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Speaker: Honourable Wade Verge, MHA

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The House met at 2:00 p.m.

MR. SPEAKER (Verge): Order, please!

Admit strangers.

Statements by Members

MR. SPEAKER: Today we have members' statements from the Member for the District of Fortune Bay – Cape La Hune; the Member for the District of St. Barbe; the Member for the District of Kilbride; the Member for the District of Carbonear – Harbour Grace; the Member for the District of Humber Valley; and the Member for the District of Virginia Waters.

The hon. the Member for the District of St. Barbe.

MR. J. BENNETT: Mr. Speaker, I rise in this hon. House today to congratulate Vallance (Val) Cull and Northern Boat Repair Limited of Port Saunders on being inducted into the Atlantic Canada Marine Industries Hall of Fame. This prestigious distinction was awarded on November 28 at the 2014 North Atlantic Fish & Workboat Show in St. John's.

This award pays tribute to those who have made a valuable contribution to any sector of the marine industry. Recipients are recognized in three categories. They are Mariner, which recognizes individuals who work on the water; Processor, which recognizes individuals involved in the processing sector; and Builder, which recognizes those making a valuable contribution without having directly participated.

Northern Boat Repair Limited was recognized in the Builder category. Serving local, national and international customers Northern Boat Repair Limited was established in 2003 by Mr. Cull and his family. Depending on the availability of work, the business currently employs between twenty and fifty people, making it the largest private sector employer in the region.

Mr. Speaker, I ask all members of this hon. House to join me in congratulating Val Cull and Northern Boat Repair Limited on being inducted into the Atlantic Canada Marine Industries Hall of Fame.

SOME HON. MEMBERS: Hear, hear!

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

MR. DINN: Mr. Speaker, through the Department of Education and Early Childhood Development, the Government of Newfoundland and Labrador awards 201 scholarships each year to high school students in Newfoundland and Labrador. The scholarships range in value from \$1,000 to \$2,500 and are based on the Department of Education's scholarship score derived from the result of public exams.

The categories of scholarships are: the Junior Jubilee Scholarship of \$2,500; the Constable W.C. Moss Scholarship of \$1,000; the Electoral District Scholarship of \$1,000, each awarded to three high school students in each district; the Centenary of Responsible Government Scholarship of \$1,000 each – fifty-five of these scholarships are awarded each year.

In the District of Kilbride, the three electoral scholarship winners were: Jane Qi of Bishops College High in St. John's; Cristian Lacey of St. Bonaventure College in St. John's; and Courtney Harnum of O'Donel High School in Mount Pearl. Two students, Meagan Casey and Sydney Manuel, both of O'Donel High School, were recipients of \$1,000 Centenary of Responsible Government Scholarships.

I ask all hon. members to join me in congratulating these scholarship winners from the District of Kilbride.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MR. SLADE: Thank you, Mr. Speaker.

Mr. Speaker, I rise in this hon. House today to recognize a long-time resident of Carbonear who passed away on October 22, 2014 at the age of ninety-two. George Earle has a litany of community service to the Town of Carbonear. He was first elected to council on November 17, 1965 as a councillor. On November 27, 1969,

he was elected as mayor, a position he held until November of 1973.

George also served as a firefighter, joining the Carbonear Fire Department in 1966, where he served for ten years. Since that time and until his death last month, he has remained an honorary member of the fire department.

In recognition of a lifetime of community service to the Town of Carbonear, Earle's Promenade was officially dedicated on October 30, 1998 by the hon. Art Reid, Minister of Municipal and Provincial Affairs. This beautiful promenade is a very popular recreational facility, enjoyed by locals and visitors alike.

Mr. Speaker, George Earle was a prominent resident of Carbonear. His contributions to his community will live on through his legacy.

Mr. Speaker, I ask all hon. members to join me in recognizing the contribution of George Earle and express our sincere condolences to his family.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Humber Valley.

MR. BALL: Thank you, Mr. Speaker.

I rise in this hon. House today to congratulate Noah Burnett of Cormack on winning first place in the junior category at the Canadian Young Speakers for Agriculture Competition recently held at the Royal Agriculture Winter Fair in Toronto.

Each year, the Royal Agriculture Winter Fair hosts the speaking event for young people between the ages of eleven and twenty-four. This event gives them an opportunity to express their passion for the agricultural industry. Noah was the only competitor from our Province to take part in this prestigious speaking competition.

Noah's parents, Ron and Jane, are farmers and at the age of fifteen, Noah is very interested in continuing with the family tradition of farming. In his speech, Noah mentioned why he has chosen to pursue a career in the agricultural

industry. When he does become a farmer, Noah will be the eighth generation of farmers in this family.

Mr. Speaker, having the youth of our Province show such passion for this industry is absolutely remarkable.

I ask all members of this House to join me in congratulating Noah Burnett on his award winning speech and wish him future success with his career aspirations.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MS C. BENNETT: Thank you, Mr. Speaker.

I rise in this hon. House today to recognize the recipients of the provincial scholarships to recognize high school students' achievement within the District of Virginia Waters.

More than \$200,000 in provincial scholarships have been awarded to 201 recent high school graduates throughout Newfoundland and Labrador, and are awarded based on public examination results and will help students pursue post-secondary education.

I extend congratulations to Holly Barrett, Cara Engelbrecht and Teba Hamodat all 2014 graduates from Gonzaga High School recipients of Electoral District Scholarships.

I wish to further congratulate recipients of the Centenary for Responsible Government Scholarships which include Leanne Raske, Jeremy Costello, Michael Zurel, Sajid Khayer, Ayla Lawlor, Kurtis Thornhill and Laura McCallum, all of Gonzaga High. Brett Vokey and Hannah Boone, representing Holy Heart of Mary Regional High School, and Clare Snow and Michael Barrett of St. Bonaventure's College.

Our young people are the key to the future of our great Province, taking a moment to celebrate their success should prove to all of us the spirit of hope for the future.

Mr. Speaker, I ask all hon. members to join me in congratulating these graduates, recognizing their hard work, and wishing them much success in the pursuits for their chosen career paths.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Before I recognize the Member for Fortune Bay – Cape La Hune, I want to welcome to the public gallery two people from her district. We have Olivia Joe and Alaina Joe. Alaina has just been selected, back in October, to be the representative for Newfoundland as Miss Teen Newfoundland and Labrador.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: She is here with her mother today, and I might add that she is the first Aboriginal ever selected to be Miss Teen Newfoundland and Labrador.

Congratulations.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Fortune Bay – Cape La Hune.

SOME HON. MEMBERS: Hear, hear!

MS PERRY: Thank you, Mr. Speaker.

I rise in this hon. House today to congratulate Marilyn John for receiving the Female Lifetime Achievement Award at the seventh annual Atlantic Aboriginal Entrepreneur Awards, hosted by Ulnooweg Development Group. We are very proud that Marilyn was recognized for her dedication, perseverance, and love for her community and people.

Marilyn is very well known across this Island; and I can attest how deserving she is of this highest honour given her lifetime accomplishments in both business and community.

Marilyn once served as the Chief of Conne River and brings the same passion she has exhibited over the years, fighting for recognition

of her people, to make her business ventures a true success. Her dedication, persistence, and big heart are evident in everything she does including preservation of the Mi'kmaq culture, heritage and crafts; successful operation of Dashwood Diner and her catering business; her work as a teacher's aide at St. Anne's School; and her numerous community involvements.

I ask all members to join me in celebrating Ms John's great achievement. We wish her continued success as she excels in business and we encourage her to stay motivated and to share her recipe for success – simple hard work and a great love for what you do.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Statements by Ministers.

Statements by Ministers

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

SOME HON. MEMBERS: Hear, hear!

MR. O'BRIEN: Mr. Speaker, I rise in this hon. House today to talk about the success of the Labrador Aboriginal Training Partnership. This partnership is between the Innu Nation, the Nunatsiavut Government, the NunatuKavut Community Council and the Nalcor Energy-Lower Churchill Project.

This partnership was formed to ensure Aboriginal people have the education, training and skills necessary to secure employment opportunities created through resource development in Labrador. Aboriginal men, women, and youth are availing of skills development programs that focus on apprenticeship-type occupations. Mr. Speaker, examples include those applicable to construction trades, various camp operations and supervisory and management positions.

Our government is committed to removing barriers to education and training, which is integral to achieving long-term success for people throughout Newfoundland and Labrador. Mr. Speaker, our support for the Labrador

Aboriginal Training Partnership is a reflection of that commitment.

This non-profit partnership began in 2009 and as of 2012 had resulted in almost 400 clients obtaining employment. It is currently supported by over \$14 million in funding from the provincial and federal governments, Nalcor Energy, Innu Nation, Nunatsiavut Government, and NunatuKavut Community Council. Since March 2013, Mr. Speaker, through this partnership, ten training programs have been offered at our Province's post-secondary institutions, the majority of these through the College of the North Atlantic. Over 200 Aboriginal people have obtained employment as a direct result.

Mr. Speaker, the continued success of the Labrador Aboriginal Training Partnership will make Aboriginal workers essential to the many significant projects and development underway or planned in the Labrador region, such as the Muskrat Falls Project.

Mr. Speaker, increasing the availability of skilled trade workers has been a top priority for this government. The Labrador Aboriginal Training Partnership is an example of how we can successfully work together to help people obtain skills and the workplace experiences needed to secure long-term, meaningful employment for the benefit of themselves, their families, and their communities.

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. While there have been many success stories coming out of LAMP, there have also been many disappointments, especially in the early stages of Muskrat Falls. There were many cases where, by the time training was complete, the jobs were filled – many times, by non-Labrador residents. The IBA clearly states the hiring protocol: Innu first, Labrador residents second. Unfortunately, this was not always

followed and many who availed of the training are still looking for work.

The success of the LAMP should not only have been measured in the number of Aboriginals who were trained but, instead, how many of the trainees received meaningful employment in their trades.

I want to take this opportunity to thank Keith Jacque, Colleen Baikie, and the other LAMP employees in the Happy Valley-Goose Bay office and the outreach offices throughout Labrador, for their hard work and dedication to all Aboriginal groups in Labrador.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MS ROGERS: Thank you, Mr. Speaker.

I thank the minister for an advance copy of his statement. Aboriginal communities have had to work hard, pushing, negotiating, and insisting to have their rightful place at the table. It is imperative that governments and its agencies acknowledge the right of Aboriginal communities to their leadership and expertise in identifying their blocks and barriers to education, training, and employment.

It is also imperative that provincial governments and agencies acknowledge and respect their rightful place in their leadership in identifying solutions to those blocks and barriers. Aboriginal communities are the experts in this area. It is only then can effective and meaningful progress be made.

Government and agencies must listen to Aboriginal communities –

MR. SPEAKER: Order, please!

I remind the member her time is expired.

The hon. the Minister of Environment and Conservation.

SOME HON. MEMBERS: Hear, hear!

MR. CRUMMELL: Mr. Speaker, I rise today in this hon. House as the Minister Responsible for the Office of Climate Change and Energy Efficiency to announce the launch of a new climate information portal as part of our Community Accounts Web site. The portal has been developed in partnership with the Department of Finance and responds to the growing need for decision makers to have access to climate information so they can factor climate change considerations into their planning.

Mr. Speaker, the Community Accounts Web site was launched in 2002 to ensure the people of our Province can make evidence-based decisions using high-quality community and regional information.

Community Accounts is an innovative, web-based tool that provides users with reliable sources of data. Users can find important information about health, income, education, literacy and labour markets in the Province, as well as key demographic information.

Mr. Speaker, through the launch of the new climate information portal on this Web site, residents of Newfoundland and Labrador now have access to historical weather data at a community and regional level for the very first time. This data, which includes temperature, precipitation and wind data, is collected from over seventy Environment Canada weather stations throughout the Province and is invaluable when governments, businesses and organizations make decisions concerning land use planning, municipal zoning, disaster mitigation planning, and infrastructure design.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. CRUMMELL: This information will allow students to better understand how climate change is affecting them and their communities.

Mr. Speaker, our government recognizes rising global temperatures are causing climates throughout the world to change, and this is having a significant impact on businesses, communities, and governments at every level. By ensuring community leaders, engineers, emergency planning agencies, governments and

other stakeholders have access to up-to-date, high-quality data we are helping ensure the decisions made today incorporate the best possible information about how our climate is changing.

In our 2011 Climate Change Action Plan, Mr. Speaker, we committed to improving Newfoundland and Labrador's resilience to climate change. As weather patterns are changing, new risks and opportunities are emerging that can affect every economic sector and community in our Province. Our government remains committed to ensuring our Province is equipped with the information and tools needed to minimize these risks and maximize these opportunities. To explore the new climate information portal of Community Accounts, I encourage members to visit www.nl.communityaccounts.ca/climate.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

The Minister of Environment and Conservation is delivering his statement. I would ask all members for their co-operation, please.

The minister, to continue.

MR. CRUMMELL: I have finished, Mr. Speaker, thank you.

Even though you may not have heard it, Mr. Speaker, I did finish.

MR. SPEAKER: Thank you, Minister.

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

MR. REID: Thank you, Mr. Speaker.

I thank the minister for an advance copy of his statement. The Community Accounts site was launched under a Liberal government and provides a wealth of data on a range of subjects. It is said that we love to talk about the weather in Newfoundland and Labrador, so providing data on seventy weather stations throughout the Province should enrich this discussion.

On a serious note, climate change is the challenge of our times. Government committed to creating a culture of conservation in their Energy Plan, but we have seen very little on that front. Government should view climate change as an opportunity to diversify our economy while protecting our environment.

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 on this new and, I think, very important initiative that is brought forth in the Province. The Community Accounts are an excellent resource, and this new portal will be a useful tool.

I remind government that a lot of the decision makers who will factor climate change into their considerations will be municipal leaders, and that is a very important note. Whenever using this portal, of course, and adjusting for climate change, we know they are going to need more funding so that they can, for example, replace culverts, do wharves, that sort of thing, and make repairs to roads and roadside construction. They are going to need more money.

The question is to government: Is government going to be ready to meet the financial challenge of climate change?

Thank you very much.

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

SOME HON. MEMBERS: Hear, hear!

MR. DALLEY: Mr. Speaker, I rise today to congratulate the winners of the Daphne Taylor Milk Quality Award of Excellence. The award was created in 1997 to recognize excellence in the production of quality milk.

The award commemorates Daphne Taylor, a farmer who made very significant contributions

to the dairy sector and was committed to food safety. Unfortunately, Ms Taylor passed away prematurely from cancer. We are proud to remember her through this award.

These awards were presented at the Dairy Farmers of Newfoundland and Labrador's annual general meeting held recently in Corner Brook. For thirty-two years, this organization has been helping dairy farmers grow their businesses.

Mr. Speaker, the dairy sector is one of Newfoundland and Labrador's most important agricultural industries and it accounts for about \$47 million annually. The provincial government recognizes the opportunities and challenges facing this sector, and we are committed to its long-term success.

Our government continues to provide support through a grain research program that is evaluating various varieties of spring and winter grains to reduce feed costs for farmers. We also continue to support the Land Development Program which is helping dairy farmers meet land requirements for the dairy sector.

The provincial government, milk producers, and processors recognize the importance of producing high-quality milk. The Daphne Taylor Milk Quality Award of Excellence is competitive. Only the top three farms, unless there is a tie, are recognized for their product.

This year's first place winner is Sunrise Dairy, owned by Jeff Greening and located in Musgravetown. For second place there was a tie between N & N Farms Ltd., owned by Lee Noel in Cormack, and Glenview Farm of Kilbride, which is operated by the Walsh brothers.

Rounding out the winners were River Bend Dairy, operated by Jeff Peddle of Lethbridge, and Connors Dairy Farm of Torbay, in third place.

Mr. Speaker, we also have the Daphne Taylor Award of Merit which is a non-competitive award presented to those producers who supply milk to a recognized level of merit. The recipients of this year's award of merit were Beauty View Farms owned by Mary White in Port Blandford, Triple G Farms owned by Frazer

Greening of Musgravetown, and Rideout's Dairy Farm owned by Melvin Rideout in Cormack.

Mr. Speaker, I congratulate the winners of this award and I commend our farmers and producers for the work they are doing.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MR. BALL: Thank you, Mr. Speaker.

I want to thank the minister for the advance copy of his statement today. On this side of the House we share in recognizing the proud winners of the Daphne Taylor Milk Quality Award of Excellence and the Award of Merit.

It is kind of with mixed emotions that I stand here today, knowing Daphne Taylor for many years, as she was someone who lived in my district. We all remember, or I remember certainly, her unfortunate passing back in 1996.

I am sure the dairy farmers today are clearly honoured by following in her footsteps the great job that she did. She is known to be a very passionate farmer, a very hard-working woman, and made tremendous advancements for the dairy industry not only in her own community of Cormack but, by this recognition, throughout the Province.

I think the award winners can be proud today that they follow in Daphne's legacy. We are all proud of the hard work the dairy industry is doing and the contribution both to our economy and the healthy living lifestyle that it creates for many people around the Province.

Today I commend the winners. I would say I am very proud today since two of the six that are mentioned in this statement are from my own District of Humber Valley, two from Cormack. It is a very vibrant industry in my district. I am very proud of the great work they do.

I think I would be remiss if I sat down today without recognizing the Member for Exploits,

who spent many years selling this product on the road in Newfoundland and Labrador.

SOME HON. MEMBERS: Hear, hear!

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

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

I thank the minister for the advance copy of his statement. I also congratulate all those who took part in these awards. The dairy industry is an important provincial industry, not only as an employer but also in supporting the good health of the people of the Province.

I remind the minister that we are still waiting for a food security plan from this government. At this time of year, with a big focus on food banks helping the needy, it is important we work towards ensuring there is a plan in place so that Newfoundlanders and Labradorians have access to adequate, healthy, and affordable food all the time, not just during the holiday season. The dairy industry must be a key part of this plan.

Thank you very much, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Minister of Transportation and Works on a point of order.

MR. BRAZIL: Thank you, Mr. Speaker.

Yesterday in the House I was asked would I table the statutory declaration from Humber Valley Paving related to Project 1-12. I am happy to table this to the House today, Mr. Speaker.

MR. SPEAKER: Order, please!

There is no point of order.

Oral Questions.

Oral Questions

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

MR. BALL: Thank you, Mr. Speaker.

I thank the minister for actually tabling that document today.

Mr. Speaker, the Auditor General said he was not able to satisfy himself why two ministers, within thirty minutes, independently contacted the deputy minister to inquire about the status of the Humber Valley Paving contract on the day before the PC leadership deadline. The Premier has said that he is satisfied. So, obviously, if he is satisfied and the AG is not, he must have those answers.

I ask the Premier: Can you tell us why, on the morning of March 13, just before a Cabinet meeting, two ministers made inquiries into the status of the Humber Valley Paving contract within thirty minutes of each other?

MR. SPEAKER: The hon. the Premier.

SOME HON. MEMBERS: Hear, hear!

PREMIER DAVIS: Thank you, Mr. Speaker.

As discussed in this House, the Auditor General has completed a comprehensive review and investigation of the matters involving Humber Valley Paving. He did so at the request of this government. He has carried out a very extensive review, has had unobstructed access to government officials, to documentation that is in the possession of government, as well, has had the opportunity to interview under oath, examine and cross examine under oath, any witnesses or officials that he felt necessary to interview.

He has done that, Mr. Speaker. He has completed a report, and he has carried out and provided that report to us with five recommendations. The member opposite is referring to a couple of members and discussions they had. I think the Auditor General has articulated in the report the explanations provided for those phone calls.

SOME HON. MEMBERS: Hear, hear!

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

MR. BALL: Certainly from that answer, I say, Mr. Speaker, I do not think the public of Newfoundland and Labrador are any further advanced in answering that question for sure. One of the ministers who is named in the Auditor General's report is still in Cabinet.

I ask the Minister of Advanced Education and Skills: Since the Auditor General was not able to determine why you called the deputy minister of another department on March 13 on this issue, will you now stand and tell the people of the Province why you were involved?

MR. SPEAKER: The hon. the Premier.

SOME HON. MEMBERS: Hear, hear!

PREMIER DAVIS: Thank you, Mr. Speaker.

I just want to reiterate to Members of the House of Assembly and also the members of the general public, the question that is being asked by the member opposite was asked of the minister. He has provided an explanation. He did that under oath through an oral interview and examination by the Auditor General; and, not only the Auditor General, Mr. Speaker, but also by legal counsel that was retained by the Auditor General who was also participating in these examinations of witnesses, as I understand.

Mr. Speaker, the response given by the member has been articulated in the report of the Auditor General. Mr. Speaker, we accept the report of the Auditor General. We have committed to implement the recommendations of the Auditor General, and we will carry out that, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. BALL: Thank you, Mr. Speaker.

Well, if the Premier accepts the report – on page 53 of that report, contrary to what the Premier just said, the AG said this is a conclusion that, “We have not been able to satisfy ourselves why two Ministers, within ½ hour, independently contacted the Deputy Minister...”

Since the Premier could not answer that question, I ask the Minister of Advanced Education and Skills: Since the Premier will not answer, will you tell the people of the Province why that call was made?

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

SOME HON. MEMBERS: Hear, hear!

MR. O'BRIEN: Mr. Speaker, I do not mind getting up in this House and reiterating in regard to that call I gave to the Auditor General under oath, along with a lawyer present. As a matter of fact, I will answer it exactly the way I answered the Auditor General.

It is not uncommon for me to call deputy ministers in regard to issues. I made a number of calls to Terry Paddon when he was Deputy Minister of Finance. I had two issues with my district that I wanted to discuss. One was the Trans-Canada Highway east of Gander. The other was some flooding in regard to a constituent of mine in the Gander Bay area at Magee intersection.

As well, I had a curiosity question, being the past Minister of Fire and Emergency Services at the time and on the ground in regard to that fire. I had not heard at that particular time, other than by rumour, that there were issues in regard to the paving contracts in Labrador. That was the thirty-second conversation with the deputy minister.

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Hear, hear!

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

MR. BALL: Thank you, Mr. Speaker.

I appreciate the minister's answer. It is obviously quite different from what the Premier said. In mentioning of the AG's report, the minister also said that he had heard colleagues who were talking about issues around HVP, Humber Valley Paving. There were also a number of matters on his mind, as the minister just said, but really what happened is the

conversation ended once the discussion went to Humber Valley Paving.

I ask the minister: What was the reason for calling the deputy minister on that morning?

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

SOME HON. MEMBERS: Hear, hear!

MR. O'BRIEN: I will repeat again, Mr. Speaker.

I had two important issues that I wanted to discuss with the Department of Transportation, either the deputy minister or the ADM responsible for roads, and that was two issues. One was the contract in regard to the Trans-Canada Highway East of Gander. That was supposed to be paved the year previous, but had not due to the occupational health and safety issues that we encountered that year, and I wanted to see when that paving would start because it was an important thing for my district.

As well, an important issue for a constituent of mine was the issue in regard to flooding on the corner of Magee and Gander Bay Road. A curiosity question, being the past Minister of Fire and Emergency Services, I asked the question: Was there any truth? I was told that there were issues with the paving contract, the department was working on it, and that was the end of the conversation, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. BALL: Thank you, Mr. Speaker.

Well, according to the deputy minister, what happened was that once the conversation ended with Humber Valley Paving, there was nothing else discussed. That is the conclusion in the AG's report. The Auditor General said he was not able to satisfy himself why the contract had to be concluded the day before the close of the PC leadership.

So I ask the Premier: Since the AG was not able to find out, can you tell us why this contract had

to be concluded on that day – one day before the close of the PC nomination?

MR. SPEAKER: The hon. the Premier.

SOME HON. MEMBERS: Hear, hear!

PREMIER DAVIS: Thank you, Mr. Speaker.

Mr. Speaker, the Premier of the day, Premier Marshall, when he learned of these circumstances, reviewed the circumstances. He considered the facts that had occurred. He considered the inquires and concerns, as being expressed even today by members opposite.

The Premier of the day had options available to him. He could leave it as status quo – take no action. He could contact the police and ask them to do an investigation. He could call in the Auditor General and ask the Auditor General to an investigation. He could have also, if he wished, called for a public inquiry.

He chose to call in the Auditor General. The Auditor General is a competent person, has a competent office, Mr. Speaker. He has carried out his work, I believe, diligently and competently as a professional. He has relied on the advice of others and legal advice. He has finalized his study of the factors, he has submitted a report for public consumption, and we accept his recommendations.

SOME HON. MEMBERS: Hear, hear!

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

MR. BALL: Thank you, Mr. Speaker.

Well, the Premier knows that those recommendations that were made in the AG's report are extremely vague when you see considerations, adequate documentation – these are pretty much what you would expect from this. What I am not hearing is why this contract had to be concluded on the day before the PC leadership. If Premier Marshall was here today, I believe he would take this to the logical next step, which is a public inquiry.

Why was this contract terminated on the day before the PC leadership?

MR. SPEAKER: The hon. the Premier.

SOME HON. MEMBERS: Hear, hear!

PREMIER DAVIS: Thank you, Mr. Speaker.

Mr. Speaker, the Premier had options available to him. Members opposite agreed with the position taken by the Premier. Members opposite made comments that as long as it is done where evidence and information is taken under oath. That was done.

The Auditor General has broad powers, Mr. Speaker. In comparison, he has done a good job of looking at all of the facts. He has done a thorough investigation and a thorough review of the facts which resulted in five recommendations.

Mr. Speaker, we take the recommendations seriously. I am not sure about the tone of the comment made by the member opposite when he references the recommendations by the Auditor General, but I can tell you us on this side of the House, we accept those recommendations and we are committed to implementing all of those recommendations.

SOME HON. MEMBERS: Hear, hear!

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

MR. BALL: Thank you, Mr. Speaker.

The AG went on to say in many places in this report that he was not satisfied. Ironically, the Premier seems to be satisfied.

When we supported the AG going in, it was a step one. Now that the AG is not satisfied, I say to the Premier – the Auditor General's report confirms there are still many unanswered questions. We know the AG had no authority to compel Humber Valley Paving or anyone associated with the company to answer the inquiries; therefore, we only have one side of the story, the Premier's side of the story.

I ask the Premier: Why are you denying the people of the Province the full story by refusing to call a public inquiry?

MR. SPEAKER: The hon. the Premier.

SOME HON. MEMBERS: Hear, hear!

PREMIER DAVIS: Thank you, Mr. Speaker.

The Auditor General had access to, I think, 185 officials and former officials in various government departments. I think there are fourteen different government departments, Mr. Speaker. He came in and had unobstructed access to any records and any individuals that he so chose.

He interviewed, under oath, sixteen individuals, some of those government and some of those outside of government. His report even references Humber Valley Paving, as talked about by the member opposite. He was satisfied with the representation that was recommended by Humber Valley Paving. It is reflected in his report.

Mr. Speaker, the Auditor General has done the job he has been asked to do. He has done that. He has done the work competently. He has done it completely. He has made the recommendations, Mr. Speaker. We accept the recommendations. We respect the work that has been done by the Auditor General.

SOME HON. MEMBERS: Hear, hear!

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

MR. BALL: Thank you, Mr. Speaker.

The AG, in the various places in his report, goes on to say that the minister instructed his department not to prepare a briefing note; the Premier was not told, did not find out until five weeks later; no documentation prepared to support the March 13 decision; no operational value, no operational reason to cancel this contract.

If you do not need a public inquiry, will you please stand and answer the question: What happened on that day to cancel that contract? Why was it so important?

MR. SPEAKER: The hon. the Premier.

SOME HON. MEMBERS: Hear, hear!

PREMIER DAVIS: Thank you, Mr. Speaker.

It is important to understand the responsibilities, the roles, and the legislation around the Auditor General. The Auditor General has very broad recommendations.

The member opposite continues to – in a certain way, it seems to me – try to paint a picture that the Auditor General has not carried out his duties. He had full right and access to compel the attendance of persons, under the act, to come forward, to provide evidence, and to be interviewed. He references in his report he was satisfied with responses from certain people that he had contacted.

Mr. Speaker, we are not questioning the work and the decisions made by the Auditor General. We appreciate the work that is done by the Auditor General. Members opposite also were in favour of the Auditor General, I would submit, until they did not get the answers they had hoped to get. Now they are changing their tune and they want to take a different process.

SOME HON. MEMBERS: Hear, hear!

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

MR. BALL: Thank you, Mr. Speaker.

There seems to be some confusion on the work of the AG here because the AG, to our knowledge, has no authority to compel Humber Valley Paving or anyone associated with the company to answer these inquiries.

If the AG cannot do it – I say to the Premier: If you really want to get those questions answered, will you call for the public inquiry?

MR. SPEAKER: The hon. the Premier.

SOME HON. MEMBERS: Hear, hear!

PREMIER DAVIS: Thank you, Mr. Speaker.

The Auditor General has vast powers; there is no doubt about that. Under examination and subpoena, section 18 of the Auditor General Act,

it allows him the opportunity to examine a person on oath or affirmation regarding a matter pertinent to an account submitted to the Auditor General for audit and the oath. It goes on to say in order to compel the attendance of person under subsection (1), he may do certain things, Mr. Speaker. So, it is outlined in the legislation.

The report by the Auditor General indicates that, with regard to Humber Valley Paving, there was a recommendation in discussion with Humber Valley Paving about representation for Humber Valley Paving. He indicates in his report he was quite satisfied with the suggested recommendation and followed that, and conducted interviews with at least two individuals who were formerly involved with Humber Valley Paving.

SOME HON. MEMBERS: Hear, hear!

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

MR. BALL: Thank you, Mr. Speaker.

We know he is not satisfied. Of course, in order for the AG to do that, it would require an extra step: make application to a judge.

Mr. Speaker, on another note, the Premier is now claiming that government communications should be more secret. He wants to block more communications from the Premier's Office, as if Bill 29 really did not go far enough.

I ask the Premier: Why do you want to keep more information secret from the people of Newfoundland and Labrador?

MR. SPEAKER: The hon. the Premier.

SOME HON. MEMBERS: Hear, hear!

PREMIER DAVIS: Thank you, Mr. Speaker.

Let me be clear on this. We have a committee doing work on the review of our Access to Information and Protection of Privacy legislation. They are, I believe, a stellar group of very qualified individuals who are carrying out that work. Mr. Speaker, I will be very clear that I have full intentions to accept all recommendations from that committee's work.

SOME HON. MEMBERS: Hear, hear!

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

MR. BALL: Thank you, Mr. Speaker.

Well, the Premier wants to be very clear about openness and transparency to the people of the Province, and the Premier says that he is concerned about the privacy of constituents, that right to folks in this Assembly, the MHAs.

I ask the Premier: If you are so concerned about constituency privacy, why do you still require MHAs to send constituent requests through a minister's appointed political staff?

MR. SPEAKER: The hon. the Premier.

SOME HON. MEMBERS: Hear, hear!

PREMIER DAVIS: Mr. Speaker, I am not certain I understand exactly what the member opposite is trying to suggest, but I want to be clear about the Access to Information and Protection of Privacy because it is a very important matter.

We, as a government, have called in an expert panel to review our Access to Information and Protection of Privacy legislation. We have clearly stated, as I have done here today, that we are fully going to accept the recommendations from that panel. We look forward to receiving a report, and we look forward to bringing legislation to the House of Assembly at our first opportunity after receiving that report.

SOME HON. MEMBERS: Hear, hear!

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

MR. BALL: Thank you, Mr. Speaker.

What I was getting at is right now as MHAs, at least MHAs on this side of the House, if we need to address and speak to someone in a department, what we must do is go through the EAs or the political staff of a minister.

I ask the Premier: Will you now lift that so the constituents that we speak with and work with

on behalf of the constituents in our districts – will you now lift that and let us go directly and speak directly to the staff involved?

MR. SPEAKER: The hon. the Premier.

SOME HON. MEMBERS: Hear, hear!

PREMIER DAVIS: Thank you, Mr. Speaker.

I am not aware of any such policy in government.

SOME HON. MEMBERS: Oh, oh!

PREMIER DAVIS: Just hold on.

MR. SPEAKER: Order, please!

PREMIER DAVIS: I am not aware of any such policy, set policy in government. I know it has been a practice as a co-ordinated effort on the flow of information, but I am quite willing to have a look at it.

SOME HON. MEMBERS: Hear, hear!

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

MR. OSBORNE: Mr. Speaker, the shipyards that have submitted proposals to build our new ferries base their offers on approved drawings. The offers were approved by international classification societies such as the American bureau of shipbuilding, meaning that they met very stringent standards.

I ask the minister: What justification do you have for saying that the accepted proposal, which is tens of millions of dollars more expensive, is worth the money?

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

SOME HON. MEMBERS: Hear, hear!

MR. BRAZIL: Thank you, Mr. Speaker.

I want to clear up for the House that we had a very comprehensive process in evaluating this contract, Mr. Speaker. We had an RFP. We put it out to the market. A number of proponents

came back and bid on this contract, Mr. Speaker. Some were non-compliant. They did not make the cut, because this was about ensuring we had the best shipyard to build the piece of equipment that we wanted. That was the whole process that we used.

It is about the technical abilities. It is about the quality of the product. Pricing is a part of it, but it is not the only part of it. As the member brought up yesterday about BC Ferries and their pricing arrangements, BC Ferries did not select the lowest price or the highest. It is the same thing we did here. Damen were in the middle, not the highest, not the lowest.

Thank you, Mr. Speaker.

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Hear, hear!

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

MR. OSBORNE: BC Ferries, Mr. Speaker, is getting a vessel that can take 600 passengers versus our 200 passengers for almost the same price. Other proposals came from world-renowned shipbuilders, some of the best shipbuilders in the world, I say. Some of these yards have built vessels from Maersk that are registered right here in our Province.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. OSBORNE: Some of the yards are currently building ferries for other provinces. Some of them are currently building cruise ships.

I ask the minister: Is he saying that these other shipbuilders are not capable of providing quality vessels to this Province at the same time saving tens of millions of dollars for the taxpayers of this Province?

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 something also. BC Ferries are building three vessels for \$253 million. We are getting two vessels for \$100 million, Mr. Speaker. I wanted to clarify that.

As my hon. colleague here did say, there is a big difference. I do not know if the member has been in Fogo in March when there is three feet of rafted ice there or eighty-five kilometres of wind. I do not know if he has been in the tickle going to Bell Island when there is 110 kilometres of wind. It is a total different set up here.

Ice capacity, ice class, the engines, the thrusters have to be at a certain level. Damen Shipyards are one of the best in the world. We did a full assessment. We got the best quality, the best return on our investment. We are very proud of having a contract with Damen to replace the vessels that are needed here to make sure the people of Fogo Island, Change Islands, and Bell Island are provided with –

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Hear, hear!

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

MR. KIRBY: Mr. Speaker, this government's decade of inaction on child care has put Newfoundland and Labrador last in the country in access to child care spaces. All of the Atlantic Provinces, except us, have established demonstration sites for integrated models of child care delivery in schools.

I ask the minister: Why has this government dragged its feet on integrated child care delivery in schools instead of keeping up?

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

SOME HON. MEMBERS: Hear, hear!

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

Mr. Speaker, according to those reports we have made the most significant progress in the country in terms of moving forward and providing child care spaces, and in providing integrated demonstration sites. That is an area where we have committed to taking a look, Mr. Speaker, but what we have learned from those two reports is that Newfoundland and Labrador clearly is on the right path. We moved from a 1.5 to a six. Mr. Speaker, six out of fifteen is not exactly where we want to be, but it is certainly a whole lot better.

Mr. Speaker, the top mark received was a ten out of fifteen. So I do not want people in the Province to think that we are really all that much far behind.

SOME HON. MEMBERS: Hear, hear!

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

MR. KIRBY: Mr. Speaker, we were last in the last report, so we had nowhere to go but up.

Integrated child care delivery is a smarter way to use education dollars and find local solutions to child care shortages in our rural communities. Both the McCain Foundation and the Jimmy Pratt Foundation have even offered their own funding to government to pay for integrated child care pilot projects in schools.

I ask the minister: Why have you ignored the advice of those foundations and turned down that offer for funding to provide pilot projects for integrated child care delivery in schools?

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

SOME HON. MEMBERS: Hear, hear!

MS SULLIVAN: Thank you, Mr. Speaker.

Mr. Speaker, as I said, we have made the most significant progress from 2011 to 2014, and we shall continue on in that manner. Actually, if he had read what the Pratt Foundation had said, the Pratt Foundation is very supportive of what we have done, in fact commended Newfoundland and Labrador for the progress made. We will continue to work with the Pratt Foundation, with

the McCain Foundation, and any others, Mr. Speaker, as we continue to ensure child care in Newfoundland and Labrador becomes the best in the country.

SOME HON. MEMBERS: Hear, hear!

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

MS DEMPSTER: Mr. Speaker, we get calls from constituents with a variety of disabilities who cannot find work for lack of employment programs tailored to their needs. While we have a supported employee program for persons with IQs under seventy, this is a fraction of the disability community. There are tremendous gaps in employment services.

I ask the minister: What concrete initiatives will you implement to support the employment of persons with disabilities who exceed the IQ cut-off?

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

SOME HON. MEMBERS: Hear, hear!

MR. O'BRIEN: Mr. Speaker, this is a really important issue to me as a minister, and this Government of Newfoundland and Labrador. As a matter of fact, when I was responsible for the Division of Persons with Disabilities, I instituted an advisory board to advise me on such things as just what the hon. member mentioned.

It is really, really important that we support these people. We have supported them in various programs across all government departments, and continue to do so, Mr. Speaker. The minister responsible now for persons with disabilities is currently not in the House; but, in the meantime, I will consult with him in regard to the question.

SOME HON. MEMBERS: Hear, hear!

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

MS DEMPSTER: Mr. Speaker, it has been two-and-a-half years since government launched its inclusion strategy for persons with disabilities.

So I ask the minister: How do you justify waiting three years to commit to identifying what your strategy will actually do for persons with disabilities?

MR. SPEAKER: The hon. the Minister of Advanced Education and Skills, for a quick reply.

SOME HON. MEMBERS: Hear, hear!

MR. O'BRIEN: Mr. Speaker, if the hon. member would actually engage with that community, she will find that the disability community is quite pleased with the progress we have made in regard to the advisory board to the minister responsible, the programs that we have within the Department of Advanced Education and Skills supporting – as a matter of fact, I made the statement at one of the events that I was at. This is not about inclusion; this is about equality and this is about freedom.

SOME HON. MEMBERS: Hear, hear!

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

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

The Premier said yesterday that he is prepared to govern by making difficult decisions. The last time this government imposed fiscal restraint, it cut services that people needed, like the funding for the Vera Perlin Society and the Coalition of Persons with Disabilities.

I ask the Premier: Will his difficult decisions include further cuts to essential programs for people with disabilities in this Province?

MR. SPEAKER: The hon. the Premier.

SOME HON. MEMBERS: Hear, hear!

PREMIER DAVIS: Mr. Speaker, people of a variety of walks of life are very important to us as a government, especially those who live with

challenges on a day-to-day basis in this Province. We have worked very hard to provide benefits and opportunities to those people.

Mr. Speaker, we find ourselves, as a Province and as a government, in a very challenging time. We know that with the oil prices where they are today it is providing us with challenges that were unforeseen by anyone in the world. We are willing and we are committed to make the decisions that we have to make as a government in order to deal with the circumstances that we face today.

We know there are challenging times, we have challenging times ahead and we have some very difficult decisions to make, but we are quite willing to make those decisions, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

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

So now I am asking the Premier once again, because of what he just said: These hard times and difficult decisions, will they include ignoring the need for improved services for persons with disabilities, such as children with autism?

They have challenges too, Mr. Speaker.

MR. SPEAKER: The hon. the Premier.

SOME HON. MEMBERS: Hear, hear!

PREMIER DAVIS: Thank you, Mr. Speaker.

We have continued to make significant investments for families, such as families with children who have autism. We have done that, Mr. Speaker. We have made significant investments in a variety of areas for people who have asked for those services, need those services, and rely on the support of government. We have made significant investments.

We have said time and time again that we know there are people who would like to see us do more in a variety of areas, and would like to see

us make further investments in a variety of areas. We have to make those decisions within the fiscal capacity that we have as a government.

We know that the future for us as a government is going to be challenging when it comes to our fiscal capacity. We are willing to govern. We are committed to govern. We are going to continue to work together.

The Finance Minister is engaging with stakeholders and myself on a regular basis. We will continue to do our work, Mr. Speaker, as a government. We will accept our responsibilities and we will make the best decisions we can for the people of the Province.

SOME HON. MEMBERS: Hear, hear!

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

MR. MURPHY: Mr. Speaker, employment of people with disabilities in Newfoundland and Labrador is low by Canadian standards. Government's Opening Doors Program has a long wait-list because departments simply are not using it. Last year in Estimates, the Minister of Finance said that he was not satisfied with this and that the program would be reviewed.

Mr. Speaker, I ask: When is government going to fix the Opening Doors Program as it promised in 2013?

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

SOME HON. MEMBERS: Hear, hear!

MR. WISEMAN: There are so many ministers over here who are so anxious to jump in and provide adequate answers to the members of the Opposition, Mr. Speaker.

The Opening Doors Program is a real good example of the kind of investment that this government has made in advancing opportunities for people who have tremendous talent and tremendous ability, but sometimes have some challenges in finding employment. Mr. Speaker, this is, as I said, an example of what we have done as we build on some things

that we have established in the office of persons with disabilities as an example.

This is an area where as an employer, government as an employer – not a public policy maker but government as an employer creates employment opportunities for persons with disabilities. We are very proud of the investments we have made in this program.

SOME HON. MEMBERS: Hear, hear!

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

MR. MURPHY: Thank you, Mr. Speaker.

We have heard from the disabled community that the Opening Doors Program simply is not working. What is government going to do about it?

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

SOME HON. MEMBERS: Hear, hear!

MR. WISEMAN: As always, Mr. Speaker, we look forward to having input from any interested group or individuals who have knowledge of, or an opportunity to have knowledge of, and have something to contribute to a debate and a discussion that helps us improve the services we provide to people of Newfoundland and Labrador.

I look forward to and welcome anyone who wants to visit with me and have the kind of discussion – share with me their thoughts on how we may improve this service and this program. We are always welcoming those kinds of inputs from any interested people, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

The time for Question Period has expired.

The hon. the Member for St. John's South, on a point of order.

MR. OSBORNE: Yes, Mr. Speaker, during Question Period, the Minister of Transportation indicated that the British Columbia ferry group were paying \$210 million for three ferries. That number is not accurate, Mr. Speaker; it is \$165 million. If you include the tariff, it is accurate; but, for some reason, he does not believe we need to pay the tariff here.

MR. SPEAKER: Order, please!

There is no point of order.

Presenting Reports by Standing and Select Committees.

Tabling of Documents.

Notices of Motion.

Notices of Motion

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

MR. KING: Thank you, Mr. Speaker.

I give notice that I will ask leave to introduce a bill entitled, An Act To Amend The Provincial Offences Act, Bill 35.

MR. SPEAKER: Further notices of motion?

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

MR. WISEMAN: Thank you, Mr. Speaker.

I give notice that I will ask leave to introduce a bill entitled, An Act To Revise And Consolidate The Law Respecting The Control Of Liquor In The Province, Bill 34.

MR. SPEAKER: Further notices of motion?

Answers to Questions for which Notice has been Given.

Petitions.

Petitions

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 a non-consumption advisory was issued for number three well (drinking water) in the Town of Freshwater on June 20, 2006 due to exceeded levels of arsenic; and

WHEREAS this well services forty-four residents in the Town of Freshwater and remains their only source of drinking water; and

WHEREAS any consumption of water from the well will pose a significant health hazard to the consumer;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge the Government of Newfoundland and Labrador to provide the necessary resources to the Town of Freshwater in order to provide clean and safe drinking water to residents affected by well number three.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, I am just going to give you some facts on this. To date, in Newfoundland and Labrador, there are 150 towns and communities on boil orders, also a number of these are on a do-not-consume order. This is the case, Mr. Speaker, in Freshwater. Arsenic levels in this well are four times the allowable Canadian limit.

Mr. Speaker, we discovered –

MR. SPEAKER: Order, please!

Orders of the Day

Private Members' Day

MR. SPEAKER: Order, please!

I remind the member, normally you get three minutes for a petition, but this being Wednesday, Private Members' Day, and in accordance with our Standing Orders, we now

go to the Member for St. John's South to begin the petition.

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

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

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

MR. OSBORNE: Thank you, Mr. Speaker.

Mr. Speaker, we brought in a private member's resolution today calling on government to call an inquiry into the Humber Valley Paving situation. Looking at the Auditor General's report, I just wanted to point out some of the reasons why we believe an inquiry is important. The Auditor General did get some of the information but he was not able to get all of the information, and there were a number of cases in the Auditor General's report where he simply was not satisfied with the level of information he has received.

An inquiry, Mr. Speaker, would provide greater information, a greater level of information. People could be subpoenaed from outside of government. The Auditor General is tied to only being able to call and demand that government officials and government members and government agencies come to the table, but outside individuals, private companies, private individuals, cannot be subpoenaed by the Auditor General.

You look at some of the facts, Mr. Speaker. Progress payments paid on a bi-weekly basis were not in accordance with the terms of the contract, and the Auditor General points out that could have created an unfair advantage to Humber Valley Paving. That is just one of the instances we are talking about here.

If you look at the evaluation of the decision to mutually agree to cancel the contract that Humber Valley Paving had on March 13, 2014, that was not appropriately documented, Mr. Speaker. There was no documentation. The urgency to conclude that agreement resulted in an evaluation that, with the benefit of more time, would have given an opportunity to more fully consider all options available to the department.

That was not made available to the department, and as a result, Mr. Speaker – we are responsible to the people of the Province and the taxpayers of the Province, and without the ability to do that, and without all of the answers, the people of the Province do not have the ability or the benefit of being able to make a full and fair evaluation or decision on what has happened here.

We look at the fact that there was no documentary evidence. There are many instances where the Auditor General says there was no documentary evidence here, which is why an inquiry with the ability to subpoena people and have members of the public give evidence under oath, Mr. Speaker, you would get more answers.

The Auditor General said they have not been able to satisfy themselves about the fact that two ministers, within a half an hour of each other, independently contacted the Deputy Minister of Transportation to inquire about Humber Valley Paving. On that same day, the minister made a decision to terminate the contract, a decision that was made literally between 8:45 in the morning and 11:30 in the morning, so in less than half a day.

The Auditor General indicates that he has not been able to satisfy himself as to why the process to come to an arrangement with Humber Valley Paving to terminate the contract had to be concluded the day before nominations closed for the leadership of the Progressive Conservative Party of Newfoundland and Labrador.

Mr. Speaker, I want to talk a little bit more about that. It says, “the evidence indicates that the Deputy Minister of Transportation and Works raised this issue with Minister McGrath at the time the Minister made the decision to proceed with mutual termination of the contract with HVP.”

He said, “We believe that the Deputy Minister was convinced, based on the Minister’s response, the appropriate people in the Premier’s Office had been made aware of what was occurring. This view would have been reinforced by the fact that the meeting with Minister McGrath occurred outside the Cabinet Room while a Cabinet meeting was in progress.

We feel it would have been a reasonable assumption that the issue was discussed inside the Cabinet Room, particularly in light of the proximity of this decision...” being so close to the nomination for Leader of the Progressive Conservative Party of Newfoundland and Labrador the very next day.

He goes on to say that information gathered during the interviews – because there was no documentation, Mr. Speaker, the information was all gathered during interviews – indicates that the issue of termination of the contract with Humber Valley Paving was not discussed inside of the Cabinet room.

The Auditor General goes on to say that the minister was briefed by the deputy minister outside the Cabinet room on two occasions, Mr. Speaker, one before the meeting started, and one during the Cabinet meeting on March 13, “...and had every opportunity to raise the issue in Cabinet or with the Premier’s Office. While the Minister had the authority to make the decision, it is difficult to understand, given the potential political sensitivity of this issue, why he would not have discussed this with his colleagues in Cabinet or the Premier’s Office.”

That is another very important reason, Mr. Speaker. It is an unanswered question. The Auditor General is still not satisfied with the answers they got, and it is another very solid reason why we need to look at an inquiry into this situation. Mr. Speaker, there was a lack of transparency in the communication of the decision to terminate the contract and this had the potential to impact the ability of subcontractors and suppliers to file a claim under the Mechanics’ Lien Act.

The Auditor General goes on to say, during 2012 payments made to Humber Valley were on a bi-weekly basis and those payments could have provided Humber Valley with a competitive bidding advantage. Mr. Speaker, this whole situation – there are so many unanswered questions, there are so many issues outstanding here, and the people of the Province deserve to know what exactly happened.

The process to consider, evaluate, decide, draft, and execute the mutual termination of the contract related to this project was made

between 8:45 in the morning and 11:30 that same morning. Only seven-and-a-half hours to the time that a letter was actually sent, e-mailed to the company to terminate that contract. There was no documentation prepared on March 13, 2014 to support the decision to terminate the contract.

The Auditor General goes on to say, one of the key criteria communicated by the minister was "...to ensure that the outcome was not injurious to HVP and its employees". Yet, based on legal advice the department was given, the legal counsel for the department, Mr. Speaker, or the lawyer for the department had advised that once the contract was cancelled, with that there is no further ability to call the bond for performance or the bond for materials and supplies.

While it was important for the minister to protect Humber Valley Paving and its employees, there was no urgency, Mr. Speaker, or no criteria communicated to protect the subcontractors that may have been protected by a bond. Even though the department knew that cancelling the contract would also cancel the bond, they went ahead with that decision.

It says that the minister indicated to his deputy minister an urgency to deal with the project based on his stated priorities. This would have played a critical role in the speed of the assessment by the department and the impact of Humber Valley Paving not to return to Labrador and would have been a major contributing factor why there was no documentation available on March 13 for that decision.

Mr. Speaker, reality is that when this tender was rebundled with another tender, it cost the taxpayers of this Province \$1.5 million. Again in this report, the Auditor General said they were not able to fully evaluate and substantiate that figure, but that is the figure put forward by the department.

Based on the department's numbers, it cost the taxpayers of this Province \$1.5 million, and that may have been avoided. The Auditor General says that there is no clear indication of that either, but it may have been avoided if we had been able to call the bond.

Once a decision was made to terminate the contract, the performance and labour and material bonds would have had no effect since they provided a guarantee against a contract which was no longer in effect. That was the advice by the lawyer for the department that was given to the department.

The department did not pursue the option of calling the performance bond because they said it risked the project not being completed in 2014. They said that would have negatively impacted Humber Valley Paving. They gave no thought to how it would have negatively impacted the people those bonds would have protected, the taxpayers of this Province, and the suppliers and subcontractors to that bond. When all was said and done, the project still was not completed in 2014.

The Auditor General goes on to say – and I will talk about that a little bit once I get to it – that if there was more time given to looking at this and evaluating the impacts of this decision, the department themselves perhaps would have come to the conclusion that the project would not have been done in 2014, in any event.

The Deputy Minister of Transportation was instructed by the minister not to prepare a briefing note for the Premier's Office or for Cabinet Secretariat to inform them of the decision to terminate the contract. Now, that in and of itself is probably good enough reason to say we need an inquiry. The people of the Province deserve to know why there was such little documentation, such little detail, why decisions were made on the fly.

The decision by the Minister of Transportation on March 13 to agree to a mutual termination of the contract with Humber Valley Paving was within the scope of authority of the minister, the Auditor General determines. Again, Mr. Speaker, should we look at whether or not that should be within the authority of the minister? Because we have seen here where a minister used that authority perhaps where he should not have, that a decision was made that perhaps should not have been made. In fact, the Premier said it was a bad decision made on that day.

Mr. Speaker, when you look at the potential benefit the release of the bond would have had

on the guarantors – that is Humber Valley Paving, essentially, the people who the minister wanted to protect, without regard for the subcontractors or the taxpayers of this Province. There was not enough time to look at what benefit that would have had on the guarantors. There was not enough time to determine the impact it would have had on others.

The Auditor General says that there should have been an opportunity to settle claims related to other projects – two other projects – that were outstanding with Humber Valley Paving, but that opportunity was missed because of the urgency to conclude the agreement on March 13. So, Mr. Speaker, given more time, the department may have in fact saved that money, where those issues are still outstanding, that money is still outstanding with Humber Valley Paving.

Now, Mr. Speaker, it is only my observation, but prior to one of the individuals at Humber Valley Paving wanting to enter the leadership race, the minister and the department said that the fires in Labrador were not the fault of the department and, therefore, the department were not liable for any compensation to that company.

Those are the two issues that are still outstanding here that may have been settled if the department had more time to look at that, based on terminating the contract. All of a sudden when that individual was looking at entering the leadership race, Mr. Speaker, there was an urgency to protect Humber Valley Paving, the guarantors – in other words, releasing the bonds.

The Auditor General in this report says that we did not look at the effect of perhaps settling those two outstanding issues and the money, and whether or not that would have given Humber Valley a greater ability to go back to Labrador and finish the project. The decision was made in haste, Mr. Speaker. Now, those two issues are still outstanding and not settled.

The Deputy Minister of Transportation received two phone calls within a half an hour of each other, both inquiring on the status of Humber Valley Paving on the thirteenth – the day that it was absolutely imperative the decision be made and the contract terminated; the day before the

leadership nomination deadline, Mr. Speaker – I know I only have four or five seconds remaining – therefore, this is part of the reason, and there is much, much more information here. We are calling for an inquiry on this issue.

MR. SPEAKER: Order, please!

I remind the member his time is expired.

The hon. the Member for Port de Grave.

SOME HON. MEMBERS: Hear, hear!

MR. LITTLEJOHN: Thank you, Mr. Speaker.

Today, what I would like to do, basically for the people of the Province and the people watching today, is go through the Auditor General's process in this Humber Valley Paving incident. I want to talk a little bit about the background, some of the objectives that were asked for, the process, and some of the conclusions the Auditor General did make during this Humber Valley Paving investigation.

Back in early May or late April of this year, there were public concerns raised over the termination of the contract with Humber Valley Paving. Because of this, Mr. Speaker, Cabinet decided, at that point, to refer this matter to the Auditor General for his investigation. Then Premier Tom Marshall wrote the Auditor General asking that he examine the contract with Humber Valley Paving and its termination.

Mr. Speaker, most people in the general audience will probably not know who the Auditor General is. The Auditor General is an independent Officer of the House of Assembly. Under the Auditor General Act, he has the statutory power to conduct and complete thorough and comprehensive investigations, when asked. He has the power also to subpoena witnesses, which he did in this case.

He also has the power, Mr. Speaker, to seek and ask for any records from whomever he wants relating to his investigation. The Auditor General in this case was free to complete the investigation in whatever manner he so chose. The Auditor General in this case had the power to subpoena witnesses, ask for any records and documentation. Mr. Speaker, I thought I heard

the member opposite, when he made his opening comments he talked about the fact that the Auditor General did not have the right to subpoena.

In the Auditor General Act, section 18.(2), it clearly states, “In order to compel the attendance of a person under subsection (1),” – if a person failed to attend or did not want to attend – “the auditor general may apply to a judge of the Trial Division for an order that a subpoena be issued from the court commanding the person named in the subpoena to appear before the auditor general...”. So it is clear, Mr. Speaker, that the Auditor General, if he wished to speak to anybody and they refused to speak to him, could have gone to the Trial Division and asked that that person be subpoenaed and he could speak to them in that way.

The Auditor General in this whole process had five objectives, and I would like to read those into the record. The first objective was to determine whether the original tender and contract awarded to Project 1-12 was conducted in accordance with the Public Tender Act. The second objective was to determine whether progress payments made in connection with the contract of Project 1-12 were properly supported.

The third objective was to determine whether change orders and other adjustments to the contract for Project 1-12 were appropriately documented and authorized. The fourth was to determine whether the decision to mutually agree to cancel the contract related to Project 1-12 was appropriately evaluated and authorized. Finally, Mr. Speaker, the fifth objective was to determine whether there was evidence of undue influence in the evaluation or timing of the decision to cancel the contract related to Project 1-12.

In the Auditor General’s review, it covered all aspects of the contract from its award in March 2012 to the cancellation in March 2014. The Auditor General at that time had the opportunity to thoroughly review the decision-making process, both through formal interviews and by examining large volumes of documents. So the Auditor General at that time did have the opportunity to do formal interviews and he did

have the opportunity to see large volumes of information.

The Auditor General did interview sixteen people under oath. Sixteen people were interviewed under oath by himself and legal counsel, and they were required to sign statutory declarations. As well, Mr. Speaker, I believe all members of the House at that time received notification asking that they provide all information they had in relation to this matter, in relation to Humber Valley Paving. There were 185 individuals who were confirmed in this matter. I believe all members of the House were asked and had to sign a document and return it to the Auditor General’s office. I know I was.

Through this extensive exam process, Mr. Speaker, the Auditor General determined the following: that a different decision may not have been reached if there was more time available. What the Auditor General said in the first piece was that even if there was more time a different decision may not have been reached.

I know the Opposition has gone on about it was done in a matter of three or four hours. The Auditor General clearly states that a different decision may not have been reached if it took two weeks, a month, six months, that the decision was one that was within the powers of the minister to make. In other words, the minister was within his right to make the decision he made. That there was no documentary evidence of undue influence in the decision to terminate the contract. In other words, there was no influence made on to the minister, and the minister made the decision based on the interests of the people of Newfoundland and Labrador.

Mr. Speaker, he did not recommend – and this is important, because he had the power to do this as well. He did not recommend that the matter be referred to any other authority for investigation. Because the Auditor General, if he thought of any wrongdoing or criminal activity, he could have taken the time to refer this to the RNC or the RCMP, whichever the appropriate authority could have been.

As part of this process, the Auditor General had unrestricted access to all the materials related to Humber Valley Paving and Project 1-12. From

the provincial government there were 185 individuals, and there were the fourteen departments. There was Executive Council, the Office of the Premier, the Office of the Chief Information Officer, the Office of Public Engagement, the Women's Policy Office, the Multi-Materials Stewardship Board, and GPA were also engaged.

There were a slew of interviews, Mr. Speaker. As I said earlier, sixteen people were interviewed. The former minister and his executive and constituency assistants were interviewed. The Deputy Minister of TW was interviewed. The ADM for Transportation was interviewed. The department's legal counsel was interviewed. The former Premier, his chief of staff, and the executive and constituency assistants of the Premier were interviewed. The Minister of Advanced Education and Skills was interviewed. The Clerk and the Deputy Clerk of the Executive Council were interviewed; the ADM for the courts and the legal system, and the Deputy Minister of Justice – all of these individuals were interviewed as part of the government investigation.

Mr. Speaker, I want it also noted that Mr. Frank Coleman and Mr. Eugene Coleman were interviewed. They agreed to be interviewed and were interviewed. While Mr. Michael Coleman, Mr. Robert Coleman, and Mr. Peter Byrne provided information, they were not interviewed, but they did provide information as requested by the Auditor General.

It is my understanding as well, the Humber Valley Paving bonding company, which is the guaranteed company of North America, as well as the Official Opposition and the Third Party, were also engaged and were also asked for information. So there was an extensive amount of information provided to the Auditor General. Each of these individuals was requested to provide a statutory declaration stating the provided information was inclusive and that no information was deleted. If there was an e-mail, a text, any type of letters written, all of that information should have been included.

Mr. Speaker, solicitor-client privilege is a Canadian right. I am not a lawyer so I do not understand it totally, but solicitor-client privilege is a Canadian right. My understanding

of reading the document is the provincial government proactively made the decision to waive the solicitor-client privilege in this matter.

The Auditor General's investigation is the provincial government waived their solicitor-client privilege in all matters related to Humber Valley Paving. Mr. Speaker, that was not the case, as I am led to understand. That was not the case of the company Humber Valley Paving. They did not waive their right to solicitor-client privilege.

Mr. Speaker, in conclusion, the Auditor General had some conclusions. The Auditor General concluded the original tender and contract award were certainly in accordance with the Public Tender Act. Everything was done properly. The contract was awarded properly in accordance with the Public Tender Act. So, in that regard, everything was okay.

Mr. Speaker, as well, the progress payments that were properly supported in that Humber Valley Paving were paid only for the work that was completed under the contract. I know earlier there were discussions in the House previous that Humber Valley Paving may have got, or it was implied that they may have been paid more than what they were entitled to, but it is clear through the Auditor General's report that Humber Valley Paving was only paid the money that they were entitled to.

Any change orders that occur – and, Mr. Speaker, we all know that in construction there are always change orders of some kind. The change orders or any other adjustments that were asked for to the contract, they were all appropriately documented and authorized. All of that work was done and it was done appropriately.

Mr. Speaker, the Auditor General did state as well while more time may have led to other factors being considered, more time may not have resulted in a different decision. Once again, I go back to the fact that the Auditor General clearly states that, yes, more time could have been taken, maybe more time should have been taken, but he clearly states that the decision may not have changed. In other words, he did not see anything wrong with the decision,

outside the fact that more time should have been taken.

Mr. Speaker, I know the previous Minister of Transportation and Works has taken some real heat over this, but he was within his authority to do what he did. He was within his authority to make this decision and do it on his own. He made the decision, and the Auditor General says "...within the scope of his authority and the decision was properly authorized." In terms of the Minister of Transportation, he can make the decision, he did, and it was properly authorized.

Mr. Speaker, the Auditor General finally concludes, "There is no documentary evidence of undue influence...". In other words, the Auditor General did not find any undue influence. The minister made the decision, but there is no evidence in the materials and the witnesses he interviewed that there was any undue influence in the decision to mutually terminate the contract of HVP.

Mr. Speaker, going back, when it comes to the Humber Valley Paving inquiry, it was found, as previously stated, that there is no added value in co-ordinating a public inquiry. The Auditor General has done the work; it would only be replicating the work that has already been done. The Auditor General has done the work, he has investigated, he had the ability to subpoena anyone he wished, under the act, so there is no value in doing it; it is replicating the process that has already been taken.

The Auditor General, Mr. Speaker, is a quasi-judicial officer. He is an independent Officer of the House of Assembly. He has the authority to come in and do the work that we asked him to do. He found no wrongdoing, no undue influence. In other words, the Auditor General is satisfied with this investigation.

He had complete access to any information and individuals who he wished to interview or any information that he wanted to have. As I stated earlier, Mr. Speaker, that would include text, e-mail, PIN, letters – any information and all information the Auditor General required then he had.

Mr. Speaker, finally, the Auditor General found that there was nothing in his investigation that

would constitute a Criminal Code offense. I think that is important. I am sure if the Auditor General thought there was any criminal wrongdoing in this activity, he would have asked one of our agencies, the RNC or the RCMP, to come forward and investigate this further.

I see my time is running out, Mr. Speaker. I thank you for the opportunity that you have provided me today.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

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

MS DEMPSTER: Thank you, Mr. Speaker.

I am happy to stand and speak to this as well. Mr. Speaker, when we are elected to public office, I think that is a job we have to take very, very serious. It is one that comes with responsibility. My colleague for Carbonear – Harbour Grace often says it is the people's House. To add to that, it is also the people's money, so we have to be very cognizant of the decisions we make.

What we are talking about here today, Mr. Speaker – and I know it is an old country song where Tim McGraw says timing is everything, but we are talking about \$20 million here. We are not talking about a small chunk of change – \$20 million. From the first call that was made to the deputy minister to when the decision was made to terminate the contract, two hours and forty-five minutes. That is what we are talking about with the \$20 million that is here, with the bonds that were released when, clearly, we had a contractor that defaulted on their contract – two hours and forty-five minutes. I think we may have two pages of notes that were prepared, after the fact; that is the paper trail.

Mr. Speaker, I reflect back to my years in my previous life when I did contract work for government. If a client came in and I did an assessment on that client, I was required to complete nine screens on a computer for a client assessment for a few minutes – and we are

talking about \$20 million here; two hours and forty-five minutes.

Man, I think about the Northern Strategic Plan. There was a comment made that he was politically motivated to do what was right for the Labrador people. I wrote a letter to the now Minister of Labrador some time ago – I am still waiting on a response – for an update on initiatives that were promised to be carried out in the Northern Strategic Plan, some that have been there since 2007 – seven years, very important initiatives for Labrador.

Mr. Speaker, my colleague for St. John's South has spoken very well to some of the technical errors and the process and the flaws. To the people who are watching today, I want to shed a little light into what this has done on the ground in Labrador in communities like my district, small communities, small businesses. I have been up several times over the last couple of weeks talking about what these 20 per cent hydro increases are going to do to these small businesses.

Because of what happened here, because a contractor was allowed to be released after they defaulted on a contract, there were many businesses, small businesses in my district left holding the bag. Nobody was reimbursing them. Many of them did not even know about the process of a mechanics' lien. You live in a remote area, you just do not know these things. Now you have businesses, some of them, yes, that are owed \$3,000 or \$4,000 – which sounds small to mention, but they will not even collect because the process of going through a court is of no benefit to them.

Mr. Speaker, I have had calls from small businesses owed \$80,000, small businesses owed \$30,000. I had an older gentleman say to me some time ago: My dear, I do not know a lot about this, but if we had very many contractors come into our area like this, we would have no small businesses left.

As I stand here today, I have small businesses in my area that have gone down and took equipment and it is parked by their door. They are saying: Until I get my money, the equipment is staying there. I had small businesses that went in on site, 10:00 at night, after dark, and

started taking things out and worked diligently through the night in dangerous situations, and 6:00 in the morning they had things out that they took, that they confiscated, to try to make up so that they would not be out so much financially.

There is something wrong with that, Mr. Speaker. Why were people put in that situation? Why? To have to go into a site 10:00 at night and work diligently in the darkness of the night to confiscate things because they knew they would not get their money.

I sat here for the last couple of days and our leader questioned the Premier repeatedly. Every time, the Premier stood on his feet and talked about the Auditor General and the mandate that he has. He was leaving the impression that we were questioning the Auditor General in some way. Mr. Speaker, nothing could be further from the truth. The whole synopsis of this is the fact that the Auditor General was not satisfied. We talk about all the people who were interviewed.

All I see through this is repeatedly where the Auditor General referenced the lack of information, the lack of documentation, and the lack of a paper trail. Mr. Speaker, there is one place where the Auditor General interviews three directors; Michael Coleman, Robert Coleman, and Peter Byrne. Did you have any contact with anyone in government? No, no, no. Did you have any contact with anyone in government regarding the cancellation? No, no, no. I can go right on down through a list of those questions and every time the answer is no. A little flip through the report and you can see why the Auditor General would not be satisfied with this – \$20 million you know.

I was looking earlier, Mr. Speaker, at a press release that was put out in May 2012 by the minister at that time, the Member for Harbour Main. In May of 2012 when he announced the phases he said, "These contracts will be completed over a two-year period, and by 2014, every kilometre of pavement between the two most populated centres in Labrador will be widened and covered with blacktop." That is what the member said at that time, every kilometre will be covered in blacktop.

Sadly, Mr. Speaker, because of fiascos like this,

because of fiscal mismanagement with the public purse, not ours, and as I stand here today, we are coming near to the end of 2014 – I think we are in December now on the calendar – no, it is not done. I believe that there are a lot of unanswered questions here, which is why we are asking and why our leader has been asking.

Our leader knows that at the end of the day we are answerable to the people of Newfoundland and Labrador, the people who we represent in the House of Assembly. That is why our leader has been asking for a judicial inquiry, Mr. Speaker.

Back in the press release in 2012 it talks about the commitment to ensuring residents in Labrador are ideally positioned to take advantage of the tremendous potential and opportunities that exist in their region. Mr. Speaker, we are not taking advantage. We have a long way to go when it comes to infrastructure in our region. Then we see things happen like this and the people who pay the price are the people of Labrador.

A deal was signed here. Something happened very fast, seven and a half hours from start to finish. In two hours and forty-five minutes, a monumental decision was made. That is why we want an inquiry, Mr. Speaker. How much was Humber Valley paid even though they did not complete all the work? The \$7.3 million, will it cover the cost of paving the sixty kilometres, and still not done? I want to mention when the minister at that time was on Open Line back in May, he said I want to get this job finished, I want to get it done, and that is why the decision was made.

The minister also said I agree 100 per cent that those companies need to be protected. The labour and materials bond is in place to protect small companies, but before you can avail of the labour and materials bond, you have to exhaust all other means. Those are the minister's words, Mr. Speaker, not mine. One of the major means for that is the mechanics' lien holdback. I talked to small businesses in my district. They did not even know what that was. They had not dealt with it before, small businesses.

It saddens me there is nobody bailing these small businesses out. They are working

eighteen hours a day for themselves so they do not have to work eight for someone else. That is what it comes down to, Mr. Speaker. We have to be very cognizant that we are in responsible positions. Whatever we do, the onus is on us to have a paper trail.

All through this report, Mr. Speaker, people talk about how they did not know – they did not know. In the AG's report he says: there is no documentary evidence prepared on March 13 which is available to support the evaluation process that occurred on that date.

Mr. Speaker, no documentary evidence prepared on March 13, at the time when a major contract was terminated and the company was released from their bid bonds. Subsequent to March 13, we did have an information note that came out dated April 29. Clearly, you know, from the time the decision was made until the next tender went out, it shows us that there was sufficient time for people to sit around, to look at this full picture, and to determine if the right decision was being made.

I know the member who spoke earlier said he does not know if there would have been a different decision. We do not know, Mr. Speaker, if there would have been a different decision. Clearly, given when the next tender went out from when that contract was cancelled, there was sufficient time for people to sit down and make the decision that was right by the taxpayers of this Province, their money, and in lieu of doing what was right for all these small businesses that were in some way, shape, or form connected with the Humber Valley Paving contract. Some of them may have been subs. If those subs did not get their money from Humber Valley Paving, then they in turn did not pay the small businesses in my area.

Mr. Speaker, we know that all of this started initially because Humber Valley Paving said there was a fire, and they ran into some expense and some delays. The traffic was only delayed for a couple of days back at that time because of the fire. I think it was March before they actually went forward and asked to be released from that.

Mr. Speaker, it does not add up. It smells of corruption. Let's call a spade a spade. It smells

of corruption. We have an obligation. It is okay for the members across the way. They can roll their eyes at this, but we have an obligation in this House.

Many times we stand here and we discuss decisions that were made a long way back into history, and they were not necessarily the right decisions. While I am here, Mr. Speaker, elected to be a voice representing Cartwright – L'Anse au Clair, and I speak for Labrador and the Province as a whole, when I see things like this I am going to take the opportunity to stand on my feet and to say over and over in this report we do not see – we believe the deputy minister was convinced, based on the minister's response. There is no substance here. No substance to satisfy. That is why the Auditor General, with a clear conscience, could not say that he was satisfied.

The Premier seems to have missed that. He stood for two days, and despite being questioned over and over again, he talked about the value of the work the Auditor General does. There is nobody, Mr. Speaker, questioning the value of the work the Auditor General does. When the Auditor General interviews people and every single answer is no, no, no, and at the end of the day he says I am not satisfied, we have no other recourse but to call – we have an obligation to call for a judicial inquiry.

Here we are up in Labrador, until we can get our proper infrastructure and have the movement of goods and services flowing, we are not going to be able to move ahead. Here we are talking about a company that was released, millions of dollars from the bid bond, and the roadwork still not done. We do not know a full dollar figure on what this is going to cost, Mr. Speaker, at the end of the day, this fiscal mismanagement.

Mr. Speaker, we are concerned now about the price of oil and where that is going. It just makes us cognizant of the fact that the public purse is not a bottomless pit. That is why decisions that are made, decisions that involve millions of dollars, have to be made with careful consideration and with all the facts on the table, not our money. We have to be responsible.

Mr. Speaker, I think the key message coming out of this is that the AG admitted he is not

satisfied with why the contract was cancelled so quickly. In less than a workday, a shorter time frame than a workday, seven-and-a-half hours. The AG could only operate within the conditions set out by government. That is all. Clearly, for anyone who has taken the time to go through the report, you will see that he could only operate within the –

MR. SPEAKER: Order, please!

I remind the member her time has expired.

MS DEMPSTER: Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. KENT: A point of order.

MR. SPEAKER: The Minister of Health and Community Services, on a point of order.

MR. KENT: Thank you, Mr. Speaker.

I did not want to interrupt the member in her final remarks. In the last couple of minutes she referred to corruption. She accused members on this side of the House of being involved in something that smells of corruption.

I believe, Mr. Speaker, those remarks are unparliamentary. I would ask the hon. member to withdraw the remarks.

MR. SPEAKER: The Opposition House Leader, on the point of order.

MR. A. PARSONS: Yes, I do not believe this is a point of order. I do not believe the minister referred to anybody on the other side. Obviously, the Speaker can have time to review this.

MR. SPEAKER: Order, please!

The Speaker will take this under advisement. I will review the context of the comment that was said and bring back a report at a later time.

Are there any further speakers?

The hon. the Member for Fortune Bay – Cape La Hune.

SOME HON. MEMBERS: Hear, hear!

MS PERRY: Thank you, Mr. Speaker.

It is certainly a pleasure for me to rise in the House today and speak to this very important private member's motion. One thing I will agree with what the member opposite just said very strongly is that the public purse is absolutely not a bottomless pit.

This review has been undertaken extensively, I would put forward, by the Auditor General and any duplication of effort, of doing this very same thing over again, in my mind, I would question whether or not it would be a wise value of spending taxpayers' money over and over and over again on the same type of thing.

That leads me into what the focus of what I am going to talk about today is, Mr. Speaker. One of the things I really enjoy about being a Member of the House of Assembly and being a leader on behalf of my residents is the ability to impart knowledge. As I learn about legislation and how it works, I am able to pass that on to my constituents and people I serve; and thereby, we all have a greater understanding, we are all better educated about how things work, and at the end of the day we will be a better Province for it all, I do believe, Mr. Speaker.

Today I am going to talk about and elaborate for members here and for anyone who may be watching on the comparison between a commission of inquiry and an Auditor General special assignment. Both a commission of inquiry, under Part I of the Public Inquiries Act, 2006, and the Auditor General, under section 16 of the Auditor General Act, have very broad statutory powers which enable them to access information required for their investigations. A commission of inquiry can assume a summons to compel attendance of witnesses or to produce records. The Auditor General can apply to court for a subpoena for the same purpose. Both a commission of inquiry and the Auditor General can receive testimony under oath or affirmation. There are some differences, though, worth noting.

Where a commission of inquiry holds an oral hearing, it must be conducted in public unless the public interest in a public hearing is

outweighed by other considerations. A commission of inquiry can also arrange for publishing or broadcasting of proceedings. There is no provision that will allow the Auditor General to conduct a review in public.

The Public Inquiries Act, 2006 expressly provides that a commission of inquiry has the power to enter and inspect premises. A commission of inquiry also has the power to apply to a court for a warrant where the commission is refused or denied entry, or where the commission has reasonable grounds to believe that entry without notice is necessary. The Auditor General does not have this authority in relation to private entities. So these are some of the differences there, Mr. Speaker.

In terms of the Public Inquiries Act, 2006 – and I would also take this opportunity to inform anyone who is listening, all of these acts are available online on the House of Assembly, Government of Newfoundland and Labrador Web site, and anyone who is so inclined to learn more about what some of these acts are all about is more than welcome to Google and go online and read them at any point in time.

The Public Inquiries Act was proclaimed in December of 2006; Part I of this act deals with what would be considered a traditional public inquiry. Under the act, the Lieutenant Governor in Council has the power to create a commission of inquiry to report on a matter of public concern. In such an inquiry, the Lieutenant Governor in Council appoints the commission members, establishes the commission's jurisdiction by setting the terms of reference for the inquiry, designates a minister responsible for the inquiry, and fixes a date for the termination of the inquiry and delivery of the commission's report.

Once the terms of reference are set, a commission has the authority to determine who can participate in the inquiry, to establish procedures for receiving of evidence, including whether evidence is presented orally or in writing, and to determine the nature of the hearings to be held.

Oral hearing, if any, are required to be conducted in public; however, the commission has the discretion to exclude the public, where

the public interest in holding the hearing in public is outweighed by other considerations, as I said a little while ago. A commission has the power to arrange for the publishing or broadcasting of proceedings, as well as to restrict public reporting. The commission has those powers, Mr. Speaker.

With respect to evidentiary powers, a commission can compel, by summons, the production of testimony and evidence, conduct inspections, apply for a warrant to search and apply to the court for direction on a question of law or jurisdiction.

A person appearing before a commission to give testimony has the same privilege in relation to the disclosure of information as that given to a person when appearing before a court. For example, solicitor-client privilege would stand. Notwithstanding this, a person cannot rely on the fact that disclosure would be injurious to the public interest or would violate Crown privilege to withhold records from a commission of inquiry.

Where a person does not attend before a commission when summoned or refuses to take an oath of affirmation required by commission or to produce a document, record, or to answer a question of the commission, contravenes an order of the commission with respect to public reporting or publishing evidence or does any other thing that would constitute contempt of court. A commission may state a case to court and punishment may be imposed by the court.

In addition, the act also allows government to request something less than a full-blown inquiry. As a result, under Part II, the Lieutenant Governor in Council may order an inquiry into a matter of public concern. In contrast to Part I though, a distinguishing feature of Part II is the additional power given to the Lieutenant Governor in Council to specify the mechanisms and procedures by which the inquiry is to be conducted.

Now, Mr. Speaker, I am going to highlight some of the more notable public inquiries in Newfoundland and Labrador over the last twenty-five years. These include, in 1989, the Hughes Inquiry into Mount Cashel; 1990, the inquiry into the involvement of government with

Sprung Sales Limited; in 2002, Renewing and Strengthening the Place of Newfoundland and Labrador in Canada; in 2003 there was an inquiry, the Lamer Inquiry into the administration of justice related to the circumstances surrounding the wrongful conviction of three individuals; and in 2008, the Cameron Inquiry on hormone receptor testing.

In terms of cost, just to point out, for the last two in 2003, that inquiry cost \$7.6 million. The 2008 inquiry cost \$5.7 million; just in terms of the types of expense the public purse would be subject to should an inquiry be held at any point in time. You have to be prepared to allocate sufficient resources to that, Mr. Speaker.

Auditor General special assignments can also take place, Mr. Speaker. The Auditor General's reporting duties under section 16 of the Auditor General Act provides that the Lieutenant Governor in Council may request or the House of Assembly or the Public Accounts Committee – which hopefully I will have some time to chat about towards the end here, Mr. Speaker. By resolution, the Public Accounts Committee may require that the Auditor General inquire into and report on a matter relating to financial affairs of the Province or to public property.

Where, during the course of an audit, the Auditor General becomes aware of an improper retention or misappropriation of public money or any other activity that may constitute a criminal offence, the Auditor General is required to immediately report to the Lieutenant Governor in Council. The usual practice is that the Auditor General provides this information to either the Attorney General or to the Minister of Finance and the matter is then referred to the police for investigation. That did not happen, Mr. Speaker, in the Humber Valley Paving matter.

Again, we can look back in time to the Green report. At that point in time there was no official inquiry as such, but the Green report did present some issues of concern. They were referred to the RCMP, and everyone knows the history of what has happened from there. I would say, Mr. Speaker, our government has taken the strongest leadership in the entire country in terms of ensuring that best practices are employed within the House of Assembly. I

certainly think that is something we are very, very proud of, and we intend to see honoured in years and decades to come. If anything, it will grow stronger. It will never be weakened.

The Auditor General has a broad power to access government information and records, especially as expressly provided by another act. Section 17 of the Auditor General Act requires that every department of government, every agency of the Crown, and every Crown-controlled corporation must provide such information regarding its power, duties, activities, organization, financial transactions, and methods of business that the Auditor General requires.

The Auditor General must also be given access to all books, accounts, financial records, reports, electronic data processing records, explanations, files, and all other papers, things, or property belonging to or in use by the department, agency of the Crown or Crown-controlled corporation where necessary for the performance of the Auditor General's duties.

The Auditor General can examine a person under oath or affirmation, which was the case in the review of Humber Valley Paving Limited, Project 1-12 PHP. The Auditor General can apply to a judge of the Supreme Court Trial Division for a subpoena to compel a person to appear before the Auditor General to testify and produce documents. That subpoena power, Mr. Speaker, is absolutely there.

On May 8, 2014, the Lieutenant Governor in Council requested, under section 16 of the Auditor General Act, that the Auditor General inquire into and report on any and all aspects of the contract between the Department of Transportation and Works and Humber Valley Paving related to this project.

The Auditor General, in relation to this, requested that the Clerk of Executive Council provide all documentation in possession of the Province of Newfoundland and Labrador which related to the award, administration, and/or cancellation of the project. Information requests were also made of Mr. Frank Coleman, Mr. Eugene Coleman, the President of Humber Valley Paving, the Leader of the Opposition, the

Leader of the Third Party, and the Guarantee Company of North America.

The Auditor General requested that replies be in the form of a statutory declaration. He received these statutory declarations, Mr. Speaker, and records were identified from approximately 185 officials and former officials from all fourteen government departments: the Executive Council, Officer of the Premier, Office of the Chief Information Officer, Office of Public Engagement, Women's Policy Office, Multi-Materials Stewardship Board, and the Government Purchasing Agency.

Records were also received from Mr. Frank Coleman, Mr. Eugene Coleman, and the Guarantee Company of North America. Formal interviews under oath or affirmation were conducted with sixteen individuals including government officials, a former government official, and former officials of Humber Valley Paving with questions posed by the Auditor General, members of his staff, and counsel retained by the Auditor General, Mr. Speaker – another independent source.

Humber Valley Paving did not respond to the Auditor General's request for information. The Auditor General also contacted the solicitor for Humber Valley Paving to determine the level of contact he may have had with elected officials, Progressive Conservative Party members, or departmental officials. However, solicitor-client privilege was not waived in this instance, and the Auditor General does not appear to have applied to court for subpoenas to compel witnesses to testify or to compel the protection of the records.

As mentioned earlier, the Auditor General Act provides that the Auditor General cannot access information that would reveal Cabinet confidences or would be harmful to law enforcement. There is no indication that these provisions were invoked in relation to the Auditor General's review of the Humber Valley Paving contract. It should be noted, however, that government did waive its solicitor-client privilege. That is something that cannot be done, Mr. Speaker, in a public inquiry.

In summing up, and I am quickly running out of time here, Mr. Speaker, I would like to say that

having served as a member of the Public Accounts Committee for several years, I think our Province has come a very long way. We have gone from a time where the Public Accounts Committee would meet once a year to today, under today's leadership it meets on a regular basis, seven, eight times a year. In fact, we just recently had six public hearings ourselves as a Public Accounts Committee.

The Public Accounts Committee works very closely, Mr. Speaker, with the Auditor General. He is quite an outstanding individual in my opinion. I certainly trust his work, the quality of his work, the calibre of his work. I fully endorse the work he does in all regard for us as a people. There is no one of any higher integrity than the Auditor General in the Province of Newfoundland and Labrador.

I, for one, on a go-forward basis would like to see monies from the public purse spent on the people themselves, be it on the roads, on the infrastructure, on health care, on things that actually benefit the people themselves, Mr. Speaker. I think that is where the focus of our government is and will continue to be.

I thank you for the opportunity to speak on this most important matter here today.

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

MR. MURPHY: Thank you, Mr. Speaker.

I have to say, I do not take pleasure in rising to speak to this today, but we do have an opinion on this side of the House. We do hope the members of the House listen to what we have to say on this particular matter.

It is what it is. We sat and we talked about it. We had a good concerted debate around our own offices, the researchers, through the Auditor General's report, and the only conclusion was: it is what it is – five simple words. I think that everybody in Newfoundland and Labrador is probably going to understand what I mean when I get to it. I also want to talk about the simple fact, Mr. Speaker, that I do not believe the final work is done on this yet, and I am going to come to that as well.

Mr. Speaker, I want to remind this House that it was Lorraine Michael who first called for the involvement of the Auditor General on this issue on May 1 of this year. We did have previous precedent over the calling of the Auditor General whenever something was questionable, some move by government.

It was the Liberal Administration of September 2007 that questioned the fibre optic deal and asked for the Auditor General to step in and look at the work of a particular contract at that particular time between the Premier. Back then, there was an alleged connection between the Premier and a Mr. MacDonald who owed a fibre optic company at the time, I believe.

The Auditor General came back at that particular time and he could not find anything wrong with it, and actually one of his findings that he came back with was that it was a very good deal and we moved on. Government moved on. I think the Liberals probably parked the issue after they heard from the Auditor General at that particular time, and the recommendations of the Auditor General at that particular time were accepted.

So we do have a past history of dealings with the Auditor General. This, I think, is only the second time in my memory that it has ever been done. So, Lorraine Michael, I should say –

MR. SPEAKER: Order, please!

MR. MURPHY: Sorry, Mr. Speaker, I named the member. The Member for Signal Hill – Quidi Vidi put forward the motion of calling in the Auditor General. The following week, in that particular first week of May, we asked questions for several days in this House, asking the government to also call in the Auditor General to act, to investigate; and it was under pressure from this party when we were asking for the call in for the Auditor General that the government relented and the Premier of the day came into the House and broke the news that, yes, he would be asking the Auditor General to look at the Humber Valley situation. So that is the way that everything transpired.

So the Auditor General came in and he did his work, and he released his report on September 29; a thorough and, we believe, a professional job that we would have come to expect from his

office. Now we have a request out there for a public inquiry. I do not think it is necessary. We do not think it is necessary. We believe it to be probably a very costly venture.

Considering the fact, too, Mr. Speaker, in saying that, we have not used all the tools of the House of Assembly yet in doing that. The previous member who was up and spoke before me mentioned the Public Accounts Committee. The Public Accounts Committee does business for this House. It does business on behalf of the taxpayers of Newfoundland and Labrador. It looks after the better interests of the people of Newfoundland and Labrador and has a duty to the House of Assembly to come back and report to the House of Assembly in its findings and its deliberations.

We work together. We are non-partisan pretty much when we come together and ask questions. Sometimes we are partisan I think in our views when we are working on the Public Accounts Committee. It is my belief, Mr. Speaker, and it is our belief on this side of the House that the Public Accounts Committee has a very important role to play here in asking questions around the Humber Valley contract situation and how it was handled and asking the Auditor General further questions about this.

We have the ability in Public Accounts to ask for more witnesses to come in. We also have time to do that, Mr. Speaker. We can go ahead and we can invite anybody we want to question to come and appear before Public Accounts, but it is also part of our jobs as Members of the House of Assembly to fulfill that role. Whether the House is in session or whether the House is not in session, we are still asked by the people of Newfoundland and Labrador to come up with an opinion and work together as a committee and formulate our own reasonings for taking things a step further if we find it, and that is the key. We have not gone through all the steps that are available to this House of Assembly in finding out more answers around Humber Valley.

Why would we go through the expense of a public inquiry when we have not used all the tools that are at our disposal? Mr. Speaker, we should have an open and transparent meeting of the Public Accounts Committee, as I said. It is chaired by the Liberals. The Liberals also have

another member on it besides the Chair. They have two members, we have one, and the rest are government.

The Liberals claim in a WHEREAS "...a public inquiry would allow an independent third party to require that all public and private parties involved in the contract appear under oath to answer questions". The PAC could fill that role at no extra cost to the taxpayers, Mr. Speaker. It is a fact, I think, everybody here in this House knows. In fact, the Auditor General is such a third party, and those who deal with him do so under oath. So that testimony has already been given at least once, and we can go through it again.

The Auditor General uncovered all the problems with the tendering process. He said so in his report. He has made five solid recommendations that we trust government. According to the Premier earlier today in Question Period, he said that they are following these recommendations and implementing these recommendations under the Auditor General's report. The Public Accounts Committee, I would imagine, can probably go ahead and ask questions in a follow-up to the Auditor General to have the Auditor General check with government at the same time to ensure that the five recommendations have been followed as well.

So last spring – or I should say when it comes to this as well, I wanted to touch on the simple fact, too, that in his final report again the Auditor General while he was talking about the – I lost my note here; I lost my train of thought. The Auditor General, when he was talking about his recommendations, was talking about documentation. I wanted to touch on that for a second, because this is where I feel that we can make another change – a second tool in the shed that we can possibly be able to implement here.

We have already talked about the use of the Public Accounts Committee to do that. If the government members do not want to do it, if the Liberals do not want to do it, we are more than willing to introduce a motion at the next meeting of the Public Accounts Committee to have the Public Accounts Committee look at the Humber Valley contract again. So, if we need that to be done, it is done. I think that all it would take is

the will of the House to have the House direct the Public Accounts Committee to do that. I think that everybody who is sitting on the Public Accounts Committee would be all in favour of such a motion. We can have a second look at it; the tool is there.

So, I want to come back to the last tool in the shed, in the last couple of minutes that I have left. While the Auditor General had certain mechanisms available to him, Mr. Speaker – and I think this is a very important point – most of his evidence – well, I think pretty much about 99 per cent of his evidence was document based. It was document-based evidence. I think everybody here in this House agrees to that. What we do not have is probably verbal evidence. Mr. Speaker, what I am getting at is that we have a piece of legislation in the House of Assembly only passed last spring that we can make a change to. We can allow more evidence to step forward to allow justice to be done.

It was the former Premier who said that in order for justice to have been done, it has to be perceived to have been done. I think that is the saying. It has to be perceived to have been done. We have the Auditor General who went so far with documentation, and that is all he could gather his report on. Maybe this House of Assembly actually hamstrung him. Maybe we handcuffed him a little bit last year.

I want to talk about whistleblower legislation, Mr. Speaker, because whistleblower legislation and making changes to whistleblower legislation, I believe, is also an important component here. If you lift the statute of limitations on whistleblower legislation – and we all know that whistleblower legislation came into effect on July 1. If anybody else wanted to report a possible wrongdoing to government, or to another entity, or a police force or anything, they would not have any repercussions happen to them any time from July 1 onwards.

Is there somebody out there, Mr. Speaker, who knows something that we do not? That is the question. Is there somebody out there who can tell somebody like the Auditor General or a Public Accounts Committee, if we decide to go that way? Is there a piece of evidence they can give us or a direction that we can go where we can be able to make that change? The other tool

is moving that statute of limitations – removing it so that any wrong at all can be righted without consequences to the person involved who wants to report it.

In summation, we do have tools out there that are ready to go. By the way, the whistleblower legislation, if government wanted to introduce a change, an amendment to that law on the next sitting of the House, I think it would be pretty possible to get the consensus of the House to actually lift the statute of limitations so that it can be an added tool that can be used in the enforcement and in the pursuit of justice. Justice has to be perceived to have been done, like I said.

In summation, Mr. Speaker, I have touched on whistleblower legislation. I have touched on Public Accounts and the importance of having the Public Accounts, and the Members of the House of Assembly work to get answers for the people of Newfoundland and Labrador. There are tools that are left unused. There are investigative measures that have, in essence, not been used yet that I think we can still avail of.

Mr. Speaker, that is probably about all I have to say, other than that this deal again is what it is. The people of Newfoundland and Labrador know that it has a stink about it. We said so in the House at that time that it has a stink about it. Unless government wants to pursue the avenues of justice to ensure that justice has been done, and justice perceived to have been done, it will always have a stink about it.

Thank you very much, Mr. Speaker.

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

SOME HON. MEMBERS: Hear, hear!

MR. BRAZIL: Thank you, Mr. Speaker, and thank you colleagues.

It is a great opportunity to get up and speak to the private member's bill, particularly to outline a lot of the information here that has been misconstrued or has not been presented in the proper manner.

What I would like to clarify first are some of the points brought forward by the Member for Cartwright – L'Anse au Clair, particularly around the bond itself. I have to clarify exactly what a bond is so people out there get a fair understanding of what this is all about and how the taxpayers here are not losing.

A bond is an insurance policy. That is basically what it is. It is an insurance policy to guarantee work from a company. Normally, it is called in when a company defaults and there is no other avenue that we have to make sure the work gets done. That did not happen in this case, Mr. Speaker. The company would have had to default for us to call in the bond. That did not happen.

The contract was cancelled after a review, and the bond was cancelled. At the end of the day for taxpayers, there was no cost there. We moved on to a new contractor which moved on in their pricing to do the work. The work is just about completed. It is eleven kilometres short. That is only because for twenty-four days we did not get an opportunity to do paving.

The taxpayers will get their reward and their justice when it comes to the investment there. The Trans-Labrador Highway will be second to none. The people of Labrador will get an asset for travelling in a safe environment.

I also want to note, too, points around what Humber Valley Paving was paid. They completed 60 per cent of the work, and they were paid for 60 per cent of the work, Mr. Speaker. They did eighty kilometres of roadwork to prepare it and then they did twenty kilometres of paving. That is what they were paid for. Not a cent more. That was part of the contract.

When the contract was cancelled, the bond was cancelled. We went to the market and got Pavex to come in. They mobilized. They started the process. Next spring the last eleven kilometres will be completed. That process will be done. An historic part of an asset for the people of Labrador will be completed, and we are going to be very proud of that.

SOME HON. MEMBERS: Hear, hear!

MR. BRAZIL: I think it is important, too, that we talk about the background as to how we got to this point, Mr. Speaker. That is what I want to outline right now. I will probably be the last one from our side of the House to get a chance to speak to this so I want to clarify exactly how this transpired and what impact this has on the taxpayers. It is a very minimal impact.

As has been stated many times previously, there was a catastrophic event. The forest fires that we had in Labrador, Mr. Speaker, had a major impact not only on Humber Valley Paving and the paving contract they had there, but a number of other companies. A number of other companies lost because of what went on up there, because of the shutdown, because of not having access to the road, and not being able to mobilize their equipment. It was very costly to a number of companies.

As a government we understand that. We try to work with the companies like that, try to understand their losses, and try to mitigate it where possible. Our intent here is to work with the private sector, particularly business, to make sure they have access to the services they need. If there is some relevance to something that happened that we can control, we will try to rectify it. If it is something like in this case that we cannot control, then we can all just have to deal with it after the fact and try to be cognizant of the circumstances. That is what we did in this case.

I want to jump back to a point, too, that was made by the Member for Cartwright – L'Anse au Clair around small businesses being owed money. I can appreciate and understand that. For any small business, if it is \$5 or \$5,000, it has an impact on their bottom line. They have expenses, they have overhead, and they must be able to maintain their books also. I want to clarify, that is why the mechanics' lien is in place, Mr. Speaker. It is in place to ensure any company that feels they are owed money from the contractor would have the ability to have that rectified, and the ability to put a claim against that.

As I mentioned in the House the last number of days, that process is still open. We are encouraging companies to go to small claims and make a legal claim. For people who forget,

when you make that legal claim, even if it costs you a few dollars, that can be claimed against your settlement. At the end of the day you can go through that process and it does not cost you any more money. If indeed you are entitled to that, it will be added to it.

I want to clarify the fact that we do not want to put any business in there in a situation where they may have to invest more money after feeling that they have not been paid. This is a process here. Any additional monies that they put in as part of the legal process – and if they are deemed that they are entitled to money – that will be put towards their settlement. We have that money in trust, Mr. Speaker. We intend to hold that there until we are satisfied that those creditors are taken care of. We have started that process.

Following the fires, the company went back to complete the work right up until 2013 and the road construction season ended. We were quite happy with the work that was done. It was not completed to the level that we had hoped, but again we understood why then. That was just simply because of the fire that we had up there and there was a number of other projects that were slowed down based on that principle.

Humber Valley Paving fully completed the eighty kilometres of preparation work. We are very pleased with the quality of work. There were no issues around that. Our engineers, our consultants on site, said it was quality work. It is ready to be paved when we started moving. They started and had twenty kilometres done before the season ended. It happens. It happened again this year. Just as the season was coming down, we needed three or four more days where we would have completed it, but that is Mother Nature. We work with Mother Nature; we cannot control her is the unfortunate thing.

I want to make it clear at the end of the day that Humber Valley Paving only was paid for the work completed. As I said earlier, that is all they were paid for. I do not want to leave any allusion that they received monies they were not entitled to, because they did not. All their waybills and all their receipts and all their bills that they put forward to us were verified and certified, and that is where the payment was put

forward. That was the only things they were paid for, and we were pleased with the quality of work.

In February of this year, the company was looking for recover costs it incurred as a result of the fires. They had come to our department and said we have lost money. We are going to lose money on this. There are extra costs because we had crew on sites who could not access the worksite. They had to be paid and they had to be fed. There was equipment that had been leased that now could not be used. We cannot do it for the same price; we would like additional revenues as part of that contract. We came back and said no. Sorry, we have a contract in place. We understand and we can appreciate it, but we have to be cognizant of the taxpayers' money and what we have allocated for this contract, and they realized that.

They went away; it was the end of the construction season. On March 13, Humber Valley Paving advised the department's official that it would not complete the project at the current price and asked to terminate the contract. Mr. Speaker, we looked at what it is that would institute cancelling a contract, particularly mutually. I mean, we can cancel for all kinds of reasons, based on the principle of the quality of work, not fulfilling the contract, at the end of the day the time frames are not working well with what we want done.

Before we make those decisions, we look at everything else, particularly around this situation. We looked at the Act of God. What impact did that have? We determined it had a dramatic impact, particularly financially, and their ability to stay within the time frames that had been allocated in the contract, the initial contract.

The positive work relationship that we had with Humber Valley Paving since 1996 – and we had a great working relationship, Mr. Speaker. They had completed numerous contracts with us. We were very happy with them. The quality of work was second to none. They were employing Newfoundlanders and Labradorians. They were paying a competitive wage. They were using equipment that was up to standard. It was very good from our perspective. We liked having

that relationship with our contractors. We had it with Humber Valley Paving.

The opportunity came when we looked at could we combine this with another contract on a bigger level and still keep within our budget lines? We assessed, was there other contracts that we were going to have in that area? Sure enough, there were. As we looked at what was being done in the costing over the 500 kilometres of highway that they were putting in place and paving up there, it was based on, yes, we could do this.

Based on the circumstances that existed at that time, the minister of the day made the decision that the contract would be cancelled with Humber Valley Paving in the best interests of everybody, taxpayers, the company's longevity, and the fact that we could still look at being able to maintain that road and complete it. Mr. Speaker, that is what we did.

In mid-June, Pavex was awarded a contract for \$37.2 million. It was a two-year contract to complete the series of road improvements initiatives in Labrador. Those included the northern part on the Trans-Labrador Highway, and also work on the southern part and other parcels of work that we had within the Goose Bay area itself.

They started their work. Unfortunately, a new company coming in – being able to mobilize their equipment, misjudging or misunderstanding some of the resources that may be available, the proximity and this type of thing – they were slow getting out of the gate and mobilizing everything to put it in place.

As we all know, there is a small window we have anywhere in this Province, but in Labrador when it comes to the construction season because it could end at any moment. When you get into mid-September on, the weather is sometimes unforgiving.

Unfortunately, not only in mid-September, in August we had extremely heavy rains that had a major impact on the paving times that we could get our paving out on the roads. There was twenty-four days where we got absolutely no paving or very little paving done.

You take twenty-four days out of a very short construction season, add into that mobilization was an issue getting started; we were down to the wire. Unfortunately – and I give credit to the company. The company did everything possible. They brought in extra crews, they were on site, and they had equipment mobilized and that. We were short by a few days, Mr. Speaker.

The company did come to my department and said they could probably complete the job in mid-October if we would allow them to go through the process of not being able to guarantee the quality of the work. The temperatures were dropping to a certain point where, by the time the liquid asphalt got there, we would not have the quality that we had.

The one thing about our officials, they wanted to make sure the quality of the pavement was equal to the quality of anywhere else in this Province. People in Labrador deserve to have the same service and the same asset. That is what we wanted to do to make sure that there was not going to be breakdowns, or there was not going to be ruts and that in it in four, five, or six months, or that in the spring we would have to replace it at a cost to the taxpayers.

Mr. Speaker, I turned down that extension. I went to the process of saying we are going to have to complete this next year. There will be a penalty assessed to the company. We will assess that at the end of the contract, as to what that cost the taxpayers of the Province in our own staffing costs and our consultants' cost. Mr. Speaker, obviously, it justifies the right call; the day after we cancelled it there was twenty-two centimetres of snow in Churchill Falls, and that is where that last eleven kilometres are connected to. So we made the right decision. The road is still Class A on it. It is compacted. The road is still very safe to drive on. It is just those last eleven kilometres are not paved, Mr. Speaker. Next spring that will be done. We will have a great opportunity for everybody from Goose Bay right to Lab West to be able to travel on a state-of-the-art highway, Mr. Speaker.

Paving the remaining sixty kilometres between Happy Valley-Goose Bay and Churchill Falls came with some challenges. As again I mentioned, we had some real challenges about

the weather. That took its toll on being able to move on our time frames. Our time frames to me were very important, because we wanted to complete it – nobody more than us wanted to be able to complete that. So at the end of the day we never got that opportunity; we will get that opportunity.

What I want to talk about here too is to ensure there are adequate supports for what we have done here. We have been challenged here that there was not documentation. The Auditor General, a very important quasi-judicial entity – somebody I have the privilege of working with as Co-Chair of the Public Accounts – did a very thorough, a very professional review of this process and found there was nothing wrong here, Mr. Speaker. There was nothing wrong. That the decision would have very likely been the same decision, had there been a little bit longer time frame. That was the only thing that he found that was of concern to him, Mr. Speaker. He interviewed everybody involved in it. That obviously then indicates that the things relevant to that were important to him. His decision was one that was put into the powers of the minister to make.

We have a responsibility as ministers to make certain decisions. They may not always be the most popular ones, but you make those decisions based on the information you have and what you think is in the best interests of all involved. In this case, companies, taxpayers, and the department, Mr. Speaker.

There was no documentary evidence of undue influence in the decision to terminate the contract, Mr. Speaker. He concluded that. So obviously another indication that what was done here was done for the right manner in the right process, Mr. Speaker. That is what he did. He did not recommend that the matter be referred to any other authority for investigation. Evidence there, Mr. Speaker, that everything was above board. Everything was out in the open, everything was being discussed.

The only issue here was the time frame. I do not know, do you put one day, five days, ten days, twenty days – who determines that? When a decision is being made, it is made on the information you have. In this case, the right

decision was made, and the evidence dictates and proves that, Mr. Speaker.

We have also looked at the fact that this has gone through an open process. We have ensured one particular thing here: any company that had dealings with Humber Valley Paving and feel they are owed money will be taken care of. We have kept the mechanics' lien in place.

As I noted in the House here, and I presented to the House today, the statutory declaration, the company came in with something they felt would justify the release of the money. I, and my officials, reviewed it and said we were not satisfied. We felt the taxpayers, particularly those small businesses that are subcontractors who did work with Humber Valley Paving, need to be protected. We have started that process.

As I mentioned at the beginning of my speech, I want to ensure people get that opportunity. We are asking any company out there that feels they have a claim, go to small claims, put your claim in, and we will look at the avenues we have at our disposal to be able to rectify that and make sure if they are entitled to payment, they get their due payment to continue their businesses and do the great work that small business does in this Province.

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.

One thing I can say as I stand up here now is I am absolutely convinced that the current Minister of Transportation has not reviewed the AG's report into this matter. I am absolutely astounded at some of the things he said.

One of the things I want to do, I want to put a question out, and I am willing to sit down if he wants to stand up. I am willing to give my time if he will respond. Can he confirm that the companies he is telling to go to court, is he going to cover the legal fees, because he is saying they will all be taken care of? I am willing to sit down if he wants to stand up and

answer that. Because what he is saying is that they should all go to court and it is not going to cost a cent. It is not going to cost a cent. If that is the case, stand up. I would be willing to sit down because those companies will be interested in hearing that.

Now those are the companies that fit under the \$25,000 threshold to go to small claims. The ones over the \$25,000 will go to Supreme Court. This costs money. So I am interested to know whether government is going to use taxpayer funds to pay the legal fees here. I am just interested because that is what he just said, right then and there.

Again, if he wants to stand up and speak to that, if he wants to, I am willing to sit down. If I am wrong, I will sit down and the minister can clarify it and tell me, no, that is not what he said. I am willing to do that at any time. I have a few minutes left.

The second part, and I have to put this out there, the minister just stood up and said absolutely nothing was done wrong. If that is the case, then why was the former Minister of Transportation taken out of Cabinet? Why? You do not take someone out of Cabinet if nothing was done wrong. That is a question that I have. If nothing was done wrong, why did we go through this? I am astounded at that comment.

The Premier himself said: if he did not resign, I would fire him. So if nothing was done wrong, why did the Premier say that? If I have this wrong, I am willing to sit down. When I hear the minister absolutely minimize what went on here and what went on in the AG's report, speaks to just the absolute, unbelievable, ridiculousness of this situation. I have to put that out there. I am willing to give up my time if I am wrong and the minister would like to clarify this situation.

I am looking at the AG's report, and the AG – one of the things the minister said, everything was documented. That was the quote. If I am wrong the minister can stand up. Objective 4, on page 2, “The evaluation of the decision to mutually agree to cancel the contract to Project 1-12 was conducted during the morning of March 13, 2014 and was not appropriately documented.” There is a discrepancy between

what the AG is saying and what the minister just said. I think this is a minimization of what happened. This goes back to the crux of what we are trying to do here.

We have a private member's resolution asking that there be an inquiry. We had to go back to why we have asked for this. We went through this situation back in May, this episode came out. The public became aware; the members in this House became aware of what happened. Questions were asked in the House, answers were given. The Premier of the day stood up and said I am going to send this to the AG, and we supported it. We supported it. It was the right move.

Everybody sat back and waited for the AG to do his investigation, waited for the AG to do it. The AG came back, a very comprehensive report, but there are unanswered questions. He says so himself. This is not about questioning the AG's ability to do his job. It is not about questioning his work. It is about saying he has unanswered questions, and if he has unanswered questions we have to ask them and hope they get answered, which we come back to the point of an inquiry in the first place. The point of an inquiry is to restore confidence to the people of the Province when something happens.

I note the Premier said yesterday in this House of Assembly, and he mentions different inquiries – I believe the Member for Fortune Bay – Cape La Hune mentioned them – Cameron Inquiry, Lamer Inquiry, Hughes Inquiry. We have been through that. We have lived through that. Those were necessary inquiries into tragic situations, but I disagree with the Premier when the Premier says that they only happen in cases of loss of life or very critical situations.

They have happened in this Province and they have happened across Canada, cases where the public trust is shaken by actions of government. The Charbonneau inquiry, the Gomery inquiry, cases where there was wrongdoing, something happened, the public trust was shaken, public tax dollars were involved, and things went wrong. The whole point of it is to get to the wrong, figure out what happened, and to avoid that from happening again.

I have no doubt that everybody in this House does not want a situation like this to happen again. We do not want that. The public does not want that. The majority of the public – there has been a poll done by a news agency, the majority support an inquiry. I am sure members of both sides have heard this from constituents or whoever. There are unanswered questions.

We have to look at the situation here. I can speak about the fact that this is the first government decision of this magnitude that was ever done within the span of a day, less than a workday. In fact, when you look at the timeline, roughly two hours and forty-five minutes from the time the meeting occurred outside to the time that decision was made to terminate this. The rest of the day was in drafting the letter to Humber Valley Paving. That is absolutely amazing. I would note that letter that was done actually was undated, which is another one of those things where we are seeing things that normally happen not happen.

We come back to how this happened. One of the things the AG very clearly said, and it is right here. This is page 3, Objective 5, “We have not been able to satisfy ourselves why the process to come to an arrangement with HVP to terminate the contract related to Project 1-12 had to be concluded the day before nominations closed for the leadership of the Progressive Conservative Party of Newfoundland and Labrador.”

The AG clearly states in his report that due diligence was not done; appropriate time was not given to this. There would have been no harm in taking the time to go through the process to more adequately look at the different options. We know the criteria used by the department, neither one was met. If we had taken the time, we could have better looked at the options and still come up with the same conclusion. We will never know because that time was not taken, because we had a decision that was made in two hours and forty-five minutes.

Now, we go back to – and I think this is relevant, because we have to look at the cast here. This was done in the span of one day, the day before the Progressive Conservative nominations were closed. The Premier has been asked roughly thirty questions in the House of

Assembly in the last two days about this situation and this report. He has stood up on a number of occasions and said we are satisfied – we are satisfied. We think there is something wrong with that because the AG is not satisfied.

He mentioned about the number of people who were interviewed. There were a number of people interviewed, but there is one thing that was not done. It is clearly stated here on page 13 of the report, “We did not receive a response from Humber Valley Paving to our request for information.” The AG did not get a response to his request. That in and of itself would be reason enough to do an inquiry because there are unanswered questions that the public is asking.

You go to the next page of this report and we talk about we contacted the solicitor for Mr. Coleman and discussed the proposed approach. An agreement was reached and the answers and questions can be found at Appendix B. So you go to Appendix B, which is on page 83, and this is where Michael and Robert Coleman and Peter Byrne were asked a number of questions, and they did respond. Every single response was no. Every single one was no.

The first question: Did you have any contact with anyone in government regarding the extension? No. Did you have any contact with anyone in government regarding cancellation? No. Did you have any contact with anyone in the PC Party? No. Did you have any contact with anyone in the PC Party regarding cancellation? No. Are you aware of any decision to keep either Gene or Frank Coleman unaware of anything to do with this? No. Do you have any documentation concerning this contract? No. Are you aware of any political influence or interference in the decisions by the Department of Transportation? No.

Okay, so every single one of those questions came back with a negative answer; however, when we look to – and again it says right here Mr. Eugene Coleman. I believe he was a shareholder and was placed in charge. We contacted the solicitor for Humber Valley Paving to determine the level of contact that he may have had with elected officials, PC Party members or departmental officials, solicitor-client privilege was not waived. What that says is that he exercised his right to not say anything,

but, what that does – and again, nobody needs to explain solicitor-client privilege to me or any member of this House. We understand what it means. The result of that is that there are unanswered questions as to why this all happened the day that it happened. You only have to go back and look through the timeline; everything is quite suspect. The AG himself is not satisfied with what is going on here.

Again, we still have not gotten all the answers that we want, because one of the parties to this contract did not say anything, did not comment, did not provide documentation, did not provide a response. Do you know a good answer to that? Call an inquiry so we can get to the bottom of it, because that is what people want.

We go back to the concept of an inquiry. The concept of an inquiry is to allow us full and open ability to question all parties and to cross-examine all parties to see what went on. That was the big thing that happened in previous inquiries, is that we saw the examination-in-chief, and we saw the cross-examination of witnesses to ensure that we got to the bottom of it. That has had great results, and we look back to the inquiries that we have had in this Province, thank God we had them, because we have had some serious issues in this Province that had to be dealt with with inquiries.

I think this is a serious question when we have millions of dollars of bonds, millions of dollars of taxpayers' money. The fact that there was obviously a disconnect – and this has been outlined very clearly by our leader in his line of questioning – a very obvious disconnect between Cabinet and the Premier. The Premier had knowledge withheld from him. This is a very serious matter.

The public would like to know what goes on. So what do you do? You call an inquiry; but, if you do not call an inquiry, there is one question that arises when you say you do not want to call an inquiry, and that question is why. Why do you not want to call an inquiry? Why would you not want to restore confidence to the people of this Province? Because right now they have questions but those questions are unanswered. They want to make sure that the integrity of the process is followed. We have some vague recommendations – we hope to follow them; but

the AG himself did not get all the information he needed, and that is quite clear. It is clear that obviously some members on the other side have not reviewed this matter. We are calling for an inquiry. We think it is the right thing. We are speaking on behalf of the majority of people in this Province. They want an inquiry. We want inquiry. It is the right thing to do to get to the bottom of this to ensure that it does not ever happen in this Province again.

Thank you for the opportunity to speak to this.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for St. John's South, to close debate.

MR. OSBORNE: Thank you, Mr. Speaker.

I spoke earlier about the irregularities that had taken place here, the fact that there were two ministers who made contact with the Deputy Minister of Transportation, both within a half an hour of each other, early morning on the day the contract was cancelled. I spoke about the fact that the deputy minister was summoned by the Minister of Transportation to appear just outside the Cabinet room prior to the start of a Cabinet meeting, and again just a couple of hours later the deputy minister was brought just outside the Cabinet room while the meeting was still taking place, Mr. Speaker, and given instructions to terminate the contract.

All of this that happened is very suspect – a lot of questions. The Auditor General himself is not satisfied with why that happened, the day just before the close of nominations for the leadership of the Progressive Conservative Party of Newfoundland and Labrador. All of that happened, and the Auditor General said he was not satisfied with the reasons. He was not able to find out the answers as to why that happened.

Now, Mr. Speaker, the Auditor General can call government officials or members of the House or public servants. There is a great deal of question as to what level of success the Auditor General would have in trying to subpoena a private individual or to investigate the books or the private files of a private company.

So, Mr. Speaker, an inquiry is a very public event. It is televised. It starts out with the counsel to that inquiry calling a discovery and bringing in witnesses and asking questions for hours, witness after witness after witness. Based on that information, the counsel will then determine what other witnesses they are going to call in and how far they will spread, or cast the net, so to speak, in calling in witnesses and ensuring that they have gotten all of the information. Then the inquiry itself is very public. It is televised. It is open to the general public. People have an opportunity and the public have an opportunity, because it is a public inquiry, to see the witnesses, to hear the witnesses. These inquiries generally go on for weeks.

There is a great deal of information, Mr. Speaker, gathered at these inquiries. The witnesses to the inquiry have to ensure their information is very accurate, and that the information they provide – that any following witnesses may challenge something a previous witness has said.

Those inquiries are very public and they get much deeper than what the Auditor General was able to do. That is the reason, Mr. Speaker, we have called for an inquiry, because there are so many unanswered questions, as admitted by the Auditor General. There are so many things that have been left unanswered. The Auditor General is not satisfied with a number of things in the Auditor General's report.

Mr. Speaker, the Premier has given an indication that inquiries are left for review of some – some of the recent inquiries here, the Lamer Inquiry, Hughes Inquiry, the Cameron Inquiry, all inquiries were done in this Province regarding the loss of life or serious or critical incidents, but that is not always true.

You look at some of the inquiries that have taken place in Canada. The Charbonneau inquiry was about the potential corruption in the management of public construction contracts in Quebec, Mr. Speaker. It was not about the loss of life. It was about the potential corruption in the management of public construction contracts in Quebec.

If you look at the inquiry into the Airbus affair, Mr. Speaker, it was not about the loss of life. It was about potential corruption.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. OSBORNE: I thank you, Mr. Speaker, because the people on the other side of the House are getting very boisterous. I think this is important for people to listen to. It is an important issue.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. OSBORNE: Mr. Speaker, look at the Gomery Inquiry, which looked into the sponsorship program and advertising activities. If you go back, Humber Valley Paving was asked to provide documentation and did not in this. That is the difference in what happened here and what you would see with an inquiry. Humber Valley Paving was asked to provide documentation. That documentation was not provided.

Government did not publicly communicate the fact that the contract was cancelled. That put in jeopardy many subcontractors and small operations in the Province. I would say some of those operations could not afford to take a loss, yet when the contract was cancelled, the bonds were cancelled with that, Mr. Speaker. As a result of those bonds being cancelled, it had a potential, huge impact on small companies and small operations.

Mr. Speaker, you look at when the Auditor General went to the legal counsel for Humber Valley Paving, they opted not to waive the solicitor-client privilege; therefore, the Auditor General was not able to get that information. Mr. Speaker, because of the unanswered questions, because of the magnitude of this, the fact that those bonds were worth \$20 million, the fact that the former owner-operator of Humber Valley Paving had admitted publicly that he did in fact benefit as a result of this contract being cancelled, and that same individual was slated to be the Leader of the Progressive Conservative Party.

Mr. Speaker, there are many concerns that are unanswered, and that is the reason we are asking for an inquiry. This is not something we have done lightly. The people of this Province deserve to know exactly what happened here as opposed to being said, we are not satisfied, we did not get information, we did not get all of the answers.

That is the reason we need an inquiry, Mr. Speaker, and I ask all members of this House to join with us in asking government to call an inquiry on this very topic.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

Shall the resolution carry?

All those in favour, 'aye'.

SOME HON. MEMBERS: Aye.

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

SOME HON. MEMBERS: Nay.

MR. SPEAKER: The resolution is defeated.

On motion, resolution defeated.

AN HON. MEMBER: Division.

MR. SPEAKER: Division has been called.

Summon the members.

Division

MR. SPEAKER: Are the Whips ready?

All those in favour of the motion, please stand.

CLERK: Mr. Ball, Mr. Andrew Parsons, Mr. Osborne, Mr. Joyce, Ms Cathy Bennett, Mr. Jim Bennett, Mr. Slade, Mr. Mitchelmore, Ms Dempster, Mr. Edmunds, Mr. Kirby, Mr. Lane, Mr. Reid, Mr. Hillier.

MR. SPEAKER: All those against the motion, please stand.

CLERK: Mr. Davis, Mr. King, Mr. Hutchings, Mr. Kent, Mr. Dalley, Mr. O'Brien, Mr. Crummell, Mr. Sandy Collins, Mr. Wiseman, Mr. Jackman, Mr. Granter, Mr. Littlejohn, Mr. Cross, Ms Perry, Ms Sullivan, Mr. Cornect, Mr. Brazil, Mr. Russell, Mr. Hedderson, Mr. Kevin Parsons, Mr. Little, Mr. Peach, Mr. McGrath, Mr. Dinn, Mr. Murphy, Ms Rogers.

CLERK: Mr. Speaker, the ayes: fourteen; the nays: twenty-six.

MR. SPEAKER: Order, please!

The motion has been defeated.

This being Wednesday, Private Members' Day, the House now stands adjourned until 1:30 o'clock tomorrow.