a living, so in the beginning some of the homesteaders were farmers only part time. Many fished out of St. John's, or Petty Harbour, or even Shoal Bay. Shoal Bay, which you can get to from the Goulds – you go by boat from Petty Harbour. The East Coast Trail will take you today to Shoal Bay.

Shoal Bay was a fishing community one time for the Goulds. People left the Goulds, went there in the summer months and they fished. Now they had little shacks there where they stayed sometimes, but they did not live there steady. They just lived there for the fishing season. There is many a ghost story that we used to hear from people who lived or fished in Shoal Bay on the way home in the dark. They used to make up all kinds of ghost stories.

These people, we said, farmed only part time. They sold firewood, wild game, berries, or whatever they could to make ends meet. These materials they carted to St. John's. I can remember my grandparents talking about bringing stuff to St. John's in a horse cart. Often the women of the families did the laundry and the fine linens for the well-to-do families in St. John's.

One of these typical settlers was William Ruby who came to Kilbride in 1850. He took up a piece of land on Ruby Line. In that year he cleared an acre of land, planted four to five barrels of potatoes, and built himself a tilt in the area. He spent his time making birch brooms. Does anyone know what a birch broom is?

**SOME HON. MEMBERS:** (Inaudible).

**MR. DINN:** Some people know what it is, right. A birch broom was a broom that was made out of twigs, out of brush that you cut in the woods. You tie it, put a handle in it. They were sold to the businesses in St. John's to clean up the sheds and the stores and that.

This is what Mr. Ruby did, he made birch brooms. He also cut a lot of wood. In the next few years he had to go to work in town as a labourer for four shillings a day, a lot of money.

**AN HON. MEMBER:** That is (inaudible).

**MR. DINN:** Yes, I think they do a little bit better in Long Harbour. Four shillings is how much, minister? Eighty cents – that is what it is. A shilling is twenty cents.

Mr. Ruby kept at it and on March 4, 1863, he reported to this House of Assembly – different people here at the time, I would assume – that he had ten acres of land in good state of cultivation

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

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

**MR. DINN:** – and produced thirteen tons of hay, sold sixty barrels of potatoes, a considerable amount of cabbage with still enough left for his family. He fixed up his house, built a stable, a cellar, and dug a good well. He was also able to purchase 100 acres of land for his two sons, paying at the time seventy cents an acre. It is almost the price of a building lot in Southlands.

He has a grandson who is alive today still farming at ninety years old, approximately. I think he hits his ninetieth birthday this year. Mr. Leonard Ruby every summer grows a considerable amount of carrots, beet, pumpkins, and onions. He and his wife sell them at a roadside stand on Ruby Line. Anybody who is out in August to September, October, drive along that road and you will see those people there Thursdays, Fridays, and Saturdays selling local produce, mostly of which they grow themselves.

So the man, he was honoured there. Actually, I read a member's statement about him back a couple of years ago. He was honoured by the Atlantic farmers or something. He is still at it, in great health. He probably looks younger than most of us here.

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

**MR. DINN:** No, I am not talking about me at all. Actually I would like to be like him and have another thirty or forty years farming, but I do not think I will make that.

Most of the settlers and early farmers of those days years ago did as Mr. Ruby did. They had

to do the same as he did. They had to clear the land by hand and they had to grow things. Some of them had to go to work on the side. They could not make a living on farming.

Some of them had beef cattle. They reared a cow or a calf or something for beef for the winter. They had a pig or two, chickens and eggs, along with vegetables and milk. Anybody who has been around as long as I have knows what I am talking about. When we grew up we had – with the big crowd of us, like I told you the other day, the poor dog never did well, but we always had food. That was one thing we always had. Dad always grew enough food for all of us.

I was going to tell you the other day that the gulls and crows used to go over and we used to be looking up hoping they would drop something, but they didn't. Anyway, we were not hard up at all, I must say. That is something that I could always be proud of, the fact that we had lots to eat.

Farming continued on as a core activity in the Goulds and Kilbride area in the early and mid-twentieth century. They were full-time and part-time farmers. Nearly everybody had to farm in those days in order to feed their family. You had to farm. If you did not, there would be families that were poor.

Actually, if you wanted to go back and look at the names of families that were poor, they were the ones that were not involved with farming. They were the ones that probably had no land, or were not able, or did not want to farm. Because of that, they were generally the poor people. If you farmed you generally had enough.

Remember in those days families were not small at all. Families were large. It was nothing unusual to see six, eight, or ten. There was a Williams family in Kilbride that had twenty-one children. That is what they had, twenty-one. Some of those people are still alive today, some of the descendants of those people. That is an awfully big family. Can you imagine some of us who have two, three, and four children, having to come home today and see twenty-one at the table?

**AN HON. MEMBER:** Some table.

**MR. DINN:** You had to have some table. Yes, that is right. You had to have St. Kevin's Hall I would say.

In the early days just about everybody grew potatoes. They grew turnips, cabbage, and carrot because these were things that were essential. They had a horse and a plow. That is how they set their potatoes. If you had a horse and plow you put your potatoes in drills, you set your cabbage in drills, your turnips in drills.

If you did not have a horse and plow what way did you grow things? What was the traditional way year ago? You set it in beds. They set beds of potatoes, beds of cabbage. Some people still do it, but only for small quantities.

Fertilizers in those days were manure, capelin, or kelp. Today there are all kinds of commercial fertilizers that you can apply directly to the ground, or you can buy fertilizers that you can mix with water. To anyone growing onions, if you grow onions and you wonder why you cannot get them to grow. It is because they need lots and lots of fertilizer. I found out a trick one time on how to grow them. You put 20-20-20, that is nitrogen, phosphorous and what is the other one, potassium. You mix it in water and every three, four weeks you put that on them and they grow really big. So that is a little secret for some of you.

Farming is still a major industry in my district. There are not as many farmers today as there were years ago. Today, with all the industrialization and all the equipment that is available, farmers can have very large farms. Not like they did in the 1950s, the 1960s, and the 1970s where a farmer, especially a dairy farmer, had thirty head of cattle. Today it is not unusual to see someone with a farm with 200-plus cattle. They can do it because they have the equipment.

As a matter of fact, years ago when people had cattle you could see cattle on the streets and the roads in the Goulds and Kilbride. People used to drive their cattle home in the night. When we were young fellows we had a cow and we had to go look for the cow before dark. Today, I do not doubt that the cows have Blackberrys. They probably pick up the phone and call them and say: it is time for supper; it is time to come home

to get milked. Everybody has Blackberrys; I would not be surprised if the cattle have them.

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

**MR. DINN:** You do not believe that, do you? Farms are very mechanized today and computerized. Even the amount of feed they get, everything comes out just proper. Cattle are not tied on anymore in a barn. In the big barns they walk around socializing and eating and drinking when they want to. Everything is good for the cattle.

Today in my district dairy farming is the main or the largest agricultural activity. Dairy farmers use the most available land to produce hay, corn, and any kind of silage that they can get. They are trying to reduce their dependency on imported cattle feed by producing their own. Farmers are always looking for more land. In my area, and I guess in the Kilbride district, land is at a premium.

The second-biggest agricultural activity in my area is vegetable production. Anybody who has been at Lester's Farm Market knows what I am talking about. John Lester on Brookfield Road – I forget how many acres he grows. I am sure it is closing in on 100 that he produces every year. He grows many, many varieties of vegetables to the local market around Kilbride and St. John's. He has a son, Jim, who is probably close to the second-biggest vegetable producer in the area, or definitely in my district. He grows a tremendous amount. He has acreage, I would say, of fifty or sixty acres a year I think.

The need for more land is always an issue for farmers, especially vegetable farmers. I have been dealing with a young man who is a part-time vegetable producer. He wants more land. If he had more land, he would be growing vegetables full-time.

You wonder why someone would want to go into vegetable production full-time. Years ago when we were growing up, dad grew turnips. If you got \$2 a sack for turnips or \$5, you were lucky. Today, there is hardly a turnip that is not worth a dollar in the supermarket – hardly one.

A head of cabbage – years ago you, would get two heads for a dollar or three for a dollar.

Today, they are \$1.50, \$2, maybe more, a head. So there is money in it. If you had an acre of land, you could probably produce 5,000 or 6,000 heads of cabbage and if you got a dollar a head, you would have \$5,000 or \$6,000. There is a bit of money in it.

The Goulds, Kilbride area has a few sheep farms too. I think I know five of them – there are people producing sheep. We have a few farmers producing just berries. There are two sod farmers in my area. There is even a fish farm just started, and the former Ministers of Fisheries knows all about that.

**AN HON. MEMBER:** Tilapia.

**MR. DINN:** Yes, what is it they are producing?

**AN HON. MEMBER:** Tilapia.

**MR. DINN:** Tilapia or something like that. I saw the operation. It should be close to being started if not already started. It is a tremendous facility, right in the heart of St. John's almost. They should do all right when it gets going. I am not sure about this, but I think we still have one or two egg producers on a small scale.

In Newfoundland and Labrador, there is great potential for growth in the agricultural sector. We produce enough eggs, milk, and chicken for ourselves. With St. John's and with the fact that we bring in a lot of their food, there is lots of available space, lots of opportunity for expanding our farming operations.

My time is up.

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

**MR. DINN:** Thank you.

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

**MR. SPEAKER:** I remind the member his time has expired, but we will all drop by for some onions in October.

The hon. the Minister of Municipal and Intergovernmental Affairs.

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



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

Mr. Speaker, I would like to take the opportunity to get up and speak a few words to Address in Reply. It is always good to speak in the House. Obviously, every time I get, this time of the year, Budget time, I want to recognize people in the Ferryland district for giving me the opportunity and the privilege to serve them since 2007, to work on issues of concern and importance to them.

I am representing a district pretty vast geographically from Petty Harbour-Maddox Cove, part of St. John's on up through the Goulds, right up through Middle Pond, then on down around the Southern Avalon to the small community of St. Shott's. It certainly gives a broad spectrum in terms of the communities I represent. As I said, part of the City of St. John's, rural communities stretching out along the Avalon Peninsula.

As my colleague, just a moment ago, talked about settling in the Goulds and the type of people and how that happened through the agriculture industry, I guess, further down on the Avalon and the coastal communities that I represent, obviously, over 400 years ago were settled based on our inshore fishery. If you go back and look at the Colony of Avalon today, Lord Calvert, an establishment of the colony in Ferryland in the 1600s, what that has meant to date for the region, certainly early settlers in North America and in Newfoundland and Labrador, but what that has become today in terms of our tourism industry, and what it means for the region, the spinoff from that in economic development. Over 20,000 people visit the colony each summer, tourists, from Newfoundland and Labrador, Canada, and all over the world, to see that first settlement and to see the great work that is being done there by the archeologists, summer students.

I know in the building there in Ferryland right now there are tens of thousands of artifacts that are stored there on behalf of the Government of Newfoundland and people can view those. We have worked on several of the projects with the colony in terms of enhancements, met with the Colony of Avalon, the committee, a volunteer committee that that does tremendous work. I just met with them recently.

Again, we are coming forward with a new proposal to look at the development of some of the old structures. Obviously, there has been a lot of work done from the archeological point of view, but certainly from the old structures point of view it is something we want to look at in redefining that area up there and building out. There is a lot more archeological work to be done. I am certainly looking forward to doing that.

If you look out too from an entrepreneurial point of view in terms of small business and how things grow, lighthouse picnics – Jill Curran has been recognized for her work in small business, and just recently nationally in terms of growing a business out there. It is very renowned now in terms of people visiting, people want to go there, the lighthouse picnic out there – Jill has done a fantastic job.

It is just an example of how when we invest in non-profit organizations and groups, which we have done with the colony, partnering with ACOA and through IBRD and from that we spinoff economic activity and entrepreneurship to drive that. It is great success story as well.

Again I wanted to mention too – I spoke about the colony, but another great opportunity in the area that we are pursuing now is Mistaken Point Ecological Reserve. Right there we have fossils that are over 600 million years. They are unique to anywhere in the world actually in terms of those fossils. It is unique that to date, some of the particular ones, have not even been named because of the uniqueness, and we were listed some years ago on the UNESCO list for designation for a world heritage site.

A lot of work has gone into that over the past number of years. As a government through the parks division, through Environment and Conservation, through IBRD, we certainly supported that heavily with significant dollars in terms of infrastructure. The interpretation centre there in Portugal Cove South opened in 2007 and that certainly serves Mistaken Point, Cape Race – and that area there, Cape Race, was the lighthouse that received the first signal from the *Titanic* when she went down. A couple of years back on the anniversary again it certainly recognized that tragic event in our history from

the sea and had celebrations at Cape Race as well for that.

We invested out there in the Myrick wireless communication system that is out there in the building. The Myrick name is well known in that region for lighthouse keepers, and they have been there for a number of years in terms of that industry and lighthouse and the name certainly with the region, it goes hand in hand.

With all of that is another example of how we invest in opportunities based on our history, based on our culture, and how from that we can spinoff economic activity.

Just a while back all the documentation – the dossier I think it is referred to – was put together. It a long process, a couple of year process that was written. The parks division was involved. We have a great group of volunteers on the ground for the region. There are the ambassadors group, a committee that was struck in Portugal Cove South which oversaw all of that. There was a lot of work to be done. We had to look at the lands; we had to look at the reserve itself. The reserve itself for Mistaken Point had to be enlarged. We had to look at current infrastructure and future infrastructure in terms of the number of people who would come to visit.

Right now, with the interpretation centre up there, we get somewhere between 4,000 to 6,000 a year. They speculate with the UNESCO designation, we are looking maybe 100 a day. So we are looking at huge numbers in terms of growth. What that means as well, as I said before, what we have seen in Ferryland with the Colony of Avalon, the activities that are being driven from that, from an entrepreneurial point of view, and having people there who need services when they visit. So it is pretty exciting for the region. I really want to mention all those volunteers and the work they did.

I had the opportunity to be in Portugal Cove South a couple of weeks ago. At that time, one of the documents, the dossier, was presented to Kit Ward. Kit is well-known in the region for the tremendous work she has done in protecting the fossils at Mistaken Point. She was protecting them and playing a role when on one else was really – I would not say that concerned,

but that involved. Her, and a small number in her community – these were discovered I think in the early 1970s.

They even tell the story about, there was a cube van that went out one time. They went out with drills and all those sorts of things. You can go out in one of reserves and you can see in one of the rock formations where they drilled out around the fossil and their intent was to take the fossil. They went out and stopped them, to ensure they would be protected.

That is just one example of Kit Ward and the work she has done, but also many in the community in terms of maintaining and overlooking and watching out for those fossils and what it is going to be today for us, hopefully, when we get UNESCO designation. Again, I cannot say enough about the volunteers and all they have done, the work in the region. It certainly bodes well for the future.

The dossier is gone on to Paris, France. This summer Parks Canada – they are the advocate on behalf of Canada to UNESCO. They will bring UNESCO folks up over the summer. They will do an assessment, review all the documentation that was sent in. Based on all of that, there will be a decision made in regard to what was presented in us getting that UNESCO world heritage site designation.

It is very exciting for the region. We look forward to those results next year that we get that designation and can move forward. It would be a great tribute to the region, a great tribute to the people and all of those volunteers in looking forward to that.

I said when I started talking about the coastal communities in that area of the Avalon Peninsula, obviously, traditionally it was the inshore fishery. Then in the early 1990s, in terms of the ground fishery and what happened, we certainly saw a transition to shellfish. There is a lot of crab fishery in that region now, still processing plants, nothing like we had before, a ground fishery much like much of the Province, but a lot are earning their living from the shellfish industry, in particular the crab industry. It is still part of our culture and who we are in that region in regard to the fishery. Being able to support these projects and do those types of

things, and develop other opportunities, an environment for business to grow, that helps.

The Southern Avalon has had challenges based on the change in that industry. You look at communities like Trepassey, those areas in the heyday of the inshore fishery, but they are still a vibrant people. I certainly enjoy working with them and all communities in terms of issues that are important to them.

The fishery is a huge part of my district and of our Province. As Minister of Fisheries and Aquaculture for the Province of Newfoundland and Labrador, I enjoyed it immensely. In our fishing industry, we are at a point now where we have a very vibrant wild fishery. As well, we have been able to develop, through significant investment, an aquaculture industry on the South Coast which is now stretching out and really starting to see significant growth. That is part of diversifying our economy.

In times where we have funds that we generate through royalties or a taxation system, we invest those. The amount of dollars that are being invested now in the aquaculture industry, I think it reaches somewhere close to a range of – the Province has invested close to \$30 million. I think that has leveraged somewhere close to private sector investment of over \$200 million. That gives an idea of leveraging those dollars.

It takes some seed money, takes the incentive, and takes the vision to drive it and we have done that. In St. Alban's, as well, if you visit the research lab we have there, it is second to none. If we are going to build an industry, you need that expertise, you need that knowledge. You need, as I said, that expertise to grow an industry so people have confidence in it and can grow it.

As well, in Stephenville we have the hatchery. So it is not just the South Coast. In Grand Falls as well, we have companies that have been set up to service that industry which is very, very important as well. When you grow an industry you get those support services as well. We have seen it in the aquaculture industry, a very vibrant industry and it will continue to grow.

Our wild fishery, in terms of shellfish, I mentioned pelagics and certain other species as well. We continue to have a very vibrant

industry. There are challenges, certainly like any industry, that are driven by a resource. In recent years, we have seen some challenges with the Northern shrimp in terms of that resource from a science point of view.

Traditionally, as the name said, it was the Northern shrimp. Eventually, over the years we started to see it further south along our coast. Recently with ground stocks coming back and cod, and all the good things we are seeing there in regard to the research being done. Cod is starting to come back. There may be interaction there in the ecosystem that one is offsetting the other, but either way, we have to adjust. We have to make sure the industry continues to grow and takes advantage of the opportunities that are there.

In regard to LIFO, we have – collectively in this House, it is good to see – stood together in regard to that policy and what it is to the inshore.

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

**MR. HUTCHINGS:** Mr. Speaker, we need to make sure it is not pitting one industry against another – the offshore in terms of the amount of people it hires. The people on the vessels all year long live in Newfoundland and Labrador and make a good living. As well as the inshore and those fishers who prosecute – the smaller vessels look at the processing plants. There are about ten, I believe now, that process shrimp. So all of that, collectively.

We need to make sure we respect the signs, but we know what the volume is in terms of the species. It is fairly allocated. We share the pain. In any species there are ups and downs in terms of the availability of it. We just need to make sure we do it in a collaborative effort with the Department of Fisheries and Aquaculture here, with the Department of Fisheries and Oceans in Ottawa to make sure that Newfoundlanders and Labradorians get the full benefit of that resource and it is spread between the inshore and offshore that can maximize the industry, and certainly maximize it for all of us.

Mr. Speaker, other areas in terms of the industry and what we are trying to do here in this Province and grow the Province. I had the opportunity as Minister of IBRD to look at

economic development, the private sector, and not only the private sector but the non-profit. I spoke of a couple of examples in my own district where we really supported that and see the returns from that. On the private sector side, it was able to work with small employers to grow their industries. Some needed seed funding. Some needed funds to expand what they were doing.

There were various companies that I had the opportunity to work with all around this Province, ideas and innovators. Some do not need capital from the public. They can get their own capital through other means and they grow their business. So, it is the entrepreneurs out there who are really driving the opportunity. We do what we can to create that business environment for them to do that.

I know one area we have seen tremendous growth is in the ocean tech sector. What is so promising about that, a lot of these young people get education, science, the engineering field at Memorial University, classic examples. The Genesis Centre is there and we help them through there. We give them mentoring in terms of taking that idea, or that engineering, or that design and commercialize it. That can be quite a road. So we need those supports there, to have the idea to generate that type of research and to bring it to the point that it is commercialized. We have seen a lot of that in many areas, but we have certainly seen it in the ocean tech sector. We worked with many companies and visited many companies and seen what they are doing in regard to ROVs, digital imagery. I have seen great examples of that. Those are all Newfoundlanders and Labradorians. It is made right here. It is manufactured right here. Do you know what? It is not only sold here; it is sold around the world. That is technology and expertise that is developed right here in Newfoundland and Labrador, and hats off to those entrepreneurs and young people out there that is driving that activity.

From the Research & Development Corporation, it is a classic example of driving research and development, it drives the economy, and it takes vision. It does not happen overnight, but you have to have that vision to invest and that is what we have done. Right now some of the leveraged dollars of RDC, four to one dollars

that they are leveraging in regard to the private sector, the oil and gas sector, in the mining sector, which allows us to find ways to enhance the activities of these companies here, the industry.

That is applied science. So that is applied research where we partner with the private sector to enhance things they need to do in extracting oil, for example, whatever that may be. They enhance that technology. We can certainly quantify that and allow them to do it. That means greater extraction, better for them, better for us, greater returns on royalties; but the other thing is we create that knowledge and that expertise, and that is ours.

When we get that, we have it, and we can export that around the world. That is a global industry. That is what we are in and that is what we have. It is not just about here and now; it is about globally, about exporting it over the world.

If you look at a country like Norway and what they have done, if you look at the names of companies that are here now, a lot of them have Norwegian names. Why is that? Because twenty-five, thirty years ago when they started in their industry that is what they did as well. They invested in R&D, they found ways, they had innovators, through their post-secondary, as we are doing, to have new creations, new technology, new expertise that gets patented, and that gets held by those entrepreneurs we have here in that research. That is what we are building and we are doing that and certainly to those what are involved with that, hats off to them.

The other commitment we made, as part of that, was increasing our engineering school which is a key component of that R&D, and we have done that and we committed to double that by 2020 and we are certainly still committed to do that.

Mr. Speaker, those are a couple of examples of things we are doing in the non-profit and in the private sector to drive economic activity. It is happening in small rural communities, it is happening in regions, and it is happening in our urban centres. So collectively, that is how you drive the opportunities. You look at what happened in a particular industry and you

certainly support that and you drive it, and that is what we have done and we continue to do it.

Other areas, we look at the film industry in Newfoundland and Labrador, the investments we have made in that. What we are seeing now is return in that – we have the capacity, we have the expertise, we have the young people who know the business. One time, if someone came here to do work in that field, they brought everybody with them. Because of what we built and the expertise over the past number of years, that is here now, that knowledge and work is here. So, it is a matter if you want to come here to do it, we can provide the support and we can provide the expertise to do it.

I mentioned the fishery and what that means in terms of everything we do. Our post-secondary institutions, too – we have led the country certainly in terms of our investments, in terms of price of tuition for our students. That is one of the things that we have driven in terms of our youth – giving them an opportunity to access a sound education like Memorial, Marine Institute, College of the North Atlantic, all of those institutions, making sure our youth first of all have access and, second of all, get a first-rate education to be part of all the activities, to be well trained so they can take advantage of the important things happening here in our Province.

So, Mr. Speaker, with that, again I just want to reiterate in terms of my district and the activities that we have going on there, it is a pleasure to work with all the volunteer groups in the Province, but certainly in my own district. We know it is so important – the volunteers in our Province, without them we would not have the great Province we have, because they play extraordinary roles in all regions of our Province, whether it is our municipal councils, whether it is our volunteer fire department. Whatever it is, they are there on the ground every day. Those people come out day in and day out, night in and night out. They raise the money. They provide the support and services they need to allow our communities to grow. That is essential.

I always say government can invest funds in infrastructure and all those wonderful things, but if we do not have the volunteers and those folks on the ground driving those activities in all areas

of our Province, we will not have that great Province that we have today. I certainly salute them and congratulate them on their efforts.

So, with that, Mr. Speaker, I will say thank you very much for the time.

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

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

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

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

It is a pleasure today to stand and provide some comments in response to the Lieutenant Governor's address to the House last year. Before I do, though, I want to go back to Question Period today and Question Period of last week. One of the things that has been interesting – and I have been in this House now for fifteen years, and over the course of that time you watch some pretty interesting phrases and interesting methods for posing questions.

One of the things that has been an interesting tactic that gets deployed frequently when members of the Opposition pose a question is they take a little bit of information that is factually correct and put it in a different context than it was ever intended to be used, and then use it as a preamble to a question. That has been a pretty general tactic that gets used frequently by members of the Opposition.

We saw it here today; a real good example of it, Mr. Speaker, when the Opposition stood in the House and made a reference to a report that existed. It was a report that was used to help do some forecasting on the price of oil long term. They stood in the House and cited a very reputable company, and information provided by a very reputable company that talked about the price of oil dropping where it is today was predictable back in 2012.

I just wanted to now take that same factually correct statement and put it into context. The context was this: It was a company called PIRA – which is a world-known organization that does a tremendous job in doing forecasting – that were used to provide some information to

inform a decision around sanctioning of the Muskrat Falls Project.

In that report they provided a fairly extensive background and provided some comments about what they believe to be the reality of the future. Just like I said in my answer to the question today when we develop our Budgets, we do this annually; we will do it again this year. When we come down with our Budget this year we will show how we talked to four different banks in Canada that did some forecasting. We will look at what they say the price of oil will be like.

We will look at maybe two or three companies that provide confidential reports to governments and to investment communities worldwide on a fee-for-service basis. We will look at those and we will average them out. We will show the world and the people of Newfoundland and Labrador what that average was.

We will use another organization which themselves go out and do surveys and request information from what might be a couple of dozen forecasters. They will pull all that together. They will come up with an average or some kind of number reflecting the views of those twenty-odd people or twenty-odd organizations.

Effectively, by the time we develop our Budget we have the insights of what might be maybe thirty companies. Based on that, we will do a forecast into the future. Those companies will give you some situations as to what might be the variables that might influence that oil, but that is how we will approach it. That is how we have approached it in the past and that is what we will do again this year. We will publish that. That will be in the Budget just like it was in past years. Dating back to 2010, all of those sources were consistent in what they said. Based on all of that information is how we based our forecasting for oil.

Over the course of the last twelve years we had only been off three times. That is off in a way that negatively affected us. There were some years where we forecasted a number that at the end of the year turned out to be higher, but there was only three times in the last twelve years where we said oil will be at a certain price, and in fact at the end of the year it became lower.

This happens to be one of them. So there has been only two other times in the last twelve years where our predication about the price of oil has been higher than what had actually happened. That is not a bad track record – not a bad track record at all.

Back to my point earlier about how you take something that is factually correct and take it out of context. What the Opposition failed to say today, Mr. Speaker, was – let me just read another part of it because these forecasters give you a bunch of scenarios. They say here is what we believe will happen over the course of the next number of years. Now if something extreme should happen, here is the high-case scenario.

If something really extreme happens, here is what we believe the price of oil could go to. They will define the kind of circumstance that would have to be present for that to happen. They will also say that if something extreme happens and it drops extremely low, here is what that extreme low would be and here is the type of circumstance that would need to exist for that to happen.

The Opposition got up today and cited that particular part, Mr. Speaker. They zeroed in on one particular aspect of a report. Let me share with the House and with the people of Newfoundland and Labrador what we relied on, which is what they said, based on their experience and their years of doing this, their history, and their reputation. They say here is what we believe will actually happen. They give you some sense of what the balance of probabilities will be that will actually occur.

Let me read from that report like the members of the Opposition did today when they cherry-picked a number to try to discredit government in their forecast to try to create an impression. They tried to create an impression that government somehow or other misled the people of Newfoundland and Labrador. Nothing could be further from the truth. What becomes misleading is if you start cherry-picking information, Mr. Speaker.

Let me just use a citation directly from the report that they themselves had in their hands today when they cherry-picked a very select sentence

to actually read. Let me tell you what the report actually said. They said: we attach a probability of 45 per cent that Brent will range – in the period from 2012 to 2025, the price of oil based on Brent prices – from \$90 a barrel to \$130. They will range from \$90 a barrel to \$130 over the period of 2012 to 2025 with a 45 per cent probability that we are right, based on our history.

That is not what we heard in the House today, Mr. Speaker. We heard something very different in the House today, which would suggest that government actually had used – more importantly it was suggesting that government was in possession of information that it chose not to use. What I want to share with the House is that government was in possession of a detailed, comprehensive piece of information from multiple sources, and used the information from multiple credible sources to come to a conclusion.

To zero in on one particular document and take what is a low dollar value probability, which this very credible company said it was an extreme circumstance – as I have said earlier they take a forecast and say here is what we think will happen, and you should base your decisions based on this. However, we want to make sure you understand that in extreme circumstances it could go this high, and in other extreme circumstances it could go this low. So we take that information, together with information from multiple other sources, I say, Mr. Speaker, and we then use that to do a forecast and make decisions based on that kind of forecasting, and based on being informed about the future.

What we will do this year, as we are in the process today of building this year's Budget, we will go to those same sources. We will extract information, we will consult with them, and they will provide us with advice. When I read into the House later in April this year's provincial Budget, I will share with the people of the Province and share with this House of Assembly a list of companies that provided us with advice, what that advice might be, and what the forecast should be over the coming years. We will do that in a very responsible way.

Forecasts change. These forecasters who are telling us today here is what the future looks like

for the next four or five years, we used them last year, the year before, the year before that, and they were informed by the information they had available to them at that time.

Also, Mr. Speaker, as we have done in the last number of weeks, we have travelled around the Province and we have consulted with some over 200 people who came out to various community meetings and said: Here is what we think about the position of the Province, the financial position of the Province, and here is what we think government should do with the Budget.

We also had online where you could go in on an interactive app and tell us what you think, feed off other people's comments. You may, yourself, go in on that app and you might offer an opinion and a view of what you think the government should do with this year's Budget. I might just follow you and then make a comment about yours. So we have seen people get on that app and they have made comments, only to be followed by others who have had a contrary view. Sometimes they have had a supporting view, but they have shared it. It is there for everybody to see. So we use that, Mr. Speaker. We have made sure that we have been monitoring those. We have been informed by some of the comments.

We also then have had several organizations and several individuals who have made submissions. They have written reports, they have written letters, and they have said: Here is what we think you should do.

As we go through this dialogue and as we go through this discussion, add all of that, all of those insights, to what we will do as an analysis of each government department's spending habits, the programs and services they provide, and what trends are evolving in the areas that they provide services and supports to; some of the unmet needs of the people of Newfoundland and Labrador, some opportunities we have to create efficiencies, and some opportunities we have to build on some of the programs we have already done.

That is the process, Mr. Speaker. We are very much engaged in that process now. We will continue to work on those sorts of things as we work closer to developing this year's Budget.

You heard the Premier in the House today indicate that we still are on target to have the provincial Budget in this Province delivered before the end of April. One of the things we are trying to do, Mr. Speaker – I have said publicly and the Premier has said many times publicly this is a challenging year for the people of Newfoundland and Labrador. It is a challenging year for the government of Newfoundland and Labrador.

We find ourselves in a financial position that we have not been in for quite some time. In fact, no, we have not been in this position since we formed government. Obviously, when we inherited the government from the Liberal Opposition back in 2003 we were in a position at that time not unlike where we are now. We were finding ourselves in a spot where we need to map out a new course for the future.

What we are trying to do is to put together a Budget that ensures our financial position is sustainable for the long-term, and we are able to provide programs and services to the people of Newfoundland and Labrador that are responsive to the needs of the people. At the same time, we want to make sure that the funding levels are going to be sustainable for the long term.

We are trying to make sure that we make measured decisions, we make balanced decisions that reflect the fiscal reality; but, at the same time, recognizing that Newfoundlanders and Labradorians deserve and need to have a level of public service to support their lives and to ensure that we protect the most vulnerable in our society, while we share the wealth, we share the prosperity that many enjoy, while recognizing as well, Mr. Speaker, that this too will pass.

In five or six years' time when we sit in this House and reflect on where we have gone from 2014 to 2020 and 2021, I think people will recognize that the last five years that we are mapping out now were years where we went through a transition. We went through a transition as a Province where we needed to readjust the course to reflect that new fiscal reality.

One of the things that we are very confident in and we will be very mindful of this as we

develop our Budget because we are confident in the future of Newfoundland and Labrador; we recognize the tremendous potential that exists in this Province. We recognize the tremendous opportunities that exist for young entrepreneurs. We recognize the tremendous opportunity that exists for young professionals who want to establish their careers here, to raise families and to participate in a quality of life that no one else in Canada enjoys, Mr. Speaker.

We will celebrate the Province's rich history, we will celebrate the Province's rich resources, and we will navigate our way through the next five years in a way that makes sure that we position ourselves that when we come out of these difficult and rough waters that we are going to experience in the next five years, we will come out a stronger society. We will come out a society well positioned to take advantage of those continued growth opportunities so the next generation of Newfoundlanders and Labradorians will continue to enjoy the wealth, the prosperity, and quality of life that many of us in this House have enjoyed for many, many years. Because we will make the kinds of decisions in this Budget coming up that are going to position Newfoundland and Labrador to take advantage of the opportunities in the future and to secure the future of young Newfoundlanders and Labradorians today who are maybe just starting school, just starting out in their careers.

We are very cognizant of the deep sense of responsibility we have to the people of Newfoundland and Labrador and the obligation that we have to not just this generation, but the future generations of Newfoundland and Labrador to not to destroy and undermine the opportunities that exist, and not to make Budget decisions that are going to undermine their economy.

We have a delicate balance in this Province. The amount of money the Province, the Government of Newfoundland and Labrador spends – the amount of money we spend is a significant contributor to the economic prosperity of this Province, so we need to make some delicate decisions. One, where we react to and respond to the fiscal realities that we have, which is a drop in revenue that we anticipate will not be a long-term thing. We do need to



adjust the course and reflect that reality while, at the same time, not making decisions in a rash or irrational way that undermines the provincial economy, that destroys the livelihoods and the futures of many generations of Newfoundlanders and Labradorians because we have to have balance.

So the decisions we make in this upcoming Budget will be strategic, they will be measured, they will reflect the fiscal reality we find ourselves in today; but, it will also reflect our understanding and our optimism for a prosperous future to know that we will be well positioned when oil prices rebound and we continue to generate wealth from the natural resources that we have because there are tremendous opportunities in Newfoundland and Labrador, whether it is in mining, whether it is in oil and gas, whether it is in technology.

You just heard my colleague, the Minister of Municipal and Intergovernmental Affairs, talk about the tremendous investments we have made in diversifying the economy and tremendous opportunities that exist in some of the non-resource industries that have done well in this Province.

The message that I want to leave with this House and the people of Newfoundland and Labrador, as we move towards delivering this year's Budget, that we are doing this in a very measured way, in a responsible way, in the best interests of all Newfoundlanders and Labradorians, this generation and future generations. We are very much aware of the responsibility that we have and the responsibility that the people of Newfoundland and Labrador have entrusted in us. We take that responsibility serious, and I want to assure the people the decisions we make will be made only with the interest of Newfoundlanders and Labradorians in mind and with ensuring that we can enjoy and take advantage of the prosperity that this Province has to offer well into the future.

I say, Mr. Speaker, I want to thank the House for the opportunity to make these few comments in response to the Lieutenant Governor's message from last year. I look forward to continuing in the debate in this House and look forward to, in the number of weeks into the future, standing in my place at this very desk and delivering a

Budget for Newfoundlanders and Labradorians to take us through to the next five years.

Thank you for the opportunity to make these few comments.

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

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

The hon. Deputy Government House Leader.

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

Mr. Speaker, I was up earlier and the major part of my speech, I forgot – last night the Southern Shore Breakers beat the Northeast Eagles in seven games at the Southern Shore Arena, a full house. Senior hockey is alive and well –

**MR. SPEAKER:** Is the minister standing on a point of order?

**MR. HUTCHINGS:** I just wanted to point it out for the hon. the Member for Cape St. Francis.

Mr. Speaker, I move, seconded by the Minister of Health and Community Services, that the House now adjourn.

**MR. SPEAKER:** The motion is that this House do now adjourn.

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried

This House now stands adjourn until 1:30 o'clock tomorrow.

On motion, the House at its rising adjourned until tomorrow, Tuesday, at 1:30 p.m.