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HANSARD

Speaker: Honourable Perry Trimper, MHA

Wednesday

November 22, 2017

The House met at 10:30 a.m.

MR. SPEAKER (Trimper): Order, please!

Admit strangers.

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 22.

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

MR. A. PARSONS: Mr. Speaker, I move, seconded by the Minister of Tourism, Culture, Industry and Innovation, that Bill 22, Status Of The Artist Act, be now read a third time.

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

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

This motion is carried.

CLERK (Barnes): A bill, Status Of The Artist Act. (Bill 22)

MR. SPEAKER: This bill is now 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, "Status Of The Artist Act," read a third time, ordered passed and its title be as on the Order Paper. (Bill 22)

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

MR. A. PARSONS: Mr. Speaker, I move, seconded by the Minister of Tourism, Culture, Industry and Innovation, for leave to introduce a bill entitled, An Act To Amend The Liquor

Corporation Act, Bill 23, and I further move that the said bill be now read a first time.

MR. SPEAKER: It is moved and seconded that the hon. the Minister of Tourism, Culture, Industry and Innovation shall have leave to introduce a bill entitled, An Act To Amend The Liquor Corporation Act, Bill 23, 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.'

This motion is carried.

Motion, the hon. the Minister of Finance and President of Treasury Board to introduce a bill, "An Act To Amend The Liquor Corporation Act," carried. (Bill 23)

CLERK: A bill, An Act To Amend The Liquor Corporation Act. (Bill 23)

MR. SPEAKER: This bill 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 23 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 Natural Resources that the House resolve itself into a Committee of the Whole to consider Bill 25.

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.

Is the pleasure of the House to adopt the motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

This motion is carried.

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

Committee of the Whole

CHAIR (Warr): Order, please!

We are considering Bill 25, the Prescription Monitoring Act, and we are debating the third amendment in clause 4.

CHAIR: Shall the motion carry?

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: Those against?

Carried.

On motion, clause 4 carried.

CLERK: Clause 5.

CHAIR: Clause 5.

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: Those against?

Carried.

On motion, clause 5 carried.

CLERK: Clause 6.

CHAIR: Clause 6.

Shall the motion carry?

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: Those against?

Carried.

On motion, clause 6 carried.

CLERK: Clause 7.

CHAIR: Clause 7.

Shall the motion carry?

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: Those against?

Carried.

On motion, clause 7 carried.

CLERK: Clause 8.

CHAIR: Clause 8.

Shall the motion carry?

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: Those against?

Carried.

On motion, clause 8 carried.

CLERK: Clause 9.

CHAIR: Clause 9.

Shall the motion carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clause 9 carried.

CLERK: Clause 10.

CHAIR: Clause 10.

The Chair recognizes the hon. the Member for Conception Bay East – Bell Island.

MR. BRAZIL: Thank you, Mr. Chair.

It's an honour again as we move through the prescription monitoring bill here to propose the following amendment.

Subsection 10(2) of the bill is deleted and the following substituted: Upon the request of the minister, a prescriber, dispenser or other person shall disclose to the minister any information the minister reasonably requires to determine compliance with the act or the misuse, abuse or diversion of monitoring drugs.

Mr. Speaker, we present that as an amendment.

CHAIR: Order, please!

The Committee will recess to consider the amendment.

Recess

CHAIR: Order, please!

The amendment is said to be in order.

The Chair recognizes the hon. the Member for Conception Bay East – Bell Island.

MR. BRAZIL: Thank you, Mr. Chair.

Again, in accordance with the whole conversation we've had in the last couple of days, particularly on this act here, we're very supportive of the act. We're very supportive of the intent and very supportive of helping move it forward.

Our amendments are just to – if there's a particular gap that's identified there or if there's some vagueness in the wording, to ensure it's more prescribed and it meets the particular needs

it was set out to do. What we noted here was just that at times it could be sensed there might be a little bit of vagueness in the wording, little broader than people would particularly like, a little bit open ended. So the suggestion here was to change the language a little bit, to tighten it up a bit, to keep it in line with the compliance of what the act was all about and to ensure there's a better ability to identify misuse, abuse and diversion of the monitoring drug system.

Mr. Chair, we're putting this forward as an amendment, hoping we'll get support from other Members of the House here to help move along a good piece of legislation and entrench that in so it meets the particular needs and the outcome put forward.

Thank you, Mr. Chair.

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

MR. HAGGIE: Thank you very much, Mr. Chair.

I welcome the Member opposite's comments about being supportive of the principles of the legislation because, certainly, as I said the other day, we do have a significant issue on our hands; however, the phrasing of the preceding paragraphs and this particular section under consideration is in actual fact, when read together, fairly specific in that it requires reasonably necessary related to the objects of the act which are stipulated as being misuse of monitored drugs, appropriate prescribing and dispensing.

The authority is only required for those non-compliant situations where there's been a flag around a prescription. I think, bearing in mind my colleague's comments, I would respectfully disagree and suggest that the wording, as it stands at the moment, adequately addresses those concerns.

It is a key component of the program. I feel that the wording, as it exists at the moment, speaks closely to that. So I would respectfully suggest that the clause stay as it is currently worded.

Thank you.

CHAIR: The Chair recognizes the hon. the Member for St. John's East – Quidi Vidi.

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

I stand to support the amendment because I think every clause should have specifics in it that make the point of the clause clear.

I hear what the Minister of Health and Community Services is saying, but I also agree with the amendment. I do agree with the amendment because I do think it is important to say what the compliance is all about. The misuse, abuse or diversion of monitored drugs is what it's about.

I think a section should be able to be understood on its own and not have to be referred back to another section to be understood. I think this does make it clearer, and I'm sorry the minister doesn't think that clearer language is necessary.

Thank you.

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

MR. LANE: Thank you, Mr. Chair.

I just want to say for the record that I also support the amendment that's been brought forward. I think one of the concerns we've heard from physicians, the NLMA and so on, is they feel the way this bill is currently written that it can be much more far reaching than perhaps is what is intended. I think this amendment clarifies specifically the issue in this particular clause, and specifically what we're talking about in terms of these monitored drugs and so on.

I do appreciate what the minister is saying. If you tie it all back and you read it all in context, one can interpret what the intent is, and I'm sure that is the intent, but anything we can do to add clarity, to allay any fears that are there that this could go much further and broader than is intended, then I think we would be much better off to do that. I'm sure it would put at ease the minds of the professionals that are going to be impacted by this. For that reason, I support the amendment.

Thank you.

CHAIR: Is it the pleasure of the Committee to adopt the amendment?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against?

SOME HON. MEMBERS: Nay.

CHAIR: Defeated.

On motion, amendment defeated.

CHAIR: Shall clause 10 carry?

The Chair recognizes the hon. the Member for Conception Bay East – Bell Island.

MR. BRAZIL: Thank you, Mr. Chair.

Again, we're making another amendment to clause 10, subclause 10(4).

Subclause 10(4) of the bill is deleted and the following substituted:

(4) Where the minister believes on reasonable grounds that a prescriber or dispenser has contravened the act or has aided the abuse, misuse or diversion of monitored drugs, he or she may disclose information to the appropriate regulatory authority about the non-compliance or the potential abuse, misuse or diversion of the monitored drugs.

I would like to put this forward as an amendment to 10(4).

CHAIR: Order, please!

The Committee will recess to consider the amendment.

Recess

CHAIR: Order, please!

The amendment to subclause 10(4) is said to be in order.

The Chair recognizes the hon. the Member for Conception Bay East – Bell Island.

MR. BRAZIL: Thank you, Mr. Chair.

Again, this follows the amendment we put forward on 10(2), regarding just clarifying and being more prescriptive as to the responsibilities, from the minister's point of view, when we look at the misuse, abuse and diversion under the monitoring drug program itself.

What we had proposed in the previous one that was defeated is similar here; we just want to prescribe it. These are conversations that we had with particularly the Newfoundland and Labrador Medical Association, and they support the concept of the bill here. They support most of the clauses that are here but, in some cases, similar to here and the discussion that we had it made sense; they want it to be more explicit and spelled out so there's no misinterpretation, so it makes it easier for them to ensure that their members are compliant, and there would be better indications as to if there is somebody who is misusing, abusing, or diverting the program itself.

Again, we propose this and ask the hon. Members opposite to give this serious consideration because we feel this adds to the valuable piece of legislation that is being put forward.

Thank you, Mr. Chair.

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

MR. HAGGIE: Thank you very much, Mr. Chairman.

The language, I would suggest, in this section 10(4) is actually very precise. But again, it loops back to the concept of the way this bill has been drafted as a coherent, cohesive, integral whole. It refers back to the objects of the program. These are clearly laid out in section 3 and address the Opposition Member's concerns. I really think that we are delving into what is really wordsmithing rather than necessarily contributing to clarity.

So I would suggest that the original wording should stand, Mr. Chair.

Thank you.

CHAIR: The Chair recognizes the hon. the Member for St. John's Centre.

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

I'm standing to support this amendment. I understand when the minister says this seems like wordsmithing but, in fact, when we're dealing with such an important piece of legislation, wordsmithing is very, very important. Had the minister brought this to a legislative committee to review before bringing it to the House, perhaps we wouldn't have to do this type of detailed wordsmithing here in the House. We do have the legislative tools to allow us to do that, to bring this before the legislative committee.

My concern when we're looking at some of this wordsmithing that really is very important, that there are experts out there, for instance like the Newfoundland and Labrador Medical Association, who had some very specific concerns, again, around some of the words that are used and some of the specific issues covered in this legislation.

I would ask the minister – and I can appreciate his frustration in terms of why are we wordsmithing – has he directly met with the Newfoundland and Labrador Medical Association about some of these specific issues since he tabled this legislation? Has he directly met with them to address some of the issues that they have raised? They have an incredible level of expertise in this area. That would be my question to the minister, Mr. Chair.

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

MR. LANE: Thank you, Mr. Chair.

Just for the record, I want to support this amendment as well. I think it's adding more clarity. I believe that if the NLMA are requesting this – the minister says himself it's not really changing the intent. But if it makes

them more comfortable to ensure that it's very specific about what it is that's trying to be achieved, if it makes sense, if it's not changing the intent in any way, then it's beyond me why the minister would not be willing to entertain some of these amendments.

Mr. Chair, we have another piece of legislation that's going to be coming forward. We're going to be talking about SIRT. One of the things I know that I've heard the Minister of Justice talk about is the fact that in that particular case, you have a professional organization like the RNC, like the RCMP, and they want the scrutiny. They want to have those mechanisms in place to ensure the integrity of their members.

I'm sure that physicians are no different. The physicians, the pharmacists, they want to make sure that their members are in compliance, that they don't have, as the minister has referred to them, these rogue physicians, I believe – that's his words, not mine. They don't want rogue physicians; they don't want anybody doing anything wrong. It's in their best interests that we have good rules in place to hold all their members accountable.

We need to be working with them, not against them. If they have suggested these minor amendments that makes them more comfortable, that gets them more engaged and on board with what we're doing here, and if the minister has said that we're really not changing the intent by doing it, then what's the big deal? I don't understand it. It's like we're against it for the sake of being against it.

Anyway, that's my commentary and I'll support the amendment.

Thank you.

CHAIR: The Chair recognizes the hon. the Member for St. John's Centre.

MS. ROGERS: Yes, Mr. Chair, also I believe that it's very important to be very prescriptive in this legislation because the Newfoundland and Labrador Medical Association has stated their concern that rather than being heavily weighted on education and prevention, that this piece of legislation seems very, very heavily weighted on

punishments, so to say enforcement, rather than education and behaviour change.

Now, the Minister of Health and Community Services, the day before yesterday, said in the House that doctors don't like change. Well, I believe our doctors do like change and the doctors are having a really hard time dealing with, for instance, the opioid crisis in our province.

One other issue that was raised by the Newfoundland and Labrador Medical Association is that many doctors will say, you know what, I'm not going to deal with opioids. I'm not going to prescribe them at all because it's too complicated.

I'm concerned about how this legislation will impact their practice. So I believe it is very important to be very specific about the far-reaching possibilities of the ministry and of the Newfoundland and Labrador Health and Information Centre. It is very important to be as clear as possible so it doesn't create an unnecessary freeze or a climate of confusion or a climate of fear by medical professionals, because opioids need to be used in some cases.

The other issue I'm very concerned about, Mr. Chair, and that I would like the minister to respond to is the number of people whose doctors may stop prescribing opioids. Now, some people may be in a circle of addiction with their opioid use or have a heavy reliance on opioids. How many doctors – because folks are coming to me in my district saying that their doctors are saying: I am not prescribing opioids anymore, don't even bother coming to me about opioids. So the doctors are also trying to find ways to help with people who may need help with detox and with changing their habits on drug use.

Mr. Chair, I'm asking the minister, what is his plan to deal with what might be an unintended consequence of this, where people will go to the streets to get opioids because doctors are afraid to or will no longer prescribe them, but are at a loss as to how to help their patients get off an opioid addiction, and we know the street drugs are far more dangerous?

So, Mr. Chair, I believe that relates somewhat to this particular subclause. Again, we cannot create an atmosphere where doctors feel they cannot do their practice responsibly for fear of a big heavy stick.

Thank you.

CHAIR: Is it the pleasure of the Committee to adopt the amendment?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against?

SOME HON. MEMBERS: Nay.

CHAIR: The amendment is defeated.

On motion, amendment defeated.

CHAIR: Shall clause 10 carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against?

Carried.

On motion, clause 10 carried.

CLERK: Clause 11.

CHAIR: Clause 11.

Shall the clause carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against?

Carried.

On motion, clause 11 carried.

CLERK: Clause 12.

CHAIR: Clause 12.

The Chair recognizes the hon. the Member for Conception Bay East – Bell Island.

MR. BRAZIL: Thank you, Mr. Chair.

Again, we're making an amendment here to the act itself under clause 12, subclause 12(1).

Subclause 12(1) of the bill is amended by deleting the words and comma "for a purpose related to the administration or enforcement of this Act or the regulations," and by substituting the following words and commas: "where the inspector believes on reasonable grounds that a person is in contravention of this Act or the regulations, and where information requested under section 10(2) has not been provided."

Mr. Speaker, we put this forward as an amendment to clause 12, subsection 12(1).

CHAIR: Order, please!

I will recess the Committee and we'll consider the amendment.

Recess

CHAIR: Order, please!

We're looking at subclause 12(1). The amendment is not in order.

Shall clause 12 carry?

The Chair recognizes the hon. the Member for St. John's Centre.

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

Again, I would like to speak to clause 12. It is really about the power of inspections. I believe that it's really important to be very specific here. We all know what a critical bill this is and it is important to be specific. I would like to bring forth, once again, the concerns that were raised by both the Office of the Information and Privacy Commissioner and the concerns that were raised by the Newfoundland and Labrador Medical Association.

I was quite surprised, in fact, when I last spoke, I raised some specific issues asking the minister

very specific questions and he had not responded. So I would hope that, once again, he would respond. It is so very important to have this legislation as specific as it needs to be in order to not have the unintended consequences of prohibiting or discouraging doctors, physicians or other prescribers from their full scope of practice because of what may seem to them as lack of clarity in a piece of legislation.

I'm concerned about the lack of consultation through the legislative tools that we have available here in the House through legislative review committees, but also I'm concerned that the Office of the Information and Privacy Commissioner has a very specific concern about how this will impact people's privacy and what that means for the powers that it gives inspectors, that an inspector can go into the office of a medical professional and search those premises – that's a great concern – and on the basis of what, on the basis of perhaps opioids?

Maybe some people will see the real concern about misuse and abuse of opioids, particularly in prescribing because it does cause a crisis and has far-reaching ramifications in our province. What about other drugs that the minister may deem as important to include under monitoring, whether it be antibiotics? It's a concern that the Office of the Information and Privacy Commissioner has raised.

The concern also that office raised was the lack of time for full consultation. I would ask the minister if he would consider calling the Privacy Commissioner to the House to speak to Committee to really clearly articulate what are his concerns and how will they be addressed?

I would ask the minister, again, has he, himself, met with the Privacy Commissioner about the very specific concerns that he has raised? We can't support this legislation without addressing those very, very critical concerns.

The Privacy Commissioner, that office, is for the benefit of the people of the province and for the benefit of all of us making laws here in this House. I would ask him about how is he responding to those issues but, more importantly, will he call and invite the Privacy Commissioner to this Committee to speak to the issues that they have raised?

These similar issues have been raised by the Newfoundland and Labrador Medical Association. I ask the minister: In the interest of making the best possible legislation that we can, that affects a crucial and critical issue in our province, will he ask – will he invite the Newfoundland and Labrador Medical Association to come and speak to this House during Committee to discuss the issues that they have raised?

The minister has said that he has consulted with some of these organizations. There's an international leader in public participation. It is the International Association for Public Participation. They have some core values for the practice of public participation. Those core values include – first of all, public participation is based on the belief that those who are affected by a decision have a right to be involved in the decision-making process. I believe that everybody believes that here. That's what our democracy is about.

It also says, then, that government may say we met with someone last January or we had a brief conversation or we had a meeting, but in order to do that full circle of participation and consultation, otherwise it's meaningless, that their core value number seven is public participation communicates to participants how their impact affected the decision.

We don't know what government has done with the consultation that they say they have done with the Newfoundland and Labrador Medical Association or what they have done with the Office of the Information and Privacy Commissioner. Because they are absolute experts in their two particular fields, whether it be information and privacy and the medical field. It is essential that before this legislation is passed that these outstanding issues that they have raised, coming out of their expertise, that we hear from them and know that they have been taken seriously, that all consideration has been given to these specific issues that they raised and that we all need to hear from them and make sure that the specific issues that they have raised are satisfied according to this House and are satisfied according to the very serious issues that they have, particularly the Privacy Commissioner.

The government is not required to absolutely take his recommendations, but I believe as a House of Assembly who are considering legislation that we are morally required to really seriously consider the issues that he has raised because it comes from an office of expertise – expertise that the people of the province are paying for, not to be taken lightly, not to be ignored.

Once again, Mr. Chair, the expertise that comes out of the Newfoundland and Labrador Medical Association, to ignore the issues that have been raised, to not address them sufficiently would be a huge error on our part.

Thank you very much. I would ask again the minister to stand and respond to these questions. They are not hostile questions; they are questions that have come out of a desire on our behalf, of our caucus, to ensure that this legislation is the best it possibly could be.

Thank you very much.

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

MR. HAGGIE: Thank you very much, Mr. Chair.

I draw your attention to clause 60(2) concerning discussions in Committee of the Whole about items being strictly relevant to the item or clause under discussion. So having granted the Member opposite considerable leeway in rambling off this subject, I hope you'll allow me the same courtesy.

To join the dots for the Member opposite, this act is to deal with an opioid crisis. It may interest the Member that the magnitude of this crisis is such that every man, woman and child in this province, effectively, is getting eight days' supply of opioids each year. Eight days for every man, woman and child prescribed in this province. That's the problem.

The bulk of this act, in its principle, and the objects are quite clearly set out, is around education. The remainder of the act is designed to deal with a smaller group of rogue individuals who have traditionally been non-compliant and problematic and are responsible, quite frankly,

for deaths in this province, Mr. Chair. The reason there is so much emphasis on this and the reason we have gone down this road is because of previous issues with a very small group of people who have caused us significant grief on this very topic.

So the emphasis on the act has to be to deal with those kinds of issues simply because, with all the loopholes that exist currently, they're getting off. These people are not being held to account. To paraphrase, again, the bulk of physicians, prescribers and dispensers in this province are responsible individuals who are practising to the highest standards.

I propose to deal briefly with two comments that the Member opposite made and then I'm going to ask this House to support this clause in its entirety. The first comment relates to the Office of the Information and Privacy Commissioner. First fact: No information that is currently private in a personal health record will be any different thereafter. It's not going out on the internet with peoples' names plastered all over it, and to try and suggest such with this hyperbole, supplied by the Medical Association, is fear mongering at its best.

The Privacy Commissioner was on the phone with my staff after this bill was read into the House in first reading. Public knowledge, publicly available, he was speaking with my staff and, less than 24 hours later, he's out in the media saying something completely different. Ask him that question, not me. As far as the NLMA is concerned, the NLMA are an advocacy group designed to foster and protect the interests of their members and I commend them for that.

The driver behind this, however, is a group that the Members opposite have declined to even mention, which is a College of Physicians and Surgeons of Newfoundland and Labrador. They are the regulators of physicians. The ARNL, the regulators of nurses, are similarly driving this.

The Member opposite referenced the RNC, referenced law enforcement. They are keen on this. This is not new. We are the last province to get in here. This is the fourth such jurisdiction to have stand-alone legislation. We are not inventing anything. We are not going off into the

woods here. We are using guidelines, acts that have been drafted in other provinces, which have been crafted to fit the regulatory and legal framework of this jurisdiction, and they have been run through Legislative Counsel.

To suggest in this House that somehow the people in Legislative Counsel – either in the Department of Health or in the Office of the Legislative Counsel, or anywhere in government, have not done their job is really disingenuous and, quite frankly, offensive.

So basically, I hope you will grant the same latitude under the Standing Orders that you granted the Member opposite because really and honestly this is not particularly relevant to clause 12 or the items therein.

I'm going to sit down and take my seat again and commend to this House that we support this section.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

CHAIR: The Chair recognizes the hon. the Member for St. John's East – Quidi Vidi.

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

If the Member opposite wants a ruling on a point of order, then why didn't he call a point of order? Number one, the Member for St. John's Centre spoke specifically to the content of the clause – specifically to the content – to concerns that have been raised about the content of the clause and why those concerns are not being paid attention to.

So I really object to the minister making a ruling on his feet. That is a ruling you should be making. If he wanted to do that, why didn't he call a point of order?

Thank you, Mr. Chair.

CHAIR: Order, please!

Shall clause 12 carry?

The Chair recognizes the hon. the Member for Topsail – Paradise.

MR. P. DAVIS: My apology, Mr. Chair.

I thought I heard the Member rise on a point of order.

CHAIR: The Chair did not rule on a point of order from the hon. Minister of Health and Community Services. There was no point of order.

The Chair recognizes the hon. the Member for Topsail – Paradise.

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

I thought when she rose she said she rose on a point of order.

CHAIR: There was no point of order.

MR. P. DAVIS: Mr. Chair, it's interesting to listen to the minister opposite and the debate here this morning becoming somewhat testy on a very important piece of legislation. He likes to raise and talk about – not likes to, but he did. He actually rose and spoke to Standing Order 60(2): "Speeches in Committee of the Whole must be strictly relevant to the items or clause under consideration." And then he went on and talked about a whole bunch of other things.

So if it's fine for him to do it, then it should be fine for everyone else in the House to do it as well, which we'll do and I appreciate the latitude, Mr. Chair.

AN HON. MEMBER: (Inaudible.)

MR. P. DAVIS: Then he did it himself.

CHAIR: Order, please!

The Chair has recognized the hon. the Member for Topsail – Paradise.

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

Section 12 is a very important section. It relates to two other sections, including 11 and to 13. Section 12 is about the powers of an inspector and compliance. We live in a society where

there has to be restrictions put on those who are enforcing laws and rules, and as the minister referred to law enforcement. It's not only police, but if an inspector is enforcing this law, once it becomes law, then that inspector is also acting in a position of law enforcement.

Mr. Chair, there are very strict rules in Canada and very strong restrictions on the rights of law enforcement. There are laws in Canada which prevent law enforcement and people in the role of law enforcement from walking in any premises they feel like, whenever they like, to inspect books and records.

Now, the concerns raised to us – I don't have the benefit of a career in medicine as the minister does and I respect his years of service and his experience, but doctors have raised concerns directly to me, personally. Not just the NLMA, who I did meet with and they raised concerns, but doctors themselves have raised concerns to me, personally, about these powers. So it's not just the Newfoundland and Labrador Medical Association. There are doctors in this province who have raised those concerns directly about inspectors, about the inspection powers or powers of an inspector.

Under the act, the minister can appoint an inspector, or as it's worded here "a custodian or an employee of a custodian under the *Personal Health Information Act* to act as an inspector" If you go to section 13, it talks about: "An inspector shall prepare a report which sets out the findings and results of the inspection." I talked about this in second reading, Mr. Chair.

The minister may share the findings and results of an inspection, it says in paragraph (2). It doesn't directly and pointedly say that the inspector shall file the report with the minister, but it's presumed because the section says the minister may share the findings. So the minister has to know what the findings are. The report has to be filed with the minister. There's no other direction I see here as to how the inspector or where the inspector files the report.

The powers given to those inspectors appointed by the minister are very clear: for the purpose related to administration or enforcement of this act may inspect and examine the premises, processes, books and so on of a person that the

inspector considers relevant for the purpose of determining compliance with the act.

Mr. Chair, that's very broad powers – very, very broad powers. It doesn't even contain, as we raised in a proposed amendment, reasonable, probable grounds. That's an accepted principle in law in Canada for someone engaged in a form of law enforcement to have reasonable, probable grounds to do the work they do or to make an allegation.

In most cases if you want to do an inspection, you are required to get a warrant or some type of a court order to do that inspection. We weren't asking for that in an amendment. We are not asserting that should be the case here, but at the very least there should be reasonable, probable grounds.

Doctors have said to me: This is a problem for me and my practice. I'm concerned about the privacy of my patients. Does this allow anyone to come in, essentially any time, to my office and carry out inspections of my files and my records of my patients? And they've expressed concern over that. His own colleagues, physicians in this province, have directly expressed concern, outside of the NLMA or not associated to the NLMA. That's why this section is of particular importance.

The section could even say in exigent circumstances, which is sometimes used in law. I'm not a lawyer either, but I am familiar with exigent circumstances, broadening the powers of law enforcement if there's urgency, if there's a rush, there's something pressing, there's a reason why this needs to be done right away. Even in exigent circumstances it can be a variety of things, but sometimes the rules are not proper for what's happening at the time and there's a reason why that should happen. The person who is doing the inspection, if there were exigent circumstances, could define that and defend that, but that doesn't exist here.

It simply says: at reasonable times, for a purpose related to the administration or enforcement. Even for just the administration of the act, they can walk into an office, actually anywhere – because it says books or records of a person that the inspector may consider relevant.

Mr. Chair, that's a pretty broad term. That's a very, very, very broad term. You can walk in and inspect records of a person and you can do that – not being in a dwelling, that's laid out there, not in someone's home, but you can walk into an office virtually anywhere of someone who might be engaged or have records regarding drugs that are being monitored and examine them.

I don't know; maybe a reporter does a story and says sources say that this is happening or sources say this. Well, under this, maybe the inspector can just walk into those premises and do an inspection of those books and records. Is that what I'm reading here? I'm sure that's not the intent, but we don't know what circumstances may happen down the road. We don't know what a future minister may decide.

I'm not, as I've said before, alleging that this current minister, that's his intent, but maybe a minister down the road utilizes that rule or that law in a way that it wasn't intended. That's why we have to be careful when we write laws, to make sure they are used the way they are intended, that they protect people's basic rights, they protect the best interests of doctors who are fearful about continuing the practice as they do in prescribing opioids or drugs or whatever drug may be monitored, and they've expressed that concern.

We have to make sure the law is proper. I cannot be more sincere than I am here right at this very moment to say this particular section, of all sections in this bill, is a concern to me and Members on this side of the House.

Mr. Chair, we're not asking for the world here and we're not asking for a battle; we're just asking for an opportunity for improvement. I believe there's room for improvement in the best interests of not only doctors and pharmacies, but for patients and to protect future government and inspectors who will have to conduct themselves according to this legislation. I believe it would be a good move and the right thing for the government to reconsider this and to see if they can reword this so that it better describes the intention of that particular section.

Thank you, Mr. Chair.

SOME HON. MEMBERS: Hear, hear!

CHAIR: The Chair recognizes the hon. the Member for St. John's Centre.

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

I'm happy again to speak to this particular clause. I'd also like to speak to the issues that the minister raised after I spoke the last time where he said I rambled on and on and on, and that don't I know that there's an opioid crisis.

Yes, I do know. Mr. Chair; everybody in this House knows there's an opioid crisis. Every person in this province knows that there's an opioid crisis. We all know that. We all know how urgent this is. We are not asking for unusual changes or considerations to this particular clause; we are asking to make it the best that we possibly can.

Now, I see the minister's frustration. Maybe he's more interested in an autocracy rather than a democracy. For him to say –

SOME HON. MEMBERS: Oh, oh!

CHAIR: Order, please!

MS. ROGERS: For him to say that all this is, is just simply rambling –

SOME HON. MEMBERS: Oh, oh!

CHAIR: Order, please!

The Chair is having difficulty hearing the hon. Member. I ask for all Members' co-operation.

The Chair recognizes the hon. the Member for St. John's Centre.

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

In fact, what we are doing here today is what we have been asked to do. This is what we have been elected to do. Unfortunately, this government has chosen not to use the proper legislative tools that we have and not bring it to committee before introducing this legislation to the House, and not doing real consultation.

The most viable experts in our province are saying that there are some outstanding issues and to not consider that, Mr. Chair, is an absolute waste. I don't understand it. I'm concerned that these – he, basically again, called into question what the Privacy Commissioner has said and done and what the Newfoundland and Labrador Medical Association has done. I believe that their intention is to make this the best possible legislation that it can be to deal with that incredible opioid crisis that we are facing – not good enough.

Mr. Chair, the minister has said that they have done a jurisdictional scan. One of the questions that I have is: With the results of their jurisdictional scan, is it as broad ranging in other jurisdictions as our particular legislation is? I'm not so sure. Ours may have more problems, maybe more far, broad ranging and could be a problem. So that's what's being raised here. It's not about rambling. It's not about grandstanding. It's not about anything except trying to make this – this is about –

SOME HON. MEMBERS: Oh, oh!

CHAIR: Order, please!

MS. ROGERS: – trying to make this the best possible legislation it can be.

I would like to hear from the minister about other jurisdictions, whether they have such broad search powers as what are being proposed here in his particular piece of legislation. I'd also like to acknowledge the work that has been done by our legal experts in government who've worked hard on this particular piece of legislation, but this is the work that we have been elected to do on behalf of the people and we have to get this one right. This is the opportunity to make it the best that it possibly can be.

Thank you, Mr. Chair.

CHAIR: The Chair recognizes the hon. the Member for St. John's East – Quidi Vidi.

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

With regard to clause 12, I would like to hear from the minister the specifics of what it is they are talking about in this clause when it says: "An inspector may, at all reasonable times, for a purpose related to the administration or enforcement of this Act or the regulations, inspect or examine the premises, processes, books and records of a person that the inspector may consider relevant for the purpose of determining compliance with this Act or the regulations"

When it comes to prescriptions and when it comes to the role of physicians and the role of dispensers, there are electronic records that must be, at all times, accurate and which can be accessed at any time with regard to prescription and with regard to dispensing. So I'm wondering what it is the government is thinking they are looking for when these inspections happen, when we have a system in place that holds physicians and those who dispense accountable for everything.

What is it they're looking for? This is what I want to know, because it looks like it's just a hunt for something. What is that based on? Is it based on the fact that the records don't look accurate or there's some reason to think the records aren't accurate that we already have access to?

I would like some explanation from the minister with regard to that point.

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

MR. HAGGIE: Thank you very much, Mr. Chair.

Maybe if I just explain a little bit about how the process works. The challenge is when going through a piece of legislation like this – which describes a program, which is a process – we are taking little bits in isolation when this is an integrated whole. I think if I just step back for a minute and paint a picture it may answer some of the concerns of both the Leader of the Opposition and the interim Leader of the Third Party.

Essentially, the Prescription Monitoring Program as it is envisaged in the future will be,

as the Member opposite says, a real-time exercise. The challenge at the moment is that there are a considerable number of physicians who, whilst they have the ability to interact or will have the ability to interact with the Pharmacy Network real time, their records are paper based. They still rely on control drugs, narcotics books for those practices where they dispense as well as prescribe; although, just for the record, physicians now are no longer allowed to dispense. I'm referring to some of the clinics maybe on the North Coast.

So if you then go through the process of the program working, at some point a patterned behaviour or an incident would arise, flagged through the system that would be out of the ordinary. It would be unusual. The idea then is that flagged episode would generate a request from the program administrators to the people involved to say: look, this is unusual, we're not quite sure what it means, could you explain it? Could you – if you're a prescriber – clarify why you wrote X pills for Y months on this particular prescription, or why the dispenser handed out medication in that way? Ninety-nine times, or maybe even 999 times out of 1,000, that response will be forthcoming and there will be a dialogue between the administrator of the program and the clinicians involved.

What you then move into is the challenge of the situation where – we have heard already there are situations where behaviour is unusual and not easily explained. In the event that the participant in the process declined several requests from the program, reasonable requests, there would be an option here for that material to be gathered without consent of the person involved. It would be done in a way with people and individuals who were designated under the *Personal Health Information Act* as custodians. It's ring-fenced and it is within the constraints of this act and also within the constraints of fear.

This would then allow an inspector to access paper charts, paper books, records of relevance only. The wording of this section is only for compliance with the objects of this act. It is not enabling anyone to go on a fishing expedition. This is particularly and totally constrained to the objects of the act. Again, you have to step back from this clause and go back to section 3 and the

other leading sections which explain the ecosystem, if you like, of this.

So just to answer some other questions, Nova Scotia has much broader regulation and acts. The college there is the person or the group who deal with this and they're deluged. Quite frankly, their advice was somehow you need to ring-fence this. We, as regulators, don't want to see every bit of information that comes through. We're only interested in behaviour of concern or behaviour where there may be some professional issues.

On the other hand, if you look at Ontario, and the reason the wording in our act differs slightly from Ontario is that their legal system differs in two ways: one is they have a different approach to drafting legislation and the second thing is they have a completely different approach in terms of the way the regulation system works. They have had a prescription monitoring program by another name in place since 2010 and they have yet to have an inspector do an inspection.

Just for the sake of context for that, Mr. Chair, Ontario houses a third of all of Canada's physicians. This is not something that's going to happen every five minutes. If it hasn't happened with 33,000 doctors in seven years in a very urbanized environment, I'm not sure that we're dealing with a problem of any great frequency.

Once again, Mr. Chair, I would recommend, most strongly, that given the way this bill has been written, given the way each of these sections tie together as integral pieces of a puzzle, that this section should pass Committee.

Thank you.

CHAIR: Shall clause 12 carry?

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: Those against?

Carried.

On motion, clause 12 carried.

CLERK: Clause 13.

CHAIR: Clause 13.

Shall the clause carry?

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: Those against?

Carried.

On motion, clause 13 carried.

CLERK: Clause 14.

CHAIR: The Chair recognizes the hon. the Member for Conception Bay East – Bell Island.

MR. BRAZIL: Thank you, Mr. Chair.

As we're going through the process here of putting amendments forward, getting some clarification, having good debate and outlining exactly the agencies and organizations who have advised us, who we've consulted with, who have given us different perspectives on how we can improve this bill, the holistic intent here is that we have a piece of legislation that meets the particular needs and strives to actually achieve what it was set out to do.

What we're proposing here: Subclause 14(1) of the bill is amended by deleting the words "that are referred to them by the minister."

The amendment to subclause 14 of the bill would be done as such: The bill be amended by deleting the words "that are referred to them by the minister."

I present that, Mr. Chair, for review.

CHAIR: Order, please!

The Committee will recess to consider the amendment.

Recess

CHAIR: Order, please!

We're looking into the amendment of subclause 14(1).

The amendment is not in order.

SOME HON. MEMBERS: Hear, hear!

CHAIR: Shall clause 14 carry?

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

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

I would like to ask the minister: What exactly is the role and purpose of this committee and what would they be examining or advising on; and if they're advising, what would be the materials that they would be advising on?

Thank you.

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

MR. HAGGIE: Thank you very much for the question.

This committee would be, if you like, a form of practice audit. The intent of this committee is that it would examine the materials submitted in response to a request for information, or in a case where compliance had been an issue with any inspection.

For example, if there was a prescription that was unusual in some way, the information had been supplied by the prescriber or dispenser, then this information would go to this group. They would then make a determination as to how this fitted in with a clinical scenario. This is a matter of professional practice and best standards; it is not a matter of administration. That is why this clause is constituted the way it is. It allows a committee to be struck and also then stipulates if such a committee has to be struck, then this will be a consideration in its composition.

The reason it's phrased in a conditional is that given the frequency with which such events might occur, it's totally unknown as to whether or not you would need to have such a body there the entire time, as it were; and the other thing is that it's phrased in such a way that it would be a

contextual committee. So, for example, if the issue was around dental prescribing, the committee could be constructed in such a way that it would have expertise to look at dental prescribing. If it was a midwife or a nurse practitioner, then it would be structured in such a way to look at nurse practitioners' practice.

It's not that you would have, for example, a hospital-based pharmacist opining on a community-based pharmacist practice. We're trying to get a peer-group approach, which is entirely consistent with other legislation and components of other regulatory bodies and the health professionals council and such. So I hope that answers the question.

CHAIR: Shall clause 14 carry?

The Chair recognizes the hon. the Member for Conception Bay East – Bell Island.

MR. BRAZIL: Thank you, Mr. Chair.

We want to make an amendment to clause 14(2).

Clause 14(2) of the bill is amended by adding immediately after subsection (2) the following: Any committee that addresses within its terms of reference the prescribing of monitored drugs shall include at least two prescribers and two dispensers.

I have that presented, Mr. Chair.

CHAIR: Order, please!

The Committee will recess to consider the amendment.

Recess

CHAIR: Order, please!

Shall clause 14 carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clause 14 carried.

CLERK: Clause 15.

CHAIR: Shall clause 15 carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clause 15 carried.

CLERK: Clause 16.

CHAIR: Shall clause 16 carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clause 16 carried.

CLERK: Clause 17.

CHAIR: Shall clause 17 carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clause 17 carried.

CLERK: Clause 18.

CHAIR: Shall clause 18 carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clause 18 carried.

CLERK: Clause 19.

CHAIR: Shall clause 19 carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clause 19 carried.

CLERK: Clause 20.

CHAIR: Shall clause 20 carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clause 20 carried.

CLERK: Clause 21.

CHAIR: Shall clause 21 carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clause 21 carried.

CLERK: Clause 22.

CHAIR: Clause 22.

The Chair recognizes the hon. the Member for Conception Bay East – Bell Island.

MR. BRAZIL: Thank you, Mr. Chair.

This is the last amendment that we have to put forward. Clause 22 of the bill is amended by adding in paragraph 22(d) immediately before the word "respecting," the words and comma "for the purposes of sections 7 and 8 of the act."

We present it as an amendment to clause 22, Mr. Chair.

CHAIR: Order, please!

We will recess the Committee to consider the amendment.

Recess

MR. SPEAKER (Trimper): The hon. the Member for Baie Verte – Green Bay, Chair of the Committee of the Whole.

MR. WARR: Mr. Speaker, the Committee of the Whole have considered the matters to them referred and have directed me to report progress and ask leave to sit again.

MR. SPEAKER: The Chair of the Committee of the Whole reports that the Committee have considered the matters to them referred and have directed him to report progress and ask leave to sit again.

When shall the report be received? Now?

MS. COADY: Now.

MR. SPEAKER: When shall the Committee have leave to sit again?

MS. COADY: Tomorrow.

MR. SPEAKER: Tomorrow.

On motion, report received and adopted. Committee ordered to sit again on tomorrow.

MR. SPEAKER: In accordance with provisional Standing Order 9(1)(b), the House is in recess until 2 this afternoon.

Recess

The House resumed at 2 p.m.

MR. SPEAKER: Order, please!

Admit strangers.

In the Speaker's gallery today, I'd like to recognize Mr. Jim Lester, MHA elect for the District of Mount Pearl North.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Also in the Speaker's gallery, I'd like to welcome Mr. Ethan Hunt. Ethan will be the subject of a Member's statement today. He is joined by his father, Rick Hunt.

Welcome to you, Sir.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: In the public gallery, I'd like to recognize Mr. Bruce Templeton and his wife, Paula. Mr. Templeton will be the subject of a Member's statement today.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: I also see and would like to welcome a friend and colleague of mine, Mr. Steve Gordon, from the New Brunswick Department of Fish and Wildlife, and he's here on business. It's good to have you here.

SOME HON. MEMBERS: Hear, hear!

Statements by Members

MR. SPEAKER: For Members' statements today, we'll hear statements from the hon. Members for the Districts of Baie Verte – Green Bay, Windsor Lake, Virginia Waters – Pleasantville, Fogo Island – Cape Freels, Fortune Bay – Cape La Hune and Placentia West – Bellevue.

The hon. the Member for Baie Verte – Green Bay.

MR. WARR: Mr. Speaker, to live and work in rural Newfoundland and Labrador and help promote its arts and tourism potential has been a satisfying venture for partners Linda Yates and David Hayashida, co-owners of King's Point Pottery.

Involved with many tourism initiatives in the area, David was recognized as this year's winner

of the Tourism Ambassador of the Year. Both Linda and Dave have given selflessly of their time and energy to champion the interests of this industry. Artist and entrepreneurs working together to develop the tourism industry in their own hometown and are infusing the industry with new ideas and opportunities.

Mr. Speaker, King's Point Pottery celebrated its 25th anniversary this year. It has been a shining light in the scenic and beautiful seaside community of King's Point since its inception.

In 2013, it was named top craft shop in Atlantic Canada and it was also tagged as a top shopping destination in the province on TripAdvisor for the past three years. King's Point Pottery sells and promotes works of 365 different artists, most of them craftspeople from Newfoundland and Labrador.

Mr. Speaker, I welcome my hon. colleagues to join me in congratulating David Hayashida, Newfoundland and Labrador's Tourism Ambassador of the Year.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for the District of Windsor Lake.

MS. C. BENNETT: This Sunday, thousands of families will gather for the St. John's Downtown Christmas Parade, and for one of the parade's longest serving volunteers, so begins another marathon Christmas season of 60 Santa visits culminating on Christmas Eve at the Janeway.

I'm so proud to recognize Mr. Bruce Templeton.

Recognized with numerous awards for his community work, including the Red Cross Humanitarian of the Year award, Newfoundland and Labrador Volunteer of the Year award, as well as induction into the International Santa Claus Hall of Fame, Bruce's passion for children is inspiring. The sale of his books featuring beautifully moving stories about his adventures as Santa's helper has provided Dr. Bruce Aylward of the World Health Organization funding for polio vaccines for over 300,000 children.

At next April's International Conference of Santa Claus in Denver, Bruce will share those special Santa moments with a global audience.

On behalf of the children and families from our province and around the world, join me in thanking Mr. Bruce Templeton for four decades of work with Santa. Let's take heed of Bruce's advice: Stop and make memories for your children. Go sliding, make hot chocolate, for in the end it is your presence, not the presents, that count.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

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

I rise in this hon. House to honour the Vanier Elementary Garden Club. The garden club was started in 2016, and despite the poor initial growing season, the garden club was still able to donate potatoes from their growth season to the Single Parent Association.

The garden club boasts about 30 members, who love to eat what they grow. Under the direction of Mr. Geoff Shinkle, the garden club has recently, with the help of their families and community, erected hoop houses that have made it possible to grow more vegetables.

Previously, due to summer vacation, the children were not able to witness the fruits of their labour, but thanks to the hoop houses, they are able to grow later than ever before. The radishes that were planted in the first hoop house survived every frost we have had so far and should be ready to be harvested in just a few weeks.

The garden club hopes to have an even more successful 2018 and donate the fruits and vegetables to the Vanier Breakfast Program or families who could benefit from fresh produce.

Thank you to Mr. Shinkle and the Vanier Garden Club for helping grow our community.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Member for the District of Fogo Island – Cape Freels.

MR. BRAGG: Mr. Speaker, imagine hearing the news that you need a heart transplant to live. Now imagine needing three heart transplants before grade six.

Terry Gill was born in 1989 with a defective heart and was soon to spend more time in hospitals than his own bed. Most were spent at the Sick Kids Hospital in Toronto.

In 1996, Terry underwent two heart transplants. In 2003, Terry underwent another transplant. All during this time, Terry's mom and dad made his life as normal as possible.

In recent years, Terry became an active member of the New-Wes-Valley Volunteer Fire Department and currently sits on the town council, while working full time with Hoyle's Ambulance. But Terry, being one of the most eligible bachelors I know, got married this past summer. And together with his wife, were delighted to introduce baby Sebastian into this world.

Terry Gill stands as the best reason I know to sign your organ-donor card. Without the consideration of others, Terry's story may have never been written. I chatted with Terry before writing this and you should have seen his big smile.

Please join me in celebrating Terry's life and story.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MS. PERRY: Thank you, Mr. Speaker.

I rise in this hon. House to congratulate the organizers, volunteers and residents for the success of the fourth annual Strides kitchen party in support of Daffodil Place that took place at the St. Jacques-Coomb's Cove community

centre in October, which I was delighted to attend.

Committee members Lorraine Bambury, Jane Williams, Rhonda Bungay and Jean Sheppard are committed volunteers who give wholeheartedly of themselves to help others in the community. In partnership with Penny Pardy and the Canadian Cancer Society, the kitchen party features local entertainment and delicious food, guest speakers and over 180 donated prizes, raffles and gift baskets. This lively and inspirational event provides support for people with cancer who must travel to St. John's for treatments.

The kitchen party has raised over \$50,000 in support of Daffodil Place. As of September 2017, 1,412 nights for cancer patients from the Coast of Bays region were provided by Daffodil Place with an approximate cost of over \$250,000.

I ask all Members of this hon. House to join me in congratulating the fundraising committee and all those who contribute to ensure we help ease the financial and emotional burden of a cancer diagnosis and continue to make huge strides in the fight against cancer: steps towards research, education, detection and awareness, eradication and support.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for the District of Placentia West – Bellevue.

MR. BROWNE: Mr. Speaker, adversity and challenge presents itself in different forms, often beyond anyone's control. To some, it is overwhelming. For others, with a positive attitude, it can be overcome. Such is the case with Ethan Hunt.

This 17-year-old from Marystown has consistently rolled up his sleeves and stared down adversity head-on, despite a life full of challenges.

Just this February, Ethan underwent heart surgery. In April, he had reconstructive knee

surgery. None of this has held him back and, Mr. Speaker, it's not about to start now.

He is an avid volunteer for Children's Wish. Each year, he organizes the Ethan Hunt Project in support of the Janeway. In the new year, he will embark upon a new mission to support the Ronald McDonald House.

He is active in Special Olympics, a decorated sea cadet in RCSCC 121 Mary Rose and dutifully serves as an altar server at his church. In fact, just this past weekend, he was named the newest mascot for the Marystown Mariners. Perhaps, Mr. Speaker, we may have a future MHA in our very midst.

Mr. Speaker, Ethan, with his ever-supportive parents, Rick and Lori, has become a shining example of positivity and giving back, determined to overcome whatever life throws at him and being all the better for it.

Keep smiling, Ethan. Thanks for being you.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Statements by Ministers.

Statements by Ministers

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

MR. A. PARSONS: Mr. Speaker, I rise in this hon. House today to recognize November 19 to 26 as Restorative Justice Week. Last week, I was joined by my colleagues from the Department of Education and Early Childhood Development, Children, Seniors and Social Development and the Minister Responsible for the Status of Women at an event with our stakeholders in proclaiming this week and showing our support for this important initiative. I am also pleased to be a part of a panel discussion this evening that will explore the use of restorative justice approaches to address challenges in the province's education and legal systems.

Mr. Speaker, restorative justice focuses on addressing the harm caused by crime while

holding the offender responsible for his or her actions. It provides an opportunity for the parties directly affected by crime – victims, offender and community – to identify and address their needs.

Mr. Speaker, this government strongly believes in restorative justice and recognizes we need to find innovative ways to address the numbers of people incarcerated, to look at why they are incarcerated and to determine how to reduce the risk of reoffending.

The Department of Justice and Public Safety has been exploring initiatives such as the drug treatment court, bail supervision and adult diversion to keep people out of court, address access to justice matters and improve peoples' interactions with the justice system.

Mr. Speaker, I ask all hon. Members to join me in acknowledging Restorative Justice Week and all the individuals that are involved in making this happen, and I look forward to continuing this important work with my colleagues and stakeholders.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

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

I thank the minister, first of all, for an advance copy of his statement today. We, too, are pleased to recognize Restorative Justice Week. This week provides an opportunity not only to acknowledge, but also to encourage a continued discussion on better ways of assisting victims, offenders and the community at large so the needs arising from matters of crime can be resolved in the best interest of all parties involved, currently and for the future. It's important to raise awareness for a restorative approach to address crime and conflicts in our society.

I hope this week will play an opportunity for all to continue that discussion. I thank all stakeholders, Mr. Speaker, for having the drive and the vision to continue discussing and

keeping a focus on progress and improvement in our justice system.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MS. ROGERS: Mr. Speaker, I, too, thank the minister for an advance copy of his statement. I applaud all those who are doing the important work of restorative justice. Currently, all of our correctional facilities are bursting at the seams. We are locking up people when there are proven alternatives.

I encourage the Minister of Justice to explore every option that offers alternatives to incarceration when possible and, when not, to ensure every tool possible to help people with rehabilitation be employed. We cannot afford not to do this. I am looking forward to seeing restorative justice established in all our educational and justice systems.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Further statements by ministers?

The hon. the Minister of Natural Resources.

MS. COADY: Thank you, Mr. Speaker.

I rise in this hon. House today to congratulate Women in Resource Development Corporation on the occasion of its 20th anniversary.

For 20 years now, the corporation has been committed to increasing women's participation in trades and technology. That work is to be commended.

Mr. Speaker, our government provides operational funding to the Women in Resource Development Corporation through Advanced Education, Skills and Labour's Labour Market Development Agreement and Youth Innovation Grants. This has created the foundation for very strong working relationships between the

corporation and government officials, including those in Natural Resources and the Women's Policy Office.

In Newfoundland and Labrador, we continue to strive to become a world leader in gender equity in the natural resource sector, and the Women in Resource Development Corporation has played a vital role in our province's success. It has positioned itself as a key partner for advancing gender diversity in the workplace and has provided thousands of young girls and women throughout the province with the knowledge, resources and supports they need to make truly informed career choices, and successfully train and advance the science, technology, engineering, mathematics and the skilled trades.

The Women in Resource Development Corporation has delivered workplace diversity and inclusion training to hundreds of employers, provided linkages to skilled and qualified women, and worked directly with the operators, contractors and sub-contractors of our province's natural resource projects. The organization has been a key part of creating a local, diverse, skilled workforce, and in supporting industry in their efforts to create and maintain inclusive workplaces.

Mr. Speaker, I'd like to acknowledge my colleague here in the House, the MHA for St. John's East – Quidi Vidi, who was the first Executive Director of the Women in Resource Development Corporation, and was dedicated to the development of the organization.

I thank all women who have contributed to the corporation's work, past and present, and wish them many, many more years of great success.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MS. PERRY: Thank you, Mr. Speaker.

I thank the minister for an advance copy of her statement. We, on this side of the House, join in congratulating the Women in Resource Development Corporation on the occasion of its

20th anniversary. I would also like to recognize my colleague, the MHA for St. John's East – Quidi Vidi, on her dedication and previous work with the organization.

Organizations such as Women in Resource Development Corporation do tremendous work in furthering gender equity in this province and we commend them for doing so, but there's still much to do. I ask government to continue to work with these stakeholders and work with industry to further gender equity in our province.

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 thank the minister for the advance copy of her statement, and I thank her for her recognition of my role with WRDC. I'm absolutely delighted and I'm proud to stand and celebrate the 20th anniversary – who would have believed?

I'm very much aware of the accomplishments of Women in Resource Development Corporation, particularly in the oil and gas and mining industries. WRDC first gave leadership through the environmental assessment process in getting women's employment plans introduced, first, in the Voisey's Bay mining project and then the White Rose offshore development, and much has happened since.

Congratulations, Women in Resource Development Corporation.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Further statements by ministers?

Oral Questions.

Oral Questions

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

SOME HON. MEMBERS: Hear, hear!

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

Mr. Speaker, while Bill 25 is being debated in this hon. House, the Canadian Medical Association has raised serious concerns regarding the government's heavy-handed approach in its proposed *Prescription Monitoring Act*.

As the former president of the Canadian Medical Association, I ask the minister: What is your response to those concerns?

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

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

We have an opioid issue in this province, as we do in this country. As of data released very recently, every man, woman and child in this province has on average eight days of opioids prescribed for them every year.

This measure is part of a package to deal with the opioid issue. We consulted widely and have had input from the regulators, particularly the College of Physicians and Surgeons of Newfoundland and Labrador, who have been fully supportive of these measures and proposals, Mr. Speaker, and I look forward to continuing in committee in the near future on this bill.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

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

I suggest to the minister that none of the stakeholders that we've met with or spoken with were able to see a draft bill or specifics of the bill prior to it being brought to the House of Assembly.

Mr. Speaker, the Canadian Medical Association has outlined three specific concerns in their

letter of November 22 to the minister and recommends that the minister engage in a dialogue with stakeholders to discuss the concerns.

I ask the minister if he'll commit to meeting with stakeholders and having meaningful dialogue prior to finalizing this legislation.

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

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

I would repeat what I've already said in this House. The consultation process was in actual fact initiated by the Members opposite in the early part of 2015. We have consulted with no less than 12 representative groups of prescribers and dispensers and regulators and we have had no fewer than 24 individual bouts of consultation face to face.

We have, in addition, consulted with folk by telephone as recently as 20-or-so hours prior to the debate starting in this House.

SOME HON. MEMBERS: Hear, hear!

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

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

I ask the minister: Of all the groups that he consulted with, were any of them actually provided with the detailed specifics and contents of the bill prior to the bill coming to the House?

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

MR. HAGGIE: Mr. Speaker, the content of the bill was derived from extensive consultations. As the Member opposite knows, until the bill has passed first reading, the contents of it are not available for public dissemination.

I will tell you that within the confines of his confidentiality agreements with government as legislated, the Privacy Commissioner had full of sight of that prior to and he shared his comments with us right up until the time the debate started

and he entered the public arena with his comments.

SOME HON. MEMBERS: Hear, hear!

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

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

We now have a minister who is going to publicly criticize an independent Officer of this House. We heard that this morning as well.

The Canadian Medical Association recommends that the minister recognize the authority of the College of Physicians and Surgeons of Newfoundland and Labrador and support their role and capacity in the practice patterns of physicians including monitoring and subsequent interventions.

I ask the minister: Why is he unilaterally imposing these rules upon physicians when he has control?

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

MR. HAGGIE: Mr. Speaker, it's unfortunate that the Member opposite seems to attribute comments to me that I have not yet made and sentiments that I have not expressed.

I have not, at any stage, taken on anybody. I've simply recognized the Member's questions and answered them honestly. His interpretation is his affair and not mine.

As far as the discussions around heavy-handedness and this kind of thing, those are comments that the Members opposite have chosen to bring.

This is the result of an extensive consultative process to deal with a situation that is killing Newfoundlanders and Labradorians. The time for analysis is over, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. P. DAVIS: Mr. Speaker, nobody is questioning the importance of this bill. We said at the onset, we support the intention of the bill, the importance of the bill, the need for the bill in the province. That's not a reason to rush it through without proper debate and proper consultation and listening to important stakeholders from the community.

The province's Privacy Commissioner has also raised concerns with the government's proposed legislation. His concerns centre on privacy issues and the real potential for problems in the future. It's not about the minister personally, Mr. Speaker; it's about the potential in the future as well.

Has the minister met with the Privacy Commissioner since his concerns have been made public?

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

MR. HAGGIE: Mr. Speaker, I think it's again worth repeating here what I have said in the possibly four hours of debate that has gone on around this act. That is private health care information in this province will remain just that.

The whole of this package around Bill 25 is constructed to acknowledge the importance of the *Personal Health Information Act*. It is built around that. The mechanism and the oversight and the administration of it are done within that framework, with one exception, Mr. Speaker, and that is to deal with the issue of non-compliant rogue individuals who double doctor. I have nothing to apologize for in this legislation.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Leader of the Official Opposition.

MR. P. DAVIS: Mr. Speaker, nobody is asking the minister to apologize. I just finished saying a moment ago this is not personal about the minister; this is about getting the best legislation.

The minister doesn't need to be defensive. We need to have a discussion about how to get the best legislation. That's what the House of Assembly is about, Mr. Speaker.

The Privacy Commissioner is an independent, non-partisan Officer of this House. He has a role to oversee both the *Access to Information and Protection of Privacy Act* and the *Personal Health Information Act*. Giving the Privacy Commissioner just a briefing a couple of months ago I don't believe goes far enough.

Why is the minister disregarding valuable input from a subject-matter expert, the Privacy Commissioner? Is the Minister Responsible for Access to Information comfortable with the Minister of Health's disregard for the Commissioner's concern?

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

MR. HAGGIE: Once again, Mr. Speaker, there are some slight factual errors in the preamble to that question, not least of which is my department staff were talking with the Privacy Commissioner immediately prior to his press release and subsequent to the publication of the bill under the authority of the Queen's Printer after it had been read the first time.

The Privacy Commissioner indeed is a very valued member of the health care team. We have conducted recently a review of the *Personal Health Information Act* and its working under Dr. Morgan. In actual fact, if it hasn't already been released, that report will be released in the near future. We are working to make that act better again, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Leader of the Official Opposition.

MR. P. DAVIS: So, Mr. Speaker, he's not going to respond to the Canadian Medical Association. He's not going to delay the passage and progress of the bill and have time to speak to their concerns.

The Privacy Commissioner spoke publicly and when I asked him, he's not saying he spoke to

him after the Privacy Commissioner became public. So there are many concerns that are mounting on this bill, Mr. Speaker, but I'm sure all legislators want to get it right.

I ask the minister: What review was done to ensure the public, including patient's constitutional rights, will be protected under this legislation? What review was done? What consultation was done?

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

MR. HAGGIE: Thank you very much for the question, Mr. Speaker.

I am not a legislator in the sense of a drafter of legislation. We have that expertise within House. However, it is my understanding that they, in their professional capacity, would not allow us in any capacity to bring to the House a bill that was in contravention of the Constitution or in breach of the Charter, Mr. Speaker. I would offer that as the best answer to that question.

SOME HON. MEMBERS: Hear, hear!

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

MR. PETTEN: Thank you, Mr. Speaker.

Mr. Speaker, I ask the minister responsible for Environment: Will you be implementing a carbon tax in our province by next year?

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

MR. JOYCE: Thank you, Mr. Speaker.

Thank you for the question. As we said, we're going to have a product that's made here in Newfoundland for Newfoundlanders and Labradorians, Mr. Speaker.

I always hear the Member talking about the carbon tax. I just want to remind him: your party brought us the biggest tax that Newfoundlanders and Labradorians are ever going to see, called Muskrat Falls.

SOME HON. MEMBERS: Hear, hear!

MR. JOYCE: So I can assure you, whatever we do will be done for the benefit of Newfoundlanders and Labradorians. We will come up with a program that is going to benefit the economic development of Newfoundlanders and Labradorians.

SOME HON. MEMBERS: Hear, hear!

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

MR. PETTEN: Thank you, Mr. Speaker.

Mr. Speaker, my next question is: When do you intend on telling taxpayers, families, business and industry how much this carbon tax is going to cost them?

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

MR. JOYCE: Mr. Speaker, when we develop the plan, which we said will be done in 2018, we will make it publicly known. We said that. I know the former minister said that. I'm saying that, in 2018, we'll have it done.

Unlike Muskrat Falls, which we were told that it's going to be a medium or small increase in rates, now we're going to find out that they're double – double – going from \$6.2 billion up to almost \$12 billion.

So anything that we do, we'll make it publicly known. We'll work with all stakeholders. We will not exclude anybody, including the PUB, if necessary, to make sure we get it right for Newfoundlanders and Labradorians.

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

MR. PETTEN: Thank you, Mr. Speaker.

I guess I'll try again on another one now. Yesterday in the House the minister said they're in constant consultation with the federal government; we're in constant consultations with all partners of Newfoundland and Labrador.

Minister, who's involved in those consultations; can you be more specific?

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

MR. JOYCE: Well, Mr. Speaker, on the ministerial level, it's the minister; on the staff level, it's the staff; and in Newfoundland and Labrador, it's all the businesses in Newfoundland and Labrador. I mean, we made it quite clear. I've been quite upfront; the former minister has been quite upfront on the consultations.

The federal government has come up with legislation; they will make a backstop if we don't come up with something made in Newfoundland and Labrador. We're working at making something in Newfoundland and Labrador. I can assure you, though, it will not put Newfoundlanders and Labradorians behind the eight ball like your government did with Muskrat Falls.

Mr. Speaker, to date, we have yet to get an apology from that government for what they did to Newfoundlanders and Labradorians, the taxes that they gave them.

SOME HON. MEMBERS: Hear, hear!

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

MR. PETTEN: I guess the minister is going to have to try to find his briefing binder on carbon taxes, Mr. Speaker. So I'll try another one.

The former minister of Environment said your government would be monitoring emissions from large industry for two years. He said your plan was to have two years of data so that, by the start of 2019, companies will receive targets and they will have strategies before them as to how they are going to meet those targets.

Yesterday you said: We'll have a solution in 2018. Why the change? How can you impose a solution before you even determine the targets?

MR. SPEAKER: The Minister Responsible for the Office of Climate Change.

MR. JOYCE: Excuse me, Mr. Speaker, I have to put on my glasses for this because I was going to stand up with questions that were asked by the

Leader of the Official Opposition yesterday. I'll read it because I was going to present this information later when he asked that there were nine industrial facilities done. The report has been in. We are finalizing it. Part of the greenhouse gas act, it's all made public. It will be public in the very near future, Mr. Speaker, and I was going to present that later as questions that you asked yesterday.

SOME HON. MEMBERS: Hear, hear!

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

MR. PETTEN: Can the minister clarify, is the two years of monitoring completed?

MR. SPEAKER: The hon. the Minister Responsible for the Office of Climate Change.

MR. JOYCE: Mr. Speaker, under the act, it has to be done every year. What we're going to be putting forth here now is what was done up to this period as we speak, one year. That's what we're going to make public, then continue on under the act that they all have to report the greenhouse emissions.

So that is part of the act and the act was passed in this House of Assembly, Mr. Speaker. So if you could see the act – and it's going to be made public, the information that is right now collected will be posted online for the general public to see, unlike Muskrat Falls where you kicked out the PUB, where you would not release the full information to everybody in Newfoundland and Labrador. We will be open and accountable to all Newfoundlanders and Labradorians.

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

MR. PETTEN: I remind the minister, Mr. Speaker, that act that we passed last year was for two years monitoring. It clearly states it in the act. It was done June of 2016, it brings us up – so I'll wait for better clarity than one year; it's supposed to be two years, Mr. Speaker.

Your Liberal government, like the Trudeau Liberals, have left the people with more questions than answers about what the pending

carbon tax will mean for families, employers and our economy. Why is your government hiding your plan for the carbon tax?

MR. SPEAKER: The hon. the Minister Responsible for the Office of Climate Change.

MR. JOYCE: Mr. Speaker, the last thing that I noticed hid, the great tax for Newfoundlanders and Labradorians, is what you called Muskrat Falls.

SOME HON. MEMBERS: Hear, hear!

MR. JOYCE: Mr. Speaker, I stood in the Opposition when the Member who brought in, who was the minister – I think it was Natural Resources at the time – said phone Nalcor. You can phone in, tell them what your power rate is and they'll tell you how much it is – this phone a meter.

Mr. Speaker, do you know what it was? Go up two cents, when you made that call, actually.

So anything that we do will be open. It will be public. The public will know. We're in consultation with the industry, we're in consultation with all the stakeholders and we're in consultation with the federal government, Mr. Speaker. I can assure you we will not kick the PUB or anybody that can help us out with this carbon tax out of the picture because we want it best for Newfoundlanders and Labradorians.

SOME HON. MEMBERS: Hear, hear!

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

MR. PETTEN: Mr. Speaker, thank you.

I have one request for the minister. Would he please go back and review his briefing binder on the carbon tax?

SOME HON. MEMBERS: Hear, hear!

MR. PETTEN: That's all I'm asking.

I'm going to ask another one now and I'm going to try again. A study by the Angus Reid Institute this summer showed the majority of Canadians and even a larger majority of Newfoundlanders

and Labradorians, 62 per cent, actually, oppose the carbon tax.

Why is your government ignoring public opinion on the carbon tax?

MR. SPEAKER: The Minister Responsible for the Office of Climate Change.

MR. JOYCE: Mr. Speaker, I'm sorry to laugh at the Member because I gave you my briefing note. I gave you the full briefing book. You can have the briefing binder. I walked over and I gave you the briefing binder.

Mr. Speaker, it's not complicated. There's nothing hid here. The federal government came out with a law. What we're going to do, we're going to produce something that's going to benefit Newfoundlanders and Labradorians, made in Newfoundland and Labrador, for Newfoundland and Labrador, to help Newfoundlanders and Labradorians.

If you want another copy of the briefing book, you can have it. We're not hiding anything on this side of the House of Assembly, unlike Muskrat Falls, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. JOYCE: Unlike Muskrat Falls where the PUB was kicked out, Mr. Speaker, and we couldn't even get information here.

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Hear, hear!

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

MR. PETTEN: Mr. Speaker, I want to remind the minister he did provide that information to me. But guess what? I read it; he never.

SOME HON. MEMBERS: Hear, hear!

MR. PETTEN: You keep talking about a made-in-Newfoundland-and-Labrador carbon tax plan. How can you be so confident it will be enough to satisfy the prime minister?

MR. SPEAKER: The Minister Responsible for the Office of Climate Change.

MR. JOYCE: Mr. Speaker, just on a personal note, you may have read it. I wrote it, so I do know it.

SOME HON. MEMBERS: Hear, hear!

MR. JOYCE: Mr. Speaker, just on a personal note there.

The federal government has a law. The federal government passed a law on greenhouse gas emissions. They have it and what we do we have to conform within that law. We, as a province, and all the provinces in Canada have to conform within the regulations that the federal government put forth.

What we have done, we said we'll make something for Newfoundlanders and Labradorians because we want to benefit Newfoundland and Labrador. We don't want to put people out, wondering if they are going to pay their heat bill or pay their phone bills (inaudible) –

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Hear, hear!

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

MR. PETTEN: Mr. Speaker, the minister writes his own briefing notes. He just told us. It's incredible.

SOME HON. MEMBERS: Hear, hear!

MR. PETTEN: What a minister. Wow.

I'll try one more, Mr. Speaker. Can he tell us what his plan is to safeguard the competitiveness of our onshore and offshore industries?

MR. SPEAKER: The Minister Responsible for the Office of Climate Change.

MR. JOYCE: Mr. Speaker, as I said earlier, we're in consultation with all the industries and Newfoundlanders and Labradorians. We always consult. This government always consults.

Mr. Speaker, I don't want to talk about why we don't consult. We want to look at the previous government. Let's look at Abitibi, took over a mill they didn't want. Look at the mill they didn't want.

We have to look at Muskrat Falls, Mr. Speaker. I'm sorry to bring it up, but I can assure you, that's going to be the biggest burden on Newfoundlanders and Labradorians that any of us in this House are ever going to see.

They kicked out the Joint Review Panel, they kicked out the PUB and they're questioning us on the consultations we're having? It's shameful. You should practice what you preach, Mr. Speaker, and Newfoundlanders and Labradorians wouldn't be in the bind that they're going to be facing in the next three or four years.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

The hon. Member for the District of Cape St. Francis.

SOME HON. MEMBERS: Hear, hear!

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

After almost two years of waiting, the Fisheries Advisory Council was finally created. Can the minister provide an update as to what the council has done so far?

MR. SPEAKER: The hon. parliamentary secretary for Fisheries and Land Resources.

SOME HON. MEMBERS: Hear, hear!

MR. BRAGG: Mr. Speaker, I'm so delighted to stand in this House today and take his very first question. I studied the news so hard the last two days wondering what it was going to be and really hoped it was going to be about the big cat on the West Coast.

The Fisheries Advisory Council – we're meeting with the stakeholders, we're meeting with industry. As time permits, more information will become available. I'm sure the minister, when

he's here, will update everyone on every step of the way.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. K. PARSONS: Mr. Speaker, we're all aware, and I'm sure the hon. Member is aware, of the dramatic decline in both the shrimp and the snow crab stocks and the quotas. Harvesters and plant workers are very concerned.

How much longer will we have to wait for the strategic action plan on cod revitalization that your government promised to deliver?

MR. SPEAKER: The parliamentary secretary for the Department of Fisheries and Land Resources.

MR. BRAGG: Thank you, Mr. Speaker.

I guess there's nothing like starting off with a bang, because I do represent an area which is rich in shrimp, the groundfish and the shellfish industry. I can guarantee you, this affects everyone.

We're working with industry stakeholders on this. Everyone is involved in the conversation. I can guarantee you we're going to do the right thing that needs to be done to get this industry on the right foot.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

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

MR. HUTCHINGS: Thank you, Mr. Speaker.

Yesterday, I asked the Minister of Natural Resources about power generation ability throughout the upcoming winter months.

Minister, based on your understanding, if we continue to have reservoir water shortage, will

there be enough water in the reserve to provide sufficient generation to all of the province?

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

MS. COADY: Thank you, Mr. Speaker, for this very important question.

As I said yesterday in this House, reservoir levels are at 87 per cent, which is slightly lower than what we would like in the Province of Newfoundland and Labrador.

Newfoundland and Labrador Hydro has assured me that they have adequate thermal generation and there should be no difficulty in supply this winter.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. HUTCHINGS: Mr. Speaker, yesterday the minister said she had concerns. I understand there are 1,000 gigawatt hours less than there were this time last year.

Recently, the manager for Exploits Generation with Newfoundland and Labrador Hydro has said: Due to low water levels on the Exploits River, some of the lowest in 50 years, power generation will be drastically decreased.

I ask the minister: What is the replacement plan for this energy?

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

MS. COADY: Thank you, Mr. Speaker.

Again, these are very important issues for the Province of Newfoundland and Labrador to ensure that we have adequate supply of electricity. This is very important to us.

Yes, Mr. Speaker, it has been a dry summer and a dry fall and, as I said, reservoir levels are lower than we would like to see them in the Province of Newfoundland and Labrador.

Mr. Speaker, over the last number of years, Newfoundland and Labrador Hydro has done a tremendous amount of work on maintenance and upgrading of its thermal generation systems. I can assure the Member opposite that even this past summer there was work being done on them, maintenance of these generators.

Mr. Speaker, I've been assured by Newfoundland and Labrador Hydro on behalf of the people of Newfoundland and Labrador that we will have adequate generation.

SOME HON. MEMBERS: Hear, hear!

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

MR. HUTCHINGS: Thank you, Mr. Speaker.

Yesterday, my colleague spoke of the Holyrood Generating Station and the particular generator out there and the increase in fuel costs out there over the summer.

I just wonder from the minister, could you indicate: Is there greater capacity at Holyrood, through that generator that could be used if there's a shortfall in energy in the coming winter?

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

MS. COADY: Thank you, Mr. Speaker.

Over this summer there was a tremendous amount of maintenance done, as the Member can remember back in 2015 when there wasn't enough generation. Since that time, there has been a requirement to have on standby the combustion turbine which was operational during the summer; its backup power was required for Holyrood.

I can assure the Member opposite, maintenance has been done. There has been a review of the combustion turbine – sorry, the thermal generation opportunities in the Province of Newfoundland and Labrador. I've been reassured by Newfoundland and Labrador Hydro, Mr. Speaker, that we are in good shape for this winter despite the lower water levels. I

again remind the people of the province, it is at 87 per cent.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Ferryland for a very quick question.

MR. HUTCHINGS: Thank you, Mr. Speaker.

I wonder if the minister could tell us: Based on the suspected low level of waters, what is the expected generation decrease we could see this winter, and basically where is that replacement energy coming from?

MR. SPEAKER: The hon. the Minister of Natural Resources for a quick response.

MS. COADY: Mr. Speaker, I think I've answered his question.

We have thermal generation, all systems are go, Mr. Speaker, on that thermal generation. There was maintenance done at Holyrood this past summer to ensure that it was in proper working order, Mr. Speaker. We have thermal generation as a backup to our hydro generation, and I've been reassured by Newfoundland and Labrador Hydro we're in good shape for the winter.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

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

In the last three years we have heard loud and clear from parents about unsafe conditions for the children walking to school. They are calling for a change in the school busing policy so children and youth are not walking on busy roads with no sidewalks or on roads because existing sidewalks are full of snow. We need action now before another child or young person is injured or killed walking to or from school.

I ask the minister: Will he create a flexible busing policy that allows for situations where the absence of functioning sidewalks puts young students at serious risk?

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

MR. KIRBY: Mr. Speaker, the Province of Newfoundland and Labrador, as far as I know, are not responsible for sidewalks in municipalities. Municipalities are responsible for sidewalks in their communities. If there are dangerous conditions on roads, municipalities should apply to the hon. Minister of Municipal Affairs or the Minister of Transportation and Works, whichever department, to try to get funding in order to fix those sorts of conditions.

We already have a flexible busing policy. It's called courtesy seating, and most of those problems with school busing are resolved within the first three to four weeks of school, as has been the case this fall. We have a total of one outstanding case at the moment.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Leader of the Third Party.

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

I'm asking the minister: Is he saying that he has no concerns of the unsafe conditions that exist at this moment? Forget the future – right now at this moment, he has no concerns for the safety of our children?

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

MR. KIRBY: Mr. Speaker, I'm a father of a primary school student. I am concerned about the situation in schools in this province, of course I am. I didn't say that I was – I don't appreciate the Leader of the Third Party putting words into my mouth.

I said if municipal roads are unsafe they should – municipalities – apply to government in order

to get cost-sharing funding, like other communities across this province have done. If there's a particular circumstance that the Member is aware of, she should bring it to the attention of a Member of Cabinet or the minister responsible. That way, those issues can be resolved rather than throwing those sorts of allegations across the floor of the House of Assembly.

SOME HON. MEMBERS: Hear, hear!

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

MS. ROGERS: Mr. Speaker, first, the Medical Association, then the Privacy Commissioner came out with serious concerns about the proposed *Prescription Monitoring Act*. Dr. Bruce Hollett, the province's key opioid addiction specialist, said he was never consulted and has some pretty serious concerns, as does SWAP and now the Canadian Medical Association.

Mr. Speaker, I understand the minister's sense of urgency to get this legislation in place, but I ask: Will he put this bill on temporary hold until he sorts out these crucial issues with these experts and then bring amendments to the House to address these outstanding issues?

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

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

I think the Member opposite should realize that, as I've said in debate, this bill is a balance. We have an equal constituency of people who think this bill is not strong enough. We have concerns from the Medical Association, which we've heard, and we have struck a balance to deal with what is a pressing issue, which resulted in the death of 16 people in the last year and, as I say, puts us as leaders in the number of opioid prescriptions per capita in this country which, in turn, is a world leader in that unfortunate trend.

I would suggest to the Member opposite we have struck a fair and appropriate balance.

SOME HON. MEMBERS: Hear, hear!

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

MS. ROGERS: Mr. Speaker, a potential consequence of this bill is some doctors may stop prescribing opioids.

I ask the minister: What is his plan to deal with this, and also the impact on folks who have an addiction and are going to go to the street to get drugs that are way more dangerous and may cause more deaths? What is his plan for this?

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

MR. HAGGIE: Mr. Speaker, the emphasis currently is on this bill, and that's entirely appropriate because we are legislators. Outside this bill there is panoply, a jigsaw puzzle of pieces that fit round in terms of harm reduction, in terms of education, in terms of treatment.

The Member opposite for two years sat on the All-Party Committee on Mental Health and Addictions – and addictions I emphasize. This was part and parcel of what that Member opposite signed off to with a 54-point recommendation plan. She knows where we're going and you can't say all that in 45 seconds.

SOME HON. MEMBERS: Hear, hear!

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

MS. ROGERS: Mr. Speaker, I ask the Premier: When is he going to use legislative committees like he promised? This is exactly what happens when we don't use them to review and analyze bills before they come to the House. They are not ready.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Government House Leader for a quick response.

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

I'm certainly happy to answer this question. Legislative committees are something that we're striving for. We haven't seen them in this House in decades.

I'd like to think that with the co-operation of all Members, we've made a number of changes in this House in the last couple of years and there are more to come.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The time for Oral Questions has ended.

Presenting Reports by Standing and Select Committees.

Tabling of Documents.

Tabling of Documents

MR. SPEAKER: Order, please!

I'd like to read into the record a statement I made earlier. For the record, in Question Period yesterday, there was an exchange regarding the tabling of the Marble Mountain Development Corporation, the 2016-2017 annual report.

I have looked into this matter and can confirm that the report was tabled by the responsible minister on October 31, 2017. Physical copies were distributed to each caucus; however, in error, it was not posted to the House of Assembly website. I can also confirm that the Clerk has made all parties aware of this error and the report is now available on the House of Assembly website.

Thank you.

Notices of Motion.

Answers to Questions for which Notice has been Given.

Answers to Questions for which Notice has been Given

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

MR. JOYCE: Mr. Speaker, I just respond to the question that the House Leader of the Opposition asked yesterday about the reporting on the greenhouse emissions. There were nine

industrial sites under the *Management of Greenhouse Gas Act*. Once those reports are in, they'll be finalized and they will be made public.

The ones that will be made public in the very near future are for 2016 and 2017, one year. They have to report annually on the greenhouse emissions. For the first year, it will be done very soon and put online.

MR. SPEAKER: Further 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 removed the provincial point-of-sale tax rebate on books which will raise the tax on books from 5 per cent to 15 per cent; and

WHEREAS an increase in the tax on books will reduce book sales to the detriment of local book stores, publishers and authors, and the amount collected by government must be weighed against the loss in economic activity caused by higher book prices; and

WHEREAS Newfoundland and Labrador has one of the lowest literacy rates in Canada and the other provinces do not tax books because they recognize the need to encourage reading and literacy; and

WHEREAS this province has many nationally and internationally known storytellers but we will be the only people in Canada who will have to pay our provincial government a tax to read the books of our own writers;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the

House of Assembly to urge government not to impose a provincial sales tax on books.

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

Mr. Speaker, again, I stand and raise issues that were subsequent effects of the imposed tax on books, the provincial tax. I've spoken to a few booksellers who have talked about the impact on their business of this tax. I know the tax is going to be removed, that the rebate will be in effect again as of January 1. But I think it's really important to look at what happens when government may impose taxes, what happens when government may impose legislation where they haven't fully consulted with people who would be affected, whether it's in business, whether it's in those who provide services to the province, to the people of the province.

Again, we look at how important it is to thoroughly investigate any decisions that are made in this House. Not to unduly delay them, but to make sure they are the best possible decisions on behalf of the people of the province and the future of the province.

Obviously, Mr. Speaker, this wasn't a good measure. I've also spoken to someone who part of their business involves selling books and they've decided not to sell the books anymore. It's unfortunate. Perhaps they may change that decision now that the rebate will be reversed in January, but it's hard to tell. This had major, major, major effects on the people who write books and publish books here in this province.

Thank you very much, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Further petitions?

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

MR. BRAZIL: Thank you, Mr. Speaker.

To the 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 Newfoundland and Labrador has significant issues concerning food security; and

WHEREAS expanding the farming, forestry and agrifoods sectors of the province would promote economic diversification; and

WHEREAS local agriculture products can be seen as healthy and fresh alternatives; and

WHEREAS the Province of Newfoundland and Labrador has the potential to be a leader in agriculture development;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge government to encourage and support new entrants into farming and agricultural industries.

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

Mr. Speaker, I had the opportunity this past weekend to be in my district, and particularly Bell Island, who – people may not know – was a full-fledged agricultural contributor to all of the Avalon Peninsula for decades and decades, before the mining industry and even during the mining industry.

For a period of time when I worked as the Economic Development officer over there in the early '80s, I did get to manage a 60-acre farm. Now, unfortunately, my skill set in farming is very limited to knowing that putting the right people who know farming is very important and the benefits from that.

I do have the opportunity here, after talking to some people who are starting to move agriculture forward again on Bell Island, about how we had to get to that level, where we are now about food security, where we are about food sustainability here and where we are about food safety. So all these things are pertinent to being able to move that industry again and get younger people back into it. To do that, we've got to have incentives, we've got to have an education process, we've got to have a mentoring program here.

I get a chance to speak to this because I suspect any knowledge I have of the farming industry

will be overshadowed when my colleague expert in the farming industry joins us here in the House of Assembly. I want to pick his brain to say not only in my district but in the whole of this great province of ours, how we can promote agriculture, how we can get new entrants in, how we can get diversification when it comes to the farming industry to ensure food safety, food security, food reliability. Also, particularly, around enhancing the economics here and creating jobs, and creating sustainable employment.

So this is an opportunity here. The people of Newfoundland and Labrador, and particularly those in my district, have talked about wanting supports and encouragement from government and developing partnerships with agencies that are out there who have an expertise to be able to support moving things forward and educate.

I have an opportunity to speak to this, and I can't wait for my colleague to join me here so I can pick his brain also about how we can move this forward.

Thank you, Mr. Speaker.

MR. SPEAKER: Further petitions?

The hon. the Member for Ferryland.

MR. HUTCHINGS: Thank you, Mr. Speaker.

I'm certainly pleased today to rise on a point of interest for residents of my district.

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 Witless Bay Line is a significant piece of transportation infrastructure; and

WHEREAS it's a main highway and it plays a major role in the commercial and residential growth of our region;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge government to upgrade and perform regular maintenance to this significant piece of infrastructure to enhance and

improve the flow of traffic to and from the Trans-Canada Highway.

Mr. Speaker, I've spoken to this before here in the Legislature in regard to this piece of infrastructure that connects the Trans-Canada Highway to Route 10, and the need to have those upgrades, continue to have it upgraded and do an investment that we've built on over the past number of years, but a continued investment of certain requirements. I call on government to deal with this in next year's 2018 road infrastructure plan.

Thank you, Mr. Speaker.

Orders of the Day

Private Members' Day

MR. SPEAKER: This being Wednesday, I now call on the Member for Conception Bay East – Bell Island to introduce the resolution standing in his name, Motion 5.

MR. BRAZIL: Thank you, Mr. Speaker.

I apologize, as I was engulfed in talking about aquaculture –

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

MR. BRAZIL: Thank you, Mr. Speaker.

It's an honour to stand and present the private Member's resolution on school busing. I'll just read the resolution that we're putting forward.

BE IT RESOLVED that this hon. House urges the government to amend the School Bus Transportation Policies to cover the transportation to and from school of pupils who reside within 1.6 kilometres of that school where those pupils are primary or elementary students and where those pupils are secondary students whose safety may be jeopardized by the failure to provide them with school busing.

It's seconded by my colleague, the Member for Cape St. Francis.

Mr. Speaker, we wanted to bring this forward for a number of reasons. As you may have

noticed, over the last number of months this has become a very hot issue for people. It's always been there and there have always been ways of looking at solutions.

The Minister of Education talked about courtesy busing, which was something the former administration had worked with the school districts to try to provide. As we have an explosion in certain areas of the population and we have a major increase in traffic flows, and, unfortunately, the road networks in some of these areas that were considered rural, in some cases remote, are limited on how you can provide safety on our road network when you have students, and particularly multiples of students that have quadrupled in the populous over the last decade or so.

We've been building new schools because the necessity was there. The growth had dictated it was there. So it was very important that we look at a safety margin here that would be conducive to including and ensuring that children, students, particularly younger ones who may be distracted and not notice as much on the road and because of the nature of the weather we have here, it would be very important.

It falls in line with the private Member's resolution that the Member for Baie Verte – Green Bay presented last week about speeds in school zones. So, obviously, there's an understanding and an agreement because that was unanimously passed last week.

We all support safety for our children and we all support ensuring that in school zones kids can walk in a safe manner with as much due diligence as possible, but understanding they're young people who may be distracted, can still walk around and get to school in a safe manner. Also, that those drivers would not feel apprehensive about being in a school zone, particularly if they're following the speed limit and knowing the kids in that area are aware that they're going to be in that immediate area.

This has been a hot issue for a number of school councils, a number of parent organizations, a number of interested associations around ensuring safety in our areas. Again, it's nothing new. It's been a discussion that's gone on back six, seven years ago.

I give credit; it was actually in the Red Book for the Liberal administration, the present government back in the 2015 election. To me it was well thought out. It was fluent and it was extremely poignant and to an extreme benefit. We are going to review the 1.6 kilometre busing policy within government with the intent of rectifying, ensuring safety is addressed, and what are the mitigating factors or processes we could use to ensure that policy is either changed or it's modified in such a way that the first main objective would be safety.

We know it goes back four decades. It was said on a principle at the time when we had limited schools in certain areas, they were spread out, the population was spread out over periods of time. There was less transportation or cars on the roads. There was less encompassing – kids weren't distracted. The average driver wasn't distracted with cellphones and all the other services and amenities that we now have.

As a result, as society's changed, we've become more aware about safety. Our umbrella is more around how we mitigate something happening. Let's be proactive versus reactive. That's where we are now.

We have an opportunity to be proactive so we ensure safety for those travelling on the road, but particularly students going to school every morning. As we all know, the adversity of our weather conditions here dictate heavy snowstorms that sidewalks don't exist in 95 per cent of our communities in Newfoundland and Labrador. So the ability for them to be able to walk safely and not be in a traffic line is minimal when you get from mid-December until sometimes early May.

We have to mitigate that by coming up with a strategy and a process. The safest way to do that, for that period of time, in the morning when there are heavy traffic times, when kids are distracted because they just woke up, they are only getting straightened away, they are rushing and all that, it is not to have them on the roads walking. They're going to school. So how do we do that? How do we do that?

We use the existing system we have now. It's called a busing system. It's worked. Very seldom is there an issue from a safety point of

view from a kid on a bus, from a student, because it's one of the safest modes we have of transportation anywhere in the world, but particularly in Newfoundland and Labrador.

The way that we can mitigate any other student having any issue around safety or apprehension by their family or their caregivers or the administration worrying about children getting to school or children get dismissed because of storms, or issues around school heating and that, whatever it may be, that they are not now having to go home, that 1.6 – maybe everybody will tell stories about when we were younger we walked five miles and 10 kilometres and all these types of things. That's fine. That was reality. Some of it is embellished, but that was the reality. It was a different time.

Road networks, people's awareness of everything else – as kids, our awareness of stuff at the time was totally different. The number of cars on the road, the speeds were totally different, a multitude of factors have changed. Because we always did something one way doesn't necessarily mean it was always the right way. We may have been lucky in society.

Let's not base ourselves on how we take care of our children by luck; let's base it on having a proactive approach here and having policies, programs and services in play that ensure a safe ability for a student to get to school, for them to get home, for their parents not to be stressed about situations if there's a snowstorm, if there's heavy traffic. If, for some reason, there's a driver who's not following the rules of the law, if there happens to be somebody who's breaking one of the rules with speed or if it's drinking while under the influence, at least the safest place that kid could be is on that bus. We need to go back and look at it.

We do realize there may be a financial attachment to this and there may be other solutions of doing it. We've talked about the courtesy busing. That was a number of years ago when that was brought in to say we've got buses passing kids along the road, 70-seat buses with 35 kids on it. What's stopping us from stopping three times along that route to pick up six kids here and eight kids here and nine kids there to ensure they're safe?

Things have changed in our society now where a number of kids may come from one part of a community to school, but their after-school programs or their daycare supports or the people who are taking care of them after school until their parents get home from work is in another part of the community. So we managed to sort of manoeuvre working with the school districts, working with the providers of the transportation, the bus owners and that, that we would look at alternate routes.

In some cases, as growing communities you had coloured buses that went one route one way, came back a different way and kids could transfer for them. All these things seemed to improve the ability to minimize how many young people, how many of our students would be in harm's way by having to travel on roads that are not conducive.

The minister, in a question asked earlier, talked about maybe municipalities should be going to the Minister of Municipal Affairs or Transportation and Works and looking for other services or other investments. That's fine in a utopia, in a perfect world. But in a lot of the communities that are now growing or have demands on their school system – or schools have changed, they're now built in one area that encompasses what would have in the past been four schools. There are more kids from that 1.6 variance that have to walk from one end to the other. There are issues around that. It's not as simple as saying that.

There is a simple solution here: Review the 1.6 busing policy and have a look at how we offer programs. It could be a different way of manoeuvring routes. It could be the size of buses. It could be the frequency of buses. It could be the times each school opens to ensure that the buses can continuously pick up and drop off.

There are a multitude of approaches there that can be looked at, but as long as the policy exists, there's nobody taking that initiative because everybody else is caught up in their own world. The school district has to follow the 1.6; their budgets are only in line with what the department gives them for offering that program. The bus providers themselves, they follow the arrangement they're given, the routes they're

given, the number of stops that they'll make, the number of kids that they are to have on their bus.

So all of these are factors that need to be looked at and the best way to do that – and we're not asking the government to announce a massive influx of extra cash to the school district to bring another 50 or 60 buses on. What we're saying is review the policy and see where we've gone in the last four decades and the intent of what would be in the best interest of not only of keeping kids safe, but also ensuring that they get quality education.

Because if you're at 1.6 or if you're at the one point and there are six kilometres one way or a kilometre to school and it's freezing rain or it's a heavy snow storm and by the time you get to school, now you're 20 minutes trying to dry off. If anybody knows what that's like, being wet and trying to dry off in school system, you're not into it for the first half hour or hour. Then all of a sudden, you've been carrying your books or you've been carrying your lunch and all that, now that's wet.

So all of a sudden you're starting off in a negative environment when you're going into a school system there. When it should be a positive you're trying to go in. And it's very simple, particularly when you sit and you see your friend next to you, who just got off a bus because they live an extra three-quarters of a kilometre further away from the school. But they're in, they're warm, they got everything in line with them and they're not having to worry about taking off their coat and where do I put it, on a radiator; do I put it by a heater to try to dry it off; do they take off their boots because their feet are wet from puddles of water; are they late because all of a sudden there's a snow storm and they're having to take a different trek around different areas to get to school?

There are a number of factors here that can and should be addressed by just simply going back to look at that policy. But one is just to look at it; the other is you've got to engage the right people. There are a number of people out there – you got your stakeholders in the school system, you got your school councils, you got your parent organizations, you got your department officials, you got the school district, you got the providers and you got your municipalities. There

are a multitude of factors there that would mitigate the impact. There are a number of stakeholders who have great input, great resources, could help develop partnerships. You got your police forces who could tell you about traffic flows, could tell you about some dangerous intersections and what impact that would have on students. And that may have an impact on changing your routing to ensure that more students can get on.

There are experts out there who do this for a living, and there are programs and services. IT people who could tell you we could do a computerized routing process that could take 10 buses and get the same use as you would in areas where we're using 15, by changing the routes, changing times five minutes here and there. In some cases, it could be routing around heavy traffic flows on particular streets. So there is an opportunity to do that.

That best way to do that is review the policy. That's why we're proposing here – and we've heard a lot of support from both sides about safety, our children, the school system, what's needed. We know it's on record that the Liberal administration had it as part of their red book, which was admirable. It was something that they wanted to move forward. We support that. We want to take it to the next level. We're saying it's two years later; it's time to move on. It's time to start moving this forward. We should put this in play so we're ready for next year's school season, so that people are ready.

The students and teachers would know in advance. Those who provide after-school programs would be aware of how this would work. The municipalities would be aware. The police forces would be aware to know that the risk of safety to our students is minimal now in comparison. The bus providers would know what assets, what resources, what type of resources, is there additional training for the drivers that's necessary because each bus now may be at a higher capacity than normal. There are ways of looking at it.

In some cases, in rural Newfoundland because, unfortunately, the population is going down when it comes to school-aged children, so every year we're saving on bus routes there and monies and contracts. Well, maybe we'll move

that around to some of the more suburban areas, the growth areas, where there are safety factors.

We all know just in the Northeast Avalon where they will be. There are places in CBS and Paradise. There are places in Torbay and Flatrock. There are places in Portugal Cove-St. Philip's. There are places in Mount Pearl. There are places all around the Northeast Avalon, even up the Southern Shore area when you have schools spread out, there's some condensing there. Parts of St. John's also have it. Some neighbourhoods are pretty good. There are some other areas there, depending with school closing and now the walking distance a little bit further, that has an impact.

Sidewalks are not the only answer either. There are also other mitigated impacts that it would have on students, ensuring that when they get to school they're safe, but they're also comfortable. If you walk 1.6 kilometres on the sidewalk and it's spilling rain and the wind blowing at you, you're not going to feel the same as your buddy who just dropped by the door and walked in that school and has to start class in two minutes.

There are ways that this can be addressed. The best way is let's have dialogue. Let's bring the stakeholders together. Let's talk about how we address this. Let's talk about if there's a cost associated with it, where that comes from. Is it that we're saving in rural Newfoundland and Labrador now because, as I mentioned earlier, the unfortunate decline in school-age children? So can we still keep that amount of money allocated, but now move to other areas so we can improve safety in particular areas? There's no reason that we can't have that dialogue and move this forward.

Mr. Speaker, I'll have an opportunity to speak to this again. I look forward to dialogue from both sides of this House.

Thank you, Mr. Speaker.

MR. SPEAKER (Reid): The hon. Minister of Education and Early Childhood Development.

MR. KIRBY: Thanks, Mr. Speaker.

It's good to have an opportunity on this because there's been a bit of discussion about this issue again this fall and I'm happy to go through this.

Now that they're in Opposition, the PC Party seems often confused about what the government's role is versus what the district's role is in school busing. They like to, I guess, take people's words and twist them to their own advantage.

You don't have to twist any of the Education critic's – the Member who just spoke there, the Member for Conception Bay East – Bell Island. You don't have to twist any words he said when he was in government on school busing because, miraculously, in the five years that he served on the government side of the House, if you search *Hansard* you'll find that not one occasion was he ever as concerned about school busing as he purports to be here on the floor of the House of Assembly today.

Just in case he's unclear on what the roles and responsibilities are of the various levels of government, the provincial government basically does two things: the provincial government sets out a broad policy direction for school busing which includes the 1.6-kilometre rule; the provincial government also – the Department of Education – goes to Cabinet, Treasury Board, the House of Assembly to get funds every year for school busing. Those are the basic two functions of government.

The school district sets the routes for busing. You'll probably recall last year, earlier this year, the same Member wanted me to start designing bus routes for CBS, Torbay and so on. I said I'm not going to tell the school district how to design their routes. That's their responsibility. That was their responsibility when the Member was muted on the issue of school busing when he served in government and that continues to be government's responsibility today.

I just wanted to also take us a little bit further down memory lane, if you will. In addition to never saying anything about school busing when he was a Cabinet minister, the former minister might remember that in 2013, when the government was then spending \$47 million a year on busing, since then we have invested an

additional \$11 million a year in the busing. Now we're investing \$58 million a year.

In 2013, their government, at my urging in fact when I sat in Opposition, did a review of school busing. They paid \$75,000 to the consultant Deloitte who produced a report of no less than 300 pages.

AN HON. MEMBER: How many?

MR. KIRBY: A 300-page report at the tune of \$75,000. The Education minister of the day – who the Member who just spoke sat in the Cabinet with – said, basically, the big take-away for that 300-page report is that no changes are needed right away. That was the position of the government in 2013 – no changes needed.

The issue of school busing came up here again in the House of Assembly a year later because it was learned that Cabinet ministers, including the minister of Education and the former Member for Carbonear – Harbour Grace, had suggested that the school busing industry hire a past president of the PC Party of Newfoundland and Labrador at a cost of \$35,000 to lobby the government. So the government suggested to the school bus lobby that they spend \$35,000 lobbying the government on school busing policy.

With that, the government decided to also give \$10,000 to the school bus lobby to do the lobbying that they were suggesting they do with the former Progressive Conservative Party president as the consultant. That came up on the floor here in the House of Assembly.

I'm sure the Member forgets all of that as he seems to have forgotten everything else that has gone on. In addition to that, the school bus lobby also said that at the urging of those same two Cabinet ministers, if they wanted to get five-minute meetings with the minister of Education and the minister of Service NL – who happens to now sit there as the Leader of the Official Opposition, the Member for Topsail – Paradise was the minister of Service NL – they were told they had to spend \$100 for tickets to a PC Party fundraiser. That was a sort of cash-for-access business that was going on under their government. That will tell you where their headspace was when it comes to school busing.

One of the other things I thought was quite curious about this motion as presented by the Member; he mentioned students with disabilities nowhere in this. He wants to prioritize this for these students and those students, but nowhere does he mention students with disabilities. I'm not surprised that the Member did forget that because their government forgot students with disabilities time and time again, in particular, with their inclusive education policy, which we saw as a complete failure and today we are spending time trying to fix.

The Member came in here today and basically dropped the motion on the floor of the House of Assembly where he wants to spend upwards of \$15 million now on this, without considering anything to do with students with disabilities and without any consideration to all the problems in education that they have created otherwise.

Again, I'm not surprised because this was the Member who stood up here in Question Period one day and talked about students with – leftover students and students with disabilities were the words he used. To this day, I just can't imagine how that squares with anybody who's actually concerned about education in this province.

In Question Period – I'll just correct what the Member said – I didn't say sidewalks; it was the Interim Leader of the Third Party that said sidewalks. I pointed out that I have been at events around metro and observed events taking place across the province where there was provincial, municipal and federal money going in to roads work that has to do with providing sidewalks to municipalities in joint projects on infrastructure.

If there are sidewalk issues in municipalities, that's one way that Members can do that. I'm not aware that the Member for Conception Bay East – Bell Island has met with either of the ministers responsible for that to do that. He's not indicated one way or the other, but that is one way that can be resolved.

As I suggested earlier – and I believe a week ago or when we sat in October as well – we have had great success with dealing with the courtesy seating policy of the school district. There was

only one outstanding courtesy seating issue that remains. What happened there in a very highly publicized case is that the parents did not agree to the courtesy seat that was offered to them by the school. Which was a surprise to me because when I spoke to the principal of the school, they indicated that student had been offered a courtesy seat on the bus.

The bus stop was 550 metres away from that child's house – 550 metres, not 1.6 kilometres – and that was still not sufficient. If the parent would prefer to drive their student, rather than have their child walk 550 metres from their house, that's their decision. But in an era where we're talking – I read an article today about children's use of tablets and so on and so forth, the lack of physical activity that children get. Walking 550 metres from their house is something I would expect that a teenager would be able to do.

I could go on about that and I will speak more about the courtesy seating policy. At this point, Mr. Speaker, I'll enter an amendment.

The amendment is as follows: I move, seconded by the Member for Stephenville – Port au Port, that the word “cover” be replaced with the words “ensure that school district courtesy seating policies prioritize” and that the words “and where those pupils are Secondary students whose safety may be jeopardized ...”

I say to the Member for Cape St. Francis, Mr. Speaker, if he doesn't want to listen to what I have to say, maybe he can find another place to be.

MR. K. PARSONS: (Inaudible.)

MR. SPEAKER: Order, please!

MR. KIRBY: Can I give the amendment or not?

MR. K. PARSONS: Go ahead.

MR. KIRBY: I don't know why the Member for Cape St. Francis needs to disrupt the proceedings of the House. I'm just trying to make the amendment. That's my right here.

I'll continue, Mr. Speaker: “... by the failure to provide them with school busing” be replaced

with “students with disabilities, and students who would otherwise not have a safe walking route to school.”

Therefore, the amended motion would read as follows:

BE IT RESOLVED that this hon. House urges the government to amend the School Bus Transportation Policies to ensure that school district courtesy seating policies prioritize the transportation to and from school of pupils who reside within 1.6 kilometres of that school where those pupils are primary and elementary students, students with disabilities, and students who would otherwise not have a safe walking route to school.

MR. SPEAKER: We'll take a short recess to examine the amendment for admissibility.

Thank you.

Recess

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

MR. KIRBY: Thank you, Mr. Speaker.

I just wanted to mention one thing that I had forgotten to mention, which was problematic with the previous motion as previously presented.

One of the things about this is that the policy, as it stands, does not allow for school bus stops 0.4 kilometres from school. There are obvious reasons for that. In my District of Mount Scio, if you think about areas around, say, Elizabeth Park Elementary, or Prince of Wales Collegiate, or St. Andrew's Elementary or Larkhall Academy, if we were to do what that motion suggested, I guess in layman's terms we would have a snarl of traffic around school zones in urban areas.

While the Member may be well intentioned in his presentation of this, I'm not sure that's going to reduce the number of people that are currently unhappy with the school bus transportation policy as it stands. You will have a lot of motorists, whether that's in Paradise, and speaking of my own district, or around

Kenmount Road, around Prince Philip Drive – I just can't imagine Elizabeth Avenue increasing the frequency of bus stops within that area.

While it may be well intentioned, it's certainly not very well reasoned. I think one of the responsibilities – and it's a weighty responsibility – of Members of this House of Assembly is to make reasoned arguments and try to find reasoned solutions. There's absolutely no question that we cannot put a price upon safety. If I thought that this solution we're proposing was not going to strike the right balance and ensure children's safety, then I wouldn't suggest it be crafted in this way.

One of the things that, I think, if you go back and look at the amount of information that we have already on the courtesy seating policy, it says that by and large a lot of the school stakeholders, parents, teachers, children themselves don't have significant issues when it comes to school bus eligibility – the vast majority of people. Because the existing courtesy seating policy is fairly liberal – and I say that in the small-L sense – a liberal policy in that there's a lot of opportunity for courtesy seating on buses.

What this does then is it actually, I would say, further liberalizes it in the sense that should the Members of the House of Assembly choose to pass this amended motion, then it will be my responsibility, I would say, to ensure that I bring this to the attention of both of the chairs of the English and French school boards and to the attention of the CEOs of the respective boards to make sure they're aware of the policy direction that we want to go in. That is that courtesy seating would then prioritize the courtesy seating for the youngest students at school and for students who have disabilities who currently do not have a special allowance for transportation. And there are instances of that.

I know my colleague, the Minister of Service NL, could lecture us all in instances where there are children with disabilities that could avail or often avail of courtesy seating policies. We can ensure now that would be prioritized. The amended wording indicates this also would include all students who would otherwise not have a safe walking route to school.

I think it's a better use of the existing busing resources that we have. It's a better prioritization of the courtesy seating policy. Rather than casting the widest net possible, it really focuses in on what I understand are some of the concerns as it relates to the courtesy seating policy that we have today.

I encourage all Members of the House to support the amended motion. As I said, I'll take responsibility then for informing the school districts of our decision.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

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

It's indeed a pleasure to get up today to talk about this issue, the 1.6-kilometre busing issue. Since I've been over here in Opposition, it's given me the opportunity every day to get up and present petitions to the House of Assembly. I've presented many; I think it's about 10 so far now since we've been in Opposition on this particular issue. I'm not the only one that is after presenting this petition. The hon. Member for CBS, the hon. Member for Conception Bay East – Bell Island have also. I think our leader, the Opposition Leader, has also presented it.

Mr. Speaker, when I was on the other side of the House for a good few years, and the now-Education Minister, when he was on this side of the House, both as a Liberal and an NDP – because he was on both; he was in both parties. I heard him speak both as an NDP and as a Liberal to present a petition. One petition that he presented, he was speaking so long about it that he named off all the communities.

By the time he finished his naming of the communities that this serious issue was a problem with, the Speaker had to remind him that his time was over. There are so many areas in this province from Lumsden to Greenspond, to Carbonear, to Flower's Cove, to Cormack, Marystown, Smallwood Drive in Mount Pearl, Norris Arm, Rocky Harbour, Glenwood,

Appleton, Gander, Clarenville, Carmanville, Victoria Cove, George's Point and Gander Bay. He named off every community until the Speaker had to say, okay, that's enough. He said he had 700 signatures from all of these communities. His whole address was about 1.6 and safety.

Mr. Speaker, it blows me away when I look at it because I presented 10. I don't know how many the minister presented, an awful lot more than 10, on this particular issue. He's obviously had a change of heart since he became Minister of Education.

Mr. Speaker, the Member for Baie Verte – Green Bay last week – and I had the absolute pleasure to get up and speak on his motion. His motion, to me, was a serious motion because it addressed safety in school zones.

Mr. Speaker, we're here as legislators to make sure we pass laws that make sure that people are safe. In particular – I won't say in particular, we're here to make sure everybody is safe. When it comes to children, we should be doing the utmost. I know government says: Oh, the cost. It will be a large cost; it will be a huge cost on this. But, to me, there's no cost that you can put on this when it comes to the safety of our children.

Just recently, this year alone, one young gentleman, a 17-year-old actually, got killed walking back and forth to school – 17 years old.

The first day of school this year the RNC, in school zones, put out 170 fines. There were 170 people that did something in a school zone, whether it was speeding, passing school buses, or weren't abiding by proper parking, but it was safety issues. There were 170 on the first day of school. Mr. Speaker, we're not asking for anything that shouldn't be done.

I'm going to talk a little bit about my own district. The minister brought up today and talked about sidewalks. He said: I didn't say sidewalks, I didn't mention sidewalks. Well, in my district there are no sidewalks. There are no sidewalks in Cape St. Francis. I would love to be able to go to the Minister of Municipal Affairs for each town in my area that's around a school zone and ask for funding for sidewalks.

Just recently, we changed the ratio from where it was 90-10 in most towns and now it's 50-50. Again, that's an issue. I will probably, more than likely, be going and telling my towns that I hope this is something that you applied for, sidewalks, because I'd love to see sidewalks in the District of Cape St. Francis.

Mr. Speaker, the situation that I have and many rural and other communities have in this province is we don't have sidewalks. We don't have places where children can walk. The Department of Transportation and Works and everybody does their best to keep our roads nice and clear. They do their best with their wing on their plow to try to keep the sides of the roads clear.

Last year in Torbay, a little fellow was walking to school, slipped on a bit of ice and broke his arm. He only had about less than two feet sidewalk and that was full of ice. He slipped on it and broke his arm. He was very fortunate because you know what he could have done? He could have slipped on it and went underneath a car. Then, we'd be all here saying: Oh my God, we have to do something with snow clearing or we should do something with this.

There's a way around it. As the minister said today, he said municipalities can apply for this. Well, a lot of municipalities can't afford to apply for it because they just don't have the money to do it with the split now on the 50-50 versus the 90-10 that they had before.

There's a solution. The solution is simple. The solution we're asking for here today is that government just have a look at this policy and think about it as a safety issue, think about it as a way that we're protecting our children. When we go in the mornings and parents leave in the morning and go to work or they want to get their child to school, they get up and get them breakfast and everything else – God love them; I know they're excited about getting to school, probably excited about running up to catch a friend or anything at all like that and accidents do happen.

If an accident can happen and we have a mechanism to stop that accident from happening, we should do it, especially when it comes to the safety of our children. The Minister

of Education time after time – I'm not going to read them all – but every one of them he talks about the safety issue on children, small children going to school. He presented petition after petition after petition, saying that it's all about the safety issue. Yet, when he becomes Minister of Education, the safety issue is not there anymore. It's unbelievable.

Last week when we talked about school zones, and I go back to this because any time we do anything with safety – and I applaud the Member opposite for that resolution last week, because in my district, like I told you last week, I do have 30-kilometre zones. But it's not only about my district; it's about all Newfoundland and Labrador. It's about all districts in this province.

We talked about safety. So what you look at, if we change the kilometres to 30 kilometres just in school zones alone, then we're not covering the full 1.6. We won't be covering handy to the full 1.6. I mean, if it was 30 kilometres going through all these communities, okay, then it would help parents to be able to have a little bit of assurance at least with traffic.

Everyone knows it and the Minister of Justice knows it, that we got a problem with enforcement. Every school zone, we'd all love to have a RNC officer or a RCMP officer there every morning to make sure that our children get to school safe and sound. But that's not reality; that's not what happens every day. Our law enforcement officers, they're doing their utmost; they're doing their best to ensure that our children do get – but they can't be everywhere.

When you look at what I said earlier, on the first day of school the RNC put 170 fines out there. The people are just not listening and not avoiding – if this was just in school zones alone. I talked last week about people, even when children are on the buses, about the safety and people going past and passing the school bus.

Look, 90 per cent of the people in this province agree with me, agree 100 per cent what I am saying here today, that our children should be able to get to school safe and sound. Everyone – and I'm sure every Member across the way would agree with me in saying about how they should get to school safe and sound.

That's why this Member brought in this resolution. That's why I wanted to support this resolution and so did the Member for CBS. We've heard from parents, we've heard from grandparents and we've heard from educators. Look, you have to do something about this 1.6.

An example in Torbay alone – I'll just give you an example – North Pond Road is a road that's pretty close to Torbay elementary. In order for the children to get to school in Torbay, they have to go down North Pond Road and they have to cross Torbay Road. On an average day on Torbay Road, there are 17,000 cars travelling. I would say from where I'm talking about North Pond Road to the elementary school, the sidewalk, which doesn't exist, but the shoulder of the road is no more than 18 inches to 24 inches.

In the wintertime when snow clearing is getting done, that road and that little sidewalk that the children have to walk along is nothing but ice. I'm telling you right now that every day the children have to walk that short area, and I hate to say this, but their safety – I'll go with safety, I'm not going to go the way I was going to go, because God forbid – is in jeopardy.

Mr. Speaker, there's a solution for this; it's something we should be doing. Like I said earlier, there's no cost. We can't come up with a cost on this. Letting our children on a bus is a simple solution. Putting our children on a bus is a simple solution.

The minister just talked about courtesy busing. In my district, I have parents – and I'm not sure, but I think I heard him today say he only has one that needs to be resolved. Well, I don't know where he got that. There must be one –

AN HON. MEMBER: One in one classroom.

MR. K. PARSONS: That's right, one in one classroom. I know and I talked to parents every day about courtesy – because every child inside the 1.6-kilometre zone, if you talk to parents, they'll say: Any chance of getting them courtesy busing?

AN HON. MEMBER: I have 30 on one street.

MR. K. PARSONS: He has 30 on one street.

I don't know where the minister came up with that figure today at all. That's just not even realistic. Courtesy busing is okay when there are seats available. If there are no seats available on that bus, there's no courtesy busing.

I have no problem. If the seats are available and you can do courtesy seating, do it. Yes, 100 per cent support it, go do it. But the issue is how about if there are no seats available on that bus? Can you do courtesy busing? No. So the intent of what we tried to do here today and what the minister has put forward today are two completely different things. They are completely opposites because, listen, if courtesy busing is there, there's no problem. There's no problem in some areas where if the bus goes by and a child has to walk back to go the bus stop, it gets done. I know it gets done in my district and it gets done in nearly every district. That's how courtesy busing works, but if the seat is not available there's no courtesy busing.

This is about safety. This is about ensuring children get to school safe. What we brought in here today and what the hon. Member for Conception Bay East – Bell Island brought in here today is about making sure our children get to school safe. That's all we wanted here today.

The minister, who presented petition after petition after petition and named every community that he could possibly name in the province, said: I urge the House of Assembly for these petitioners, for the safety of all these children, I urge that government – that's when he was over here as a Liberal and an NDP. He was in both different parties, so he was in both then. In both cases he presented petition after petition and now since he became minister he had a change of heart.

AN HON. MEMBER: He can't remember now.

MR. K. PARSONS: No, he had a change of heart, I think. It's not that important anymore.

But it is important. It's important to all the families, it's important to all the children. It's important to me who doesn't have a child that's in this, because I hate to see anyone going to school or little children on the side of the road. I drive by them; I'm sure we all do. I'm sure we drive by children in the morning and say: b'y, I

hope that little fellow now doesn't run out in front of me. I hope this one doesn't run out in front of me.

I know when I see a little child on a bike, it always scares me. Honestly, it really does scare me because you don't know what they're going to do sometimes. They could jot across; buddy could call out across the way or whatever.

The same thing when they're walking to school. Listen, we're not talking – it's an exciting time, your friend is here or your friend is there, and sometimes you do things without even thinking. Children do things without even thinking.

This is a simple, simple solution, letting children on a bus to get to school safe and sound. That's what we're asking for.

Times have changed. It's not like it was year's ago when there was someone home, either the grandparents or somebody to drive. I know my mother and the lady next door used to drive us back and forth to school all the time. There was no bus where I lived. Anyway, they did that all the time, but that has changed. Two family members are working and children are on the road and it's not safe. Please, just think about this and bring in the 1.6 for all children.

SOME HON. MEMBERS: Hear, hear!

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

MR. JOYCE: Thank you, Mr. Speaker.

Thank you for the opportunity to speak here today. Before I go any further, I just want to congratulate Jim Lester for winning the seat last night, Mr. Speaker. I always said that democracy is the best thing we could have. If not, we'd be out with guns and fighting each other.

SOME HON. MEMBERS: Hear, hear!

MR. JOYCE: When people speak, the people speak. Congratulations, and the people have spoken on that.

Mr. Speaker, I just heard the Member for Cape St. Francis. Safety of all children is a priority for everybody in this House. How many years were

you in government and you didn't change it?
How many years were you in government?

That's the difference here, Mr. Speaker. They're starting now already. One of the issues we did – and I know as minister of Service NL with the buses. You were talking about your buses being passed by cars. One of the legislations that we brought in when I was minister of Service NL is that if a car passes and you took the licence plate, the car could be fined. So we strengthened the legislation for that.

SOME HON. MEMBERS: Hear, hear!

MR. JOYCE: We increased the fines for anybody who put in false information about the inspections for the buses, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. JOYCE: So anybody who says we haven't done anything here for these to try for the inspection, Mr. Speaker, it's just not true. I say to the Member for St. Cape Francis, saying it was 50-50 –

MR. K. PARSONS: Cape St. Francis.

MR. JOYCE: Cape St. Francis?

MR. K. PARSONS: Yeah.

MR. JOYCE: Sorry.

You said it is 50-50 for sidewalks. For how many years was it 90-10 and you still never got it done? Yet, you're saying to the Minister of Education, why didn't you get it done now? You had your opportunity. You didn't do it. You didn't do it.

Mr. Speaker, I will just go on to talk about the Member for Conception Bay East – Bell Island talking about safety. Let's get it straight, I don't think anybody in this House wouldn't do what's best – in the opportunity to get the kids safe. No one and I don't mean anybody.

Conception East – Bell Island –

AN HON. MEMBER: Conception Bay East – Bell Island.

MR. JOYCE: Okay, whatever it is, Mr. Speaker.

Let me tell you a story, Mr. Speaker. There's a place on the North Shore of the Bay of Islands – and he's talking about road safety and kids. He was the minister of Transportation and Works. There's a place called plant hill. The ruts were eight to 10 inches – the number one priority for the West Coast that school buses for kids from K to 12 were going on in the morning and in the afternoon.

Guess what? Two days before the tender was going to close for that hill – take a guess, Mr. Speaker – he took the funding and put it out in Port au Port for political reasons. I can tell you, I don't forget that.

Mr. Speaker, I called him. When he took the tender from the Bay of Islands I called him, I pleaded with him. I said: It's about 300 metres, I won't say a word, do this hill. Do this hill, that's all I ask and I won't say a word. Guess what? He wouldn't even take my phone call. So if you want to go laughing over there about safety, you have a record. You have a record, let me tell you.

The Members opposite are talking about the bus issue. What a great issue. The bunch over here are bad people, all of a sudden, we won't change it. Guess what, Mr. Speaker? Take a guess. I have a memory; I've been around for a while.

I remember there was a poll on VOXM: Do you think the 1.6 should be changed? The Member for Mount Pearl – Southlands stacked the poll, him and Sandy Collins, saying government is doing good. You stacked that poll. You were a part of the government that stacked that poll. You and Sandy Collins stacked the poll.

All of a sudden, they're the big saviours of the school bus when they put all this out, Mr. Speaker. So here you go.

MR. LANE: (Inaudible) briefing note.

MR. JOYCE: I might read a briefing note, but I can tell you one thing: I wouldn't stack a poll for people with disabilities. I'll tell you that right now, the Member for Mount Pearl – Southlands.

SOME HON. MEMBERS: Hear, hear!

MR. JOYCE: You have a history, too, Sandy Collins has a history and all the caucus Members also have a history on it, Mr. Speaker. They have a history on this also.

Mr. Speaker, I want to talk about the courtesy busing out in the Bay of Islands. I understand what the minister is saying; there is courtesy. Sometimes all the children can't get on. I understand that with the courtesy.

AN HON. MEMBER: (Inaudible.)

MR. JOYCE: Mr. Speaker, can you ask the Member – I don't even know where he's from.

MR. SPEAKER: Order, please!

MR. JOYCE: Can you just ask him, Mr. Speaker? I know it's touchy, but the courtesy busing does work.

I agree with the Member for Cape St. Francis, not every child can get on the courtesy busing. I agree. They can't do it; 100 per cent, they can't get on. Once we look at the cost it, Mr. Speaker – and I understand it's hard to charge off the cost.

The courtesy busing, I know, in a lot of our places –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. JOYCE: I know that I've dealt a number of years with the courtesy busing. If it's not full, Mr. Speaker, what they would do is anybody who's inside, they would pick up. I know it worked.

Mr. Speaker, I have to say, the courtesy busing was also in when the former government was in. I have to say that. That was there also, so it's just the continuation of it.

Mr. Speaker, on many occasions they asked to do a scan across Canada. The scan that you have across Canada: In Newfoundland and Labrador, K to six is 1.6; from seven to 12, it's 1.6. This is very important because they always say: Why

don't we get with the rest of Canada? Why don't we do what the rest of Canada is doing? Nova Scotia, 1.6, that's from K to six; New Brunswick, 1.6; PEI, 1; Ontario, 1.6; Manitoba, 1.6; Saskatchewan, 1; Alberta, 2.4; British Columbia, 4; Quebec, 1.6. It's on par with the rest of Canada for the school busing issue.

When you go to grades seven to 12 for the high school: Newfoundland and Labrador 1.6; Nova Scotia, 3.6; New Brunswick, 3.2; PEI, 1.6; Ontario, 3.2; Manitoba, 1.6; Saskatchewan, 1.5; Alberta, 2.4; British Columbia, 4.8; and Quebec, 2. Mr. Speaker, when you look at the busing we're below par – on par with the K to six and we're well below when you go seven to 12. We're well above it.

I say to the Members opposite – and I'm being honest here – if we all had the money to do everything, we'd have it done. You can't say you put a price, but there's a priority somewhere with the courtesy busing. If it was easy to do, it would have been done.

The Opposition should have done it, if it was easy to do, Mr. Speaker, when they were in government. We understand the complexity of it. Any government that's in place, they try their best. There's no one in this House of Assembly who wants a kid to be hurt – absolutely no one. It's just a matter of how can we come up and accommodate all the children. I know I heard the minister mention, earlier, up to 0.4 you can't even drop people off; the bus won't even stop there anyway, so we're looking at a 1.2 zone for that.

I heard the Member for Cape St. Francis. There are people out my way and they're rural, too. There are a lot of rural areas in the Humber – Bay of Islands – a lot of rural areas. Mr. Speaker, we understand this comes with the education; people have to slow down.

Transportation and Works also are doing a great job on the roads. It is a substantial cost. I don't want to put a cost on anybody's injury because any injury for any kid costs too much but, Mr. Speaker, if you follow through the pattern over the years, the 1.6 is standard all across Canada.

I know the City of Corner Brook, for a number of years around the schools and around the

walking areas, put in sidewalks. I know in rural Newfoundland you can't do it. I'll be the first to admit it, you can't do it. We have to find a solution. We have to find some solution, Mr. Speaker. I understand and I support the minister's amendment to the motion for people with disabilities and people that may need the courtesy busing for special needs. I understand that and I support that 100 per cent.

Mr. Speaker, when you look at all the issues facing us and we look at this motion today, I still have to ask the question: Why wasn't it done in the 12 years? The Member for Conception Bay East – Bell Island was the minister of Transportation and Works, he was in Cabinet. You're the one who sat around the table and said: Okay, what's our priority? Was this a priority for you then? Was it a priority for you then and you just couldn't get it done? You just couldn't get it done, so it wasn't a priority for the rest of your government.

When the Leader of the Opposition stands up, we're going to say it wasn't a priority for you because you didn't support the Member for Conception Bay East – Bell Island. I'm going to say to the Opposition House Leader, you didn't support the Member for Conception Bay East – Bell Island. It was his priority and he couldn't get his own colleagues to support him. You couldn't support – he couldn't do it.

Mr. Speaker, the only difference here of what I'm saying is that we understand the parameters. It's always been said – we heard it here a couple of times today saying what's going on across Canada, when they're talking about a few issues that were brought up here today. We are on par –

SOME HON. MEMBERS: (Inaudible) do it.

MR. JOYCE: I'd love to be able to do it. I'd love to be able to do everything everybody in Newfoundland and Labrador needs. I'd love to be able to do it. I'll be the first one to do it. Politicians, by nature, love to help people out. If we didn't, we wouldn't be here in this House. We all know that.

There are parameters you're put in place with. The Member for Conception Bay East – Bell Island just stated that he couldn't get it done in Cabinet, that he couldn't have had the support in

Cabinet to do it. That says a lot about his government, Mr. Speaker, when the Member for Conception Bay East – Bell Island stands up, takes the rest of his Cabinet colleagues and throws them under the bus; that it's his priority, but not the rest.

Mr. Speaker, I'm going to sit down because I know I have a few Members that may want to have a few words after, so I'm going to leave a bit of time there for them.

I have to say that I'm going to support the amendment that the Minister of Education and Early Childhood Development put in, Mr. Speaker. Also, we love to be able to do everything we can in the House of Assembly; we'd love to be able to do everything possible. I'll say if there are things we can't do, we have to mitigate it through factors such as widening the roads they walk on. If it's during the winter, ensuring that the plows go out a bit earlier with a bit of extra salt and sand in those areas. We have to do whatever we can to mitigate and try to keep people safe.

Mr. Speaker, I'll take my seat now. I'm just glad to be able to speak to it because this has been a major concern for me for a long, long time because I've worked with it. Last year I even worked with the principal of the school in Lark Harbour to try to get an extra route on the bus.

So it's very, very important, Mr. Speaker, that we work on mitigating the safety concerns. I just want to say to the Member for Conception Bay East – Bell Island, now that you've thrown all your colleagues under the bus, there they are, you can look at them right now and say you didn't support me to get the buses done because, obviously, your government didn't make it a priority.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

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

I'm happy to stand and speak to this issue today of school busing. I have to say I'm very disappointed that the Minister of Education did not support the private Member's motion as it stood, because the private Member's motion as it stood had to do with changing a policy that is dangerous.

It's fine for the Minister of Municipal Affairs and Environment to stand and talk about other places in the country who have similar distances, similar policies – some with further distances, some with less distances – but we have to make policy for our situation here in this province. I don't know if the provinces he's talking about have sidewalks out in those areas where maybe are similar to ours, rural areas. I've been there; they do have sidewalks.

We can't compare; we have to look at our situation. Our situation is such that the minister here, in the amendment that he's made, talks about where pupils are in primary and elementary schools, that they would have special consideration and students with disabilities and students who would otherwise not have a safe walking route to school. I'm not sure what that definition is. In the original motion, it talks about the needs of even students who are high school students.

I have to point out. We're forgetting some of the realities of this province and that's not only injuries that have happened, but deaths that have happened. In the memory of children who have actually been killed – in September, we had a 17-year-old student walking to school in Cow Head who was killed. That's what we're dealing with. That's what we are trying to deal with. The minister, by bringing in his amendment, is maintaining the policy and I can't accept the fact that he's maintaining the policy. He's maintaining the policy which is in a way that will only be a band-aid solution because there are all kinds of ways in which the courtesy seating is not even working, which has been pointed out by some of my colleagues.

It's most disturbing. I have to point out, as one of my colleagues has done, especially the Member for Cape St. Francis, that the current Minister of Education has certainly changed in many ways. I was going to say he changed his colours. Yes, he changed his colours because

when he first spoke to this issue in this House of Assembly, he was a Member of our caucus, he was an NDP Member, and he asked a question to the Minister of Education at that time, stating that the policy needed to be modernized to meet today's needs. Then he talked about what those needs were and why the policy needed to be modernized. He presented a petition in this House as an NDP MHA and spoke to that need to have it changed.

Later on, after a study had been done by the PC government and a review had been done and the government did not pay any attention to things that were in the review, the current minister came out publicly at that time calling on the minister to change the policy. Not to dance around it, not to do band-aid treatments with it, but to change it based on the findings of the review that was done. He said at that time: My major concern is that the minister has categorically stated there will be no changes to the province's school busing system this year. That will do nothing to allay the fears of parents for their children's safety. The needed changes to the 1.6-kilometre policy must be made before this coming winter, so he said when he wasn't minister.

We have the Minister of Municipal Affairs and Environment blaming the Official Opposition for what they didn't do; that's fine. The two of them can fight with each other. I was never in government, but our policy has been straightforward and never changed in the years that we've been dealing with this issue. Our policy has always been that the 1.6-kilometre policy has to change.

One of the things going on right now in the media is the Minister of Education saying that he does not have responsibility. The responsibility is in the hands of the school board and now he's adding municipalities for snow removal and sidewalks.

I want to point out, because the public knows this, the parents who have been putting petitions in, the parents who have been speaking out publicly they know this, that under the *Schools Act, 1997*, the province's school boards are responsible for a system of transportation of students to and from schools – a system. They're not responsible for the policy. The powers of the

minister say that the minister is responsible for policy. It's not the school board that's responsible for policy. The 1.6-kilometre rule is a policy of this government, set by the government, set by the minister.

We have a real problem here because we have the minister saying he doesn't have a responsibility for the policy and he does. We have the school board who is responsible for a system of transportation of students to and from schools.

I want to use an example; it's not from my district. I will be quite above board; it's an example from the District of the MHA for Mount Pearl – Southlands, where the two policies are clashing, where parents are really caught in a conundrum because of the two policies clashing – or the two jurisdictions clashing, not policies, the jurisdiction of school boards being responsible for a system of transportation to students to and from schools.

Let's take a student who has a courtesy seat, and this is the example from Mount Pearl – Southlands. If that student stands in front of her house to be picked up by the school bus, it will put her, distance wise, outside of the 1.6 kilometres the bus is allowed to travel or she's allowed to be under; however, if she crosses over a major four-lane road to the other side, which she has to do, she now will be over the 1.6 kilometres and will be picked up. It's stupid; I mean, it's absolutely stupid.

You have the decision of the school board about where that child has to pick up the bus in the courtesy seat, being dictated to by the 1.6-kilometre rule. The policy of the government does affect how the school board creates the system of transportation.

The system of transportation just doesn't mean the buses and who the buses are and who gets the contracts; it also means the routes that are followed. Routes that are followed are affected by the 1.6-kilometre rule of the government. I find it most disingenuous, to put it mildly, for the minister to be saying the things that he's saying publicly.

People know the difference. They know that it is government's responsibility. This amendment is

only playing around with it; it is not changing the policy itself. It's the policy that needs to be changed.

Government says they're concerned, that they're concerned about the safety. They say they're concerned about our children, but we actually have the Minister of Municipal Affairs basically saying that sometimes it's difficult and priorities have to be set. What priorities is he talking about in this situation, the priorities of saving money on the backs of children who may end up being injured or killed? This is how serious this situation is.

I was really glad that the Member for Conception Bay East – Bell Island brought this private Member's motion to the floor. I would have thought we all would have said we've got to try to work on this. I would have thought that the Minister of Education and Early Childhood Development would have said: I want to sit down with school councils. I want to sit down with municipalities. I want to sit down with the two school boards. Let's try to sit and see how we can work this out. For him to stand here and say it's the municipalities' faults because they don't have sidewalks –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Trimper): Order, please!

MS. MICHAEL: – or it's their fault because they don't do good snow clearing, when we know the difficulties that the rural communities have in just trying to keep their towns going, let alone put sidewalks in place without help from the provincial government.

Let's be open here. Let's say what the reality is. I mean, the roads we're talking about – and the Members for there can say it. The road, for example, in Portugal Cove-St. Philip's, the road they're talking about is a provincial road. The province has responsibility for the sidewalks. The roads, I'm sure, in the Cape St. Francis District are provincial roads we're talking about. So the province has the responsibility.

It's most disingenuous of the minister to stand and lay the responsibility on the shoulders of the school. What we're talking about is roads that are the provincial government's responsibility.

The road that young man was killed on in September was a provincial road. That's the reality. So the province does have responsibility. The minister has a responsibility. The Cabinet has a responsibility.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MS. MICHAEL: They all have a responsibility and they are reneging it.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

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

They're reneging that responsibility, and that's what this amendment is doing. It is reneging government's responsibility.

As I said in the beginning, it's no sense telling me about what the policy is in British Columbia or Ontario or Quebec. We have to look at our reality here in Newfoundland and Labrador. We have to look at the situation for our students. We have to look at things like – even if we look at something like the shoulders of our highways. The shoulders of our highways are way too narrow, yet children are walking on government roads with those narrow shoulders. I think the Member for Cape St. Francis talked about that.

In comparison here in the province, you compare the highway going through Terra Nova to the rest of the Trans-Canada and there's a difference in the shoulders. That's a reality. Under federal jurisdiction, the road that's built under the federal jurisdiction has wider shoulders.

Even looking at what is it that needs to be done? Sit and talk. Talk with the school councils, talk with the municipalities, talk with the school board. We've got to work this one out.

As was pointed out, again, I think by the Member for Cape St. Francis, the courtesy seating; even if that was the answer, which I don't think it is, it's not even working right now because there aren't an adequate number of seats

sometimes to meet the needs. That is the reality. So let's not get into the murky area of discussing the courtesy seats.

The reality is we want the policy changed. The reality is the Minister of Education and Early Childhood Development when he was not in government also wanted the policy changed. Why isn't he working for that now? Why isn't he now saying the policy has to be changed and I'm going to fight inside of Cabinet and see how we can get this policy changed? I'm going to stand for the parents and the children just like I said I was doing when I was a Member of the NDP and when I was a Member of the Liberal Party when it was in Opposition. Why isn't he standing for the parents and the children now?

This is the question that parents have. This is a question the members of the school councils have. We have to make sure that we don't have – in 2014, for example, talking about high school students, the boy that was hit in December in CBS was 15 years old. I bet the amendment the minister has here would not cover the situation for that boy. Who defines who's safe and who's not safe? You can't leave it up like that.

A mother in CBS who spoke about her children no longer being eligible to ride the bus to their elementary school because of a change in the enforcing of the 1.6-kilometre rule, and her home a fraction of a kilometre within the 1.6 kilometres; that's not good enough, that's why it's not working.

When he was an MHA not in government, the minister stood up and talked about the changing times. Well, we certainly have changing times in CBS. When I was a child and we spent time in Topsail in the summers, you were safe on the Topsail Road but, good heavens, we're not safe now. Nobody is safe. Yet children have to walk without sidewalks in CBS to get to school.

I could go all around the province, just like the minister did when he was not in government, and name all the areas that this affects. We know it; we know what the dangers are. I'm just so disappointed in government that they could not have supported this and acknowledged that they really need to look at changing the policy.

Thank you very much, Mr. Speaker.

MR. SPEAKER: The hon. the Member for Stephenville – Port au Port.

MR. FINN: Thank you, Mr. Speaker.

Thank you for the opportunity to rise today and speak to the private Member's resolution as presented by the Member for Conception Bay East – Bell Island.

I have a short amount of speaking time, being Private Members' Day and the duration of the clock here, but I want to highlight a few things. For those just joining us, we're talking about school busing. More specifically, the 1.6-kilometre rule and busing within that limit. The Member for Conception Bay East – Bell Island is proposing that, essentially, we eliminate that rule and, in turn, accommodate all of the students in the province who live within the 1.6 kilometres from a school.

Just to point out to the Member opposite, who I think should be aware – having spent a number of years in government and the numbers have changed – we currently have some 66,000, almost 67,000 students in Newfoundland and Labrador enrolled in our school system. Approximately 80 per cent of this figure is currently bused each day to school at an annual cost to government of around \$58.5 million. That's just to put in context what we spend on school busing and the sheer amount of students that we do bus. Those students fall anywhere outside the 1.6-kilometre arrangement living within the school.

As was alluded to, we do have a courtesy seating policy. As the amendment to this current private Member's resolution stands, we're looking at giving priority to courtesy seating, specifically with those who there may be some risk of safely getting to and from schools.

I understand the intent of the private Member's resolution. Certainly, the intent is to look at safety and what we can do as a government to ensure that our children are getting back and forth to school each day in a safe manner. But what we're asking for here, the elimination of this rule, there's been much debate. It happens every year.

Mr. Speaker, I think as far back as I can remember – and with the exception of about two Members in this House, I'm probably the most recent high school graduate. I'm probably the most recent Member to ride a school bus other than the Member for Placentia West – Bellevue. Perhaps, with great exception to the Minister of Tourism, Culture, Industry and Innovation, I'm probably the last one to ride a school bus.

AN HON. MEMBER: Got kicked off the bus.

MR. FINN: What's that, sorry?

AN HON. MEMBER: Got kicked off the bus.

MR. FINN: And other Members have gotten kicked off school buses, I'm sure.

In any event, I can remember – since probably about my grade five year and my grade six year – every year in the Province of Newfoundland and Labrador the issue of school busing comes up in September. Every single year it comes up. There are a few parents who have concerns and there are a few concerns (inaudible).

I'll tell you what, Mr. Speaker, each and every year that this issue arises – we have great principals, great administrators. We have great folks who work for the school boards in our province. They work with the parents. They work to ensure that our children get back and forth to school safely.

In fact, we have a number of bus operators. All of the bus drivers across the province, I can guarantee you, their main objective each and every day is to ensure children get home safely and get to school safely. In doing so, they take great pride in it. Safety is the priority.

I want to refer to the Member's comments. The Member for Cape St. Francis was saying that cost shouldn't trump safety. It certainly should not, I'll say to the Member – certainly, it should not. On that note, in looking at safety, our government has taken some steps forward to improve safety in and around school zones.

It was noted by the Members opposite – just moments ago it was noted – we ensured that if a vehicle was caught passing a school bus, we will now be able to ticket the licence plate holder,

not just the driver of the vehicle. That's certainly one step forward.

Last week in this House – about one week ago right now – we were debating reducing the speed in our school zones. The current legislation, as it states, the maximum a school zone can be in the Province of Newfoundland and Labrador is 50 kilometres an hour. The Member for Baie Verte – Green Bay brought in a resolution supported by all to look at reviewing that and dropping it down to 30 kilometres an hour, and rightfully so.

The reason the Member brought that in is to ensure safety in our school zones. Safety is a priority for this government. That is certainly something – now that the motion passed in the House last week – we'll certainly go on to review.

I'll say to the Member, while safety shouldn't trump cost – I certainly understand that – there's one thing that is true and it's true with all governments: Costs are important. I'll say to the Member opposite, when we inherited government – we're spending over \$1 billion a year servicing our debt.

AN HON. MEMBER: How much?

MR. FINN: One billion dollars, I say to the Member.

We're spending just over \$800 million. Don't shake your head. These are facts. You can go check the Public Accounts.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. FINN: We're spending just over \$800 million on the education –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. FINN: – system in this province.

In last year's budget, the numbers hold true as well, Mr. Speaker. The numbers hold true again.

AN HON. MEMBER: Putting a cost on it – putting a cost on children's lives.

MR. SPEAKER: Order, please!

MR. FINN: I'll tell you what I'm putting a cost on, I'll say to the Member. I'm putting a cost on the fact that we inherited a situation where we spend more on our debt in this province than we do on education. Thank you to your 12 years in government.

Thank you to your 12 years in government. We spend more on our debt than we do on education. You cannot deny it. It is a fact. That is a fact.

Now – I'm sorry, Mr. Speaker, lots of heckling going on here today.

AN HON. MEMBER: You touched a nerve.

MR. FINN: I touched a nerve because these Members in Opposition, the PC Party, had 12 years to change this rule. I'll tell you what they did. There are a lot of things they didn't change in 12 years that we took pride in doing since we took government: presumptive cancer care could be one; changes to our *Highway Traffic Act* could be another.

You want to talk about changing school bus zones now. We have to consider costs and we have to consider what other jurisdictions do. They took great exception. They wanted to pick on the Minister of Education and Early Childhood Development and they said: Oh, well, he was an NDP and now he's a Liberal and the other Member laughed. There's nothing to laugh about that.

He did present petitions in this House of Assembly. You claim you read them. Go read the resolutions that the Member presented and you'll see that he asked for a review. Well, it's ironic that he asked for a review because your government commissioned a review. Are you familiar with the \$75,000 study that your government commissioned? Are you familiar that in 2013 the then minister – I won't say his name – commissioned a \$75,000 report by Deloitte?

The biggest take-away from the report and I'll quote the minister – you sat in Cabinet with this minister, I'll say to the Member who presented the resolution – “Our system is definitely a good one, comparable and better than other jurisdictions.”

Now, in 2013, a report commissioned by your government suggests that your system was definitely a good one; it is better and comparable to other jurisdictions.

In fact, the Minister of Education and Early Childhood Development called for a review and those were the results of the review. Good on him on calling for it and good on you for commissioning it, but you can't have it both ways. There was nothing wrong with the 1.6 kilometre busing policy when you were in government and suddenly now there is.

Mr. Speaker, we look at other jurisdictions, their own report suggests that we're comparable. The Member for Bay of Islands, the Minister of Municipal Affairs and Environment just stood on his feet and pointed to other jurisdictions. There are only two other jurisdictions in the country that uses a busing policy that's less than 1.6 kilometres. We're consistent with every other jurisdiction.

In fact, when it comes to our high school students, when it comes to busing children and youth in grades seven through 12, there's only one other province that is even close to us in the 1.6 kilometre rule. Again, we have to consider the cost. We have to consider safety, there is no doubt, and certainly there are a number of measures we've taken as a government, I've alluded to previously, where safety is a priority.

Mr. Speaker, with that, I'm going to take a moment to talk about some solutions. The Member for Cape St. Francis, a former mayor of Torbay, just stood on his feet in this House –

MR. K. PARSONS: No, no, sorry, Flatrock.

MR. FINN: The former mayor of Flatrock, my apologies.

The former mayor of Flatrock just stood up and said the roads in Torbay, he said this is a highway and the roads are narrow. North Pond

Road and the provincial roads are narrow, so we have to ensure students' safety.

Do you know what? I'm going to suggest to the Member, if that's a direct concern and that's a district that you represent, I suggest you meet with the school principal, meet with the school district, meet with the municipality and see if there are some things you can work around.

MR. K. PARSONS: A point of order, Mr. Speaker.

MR. SPEAKER: A point of order has been called.

The hon. the Member for Cape St. Francis.

MR. K. PARSONS: Mr. Speaker, I'd just like to inform the hon. Member that I've met with the school, I've met with the principal, I've met with the town, I've met with the school councils, I've met with everybody in my district when it comes to safety issues.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: There is no point of order.

The hon. the Member for Stephenville – Port au Port.

MR. FINN: Mr. Speaker, I'm sure he's met with many others as well, and I'm sure when he was in government he had opportunity to meet with all these people as well. He probably met with them then. I can't understand the change now.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. FINN: You had your opportunity to speak. I wanted to talk solution. I just proposed one to you. I suggest that you meet with the school administrator and you meet with the town.

I'm going to give you an example. In my town, for example, in the Town of Stephenville for which I live, there are some areas where there are sidewalks and there are some areas where

there are not. If they're close to a school zone, this is a good opportunity for the schools to perhaps meet with their Member and to have a look at some creative solutions.

The Minister of Municipal Affairs and Environment pointed to some cost-sharing ratios where municipalities can apply to perhaps create some sidewalks.

MR. BRAZIL: A point of order, Mr. Speaker.

MR. SPEAKER: A point of order has been called.

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

MR. BRAZIL: Thank you, Mr. Speaker.

It's an opportunity now for me to regroup and review exactly what's been discussed here and clarify to the listeners and our viewers of exactly what this debate is all about.

I want to acknowledge my colleague, the Member for Cape St. Francis, who very eloquently outlined specifically the importance of us reviewing the 1.6, based on the principle of safety.

SOME HON. MEMBERS: Hear, hear!

MR. BRAZIL: And that's explicitly what this was about. This is about keeping our children safe and those who are most vulnerable, those younger ones, those who may have mobility issues, those who may live in specific areas where there's more of a risk from a safety factor. They're the ones we wanted to improve safety in getting to school by reviewing the 1.6 kilometre busing system.

I also wanted to thank my hon. colleague over here on this side from St. John's East – Quidi Vidi, for again outlining exactly that this is not a new discussion. That she and her Party and the opposing Liberals, when they were in Opposition, and we are today, see this as a very important issue.

As we're moving closer to identifying and addressing issues like we've debated today in the House in another bill about safety for our

citizens, if it means we have to invest money or it means we have to review policy, that's what we do. That's what this House is about. That's why we have debate and dialogue and it's why we make suggestions.

What we were proposing here was about putting out that we would review a specific policy to find a solution that better addresses the particular challenge here. And the challenge here is about safety and it's already been outlined that it's not something new.

Now, the government kept saying: well, why didn't the previous administration do it, and why didn't the previous administration do it before that? A multitude of reasons; some are valid, some are not. Regardless of that, we're talking now – year three you're about to move in to your reign. Why don't you start doing something about it?

Particularly, the Minister of Education, who's somebody for years in Opposition, continued to advocate for it. Rightfully so, no problem, hat's off. I acknowledge that, but then when you advocate for something and get in a position where you can change it and actually do it and live up to what you stood for, for many years and you ignore it and try to put the blame on other avenues, or other municipalities, or other agencies, or groups or a school district, that then shows pure hypocrisy for exactly what your job is supposed to be and what you were brought to do.

When you have thousands – and we're not talking tens or hundreds, we're talking thousands of citizens who come forward and say we have a safety issue here. We stand for it. We have administrators saying we want to stand for something. Then to get to a point – it's one to disagree with what we're presenting, but then to play a game of smoke and mirrors, because that's what it is. To make an amendment so that they can stand on their soapbox and say, oh no, no we agree with it because we still have the word 1.6 in there, but we've got courtesy busing – which again, a bit of education here. I have to explain to the minister, courtesy busing already exists. It has existed for years. School districts have managed to be able to do that and, where they could, fulfill the needs for as many students

as possible. The problem is they couldn't fulfill it for all.

The other problem is there's no guarantee that you get to keep that seat. So you change your whole mode of how your children get to school and you feel comfortable for a period of time, but now all of a sudden another family moves in who are outside the 1.6 and you get bumped out. You don't have any legal right to that because the 1.6 policy, the outdated policy that doesn't take into account safety and apparently from that side over there, in their perspective, their argument, is particularly only about money. It's not about safety. It's not about updating a policy. It's not about reviewing it to see are there better ways of doing it. They've already admitted; it's about money.

They literally got up and talked about children's safety is not as important as how much money we have to spend somewhere else or how much money we have because they inherited a particular cost on something else. That's shameful – shameful – that we put that into that.

Yet they'll pat themselves on the back on another policy where they'll invest money – and rightfully so – to address a particular issue or a challenge that we have in society or to ensure that other citizens are kept safe – and rightfully so; good on you for doing that. You can't be picking and choosing and saying in one case safety is important and we'll invest our monies because it's ours, but on the other side when somebody else suggests it and does it in good faith and acknowledging that we didn't invent this, that other people had come and presented this prior and it wasn't done – fair enough. Now is an opportunity to do it, particularly when people are now saying it's a bigger issue than it ever has been because of the growth in certain areas that don't have the infrastructure to be able to sustain that, because how we've reconfigured schools over the last number of years so there's bigger distance, because of infill with housing and subdivisions has had a major impact on it.

All of a sudden the smoke and mirrors here, we're going to impose something, we're going to make an amendment – because we can't be seen as voting down what you're proposing because it makes too much sense and the general public would question: Are you really

committed to children and safety? Are you committed to our school systems? We are not going to do that. We're going to use smoke and mirrors because the average person may not know unless you use the courtesy seating, we'll put courtesy seating.

The person who doesn't have a kid in school yet or somebody whose kids are already gone will say, oh, well that's good they can get a seat. Anybody who uses that, they know, every September, the drama they go through, the fear: Am I going to be able to get a seat for my kid? Then they know there are some who are left out. We've got examples of two in a family: one can get the courtesy seating and the other can't because they fit a different category, their age category, what class they're in. It is totally different. The minister has the proposal here on the amendment and neglects to say we've had courtesy seating. It works to a certain degree for certain individuals, but it doesn't guarantee safety for our students as they're travelling. So what we've asked here is go back and look at the policy.

Even in my first introduction, and my colleagues here who spoke to it, they talked about doing a whole jurisdictional scan. The Minister of Municipal Affairs and Environment was very easy to get up and say oh no, other places have further distance and all of that. I'm glad that the hon. Member for St. John's East – Quidi Vidi said listen, we don't care about what other jurisdictions do; we care about the safety of our children in Newfoundland and Labrador.

So we'll find something that works here. We have a number of agencies, we have a number of groups here, we have municipalities and we have student organizations that would work with you to find it. We have a school district here that's been –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. BRAZIL: We have two school districts here who would look to have a discussion around how is the best way that we could address that, but that wasn't good enough for them, so they played smoke and mirrors by trying to put in courtesy busing. The fortunate

thing is people will see through that and we know what's happened.

So what we know now – I'm just going to recap a few things. We know the Minister of Education has already stated he's against the review of the 1.6-busing policy to ensure safety for all of our students travelling to school, particularly those most vulnerable, younger and ones with mobility issues – against it. The Minister of Municipal Affairs and Environment is already on record – I don't know about the other Members. We'll see that when we come to the vote in a few minutes about that. We already know where two of them are – two important ministers who should have a stake in ensuring safety, particularly in our municipalities and in our school systems.

But that's fine; we know where the two of them are. I'm hoping there's going to be another group over there who are going to vote a different way, but that's fine.

Let's recap a little bit. Let's go back to how we got to this point right now and why we thought and we felt because of the lobbying that we were getting from parent groups, school administrators, agencies and municipalities about let's address this now, it's an opportune time to do this and there's been a lot of work around bus schedules, bus routes, safety on buses, all valid and important – and hats off to the government for moving that forward.

So now we've done all these things, all the small things to connect the dots. Now let's connect the big dot: the safety, getting them to school.

MR. JOYCE: A point of order, Mr. Speaker.

MR. SPEAKER: A point of order has been called.

The hon. the Minister of Municipal Affairs and Environment.

MR. JOYCE: In section 49, Mr. Speaker, the Member just made a statement which is factually incorrect. When he makes a statement and says I'm not concerned about people's safety in municipalities or on roads, it's factually incorrect. I never, ever said that, Mr. Speaker. So I ask the Member to withdraw those

statements because at no time did I say I'm not concerned about safety for the children or anybody in our municipalities or anywhere.

I cannot let that stand on this record.

MR. BRAZIL: I withdraw that statement (inaudible) vote for the original proposal we put here, thank you, thank you. I withdraw that to you now.

SOME HON. MEMBERS: Hear, hear!

MR. BRAZIL: With his voting that, now that makes me feel that – so I withdraw the fact that I may have inferred that he didn't see the safety for children out there. I withdraw that.

MR. JOYCE: A point of order.

MR. SPEAKER (Trimper): The hon. the Minister of Municipal Affairs and Environment.

MR. JOYCE: Mr. Speaker, I can't let it stand in this House what that Member said. We know there's a standard practice in this House that when you have to withdraw a statement it's done unequivocal. It's done without any statements whatsoever, Mr. Speaker, without any reservation.

So I ask the Member to withdraw the statement, Mr. Speaker. It's a standard practice in this House.

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

MR. BRAZIL: Thank you, Mr. Speaker.

I withdraw that statement.

Mr. Speaker, again, I want to keep moving forward and say now at least I'm down to one minister that I have to worry about seeing whether or not they are going to support the bill that we put forward.

Mr. Speaker, let's talk about it. In the Red Book, they had proposed: 5.3.9 Review Busing Distances. "Current regulations deny bus service to children who live closer than 1.6 kilometres from the school they attend. This policy has raised safety concerns among parents, especially

for younger children, and also affects the extent to which children are able to participate in extracurricular activities.

“A New Liberal Government will review the distance criteria for school bus service eligibility.”

Great, that’s great. What a great policy. I suspect people actually voted for them, those parents who had concern, based on their intention to implement this policy. Two-plus-years later, obviously, there’s no intention at this point, but they have an ability to do it. All they have to do is vote for this amendment and they will have an ability to do that.

We have them standing on their Red Book as one of their policies, key policies, key platforms so the students would be very apt to be considered safe and parent groups would support it. They’ve come back with a smoke and mirrors amendment all based on the principle of saying, no, we’re going to implement –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

I ask all Members to respect the fact that the Member for Conception Bay East – Bell Island is speaking.

MR. BRAZIL: Thank you, Mr. Speaker.

There’s no doubt I hit a nerve over there now because we’re starting to expose exactly what they’ve said in the past, what the minister said in the past, what they stood for as a government and now exactly what they are going to implement; totally different things, from one extreme to the other.

We talk about that they don’t talk about the reality of safety. I got a notice here, 170 tickets given out by the RNC in the Northeast Avalon on the first day of school about safety. We don’t have a safety issue in some of those areas where we don’t have sidewalks; we don’t have winding roads, proper signage. All these things that are safety oriented issues.

What we presented here was very simplistic, but would address a particular need. It came out of

hundreds if not thousands of people petitioning us, talking to us, school groups that we met with – and no doubt, Members over there meet with the same school councils that we do in their respective school areas. No doubt they have the same issues, in a lot of them. Maybe a little bit more extreme in some areas where there are heavy growth areas or schools have been reconfigured or the busing routes have changed, no doubt.

What we were proposing here was something we thought would fit well with last week’s – let’s go back a bit. Let’s go back to last week’s private Member’s resolution where it was about safety; an honourable one that we all supposed, decreasing speed limits in school zones. So that side of the House had acknowledged there’s an issue around safety around schools. Rightfully so, that’s why we all got on this side, we spoke to it, we supported it, we voted for it unanimously. There wasn’t an issue. We figured this would be in line because the next level of that is we can even improve it more if we minimize how many students are going to be on those roads going to schools.

So we have one where we lower the speed limit, if we can eliminate how many students, the number of students there, we eliminate the risk. We thought it was an easy flow, but for some reason somebody took it that they were going to be insulted because their previous stance on something wasn’t where they wanted it to be now. They weren’t going to advocate for realigning an existing system or finding ways to improve the system by making some investments to improve safety.

Everyday we’re investing hundreds of millions of dollars in our education system. Our education system is only as good as the student who gets there. The students who get there have to be safe when they get there. That should be the first primary objective here of any system or any government, to keep your citizens safe.

Again, in the last week or so we’ve had debate on a couple of bills around safety, very important bills. So all of a sudden we segregate – students are not as important as any other sector of society, it’s not acceptable, not acceptable. That’s why we’re proposing this.

We're flabbergasted that they would try to put smoke and mirrors up and confuse people by putting courtesy busing. Anybody who knows what courtesy busing is knows it's something that already exists – where it's available. Unfortunately, it's not available everywhere. That's why we don't have a constant, continuous safeguarding of students being able to get to school on an equitable basis. Every day in and every day out we have parents struggling to get their kids there, worrying about them, having to find rides for them to get home – extracurricular, another issue, not being able to address that.

The Liberals had all that figured out two years ago, but apparently they must have lost the file they had on that one. I don't know who wrote the briefing note on that, maybe it was the Minister of Municipal Affairs and Environment, but I would hope he passed it on to the Minister of Education so he could read it again and get familiar with what's happening there, Mr. Speaker.

So, Mr. Speaker, as we've proposed, we will be voting against this amendment because it takes away from exactly what was proposed and the citizens have lobbied us to do was to review the 1.6 kilometre busing zone so that we would have a better equitable, safer approach to addressing the issues around safe busing for our children going to our schools.

Mr. Speaker, so on that note, I'll sit so we can have a vote on this important issue.

MR. SPEAKER: Order, please!

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

All those in favour?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: All those against?

SOME HON. MEMBERS: Nay.

AN HON. MEMBER: Division.

MR. SPEAKER: Division has been called.

Division

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

All those in favour of the motion, please rise.

CLERK (Barnes): Mr. Andrew Parsons, Ms. Coady, Mr. Joyce, Mr. Hawkins, Mr. Crocker, Mr. Osborne, Mr. Kirby, Mr. Mitchelmore, Mr. Warr, Mr. Bernard Davis, Ms. Gambin-Walsh, Mr. Edmunds, Ms. Dempster, Mr. Letto, Mr. Browne, Mr. Bragg, Ms. Haley, Mr. Derek Bennett, Ms. Cathy Bennett, Mr. Finn, Ms. Parsley, Mr. King, Mr. Holloway.

MR. SPEAKER: Those against the motion, please rise.

CLERK: Mr. Paul Davis, Mr. Hutchings, Mr. Brazil, Ms. Perry, Mr. Kevin Parsons, Mr. Petten, Ms. Michael, Mr. Lane.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

CLERK: Mr. Speaker, the ayes: 23 and the nays: 8.

MR. SPEAKER: I declare that the motion is carried.

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

All those in favour?

SOME HON. MEMBERS: Aye.

AN HON. MEMBER: Division.

MR. SPEAKER: Division has been called

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

All those in favour?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: All those against?

SOME HON. MEMBERS: Nay.

AN HON. MEMBER: Division.

MR. SPEAKER: Division has been called.

Call in the Members.

Division

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

All those in favour, please rise.

CLERK: Mr. Andrew Parsons, Ms. Coady, Mr. Joyce, Mr. Hawkins, Mr. Crocker, Mr. Osborne, Mr. Kirby, Mr. Mitchelmore, Mr. Warr, Mr. Bernard Davis, Ms. Gambin-Walsh, Mr. Edmunds, Ms. Dempster, Mr. Letto, Mr. Browne, Mr. Bragg, Ms. Haley, Mr. Derek Bennett, Ms. Cathy Bennett, Mr. Finn, Mr. Reid, Ms. Parsley, Mr. King, Mr. Holloway.

MR. SPEAKER: Those against the motion, please rise.

CLERK: Mr. Paul Davis, Mr. Hutchings, Mr. Brazil, Ms. Perry, Mr. Kevin Parsons, Ms. Petten, Ms. Michael, and Mr. Lane.

Mr. Speaker, the ayes: 24; the nays: eight.

MR. SPEAKER: I declare the motion carried.

On motion, amendment carried.

MR. SPEAKER: In accordance with Standing Order 9 this House now stands adjourned until tomorrow at 1:30 p.m.