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Speaker: Honourable Tom Osborne, MHA

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The House met at 1:30 p.m.

MR. SPEAKER (Osborne): Order, please!

Admit strangers.

I would like to welcome today to our Speaker's gallery three Royal Newfoundland Constabulary officers who are the subject of a Ministerial Statement today. They are Constable Stephanie Pelley, Constable Charley Torres and Constable Julie Cunningham.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: We also have in the public gallery today representatives from the Association of Early Childhood Educators of Newfoundland and Labrador who are the subject of a Ministerial Statement, and they are Helen Sinclair, Joanne Morris and Mojca Bas.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Also in the public gallery today is Barb Howlett, who is the subject of a Member's Statement.

SOME HON. MEMBERS: Hear, hear!

Statements by Members

MR. SPEAKER: Today for Members' Statements we have the Members for the District of Ferryland, the District of Mount Pearl North, the District of Torngat Mountains, the District of Mount Pearl – Southlands, the District of Labrador West and the District of St. John's East – Quidi Vidi.

The hon. the Member for the District of Ferryland.

MR. HUTCHINGS: Thank you, Mr. Speaker.

Mr. Speaker, I rise to recognize a constituent of mine from the District of Ferryland, Kenny Williams. In his 32-year hockey career he played a very important part to the overall success of hockey across Newfoundland and Labrador.

His hockey life started at Maggotty Cove Pond in Bay Bulls and later played as a junior hockey

player in the Southern Shore Junior League. He's currently manager of the Southern Shore Arena since 1987.

He was elected a founding president of the Southern Shore Minor Hockey Association, where he remains a volunteer. He has been Hockey Newfoundland and Labrador provincial coordinator for 24 years. He was instrumental in reviving senior female hockey at the provincial level and brought the first team in many years to Prince Edward Island to compete nationally. He held a director's position on the provincial female hockey committee for several years.

Kenny was inducted into Newfoundland and Labrador Hall of Fame during Hockey Newfoundland and Labrador's awards ceremony in June of 2015. Kenny also was presented the Avalon East Hockey Ambassador Award in the Builder's Category in October at the Jack Byrne Arena.

Mr. Speaker, I would ask all my colleagues of this House to join me in honouring Kenny Williams and the contributions he has made to hockey on the Southern Shore and certainly throughout Newfoundland and Labrador.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MR. KENT: Thank you, Mr. Speaker.

I rise in this hon. House today to recognize Mr. Reginald White on his recent achievement in being named a Senior of Distinction – what a great honour.

The Seniors of Distinction Awards program was designed to identify and celebrate the contributions, achievements and diversity of older persons throughout Newfoundland and Labrador. It's very important to recognize our seniors who dedicate so much time to helping their community and fellow citizens.

Reg's lifetime of volunteerism and community service is a testament to his true character. Reg has been named Mount Pearl Citizen of the Year

and was inducted into the Mount Pearl Sports Hall of Fame. I hope that Reg continues his efforts with organizations such as Habitat for Humanity and other volunteer initiatives.

Mr. Speaker, I ask all members of this House to join me in congratulating Reg White and this year's recipients of the Seniors of Distinction Awards: Gerald Andrews of Carbonear, Alice Blundon of Carbonear, Russ Murphy of Marystown and David Rex of Stephenville.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MR. EDMUNDS: Thank you, Mr. Speaker.

I rise in this hon. House today to pay tribute to Mr. Ronald James Andersen – Jimmy as we call him. Jimmy was awarded the Medal of Bravery for saving the lives of two snowmobilers who went through the ice near Nain Bay, Nunatsiavut, in May of 2015.

Jimmy saw the snowmobilers go through the ice and with great presence of mind he immediately went into action. Using a komatik that was attached to his snowmobile, he managed to maneuver himself close to the hole where the people fell through. He grabbed the first person by her jacket and pulled her to safety, and with use the rope, he provided aid to the second person as well and pulled them both from the frigid waters of Nain Bay.

Governor General David Johnston presented Mr. Andersen with the Medal of Bravery in a special ceremony in Ottawa on October 28. Jimmy took action that saved two lives and reaffirmed our values of sharing and caring for others, even when there is risk to one's own self.

Mr. Speaker, I ask all hon. Members to join me in offering congratulations and thanks to Jimmy Andersen, a proud son of Labrador.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Member for the District of Mount Pearl – Southlands.

MR. LANE: Mr. Speaker, it's my privilege to stand in this hon. House to recognize an individual who has given a lifetime of service to her community. Barb Howlett has served the community for the past 60-plus years in various capacities. If you were to open Webster's dictionary and look up volunteer, you'd see a picture of Barb.

Whether it be at St. Paul's Parish, the Goulds Lioness Club, Goulds Elementary School Council, Goulds library board, Scouts Canada, Goulds Minor Hockey, St. Kevin's Parish elementary and high school, the Twin Brooks Condominium Board or the Anglican Diocese of Eastern Newfoundland and Labrador, Barb has been giving 100 per cent of her time and talents.

She was also elected and served a term on the Goulds town council prior to its amalgamation with the City of St. John's. She's probably best known for her involvement with Girl Guides of Canada where she has held multiple positions and was recently recognized for an amazing 60 years of service. In addition to this honour, she was also awarded this year's City of St. John's Senior of the Year Award.

Mr. Speaker, I would ask all Members of this hon. House to join me in congratulating Barb Howlett on her many accomplishments and thank her for her unwavering commitment to the community.

SOME HON. MEMBERS: Hear, hear!

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

MR. LETTO: Thank you, Mr. Speaker.

I rise in this hon. House today to pay tribute to a true Canadian hero, Constable Curtis Barrett from Labrador City, who was recently awarded the Star of Courage by Governor General Johnston in Ottawa.

All Members will remember the story. On October 22, 2014, members of the House of Commons Security Services and the RCMP were instrumental in stopping an armed man who had stormed the Centre Block of the Parliament Building. At the time of this incident,

Constable Curtis Barrett and the members of his tactical squad averted an even bigger tragedy.

As it was described at the awards ceremony, Constable Barrett walked directly toward the gunman while firing his weapon. These collective actions brought the incident to an end in less than three minutes and avoided further tragedy.

Constable Barrett's dedication to duty, his willingness to put himself in harm's way and his determination to stop further tragedy in our Nation's capital is more than worthy of this recognition. Constable Barrett displayed, through his actions, the values of our people.

I ask all hon. Members to join me in congratulating Constable Barrett on his award and to thank him for his service above and beyond the call of duty.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

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

I am delighted to stand today and congratulate my constituent Dr. Robert Sweeney, this year's winner of the Governor General's History Award for Scholarly Research.

This award, also known as the Sir John A. Macdonald Prize, is awarded annually by the Canadian Historical Association to the work it judges to have made the most significant contribution to an understanding of the Canadian past.

The book that won Robert the Governor General's award is called *Why Did We Choose to Industrialize? Montreal, 1819-1849*. He takes a new approach to history and, in this book, argues that history is shaped by the choices people make. Michel Duquet, executive director of the Canadian Historical Association, says the book is a deep reflection on the profession of historian and the meaning of Canadian History.

Governor General David Johnston will present Robert Sweeney with his award at Rideau Hall in Ottawa this Thursday evening, November 24. His colleagues at Memorial University are understandably very proud of this major achievement. Several leading researchers will come together Thursday night to discuss the relevance for their own disciplines of Robert's new historical approach.

I ask all hon. Members to join me in congratulating Robert Sweeney for this major academic achievement.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Statements by Ministers.

Statements by Ministers

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

MR. KIRBY: Mr. Speaker, I rise today in this hon. House to recognize National Child Day, which took place yesterday, November 20.

The Members of this House of Assembly are wearing blue ribbons to recognize National Child Day, which has been celebrated across Canada since 1993 to commemorate the adoption of two documents focused on children's rights: the United Nations Declaration of the Rights of the Child and the United Nations Convention on the Rights of the Child.

Mr. Speaker, this past weekend, I attended the 24th annual conference of the Association of Early Childhood Educators of Newfoundland and Labrador, AECENL, held in Manuels. More than 150 early childhood educators from across the province participated in early learning and child-care professional development opportunities, ending the conference on National Child Day with celebration of children's rights.

Yesterday, I participated in the National Early Learning and Child Care Framework panel discussion hosted by AECENL as part of the conference. It was a wonderful opportunity to share government's perspective on the framework's potential for early childhood

educators, children and families in Newfoundland and Labrador. Conference participants also had the opportunity to discuss the possibilities that the national framework might afford our province, and their feedback will help to inform our work on this initiative as it continues.

Our government is committed to enhancing access to exceptional and affordable early learning and child care opportunities during these important early years of development.

Mr. Speaker, I ask parents, educators, child care providers and community members to continue to respect the rights of children, to ensure that each child has access to the endless opportunities around them, and to recognize children as important members of our community.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for the District of Conception Bay East – Bell Island.

MR. BRAZIL: Thank you, Mr. Speaker.

I thank the minister for the advance copy of his statement. It gives me great pleasure to rise in this House and recognize November 20 as National Child Day. National Child Day holds major significance for not just children but also includes parents, teachers, nurses, social workers and all those who play a role in a child's life.

Our country made a commitment to ensure that all children are treated with dignity and respect. This commitment includes the opportunity for children to have a voice, to be protected from harm, to be provided with their basic needs, and every opportunity to reach their full potential.

In this province, initiatives such as the Poverty Reduction Strategy and inclusive education models, both implemented by the former administration, has enhanced the quality of life of our children. Given the lack of leadership shown by the present administration in areas such as education, I hope they will recognize the importance of providing children with the opportunity to reach their full potential.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

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

I too thank the minister for the advance copy of his statement. I note that preschool children with disabilities have internationally recognized rights to inclusive early childhood education. We need more resources in this province to make full inclusion a reality.

Also, rights don't start when a child is four or five years old. I remind the minister that government ignored those rights when it chose not to increase the child care parent subsidy this year.

Mr. Speaker, we need a comprehensive public child care program.

Thank you.

MR. SPEAKER: The hon. the Minister of Justice, Public Safety and the Attorney General.

MR. A. PARSONS: Mr. Speaker, it's a pleasure to recognize the accomplishments of three officers of the Royal Newfoundland Constabulary today in this hon. House.

On October 9, during the International Association of Women Policing Conference, hosted in Barcelona, Spain, RNC Constable Stephanie Pelley was the recipient of the Medal of Valour award. This prestigious award is bestowed upon a female police or peace officer who performs an act of bravery or heroism at the risk of her own personal safety or in the face of great danger.

During the fall of 2015, Constable Pelley and her partner, RNC Constable Charley Torres, were first on the scene upon receiving a call from a young woman's family that she was stranded on a cliff in Flatrock. Constable Pelley jumped into the water before returning to shore to dispose of her heavy equipment. She then returned to the water, joined by Constable

Torres, and they were able to pull the young woman safely to shore. The officers used their bodies to pin the woman to a rock until help arrived from the Torbay Fire Department.

This act of bravery was also recognized last month at the Atlantic Women in Law Enforcement training conference in Halifax when both Constables Pelley and Torres were awarded the conference's Medal of Valour.

Also at the Atlantic conference, Mr. Speaker, RNC officer Julie Cunningham received the Leadership Award for demonstrating superior leadership qualities in the areas of problem solving and organization and for being a positive role model as a senior coach officer.

On behalf of all hon. Members and all Newfoundlanders and Labradorians, congratulations to Constables Pelley, Torres and Cunningham and thank you for your dedicated service to our province each day.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

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

Throughout Newfoundland and Labrador, every day police officers have an impact on people, on families and communities. It's especially significant when one's peers acknowledge their work, their efforts and their actions.

These three officers are certainly worthy of the peer recognition they've received from their own peers and also from the minister in the House of Assembly today. I thank the minister for bringing this to the House and also addressing it to the people of Newfoundland and Labrador.

Mr. Speaker, I thank the three officers for the work they've done. I thank them for the work they've done and exhibited through these experiences and these examples as provided by the minister. We share with the minister and all of us in the House of Assembly in

congratulating all three officers, but also thanking you for your service to our people.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MS. ROGERS: Thank you, Mr. Speaker.

I thank the minister for an advance copy of his statement. I join the people of the province in thanking Constables Pelley and Torres for their bravery and quick thinking and Constable Cunningham for her leadership and commitment to her community.

These officers provide incredible examples for young people, especially for young women and girls that not only can they excel as police officers, their presence in their roles are greatly needed in our communities.

Bravo to you! Thank you for your commitment, your passion and your compassion.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Further statements by ministers?

Oral Questions.

Oral Questions

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

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

The federal government announced today their commitment to phase out coal-fired generated electricity by 2030. Mr. Speaker, this decision is significant for Newfoundlanders and Labradorians.

I ask the Premier: Will you demand a commitment from Quebec to ensure that Newfoundland and Labrador is given fair transmission access through Quebec, that same

access that Newfoundlanders and Labradorians have been denied for 40 years?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

I would say that based on the work of the prior administration that access was denied by the work that they have done. Mr. Speaker, as you know, back in July of this year we met in the Yukon and part of the Agreement on Internal Trade factors into the free flow of electricity.

That agreement has not been finalized yet, but we all recognize that the free flow of electricity through jurisdictions like Quebec and across jurisdictional borders is important for all of us.

Mr. Speaker, what is important is that we continue a working relationship with all our provinces, which could include Nova Scotia, New Brunswick and others, to make sure that the flow of electricity, no different than the railway would have been many, many years ago, is important to all Canadians and is important to Newfoundlanders and Labradorians.

SOME HON. MEMBERS: Hear, hear!

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

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

The Premier likes to talk about the past administration. Well, we've been denied access since 1969, Mr. Speaker – 1969, an incredible long time.

I ask the Premier: Why would you not commit to confirming transmission before you start courting Quebec on other deals? Transmission is the key to export; it's the key to the success of the Churchill River.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

Transmission, of course, until we get to the point where you can actually find some creative way

to deliver electricity wirelessly – we're not there yet, but transmission is extremely important, Mr. Speaker. What's important too is we continue to put in place good working relationships, whether it's through Atlantic Canada or through Quebec or whatever the jurisdictions would be.

So, Mr. Speaker, we look forward to working with the federal government, we look forward to working with all provincial governments to make sure that if we have wealth or we have the opportunities to develop the Lower Churchill that, indeed, there is a mechanism to get that to markets.

SOME HON. MEMBERS: Hear, hear!

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

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

You're right, Premier; partnership is key. There's much speculation that this announcement was coming and it's good for Newfoundland and Labrador – as I mentioned, it is good for Newfoundland and Labrador that the federal government has now made this; 2030 is not far away.

But having speculated this was coming, I'll ask the Premier: Have you had any discussions with the premier of Nova Scotia and New Brunswick about Newfoundland and Labrador supplying more renewable power to help meet their needs as the coal-fired is phased out?

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

I'm sure the former premier would recognize since it's part of the Canadian Energy Strategy, which he was a signature on as part of the co-chair of this, what happens with transmission is extremely important. It's a strategy that we continue to work with.

In early December of this year, hopefully around December 9, there will be a meeting on climate change. It will occur in Ottawa. And, of course, electricity and hydro power will be a significant

part of that, as well wind power, solar power and beyond.

So no matter where we go with the energy assets that we have in our province, it's important that we have access to markets. I think anyone that would have followed any of the comments coming out of Nova Scotia, comments that I would have made last week, Nova Scotia is certainly someone who is interested in working with our province to develop resources that we have in Newfoundland and Labrador. But it will only be when it's right for Newfoundlanders and Labradorians.

SOME HON. MEMBERS: Hear, hear!

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

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

I was part of the strategy and was pleased to be part of the strategy, but a strategy is not a commitment.

Now, last week, Premier, you refused to commit to bringing a deal to the people of Newfoundland and Labrador first.

So I ask the Premier: Do you commit to keeping the people of Newfoundland and Labrador informed about your discussions with Quebec, or should Newfoundlanders and Labradorians just tune in to Quebec media to find out and get updates?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

Well, it's a far cry from that question from where the former premier was last week when he was saying he was more interested in closing the doors and abruptly leaving meetings. This was a strategy that he's saying today that he endorsed, because he was a part of forming that agreement, yet last week he was distancing himself from the very thing that he was part of, I say, Mr. Speaker.

This really goes to why there've been so many failed attempts, I would say, because of the attitude of the people like the former premier

when it comes to working with our provincial colleagues, Mr. Speaker.

We will do what's right for Newfoundlanders and Labradorians, just like we did in 2012 when the person that's sitting next to him today, the minister, said that in 2012 at sanctioning of Muskrat that they were willing to put the sale of surplus energy into reducing ratepayers of our province. Mr. Speaker, that is completely false; he did not agree to that then. It was only because of pressure of us when we were in Opposition at the time. We have made a commitment (inaudible).

SOME HON. MEMBERS: Hear, hear!

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

MR. PETTEN: Thank you, Mr. Speaker.

Mr. Speaker, the CEO of Nalcor said recently regarding topsoil removal at Muskrat Falls, and I quote "there's no evidence to suggest that it would [actually] improve the methylmercury situation." He said it could even, quote, make it worse.

I ask the Minister of Environment: Given your background, do you agree with Mr. Marshall's comments?

MR. SPEAKER: The hon. the Minister of Environment and Climate Change.

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

There can be nothing more important than the human health of the constituents of Lake Melville. So what we have committed to do was to look at every issue around human health and if more mitigation measures are needed – we look forward to the recommendations coming from an independent experts' advisory committee. I will take that advice and we will follow it.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MR. PETTEN: Thank you, Mr. Speaker.

I remind the minister, it's all of Labrador, not just Lake Melville.

I ask the Minister of Environment: Are you satisfied the full clearing is not required at the Muskrat Falls site?

MR. SPEAKER: The hon. the Minister of Environment and Climate Change.

MR. TRIMPER: I'm not sure I heard the question, but I believe it's on the same line, Mr. Speaker.

The fact of the matter is that this is a very complicated topic. I've indicated that for the last 12 months. I'm very pleased to say that through discussions the Premier, Minister of Natural Resources and myself had with the indigenous leaders of Labrador, we've agreed to a table of experts that will provide advice to us. I look forward to receiving that recommendation.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

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

MR. PETTEN: Thank you, Mr. Speaker.

In June, the Minister of Environment accepted Nalcor's methylmercury plan. In September, the minister's position changed and he supported additional clearing.

I ask the minister: Why did you change your position?

MR. SPEAKER: The hon. the Minister of Environment and Climate Change.

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

In fact, it's not a changing of opinion, but what it is, is a changing of a project that, my goodness, if you look back 10 years and the shift

in direction that we've had to move a multi-billion dollar project that is over budget, that has not listened to so many concerns from the people, not just of Lake Melville but of Labrador in general, it has taken an amazing effect to move it. But I'm very pleased to say of the progress we have been making as a government; we're going to continue to make that progress. We will listen to those concerns and we will act, if we need to.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MR. PETTEN: Thank you, Mr. Speaker.

I'd like to go back to it again. In June, the Minister of Environment accepted Nalcor's methylmercury plan. In September, the minister's position changed, as we all know, and he supported additional clearing.

I ask the minister: Why did you change your position?

MR. SPEAKER: The hon. the Minister of Environment and Climate Change.

MR. TRIMPER: Mr. Speaker, it's very important to point out that there are sort of two different activities happening here.

In June, my decision regarded the Human Health Risk Assessment Plan, which essentially is a document which instructs how Nalcor will ensure that any negative effects of the Muskrat Falls Project will not accrue to the human health of the people of Lake Melville and Labrador in general.

What's been happening since are further issues around the environment. I'm looking forward to those discussions and deliberations as we convene. In the last few weeks, we have been working very closely with the three indigenous leaders. I'm looking forward to hearing their input and making great progress.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MR. PETTEN: Thank you, Mr. Speaker.

I ask the Minister of Environment: What impact, if any, will the additional clearing of trees have with respect to methylmercury?

MR. SPEAKER: The hon. the Minister of Environment and Climate Change.

MR. TRIMPER: Mr. Speaker, on the 4th of August, I was very pleased to convene a workshop that finally involved the three indigenous leaders and a variety of experts from some seven provincial and federal departments. We started the discussion around this very topic of soil removal, whether it was necessary, how it could be done, what are the implications and so on.

It's not as straightforward as putting your shovel in the ground and removing the soil. There are a lot of implications in terms of the stability of the watershed, how you would do it, what you would do with the soil and so on. There is going to need to be a table of experts. I'm very pleased to say we've convened that table and I'm looking forward to that advice.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Member for Conception Bay South.

MR. PETTEN: Thank you, Mr. Speaker.

I ask the Minister of Environment: How much will the additional removal of trees cost ratepayers?

MR. SPEAKER: The Minister of Environment and Climate Change.

MR. TRIMPER: Mr. Speaker, I'm very pleased to say that I take my job very seriously. As the minister of environment and conservation, my role as a regulator is to ensure that the human

health and the environment of this province are protected.

So when I make a decision as regards to additional mitigation measures, such as my recent ordering of Nalcor's full clearing concept, price does not enter into that type of conclusion. I consider the effects on the environment and what can be done about it. And if it's needed, we will do it.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Member for Conception Bay South.

MR. PETTEN: Thank you, Mr. Speaker.

Mr. Speaker, I ask the minister: Can you provide details of the agreement reached on the methylmercury concerns between indigenous leaders and the Premier?

MR. SPEAKER: The Minister of Environment and Climate Change.

MR. TRIMPER: If I can recall, Mr. Speaker, there was a press conference immediately after that agreement at some 2 or 3 in the morning. There's since been a communiqué as to the key elements of that agreement.

We continue to enjoy close collaboration and co-operation and will continue to report to anyone who's interested what's happening.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Member for the District of Cape St. Francis.

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

The federal government is currently exploring a tag system for the recreational cod fishery.

I ask the minister: Does he support this tag system?

MR. SPEAKER: The Minister of Fisheries, Forestry and Agrifoods.

MR. CROCKER: Thank you, Mr. Speaker.

Mr. Speaker, the federal government is currently undergoing a consultation process throughout the province with regard to the structure of a future recreational fishery. One of the things that we stated and we put out there very early in the mandate – and it's actually in my mandate letter from the Premier – was to ensure that, as a province, we supported the recreational fishery and growing more of a tourism fishery as well.

One of the most important things that Members opposite and the people have to realize that as we move forward towards a ground fishery of the future, our cod will need to be MSC certified. One of the tricks and one of the ways to get MSC certification will certainly be we need to measure the amount of fish being harvested in this province.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Member for Cape St. Francis.

MR. K. PARSONS: Yes, Mr. Speaker, thank you.

I attended the consultations that were recently held and DFO stated that up to 30 or 50 tags will be reasonable.

Do you think that's a reasonable number of tags for fishers to have?

MR. SPEAKER: The Minister of Fisheries, Forestry and Agrifoods.

MR. CROCKER: Again, Mr. Speaker, thank you.

I thank the hon. Member for the question. It's not for me to decide how DFO structures their fishery of the future. People in this province have an opportunity now to go out into the consultations, have their say. Again, I will reiterate that as a province it is important as we move forward to the cod fishery or the ground fishery of the future that our seafood obtains marine stewardship certification. One of the

important things with that is knowing how much fish is harvested.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

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

I ask the minister: Do you believe that it's reasonable for Newfoundlanders and Labradorians to be paying for those tags?

SOME HON. MEMBERS: Hear, hear!

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

MR. CROCKER: Thank you, Mr. Speaker.

Again, to the hon. Member, that's decisions that DFO will make in their consultation with the people of this province. It is not unusual for people in our province and other jurisdictions in the country to pay for permits to harvest, to cut wood, to do other things.

Mr. Speaker, if there's a fee involved in maintaining a certification system, that helps our harvesters. We have to think back to our fishery. Our fishery provides 17,000 jobs in this province, \$1.2 billion-a-year industry. The most important thing is that our seafood is seen on the world stage as being MSC certified.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. K. PARSONS: Mr. Speaker, we all agree how important the fishery is to our province but what I'm asking the minister – this is a recreational fishery where people put food on their tables and give fish to their neighbours.

I'm asking you: Do you think it's reasonable that Newfoundlanders and Labradorians be the

only province in Canada that would have to pay to catch a codfish?

SOME HON. MEMBERS: Hear, hear!

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

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

Mr. Speaker, one thing I have done in my conversations with the federal minister of fisheries, as recently as two weeks ago today, is I raised with the minister that any system that comes into Newfoundland and Labrador with regard to harvesting of groundfish on a recreational food-fish basis, that that system should include all of Atlantic Canada.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. K. PARSONS: Thank you for the answer, Mr. Minister.

Also, when I mentioned the 30 or 50 tags, last year there were 46 days that were available for Newfoundlanders and Labradorians to go on the water. That amounted to approximately 230 fish that they could catch.

So are you agreeing with the 50 tags that DFO says they are going to give to people this year and reduce it from 230 to 50?

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

MR. CROCKER: Thank you, Mr. Speaker.

Mr. Speaker, what's important to me, as the Minister of Fisheries in this province, is that as we move forward into a fishery of the future and the transition that's going to bring in the next two to three years, it's going to be two or three difficult years as we transition from shellfish to groundfish for our harvesters in this province.

We need to make sure that as we do that, make that transition, that we can get the best value for our commercially harvested fish in this province when it goes to market, and that's the challenge that we face.

With regard to the number of fish a family needs to harvest or to have for consumption, well, Mr. Speaker, that's something again that's left to the federal minister of Fisheries to decide.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Member for Cape St. Francis.

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

At the consultations it was said that only 1 per cent of the Total Allowable Catch in the cod fishery was the recreational fishery.

What I'm asking the minister: Are you saying that it's okay for Newfoundlanders and Labradorians to be cut from 230 to 50 fish when it's only 1 per cent of the Total Allowable Catch?

Newfoundlanders and Labradorians not only catch fish for themselves, they catch fish for their neighbours, they catch fish for seniors and they catch fish for people in their communities, so I don't think it should be reduced. Do you think it should be reduced?

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Minister of Fisheries, Forestry and Agrifoods.

MR. CROCKER: I thank the Member for the question.

I'd like to ask the Member if he can please show me the information because we have no system of gauging how much fish is harvested. He's telling me it's 1 per cent that's harvested, so I would like for the Member to forward that information. If he has that information, I'd like for him to forward it to DFO because DFO clearly told me back 12 months ago that they have no idea how much fish is being harvested in the recreational food fishery, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Member for Conception Bay East – Bell Island.

MR. BRAZIL: Mr. Speaker, school board elections are tomorrow.

I ask the minister: What efforts have you made to inform, engage and encourage people to get out and vote?

SOME HON. MEMBERS: Hear, hear!

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

MR. KIRBY: Thank you, Mr. Speaker.

I'd like to take this opportunity – thanks to the Member for the question – to thank all of the candidates who have come forward for the election. I think we have 62 people who have put their names forward.

I'd also like to thank staff in the Department of Education, the Department of Justice and at the two school boards for all of their hard work over the past eight months as we've worked towards tomorrow, which is election day for these school trustees.

We have done a lot of promotion over the past few months. We have had tens of thousands of visits on the website schoolboardelections.nl.ca. We distributed materials to all the schools. They found their way to school councils, to Municipalities Newfoundland and Labrador – and I'll continue if I get a second chance, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Member for Conception Bay East – Bell Island.

MR. BRAZIL: I think the minister should also thank the NLTA because they did a phenomenal job in trying to get the message out there and encouraging people here to vote.

SOME HON. MEMBERS: Hear, hear!

MR. BRAZIL: I've received numerous calls from individuals who are confused about the zones they were in, where they vote, do they vote for the English board only and the confusion goes on and on.

I ask the minister: Are you satisfied you've done everything that you could to promote school board elections and engage people in the voting process?

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

MR. KIRBY: Thank you, Mr. Speaker.

Yes, I am satisfied that we've done everything that we can. We've had a very robust social media campaign. We've had paid advertising at VOXM, CBC, the Transcontinental newspapers. We've had materials that children will take home to their parents. We've had a variety of other activities. We've distributed the message through the public service email system. The Synervoice voice system that parents get messages from school is going to be used to inform parents either today and tomorrow, one or the other.

So we've done a whole bunch of different activities. I've done a variety of media interviews about this over the past three years, as have Members of the Opposition.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Member for Conception Bay East – Bell Island.

MR. BRAZIL: Mr. Speaker, with the calls and the emails I've gotten, there's still a lot of confusion out there. So obviously somebody fell down on the job.

I ask the Minister of Education: Did the former Liberal candidate you hired to oversee the school board elections go through the Independent Appointments Commission?

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

I've recognized the hon. the Member for Conception Bay East – Bell Island.

MR. BRAZIL: Mr. Speaker, again I ask to the minister: Did the former Liberal candidate you hired to oversee the school board elections go through the Independent Appointments Commission?

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

MR. KIRBY: Thank you, Mr. Speaker.

No.

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

MS. PERRY: Thank you, Mr. Speaker.

Did the minister of child, youth and family services have any concerns about government collapsing the once stand-alone Department of CYFS?

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

MS. GAMBIN-WALSH: Not at all, Mr. Speaker.

We have put two very good teams together. Child protection is a critical and challenging area of service delivery and the two teams together are doing a great job.

SOME HON. MEMBERS: Hear, hear!

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

MS. PERRY: The Child and Youth Advocate, Carol Chafe, in an interview this weekend said that she was pleased with the progress being made by the former administration. Little to nothing has been done by the current government over the last 12 months.

I ask the minister: Can she tell us what's been done with mandatory reporting legislation?

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

MS. GAMBIN-WALSH: Thank you, Mr. Speaker.

Yes, Mr. Speaker, I, myself, met with the Child and Youth Advocate just last month and my team is meeting next month. The department's involved with the critical incident reporting, reporting of deaths and critical incidents – are working independently on their own issues and their own statements.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MS. PERRY: Last year, Mr. Speaker, that legislation was just about ready to bring into government. It was nearly a year now –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

The Member for Fortune Bay – Cape La Hune.

MS. PERRY: Thank you so much, Mr. Speaker.

It was tabled in our last days of government, so why have you been delaying it for over a year?

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

MS. GAMBIN-WALSH: Mr. Speaker, I'm not sure how they knew it was going to be their last days in government and I'm not sure why they didn't put it through; however, we are working to put it through and we will deliver on our promise.

SOME HON. MEMBERS: Hear, hear!

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

MS. PERRY: We certainly didn't know that would happen; that's how history turned out. If we were there, it would have been done by now, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MS. PERRY: I ask the minister of child, youth and family services: With respect to children that are in the care of the Newfoundland government, what measures has her government put in place to ensure these children are receiving the proper vaccinations?

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

MR. HAGGIE: Mr. Speaker, there is a universal vaccination program for, I think, somewhere between 11 and 14 conditions which rolls out and is available to every child in the province free of charge.

SOME HON. MEMBERS: Hear, hear!

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

MS. PERRY: Mr. Speaker, it doesn't give me a comfort level that they're looking after the children in their care.

When will all the children in the care of government receive their vaccinations?

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

MR. HAGGIE: Mr. Speaker, thank you for the question.

If the Member opposite has any evidence that they are not receiving them, I would be delighted to hear it.

SOME HON. MEMBERS: Hear, hear!

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

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

The Minister of Education and Early Childhood Development has said that school board elections are important and people should get out and vote. I've been inundated by people who want to vote in the English School Board elections who continue to be totally frustrated in their attempts to find their zone, their candidates and where to vote tomorrow.

I ask the minister: Did he communicate with the English School Board when he became aware of the poor job they were doing of informing the public about school board elections?

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

MR. KIRBY: Thank you, Mr. Speaker.

Democratic governance of our schools by community members is crucial to public education and we're pleased to return to that model after it was basically abolished by the previous administration.

I admire our public servants and the job they've done. I think they've done a very good job. The Member was on the radio last week and called their work a mess. I don't consider their work a mess. They've been working very hard for the past eight months to get everything in place for the election tomorrow. I'm confident that everything that could be done has been done. I commend them on their work.

SOME HON. MEMBERS: Hear, hear!

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

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

I hope the minister has been listening to what people in the know are saying because that website is a mess.

Mr. Speaker, the *Schools Act* states that the Minister of Education is responsible for the manner in which elections of school board trustees are carried out. So I ask the minister: What direction did he give to the English School Board about how the current elections should be conducted to ensure a good voter turnout?

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

MR. KIRBY: There are actually two school boards electing trustees tomorrow. There's also the Conseil scolaire francophone de Terre-Neuve, so there's the French and the English that are having an election tomorrow.

I don't understand some of the Member's points. Again, I heard her on the radio the weekend saying that we should have had this election concurrently with the provincial election. The provincial election is three years away; yet, in the summer, the Member was saying we weren't moving fast enough to have the election. So there are a lot of contradictions in what the Third Party has demanded of government for this election.

We've done everything that we can. We've worked with all of our partners on the ground. We've provided the significant resources for this election, and I'm hopeful that we'll have a decent turnout and an increased participation tomorrow.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

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

I won't get at all the misquotes he just did there with regard to me, but I do ask the minister: What, if any, analysis was done of how the elections could be carried out to highlight their importance and engage voters in this important democratic process?

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

MR. KIRBY: Mr. Speaker, it's great to hear these suggestions, although they're rather vague, from the Member the day before the election. We had a substantive debate here in April, May and June on the budget. There was no mention of the school board election. No one brought it up; there were no ideas brought to the table.

We brought a lot of ideas to the table for this election. We had, as I said before, a fairly robust social media campaign. We tried to get people where they are, which is often on Facebook and on the Internet, viewing news and so on. We used all of our partnerships in education to connect with parents and to people. I've done numerous interviews myself, earned the media,

if you will, as have Members of the Opposition. I'm confident we've done everything that we can, and tomorrow we'll find out how it's going to go.

SOME HON. MEMBERS: Hear, hear!

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

MS. ROGERS: Mr. Speaker, Carol Chafe, the Child and Youth Advocate, is stepping down after six years of intensive and courageous work on behalf of the children and youth of our province. Her last day is December 15, less than a month away.

I ask the minister, Mr. Speaker: How long has she known the advocate was stepping down? What has she done to start the process to find a new replacement? How long will it take the Independent Appointments Commission to find her replacement?

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

MS. GAMBIN-WALSH: Mr. Speaker, I found out like everyone else when Carol was stepping down, through the media release. It will go through the Independent Appointments Commission.

I would like to take this opportunity to thank Carol. Her work has been phenomenal and she is dedicated to her job.

SOME HON. MEMBERS: Hear, hear!

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

MS. ROGERS: Mr. Speaker, this is a crucial role in our province.

I ask the minister: What is she planning to do to fill the vacant position of Child and Youth Advocate until a new advocate is found?

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

MS. GAMBIN-WALSH: Mr. Speaker, I believe Carol will stay in the role until

December 15, and it will go through the Independent Appointments Commission.

SOME HON. MEMBERS: Hear, hear!

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

MS. ROGERS: Mr. Speaker, December 15 is just a few weeks away.

What is she going to do to bridge that gap?

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

MS. GAMBIN-WALSH: Mr. Speaker, we knew this position was up for review and we have already put it up on the website and advertised for the position.

SOME HON. MEMBERS: Hear, hear!

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

MS. ROGERS: Thank you, Mr. Speaker.

Well, it's going to take longer than a few weeks, I dare say.

Mr. Speaker, I ask the minister: What is she going to do to address the crisis issues the Auditor General raised in his report regarding the documentation and assessment issues in child protection cases?

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

MS. GAMBIN-WALSH: Mr. Speaker, child protection is a critical and challenging area of service delivery. Every day our social workers go to work making difficult decisions about the safety and protection of our children. Our department has put in place a quality committee. We accept all 27 recommendations of the Auditor General. We have met with the School of Social Work so we can fast track a program on documenting.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MS. ROGERS: Again, Mr. Speaker, I ask the minister: Where is the crucial, long-awaited legislation of mandatory reporting of deaths and critical incidents of children and youth to the Child and Youth Advocate? When can we see that?

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

MS. GAMBIN-WALSH: Mr. Speaker, the work is ongoing, and as I said earlier, each department is working on their individual proposed reporting protocol.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Presenting Reports by Standing and Select Committees.

Tabling of Documents.

Tabling of Documents

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

MR. A. PARSONS: Mr. Speaker, pursuant to section 5(2)(b) of the *Supply Act, 2016* I am tabling one order in council relating to usage of the contingency fund for the 2016-2017 fiscal year.

Thank you, Mr. Speaker.

MR. SPEAKER: The hon. the Minister of Business, Tourism, Culture and Rural Development.

MR. MITCHELMORE: Thank you, Mr. Speaker.

This is a document to answer a question from November 15, 2016, on job creation in the province and the Ocean Frontier Institute.

Thank you.

MR. SPEAKER: Further presenting reports by standing and select committees – sorry, tabling of documents? Any further documents?

Notices of Motion.

Notices of Motion

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

MS. COADY: Mr. Speaker, I give notice that I will ask leave to introduce a bill entitled, An Act To Amend The Hydro Corporation Act, 2007, Bill 48.

MR. SPEAKER: Further notices of motion?

The hon. the Leader of the Opposition.

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

I wish to table the following private Member's resolution:

BE IT RESOLVED that any and all agreements respecting Churchill River hydro power shall be brought to the House of Assembly for public debate and a Members' vote prior to ratification.

This is seconded by my colleague, the Member for Ferryland.

Thank you, Mr. Speaker.

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

MR. HUTCHINGS: Thank you, Mr. Speaker.

Mr. Speaker, pursuant to Standing Order 63(3), the private Member's resolution just entered by my colleague will be the one that we will debate on Wednesday, November 23, Private Members' Day.

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

MR. JOYCE: Mr. Speaker, I give notice that I will ask leave to introduce a bill entitled, An Act Respecting The Relocation Of Certain Communities In The Province, Bill 47.

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

MR. A. PARSONS: Mr. Speaker, I give notice that I will ask leave to introduce a bill entitled, An Act To Amend The Income Tax Act, 2000 No. 6, Bill 49.

MR. SPEAKER: Further notices of motion?

Answers to Questions for which Notice has been Given.

Petitions.

Petitions

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

MS. ROGERS: Thank you, Mr. Speaker.

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

WHEREAS government has once again cut the libraries budget threatening the closure of 54 libraries; and

WHEREAS libraries are often the backbone of their communities, especially for those with little access to government services where they offer learning opportunities and computer access; and

WHEREAS libraries and librarians are critical in efforts to improve the province's literacy levels which are among the lowest in Canada; and

WHEREAS already strapped municipalities are not in a position to take over the operation and cost of libraries;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge government to keep these libraries open and work on a long-term plan to strengthen the library system.

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

Mr. Speaker, we can all remember last year the absolute outrage that was expressed province wide about this government's intention to close over half the libraries in the province. We also heard from writers, from educators across the country in disbelief that at this day and age libraries were being shut when we have among the lowest literacy rates in the country.

Mr. Speaker, the majority of these petitions that I'm presenting here today are from the residents of Lark Harbour and the surrounding area. The Lark Harbour Public Library was one of the 54 rural libraries slated to be closed as part of the purge of our rural public library service that government was forced to back off of because of the strong public backlash.

A visit to that library by my colleague this summer revealed a public institution with a strong level of support in the community. Our leader visited and met with people and heard what they had to say. One of the patrons who showed up on a magnificent summer day to discuss the importance of the library to the community described a public library as one of the pillars of any community.

Tourists in attendance described the importance to them of the services offered to the public library from Wi-Fi to Internet access to being a source of information about the beautiful Bay of Islands area – and a beautiful area it is indeed.

The nearest alternative library is in Corner Brook, about an hour's drive away on a good day along a narrow, gorgeous, winding road. Children who ride their bikes to the library, Mr. Speaker, would certainly not ride to Corner Brook if the government had succeeded in their plan A.

Mr. Speaker, I am pleased to support this petition from the people of Lark Harbour, and urge that it be given sufficient funding to continue to provide valuable and appreciated service to the people of the region.

Mr. Speaker, the people of the province still have no confidence in this government to do the right thing, and they urge the government to do the right thing for their communities.

Thank you very much, Mr. Speaker.

MR. SPEAKER: The hon. the Member for Mount Pearl – Southlands.

MR. LANE: Thank you, Mr. Speaker.

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

WHEREAS many students within our province depend on school busing for transportation to and from school each day; and

WHEREAS there've been a number of buses removed from service over the past few weeks for safety reasons, calling into question the current inspection and enforcement protocols for school buses in the province; and

WHEREAS there have been concerns raised by members of the busing industry regarding government's tendering practices as it relates to the provision of school bus services in the province; and

WHEREAS there are many parents throughout our province who have raised both scheduling as well as safety concerns regarding the English School District's 1.6-kilometre policy, the courtesy-seating policy, the new double bus run schedule, as well as overcrowding on school buses;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge the Government of Newfoundland and Labrador to strike an all-party committee on school busing to consult with stakeholders and make recommendations to government for the improvement to the school busing system in our province.

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

Mr. Speaker, I stand to present this petition once again, as indicated would be my intention to continue with this practice. I have numerous petitions signed from people all over the province who have concerns about school busing, whether it be the safety issues as indicated here – although as I indicated last week, I'm glad to see there appears to be some

movement in strengthening those policies and regulations, which is great to see.

Certainly the issue of the 1.6 kilometres that's been ongoing, I've been presenting that petition now for the last three or four years. Not only has there been no changes, as a matter of fact, what we've seen now is that policy actually spread to other parts of the province, or at least be enforced in other parts of the province because apparently it wasn't always being done so.

With that, Mr. Speaker, brings a whole lot of concerns with safety as it relates to children having to walk to school. Certainly this time in the year, they could be walking to school in the dark. They could be walking to school when the conditions are bad in terms of snow, in terms of having no sidewalks, having no crosswalks. Even areas that have sidewalks, they may not be cleared, so parents have real concerns about that. Of course, the new busing schedule, the double busing schedule, is causing a whole lot of problems for families as well.

So on behalf of the parents and the students who attend our schools, I present this once again. I call upon the government to form that all-party committee so we can hear from all the stakeholders on all the various issues around busing and hopefully make some recommendations to improve it for the safety of our children.

Thank you, Mr. Speaker.

MR. SPEAKER: The hon. the Member for Conception Bay East – Bell Island.

MR. BRAZIL: Thank you, Mr. Speaker.

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

WHEREAS the people of Bell Island deserve to have access to services that will assist them to gain employment; and

WHEREAS these services have provided proven results to the people of our province; and

WHEREAS decisions made in the past budget by the current government has removed the advanced education and skills office from Bell Island;

WHEREUPON the undersigned, your petitioners, humbly pray and call up on the House of Assembly to urge government to reinstate the office of advanced education and skills on Bell Island.

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

Mr. Speaker, seven months have gone past since the closure of the AES office on Bell Island. We're seeing now evidence that the movement we were making forward – Bell Island one time had the labelling as perhaps the highest per capita reliance on income support, but over the last decade that has dramatically changed. It's changed for a number of reasons: investments in infrastructure, abilities to have access to job markets, but particularly the work of the AES office around Adult Basic Education, around job coaching, around networking between employers and potential employees, about accessing some of the other programs and services that AES would offer for Income Support clients, for single parents, for older workers. All very important programs that the nucleus of those who are reliant on programs and services on Bell Island who wanted to be able to move beyond those and access a program that would make them employable and make them be gainfully employed, either in the St. John's area or on Bell Island itself, has been taken away.

One of the ironic issues here was while there were only two staff there, they were also doing – because of the use of technology – work for clients in other parts of the province. They were being able to access things online for clients as a call-in centre. So the physical location, these people didn't get laid off, they were moved to St. John's.

The government building is where the office was. It also served as the nucleus for other application processes, be it Newfoundland and Labrador Housing where there isn't an office there, be it Service NL. It became the focal point for government to have its outlet for two

employees to provide services for still a fair, high proportion of Income Support clients to avail of programs and services that are out there and help coordinate it to get clients off one system and onto a system that makes them gainfully employed and have a better quality of life. It opened up opportunities for those who want a better education through the Adult Basic Education program that's over there that's fully supported, very successful and continues to this day to turn out very successful students who go on to post-secondary education.

So I do ask that the minister talk to his staff, and if he'd like to sit down with me and we go through the numbers again, to really assess what's happening here. Because what we're doing, we're forcing people to stay on income support. We're not giving them the opportunities to be able to move forward and we're not being able to give them, the department – a great department, it has a lot of great programs – an opportunity to have a better clientele use.

Mr. Speaker, I'll get to speak to this again.

Thank you, Mr. Speaker.

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

MR. HUTCHINGS: Thank you, Mr. Speaker.

Mr. Speaker, I'm glad to rise today on a petition.

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

WHEREAS the Witless Bay Line is a significant piece of infrastructure; and

WHEREAS the continuation of the Hebron and Long Harbour projects and the commercial and residential growth of our region has increased the volume of traffic on the highway;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge government to provide upgrades to this significant piece of infrastructure to enhance and improve the flow

of traffic to and from the Trans-Canada Highway.

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

Mr. Speaker, off Route 10, the Witless Bay Line, which connects basically the lower end of the Southern Shore to the Trans-Canada Highway, certainly since its original construction a number of years ago has been integral in terms of the flow of traffic, both commercial, residential, back and forth to both regions; traditionally the fishing industry and the transport of fish back and forth over this significant piece of infrastructure.

It has a long history when you look at, going back a number of years, the number of processing plants around the Southern Shore, bringing fish in to be processed and bringing it out across – whether it was shipped out of Newfoundland and Labrador. It has been critical in terms of the overall economic activity on the Southern Shore.

If you move along in terms of future growth that we've seen along the region; increase in fabrication, the facility in Bay Bulls, the offshore, C&W Fabrication in Bay Bulls and a whole bunch of – even if we go as far as Cape Broyle, you look at manufacturing and fabrication facilities there as well. It's integral to the overall lifeline, if you will, of the commerce and of the people; professionals coming back and forth to service the region as well. It's extremely important.

Over the past number of years our administration did a number of pieces of upgrades there. There's more to do. I think in a roundabout way, it's probably about \$3 million been spent and there are a couple of more sections there that need to be improved to continue the traffic back and forth and to make it safe for all those that travel it, because a lot of times trucking and others, it's often done in the nighttime. It is worse in that particular case in terms of making sure that piece of infrastructure is up to where it needs to be.

I hope the Minister of Transportation has listened attentively, can hear what's been said here in regard to this petition. I certainly hope he

takes the advice, look at this and get it in to upgrades for next year's season.

Thank you, Mr. Speaker.

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

MR. PETTEN: Thank you, Mr. Speaker.

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

WHEREAS school-age children are walking to school in areas with no sidewalks, no traffic lights and through areas without crosswalks; and

WHEREAS this puts the safety of these children at risk;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge government to ensure the safety of all children by removing the 1.6 kilometre busing policy where safety is a concern – and I stress that point, Mr. Speaker.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, this 1.6 issue is not a new issue. It's been around for a long time. The current Minister of Education was very vocal on it when he was in Opposition, and rightfully so I guess. It affects a lot of districts.

I know it's a policy shift for government and it will probably cost a lot of money, and usually that comes down to dollars and cents. But after experiencing it first hand up in my own District of Conception Bay South – I know other Members on this side and opposite experienced the same problem. I think it's worthwhile for government to actually have a look at it. Even if they were to take the K to six age group or elementary schools and have a look at revising and probably eliminating the policy for that age bracket.

I got kids that walk on a four-lane highway. They have no other way to get there. It's fine to

say – I know someone from the school district office told me this is not considered a walk zone. Well, if they got no other way to get there, it is a walk zone. You're limited; there's no public transportation system within CBS. So they either get there by bus or by their parents or family members. The family models now, that's not available to everyone.

Demographics have changed in the 40 or 50 years this policy has been in place, and I do feel it's time to really have a serious look at it. You got two-income families; every home has two or three vehicles. The traffic volume has increased. Where these schools were once built on a little two-lane, so-called little municipal road, now they're four-lane highways, which is evident in my district, especially up where St. George's Elementary is located. It's right on the four lanes. It's a very important issue.

Parents in my district and other districts I spoke to, like some Members opposite as well, there was a lot of – people were very vocal on it. I believe you can take it in piecemeal. I think that elementary schools, K to six kids, it's worthwhile having a serious look at visiting the policy for K to six children first. I know it's a cost, but you can't put a price on safety, Mr. Speaker,

Thank you very much.

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

MS. PERRY: Thank you, Mr. Speaker.

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

WHEREAS the people of Fortune Bay – Cape La Hune need to have access to adequate health care; and

WHEREAS the local clinics in rural areas are the main source of medical assistance for our people; and

WHEREAS the government has reduced funding and closed the Hermitage clinics and downgraded service;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge government to reinstate the services to health care in rural Newfoundland and Labrador.

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

Mr. Speaker, I've raised this petition in this House on a number of occasions, and we will continue to raise this petition in the House until such time that we see some type of restoration to basic medical care for the people, not just in Fortune Bay – Cape La Hune, Mr. Speaker, but in all rural remote parts of this Island.

While we appreciate that changes are required to the efficiency of the health care system to see where cost savings can be recognized, we don't believe that there's any room for cuts whatsoever when it comes to front-line health care of our residents and our citizens.

We strongly feel that people of rural Newfoundland and Labrador are equally as important and equally as valuable as the people of urban centres. Sometimes those of us living in rural Newfoundland feel like we are considered to be less important because we're smaller in number and therefore we don't have, I guess, as much consideration when decisions are being made based upon population centres. And when it comes to health care, the decisions, we strongly believe, should be made based upon our ability to save someone's life and ensure that they are getting optimal health care, Mr. Speaker.

In our case, in Fortune Bay – Cape La Hune – I'll speak to that in particular because I know and understand it well – with the decision to close down the health care clinic, I do believe the health board is not saving a significant amount of money. It's just a little over \$100,000, I think, per year.

But when you add up the cost of the 800-or-so seniors living in the Hermitage area, plus all the livyers of McCallum and Gaultois who have to first take a ferry ride to get to Hermitage and then once they get to Hermitage, find some method of transportation to Harbour Breton – and no taxi services exist, so they have to rely

upon a good neighbour, a good friend or someone to bring them along and it's often very costly for them out of pocket because they still have to pay for gas.

There are people who will be able to avail of the Medical Transportation Assistance Program and charge their expenses back to government. In the long run, we don't see any cost savings. We do see loss of health care to the people of rural Newfoundland and Labrador.

Thank you so much.

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

MR. A. PARSONS: Yes, Mr. Speaker.

Orders of the Day.

MR. SPEAKER: Orders of the Day.

Orders of the Day

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

MR. A. PARSONS: Mr. Speaker, I call Order 2, third reading of Bill 43.

Mr. Speaker, I move, seconded by the Minister of Environment that Bill 43, An Act to Create Safe Access Zones Around Facilities and Homes of Doctors and Service Providers Providing or Facilitating Abortion Services be now read the third time.

MR. SPEAKER: It is moved and seconded that Bill 43 be now read a third time.

The hon. the Government House Leader.

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

I don't normally speak to third reading of many bills, but this is one that I wanted to take an opportunity today to speak to. We had a significant debate on Thursday in this House. I considered it a very good debate, a constructive debate.

It's one of those debates where everybody, I think, was on the same page in terms of the direction. Like any debate, there can be differences of opinion on the scope and any number of things, but I think everybody saw that this piece of legislation, Bill 43, was a positive step forward for this province. What I want to do was to just take an opportunity to speak about just what I've seen in the last number of days since that time; just a few things, a few observations.

Firstly, I'd like to thank those that took the opportunity to write to me on this bill. I had some people that emailed and let us know very clearly their disapproval of our position on this. You can't have something where you just get positive or negative; you're always going to get a mix of both. But I'm pleased to say that the reaction to this has been very, very positive in terms of the reaction that I'm receiving.

To hear from a young lady, she sent me an email – I won't say her name; she never gave me consent to talk about it. But I had to share the gist of the story; someone who's not from this province who came here and lived in another city, and actually served in a volunteer capacity as somebody to help guide women from outside the facility, an escort into the facility. She had to put on the vest and just talking about the abhorrent things that were being said and demonstrated towards these people.

Just hearing about that shows that I'm just happy to see that this government, this province and the Members of this House who have been unanimous in their support of this bill, see this as the right place to go. I had a number of emails from people that talked about they think this is a positive. It's not a debate on the service itself; it's a debate on the access to the service.

Secondly, I thought it was interesting. Actually, we received a call today from the Morgentaler Clinic in Quebec. They were very pleased to see our government moving forward with this and, in fact, would love to see this happen in their province. This is a conversation they've had. Obviously, it hasn't gotten there.

So I am always pleased to see – in our case, we certainly didn't invent the concept. We're lucky that British Columbia came forward with this

bill and that we've just had an opportunity to look to what they did. In many cases, we can take what they did, the success that they had and work from that.

One of the other things I'd like to mention is the people that brought this idea to us. You're not allowed, in this House of Assembly, to recognize people that may be present in this House – I'm not going to recognize anybody, but the people that brought this to our attention, the people that have been fighting this fight, they know who they are and they should be appreciated for the work that they've put into this on behalf of the people of Newfoundland and Labrador. I appreciate everything that they've done and that they've gone through to make sure this could happen, and it's without the work of these individuals that this would not happen.

So we're very appreciative of the work that these individuals have done on protection of females, on protection of health providers. We're so happy to see that the work that they've done that we all here in this House can support this, because it is in the best interests of Newfoundlanders and Labradorians and we're just happy to facilitate this, to bring this legislation forward.

But like many pieces of good legislation, it comes from those out there in the province that are serving particular roles – you name it – on any piece of legislation. The ideas come to us, but it's nice to see that it can come to us and that we can work through the process, because again, you have to take time when it comes to legislation. But to see it done in what I would consider a very timely fashion – it's been less than one year since that first meeting that we had in the boardroom of the Minister of Finance and we sat down and had that meeting. Again, as I said the other day, that's not a topic that I had dealt with many times.

But since that day I was convinced of the need of it, and I'm glad to see that my colleagues have been convinced of the need of it. I'm glad to see that my friends opposite have been convinced of the need of it, and that's been evidenced by their support and by their words in this House.

So, Mr. Speaker, on that note I will sit down. I can say also that – actually, I spoke to the solicitor – regulations are right now being drafted as we speak up on the fourth floor of this building by the Department of Justice and Public Safety solicitors. They're being drafted so that all individuals who need this protection will be afforded it.

I'm glad to speak to this in Third Reading, I thank the Members opposite for their commentary and I'm very happy to be able to conclude debate on this, and we look forward to having this in place as soon as possible for this province.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

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

I, too, am happy to stand and to speak in Third Reading on Bill 43, and An Act to Create Safe Access Zone Around Facilities and Homes of Doctors and Service Providers Providing or Facilitating Abortion Services. I would like, again, to thank the fine people in the Department of Justice who have worked so hard on this bill.

I would like to commend the Minister of Justice and Public Safety and the Minister of Finance and Status of Women for working ever so quickly on this bill. This is the kind of bill that someone could drag their feet on and, in fact, I think that they have been very responsive to the reality and to the needs of the people of Newfoundland and Labrador.

Again, although we are deemed as leaders here in this House of Assembly and by virtue of being elected by the people in our areas, oftentimes within legislatures we are not the ones who are the leaders. We are often pushed into doing the right thing. That it's often advocates sometimes who are on the fringes, sometimes who are right in the centre of things, who identify and push and lobby and push for social change.

I, too, would like to thank those who, throughout the years, have been advocates for women's right to choose, advocates for women to have control over their own reproductive rights. I would also like to thank, particularly in the more recent times, people like the owner of Athena clinic, Ms. Rolanda Ryan, and her counsel, Ms. Lynn Moore, for really pushing on this issue. Let's hope we continue as legislators to work collaboratively with those out in the field who are pushing for social change to make our province the best that it possibly can be for all people involved.

Again, I believe in the debate we had last Thursday in the House around this bill. It points to the need for legislative committees to be able to look at pieces of legislation, to be able to fine tune them, to look at different possibilities before they come to this House for debate. The government has made a number of statements indicating, in fact, they are looking at that possibility and I look forward to actually seeing that happen. I believe we all have a role in ensuring that our legislation becomes the best it can be and that it is truly responsive to the needs of our province.

Also, I have received a number of phone calls and a number of emails and texts from people who have thanked me, who have thanked all of us, for the debate on Thursday and for bringing this legislation forward.

As I have said a number of times in the debate on Thursday, I was concerned about the fact that although legislation in BC has withstood Charter challenges – and that's something we shouldn't take lightly. It is legislation that was introduced 20 years ago, enacted 20 years ago in 1996. At a time when it was doctors in BC – one doctor for sure was shot in his home. Another doctor was – so there were public incidents of violence against doctors. I've heard from doctors. We know the abortion services, either the direct service or the facilitation of abortion services, are provided by a team.

I believe, ideally, it shouldn't be necessary for those who are involved in providing these services or the facilitation of these services, our health care professionals, for instance like nurses, like counsellors; ideally, they should not have to go to government, to Cabinet and say I

am being harassed at my home – because it's already too late when that happens – can you please extend this access, this buffer zone to my home or to my place of work. That's the ideal situation.

I'm disappointed we were not able to get to that point. I believe it's necessary. Doctors have said that to me. The Registered Nurses' Union have said that they would like to see that happen. So as we go forward, we'll have to see.

The Minister of Justice and Public Safety said in the debate Thursday night that the regulations concerning the home of Ms. Rolanda Ryan were being drafted as we spoke last Thursday night. Now he's indicated again that the regulations are being drafted. I'm not sure if that meant just in that case or if the minister was saying in terms of all the workers in the clinics. So it would be good to get a clarification from the minister on that.

As we go forward, it will be interesting to see how this plays out. Particularly, it is our hope that those who are protesting, protest in the appropriate places and certainly not at the clinic. Now we know there's a buffer zone around there, there's a buffer zone around the homes and offices of doctors. Hopefully, they will not inappropriately harass or intimidate in any way anyone who works at the clinic. That is our hope. I am sure the minister will take that very seriously, if in fact that does happen.

Again, I would like to say thank you. I would have loved to have seen this bill be a little more proactive. I also spoke with the Morgentaler Clinic in Quebec last week. They talked about their struggle to also get this kind of legislation going forward. For abortion clinics and providers, to have to get injunctions are very, very expensive and it takes a long time.

I would like to congratulate and thank the Minister of Justice and Public Safety for bringing this legislation so quickly to the House. I am going to support this legislation. My caucus here, we will support the legislation. We will be monitoring things as they go forward and perhaps, who knows, down the road the legislation may be amended so it is more proactive in terms of caring for and protecting the rights of all people who are providing this

critical and legal service to the women and men of Newfoundland and Labrador.

Thank you very much, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Mount Pearl – Southlands.

MR. LANE: Thank you, Mr. Speaker.

Mr. Speaker, I think we had a good debate on this, as has been said. I'm certainly very supportive of this legislation. I congratulate the minister as well on bringing it forward. It is being very proactive. I think we should all be proud of this piece of legislation.

I would share the comments of my colleague from St. John's Centre in that it would have been great if we could have included the nurses and other people involved in that process to get the automatic protection. I do understand where the minister is coming from, that there is a fear that if we were to change the legislation in any way then it would make it non-enforceable or if it was challenged we could lose. It's disappointing that's where we're to in that regard; nonetheless, it can be covered under the regulations, albeit an incident would have to actually happen at a nurse's home, for example, before the injunction could be put in place.

Mr. Speaker, the reason I actually chose to stand on this is that I did get a call on Friday afternoon, a couple of concerns were raised. This was raised by people who would be pro-choice – sorry, this would be the people who would be with the Right to Life Association. We had a very good conversation. Quite frankly, I was a little surprised. I thought they might be sort of really against this bill. They really weren't.

The conversation I had at least, even that group understood because they've been basically under a court order anyway; an injunction anyway that covered a lot of this. I suppose one of their thoughts was if we're under this injunction and it's working, why even bother to put in the legislation? Of course, as I indicated to them, that's fine because you're under an injunction; what about if new people got involved or other

groups started or other parts of the province? We need to have something in place to protect everybody.

The only couple of concerns really that they had, and I'll just throw it out to the minister – and I said to them that perhaps this could be dealt with under the regulations, and probably it can, but on the 50-metre zone, as an example – and they gave me a specific example, Minister. They were saying that every year, I think it's around Christmastime, they have some kind of a little prayer vigil or something at the Health Sciences. Now, it's not –

AN HON. MEMBER: Eastertime.

MR. LANE: Eastertime, okay, there you go. My colleague says Easter.

According to them, at least, they are right over on the far west parking lot of the Health Sciences, so they are nowhere near the entrance, they're not bothering anybody and they would have no idea of who is going into the Health Sciences for whatever reason. So, in a sense, they're having a peaceful protest, a little vigil, they're not bothering a soul and their point was based on the legislation that's written, they would have to be 50 metres away, not from the hospital but from the parking lot, or even the far reaches of the parking lot.

In their mind, that's kind of taking away from their ability to have a peaceful vigil in that manner. So I just throw it out there for the minister. And I'm bringing it up because they asked me would I, and I said sure I will so at least it's on record and we can see.

The other issue they had was the 160 metres around somebody's home. The one question they was well, how do I know if a particular – I don't know where a doctor or whatever lives. I don't know where they live so if I'm having a vigil, I'm 160 – which is a fairly big distance – I might not know where that person lives. I said well if you were causing a problem, the police would notify you and then once you know, then it's a different story.

But then the other point they raised was about if we were down on the court steps, for example, of the Supreme Court and there are homes

within a 160-metre radius of the court – or even here at the Confederation Building, there might be homes that are within that 160 that could have someone who worked out of that clinic or is a doctor. Well, does that mean that we can't even have a vigil or protest at the Confederation Building because somebody technically lives within 160?

I said to them I'm sure that's not the intent. I'm sure it's not. I'm assuming that this stuff can be covered under the regulations. They did ask me to bring it forward. So just for the record and the information of the minister, maybe he can respond if he wants to, just some assurances that those type of issues, if they're doing it legitimately, they are not harming anybody, that for those types of situations there would be some protection giving them the right to have their vigils as well.

Other than that, Mr. Speaker, that's basically all I had to say, other than just to reaffirm the fact that I do think it's great legislation and I support it 100 per cent.

Thank you.

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

MR. P. DAVIS: Thank you, Mr. Speaker, for time to speak today on this in third reading on Bill 43, An Act to Create Safe Access Zones Around Facilities and Homes of Doctors and Service Providers Providing or Facilitating Abortion Services.

This was debated on Thursday, the last sitting day of the House last week, at some length. And I took the time, at that point in time, to thank those who have participated in it, who have advocated for it, who have provided information and support, as well as expressed some concerns because there were some concerns raised last week. Actually, during debate last week in Committee, we actually had proposed amendments come forward from the Member for St. John's Centre. Those amendments were turned down.

I have heard the minister reference the regulations are underway. He's made commentary that the regulations will deal with

much of these concerns. I look forward to that and appreciate the information from the minister.

I want to reiterate a comment from last week as well that I made on this during second reading. The question in the bill is not a discussion or debate about abortion itself, it's actually about those who want to access a legal service, a service that can be legally obtained and rightfully obtained in Canada, by providing them with clear access to that particular service.

I know quite well and I'm quite sure I can't think of a circumstance where this would not be a very difficult decision for any person, any woman, to seek out these services or obtain these services. Of course, we also know, Mr. Speaker, they're obtained for so many reasons, but under very difficult times, I'm sure, in every case. In those cases, then, persons should be able to have that free access, that unobstructed access, access where they won't have to cross a picket line or go through a protest to obtain that service.

That's essentially what this bill is about, Mr. Speaker. We support the bill. We support the merit and intent of the bill. We will support the bill in the House. But I think it's important to point out there's been some very important and meaningful discussions.

I go back to the Member for St. John's Centre again because I know that she's quite knowledgeable in this topic, in this area, has a tremendous amount of experience and background. Her comments and her discussions is something we should take very serious from her own background. We do that, and I'm glad she spoke and spoke openly and honestly. She spoke in some depth about the bill and to the bill, and I'm glad she did that because I think she very eloquently described the importance of it.

It is very interesting it's only the second place in Canada to have it. When BC has had it for 20 years, British Columbia has had essentially the same legislation, very, very similar legislation that the Government of Newfoundland and Labrador took from British Columbia and made some changes to it for it to be applicable and right for this jurisdiction but essential to British

Columbia – and I'm not criticizing them for that. There's nothing wrong with that, Mr. Speaker. There's no need to recreate the wheel when the wheel already exists and the government has done that and brought that forward.

But it is very interesting and I don't know why other jurisdictions haven't done this or haven't brought this forward or other provinces haven't done that. Maybe if the minister speaks again in third reading and he has some information on it, he might be willing to comment on it. But it is very interesting that Newfoundland did that. It's progressive. It looks after the best interests of women in challenging and difficult times and I'm glad the government has brought forward this bill.

We hope it will be successful. There was some talk last week about legal challenges and court challenges and so on. I hope that doesn't happen. Even though that's quite often a process that causes legislation to be changed and creates new legislation when people challenge legislation or a decision is made under particular legislation. That's quite often the process.

So I look forward to seeing what the regulations are from government. I thank the minister and government for bringing the bill forward and we'll be supporting it.

SOME HON. MEMBERS: Hear, hear!

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

Carried.

CLERK (Ms. Barnes): A bill, An Act To Create Access Safe Zones Around Facilities And Homes Of Doctors And Service Providers Providing Or Facilitating Abortion Services. (Bill 43)

MR. SPEAKER: Bill 43 has now been read a third time and it is ordered that the bill do pass and its title be as on the Order Paper.

On motion, a bill, "An Act To Create Safe Access Zones Around Facilities And Homes Of Doctors And Service Providers Providing Or Facilitating Abortion Services," read a third time, ordered passed and its title be as on the Order Paper. (Bill 43)

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

MR. A. PARSONS: Mr. Speaker, I move, seconded by the Minister of Natural Resources, for leave to introduce a bill entitled, An Act To Amend The Independent Appointments Commission Act, Bill 45, and I further move that the said bill be now read a first time.

MR. SPEAKER: It is moved and seconded by the hon. Government House Leader that he shall have leave to introduce Bill 45 and that the said bill be now read a first time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

Carried.

Motion, the hon. the Minister of Finance and President of Treasury Board to introduce a bill, "An Act To Amend The Independent Appointments Commission Act," carried. (Bill 45)

CLERK: A bill, An Act To Amend The Independent Appointments Commission Act. (Bill 45)

MR. SPEAKER: Bill 45 has now been read a first time.

When shall the said bill be read a second time?

MR. A. PARSONS: Tomorrow.

MR. SPEAKER: Tomorrow.

On motion, Bill 45 read a first time, ordered read a second time on tomorrow.

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

MR. A. PARSONS: Mr. Speaker, I move, seconded by the Minister of Service Newfoundland and Labrador, for leave to introduce a bill entitled, An Act Respecting Procurement by Public Bodies, Bill 46, and I further move that the said bill be now read the first time.

MR. SPEAKER: It is moved and seconded by the hon. the Government House Leader that he shall have leave to introduce Bill 46 and that the said bill shall now be read a first time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

Carried.

Motion, the hon. the Minister of Service NL to introduce a bill, "An Act Respecting Procurement By Public Bodies," carried. (Bill 46)

CLERK: A bill, An Act Respecting Procurement By Public Bodies. (Bill 46)

MR. SPEAKER: Bill 46 has now been read a first time.

When shall the said bill be read a second time?

MR. A. PARSONS: Tomorrow.

MR. SPEAKER: Tomorrow.

On motion, Bill 46 read a first time, ordered read a second time on tomorrow.

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

MR. A. PARSONS: Mr. Speaker, Order 3, second reading of Bill 42.

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

MR. JOYCE: Mr. Speaker, I move, seconded by the Member for Lab West, that Bill 42, An Act to Amend the Highway Traffic Act, be read a second time.

MR. SPEAKER: It is moved and seconded that Bill 42 be now read a second time.

Motion, second reading of a bill, "An Act To Amend The Highway Traffic Act No. 3." (Bill 42)

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

MR. JOYCE: Thank you, Mr. Speaker.

Thank you for the opportunity to bring this important piece of legislation to the House of Assembly. I feel very confident we're going to get consent on this from all Members of the House because it's very important to everybody in Newfoundland and Labrador.

The provincial highway traffic regulations are used for all motor vehicles on the highways in Newfoundland and Labrador. This is a significant piece of legislation. The *Highway Traffic Act* with 215 provisions, a detailed schedule and 17 associated sets of regulations to protect the public in Newfoundland and Labrador. It's important to note that this act is amended on a regular basis in order to keep up with the changes in safety codes, vehicle design and other safety improvements.

Mr. Speaker, if you go back over the years, the *Highway Traffic Act* is usually amended when something arises for the safety of the people of Newfoundland and Labrador. It's done on a regular basis by the department and it's done in a way for protection of our people in the Province of Newfoundland and Labrador.

Mr. Speaker, we're amending the *Highway Traffic Act* now in response to changes in the *Criminal Code of Canada* and a Supreme Court of Canada decision involving the *Bankruptcy and Insolvency Act*. The proposed amendments would align with the provincial legislation with the Federal Court of Canada and the recent

Supreme Court decision in Alberta concerning bankruptcy and insolvency.

Mr. Speaker, under the *Criminal Code of Canada* and the *Highway Traffic Act* there has been long-standing provisions for the offences of causing death or bodily harm by drinking and driving. I attended last week the National Day of Remembrance for Road Crash Victims. We brought this up, what we were proposing. We were going to do it last Thursday but that got delayed by a very important piece of legislation.

The people that were at the ceremony, Mr. Speaker, are very pleased that this is going to be brought forward. They were aware we were going to bring it forward and they're in full support of these amendments.

Mr. Speaker, I'll just read what it is. The specific events of refusing to provide a breath, urine, saliva or blood samples will result in the maximum sentence of life imprisonment if the driver caused an accident resulting in death, or a maximum sentence of 10 years if a driver caused an accident in bodily harm. The specific offence of driving with a blood-alcohol concentration of over 80 milligrams of alcohol in 100 millilitres of blood would result in a maximum sentence of life imprisonment if the driver caused an accident resulting in death and maximum 10 years imprisonment because of an accident causing bodily harm.

The proposed amendments to the *Highway Traffic Act* will simply ensure the provincial *Highway Traffic Act* is aligned with the *Criminal Code of Canada*. Madam Speaker, this hasn't twinned with the *Criminal Code of Canada*, so we're ensuring that it does bring it in line with the *Criminal Code of Canada*.

This is a piece of legislation that we want to ensure can't be challenged. This is a piece of legislation that we want to ensure if anybody is caught and causing bodily harm, Madam Speaker, throughout Newfoundland and Labrador, the act is in line with the *Criminal Code of Canada*.

As I said earlier, when you spoke with the group at the National Day of Remembrance for Road Crash Victims, anything that we can do to ensure safety on our roads, they're in favour.

They're 100 per cent in favour. This is something that's been on the books for a while. This is a piece of legislation that ensures that anything that happens due to death because of alcohol or refusal, we will ensure the courts have the ability to offer the hardest penalties possible.

As we all know, promoting safety is a big part of any government. Madam Speaker, I do not stand here and try to profess ownership of safety. I'm sure every Member in this House of Assembly agrees that safety on our highways is paramount for all of us.

This is an amendment we're bringing forth from this government, but I am very confident that every Member in this House of Assembly will support this because I am very confident every Member in this House of Assembly wants to ensure safety on our roads. This is a House of Assembly amendment being made, one of them. I can only say that when this passes through the House – once again, I would say this is how the House of Assembly or any Parliament should work when a very important bill comes forward to the House, that we work together.

I know my critic is well versed on the issue and did a lot of research on the issue. I just want to thank him for ensuring that he has done his due diligence on this work. I feel very confident that the Member for Cape St. Francis will also stand and support this. I know he'll have his own few words, because I know he knows people very well with the safety on the roads and drinking and driving and the penalties.

Madam Speaker, the second piece we're bringing forth as part of this legislation is the *Bankruptcy and Insolvency Act*. What that is there was a ruling in Alberta, the high court in Alberta, that when a person declares bankruptcy all his liabilities would be dissolved. What we found, and we're taking a proactive approach to this, the court ruled that if he had some outstanding fines through anything, even in this case for *Highway Traffic Act*, through fines, that would be included in the insolvency.

For a long time the fines were separate, but because of the ruling in the high court, in the Supreme Court in Alberta, we feel confident that – yes, the legislation, if anybody challenged it here in this province would win that case. We

had it vetted through Justice, and they feel confident that, yes, if someone challenged it here – it was brought to our attention in the Supreme Court of Canada in November 2015 because it contradicted and frustrated the real petition process of the *Bankruptcy and Insolvency Act*. What that is if somebody, for example, in the Supreme Court's eyes are saying that what's happening is if you need to rehabilitate, you have to ensure that someone needs to have this part of his penalties taken care of if you want rehabilitation.

Madam Speaker, the similarity between our laws and Alberta, if the *Highway Traffic Act* were challenged, it is highly likely that it would be deemed constitutionally imperative and it would require a driver's licence suspension to be lifted. So in light of this we are saying that if a person is into an accident and he is being rehabilitated the fines and the penalties to ensure that he can move on to a path whereby he or she can find some way to rehabilitate because of the bankruptcy and solvency – in light of this, we're proposing the necessary amendment.

Our government recognized, after being elected, that the *Highway Traffic Act* needed upgrading, bringing it to the alignment with the *Criminal Code of Canada* and the Supreme Court finding regarding bankruptcy and insolvency. What we're doing is we're just bringing it in line because of that.

It was brought to our attention in some of the briefings that if you went through bankruptcy with this piece of legislation, can you just leave the fines alone. In order for that to happen the bankruptcy act itself, when you have to start taking pieces of the bankruptcy act and it is so cumbersome and it's so hard to do – that was brought to our attention and we reviewed that also.

It is such a large piece with the bankruptcy that it would be virtually impossible just to say okay you're bankrupt for everything except for the fines. What we found it's better to keep it in the bankruptcy act, protection act, so we wouldn't be able to carve out that piece of it.

Madam Speaker, I'd like to note that anybody who goes through the bankruptcy protection, they do lose just about everything they have.

They have to pay back a certain amount. If there's an agreement to pay it back under the bankruptcy act that is included in all their liabilities. In some cases if there is some that has to be paid out, they may have to be paid out on this also.

But just to inform the hon. Members, we did look at the option of trying to keep it in but because of the complications of the bankruptcy act it couldn't be done, it wouldn't be done and they wouldn't just take out pieces of it.

So that is where it's at, Madam Speaker. I look forward to the questions later. This is a piece of legislation that we're bringing forth; one, that we noticed there was a gap in with the *Criminal Code of Canada*; second, we're just trying to take proactive moves because we feel very confident that under the legislation in Alberta, which is similar to ours, the legislation that Alberta had was overturned by the Supreme Court of Canada on November 2015, and we just wanted to ensure that we're moving ahead with the legislation now and to ensure that the *Bankruptcy and Insolvency Act* is in compliance that we feel that we would lose in the Supreme Court of Canada.

Thank you, Madam Speaker.

SOME HON. MEMBERS: Hear, hear!

MADAM SPEAKER (Dempster): The Speaker recognizes the hon. Member for Cape St. Francis.

MR. K. PARSONS: Thank you very much, Madam Speaker.

I want to thank the people in the department for the briefing that they gave to us and thank the minister for the notes on what he's done here today.

This is very important. It's very important respecting laws and we have to be in line with laws right across Canada and right across with our federal government and ensuring that we have the same regulations that are in each part of Canada. Once it goes to court, there's a precedent set that usually the federal law overrides provincial law, so it's important that we keep in line with our federal government.

In short, there are two parts to this bill. There's the impaired driving part, the first part of the bill, which makes changes to the provincial law when it reflects changes to the federal law when it comes to impaired driving. And in 2008, the federal government created new offences. There were four of them, and one was having a blood alcohol level over the legal limit causing bodily harm. That was the new thing that came in. Also, failing or refusing to provide a sample causing bodily harm. The third one was having a blood alcohol level over the legal level causing bodily harm. Also, failing or refusing to provide a sample causing bodily harm.

These were new parts of the legislation that we didn't have before that was brought so we're in line now with the federal government. Madam Speaker, when it comes to impaired driving – and, today, we hear too much of it. We hear way too much of it. I believe I heard this morning that Newfoundland or St. John's area is tied for the most impaired drivers in all of Canada. Whatever regulations – and these are good regulations that we bring in so the fines we can put in line with the rest of Canada. If you look at this here, this bill will allow the province to suspend or cancel driver's licences or driving privileges for these offences for 10 years or life.

Madam Speaker, I really believe the way to stop people that are impaired driving is to increase the fines, to make sure you can't tolerate what could happen when an impaired driver is on the road – and we shouldn't tolerate it either. So it's very important that we have regulations in place that really shows people that this is a serious offence. There are way too many.

If the St. John's area is tied with all cities with the most offences, there are other things we should be doing. Our policing agencies only can do so much. We have a great police force in the St. John's area, the Royal Newfoundland Constabulary, and they do a fantastic job and they put themselves out every day. They're out there to protect people on the road.

I think it was the 24th of May last year they had this big blitz on the go and in one night they had something like 10 impaired drivers. That's really scary when you think about it. It's scary to everyone. It's scary to families. To people that

are on the road, we don't know what the other drivers are like.

Any of these regulations that we bring in with impaired driving – increasing fines, increasing the length of time that people are off the road, and stuff like that. But it's also very important that we make sure that our police services, like the RNC, are qualified and have enough people to be able to do their job. So we're very fortunate, like I said. I have such great respect for friends of mine that are RNC officers, and I have great respect for the force. I want to make sure that government doesn't cut anything when it comes to our RNC so that they can't do their job.

But we, as the general public, anything that can be done to make sure that impaired driving is treated like it is – it's a criminal offence, you're taking other people's lives – not only your own – but taking other people's lives out there.

The *Highway Traffic Act* is the act which we can regulate in here as legislators and make sure the proper legislation is in place so that when they do go to court that the offences that they get can be as stiff as what they can be, so that we can't see – it still blows me away when you look at some of the news reports and you see people up for their fourth, fifth time and stuff like that.

There's a lot that we should be doing, and maybe more that we can do to make sure that this doesn't happen, but this is so important and this is a good piece of legislation. Like I told the minister earlier, I said this is something we need to do to make sure that anybody that's out there – when you talk about death and you're talking about bodily harm, you're talking about families that are devastated by this. We see it through MADD Canada and we see it on the news on a regular basis in the evening when you see people having to go to court with pictures of their loved ones, showing this is what this has done to my family.

Anything we can do as legislators to make sure that people are not out on our roads and people understand and realize that if you get nailed for impaired, these are the consequences. This is what's going to happen to you. You're going to lose your licence for an X period of time.

Also, when it comes to not only – it's causing bodily harm, sure it's important, or causing death, it's so important, but we got to do everything to take what we can off the road and make sure that we put the proper legislation in place so our police forces can do their job also.

I'm just going to speak briefly on the second part of this, it's the bankruptcy. The minister explained it pretty good there, I got to say. The second part of the bill changes the act to reflect a Supreme Court judgement against similar circumstances that happened in Alberta under bankruptcy.

The issue of the court said there was a conflict between provincial law and federal law. The federal law allows people to discharge their financial obligations through bankruptcy. The provincial law allows the provincial government to suspend a driver's licence until a person fulfills his financial obligation imposed to them under provincial law. So what we're doing here today, as in the case in Alberta, the two laws were in conflict with each other. The Supreme Court overrules the provincial court. So we're just putting our legislation in line with the federal government.

Mr. Speaker, we will be supporting this bill. It's an important bill. Like I say to everyone out there, it's important that we support, especially our law enforcement officers who are out there on a daily basis, but the general public has to be so much aware of what a vehicle can do to other families and what it can do to – it's a weapon when it's in people's hands and it's so important that we have the fines and policies in place so that people who do take other people's lives not as seriously as they should, be reprimanded and punished for what they do.

Thank you very much.

MADAM SPEAKER: The Speaker recognizes the hon. Member for Labrador West.

SOME HON. MEMBERS: Hear, hear!

MR. LETTO: Thank you, Madam Speaker.

It's a pleasure for me to rise today and speak in support of Bill 42, which is a very important bill

I do believe. We certainly, on this side of the House, support that.

I don't have a lot to add to what's already been said by the minister and the Member for Cape St. Francis. It's good to see they are in full compliance with this, but when you look at what's happening here, these were regulations or changes that were brought into the *Criminal Code of Canada* in 2008. We recognized that when we took government, the inconsistency that existed between our legislation and the *Criminal Code of Canada* and that we had to act very expeditiously to get this in line so that we can be in tune with the *Criminal Code of Canada*.

We can stand here all day and talk about how terrible it is. The impaired driving and statistics that were noted by the Member for Cape St. Francis, that we have the dubious reputation of being some of the worst in Canada. I don't think it's a reputation we're very proud of, not at all. We're trying very hard to do everything possible to curb that statistic, which doesn't look very well on us.

Over the past few months we've met with several organizations. Most importantly, I guess, was MADD. We're working with that organization to look at how we can put in legislation to make it harder and more stringent on perpetrators and people who decide they can drink and drive, which is something we're totally against. So this is one of the first steps. We recognized this inconsistency was there and we wanted to act expeditiously.

The minister noted a couple of things, certainly around the legislation and the *Criminal Code*. I don't need to repeat them, but there are a couple of other statistics that doesn't look very well, not only as a province but us as a country. When it says the US Centers for Disease Control issued a report in July that listed Canada as being the worst among 19 wealthy countries for the percentage of roadway deaths linked to alcohol impairment. Madam Speaker, that doesn't look very well on us as a country either, not only as a province. Within that we're the worst in Canada, so we need to do whatever we can to turn that statistic around.

Specifically, the study found that 34 per cent of motor vehicle deaths in our country were related to alcohol impairment, which speaks to the need to maintain strong legislation and the need to make our proposed amendments. Canada is the worst among 19 wealthy countries. Because 34 per cent of our motor vehicle accidents in the country are alcohol related, I think it's long overdue. To know the *Criminal Code of Canada* recognized that in 2008 and we're taking steps here today, even though it's eight years later, I guess it's better late than never. The fact we're doing this today shows that we're trying to be as proactive as we possibly can since we took over government.

On that note, I think I'll take my seat. We can stand here all day and find reasons to support this legislation. It's a good piece of legislation, and the minister outlined that very well.

I thank you for the time. It's encouraging to see the Opposition parties are prepared to support this legislation. We need to get it enacted as soon as possible to stop this terrible thing from happening because it's not a proud statistic. It's not one that we should be proud of and we need to do whatever we can to correct it.

Thank you, Madam Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Speaker recognizes the hon. the Member for St. John's East – Quidi Vidi.

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

I'm very glad to stand today in support of Bill 42, which is An Act to Amend the Highway Traffic Act No. 3. As my colleague from Labrador West just indicated for himself, and I will repeat, I'm not going to go through everything that others have gone through, but I do want to be on record as to the importance of this bill and why we will be supporting it.

The Minister of Municipal Affairs referred to the fact that we always need to be updating our bills. This bill in particular, dealing with highway traffic, is one that continually needs to be updated.

One of the concerns I have is we have some good legislation on the books with regard to safety and the highways, but we continue to hear of people who flaunt the rules. When they're arrested we find they're not even driving legally, their cars aren't registered, et cetera. That very often happens with people who have been arrested while driving under the influence, people who are impaired. So we really do have a long ways to go in this province to make our highways safe. This bill is a step in that direction.

The bill actually deals with what was a loophole in our *Highway Traffic Act*. That loophole had to do with the fact that drivers who were stopped by authorities for driving under the influence could actually refuse to have themselves tested when it came to a breath or blood test to show whether or not they actually had alcohol in their system over the limit that is allowed in our province. This failure to comply meant that they got away with driving while under the influence. Even if they had caused bodily harm, they actually got away with it because the failure to comply was not part of our act.

Now, with this bill, that is going to become part of the act and bring it into compliance with the *Criminal Code of Canada* because that was part of the *Criminal Code of Canada*. I think the Member for Labrador West pointed out since 2008 that was brought in. There was a Supreme Court ruling that actually made it imperative that we bring our act into compliance with the *Criminal Code of Canada*.

So what has happened now is that the amendment to our own act will remove the barriers to suspending licences when alcohol is a factor in an incident. That's extremely important. It will eliminate the incentive not to co-operate with police when requesting a breath or blood test because refusal will draw the same penalty as being impaired.

They can't say I'm not doing a test and that's it, they walk away free. They will still be treated the same as if the impairment had been proven. This is extremely important. I think it's going to be really important that this become part of a public education program in the province as well, although as we know, public education doesn't seem to stop people from doing things

like driving while using cellphones. I know that the RNC here in the St. John's area right now has a new campaign on to try to get a handle on that one. But we have to continually be looking at our *Highway Traffic Act* to make the roads safer.

One of the things pointed out during the briefing – and I, too, thank the staff from the department for the briefing that they gave. One of the things pointed out is that we still have to deal with – and not just our province, but in Canada – the fact that now we have people who are impaired from drugs, not just from alcohol. That's not a new phenomenon but it's becoming a growing phenomenon. Yet, there is not a recognized test for determining impairment while under the influence of drugs.

This is something that the federal government is looking at. I understand that in actual fact there probably are tests there but they haven't come down on a test yet. As a province, we are going to have to, I guess, wait until the federal government recognizes a test that will show impairment while under the influence of drugs, but it's absolutely essential that happen. That's an example of the continuing evaluation and changes that have to be made to our acts. On a regular basis there are just new phenomena all the time that indicate we need to make changes, we need to make amendments.

There are a number of things that concern me. I think the bill is extremely important, but we also would like to see government look at improving the penalties involved in short-term roadside programs where drivers register 0.5 per cent blood-alcohol level. There's more that we could be doing and we encourage the minister to look at the more that we could be doing.

I'm sure that the members of MADD, Mothers Against Drunk Driving, are happy to see this coming in because in a 2015 report that they did, they compared provinces in terms of the short-term roadside programs. They saw that the program in British Columbia includes vehicle impoundment for the first occurrence.

Most provinces just suspend the licence, but British Columbia does both. It suspends the licence and it impounds the vehicle. I don't think we can be too tough on drivers who are found to

be driving while impaired. I don't think we can be too tough on them and I think that's what the members of MADD would be saying.

In their report they point out that since British Columbia started impounding vehicles, alcohol-related fatalities fell by 40.4 per cent – that's high – and injuries fell by 23.4 per cent and property damage fell by 19 per cent. In roadside screenings, the percentage of drivers with blood alcohol levels above 0.05 per cent fell 44 per cent; that is really high. So that shows that if these statistics are valid that MADD has in its 2015 report, then as a province we need to look at the whole thing of impoundment. I really urge the minister to have his department look at this.

One of the things that strikes me – I've mentioned already – is how often when we hear of somebody being arrested, they're driving a vehicle that's not supposed to be on the road. Well, the thing is if the first time that they drove while under the influence their vehicle was impounded, maybe we would have, as British Columbia is showing, fewer vehicles on the road and fewer accidents and fewer life-threatening incidents occur.

I think it is really important for us to continue looking at comprehensive and effective programs to strengthen our legislation. I hope that this is the beginning of our making our legislation stronger and I really would urge the minister to look at the whole issue of impoundment when it comes to short-term roadside programs.

Getting those cars off the road will have an effect on the drivers. I'm sure that our drivers won't be different than those in British Columbia and we will see a very high drop, as they have, in fatalities and injuries. This would be extremely important.

So I pass it on to the minister. I'm sure he will take it seriously. If he's looking at what else do we need to do now that we've done this, I think that's one thing that we need to do now: to seriously look at the whole issue of the short-term roadside programs and the whole issue of impoundment.

I leave that with the minister. I do know that the provincial, federal and territorial justice and

highway safety ministers have been discussing the whole issue of impairment under the influence of drugs. That means our minister has been involved in those discussions too.

So I encourage the ministers here to push the federal counterparts to move forward on that one as well with regard to drug impairment. As we're hearing in the media recently – I have; I guess others have as well – interviews with members of the RCMP and members of the Royal Newfoundland Constabulary, there are more and more dealing with people that they know are driving influenced negatively by drugs, but there's no way of proving it. There's no way of bringing it to bear.

So having said that, Madam Speaker, I will be happy to vote for this bill, but encouraging the minister to look at how much further we need to go.

Thank you very much.

MADAM SPEAKER: The Speaker recognizes the hon. Member for Placentia West – Bellevue.

MR. BROWNE: Thank you, Madam Speaker.

It's a pleasure to rise here again in the House of Assembly – my first opportunity in debate now for the fall session. I have given a number of Member's statements recognizing the great work happening in my district, but it is always an honour to rise in debate.

I'm particularly happy to get up and support the amendments that are being brought forward here to the *Highway Traffic Act*. As people would know, the act regulates drivers in the use of motor vehicles on highways. It's a significant piece of legislation. As the minister referenced earlier, there are over 200 provisions to the bill and 17 sets of regulations. So certainly it's important that we, as Members of the House, see to it that our highways and provincial roads are maintained in a safe fashion, and that drivers have regulations put in place that make our roads safe for everyone, drivers and pedestrians alike.

Our government now is amending the *Highway Traffic Act* in response to the changes in the *Criminal Code of Canada* as well as the

Supreme Court of Canada decision involving the *Bankruptcy and Insolvency Act*.

Madam Speaker, if I may say so, if the House will indulge me, I must say these amendments are long overdue and I'm very happy to see the minister responsible bringing these forward as part of our legislative agenda this fall. It's extremely important to respond to changes made at the federal level so that our provincial laws and regulations reflect said changes. I'm very happy that we're now aligning the provincial legislation with the federal *Criminal Code* to avoid challenges under the federal *Bankruptcy and Insolvency Act* so that our laws are now in keeping with the rest of the country.

Under both the *Criminal Code* and the *Highway Traffic Act* there have been long-standing provisions, Madam Speaker, for the offence of causing harm by drinking and driving. And this is the cause that many Members of the Legislature would know is very near and dear to my heart. Luckily, I have not had any of my own immediate family members impacted by this, but I know a number of people who have been impacted by this, a senseless kind of tragedy. I think as a government, and I think all parties here would agree, that anything that we can do to try and mitigate reckless driving, impaired driving, is something that we all should strive towards.

On the Burin Peninsula, which of course is a large part of my district, we have a very active MADD chapter. They do a number of initiatives in our communities, everything from a mock crash on grad night – they brought in every high school student on the Burin Peninsula into the Marystown Arena just last year, Madam Speaker, and one of the drama troops did a play. The local funeral home and ambulance services and RCMP and all the partners, first responders, came and actually re-enacted a car crash for the students. That was a very important initiative that MADD Burin Peninsula brought forward. They continue to do exceptional work in our communities.

Just a few weeks ago, myself and the Member for Burin – Grand Bank attended the annual commemoration of the MADD monument. I can tell you that is a monument I hope will be empty as much as possible moving forward. We hate to

see names added to that monument, Madam Speaker. This bill here today I think will go to further that cause and to mitigate reckless and impaired driving.

In 2008, the *Criminal Code* was amended to add two very specific offences and associated penalties, some of which have been mentioned here today. The specific offence of refusing to provide a breath, urine, saliva or blood sample would result in a maximum sentence of life imprisonment if the driver caused an accident resulting in death, or a maximum sentence of 10 years if the driver caused an accident resulting in bodily harm.

The specific offence of driving with a blood-alcohol concentration of over 80 milligrams of alcohol in 100 millilitres would result in a maximum sentence of life imprisonment if the driver caused an accident resulting in death, and a maximum penalty of 10 years of imprisonment if the driver caused an accident resulting in bodily harm.

The proposed amendments that we're bringing forth here in the House of Assembly today, Madam Speaker, to the *Highway Traffic Act* will simply ensure that provincial *Highway Traffic Act* is aligned with the *Criminal Code* with respect to identifying these specific offences and the associated penalties.

Madam Speaker, my district, as many people would know, extends over a large geographical area. I mentioned the MADD Burin Peninsula group, but I also encompass the entire Avalon isthmus area and, of course, part of the Avalon Peninsula.

A very tragic occurrence took place in late spring when we had a very elderly woman who was killed by a drunk driver, Madam Speaker. I believe she was 83 years old. She was driving, I believe, to see a family member in the neighbouring community of Thornlea from Norman's Cove-Long Cove and she was killed by a drunk driver.

I went to her funeral. She was a beautiful woman. Her family were reasonably grieving and in tears and in shock because of what had happened in what we think in our small little

communities out there, Madam Speaker, it will never happen to us. Look what happens.

It is mistakes that people make but it is a conscious choice, Madam Speaker, to get behind the wheel and drive while impaired. I'm really hoping that the measures that we're bringing forward to align the provincial *Highway Traffic Act* with the *Criminal Code of Canada* will result in safer roadways. This is a cause, as I've said, that is near and dear to my heart. I know it is near and dear to many Members' hearts because we all believe in safe roads and that impaired driving is not to be tolerated under any circumstances whatsoever, Madam Speaker.

I also want to make special mention of a woman in this province that has done a lot for this cause, a role that she did not want to assume. If conditions were up to her, she wouldn't be in a position to take on that role. Her name is Ms. Trish Coates who many of us here would know, the first Newfoundlander and Labradorian to be the national president of MADD Canada. She is doing an outstanding job in terms of advocacy and certainly keeping the feet to the fire of all politicians in Canada I would argue, Madam Speaker, as she should, to make sure that measures are brought forward in all provincial legislatures and, indeed, the Parliament of Canada to make sure that we have safe streets in the entire country.

As many would know, Madam Speaker, Trish and her husband Terry tragically lost their son in an accident in the middle of the day. This isn't something that just happens at night. This can happen at any time of the day, doing anything. I guess that's what makes it so tragic and so senseless and leaves people to wonder why we can't prevent this from happening.

We also have some extremely dedicated people in our group locally on the Burin Peninsula. I want to mention Roma Hayes. She's the president of MADD Burin Peninsula who lost her parents at a very young age. They went out for an ice cream one Sunday and didn't come home, Madam Speaker. Just down the road in Marystown, they ended up being struck by a drunk driver and they didn't come home. There were a large number of them who had to be farmed out to their aunts and uncles and to other people in the community.

This is the kind of tragedy we're talking about, Madam Speaker. It is something that I'm very pleased that the Minister of Service NL is bringing forward here today. I'd venture to say this is not the end of it. We're going to be looking at any way that we can to improve the safety of our roads and the safety of our people, pedestrians included, to prevent people who decide to take matters into their own hands and go out driving at will while they are impaired.

The Member opposite, I thank her for her comments as well, the Member for St. John's East – Quidi Vidi. The federal government will end up having to deal with some issues when it comes to the impairment of drugs as it relates to driving. That's an issue I suspect we will all be grappled with in terms of having to respond to, if and when the legislation comes forward in the federal House of Commons.

I would also be remiss, Madam Speaker, if I did not mention a man who has done yeoman's work for the cause on the Burin Peninsula and his name is Bern Pike, a tireless volunteer. I just bought five Santas off him for Christmas as a fundraiser for MADD. They just do terrific work. I think all of us have so many active MADD chapters in our districts across this great province that we call home. We wish that they didn't have to exist, but I guess that is the reality of the world we live in. Promoting safe and sustainable communities is a priority for our government.

A stat that really bothered me when I was putting together some research on this, Madam Speaker, is that the US Centers for Disease Control issued a report in July that listed Canada as being the worst among 19 wealthy countries for the percentage of roadway deaths linked to alcohol impairment. I just can't get over that, that Canada is at the very bottom of the list when it comes to these developed nations when it comes to roadway deaths linked to impaired driving. It's not acceptable; it cannot be allowed to continue.

I'd urge Members not to mistake my lack of animation today for lack of passion because I can tell you that I take this very seriously. I guess part of my demeanor today, Madam Speaker, I just think about all the victims and all the people, the families who are left behind to

deal with this and put the pieces together. It's just horrid, Madam Speaker. It's just horrid. I can't imagine what it is like.

I've had a lot of death and tragedy in my family, many times leaving you to wonder why me, why us, what's happened. But this is a different kind of tragedy, Madam Speaker. I think all Members would agree to that. It's really, really bad.

AN HON. MEMBER: Unnecessary.

MR. BROWNE: It's unnecessary and it's something that we can prevent. I just have to say again, I have to compliment the Minister of Service NL and his parliamentary secretary for bringing this forward here today. This is so important to the people of Newfoundland and Labrador. I've never been one to believe that we should just get up here for the sake of talking, Madam Speaker, but this evoked in me a fierce passion and desire to speak, to share the stories of those that I represent.

I will conclude, Madam Speaker, because we recognize this month as the National Day of Remembrance for Road Crash Victims, and that's an occasion for remembering and honouring the victims of road crashes and their families. I think it's a fitting time of year to do this. We know that we have the Red Ribbon launch coming forward towards the end of this month, an event that I attend every year. I often see my colleague for Burin – Grand Bank there as well as we share many events on the Burin Peninsula. It's very sad, Madam Speaker.

Once again, I will conclude by saying I'm very happy to see these measures being brought forward. I'm very happy that finally the provincial government is aligning the provincial act with the federal changes. Once again, congratulations to the minister and I would say I hope we all support this and congratulations to all Members of this House for supporting this very important piece of legislation.

Thank you, Madam Speaker.

SOME HON. MEMBERS: Hear, hear!

MADAM SPEAKER: The Speaker recognizes the hon. Member for Conception Bay South.

MR. PETTEN: Thank you, Madam Speaker.

I am pleased to get up and speak on this bill. It's an important piece of legislation and it's one, as we've already said, we support wholeheartedly. It's important to get up and pass a few comments along. Other Members have spoken in great detail about the issue, so I don't plan on going too deep into that topic because we all know drinking and driving, impaired driving it's in our society, it's one of those things, and I guess whenever you hear it on the news or someone mentions it, it astounds me to this day how that's still an issue within our society, but it is.

There's a lot of good work being done out there, first of all, by government marrying two pieces of legislation between federal and provincial and making stronger and more tougher rules. You have MADD and you have a lot of public awareness right to the levels of schools now there's a lot of education. It's starting at younger ages, starting back I guess when kids hit the grade six level, they go through the DARE program, on up through now we have the high school students who are doing safe grads as a way of encouraging better practices, better behaviour, teaching our young people – you're never going to eliminate it, but it's all about responsibility and being responsible whenever you're around any alcohol when it comes to vehicles.

Madam Speaker, there was a question that actually came in to one of my colleagues during the conversation and I think this may be part of the system now, but it's just worth mentioning. I am assuming all of our Motor Vehicle Registration offices are interconnected across the country so if someone loses their licence in another province, moves to Newfoundland and becomes a resident here and applies, my first instinct is that our systems are connected that you will pick up that the person has their licence gone in the event they don't issued a licence in error.

Off the cuff, I would think that is there in place now, but the question came in from someone who sent this message there a while ago. So it was worthwhile putting it on record and I'm sure the minister will clarify it and confirm for those people that is in fact the case.

Mr. Speaker, I know the previous speaker spoke a lot about MADD. Actually, a couple of very public, noteworthy accidents involving drunk drivers and deaths happened to people from Conception Bay South actually. The Coates family he mentions. I know them very well. The family and their son lived in – he's from CBS. I knew the family, like I said, very, very well.

This past summer when they had their annual car show out here, the Nick Coates car show, it's all about prevention, it's all about education, it's all about how can we do – they're working on prevention so these are the penalties after you're caught. It's all about prevention. Whether you talk about alcohol or you talk about drugs, it's all about the prevention part of it. Public awareness, you can never do too much of it.

It astounds me to a degree that we're still, in this day and age, 2016, talking about an issue that seems to be with us forever. It's almost like a dirty topic now. I've said this before in the House, there was a time – and it's a sad state, I guess, when I was a younger person – it was a badge of honour somewhat to get picked up impaired. It was almost like they were – and it's terrible when you look at it.

There was a culture shift that happened in the last 20, 30 years or more that it became no longer that. Now it's a level of shame which it should have always been that way. I guess that's a credit to those MADDs and a lot of the programs that we have going through our schools and a public awareness. You get these mock accident scenes set up which your first responders go out and show the people the dangers of drinking and driving.

So that's helped, I think, a lot. That's helped but it's not eliminated, and elimination may never happen but minimizing.

Unfortunately, when you bring in tightened laws and you up the fines and penalties, your first instinct is that would be a total deterrent. No doubt it's a deterrent, but one point I'd like to make is alcohol lowers everyone's inhibitions. When a guy is sober that 10-year penalty and that \$1,000 fine seems pretty heavy. After 10 beers, they're not really worried about the fine or the penalty. It's a sense of the inhibitions are gone. That's a reality. It's not meant to be – I

don't say it in a humorous way but I say it in a very – I think everyone here can understand what I'm talking about because their inhibitions, they'll worry about that tomorrow.

This bill is a good piece of legislation but we still need to do more, I guess is my point. Where you stop or what more can be done, that's something will evolve over time. You have a lot of good organizations out there.

I know the RNC do great work in our schools in the DARE program. I've had the privilege of attending a lot of schools who had DARE grads. You're hitting that age just before they get to junior high, when children are starting to be influenced by peer pressure, because that's where this starts. That 40-year-old that has this drinking and driving causing death charge against them, they were at one time this 11 or 12-year-old hitting junior high with all the outside influences that never had the teachings.

I was never taught DARE. When I went to junior high school, I was like a lot of people, probably Members of this House, we just went to junior high and we learned on our own. You learned through the school of the do's and the don'ts and I guess dealing with your parents and what was right and wrong. Luckily, for me personally, I survived it pretty well. I know a lot of people personally that weren't so fortunate.

My own children have availed of the various programs, and I think it does make a difference. They are much more knowledgeable and much more educated on what's out there; more so than I ever was at their age. That's definitely a step in the right direction.

Like I said, this legislation – I keep saying a lot of this stuff. This is after everything else has failed we're dealing with this, but it needs to be dealt with. It's not as much a deterrent as – sometimes with our legislation, you get caught the first time and you hope that it will never happen again, but we need to continue to support whatever programs are out there that we don't let this happen the first time.

Public awareness education, and the list goes on, that's somewhere where government, society, all of us, individuals everywhere, we need to support all these organizations. Encourage them

to keep up the work they're doing because no matter what the issue, I've always been a firm believer in prevention is everything, and that starts at very young ages. We can never take our attention away from it.

As I said when I started out, some of those highly-publicized deaths were people who live in Conception Bay South. Again, I know them all well. I know those families, and that leaves a scar on them for the rest of their lives, believe you me. You can't imagine as a parent, none of us can, but to have to face a loss and knowing why that loss happened. It's probably one of the most senseless of all deaths you can name; everyone is hard, but that's one of the most senseless. It's one that's very preventable. It's one that we as a society are looking down upon. It's not socially acceptable, by no means, but it still happens. Obviously, our work needs to continue on.

This legislation is great. No doubt it toughens it up, but I want to just stress the fact that this is after the crime has happened. It will probably stop a repeat offender, but we need to stay concentrating on preventative measures which start at a very young age.

So we will be supporting this legislation. I thank the government for doing so.

I thank you for your time, Mr. Speaker.

MR. SPEAKER (Warr): The Chair recognizes the hon. the Member for Bonavista.

MR. KING: Thank you, Mr. Speaker.

It's an honour to stand before the House today and express my support for Bill 42. It's a long time coming, we've had eight years. We're behind the times with regard to the federal *Criminal Code*. So it's nice to see us catch up with that.

I'm not going to speak long. I just want to relay a quick story. Most everything's been said here today, but we've had a case in the District of Bonavista just recently where an impaired driving charge causing bodily harm was dismissed in the courts because someone refused to give the breathalyzer. Several constituents came up to me and said we need changes to the

law. I said these are coming. So it's a long time coming.

I'm just going to relay the incident here. I'm not going to give names; it's here in *The Packet*. The court ruling came down in Clarendville on September 27 of this year, but it's related to an incident that happened on December 9, 2013. We had a woman in Bonavista who was charged with impaired driving causing bodily harm and refusing the breathalyzer after she struck a person riding a bike on a sidewalk on Church Street, Bonavista.

If you're familiar with Church Street in Bonavista, it's a pretty wide roadway. The sidewalks are pretty wide. So for someone to actually go up on a sidewalk and hit someone on a bike, you would assume that there's something wrong on that issue. This person who was hit by the alleged impaired driver was transported to the Bonavista Health Care Centre and was determined to have a fracture in his tibia and knee and was transferred to St. John's where he underwent surgery.

In this case, it went before the courts in September and it was dismissed. The constable at the time – and I appreciate the Member for Cape St. Francis getting up saying that we should support our police officers. This legislation goes a long way in doing this, because he tried eight times to get a breathalyzer sample from this person and each time that person refused. This officer is a national award-winning officer with the RCMP and he was scolded by the judge for actually losing his temper. After eight tries, I'd lose my temper too. This legislation is going to prevent cases like that from happening.

What happened was since there was no breathalyzer sample or urine sample taken, the case was thrown out of court because as the judge said: There is practically no evidence from those who observed her driving, which I can find beyond a reasonable doubt, that this person's ability to operate a motor vehicle was impaired by alcohol she had consumed.

It's a sad state and it sets a bad precedent when we allow people to get off with incidents like that. That young fellow had to undergo surgery and his life is forever changed because of that.

So this legislation is going to put in tough penalties for people who refuse the breathalyzer. It actually gives law enforcement and our justices here in the province an opportunity to charge them and throw the full extent of the law at them. It goes as a deterrent for anyone who may get it in their mind to go out and do something like this.

It's sad to say in this day and age, in 2016, we still see several incidents of drunk driving on a weekly basis. You can't turn on VOCM news on a Monday morning without hearing a case.

I am in full support of this. I'm glad our colleagues across the floor are in support of this. I think it's a long time coming.

Thank you, Mr. Speaker, for the opportunity to speak.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Chair recognizes the hon. the Member for Mount Pearl – Southlands.

MR. LANE: Thank you, Mr. Speaker.

I'm glad to have a few words now on Bill 42, An Act to Amend the Highway Traffic Act. I am a little confused by some of the commentary I've heard, quite frankly. So I'm going to put it out there, at least how I understand it, and if I'm wrong, maybe the minister or someone can correct me.

Mr. Speaker, when we're talking impaired driving, over 0.08 per cent, refusal, we're talking *Criminal Code* offences. My understanding of how this bill is written is that in the past, or I guess prior to this bill, if somebody is convicted – not charged, convicted – with impaired driving causing bodily harm, under our current *Highway Traffic Act* they would receive a 10-year suspension. If somebody currently is convicted under the *Criminal Code* for impaired driving causing death, then under our *Highway Traffic Act*, they would lose their licence for life.

What we're changing here, as I understand it, is that what's not contemplated in the *Highway Traffic Act* is somebody who is convicted over 0.08 per cent and somebody who is convicted with refusing the breathalyzer. Because

somebody can be charged and convicted of impaired driving based on the fact that perhaps they were driving all over the road, the officer observed the erratic driving. The officer, when he stopped that individual, there was slurred voice, there was red in the face, the pupils were dilated or whatever happens to your pupils, I'm not sure the terminology. Maybe they get out and they walk the line and they're staggering all over the place and so on.

Based on those physical observations, that individual can be charged for impaired driving. Of course, if it's proven in the court, based on the officer's testimony and any witnesses and so on, that person is convicted of impaired driving. Under the *Highway Traffic Act* when that happens, if it's a case of impaired causing bodily harm, the person gets a 10-year suspension under the *Highway Traffic Act*. If it's impaired causing death, they lose their licence under the *Highway Traffic Act*.

Somebody could also be, for example, not charged with impaired based on the physical observations but they could be charged with over 0.08 per cent, which is a totally different charge than impaired driving is. That's basically where somebody does the breathalyzer, they fail it and they have to do it a couple of times by a qualified technician and procedures they have to follow.

So somebody is charged and convicted of 0.08 per cent. Sometimes you'll see somebody charged with impaired driving as well as 0.08 per cent, as well as – well, it wouldn't be refusal. They could be charged with impaired and refusal and they could be charged with over 0.08 per cent. But the point is if somebody is convicted for over 0.08 per cent or criminally, under the *Criminal Code*, or if they are convicted for refusing the breathalyser then there is nothing in the *Highway Traffic Act* that corresponds with those two convictions to say because you were convicted of over 0.08 per cent causing bodily harm, therefore you lose your licence for 10 years.

It says if you are convicted of impaired – a different charge – you lose it but not 0.08 per cent, not refusing the breathalyser. So these two criminal convictions were never contemplated, if you will, in the *Highway Traffic Act*. So we're

going to amend the *Highway Traffic Act* so that it's not just impaired driving that will result in loss of a licence for 10 years, or loss of licence for life if it's bodily harm or death, but also for the 0.08 per cent, being convicted of that, or being convicted of refusal can also result in someone losing their licence.

That's my understanding of what we're actually doing in this bill. It has nothing to do with strengthening the *Criminal Code of Canada*. We have no way of strengthening the *Criminal Code*. The *Criminal Code of Canada* exists as it is and those three convictions exist today under the *Criminal Code of Canada*, and that's a good thing.

But really all we're doing is for 0.08 per cent and the refusal, tying that to the *Highway Traffic Act* so that if someone was convicted of 0.08 per cent – and I guess that's really the fear, if someone is convicted of 0.08 per cent today and the province said oh, you're convicted of 0.08 per cent causing bodily harm, we're going to take your licence away for 10 years, currently that person – on a technicality, I'm assuming – could make the case in court saying well, there's nothing in the *Highway Traffic Act* that says I lose my licence for 10 years for over 0.08 per cent causing bodily harm. It says impaired. I wasn't charged with impaired. I wasn't convicted of impaired. I was charged with 0.08 per cent.

So even though they're kind of one and the same, legally they're not the same. They're different charges. So we're just adding that to the *Highway Traffic Act* to make that consistency and to tie up those loopholes which currently exist. That would be my understanding of this, and I certainly support that.

The other piece, which is not so great news – because this is a positive piece, for sure. The other part which is not so positive, although there is not much we can do about, is the *Bankruptcy and Insolvency Act*. Of course, my understanding of what's happening here is that if someone declared bankruptcy and they successfully went through a bankruptcy proceeding that the way it currently exists, we would be saying well if you owe fines to the province – we hear about these people all the time in the media who owe \$5,000, \$10,000,

\$20,000 worth of fines. We could say even though you declared bankruptcy if you want to get your driver's licence back so you can go on the road and drive, you need to pay your fines off.

I guess the court ruling that happened in Alberta under the *Bankruptcy and Insolvency Act* is basically saying that if somebody declares bankruptcy and they're successful in that then along with all their credit card bills and bank bills and everything else, the bills to the Crown for outstanding traffic fines also is wiped out and, therefore, somebody can now go and get their licence tomorrow.

They owe \$10 grand, for argument's sake, lost their licence, saying we're not going to renew your licence; declare bankruptcy, the \$10,000 is wiped out. Now they can go to Motor Registration and say I want my licence and we can no longer say well you can't get it, you owe us money because it was wiped out in bankruptcy. That's what this amendment is going to do.

I understand why we're doing it because of the case law now federally saying we have to do it. I understand why that's occurring, but it is not a good news story per se. It's bringing us in line with the federal decision and, to me, it is very disappointing actually that now somebody declares bankruptcy and we wipe out all the fines and they can go get their licence tomorrow.

Now granted, a lot of the individuals who owe \$10,000 and \$20,000 are people who have their licence lost and they go get a car anyway and then they're charged with no licence, no registration, no insurance and they seize the car and they get another couple of thousand dollars' worth of fines to add on to the list. Then a couple of weeks later they go buy another hunk of junk somewhere and they drive that with no licence, no insurance, registration. That's why these bills keep adding up, adding up, adding up. You can't get money from a turnip, so I suppose it would happen in either case.

Mr. Speaker, that's certainly my understanding of the two things that are happening here. Like I said, begrudgingly, I support the second one. We really don't have much choice, on the bankruptcy piece. But the other piece there is no

doubt it's closing a loophole. It's bringing the *Highway Traffic Act* in line with the convictions of over 0.08, and refusal, which is a positive thing, but we're certainly not rewriting the *Criminal Code of Canada* here today. So it's important that we distinguish between that as well.

Obviously, Mr. Speaker, anything that we can do, any loophole we can close that's going to make it tougher on those who choose to drink and drive, we need to do it. We've heard lots of stories here from people, and we all have those stories. We all know somebody who's been impacted by impaired driving, and the more we can do to prevent impaired driving and to hold those accountable who choose to get behind the wheel impaired, we need to do it.

I agree with the Member for St. John's East – Quidi Vidi. We need to be lobbying our federal government now to start changing the *Criminal Code* to deal with impairment by drugs, because that's becoming more and more prevalent. That definitely needs to be addressed.

I also agree that in addition to these changes, I think we've all had meetings and discussions with MADD Canada, whether it be the Avalon chapter or the Burin chapter and so on. We know they've made some really good suggestions that are going to go a lot further to deterring impaired driving. I really think some of the amendments that they've requested are very reasonable, they're very doable, and I hope they come before this House sometime soon as well so we can strengthen that.

As I said, from an overall perspective, I will support this bill. I definitely support closing the loopholes. I'm disappointed we have to make the other change on the insolvencies, but not much we can do, like I said, because of the federal precedent.

Thank you, Mr. Speaker.

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

MR. HAWKINS: Thank you, Mr. Speaker.

It's a pleasure for me to stand in support of this bill today, and being the Transportation Minister

I know how important it is. Transportation and the *Highway Traffic Act*, it certainly makes a lot of sense for us to make sure that our highways are safer.

Mr. Speaker, I stand in support of this because I know over the last number of years I've been actively involved in discussions with MADD organizations across the province and nationally and certainly realize the concerns they put forward. Today, Mr. Speaker, is just one piece of legislation that we will be continuing to look at over the next several months. Particularly when we get to the spring session as well, there may be some other changes that will be forthcoming.

I think it's important for us to realize that we have to make our highways safer. When we look at the stats that we have before us, they are disturbing to say the least. They are very disturbing and to realize that in this day and age, 2016, that we are almost on a weekly basis still hearing the horror stories of people that are actually still driving above the limits and being impaired. Mr. Speaker, I really applaud the minister in taking the direction that he has taken in putting forth this change to the legislation because it's important for all of us.

I've attended over the last number of years – every year in Grand Falls-Windsor, because that's where the monument is located. Every year in June we meet in Grand Falls-Windsor and I have to say, Mr. Speaker, it's just absolutely heart wrenching. It is very, very emotional. MADD organizes the event. At that time it's an opportunity for family members to come in and light a candle in memory of a loved one who's lost their life because of impaired driving.

I think really every Newfoundlander and Labradorian should be exposed to that type of ceremony because I tell you, it really does hit you right at the bottom of your gut, to see the anxiety, to see the distress. Only the people who have had to face that situation, only the people that have had to deal with these situations can fully understand and can fully appreciate the impact that this has had on their families. It becomes a family impact because the entire family for the rest of their life are impacted by

this hideous situation of drinking while being impaired.

Again, Mr. Speaker, I just want to applaud the minister. We've had numerous discussions with the minister, with the department to make sure that we can tighten up the regulations, that we can tighten up the policy, that we can tighten up the legislation so that we can in some way curb the number of people that are still, in spite of 2016, not adhering to legislation.

Mr. Speaker, I encourage all Newfoundlanders and Labradorians to listen to the message that MADD is trying to do in the communities throughout the province and throughout the country because they have to get their message across. I think it's an important message. It's an important message for all of us to fully understand the impact that that's having.

Hopefully, Mr. Speaker, with this change in legislation we are moving in the right direction. We're moving this legislation forward so that we will better position the province, going forward, so that we will not be looked upon as a province that's in the lower rankings when it comes to, what I would consider to be a very bad habit that some people have.

I know there is much more education we need to do. I know we are continuing to do that. We are continuing to advocate on behalf of those people who have been impacted. We certainly want to make sure our highways are safer and when we go on our highways, whether it's on a daily basis – because many people are using our highways every single day to and from work. So whether it's a daily task that we have on our highways or it's a weekly or a monthly, we want to make sure our highways are safer. I think this piece of legislation will address that. I'm certainly looking forward to support from the Opposition as well.

Thank you, Mr. Speaker, for this opportunity.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

If the hon. the Minister of Service NL speaks now he will close the debate.

The Chair recognizes the hon. the Minister of Service NL.

MR. JOYCE: Thank you, Mr. Speaker.

I won't belabour the point. I just want to thank all hon. Members in the House who understand the severity of this here and are going to support the bill.

As I said earlier, Mr. Speaker, this is a bill for the House of Assembly. This is not a Liberal bill, a PC bill, an Independent bill, an NDP bill. This is a bill for the House of Assembly. All the groups that were mentioned here today by all the Members, I applaud everybody who spoke here today. I thank everybody for standing up and speaking to the bill. I look forward to the passing of the bill so we can help get aligned with the *Criminal Code of Canada* to ensure we bring the laws necessary to try to curb drinking and driving and harm to people on our roads.

I want to thank everybody who spoke here today. Thank you very much for the support of the bill.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

The motion is that Bill 42, An Act To Amend The Highway Traffic Act No. 3 be now a second time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Carried.

CLERK: A bill, An Act To Amend The Highway Traffic Act No. 3. (Bill 42)

MR. SPEAKER: This bill has now been read a second time. When shall the bill be referred to a Committee of the Whole House?

MR. A. PARSONS: Now.

Carried.

MR. SPEAKER: Now.

On motion, clause 1 carried.

On motion, a bill, "An Act To Amend The Highway Traffic Act No. 3," read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill 42)

CLERK: Clause 2.

CHAIR: Shall clause 2 carry?

All those in favour, 'aye.'

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

SOME HON. MEMBERS: Aye.

MR. A. PARSONS: Mr. Speaker, I move, seconded by the Minister of Service NL, that the House resolve itself into a Committee of the Whole to consider Bill 42.

CHAIR: All those against, 'nay.'

Carried.

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

On motion, clause 2 carried.

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

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

CHAIR: Shall the enacting clause carry?

All those in favour, 'aye.'

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Carried.

CHAIR: All those against, 'nay.'

Carried.

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

On motion, enacting clause carried.

Committee of the Whole

CLERK: An Act To Amend The Highway Traffic Act No. 3.

CHAIR (Dempster): Order, please!

CHAIR: Shall the long title carry?

We are now considering Bill 42, An Act To Amend The Highway Traffic Act No. 3.

All those in favour, 'aye.'

A bill, "An Act To Amend The Highway Traffic Act No. 3." (Bill 42)

SOME HON. MEMBERS: Aye.

CLERK: Clause 1.

CHAIR: All those against, 'nay.'

CHAIR: Shall clause 1 carry?

Carried.

All those in favour, 'aye.'

On motion, title carried.

SOME HON. MEMBERS: Aye.

CHAIR: Shall I report Bill 42 carried without amendment?

CHAIR: All those against, 'nay.'

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

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

CHAIR: The hon. the Government House Leader.

MR. A. PARSONS: I move, Madam Chair, that the Committee rise and report Bill 42.

CHAIR: The motion is that the Committee rise and report Bill 42.

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

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

MR. SPEAKER (Warr): The Chair recognizes the hon. the Chair of the Committee of the Whole.

MS. DEMPSTER: Thank you, Mr. Speaker.

The Committee of the Whole have considered the matters to them referred and have asked me to report Bill 42 carried without amendment.

MR. SPEAKER: The Chair of the Committee of the Whole reports that the Committee have considered the matters to them referred and have directed her to report Bill 42 carried without amendment.

When shall the report be received?

MR. A. PARSONS: Now.

MR. SPEAKER: Now.

When shall the said bill be read a third time?

MR. A. PARSONS: Tomorrow.

MR. SPEAKER: Tomorrow.

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

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

MR. A. PARSONS: Mr. Speaker, I call from the Order Paper, Order 4, second reading of Bill 44.

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

MR. JOYCE: Mr. Speaker, I move, seconded by the Member for Lab West, second reading of Bill 44.

MR. SPEAKER: It has been moved and seconded that Bill 44 entitled, An Act To Amend The Municipalities Act, 1999, now be read a second time.

Motion, second reading of a bill, "An Act To Amend The Municipalities Act, 1999." (Bill 44)

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

SOME HON. MEMBERS: Hear, hear!

MR. JOYCE: Thank you, Mr. Speaker.

Once again, on the previous bill that we just passed, I just wanted to be on the record to MADD, to a lot of groups that we met, that everybody in the House of Assembly supported the bills to strengthen the laws against drinking and driving causing bodily harm. I just want that on record, that all Members of this House of Assembly, it was unanimously supported. I just want to thank everybody for that and have that for the record.

Mr. Speaker, there are two parts to this bill also. Once again, my critic, the Member for Cape St. Francis, sometimes I wish he wasn't the critic because he sits down with me and he wants to go over the bill to ensure that the bill is proper for the municipalities across the Province of Newfoundland and Labrador. He does his due

diligence on it. We sit down and I think I get a worse grilling when we're alone than when we're in the House of Assembly to make sure that what's brought forth – because as the former member of the town council, he wants to ensure that what we bring forth is best for the municipalities of Newfoundland and Labrador. I just want to recognize publicly that he is very diligent in the work that he does.

Mr. Speaker, the first part of this here is an amendment to the *Municipalities Act, 1999*. What we're looking at, there's two pieces to the bill as I mentioned. The first part – and we go back to the previous government; it may be a different issue – the 911. The 911 system is an issue that the previous government brought in place that is being tweaked along the way, but the issue here today is for local service districts to be in line with 911 completely for safety reasons.

What they are going to be doing, Mr. Speaker, they're asking permission that they can go out and charge the cost of it to ensure that residents in the local service district have to put numbers on their house. This is what this is about. This is about 911 if there's an emergency call – for example, if there's no numbers on the house in a certain area in a local service district and there's a major incident, it's pretty hard for the first responders to locate the residence in the area.

So what the LSDs are asking for, they need the discretionary authority to ensure that the houses, properties, in their local service district, that they have the authority to make sure they're numbered. Mr. Speaker, we hear too many times – and I have in my number of years in government – where first responders would go and they say, well, we're not sure where so and so lives. We're not sure because there are no numbers on the houses.

MNL – who the Member for Lab West is a very integral part for a number of years and I know the Member for Cape St. Francis is also. One of the big things brought up in MNL, especially with the Next Generation with the fire and emergency services, we need houses numbered so that when a first responder comes to your residence, comes to your area, they know where they're going. If you speak to any first responder in the Province of Newfoundland and Labrador,

they will surely tell you that seconds, minutes, do matter.

Mr. Speaker, what we're doing here, we're bringing a request to ensure that local service districts are given the tools so they can go and ensure the residents are being safe.

This is a complete request from the local service districts. I'm sure all Members, and I know the former minister and Member for Ferryland is very much in agreement with this, because with the 911 implementation also he's very familiar with some of the concerns that the first responders had on this. Mr. Speaker, we're giving them the authority and the ability to collect what's needed to ensure that numbers are put on.

As with the previous bill, I'm fairly confident that everybody in this House promotes safety, that everybody in this House of Assembly wants every residence in the province, no matter where you live, to have the ability to have first responders get to you in a timely manner. So I'm very confident this bill will also pass with unanimous support here in the House of Assembly.

I want to thank all Members of this House who are going to speak to it in advance, because I'm sure there are some people who are going to stand up and support the bill and explain in their own terms and their own ways why it should be done.

Mr. Speaker, as a Member, I have no local service districts in Humber – Bay of Islands, but I do have municipalities that actually have numbers on the houses. Sometimes when someone moves in the numbers change; yet, the residents don't change their own numbers.

So I urge all people in Newfoundland and Labrador, all municipalities in Newfoundland and Labrador for the next generation of 911 where they're going to be homing in on addresses, get your numbers on your houses, get your civic addresses up to date. This is a safety concern. We'll be promoting that, and I'll be going to MNL – MNL's been a big supporter of this also, and we're asking MNL to help us with this. We need MNL. We need all the legislators in this hon. House, Mr. Speaker, to go back to

your districts. When you meet with your town councils, pass it on that we got to have this done.

This is not, and I always said when there's a bill pertaining to safety and life, this is not a Liberal bill, a PC bill, NDP or an independent bill, this is a House of Assembly bill. This is something we all must join in and get.

I know the former minister, the Member for Ferryland, in one of the speeches I heard him make, mentioned that we need to get the civic addressing up and running. So we're just continuing on with that work and we're just allowing now local service districts to do it. I heard the Member for Ferryland mention it, and he's nodding in agreement. I remember him pushing for this also, and we are also. So this is just the local service districts, and I'm willing to answer any questions.

Mr. Speaker, the second part of the bill is disposition of property valued at \$500. This is a part of the bill that came in, that was asked for by a lot of municipalities. MNL, also; they wanted it.

I'll just try to explain it to you in the best terms. That when you sit down to a council – I brought up to several councils – real property right now, and the difference with real property is like land or a building. That's real property. You can do that now. Personal property is more like a fire truck and loaders, any moving equipment, can gift to another person or an organization for social or economic development.

Just to give an example. When we get fire trucks now from a municipality, the fire trucks go back to Fire and Emergency Services, then they deem who is most in need of it. In actual fact, we had to change that to ensure they can do that. It was done on the basis that everybody said, okay, this is the right way to do it and this is the way they did it.

Mr. Speaker, what we're putting in place, and this is very important – I know the Member for Cape St. Francis was very high on this. Because what it is, you need two-thirds vote from the council to do it. It's under \$500; two-thirds from the vote of council and it also has to be approved by the minister, and has to be for social or economic development in your area.

Something like that might be a desk you may have that you might want to give to the seniors club. You may have a loader that you want to sell to a neighbouring town for a couple of hundred dollars if they don't have it. It may be some small piece of equipment that you have. So that's the personal property devolved.

In actual fact, once this bill is passed, fire trucks now being able to be given to another town, will be in compliance with the law. We did it before in a gentleman's agreement but it was never in compliance with the law. So what we're doing now is bringing it in compliance.

This is something that MNL wanted. This is something that instead of having to go out for three tenders to see who wants to buy it, they're saying now, under \$500 – that's very important. This is not something \$60,000 or \$70,000 they could wish on to somebody and move on to somebody, this is something that we ensured.

Mr. Speaker, this is great for municipalities. This is great for all people who have a small bit of equipment that they want to do something in their town to hook up social or economic development. I feel confident also that this bill will pass with unanimous support in the House of Assembly because it's something municipalities wanted. It's something that's going to be fair. There are checks and balances in place, Mr. Speaker, to ensure that this is done above board, this is done with the concurrence of two-thirds of the council and it's also done with the approval of whichever minister of Municipal Affairs happens to be in place.

This is another piece of legislation that is very high on their agenda. I look forward to any debate that we have. Before I sit down, I want to thank anybody who gets up to speak on this because I know, as I look across the hall and on this side of the House also, Mr. Speaker, many people were involved with municipalities. Many people would applaud this to help out their towns, to save a lot of time, energy and paperwork, but also help out in their own communities where time is needed to help out senior groups, or social or economic development in their own towns.

I see a lot of expertise around the House of Assembly and I look forward, Mr. Speaker, to

listen to everybody speak on it. I know the Member for Cape St. Francis, by the time I sit down, he's going to stand up because I know he's very supportive of this bill. He's very much in tune with this bill and he's very much collaborated with this bill to ensure that what municipalities want, we're bringing forward to the House. I just want to thank the Member for Cape St. Francis.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

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

The Minister of Municipal Affairs talks about his good buddy from Cape St. Francis all the time. They're going to think we're real good friends – which we are.

This is a good bill; this is an important bill. It's an important bill for communities right across the Province of Newfoundland and Labrador. Being a former mayor myself, it's important that we support our neighbours and support organizations that are around, whether it's non-profit organizations, community organizations.

I'll give you a great example on this here. Sometimes communities improve their snow clearing. In this particular case, it was a community I knew that bought a new plow. They bought the new plow and they wanted to give it to another community, but under the other act where the plow was over \$500, it had to go out to tender. The nice gesture would have been to give it to a community that probably couldn't afford it. The plow was still in good shape and whatnot.

So this is a good piece of legislation showing that we can work together and make sure that not necessarily does it go out to – someone can go and purchase it and get a great deal, but we can help our neighbours. It could be a non-profit organization, it could be an LSD, it could be local service, it could be anything that is out there. It's important that we do this.

This is a good bill. Like the minister said, Municipalities Newfoundland and Labrador really supports this. It's something that they've been asking for. It's not necessarily the highest bidder that gets it. You can gift the equipment or you can, like I said, you can give it to your neighbours, community groups, different organizations. But it also has to have a social and economic development part to it too. You just can't say I'm going to give it to Joe Blow down the road because he needs one or whatever. So there are some parts in this that really make sense.

I have a couple of questions for the minister, when we do get into Committee, with conflict of interest and stuff like that and how that works with municipalities. We know that's very important to a lot of the towns. The very first thing if you become a councillor is that you should understand the points of conflict – especially in small communities because where everybody is related. It's a job sometimes to know what a conflict of interest really is.

Most people don't want to put themselves in that predicament, so it's important that they understand how this is going to work when it comes to whether it's a relative down the road that's looking for something or an organization that's run by other people. It will be interesting to see how it comes out in the regulations, especially when it comes to conflict of interest. I'll have a couple of questions for the minister on that.

Again, it is important that there be mechanisms in place so this just doesn't – you give it to your buddy type thing or whatever. So it's good to see that there has to be a public notice come out and also that there has to be feedback. Any feedback from the public beforehand will be listened to. Also, the decision of a council is not just a one-by-one vote; it has to be two-thirds. That's another question that I will ask the minister when it comes to conflict of how they're going to do the vote. Then, finally, it will have to be given to the minister. He'll make a decision and he'll have to sign off on it, basically, if so.

The other thing about this is sometimes in government – and it's not this side or that side or whatever – sometimes it's a job to get approval,

as we all know, dealing with government over the years, as municipal leaders and stuff like this. So it will be important understanding what the turnaround will be, because stuff like this, as we know, ministers are very, very busy and sometimes you don't want to see this on the table. It would be nice to put a time frame in, from a ministerial part of it, that they can respond back to the municipalities and say we'll have this done within a month or we'll have it done with six weeks or five weeks or whatever it is so that it's not something that gets dragged out. That's very important.

Again, I like this part. I really do. I think it's a good piece of legislation. It will strengthen our communities by showing our communities that we all have to work together to give the best possible services we can to our residents. In some cases you look at – the minister mentioned fire trucks. Again, I know a great example. The Town of Pouch Cove got a new fire truck recently. They had their old one, which was a service truck with just a ladder on the side of it. There was another town that was showing some interest in that and they wanted to give it to that town, but they couldn't because it went back to Fire and Emergency Services as part of their inventory. This is a bill that will come in and I think it will make our town stronger and it will make it so everybody can work together.

Again, the equipment that we're talking about, it's something that different organizations, non-profit organizations can use, volunteer groups, community service groups and stuff like this. If there's something that's worth – it could be furniture I guess. You could have a photocopier or a desk – we know how hard it is today for organizations that do just fantastic work in our areas, especially community service groups and volunteer groups, how they would be so appreciative of a little help along the way, something that they don't have to fundraise for, don't have to go and look to the public to donate and stuff like this.

In some cases when you look at photocopying services today, the photocopiers that were used years ago were just basically photocopiers, but today they're used as printers, they're used as different pieces of equipment that we can connect to anywhere at all in the world basically to get copies and images. In most towns, it saves

them a lot of work in getting the best technology and ensuring that they can get everything that they need from government and different agencies. So they need the best technology.

But they may have a piece of equipment, a photocopier that could really help a non-profit organization in their area to be able to do some photocopying. The cost of that, if you look at the cost of going out and getting services done whether it's faxing or photocopying, it costs these organizations a lot of money. It's important and it's a good thing that we're doing here. It helps our neighbours and it helps the people that support a lot of people in our area.

The minister also mentioned that it was in 2015, a resolution for Municipalities Newfoundland and Labrador, this resolution was passed and it asked government to have a look at this, have a look at ways that we can help our neighbours and help communities. Like I said, one municipality can help another municipality.

This was asked for in 2015, and like I said it's a good piece of legislation. There are some areas where we can keep a handle on it and make sure that sometimes what happens in municipalities that things get given away and people get upset and say why was this done and oh, the cost. This guy is his neighbour and that is why. But there are things here; it has to be two-thirds of council like I said has to vote on it. It has to be made public notice, which is important, so everybody in the community and everybody in the area will know that this is out there.

If it's a plow or it's a desk or whatever it is, people will know that's available so everybody gets the fair chance at it and can put in their reason for wanting it. It may be a couple of different organizations in an area may want a snowplow, but the council can say, okay, well listen, we'd rather give it to the municipality down the road. We know this will help them. Or they might want to give it to a non-profit organization in their community that will really help them put services towards the people in the area. It's a good piece of legislation and I know we will be supporting this.

The second part, as the minister mentioned – his first part, my second part – is civic addressing. This is so important. This is life and death. It

really is because when you're talking emergency vehicles responding to an emergency, how important – and we all know and we all dealt with it – are seconds. Seconds mean the difference of life and death.

It's so important. I know when I was a mayor of the Town of Flatrock that we really brought it in. We really wanted people to get signage up to give their civic address so if an emergency vehicle needed to go to 21 Back Road, they knew exactly where 21 Back Road was to and they weren't looking from house to house.

This is a very important piece and it's something that all local service districts, I know they want. The people running those districts really want this because it's important to them and it's important to everyone. Our emergency vehicles, it could be a firefighter, it could be a police department, it could be an ambulance, whatever, when they get a call they want to be able to respond really, really fast and really want to get out there to get to the emergency. So anything that we can do to make their job a little easier, it's important for us to do it.

A civic address is so important because someone inside could be having a heart attack. There are seconds involved in that. For a response to get to that as soon as possible is important. This is just asking – the local service districts want to be able to implement this. Local service districts can't charge a tax. This is a fee, just like they do with their garbage collection or anything else. It's a fee that they can serve – and I'm sure most of the people in these local service districts really want this also.

When I do it in a town or a municipality, I can include it in my taxes, but in a local service district they have to do this as a fee to the person in the area. So it's important that we be able to bring this in so people that are running our local service districts will be able to implement this. It's for the betterment of everyone in those areas.

There are a couple other little things, not as important as the emergency part of it. The emergency part is really, really important, but when you look at mortgage lenders. If you're a person who has to take a mortgage out, you're building a new house or whatever, that's a

requirement among the mortgage lenders that you have a civic address. So, again, it's important to the mortgage lenders that are out there and for people wanting to get it that they know I'm 21 this road or 41 this road or whatever. That's a part of it too that mortgage lenders would have the correct – whenever you do a mortgage or anything else, there's documentation that's required. The documentation would have to say that it's a specific address that you live at. This is important in that line too.

There is another group also – I know this time of a year you'll see it a lot more – our courier companies. Courier companies are out there, they're doing their work and everything else and sometimes I wonder how they do it. If you drive down a road and there are no numbers on the houses or no numbers on the mailbox or garbage box or whatever, how do they determine where the person lives. It must take a lot of time in knocking on a couple of doors and see if someone is home and asking if Joe Blow lives here or someone else lives there or whatever. So it will be an important piece of legislation for those people also.

Mr. Speaker, we will be supporting this because it makes sense. It's not like a tax grab or anything like that when it comes to the local service districts. It's something that I'm sure most people in the districts, just like any other services they get, will be willing to pay a small fee to be able to show they live at a certain address and whatnot. I don't think they'll see it as that. I think they'll see it as a way that we can give them better protection. Like I said, when it comes to emergencies, it will be great for people who are responding that they know where they're going to.

There are all kinds of different signage that we have out there. It will be up to yourself what signage you want to put on your building, but there are ones that light up. You see a lot of them now around that are lit up. I'm sure anything we can do to make their job easier, to make sure they respond to their emergencies, will be really appreciated by people who have to go out there. I can only imagine how frustrating it would be for people, especially ambulance drivers and stuff like that, knowing there are people out there who need their help and all of a

sudden you're not at the right address, you're at the wrong house.

So this is a really important piece of legislation and it's something that, like I said, was asked for by municipalities. Municipalities right across the province have been looking for these couple of things we're doing.

So just in closing, it's the first piece of legislation that helps our neighbours which we as Newfoundlanders and Labradorians, I'm sure, are all about. There are some places in there that we can make sure it's done properly.

There are a couple of questions I will ask the minister when we get into Committee, but it's a good piece of legislation. You know, it's great to say, okay, the highest bidder, but I'd also like to say the person with the most needs and the person that can probably do with the piece of equipment – that you're basically giving to them at a really good price or giving it to them – will be able to use it and it will benefit a lot more people down the road. So that is a good part of the legislation.

Also, with civic addresses it's important that we make sure we do everything to make the people that respond to emergencies have the – for all to be able to say, listen, this is where we're going to, we know where we're going to end up to and they can give us the best possible service that they can give us.

We will be supporting this bill. I thank you for your time.

MR. SPEAKER (Osborne): The hon. the Member for the District of St. John's East – Quidi Vidi.

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

I am happy to stand and speak to Bill 44, An Act to Amend the Municipalities Act. As the Minister of Municipal Affairs pointed out, there are two parts to this act; the first one being the one dealing with the permission going to municipalities and others on the municipal level to be able to donate municipal personal property either to other municipalities or local service districts. I think it's extremely important and I'm

really glad to see this piece of legislation because it's supporting a discussion that has taken place in Municipalities Newfoundland and Labrador.

As the minister has pointed out, there was a resolution of MNL in 2015 to have this kind of thing happen. I'm very happy to see the minister and to see the government in step with Municipalities NL. They put a lot of work into trying to get co-operation among the municipalities and local service districts. They're putting a lot of thought in how to make things work when it comes to governance in rural Newfoundland and Labrador.

I'm not going to take time to speak more to that piece because I think the minister has explained it well, as did my colleague for Cape St. Francis. It's pretty straightforward. It's putting in place something that municipalities want to do. It's an open and transparent process. It's something that will be open in the municipalities itself. Then, if they decide, for example, to pass on a fire truck or something of that nature to another municipality, once they make the decision, it then has to go to the minister for the final approval. So I think it's a really good thing.

I would like to take a couple of minutes to speak to the second part of the bill, which has to do with giving local service districts the permission to charge a fee for assigning civic numbering in the area that they cover. The civic numbering is absolutely essential. We've talked about that here in this House of Assembly a number of times, actually, and how important it is to have civic numbering throughout the province from the perspective of emergency. That, in and of itself, is enough to have it.

I do have a concern about what's happening with regard to local service districts. You sort of have a piecemeal kind of thing starting to happen now. Local service districts don't have a great set-up for handling money and handling bringing in money and spending money. They don't have the infrastructure of a municipality.

Piecemeal; already we know that local service districts are charging for annual garbage collections, a fee from the Eastern Waste Management. The local service districts have to collect that. We, in our office – and we don't

represent much when it comes to rural areas – have been getting quite a number of calls, people really upset over this one.

Now you have the local service districts going to be able to charge for numeration of houses, and people are going to be saying, I think, well, the municipalities paid for it, they didn't charge people to have numbers put on their houses. You could get the same kind of backlash when it comes to fees being paid for this.

My concern is that I think government needs to take an extra step in co-operating with Municipalities NL. The first part of this bill shows co-operation. I'd like to see this government sit down with MNL and really look at the whole issue of governance in rural Newfoundland and Labrador. They have a lot of resolutions with regard to that. Maybe that has already started, but I do know there are many issues that have been dealt with. I don't think we should have parallel bodies of government and MNL, or the Department of Municipal Affairs and MNL. We need working together.

So I do support the bill, but I do have concerns about the fee, because I think maybe there's going to be some backlash. I have questions about the fee itself, the fee structure, and that I would like the minister to give us answers to, but I think these are questions that need to come up in Committee.

Very quickly, do they have any idea of how much a fee should be? Shouldn't there be a universal fee if there's going to be a fee? Shouldn't all LSDs be charging the same fee? Will the fee be levied to cover the entire cost of implementing the civic numbering, partial cost? If partial, who pays the rest?

So there are many questions, and I don't think it should just be put in the lap of LSD without some further direction from government, and I'll be happy to discuss that further in Committee.

Thank you very much, Mr. Speaker.

MR. SPEAKER: The hon. the Member for the District of Labrador West.

MR. LETTO: Thank you, Mr. Speaker.

It gives me great pleasure today to rise and speak to Bill 44, which I think is a great piece of legislation. It is two parts, as the previous speakers have alluded to.

I'll start with the first one, that's the disposal of personal property by municipalities. I think this is another great example of regional co-operation, regional collaboration. When larger municipalities have – and I know the Member for Cape St. Francis alluded to this. When larger municipalities have more resources than the smaller municipalities – and in my 20-year career in municipal governance, we heard this lots of times from smaller municipalities, that they would accept help from the larger municipalities who have more resources.

I'll give you a perfect example. Back in the '90s when I was on the council in the Town of Labrador City, we had gotten a new fire truck. The one that we were disposing of at the time, whether it was legal at the time or not, I don't know, but we did it anyway. We shipped that vehicle to the Town of Forteau in the Labrador Straits, and I think they're still using it today. If we were trying to go do that today we would not be able to do that, given legislation that's in place now.

What we're doing with this legislation is allowing municipalities who have the resources and are getting new resources to dispose of their – rather than give it back, say, in the case of a fire truck to Fire and Emergency Services to dispose of, with two-thirds majority vote of council and the permission from the minister, that piece of equipment could be transferred to a municipality with less resources and can still use it because it's still operable. That could be any piece of equipment. It could be a snowplow, it could be a fire truck, it could be a pick-up truck, it could be a desk. It's really open to a lot of items.

The Member for Cape St. Francis, I think – and I'm sure this will come up in Committee – alluded to the fact that we don't want to see this as being the conflict of interest coming into play here. I think the bill addresses that in the fact that you need two-thirds majority vote of council and you need the minister's permission. So I don't believe the council or the minister would just sign willy-nilly. I think there would have to

be some investigation done to make sure that the transfer of that equipment is in good standing. Nevertheless, I'm sure I'll await the Member's questions.

I think it's a great piece of legislation. As has been alluded to, we've had a lot of requests from municipalities, and certainly from MNL itself through their resolution process, to look at this and give the municipalities that authority to do so. And that's what we're doing.

Not to belabour the thing, I'll just go on to the other piece of legislation or part of this legislation, and that's the LSDs. I heard the House Leader of the Third Party talking about not having the resources. That's true, but we're in the 21st century, and we have to bring LSDs into the 21st century with us. What this legislation does, first of all, it is a safety issue. It has to be done and we have to look at the best way that we can do this. What this legislation does is gives LSDs the authority, if they so wish, to bring in a fee to cover their costs of enumerating households within their jurisdiction. They don't have to do it. How they do it is really up to LSDs.

LSDs do have some strong leadership within their jurisdictions. Not because they're LSDs they don't have any leadership, because they do. In a lot of cases, they have strong boards of directors and strong municipal leaders. So it's not because they're living in LSDs, they can't do this; they're very much able to do it. The other thing is talking about, well, if they charge a fee that's not fair because municipalities don't charge a fee. Well, the whole issue around that is so ludicrous. LSDs don't pay property tax. That's why municipalities pay property tax to allow their council to enact legislation or to bring in regulations that allows the municipality to operate.

To say that it's unfair – if you go to an MNL convention and you brought that up and said it was unfair, you may get out alive – you might. Every one that I go to they talk about the unfairness of municipalities versus LSDs and unincorporated areas now because municipalities do pay their way. In a lot of cases, LSDs are not paying what they should be paying in order to avail of the same services because, in a lot of cases, government covers that.

So what we're doing here is a matter of safety. We're giving LSDs the authority to do it. We're giving them the means whereby they can bring safety into play and allow whether it's a fire truck or whether it's the delivery person, whatever it is, to be able to find the residence within their jurisdiction.

Mr. Speaker, I'll sit down after saying that. I think it's a great piece of legislation. It's long overdue and it has been brought up many times by MNL and other municipalities within the province. So I look forward to the support of the Opposition on this particular bill.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for the District of Mount Pearl – Southlands.

MR. LANE: Thank you, Mr. Speaker.

It's a pleasure to stand now and speak to Bill 44, An Act to Amend the Municipalities Act, 1999. I don't want to say everything that's been said over, but I do want to put out my perspective at least on it. As has been said, there are two issues here. One is giving the ability of a town or a city to be able to gift or provide equipment and so on to a neighbouring town or to a community group or organization; and if not gifted, certainly at a good cost, not being required to go for three bids and so on and having to accept the highest bid.

If this is something that Municipalities Newfoundland and Labrador have been asking for then, I'm certainly not going to stand in their way, I can tell you that. They're a great organization. They've brought forth a lot of great requests over the years. Certainly with my time involved with the organization, I found them to have some wonderful ideas. I think this is a good one.

From an overall perspective, I don't think anybody here in this House of Assembly or certainly any member of the general public is going to argue with the fact that if a town has the means and they're going to purchase some new equipment and they have an older piece of equipment they can dispose, I don't think anyone would really have any issue with them

being able to gift that to their neighbours or at least provide it at a good cost to their neighbours, if those neighbours just don't have those resources. It speaks to the way we are here in Newfoundland and Labrador.

I see that as a positive one and I'll certainly be supporting it. I am glad though, because there were a couple of issues that occurred to me. I heard the Member for Cape St. Francis and others raise the same thing. One issue that came to mind was the turnaround time for the minister, if a request went, we'd want to make sure that the request was dealt with in an expeditious manner.

The issue of conflict of interest came to my mind as well, but I am pretty reassured by the fact that (a) it has to be publicly advertised that a town is considering doing it, (b) it requires two-thirds vote of council and (c) it also requires the approval of the minister. There is ample opportunity there, if anyone had a concern, to be able to bring that concern forward, either to the council and I'm assuming to the minister as well, if they had a concern about a town making such a decision. I think that sort of takes care of itself. I'm satisfied with that part for sure.

On the issue of the civic numbering, this was something I certainly support and something which I raised during the debate when we brought in 911 actually because I would have liked to have seen all this addressed at that time, but I'm glad it's at least coming forward now.

I would suspect that any cost associated to doing this – because I heard the Member for St. John's East – Quidi Vidi talk about cost for fees and so on, but I would suggest there probably might be a corresponding decrease in insurance rates if you had this. I would imagine that because of the fact that you don't have that same degree of fire services and emergency services and not having that civic numbering and so on, I would think that would put you at a greater insurance risk if you don't have that.

I would suspect by putting this in place you would actually benefit – you're going to benefit people, obviously, from a safety point of view, common sense tells you that, but maybe even from an insurance cost point of view as well. So

that's something positive that could come out of this as well.

I just want to speak again to the fees. As the Member for Lab West said, if you're living in a municipality, you're paying taxes. For those taxes, you're receiving a number of services. Part of that ties into having civic numbering and fire services and so on.

To suggest that someone shouldn't have to pay a fee for civic numbering, if they don't pay for civic numbering, who is going to pay for it? Somebody has to pay for it. If you're going to implement civic numbering for the safety of everybody in a local service district, which only makes good common sense, then obviously if there's going to be a cost to that, whether that be the naming of a road that may not be named perhaps, signage, or the civic numbers themselves, the administration of it and so on, if there's a cost to it, then somebody has to pay for it. So it only makes sense to me that the local service district would have the ability to charge a reasonable fee to implement that process.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. LANE: That's just good common sense to my mind. So I would certainly support that. I guess it does tie into though the overall issue of regional governance and having regional authorities, which is something that Municipalities Newfoundland and Labrador have been calling for, for a long time. We've seen it with waste management and so on.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: The hon. the Member for Mount Pearl – Southlands.

MR. LANE: Thank you, Mr. Speaker.

Mr. Speaker, as I said, Municipalities Newfoundland and Labrador have certainly been looking for a regional governance model. We've seen it now with waste management. I think really when it comes to – the Member for St. John's East – Quidi Vidi is right to some degree when she talks about we're doing things in piecemeal. That doesn't mean we don't do it,

because until we get a regional model in place, if that's what we should decide to happen at some point in time, then we're not going to sit back and do nothing until that structure is theoretically in place.

We have to proceed with things anyway. I think this one makes sense. But she is right in the sense that the reality of it is there are a number of services that are being provided throughout the province, and really we need to look at other models to be able to deliver those services so that they're provided everywhere and so that everybody pays their fair share. Whether that be local service districts, unincorporated areas and so on, the time has come, really, to have a look at that larger issue.

I understand that the government has been having conversations with MNL. I hope at some point in time we'll see some more movement in that direction. In terms of this particular bill, Mr. Speaker, I will be supporting it.

Thank you.

MR. SPEAKER: The hon. the Member for Stephenville – Port au Port.

SOME HON. MEMBERS: Hear, hear!

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

It's certainly a pleasure to stand today and add to the debate and speak to Bill 44, An Act to Amend the Municipalities Act.

Certainly, I know it's getting late here in the day and we've heard from a number of individuals so far. Of course, some great commentary from the Member for Cape St. Francis; the Member for Mount Pearl – Southlands had a little bit to add; and, of course, the Member for St. John's East – Quidi Vidi.

I'd first like to start by thanking the Minister of Municipal Affairs, the Member for Humber – Bay of Islands, and his parliamentary secretary, the Member for Lab West, for contributing to the important pieces of legislation. Really, to summarize, we're only doing two things here – two very simple things; hence, why I felt it was important for me to add – two things that are

really near and dear to my district, and two things that we've been hearing quite a lot about over in Stephenville and the Port au Port Peninsula in particular, over the last number of years.

Those two things are again very simple; number one, the disposal of personal property. Essentially what we're doing here is giving an opportunity for local service districts and/or municipalities to gift pieces of infrastructure to neighbouring areas. I don't see how you could possibly debate that. I think it was kind of picked at a little bit by the Member for St. John's East – Quidi Vidi. Perhaps it was the Member for Cape St. Francis who mentioned around conflict of interest. But in any event, as the Member for Lab West alluded to, you have to have two-thirds of the vote of council and the minister will have a say there as well.

This is something that myself and my colleague, the Member for St. George's – Humber, with neighbouring municipalities encompassing the greater Bay St. George Region, have heard. We've had councils wish to gift a fire truck to local services districts or to a neighbouring municipality. So this is something that's common, something that's tangible. It encourages sharing and sharing of services.

The other piece is the civic addressing. The civic addressing is particularly important. As mentioned, it was something that was brought up as a resolution at the MNL conference in 2015. In fact, this has been on the MNL conference – I'm not certain if it was on the agenda, but it was certainly a topic of conversation for a number of years. It's something that when the former administration went to look at the implementation of the 911 service, this topic came about. I had attended the MNL conference in 2014 and this was something that was certainly spoken about then.

What it is is we're giving the ability to local service districts to charge a fee to implement civic addressing. We're not mandating them to do so. So under the previous legislation there was no ability for them to charge a fee to implement civic addressing. This is certainly contrary to what the Member for St. John's East – Quidi Vidi is saying, how we just tossing a fee about. There's no tossing of a fee about. This is

giving unincorporated areas the ability to charge a fee, if they see fit to charge a fee.

The fact that they didn't have this ability before is quite troubling, really. So I certainly commend the minister to bring forward just a simple change to this legislation that will do so much for the municipalities and local service districts.

The local service districts and the municipalities around the Bay St. George area and even that stretch down further to the Port aux Basques area have a southwest joint council. This is a forum where they meet quarterly with all of the local mayors and chairs of local service districts. One of the meetings that happened actually just this past fall, they brought in an RCMP officer and it was a new RCMP to the Bay St. George detachment.

The RCMP officer said I'm very pleased to work here, very welcoming area and community. But if you're not from here, addressing is terrible. So just because so and so lives on main road, how am I supposed to know that the blue house was the one that I needed to attend to the call to?

We even have some local service districts in my particular area of the Port au Port Peninsula where it could be house 99, starting in one direction, working its way back to number one heading west and then in the opposite direction, heading east, you have house number 99 also working its way back to one, and both of them are in the community of Piccadilly. So how's an RCMP officer to know where to respond? It's not only pertinent to the RCMP; it is certainly pertinent to all other emergency services fire, ambulance and so on and so forth.

I just wanted to add my voice to the commentary here this afternoon. As I say, I think it is something that is really important. It is something very easy to do, a minor change. Again, contrary to what was mentioned earlier, there's no mandating of local service districts to now go out and charge a fee. This is something that the local service districts would have to do amongst themselves and in conjunction with the other members that sit around their table to ensure that this is something they want to move

forward with. But this just gives them ability to do so.

It is certainly a great change to this legislation. Again, I wanted to commend the minister and his staff for bringing this to the House of Assembly.

Thank you very much, Mr. Speaker.

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

MR. HUTCHINGS: Thank you, Mr. Speaker.

It is good to get up and speak to Bill 44. Just one part I wanted to mention, I listened to the debate this afternoon back and forth on various aspects and that's in regard to the civic addressing and the authority here to give local service districts the ability to implement an associate fee for collecting it. Obviously, you're going to need that information. It's required for any kind of emergency or any kind of access. Oftentimes for mortgage documents and those types of things it's required.

One thing I do note, I know with the establishment of the waste management system, I don't know if you're familiar with my area and the Eastern Waste Management system. There's been a lot of work done in regard to obtaining those civic addresses and identifying them for the waste management process. I'm just wondering, and maybe the minister can speak to this when we get in Committee, why isn't that information or that data being collected and being used? Because, obviously, it's the same data.

Is there any effort made to maybe access that or to use that? Because as we say, local service districts have to try and obtain this information if they don't have it, but if it's already available or the ability to access it, especially in more rural, remote areas and that's available – I'm just wondering if that was part of the discussion going through and thinking about identifying information that may be already available.

So as we go through Committee, maybe I'll get the minister to speak to that and give us some idea if there was any discussion on that.

Thank you.

MR. SPEAKER: If the hon. the Minister of Municipal Affairs speaks now he shall close debate.

The hon. the Minister of Municipal Affairs.

MR. JOYCE: I won't stay long, Mr. Speaker. Again, I thank everybody who spoke on the bill. Once again we see the House of Assembly coming together on very important issues for safety in the Province of Newfoundland and Labrador and helping out municipalities across Newfoundland and Labrador. To everybody who spoke, thank you very much.

As I said earlier, Mr. Speaker, there is a lot of expertise in this room, a lot of people who have been on municipal councils, a lot of people who have been mayors and a lot of people who know how important this bill is. I know this is going to be very important for first responders.

To all the Members of the House of Assembly, thank you very much for taking time to speak. Thank you very much for taking the time to stand up for Newfoundland and Labrador for safety and for municipalities. To my critic, the Member for Cape St. Francis, thank you again for being so involved in the bill process and ensuring what we're bringing forth is the best for Newfoundland and Labrador.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

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

The motion is that Bill 44 be now read a second time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye

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

Carried.

CLERK: A bill, An Act To Amend The Municipalities Act, 1999. (Bill 44)

MR. SPEAKER: This bill has now been read a second time. When shall the bill be referred to a Committee of the Whole House?

MR. A. PARSONS: Tomorrow.

MR. SPEAKER: Tomorrow.

On motion, a bill "An Act To Amend The Municipalities Act, 1999," read a second time, ordered referred to a Committee of the Whole House on tomorrow. (Bill 44)

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

MR. A. PARSONS: Mr. Speaker, I move, seconded by the Member for Bonavista, that the House do now adjourn.

MR. SPEAKER: It has been moved and seconded that the House do now adjourn.

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

Carried.

This House now stands adjourned until 1:30 tomorrow afternoon.

On motion, the House at its rising adjourned until tomorrow, Tuesday, at 1:30 p.m.