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Speaker: Honourable Perry Trimper, MHA

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The House met at 10 a.m.

MR. SPEAKER (Trimper): Order, please!

Admit strangers.

Orders of the Day

MR. SPEAKER: The hon. the Government House Leader and gentleman who's celebrating his birthday today.

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

I would call from the Order Paper, 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 Natural Resources, that Bill 22, An Act To Amend The Smoke-Free Environment Act, 2005, 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, An Act To Amend The Smoke-Free Environment Act, 2005. (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.

The hon. the Member for Topsail - Paradise.

MR. P. DAVIS: Am I too late to speak to it, Mr. Speaker?

MR. SPEAKER: Did you want to speak to –

MR. P. DAVIS: Third reading.

Third reading on the smoke-free – if I've missed my chance, I've missed my chance, but ...

MR. SPEAKER: You'll require leave.

I'll ask the Member if he wants you to speak.

SOME HON. MEMBERS: Leave.

MR. SPEAKER: Okay, please proceed.

The hon. the Member for Topsail - Paradise.

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

I appreciate it; I thank the minister and Members opposite for leave to speak to the *Smoke-free Environment Act, 2005*. I just wanted to, very, very briefly, on the Smoke-free Environment Act, to thank the Members opposite for their indulgence and their co-operation – I feel the wind in here today, Mr. Speaker – just to speak to it.

On all of these acts, I want to reiterate here of course, the importance of discouraging people from smoking, which is what the environment act was really considered for in the first place. I'm glad they're including marijuana under the Smoke-free Environment Act because then it will be included in the process of discouraging people from smoking any types of substances.

I just wanted to take a moment to thank the government. I think it's a good thing for them to include it in the Smoke-free Environment Act. Part of their legalization of marijuana and processes in this province should always have the oversight of discouraging people from smoking any types of substances, and putting it here I think is the first step in doing that.

So I thank them again for leave just to comment this morning.

MR. SPEAKER: Thank you.

No further speakers.

I am going to repeat, is the House ready for the question?

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: A bill, An Act To Amend The Smoke-Free Environment Act, 2005. (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, "An Act To Amend The Smoke-Free Environment Act, 2005," 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 call Order 3, third reading of Bill 23.

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

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

I move, seconded by the Minister of Health and Community Services and Deputy Deputy House Leader, that Bill 23, An Act To Amend The Highway Traffic Act, be now read a third time.

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

The hon. the Member for Topsail - Paradise.

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

I have a few more comments on this one than I did on the last one.

We had a good exchange yesterday in the House in Committee on amendments to the *Highway Traffic Act*. We had a lot of questions to ask and we were here for a couple of hours in

Committee. For most of it we had a good exchange, at least most of it we had efforts from government to answer some of the questions. I'm still not clear on some of them and I just wanted to make a few comments in third reading on it.

One of the aspects of this that's troubling is the government is about to pass a provincial law for Newfoundlanders and Labradorians that I don't believe you're equipped right now to be able to enforce. That one being on zero tolerance for drugs for novice drivers, drivers under 22 and commercial drivers. Zero tolerance means a person under 22, a novice driver or a commercial driver cannot have any presence of THC – which is the active drug in marijuana – while operating a motor vehicle.

There are two types of THC: there's active and then there's residual, which can be detected, I understand right now, up to 60 days or longer after use of marijuana. Right now for roadside screening for police there's no federally approved screening device available right now in Canada. The federal government is still going through the process.

I've heard some comments from Members opposite being critical of Conservative Party of Canada senators who they say got it hung up in the Senate. We know on Monday, and we hear news reports Monday night, that the results of the Senate taking – the Senate is quite often seen and is supposed to be the body has a sober second thought, is the way it's quite often worded, on bills and legislations from Parliament.

The independent Liberal Members, as well as the Conservative Party of Canada senators, unanimously agreed to over two dozen amendments from reviewing the federal bill that's going to impact legalization of marijuana. The fact it is in the Senate seems like they're doing good work. If they have two dozen bills unanimously agreed to, which will now go back to Parliament for further review.

One of the federal regulations is being able to detect quantities – nanograms – of THC or the active ingredient in marijuana for drivers. In Newfoundland and Labrador, the government has done a very good thing by creating zero

tolerance, at least for novice drivers, drivers under 22 and commercial drivers. But the problem exists that the province is about to pass this legislation when there is no roadside ability to determine for low quantities of THC if the provincial legislation is being upheld.

Federally, the offences begin when there are two nanograms – when it comes to the actual levels – of THC per millilitre of blood. That's when the offences begin. Two to five is a maximum of \$1,000 fine; five nanograms or more is a more serious offence or higher fines. Then, there are also the 2.5 nanograms or more when you have 50 millilitres of alcohol in the blood or more.

Provincially, having zero tolerance, which means anything above zero up to two nanograms or more, would be the provincial level. If you have less than two nanograms – if you have one nanogram, as an example, you haven't committed a breach of any federal laws, any *Criminal Code* of Canada laws, any of the laws that are being dealt with in Parliament and the Senate, but you would have breached the law of zero tolerance here in this province.

The problem exists that right now the province does not have a mechanism to determine on the roadside if a person has one nanogram which would be a violation of zero tolerance. There's no way for them to determine that because the roadside screening devices are not approved federally and do not exist in the system right now. Police agencies have to procure them, obtain them. Police agencies have to develop policy and they have to train officers in their use before they'll be able to determine that. Some people have suggested it could be a fairly long time for that part of the legislation to be able to be upheld.

When we were in government I remember the Opposition saying to us: You can't pass legislation you can't enforce. I remember Opposition Members making those comments to us: You should never pass legislation – I suppose you can because we're about to, but you shouldn't pass legislation if you can't enforce the legislation. Sometimes what will happen is legislation will get passed in the House, but it won't receive Royal Assent or come into power until a point in time that all the checks and balances, equipment and training and so on is in

place to be able to make sure that people abide by that law.

The second aspect of the *Highway Traffic Act* bill, which I believe is worthy of discussion here today, is the aspect of education. I asked government yesterday if they could give us an idea of what their plan is on education and how they plan to educate people. I asked ministers yesterday: Tell me what two nanograms means. What does that mean? I raise it because people generally know that if you go out somewhere for a meal with a partner, friend, spouse or something – you're having an evening meal somewhere, if you go to a restaurant downtown and you have a meal – generally speaking, you can drink an ordinary beer, or most people will believe they can drink an ordinary beer. They have their meal, they have coffee and desert and they'd be safe to drive home.

I know many of us will say and encourage people: Do not drink anything before you drive. That's an easy, solid rule to follow, but the reality is that many, many people will do that. They'll go to a social setting, they'll have a drink or a glass of wine or a beer and feel very safe that you're not going to fail a Breathalyzer test or be impaired – especially if you're accustomed to drinking alcohol – by that one beer, one drink.

Of course, the more drinks and beverages you have, the more likely you are to be impaired to a level that would be considered to be criminal, or that your blood-alcohol content would be above the legal limits. There are really two aspects. Are you impaired? No matter what your level is, you could be impaired. There are also legal per se limits that have been legislated federally – and here, provincially, rules as well in provincial law – about how much alcohol you can have in your system before you can drive.

I know of circumstances where people have blown three and four times the legal limit, very high, high levels of alcohol, but it was very hard to detect that they were intoxicated because they consume so much alcohol on a daily basis they become adjusted and used to it. The legal limit is 80. I've had people blow 250, 260. I've had people that had alcohol levels of over 300 and look at them and say I can't believe this person is this high.

I remember a gentleman one time who had told me he drank a bottle of rum a day. Actually, he had an accident with a police car while he was on the way to work. He blew over 300 but never expected to really be that high. On the other side of it, if someone has never, ever drunk and had a glass of wine, it may have an impact on you. A glass of wine will have a greater impact, quite often, on an older person than a person of middle age.

The problem here is on drugs, trying to determine the level of drugs because zero tolerance means zero. There's going to be a testing process. Does it pick up the residual that can be detected for 60 days, or more, later? Does it only pick up the active THC? There's no device available right now on a roadside to determine if a person is between zero and two, which is what the provincial legislation is going to say.

That's a little bit of a problem that we had hoped the government could explain how they're going to deal with that, but I really haven't heard the answer to that until the licences are ready. It could be a year, it could be two years before it happens – it could be three months – but they don't seem to have an idea on that.

The other aspect of the *Highway Traffic Act* bill, the smoke-free workplace bill and the cannabis act – all of them – I believe is on education. I know the Minister of Justice said that they've talked about education for two years. They've been talking about the legalization of marijuana and education has been a part of it. We asked them what their plan is on education and we don't know what it is.

I would expect the government has a plan right now for laying out an education plan. I found one on the Government of Canada website which has a graphic here. It has some highlights of very high-level factors that are designed, that people can read really quickly and get an understanding of the dangers of driving. Don't drive high is the headline on it. Your life can change in an instant.

Fast facts it's referred to: 50 per cent of cannabis users don't think that it affects their driving much, while one in five don't think it has any negative impact at all. We know that's not right,

so bringing in these new laws, increasing the availability of cannabis to all members of society 18 years of age and older, also comes with an inherent responsibility on government to make sure people understand what the risks are.

We know from the history of marketing and advertising that you have to send that same message repeatedly – over and over and over again, sometimes for a long period of time and a repeated number of times – before people start to get the message. We do it in politics when we go out and ask people to vote for us. We don't put out one sign; we'll put out hundreds of signs because we want people over and over and over to support us in an election.

It's the same kind of thing. Don't smoke weed or use marijuana, don't use cannabis, weed, whatever you want to call it, hash, hash oil – don't use them and drive a motor vehicle because there are risks. Even though 50 per cent of cannabis users don't think it affects their driving much.

One-third, 39 per cent of those who have used cannabis in the past year have driven within two hours of consuming cannabis. I've heard people talk about a four-hour range because cannabis is different than alcohol. When a person consumes alcohol if you stop drinking in a moment, generally speaking, your alcohol levels in your blood will continue to rise for two hours after and then they'll start to drop off. Generally speaking, if you're drinking and drinking and drinking constantly and you stop, blood will continue to absorb alcohol for two hours later; your alcohol levels continue to go up and then it starts to come down.

So four hours later, after stopping drinking alcohol, you could be where you were when you stopped drinking four hours before. It takes a long time for that alcohol to drop off. I'm told that with cannabis, with marijuana, with weed, it's different than that. That as soon as it's smoked and absorbed, then it starts to drop off very, very quickly. Within a few hours later, the effects of marijuana could wear off, where alcohol can last for many, many hours.

So this point says 39 per cent of those who used cannabis in the past year have driven within two hours of consuming cannabis. What I just

explained, I think is the reason for that. One hundred and forty-nine is the number of fatally injured Canadian drivers who've tested positive for cannabis in 2014 – 149 – before legalization. We know that the chiefs of police in Ontario just very, very recently held a press conference and raised a flag to say, well, it's going to increase.

My point in doing this, Mr. Speaker, is just to again make the point which I believe is very important. The government needs to start today with educating and advertising. From the school levels, to young adults, to older adults, all levels of society, so that everybody understands. Messages we've seen in the past – if you're having a party and you're serving alcohol or serving drugs, people holding that party have a responsibility as well. If you have someone leaving your house or social event, we all have a responsibility to say please don't drive; do you realize how much you drank, or how much you smoked or how much you've consumed with drugs or alcohol. Please don't drive.

We do that today. But I think it's an important point that we need to continue to hit home to people, especially now with summer upon us. We wouldn't say it today according to the wind blowing; we can hear over our heads here. But with summer coming on us, it's a time when people start to barbeque, they go to social events, they'll sit at an outside table at a restaurant and it's a warm day, so the tendency is quite often to consume more and so on, and it's important to continue to hit those messages about safe usage of all alcohol, all drugs, and especially when it comes to driving.

So, Mr. Speaker, if the government has any information they can help shed light on for advertising or education, I'd be more than happy to hear what it is; and as well, zero tolerance doesn't seem to me – we haven't actually been able to find out if they have a way today to enforce that zero tolerance. If they do, I'd be more than happy to hear the explanation, and I think people want to hear it as well.

Thank you for acknowledging me on this.

MR. SPEAKER: Thank you.

The hon. the Government House Leader.

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

I just wanted to provide a few comments here to third reading of this bill. There's one point I'll certainly agree with the Member opposite on, is that obviously education and awareness are going to be so important; it's going to be paramount to this process that we need when you have a policy shift like this, and when you have a fundamental change in basically how we've grown up and how we've learned, when you take something from illegal to legal, that there is going to be a lot of education that is necessary. That part I agree with.

The fact is that it is incumbent upon government, as well as all of our partners, our agencies, parents, everybody has to play a role in this and to educate themselves. We have to work with our federal partners to ensure that we provide the materials and provide the information because if not people, as they do with other things, may sometimes reach out to sources that are not always accurate. That's where I think we can play our role and get the accurate information out.

One thing that's hard to do, though, is that we cannot advertise about rules that are not actually legislated yet. We know that when it comes to our provincial rules and laws that we are laying out and debating here right now, that we have to get that done first. The other part is when we talk about the limits, the nanograms two to five and so on, it's coming through the federal legislation. It's hard to talk about that and say that we're going to put out brochures and awareness in online sites on that when it's not actually done yet. We don't know where it's going to go.

Again, I cannot control that. That's the Senate. That is our Parliament. So we have to see that, but once that comes out we have to be ready to move. I agree with what the Member is saying. Once it comes out, you have to be ready to go from there. And again, if things stay the same as they are now that's one thing. If they're different, then you have to be ready to adjust course and move forward.

This is not an education process that's going to last a couple of months. This is an education process that's going to last some time. That's

going to bring me back to the other point that I do disagree with the Member opposite. When we say that people have a general idea of their limits with alcohol, I disagree. Given the impaired driving stats from this province and from this country, people don't know their limits.

SOME HON. MEMBERS: Hear, hear!

MR. A. PARSONS: The only same limit is to have zero in your bloodstream. For us to suggest that people have a good understanding, well given the fact that just about every day we're seeing it on the news, I'm getting a press release from the RCMP picking up an impaired driver, I'd say no. I'd say they don't.

In many cases people are waking up the next morning thinking that they're good to go and they're still impaired. It's still in their system. We've been dealing with that for decades and people still haven't learned or they're choosing not to listen.

So to think that we're going to transition here seamlessly, no, but I think we can learn from the lessons here. We can learn from the mistakes and that comes back to the education which we will get out. But you can't inform somebody about something that has not yet been determined, and there's going to be a lot.

The police are going to play a huge role in this, the medical community; the education community are going to play a huge role in this. But again I come back to our impaired stats right now on something that's been legal since before we joined Confederation, and we still have people every day choosing to make that stupid mistake – and that's the word I'll use, that stupid mistake of getting behind the wheel impaired.

Now, a couple of stats that I do want to put out here, because we've listened to statistics and we talk about impaired statistics. Statistics Canada, when we want to talk about – and again, we don't know. It's the same as when we talk about financial projections on cannabis, we can't exactly send the auditor in to the crowd that's currently selling cannabis and say show us the stats. We don't know. We can anticipate, we can make best guesses based on the due diligence

that we have, but the fact remains we're going from the illicit market to the legal market.

What we can do is based on statistics that have been gathered by Statistics Canada – Statistics Canada talked to people and they asked people about current use of cannabis and plans for use post-legalization. Seventy-nine per cent of Canadians – 79 per cent – so we're getting up to almost four-fifths said that legalization would have no impact on whether they would try using cannabis or increase their cannabis use; that's an important stat. The University of Calgary just put out their own evidence series on this, related to legalization, and the study looked at the experience of other jurisdictions which had legalized use, and page 15 of that study, the headline is Canada can expect negligible or modest increases in cannabis use.

It's not a fear; it's not a misconception. It's still a possibility; it's within the realm of possibility that the day it becomes legalized everybody goes down to the store and tries it. That's a possibility. But there's also the very strong possibility, based on the evidence that we can gather from other jurisdictions, that that will not likely happen. Personally, based on my studies and what I think – I think there may be, obviously, a spike. I think we've seen that spike.

So when you look at other jurisdictions, Colorado and Washington, prevalence of use by adults increased post-legalization. Washington State and Oregon, prevalence of use by adults actually decreased slightly or remained flat. So again, we could go the route of Colorado and probably increase; I think that's a very strong possibility. And again, every place will be different, every province will be different. But we can only base that on what actually happens.

One of the other things too is we talked about the Government of Canada came up with this – we wanted to legalize, to regulate, and to restrict cannabis for non-medical purposes. One of the reasons is that we already know that there's a pretty high percentage of our population that is using cannabis, including our youth. That's why we've gone with the no tolerance from 22 and under or novice drivers; 22 and under and novice drivers there is zero tolerance. I think that's the right move.

I mean there are a lot of statistics that one could find out there. What I think is that we've achieved a very strong balance out there when it comes to this legislation, which when we take nonpartisan outside sources such as the Atlantic trucking association and such as Mothers Against Drunk Driving, nationally, are saying: What you've got here is good, very good, amongst the top in the country. I take great assurance in knowing that these people, outside of government, independent of government, free to say that what we have is no good or good and they've said it's very good.

The other thing I come back to is that education and awareness is important but that's going to be a process that starts immediately, before legalization, during legalization and after legalization. We have to continue that, because do you know what? Let's talk about something when we talk – I agree with the Member marketing is key.

We talk about seat belts. I had one of the Members opposite during the *Smoke-free Environment Act* talk about when seat belts became legal. You'd think years later that it would be common sense, yet our deaths in this province in road accidents because seat belts weren't used have increased. They've increased in the last 10 years. We had a very successful campaign out there, the Buckle Up campaign. You drive into the gateway to the province, Port aux Basques, when you get off the boat, the first sign there: Buckle Up. The sign is right there. We had great campaigns.

You would think that you eventually don't have to keep putting that message in, but the statistics given to me by the RNC say, no, unfortunately and sadly, that's not the case. So do you know what? That's something we have to deal when it comes to road safety in general.

You think people would realize that, yes, driving at 100 kilometres an hour while snap chatting is probably not safe. You'd think that. You'd think that driving 100 on four lanes of highway, traffic going both ways while texting, you think people would get that, but, unfortunately, they do not.

I have a sad feeling that even with the excellent legislation that we have here, people will not get message. So what can we do? What we can do is

have strong legislation, backed up by excellent enforcement and reinforced by strong education and awareness that we continue over a period of time. That's what we have to do, that's what we're going to do. On that point, I will agree with the Member opposite.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

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

I'm not going to take much time. I know we're in third reading and we did a lot of discussion yesterday when it came to a lot of questions that we did have.

I want to ensure the House Leader and the Minister of Justice that I think we're on the same page. I believe that everyone in this House is looking at this piece of legislation and thinking it's a good piece of legislation and that the questions we asked yesterday were around making sure that proper mechanisms were in place.

I agree with the minister and I agree with my colleague from Topsail - Paradise that this piece of legislation, it's important that we get it done right. I'm glad that associations like MADD and the Atlantic trucker's federation and different groups like that are on side, but I do have some concerns with the role of the federal government more so than anything else, what they're going to introduce with the new mechanism that needs to be put in place so we can do the proper testing at the roadside. Those were a lot of the questions that I had yesterday.

Our caucus is fully supportive of this bill. We will be voting for this bill. We agree with MADD and we agree with different groups out there that anything we can do to make our roads safe and ensure that people, whether it's drug impairment, whether it's medication impairment, whether it's alcohol impairment, we don't need them on our roads and we have to keep those people off our roads. We all want to get home safe in the nighttime and we want to

make sure our loved ones get home safe in the night.

So, to agree with the minister and to agree with my colleague that this is a good piece of legislation, we'll definitely be supporting it. We had some questions yesterday, I think we spent a couple of hours yesterday here asking some concerns, but they were legit. I'm sure government has the same concerns when they talk to their federal counterparts and talk to different groups right across Canada, different provinces.

I'm sure that there will be some changes down the road to the legislation as we go forward. I want to just say that our caucus is supportive of this bill, but we're really supportive of making sure that our law enforcement people, who we appreciate, have the proper tools to be able to do their work and that the education part, which we talked about yesterday, that we start right at a very low level with children in our schools and that part gets played.

The minister just mentioned, as soon as you get off the ferry in Port aux Basques the first thing you see is: Buckle Up. Those things are important. We're not going to change everybody. While the minister says we'll still have somebody that's doing this or doing that. No matter what happens, there will be people that will be driving under the impairment of drugs and that's just a fact of life.

We need to make sure that we have everything in place to ensure that everyone's educated on that it's illegal, and also that our enforcement people have the proper tools to do the job.

I just want to say that our caucus is, basically, on the same page. We all want to make sure that our roads are safe for the residents of Newfoundland and Labrador.

Thank you very much.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

The motion is carried.

CLERK: A bill, An Act To Amend The Highway Traffic Act. (Bill 23)

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, "An Act To Amend The Highway Traffic Act," read a third time, ordered passed and its title be as on the Order Paper. (Bill 23)

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

MR. A. PARSONS: Mr. Speaker, I call Order 4, third reading of Bill 24.

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 24, An Act Respecting The Restraint Of Salary And Extinguishment Of Severance Pay For Non-Represented Public Sector Employees And Statutory Officers Of The Province, Bill 24, 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: A bill, An Act Respecting The Restraint Of Salary And Extinguishment Of Severance Pay For Non-Represented Public Sector Employees And Statutory Officers Of The Province. (Bill 24)

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, “An Act Respecting The Restraint Of Salary And Extinguishment Of Severance Pay For Non-Represented Public Sector Employees And Statutory Officers Of The Province,” read a third time, ordered passed and its title be as on the Order Paper. (Bill 24)

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

MR. A. PARSONS: Mr. Speaker, I call Order 5, third reading of Bill 25.

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

MR. A. PARSONS: Mr. Speaker, I move, seconded by the Minister of Transportation and Works, that Bill 25, An Act To Amend The Other Post-Employment Benefits Eligibility Modification 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: A bill, An Act To Amend The Other Post-Employment Benefits Eligibility Modification Act. (Bill 25)

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, “An Act To Amend The Other Post-Employment Benefits Eligibility Modification Act,” read a third time, ordered passed and its title be as on the Order Paper. (Bill 24)

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

MR. A. PARSONS: Mr. Speaker, I call Order 6, third reading of Bill 26.

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

MR. A. PARSONS: Mr. Speaker, I move, seconded by the Minister of Children, Seniors and Social Development, that Bill 26, An Act To Establish The Innovation And Business Investment Corporation, 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: A bill, An Act To Establish The Innovation And Business Investment Corporation. (Bill 26)

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, “An Act To Establish The Innovation And Business Investment Corporation,” read a third time, ordered passed and its title be as on the Order Paper. (Bill 26)

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

MR. A. PARSONS: Mr. Speaker, I move, seconded by the Minister of Natural Resources, for leave to introduce a bill entitled, An Act To Amend The Management Of Greenhouse Gas Act, Bill 27, and I further move that the said bill be now read a first time.

MR. SPEAKER: It is moved and seconded by the hon. the Minister of Municipal Affairs and Environment that he shall have leave to introduce a bill entitled, An Act To Amend The Management Of Greenhouse Gas Act, Bill 27, and that the said bill now read a first time.

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

All those in favour?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: All those against?

The motion is carried.

Motion, the hon. the Minister of Municipal Affairs and Environment to introduce a bill, “An Act To Amend The Management Of Greenhouse Gas Act,” carried. (Bill 27)

CLERK: A bill, An Act To Amend The Management Of Greenhouse Gas Act. (Bill 27)

MR. SPEAKER: This bill has now been read a first time.

When shall the bill be read a second time?

MR. A. PARSONS: Tomorrow.

MR. SPEAKER: Tomorrow.

Thank you.

On motion, Bill 27 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 Finance and President of Treasury Board, that the House resolve itself into a Committee of the Whole to consider Bill 20.

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 it the pleasure of the House to adopt the motion?

All those in favour?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: All those against?

The 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 now considering Bill 20, An Act Respecting The Control And Sale Of Cannabis.

A bill, “An Act Respecting The Control And Sale Of Cannabis.” (Bill 20)

CLERK (Murphy): Clause 1.

CHAIR: Shall clause 1 carry?

The hon. the leader of the Official Opposition.

MR. BRAZIL: Thank you, Mr. Chair.

It’s indeed an opportunity now to speak to Bill 20. We’ve gone through some heavy debate over the last number of days on this important piece of legislation and we’re making progress here to be ready for the legalization of cannabis here and we’ve had some good dialogue and we’ve gotten some clarification.

We have a number of questions. Some of them may have been discussed and I know they have been. We had a great briefing with staff last Friday and we did throw out scenarios and that, but to have it on record and to get some more clarification on where we are I’m going to ask the minister for some clarification on certain things or group of ministers here who may be responsible for it.

Just a couple of things here; we noted that the orders of cannabis will be placed or cancelled only by authorized employees of NLC, which is

a legitimate process. Who will these people be, what positions, and how many will there be? Has that been (inaudible)?

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

MR. OSBORNE: Thank you, Mr. Chair.

I can honestly say I didn't get down into the weeds on that aspect of the bill.

SOME HON. MEMBERS: Oh, oh!

MR. OSBORNE: I trust NLC to – they're currently dealing in a controlled substance and currently have buyers and people who are responsible for making shipment orders, and I anticipate the same will happen with orders of cannabis.

CHAIR: The hon. the leader of the Official Opposition.

MR. BRAZIL: Thank you, Mr. Chair.

I thank the minister for that. I knew eventually somebody would get down in the weeds when we started answering questions. I appreciate that. I suspect that'll be used all morning.

Under section 8, outlining information sharing, I know we had some discussion about that because there's going to be information as part of it.

Has the Privacy Commissioner been consulted about the information that's going to be relevant to the cannabis laws?

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

MR. OSBORNE: Yes, it's my understanding that there was wide consultation on the information sharing. It's my understanding that the information sharing will be with the federal government for the purposes of taxation and our share of the excise tax and so on. Information could be shared with law enforcement to ensure that if there a concern of illicit activity, there may be information shared with law enforcement officials as well.

CHAIR: The hon. the leader of the Official Opposition.

MR. BRAZIL: Thank you, Mr. Chair.

I do appreciate that and I do understand where the minister is coming from. But just to be clear: Has there been a discussion with the Privacy Commissioner regarding the sharing information with federal law enforcement, or the federal government around taxation?

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

MR. OSBORNE: Yes, I apologize. I thought I answered it that yes, there was consultation and then I went on to elaborate. But yes, the Privacy Commissioner was consulted.

CHAIR: The hon. the leader of the Official Opposition.

MR. BRAZIL: Thank you, Minister.

Section 9(1) reads: "The corporation may issue to a person an authorization to sell or otherwise supply cannabis to a retailer in the province."

I ask the question: Has the NLC issued any authorizations yet? Will any other suppliers besides Canopy Growth be allowed to sell to local retailers?

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

MR. OSBORNE: I'm not sure if they've supplied other authorizations but on the second part of the question, yes. There are other businesses looking at setting up in various areas of the province and NLC will be open to purchasing from those corporations as well.

CHAIR: The hon. the leader of the Official Opposition.

MR. BRAZIL: Thank you, Mr. Chair.

Minister, are there any time frames on – and I know, and I've had a couple of other entities or businesses come to me, particularly in my district, asking about the process. They've gone through it. I've know it's a federal regulation

where there's a federal licensing process to be able to produce cannabis. I've gone through that process.

Has NLC had any major presentations to business people who may want to avail of that? I know it's a federal regulation but keeping in mind if they get their licensing, then obviously NLC has to be engaged with the purchasing of that product for sale.

Has there been a public presentation, an engagement? Does the NLC meet with businesses who may be inquiring about the process?

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

MR. OSBORNE: The initial legislation we put in place in November, changes to the *Liquor Corporation Act*, essentially gave NLC the ability to start dealing in the business of cannabis and put out the RFP. This legislation is much more detailed. It's my understanding that some of what you're asking about signing with corporations or suppliers, part of what is in this legislation will allow them to do that legally. So they'll have the ability, once this legislation is done.

It is my understanding from some discussions with the NLC – I have no intention of micromanaging the NLC. I don't think any minister – I shouldn't go that far. I don't think it's been the general practice of ministers to micromanage NLC anymore than we would micromanage Nalcor or micromanage Eastern Health. We have a CEO in those organizations and we have an executive team in those organizations to do that.

I do have a great deal of confidence in the fact that they've been involved in controlled substances for decades and the fact that they're able to deal in controlled substances, I have faith that any dialogue they have – but it is my understanding that they are open to dealing with other businesses that set up in the province. They're not only open but they're hopeful that there will be other suppliers set up in the province as well and they will work with those suppliers.

CHAIR: The hon. the leader of the Official Opposition.

MR. BRAZIL: Thank you, Mr. Chair.

I agree with the minister that the NLC are very competent, very capable and very successful in being able to ensure that things are done in a safe manner and it does benefit the taxpayers of Newfoundland and Labrador.

Section 18 outlines where the board shall not issue a licence. One of these areas where this applies is where "it would not be in the public interest having regard to the needs and wishes of the public in the community in which the place or premises of the cannabis store or cannabis retail location will be located."

I ask the minister: How will the public interest, needs and wishes of the public be adjudicated? What about parents who are concerned about stores close to their child's school?

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

MR. OSBORNE: This language is very similar to the language that's under the *Liquor Corporation Act* in how they deal with liquor outlets and liquor agencies. There is legislation in place to protect against minors from entering into tier one or tier two stores. They're simply not permitted, even with adult supervision, minors are not permitted in tier one or tier two stores, which is different than even alcohol stores. If it's a completely dedicated alcohol store, minors are still permitted in under adult supervision. So this is even more stringent.

When it comes to tier three or tier four stores, minors are permitted in those stores, similar to what they would be with the liquor outlet store or convenience store that sells beer.

What I can say is that there are liquor outlets, there are liquor stores and there are convenience stores that sell beer in much closer proximity to schools than cannabis outlets. The regulations around cannabis are going to be even more stringent than the regulations around alcohol.

Cannabis in a convenience store, for example, will not be visible to anybody. A customer will

have to ask a clerk to – similar to a cigarette wall, I'm not saying that they're going to be exactly like a cigarette wall, but similar to a cigarette wall where customers can't see a package of cigarettes. They have to ask a clerk to open a door on a cigarette wall so that the customer can pick their brand of cigarette.

I won't say there haven't been any instances, but we haven't had any earth-shattering social issues with the fact that beer is available and minors can actually open a beer cooler door and touch a box of beer in a convenience store because there are regulations around the fact that minors cannot purchase beer and they have to be ID'd. The regulations around cannabis will be even more stringent.

CHAIR: The hon. the leader of the Official Opposition.

MR. BRAZIL: Thank you, Mr. Chair.

I thank the minister. I do agree and I do understand that every safeguard and due diligence has been done, previously, around alcohol and tobacco and the e-vapes, but also now as we look into the sale of cannabis. The issue here is – and we all have received it from our constituents and public service organizations – there's a bit more apprehension here because it's so new. People are not quite sure of the impact. They're not quite sure on the uptake. They're not quite sure of the criminal element, what impact it may have.

So there's a little bit more apprehension, but I'm glad to hear that the organization, the agency is extremely cognizant of ensuring not only the present liability issues but the present responsibilities of ensuring that visibilities around tobacco and e-cigarettes are not available to people who shouldn't be accessing them and are not an enticement because you can look through the window and see it. So I do acknowledge that.

I did have some people phone me and ask me about the clarification between the different tiers. Unless I'm wrong, the tiers one and two are, as the minister just outlined, extremely controlled. There's an extreme set of regulations and polices and laws that need to be adhered to. From visibility of the products, to who can

access it in that particular building, to how it's locked up and secured. The tier three and four which are, as the minister said, part and parcel where we now still have cigarettes in a convenience store or in a gas station, we still have beer that is in coolers as part of that. The minister is right – and I hope this continues – that we haven't seen a dramatic negative impact because the visibilities are there. We're still hopeful that will happen in the cannabis world.

In the tier three and four there's a little bit more apprehension because of how they're going to be promoted and the access and these types of things, but, again, very diligent inspectors here from Service NL and the Liquor Corporation about following and adhering to rules and regulations and laws.

One of the things I did like when we had the briefing was around the severity of the fines and potential imprisonment, in some cases, and particularly around losing your licence. So it would be a big risk for a business to make a \$20 bill and give up a potential million-dollar business because they just thought it would be a quick fix of a few dollars.

So I think the punishment there, or the incentives to follow the rules and regulations, are well in play. I like the fact that we've gone to that level. Some did say it's pretty extreme when we're talking \$100,000 fines. Well, they would be levied, I would think, in companies that are dramatically capable of doing it but who've shown a full disregard for following the rules and regulations and putting safety of our citizens in peril.

Section 18 also outlines – and this is (f)(ii) – that the board may not issue a licence where it may cause inconvenience to a place of worship, school or hospital. So I ask: Was this considered in the previous RFP process in which we're talking about, the ones – and it was a little confusing at the time, but I'm glad it's clarified now, that they were just what we consider a pre-qualifying application process and now they have to go through the same process. I just want it on record to see if that was talked about when the first call for proposals went out.

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

MR. OSBORNE: This wording is very similar as well to the wording in the *Liquor Corporation Act*. I think the only difference is in the *Liquor Corporation Act* we say church and in this act we say place of worship because I think there is more diversity in our places of worship today, but similar wording to what's in the *Liquor Corporation Act*.

Yes, it is my understanding that these things were considered. In fact, there was a point system set up when people applied for their licence and the closer they were to a school, they were deducted points. So if somebody had a very, very strong application but was within 600 metres of a school or 300 metres of a school, they'd have points deducted because of their proximity to a school.

It was considered, and in a conversation with the NLC, these things were heavily looked at. The application was merit based, part of it was their proximity to places like schools or places of worship.

CHAIR: The hon. the leader of the Official Opposition.

MR. BRAZIL: I thank the Minister for that.

This leads into the next process, because we just want to clarify, and we've had some discussion around this, that the 23 that are now still active and the four for Canopy Growth – because one has since withdrawn – had gone through an original RFP.

Now, just so that we're clear, and the minister I think has stated this but I want to clarify to what degree. All these 23, and I would think including the four Canopy Growth retail locations, will have to go through the stringent processes outlined in the legislation when it comes to the location, the municipality regulations, the feedback from public forums from citizens and these type of things. I just want to confirm that that's all.

I've had people who want to fill out the application to apply but they want to know are they at a disadvantage because somebody else didn't have to follow the same regulatory process, or will not have to follow as they go

forward? Can I get you on record to explain that?

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

MR. OSBORNE: That's what this legislation is for. On a go-forward basis, including the applicants who've already been given their pre-qualification, still have to go through the remainder of the qualification process.

CHAIR: The hon. the leader of the Official Opposition.

MR. BRAZIL: Thank you, Mr. Chair.

Under section 19 it outlines the application process for a retail licence. This is what it states, a part of this notes that with an application must come "evidence that the place or premises to which the licence will apply has been approved in writing by an inspector."

The question I have here, for all those successful applicants of the RFP, did they have to provide this? I've note you've noted that, but my question is: Who is the inspector? I'm confused on who this inspector is that they're noting in that piece of legislation.

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

MR. OSBORNE: I don't know the inspector's name, but –

AN HON. MEMBER: (Inaudible.)

MR. OSBORNE: That, I'm not entirely sure. There are inspectors with NLC. There are inspectors with Service NL. These inspectors oftentimes cross paths. They'll probably both have the ability to do some of this work. We can certainly find out if Service NL or if NLC specifically will be carrying out this part of the inspection, but both organizations have inspectors.

CHAIR: The hon. the Opposition House Leader.

MR. HUTCHINGS: Thank you, Mr. Chair.

I just want to go back for clarity, Minister, and the question from my colleague in regard to section 21, the notice of intention to apply for licence. It says: “An applicant for a licence shall give notice of his, her or its intention to apply for a licence by publishing a notice before filing an application with the corporation.”

That particular provision triggers others in relation to section 22, in relation to an objection. “A person may object to an application for a licence by filing an application with the board in writing before the deadline for filing an objection and in a manner prescribed by the regulations.”

Then it goes on to say in section 23: “Where an objection is filed ... the board may hold a hearing to ... submissions of the applicant and the person who filed the objection.”

I know you’ve said on a go-forward basis, and also there was reference my colleagues said of the 23 retail outlets that were selected – I think there were 24 selected out of the 80 applicants and now it’s 23. Just to be clear, those 23 applicants today, what’s the timeline for them to make the public aware – because that triggers the other avenues here to have objections heard and determination made by the corporation whether hearings would be held.

What’s the timeline for these 23 – I think you referenced preliminary approvals – to make that notice to trigger what you have outlined here in the legislation starting with section 21? What’s the trigger-point for those 23 – so those that have pre-approval will start the process to adhere to the legislation when we pass it.

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

MR. OSBORNE: I did get from an official – to the previous question, the inspectors will be NLC inspectors. Just to answer the previous question, the inspectors will be NLC inspectors.

Anybody has to go through a pre-approval process. Even on a go-forward basis there’s a pre-approval process. If we have another applicant under the extended RFP, they will have to go through the pre-approval process. Once that happens, under this legislation it has

to be advertised for three weeks in – it has to be posted in conspicuous places within the municipality. I believe it is three conspicuous places within the municipality that it will have to be posted. It will also have to be posted in an obvious or a conspicuous place at the storefront at the location in which they’re looking for a licence.

The timelines in how quickly this can be done, I guess in large part – those three weeks would be involved, but in large part it also goes hand in hand with the applicant as well and how quickly they process their paperwork beyond the three weeks. The three weeks is something that is very rigid. It’s there, it’s three weeks; it has to be advertised for three weeks, but how quickly they can get through the process depends on other permitting, municipal permitting, whether or not they need modifications to the building, whatever the case may be. The building, the premises still have to be inspected and approved for the use that it’s intended.

CHAIR: The hon. the leader of the Official Opposition.

MR. BRAZIL: Thank you, Mr. Chair.

That clarifies that. I thank the minister for that.

Can retailers apply for a retail location at any time or only when the NLC issues RFPs?

I’ll give an example. Retailers who are not successful in this recent RFP, how long will they have to wait before they can apply again or is there a restriction on the timeline?

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

MR. OSBORNE: They may be able to apply again. I guess it depends on whether or not the NLC put out another RFP. I know that – not getting into specific cases, I wouldn’t do that. I wouldn’t do that to a particular applicant, it would be unfair. Any applicants who have not been chosen can request in writing and the NLC will provide in writing why they haven’t been chosen.

We have heard from different applicants and heard of cases in which applicants have not been

approved for a licence where other applications have been approved. What I can say in that particular case, these were looked at on a merit basis. There was a point basis. In some areas some people may have scored very, very strongly and in some cases they wouldn't have scored as strongly as other applicants.

The NLC had chosen the applicants with the highest score. Other applicants may have been very close but may have been second, or other applicants probably didn't even meet the threshold in what the NLC would have considered a minimum threshold in points. I believe it was 60 points was the minimum threshold. If you didn't meet the 60 points, whether there was another applicant or not, you wouldn't even be considered because you needed to meet a minimum threshold with NLC on their point rating system.

CHAIR: The hon. the leader of the Official Opposition.

MR. BRAZIL: Thank you, Mr. Chair.

Just so I'm clear, and I think the minister did make it clear. If an applicant – and the threshold is 60 – for example, didn't have one of the components that were necessary in the RFP but have since been able to rectify that, there's nothing restricting them from making an application and then being reviewed again in the process to see if they qualify for that level, that threshold?

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

MR. OSBORNE: Yes. Again, it depends on an RFP. The NLC will limit the number of applications they accept and part of that – again, we're getting into a business that we honestly don't know what the sales volumes are going to be. We're making best estimates on what we believe the sales volumes are going to be.

They've limited the number of locations to try and help ensure that those locations have a better chance of success. If we put too many locations in a municipality or in an area, everybody suffers because they simply won't have the volumes if the volumes aren't what we anticipate they will be. If they're well over what

we anticipate, they may look at putting additional locations, but it is on an RFP basis. Somebody simply wouldn't be able to apply to the NLC and say I want to put a location in such-and-such a place. The NLC would have to put that out to an RFP in any event so that it's fair to everybody.

If somebody made their intentions known to the NLC that they wanted to put a store in a location that there wasn't a store, the NLC would have to put it out to an RFP to give everybody an opportunity.

CHAIR: The hon. the leader of the Official Opposition.

MR. BRAZIL: Thank you, Mr. Chair.

Fair enough – I'm just trying to clarify. We had 80-plus applicants and obviously 24 were selected; 28 locations of which it's down to 27. I'll give you an example in my district. Bell Island doesn't have one. I'm not quite sure if somebody applied and may have gotten turned down because they didn't meet the criteria. If indeed they did, would they now have the ability, without having the delay and wait for an RFP to go back and say I've rectified or I have these three other things that I didn't have before – and it could be the location, it could be the security and it could be the financing, whatever it may be – to now put in an application so that there would be a retail outlet that could supply cannabis on Bell Island, keeping in mind the restrictions and that?

I just want to clarify if there's any restriction. If there are people who get inquiries or us here in any caucus, or your own Members, that somebody says I applied but I got turned down because I didn't meet the criteria, but I've since been able to improve that – there's nothing in Glovertown, for example, and there's nothing in Wesleyville or whatever, can I now go back or do I have to wait for the next call?

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

MR. OSBORNE: What I would recommend for any Member of the Legislature who gets an inquiry, or from any member of the general public for that matter, if they have an interest in

an area where there isn't a store or they believe an area is under-serviced, I would suggest that they contact the NLC. If an area is deemed to have an adequate representation of stores, they'll relay that on to the person. But if an area is deemed to be an area that is under-serviced the NLC, I'm sure, would entertain the expression of interest by the individual.

It is my understanding that they would still have to go out to an RFP so that the process is fair to everybody. But if there's an area that they've gone looking for an RFP and somebody failed, by all means, that individual should contact the NLC. If they're able to strengthen their application, they'd have an opportunity just like anybody else.

CHAIR: The hon. the Member for Mount Pearl North.

MR. LESTER: I am not honourable?

CHAIR: Not honourable?

MR. LESTER: No.

In reference to the *Natural Products Marketing Act* which is a general act that covers agricultural production in the province, there's no reference to cannabis production. And production is part of the sale, so I question the minister: Will there be amendments made to the *Natural Products Marketing Act* to directly reference cannabis?

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

MR. OSBORNE: Yes, that's not my act. I won't speak for the minister responsible for that particular act, but the minister may want to answer.

CHAIR: The hon. the Member for Mount Pearl - Southlands.

MR. LANE: Thank you, Mr. Chair.

Mr. Chair, I'm just wondering in terms of the retail, and particularly in terms of tier three, tier four, I guess they would be called. I'm thinking of perhaps a store more than likely in a rural area because I think in most of the urban areas

it's probably in Loblaws and places like that. I'm just want to take this scenario – if somebody went to a store and it would be probably a convenience store and they probably have a liquor outlet and they have different things in there, I'm assuming, to make it work because we've been told that if someone had a stand-alone cannabis store, it probably wouldn't be sustainable. It would probably have to be part of a mixed use.

My first question is: If somebody goes to purchase cannabis, is this cannabis going to be in packages like a cigarette package or some kind of a bagged package, or would there be situations where there would be some kind of a bin, container, or whatever with cannabis in it and someone actually takes out scales and starts weighing out marijuana? Is that possible or is it all in bags and containers, first of all?

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

MR. OSBORNE: It's my understanding that they will all be in sealed containers.

CHAIR: The hon. the Member for Mount Pearl - Southlands.

MR. LANE: Okay, thank you for that. I appreciate that.

I guess my next question along that is if it's in a mixed-use store – for argument's sake – would there be a separate area within that store for the cannabis sales so we did not have the situation – because I know right now at a retail store, as an example, cigarettes are in a cabinet and you can't even see the cigarettes. They are hidden, so to speak, and someone goes up to the counter to get them.

Would this be a similar situation or would there be a separate area so that we wouldn't have a situation whereby – I think I used the example the other day where maybe you go to a Marie's or somewhere like that and there are two cash registers side by side, so you have a little child here getting a few candy counted out, and then there's someone right next to them there handing over cannabis. I think there should be a separate counter away from the other parts of the store.

Is that how it's going to be or not?

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

MR. OSBORNE: I know I'm simplifying it, but I'll give a brief explanation of the four tiers.

Tier one is a stand-alone store, similar to a Sony store or that type of thing. You go in and it's specifically dedicated to cannabis and cannabis-related products. Tier two would be a store within a store, similar to –

AN HON. MEMBER: A liquor store at Dominion.

MR. OSBORNE: Yeah, similar to a liquor store at Dominion, so a store within a store. Tier three would be a separate area. For example, if you went into a Shoppers Drug Mart and you see a postal outlet within Shoppers Drug Mart, that's got its own counter. That counter is specifically designated to Canada Post.

Tier four would be similar to a convenience store with a cigarette wall where it's not in public view. It would never be in public view, but you go in, you'd ask for a product, they'd have to open up a wall similar to a cigarette wall, retrieve the product and then put it through the cash register.

CHAIR: The hon. the Member for Mount Pearl North.

MR. LESTER: I asked the minister for agrifoods if he could answer this question, please.

In reference to the *Natural Products Marketing Act*, it specifically said that products that are controlled or administered under a specific act do fall underneath the *Natural Products Marketing Act*.

Will we be putting terminology in that act to directly reference cannabis?

CHAIR: The hon. the Minister of Fisheries and Land Resources.

MR. BYRNE: I appreciate, Mr. Chair, the hon. Member giving notice of the question earlier.

It's not information that's currently available to me, but I will certainly get back to the Committee with that information as soon as it is available to me.

CHAIR: The hon. the Member for Mount Pearl North.

MR. LESTER: A secondary piece of legislation which is provincially held is the Right to Farm legislation. It's basically legislation that protects farmers from what we call nuisance complaints that would be any activities that could be considered normal agricultural production and their adverse effects on neighbours or other people's activities, property values such as that.

Will we be referencing cannabis under the Right to Farm legislation as well?

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

MR. OSBORNE: I can add to the best of my knowledge on this I understand that cannabis growth is federally regulated, so I'm not sure if that would come under provincial legislation or regulations. The federal government controls the growth of cannabis.

CHAIR: The hon. the Member for Mount Pearl North.

MR. LESTER: The right-to-farm legislation is not actually the permit to grow a product; it's actually a legislative protection that enables farmers to conduct their business without the threat or the encumbrance of unnecessary nuisance complaints. As it stands now, I would think that cannabis production probably is outside what could be considered normal agricultural practices. It is indeed a crop, of course, and I think that's something that we're going to have to consider.

From what I gather, the government has not considered that. Will that be in their plans to amend the right-to-farm legislation to include cannabis?

CHAIR: The hon. the Minister of Fisheries and Land Resources.

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

I appreciate the question from the hon. Member and, as well, the previous reply from the Minister of Finance. There are federal regulations around the production of cannabis in terms of both safety and security. Those elements will obviously be paramount. On the provisions of the right-to-farm provisions, obviously that is taken on a case-by-case basis.

The paramountcy of the federal legislation obviously would be in place here in this particular situation. If there was an individual circumstance, where outside of the federal jurisdiction, outside of the federal regulation there was an overlapping or consistently parallel circumstance related to the right to farm, we'd examine that on a case-by-case basis within the provincial legislation and the provincial regulations. But that is not necessarily tied to this particular product.

CHAIR: The hon. the Member for Mount Pearl North.

MR. LESTER: I'm still a little bit confused as to whether the government is going to recognize the production of cannabis as an agricultural activity in the Province of Newfoundland and Labrador. I do understand that the minister is on record as saying they would not be eligible for any – well, Canopy Growth will not be eligible for any agricultural programs – but I think we really need to be clear as to if we're going to protect this product and production of this product under either the right-to-farm legislation or the *Natural Products Marketing Act*, there has to be a decision whether we're going to recognize this product as agricultural production.

CHAIR: The hon. the Minister of Fisheries and Land Resources.

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

All federal, provincial and territorial ministers, all departments of agriculture across the country have made a determinate opinion or conclusion that the production of cannabis is not covered or would not be an eligible activity under the

Canadian Agricultural program. As such, it is limited in terms of the eligibility for such funding.

Any specific incident or occurrence would be under examination on its merits. However, I will point out to the hon. Member that the relevance of the particular question in terms of this particular legislation, that we're reviewing before Committee at the moment, is not encompassed within this particular legislation which is what is the subject of this Committee of the Whole.

CHAIR: The hon. the Member for Mount Pearl North.

MR. LESTER: I would like to differ in opinion on the minister when it comes to the production is not under the purview of this legislation, because it is. In order for us to enable it to become legalized we are, therefore, sanctioning the production in our province.

To the point of personal possession and production at home, I ask the minister: Will the individuals who choose to do that be designated to purchasing their seeds from a sole source via NLC, or will they be allowed to purchase seeds from wherever they so choose?

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

MR. OSBORNE: That's a very good question. The seeds for the production of the plants, I'm not certain on that, but I'll get an answer while we're still in Committee. My officials are listening to this and we'll have the answer for you.

CHAIR: The hon. the Member for Mount Pearl North.

MR. LESTER: The reason why I asked this, of course, is because different genera of plants have different qualities; therefore, the THC level in one particular variety of plant can vastly differ from another. You could have a plant that is of comparable toxicity to that which is being provided by the province, or you could have something that is far more potent and that possibly could pose a health risk. Not only is the

seed a variation in the amount of THC, it's also the production method.

Will there be any regulations or references to the method of production in people's homes that could further guarantee that we're not having a super plant as such, versus a plant similar to that of what we are controlling and legalizing?

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

MR. OSBORNE: I have the answer for the Member there.

Seeds will have to be regulated by the NLC. The seeds for the growth of plants within somebody's private residence would have to be regulated by the NLC. The seeds for cannabis still fall under the same rules for sale and purchase. Based on that, I think the risk of having a super strain or a super plant would be limited.

CHAIR: The hon. the Member for Mount Pearl North.

MR. LESTER: I didn't really see any punitive measures outlined in any of the legislation as to the personal production and the restriction of using government-approved or designated seed sources. As well, the production practices, that's nowhere addressed.

Has your department put any thought into how we, as a province, and we, as a Legislature, can put safety protocols in place that would ensure the product that people are producing at home is safe and comparable to that of what's going to be available in your stores?

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

MR. OSBORNE: Any piece of legislation that goes through this House is followed up by regulations.

The regulations sometimes follow the legislation based on debate in the House: can be added to, or changes made to regulations. That's the entire purpose of this debate. Officials listen, and listen intently, to the debate. It may guide in the development of some of the regulations. The

issues that you're talking about would be covered under regulations.

CHAIR: The hon. the Member for Mount Pearl North.

MR. LESTER: Will that be under the purview of Health Canada? Will Health Canada be approving the strains of seeds that will be allowed to be produced at home or will that be the NLC?

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

MR. OSBORNE: Yes, production is regulated by the federal government. Any strains that are approved for growth would also be approved by the federal government.

CHAIR: The hon. the Member for Mount Pearl - Southlands.

MR. LANE: Thank you, Mr. Chair.

I'm just wondering if you can give us, Minister, an idea of how security works with all this. If you look at regular farms, people that are growing – like my colleague here from Mount Pearl North – it's pretty wide open. In theory, anyone could just sort of just walk in off the side of the road and start hauling up a few carrots if they wanted to.

So I'm just wondering in terms of growing marijuana, not the four in your house, but growing marijuana at a production facility and so on, I'm assuming that there must be very, very strict security measures in place to protect people from just walking in and just hauling up plants and so on.

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

MR. OSBORNE: I can say to the Member that's not something that's covered under this particular piece of legislation. In fact, it's not even under this department. I'll endeavour to get the answer for you, but as far as I know, the only production that's been approved in this province, to date, is indoor cultivation.

CHAIR: The hon. the Member for Mount Pearl - Southlands.

MR. LANE: I'd appreciate it, Minister. If we could just get some idea, I'm just wondering. I know there's only been one approved, but I'm just sort of wondering how it would work in terms of – because someone asked me that, actually, yesterday, I think it was, that it wouldn't just be out there wide open, that anybody could just go in and grab plants or kids could. I'm sure that's not the case but I was just looking for some clarification.

I assume, as well, with retail shops and so on, there would be requirements in the RFPs to make sure there's proper security because, obviously, that would be, potentially, a pretty popular target for break and entries and so on, if there was a shop there that's full of cannabis. So maybe you could comment on that as well.

I guess the other thing is I'm just wondering what process – when we went through the RFP process, I know there were X number of people applied, 50 odd or whatever it was and then there was 20 odd that was approved. There were ones that were approved and others that weren't. I'm not sure if the ones that weren't approved couldn't have been approved, it was just a choice, perhaps, to go with this one over that one for whatever reason. I'm wondering what consideration, if any, was given for local shops because a lot of these shops we know have gone to Loblaws.

Certainly, as a business, they can certainly apply for a shop just like anybody else can apply for a shop. We know that they're going to employ someone at the counter or whatever, same as anyone else would, but the difference is if it was local, if it was a local shop or so on that did it, in theory, the profits and so one derived from it goes back into the local economy as opposed to going to the shareholders of Loblaws on the Mainland somewhere.

So I'm just wondering what consideration, if any, was given some sort of preference for local entrepreneurs versus Mainland outfits such as Loblaws.

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

MR. OSBORNE: What I can tell you, first of all, we'll try to keep things relevant to this particular bill. I will try to answer your question that's not relevant to this, but at some point we've got to try to stick to the bill.

Production is federal. I understand the note I just got back is that production is federally regulated and there are very stringent security measures around that, but again, I shouldn't even be speaking to that. It's not this legislation, it's not my department. It doesn't come under the purview of this particular legislation.

As far as the retail outlets that were approved, I can tell you, as somebody who has a great deal of pride in this province and what this province can do, every time I see a sign for an Ontario or a Quebec construction company in this province, it grates my nerves, but, unfortunately, that's the RFP process. While I would prefer to see a local construction company have their sign up on projects that we see in this province and in this city, we don't control that because of interprovincial trade and interprovincial labour and so on.

The same as this, the NLC did not distinguish between a local applicant or a national applicant. They based it on its merits. There were no points for local versus national. The applicants put their applications in, they were based on the strength of the application. I don't know for sure but I would suspect, because some of the national retail outlets have the money, the ability and the expertise to sit down, fill out an application and put what's required. I do know that one of the local people that was not screened in – because I asked for some examples as why would this versus that – and it was partially based on security measures and the lack of security that was detailed on their application.

It's very unfortunate. If that person has the ability to get in writing why they didn't get it, if they're interested in applying again, can improve their security measures and ensure that the security is there that the NLC require on their application process, they would perhaps be successful.

I would have liked to have seen more local applicants, just like I'd like to see local construction companies as opposed to the

Ontario or Quebec construction company signs that I see. I find it always disappointing when I see that, but based on the fact that it has to be merit based, it has to be fair and when an RFP goes out, you can't simply choose a local company because that's what you want. It is based on merit.

CHAIR (Reid): The hon. the Member for Mount Pearl - Southlands.

MR. LANE: I thank the minister for that explanation. I certainly agree with him that it is very disappointing, albeit I understand the restrictions he's talking about. Even if it's a local company, they have to meet all the qualifications, criteria and the merits and so on. I totally get that.

I guess everybody feels disappointed when you see opportunities that seem to go to these larger Mainland outfits and, at the same time, you have local entrepreneurs that you would prefer to see them get the business, see them reinvest in their business, hire local people – well, certainly the Mainland outfits would also hire local people, but see the profits stay in Newfoundland and Labrador and be reinvested. I think we all agree on that. So thank you for the answer, Minister.

The last thing I have, Mr. Chair, I want to just for the record bring this into the record because I received this from a constituent of mine. The minister perhaps may want to comment, if he wishes, but it was sent to me from a constituent in the Southlands area, also sent to the Premier, the Leader of the Opposition, the Third Party, the Minister of Health, as well as the mayor of St. John's.

This gentleman said: I understand the legislation will allow to grow up to four plants in their home. I'm going to assume this includes apartments, condos, city and provincial subsidized housing. Whenever we hear of marijuana grow ops, we think of hundreds or even thousands of plants. These houses end up with so much moisture and mold issues that ultimately many are considered health hazards and are condemned until major restoration completed. Not only that, but these houses, even when restored, still need to have a disclosure, when sold, that it was a grow op. I can only

assume this negatively affects resale value and, ultimately, property taxes.

I suspect we're going down a road where people who plan to grow their own will grow far more than four plants and, admittedly, it will be difficult for government to police this. While the numbers of plants likely won't approach hundreds, I wonder how much damage will be caused to these residences given the high-humidity environments required, at least in the early stages.

Who pays to restore these residences for the city and the provincial subsidized housing? What happens if I am in a condo and my neighbour causes damages to more than just your own unit? I wonder if health care is aware of the potential for an increase in respiratory issues related to these moldy environments. What happens when a child is in this home environment? What is the impact to the house insurance if this becomes an issue?

This was just a concern. I'm not arguing the merits of it one way or the other, whether it's exaggerated or not, but this is a concern that a constituent of mine wrote to me and other Members of the House about. I committed to him that I would bring the matter up in the House for the record and that's exactly what I'm doing.

I have no further questions. If the minister wants to respond, I'm sure he would appreciate it.

Thank you.

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

MR. OSBORNE: What I can say: Moisture that you're talking about is from larger grow ops. Those are happening now. Without this legislation and without cannabis being legalized there have been grow ops in this province and in the city.

Whether or not this entices somebody more than what they would have been enticed, those issues are for law enforcement. They look at a number of things, electricity usage and so on, to determine. Under this legislation a landlord does have the ability to say, just like a landlord would

have the ability now – as a landlord in this city I put in the lease as part of the requirement that I do not permit smoking in my property. I also put in my lease that I do not permit the use of illegal substances in my property. I am not in that property every day to see if they're smoking, but I put it in the lease. If I find there's evidence that smoking happens if I go in for an inspection, I deal with it.

Landlords have the ability to say you cannot grow marijuana. That will be an ability that the landlord has in a particular property, whether it's a building or whether it's – that's an ability that is under this legislation to try and prohibit, but grow ops are happening with or without this legislation. That's happening and it's something that law enforcement currently has to deal with.

CHAIR: The hon. the Member for Mount Pearl - Southlands.

MR. LANE: Thank you, Mr. Chair.

I said that was my last question. I thank the minister for that response. I'm just bringing forward the concern that was brought to me by a constituent. As his MHA I have a responsibility to do it, so that's why I was bringing it forward. People are going to have varying concerns because this is all new. It's important that they have a comfort level.

The only other thing that just came to my mind that I was going to ask, but I forgot about, was I'm wondering when we had the briefing and it talked about four plants, it talked about on the property. It didn't say inside your house, it said on the property. I asked about it a couple of times and the answer we kept getting back was the way the actual legislation is currently written – that doesn't preclude changes in terms of regulation – it says property. That means based on this that somebody, in theory, could have four marijuana plants out on their front lawn or their backyard or whatever.

Obviously, that would be a concern for people and neighbours with children. I don't know if it affects pets or not, but certainly children, that if all of a sudden every second house – I'm not saying there would be but in theory a whole bunch of people down the street all have four plants growing on their front lawn, their

backyard or whatever, that would be a concern. The way this is written that could happen, but we were told that it could be addressed by regulations.

I'm asking the minister: Will it be addressed by regulations? Is the intent that this would be grown inside, not outside where it could be accessed by children and neighbours?

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

MR. OSBORNE: Thank you.

I thank the Member for his question. It's an important question. In fact, every issue that's brought up here, every question that's brought up is important. As I said, there are no stupid questions around this. It's a brand new industry; it's a brand new area for the NLC and for government to be dealing in. If I had my rathers, I'd rather not be dealing in it. But, unfortunately, it's something that the federal government has said is going to be legalized and as a province we have to deal with it.

Part of what happens during debate – while things are covered under the legislation, there are two things that can happen; either an amendment can come to the legislation, which is part of this democratic process. I would say that if an amendment were to come, we would consider an amendment. The other aspect of it is officials listen intently to this debate and ideas that are brought up or concerns that are brought up are often then later addressed through regulation. That was brought up during the briefing that was supplied. It was brought up by a couple of different Members, the fact that you can grow outside. According to the way the legislation is written, you're absolutely correct.

Officials in my department have brought it to my attention that was one of the concerns that was brought up that is going to have to be dealt with in regulation. The intention is to deal with it in regulation. Whether or not we prohibit somebody from growing in their backyard, the talk at this particular point amongst officials is we may allow somebody to grow in their backyard, but it would have to be fenced and it would have to be secured. Things such as that are what's being looked at.

Whether we restrict it to just indoors or whether we allow it outdoors, the fact that concern was raised – and it's a legitimate concern. It's the reason we have these debates because officials are listening. Whether or not you have a disagreement or whether all sides agree, there are very important issues brought up. That is one of the issues that I believe is very important and absolutely has to be dealt with.

CHAIR: The hon. Member for Topsail - Paradise.

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

I rise at this point in time because my comment or my questions for the minister are relevant to the topic that's taking place.

As an Opposition we've been watching many different things. We haven't been able to follow all of it because there's so much happening across the country right now in legislatures, community groups, municipalities and police associations. Chiefs of police are speaking out and laying their opinion and their thoughts on the legalization of marijuana and how it's going to impact their relative jurisdictions or the relative stakeholder groups that they represent. There's a lot of that happening throughout the country.

There's been some talk here in the House about how the Conservative Members of the Senate have been holding up bills in the House. I referenced already this week on Monday there was a clause-by-clause review of the bill in the Senate by the Social Affairs committee. In the Senate and sitting on the Social Affairs committee – I'm reading from *The Canadian Press* article – is Senator Tony Dean who is an independent Member. He was appointed under the Liberals but sits as an actual independent and the sponsor of Bill C-45 in the Senate. They actually, on Monday, passed more than two dozen amendments to the federal legislation.

I have a couple of questions on it. First, I wonder if the minister can tell me if any of these more than two dozen amendments that were passed by the committee, if they were endorsed by the federal government what impact would that have on provincial legislation?

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

MR. OSBORNE: Thank you.

We obviously have to abide by federal legislation as well. If there's something that happens at a federal level that's inconsistent with our legislation, we would have to bring amendments into our legislation or address it in regulation.

This is a brand new area for all jurisdictions. I'm familiar with the work of the Opposition and the work of the independent Member, as I sat in both Opposition and as an independent Member. I think I was extended an invitation yesterday during the hanging of the Speaker's portrait that I hadn't sat in all four corners. I've yet to do that. It's something I'll take under advisement.

The reality is there are no stupid questions. While Members here in the House may disagree, I truly look forward to all comments and all points that are raised by all Members of the House because it does make for better legislation. If any of those amendments are deemed to be accepted by the federal government and put in place we would have to abide by what the federal government sets out in any event.

CHAIR: The hon. the Member for Topsail - Paradise.

MR. P. DAVIS: Thank you, Minister.

You may not know, but I'm wondering – I'm sure your officials are tracking what the federal government is doing. This provincial bill has not been passed yet and there's still an opportunity here today for amendments if they were needed.

Is there anything in the recommendations of the Senate Committee that if they were approved by Parliament that would cause us to have to come back and make changes to the bill that we're actually debating here today? What they've recommended, is there anything there in those more than two dozen amendments that would cause us to have to change, or cause you to have to change the bill that is before the House here today?

MR. OSBORNE: Our officials are still assessing that.

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

MR. OSBORNE: Sorry, Mr. Chair.

Our officials are still assessing what's being talked about in the Senate. Even if the Senate make recommendations, it still has to go back to the House of Commons and then the House of Commons would – so it's premature for us here to expect that they may or may not be accepted, but if they are accepted and they impact our legislation we would have to come back, yes. We'd have to make changes to our own legislation.

We're trying to keep the legislation nimble enough that we can deal with some of these issues in regulation but you can't leave it so nimble that – it still has to be rigid enough that it's enforceable. So we're trying to deal with legislation and keep it nimble enough to deal with in regulations.

What I can assure the Member is if the federal government put in place legislation that would cause our legislation to need to be changed, then we would have to come back. If that's prior to legalization, we'd have to come back during the summer at some point to make alterations to our legislation. It's a bit premature at this stage because they've got a whole process. We're doing this while they're doing that.

I didn't pick the timelines that the federal government imposed on us. If I did, I probably wouldn't even be here – well, I'd be here, but we wouldn't be debating this particular piece of legislation today.

If we need to change the legislation, we will come back to do that.

CHAIR: The hon. the Member for Topsail - Paradise.

MR. P. DAVIS: Thank you, Minister. I appreciate that. I'm sure it's like all of us, we're challenged right now to keep up with everything that's moving. It's a shell game that's happening in many jurisdictions where things are changing.

One of the points the Member for Mount Pearl - Southlands was talking about cultivation, because one of the amendments is to allow provinces to ban homegrown marijuana if they so decide. We know Quebec and Manitoba have already decided to prohibit home cultivation even though the proposed amendment isn't passed by Parliament. Of course, according to the article, the reference as well could set up a legal challenge, which the federal Justice minister has commented on as well.

If the federal government accepts that, the provinces have the right to prohibit homegrown cultivation, which was I think to the point the Member for Mount Pearl - Southlands –

MR. OSBORNE: I think it is set to (inaudible).

MR. P. DAVIS: No, what they turned down was an absolute ban. There was also a motion for an absolute ban. There was a 7-5 vote to reject a proposal by Conservative Senator Judith Seidman that would have imposed a blanket prohibition right across the country.

What they did pass was to give the provinces the right to prohibit. Quebec and Manitoba have already done that. There's lots of evidence, reason and so on to deny home cultivation. I don't know if you discussed it earlier, if you did, I apologize. I think in one of the jurisdictions, the federal MP leading the bill – the name escapes me – had talked about Colorado. In Colorado, one of the mistakes they felt Colorado made was allowing cultivation, homegrown marijuana, and they didn't want Canada to repeat that mistake.

Now what the Senate is saying, is give provinces the right – and I think this is where my colleague over here is coming from – is there are so many nuances. You're right when you say that grow-ops occur today, but if we have legislation that says the law-abiding people don't do this, it's not right – because most people abide by the law. If you say you're only allowed to have 28 grams of marijuana on you at any particular time, or that's all you can buy, people will abide by the law. Most people won't be out scheming and trying to find ways to break those laws.

So, yes, grow-ops are going to happen anyway. If we prohibit the homegrown plants, there

seems to be a safer route, at least at this point in time; and, as you said yourself, you could change policy after.

My question for you, Minister, has government given consideration to that? Is it something you've weighed out, and maybe give us a little bit of background? How did you reach that conclusion not to prohibit homegrown marijuana given in regard to all the circumstances?

I've heard what you said earlier about, well, there are rules. You can do contracts with your – as landlord-tenant relationships, you can put those things in place. It seems to me like following what Manitoba and Quebec have done, just to say: at this point in time, we're not going to allow home growing of plants, would seem to be maybe the safest approach.

I'd be very interested to know what you've done as minister, what government has done to make that consideration.

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

MR. OSBORNE: I would say, while I'm not disputing that most people are law-abiding because I would agree with that, but I think in this day and age while cannabis is not legal there's a lot of people that don't abide by that law. It's a pretty common drug or pretty common substance in our society today, which I think is the reason the federal government is looking at making it legal and taking away ...

I know one of the NDP Members, I believe the leader for the NDP mentioned yesterday or the day before in debate, or actually I think it's the Member for Signal Hill - Quidi Vidi, that some people's lives have been destroyed because they may have had a very small quantity of cannabis on their person and got charged and now have a criminal record. While most people are law-abiding, I think cannabis is a socially accepted substance for the most part today and it's something we're dealing with as a result in this legislation.

There are only two provinces that have outright banned home cultivation so far. I'm not saying I'm going to shut the door on it but I know that we as a government have consulted widely on

this. What we've got in place here, how we've arrived at it is through the consultation that has been done and I think people's acceptance of the fact or people's desire that they'd like to have a plant at home should they so desire.

The other aspect of it is the fact that we've mirrored what the federal government has said they are going to allow, and that's four plants. If the Member opposite wants to put an amendment before the House and we can debate an amendment on that particular issue, I'm open to that. I'm not pretending for a moment to say that I know all the answers on this because I don't, but we have mirrored the federal legislation or the federal standards on this that it would be four plants.

I think there is a desire amongst part of the population for sure that they be allowed to have a plant and cultivate it within their own residence.

CHAIR: The hon. the Member for Topsail - Paradise.

MR. P. DAVIS: Thank you, Minister.

And I think it would be a good debate. That's a good idea and we've given consideration to a number of amendments and, so far, we've chosen not to do that but we may do that, and then that would be a good discussion to have tomorrow in the House.

One of the unanimously agreed-to amendments by the Social Affairs committee of the Senate, and it was agreed to by all members – according to this article I'm reading from, they all agreed that the House of Commons and the Senate be given 30 days to review regulations before they're implemented.

I think it's a good thing to do. This is, in your own words, the most significant policy change since Confederation, or words to that effect, that government has done, the legislation, the *Cannabis Control Act*, which is I think in total about 115 sections, and it very heavily refers to regulation. So those people who don't really understand sometimes the difference, or may not be aware of the difference, legislation is passed here in the House of Assembly and regulation can be passed generally by the minister or by

Lieutenant-Governor in Council, which is the Cabinet.

There are numerous areas in this legislation where it refers to regulation, so there are a lot of unknowns for us as legislators who are here passing this. The Senate committee on Monday unanimously passed one of their more than two dozen amendments and agreed that the House of Commons and Senate should be given 30 days to review regulation before they're implemented.

I would ask, Minister, would you commit to doing the same thing for Members of this House of Assembly, being the first time we're bringing in a *Cannabis Control Act*. I understand from earlier comments that regulations are being drafted, but what I ask is would you commit here today to provide 30 days' notice or opportunity for Members of the House to review the regulations before they're implemented.

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

MR. OSBORNE: I don't know if I can commit to that, and I'm not being facetious in any way when I say that.

There's a great deal of work had gone into this by officials, a great deal of consultation has gone into this legislation. We're very close to June. Thirty days would put us almost at July 1. We don't know the exact date of legalization of cannabis in Canada; my guess is it won't be July 1, but it will be some time this summer. If I were to commit to you today 30 days on regulations once regulations are drafted, there's a very real possibility that that would put us beyond the legalization date federally.

What I can assure you is – I mean, I didn't draft this legislation, nor did the Minister of Justice draft this legislation. This was done by officials who've put a great deal of work and a great deal of effort into drafting this legislation. Part of the reason the legislation refers to regulation here is because we're trying to keep the legislation nimble enough that without having to call the House back in the middle of the summer a year or two or three years from now – if something happens in this brand new industry, in this brand new product that we're dealing with as a result

of the federal government legalizing it, if something were to occur, such as a contest that we saw downtown and we somehow need to deal with that and deal with it expeditiously, you've got the ability through regulation.

I can assure you that the officials within government, I believe, have done an extraordinarily excellent job in putting this legislation together based on what we know about this product to date, and based on the federal regulations and trying to keep it nimble enough that if the federal government or the Senate make changes and then it's brought back to the federal government and they make changes, that we're able to act expeditiously enough that we can put it in place by the date of legalization.

CHAIR: The hon. the Member for Topsail - Paradise.

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

I thank the minister for his response and information. I agree, Minister. I know from my own experience how much work and effort goes into trying to draft a bill, especially a brand new piece of legislation like this, and there are times when they do legislation whereby it's old legislation taken and made completely, wholly new again, a whole new draft of essentially the same legislation with numerous changes and then there's one which we quite often debate here in the House, where there are small amendments; but still, even though the amendments are small to us, I know officials have to review all the other legislations to see what the impacts are on those very small changes, and I certainly appreciate the work of those.

I was talking to someone as I left here the other day. I think it was Monday night, we were leaving around midnight, and there were a couple of public servants that were walking out the same time and said it's late tonight. I said, yeah, you know, I spent a lot of very, very early mornings coming into this building over the last eight years and some very late nights leaving. I don't know if there's ever a time that I was the first one in or the last one to leave. There are days I've come to work at 5 or 5:30 in the morning and there are days I've gone home at 1

or 2 o'clock in the morning and I bet you somewhere in this building, or the West Block, there was someone in the public service that were still working or in ahead of me. So I certainly appreciate the value of the public service.

To your comments about the delay, Minister, if a Senate committee, the independent members – and the article references two which were Liberal appointed – when they agree to something, it suggests that quite potentially the Parliament may be going to agree with what the Senate does. When there's a vote or voted down or it's a narrow margin as the 7-5 vote, for example, for the blanket prohibition on home growing of marijuana, when there's a 7-5 vote that would indicate to you the government in power in Parliament may not be agreeable to that particular motion and then the Senate supporting what they've discussed in Cabinet and caucus.

However, all of the senators in the committee agreed to these more than two dozen recommendations, as I understand from this article. One of those is give the 30 days. If Parliament agrees to give senators and members of the House of Commons, Members of Parliament, 30 days to review the regulations before they're implemented, then that's going to delay the federal implementation anyway by 30 days.

I appreciate your commentary that if you were to make that blanket commitment here today or at least commit to say I will go back to the Cabinet and I will advocate for that to be consistent with what the federal government is doing, it's not going to push us beyond what the federal government is going to do anyway.

MR. OSBORNE: We don't know (inaudible.)

MR. P. DAVIS: I certainly agree, Minister. The minister has commented that we don't know if the House of Commons or Parliament is going to agree to that amendment to provide 30 days, but my suggestion is and what's suggested in the article when it refers to Independent Senator Tony Dean, it says among committee members supporting the amendment was independent Senator Tony Dean, a sponsor of the bill. And that suggests that the amendment has the

government's blessing. If that's what's happening there, then there's a pretty good chance they may provide that 30-day window.

All I'm asking for today is: Will you at least give consideration to that? It's new, ground-breaking legislation for our province. We've asked probably more questions on these four bills combined than any other four bills that ever came to the House of Assembly before. I can tell you, Minister, in all sincerity, we're listening to the public commentary. We're listening and reading emails that we're receiving, the lineup in the coffee shop when you're talking to constituents and citizens. You're meeting people or you get phone calls at our office and asking questions about it. It's a significant change. To be clear again, we've never said we're against it; we just want to make sure we understand it. People want to understand what's going to happen, how it's going to be implemented, what the rules of play are and so on.

Having a bill that officials who drafted the legislation told us themselves, I think their words were: Heavily driven by regulation or words to that effect – the rules are going to be heavily driven by regulation. When we're asking questions we say what's going to be in the regulations. That's going to be in the regulation. Of course, they resisted answering my question if the regulations were ready or not, which they would do anyway. They'd leave that to you to answer.

I think it was very important. This is so significant. I think there's been benefit here today. You just recommended we bring forward an amendment to debate on a question of home growing.

MR. OSBORNE: I didn't recommend, but I said if you want to bring it forward.

MR. P. DAVIS: We can bring it forward. To me it was a recommendation, so I appreciate the recommendation.

We're certainly going to consider that because we'll probably have debate continue on until tomorrow. We'll certainly consider that. It may be something we do because it's a matter that we've talked about here as a caucus. We've had landlords contact us. People who have rental

properties have spoken to me about it and said what am I going to do? Someone is going to get a \$100 fine because they have plants growing. Or am I going to evict them because they have a plant growing in their house that I don't want them to have. Or an outright ban seems it would be and making it provincial legislation would be simpler, cleaner and easier for landlords and property owners to manage.

Anyway, the 30 days is something I'd ask you to consider, or at least ask you if you'd bring it back to your Cabinet colleagues for consideration. At least give consideration to say we'll see what Parliament does. If Parliament provides that 30-day notice, we should do the same thing for the House of Assembly.

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

MR. OSBORNE: Thank you.

I will clarify for the Member: I'm not going to suggest he was trying to put words in my mouth, but just to make sure that everybody understands I didn't recommend that he bring forward an amendment. I will say if he does bring forward an amendment, we will gladly debate it and consider it.

On his suggestion on the 30 days on the regulations, there are a couple of aspects here that I will talk about. One of them is every single piece of legislation that we pass in this Legislature has attached to it regulations. Those regulations don't come back to the floor.

I'm not suggesting that the Member's question doesn't have merit, but government can't be handcuffed to say that we're going to bring all regulations back to the floor. Every jurisdiction in Canada has regulations attached to the legislation that they're bringing in on this particular legislation here, including the federal government.

The discussion, and the suggestion that was made by the Member, does have merit because it is such a huge policy shift. What I will say is that I can't, in and of myself, make that decision. I don't know logistically what that would mean. I do know that if I committed to it today, it may put us beyond the time frame at which point

we'd be criticized for not being ready for the legalization date. I can't commit to that today, but what I will say is that I will take his suggestion under advisement.

CHAIR: The hon. Government House Leader.

MR. A. PARSONS: Mr. Chair, I move that the Committee rise, report progress and ask leave to sit again.

CHAIR: The motion is that the Committee rise, report progress and ask leave to sit again.

Shall the motion carry?

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: All those against?

Carried.

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

MR. SPEAKER (Trimper): The hon. the Member for St. George's - Humber and Chair of the Committee of the Whole.

MR. REID: Mr. Speaker, the Committee of the Whole have considered 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 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?

MR. A. PARSONS: Now.

MR. SPEAKER: Now.

When shall the Committee have leave to sit again?

MR. A. PARSONS: Tomorrow.

MR. SPEAKER: Tomorrow.

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

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

MR. A. PARSONS: Yes, Mr. Speaker, given where we are in the day, I would suggest that we recess until 2 p.m.

MR. SPEAKER: This House stands recessed until 2 o'clock this afternoon.

Thank you.

Recess

The House met at 2 p.m.

MR. SPEAKER (Trimper): Order, please!

Admit strangers.

There are several guests today that I'd like to introduce to this House of Assembly. In the Speaker's gallery today to my right I would like to welcome Lisa Browne, CEO of Stella's Circle, and her parents Mary and Derm Browne. Ms. Browne is the subject of a Member's statement this afternoon.

Welcome to you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Also in the Speaker's gallery, I would like to welcome and recognize Mr. Bernie Mercer who will be referenced in a Member's statement today. Joining him are Major Lorne Pritchett, Major Barb Pritchett, Rick Webber, Gord Wheadon, Vanessa Loveless and Claudette Hillier.

Welcome to you all.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: A very special welcome to a young lady who is up here in the public gallery. I would like to welcome Sarah Clarke. She will be the subject of a Member's statement this

afternoon. Sarah is accompanied by her mother, Ayla Tipple, and her stepmom, Kelsey Drover.

Welcome to you all.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Also in the public gallery for a Ministerial Statement today are members of the Association of Early Childhood Educators. Joining us we have Helen Sinclair, Skye Taylor, Joanne Morris, Jennifer Newman, Karina Lamontagne and Mary Walsh.

Welcome to you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Et enfin, nous rejoignant aujourd'hui dans la galerie publique il y a M. Gaël Corbineau. Il est avec la Fédération des francophones de Terre-neuve et du Labrador. Il est ici au sujet de la célébration de la journée provinciale de la francophonie.

Bienvenu, Monsieur.

SOME HON. MEMBERS: Hear, hear!

Statements by Members

MR. SPEAKER: For Members' statements today we will hear from the Members for the Districts of Stephenville - Port au Port – or may I say Port au Port today – Mount Pearl - Southlands, St. John's East - Quidi Vidi, Topsail - Paradise and Harbour Grace - Port de Grave.

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

MR. FINN: Thank you, Mr. Speaker.

Monsieur le président, c'est un grand plaisir pour moi de prononcer ces quelques mots à l'occasion de la journée provinciale de la francophonie à Terre-neuve et Labrador et de reconnaître les finissants de l'École Sainte-Anne.

Located in the historic francophone community of Mainland (La Grand'Terre) on the Port au Port Peninsula, École Sainte-Anne is one of six

all-French schools in Newfoundland and Labrador. On May 18 I attended the school's graduation ceremony that saw 12 graduates celebrate with their families, school staff and community. Of the 12 graduates, three in particular were recent recipients of significant scholarships to the University of Moncton.

Oneisha Félix has been awarded the Bourse d'excellence académique which is valued at \$4000. Sydney Benoît was awarded the Bourse d'excellence Roméo-Leblanc with an approximate value of \$24,000. Harrison Vallis has been awarded multiple scholarships: the Bourse d'excellence académique de l'Université de Moncton, the Bourse Gilbert-et-Jeannine Finn/Assomption Vie and the Harrison McCain Scholarship – the latter only being presented to five students in all of Canada. The total value of scholarships for Harrison is just over \$26,000.

Monsieur le president, je demande à tous les membres de la Chambre de l'assemblée de se joindre à moi pour féliciter les récipiendaires des bourses et aussi tous les finissants de l'École Sainte-Anne.

Bravo et felicitations.

SOME HON. MEMBERS: Hear, hear!

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

MR. LANE: Mr. Speaker, last Thursday evening I had the pleasure of attending the 4507 Mount Pearl CLB's Annual Awards Banquet. The CLB was first established in Mount Pearl on January 18, 1956, as part of the 911 St. Mary's CLB Company. It remained that way until 1964 when it became a company of its own and was given the number 4507, operating out of the Church of England located just off Park Avenue on what is now Jubilee Place. Since its inception, this group has been providing tremendous opportunities for physical, mental and spiritual growth for young people in my community, regardless of religious affiliation.

Thank you to the officers, the parent volunteers and the parishioners of the Parish of the Ascension for their support of this group. A big congratulations to last week's award winners including LTC Outstanding Achievement

recipients, Madison Caul and Luke Crews; Most Improved Cadet, Jeremy Newell; Best YTC, Ryan Snelgrove; Best JTC, Logan Crews; Best NCO, Jacob Sampson; the Sergeant Paul Maybe Scholarship recipient, Steven Wiseman; the Cannon I. Sheppard Christian Soldier Award recipients, Amber Dawe and Shelby Caul; and Best Overall Cadet, Jessica Hollahan.

I ask all Members of this hon. House to join me in congratulating the Mount Pearl CLB on 62 years of supporting youth in my community and wish them many more successes in the years to come.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

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

I'm delighted to recognize Lisa Browne, chief executive officer of Stella's Circle, whom *Atlantic Business Magazine* has recognized as one of the Top 50 CEOs for two years in a row.

Stella's Circle provides services to adults who face many barriers to fully participating in their community, including everything from mental health challenges, homelessness, criminal justice involvement and long periods of unemployment.

Lisa joined Stella's Circle in 2015, having spent nearly a decade managing multiple portfolios as a director with Eastern Health. She has served on boards including for The Rooms, the Community Foundation of NL and Memorial University. She is also an associate with the Harris Centre, and serves on the board for Food First NL.

Lisa's recognition is a tribute to her commitment to social justice and community advocacy, which are at the heart of the social enterprises of Stella's Circle.

I ask all hon. Members to join me in congratulating Lisa Browne, one of the top CEOs in Atlantic Canada again this year.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for the District of Topsail - Paradise.

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

Mr. Speaker, recently my colleague from Conception Bay South and I attended a heartwarming event. On May 9, Louise and Bernie Mercer from my district, Topsail - Paradise, held a food drive again this year in Conception Bay South to honour their two late children's birthdays. Alex and Riley Mercer shared the same birth date, though years apart, and both were lost to brain cancer – Alex when she was still in elementary school, and Riley as a teenager.

Both parents wanted to do something special for their birthdays and also wanted it to be a community event; thus, three years ago S.O.A.R – Spirit of Alex and Riley – began. The food drive, headquartered every year at the Salvation Army church in Long Pond has been embraced by residents as a way to honour the Mercer family's courage and grace, and to help them give back to the community by supporting the efforts of the food bank, which has a growing list of people dependent upon it.

This year's food drive was the most successful food drive to date, and the Mercers, their family members, their friends, the CBS Salvation Army congregation members and volunteers were all smiles as the food donations poured in. It is estimated this year S.O.A.R raised enough food to feed 275 families for a full month. Bernie and Louise said that as long as there's a need in the community, the food blitz will continue as their way of thanking a community that has always reached out to them to help them in their time of need.

So, Mr. Speaker, I ask all hon. colleagues to join me in congratulating and thanking Louise and Bernie Mercer for once again giving back.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: And now Sarah, this one is for you.

The hon. the Member for Harbour Grace - Port de Grave.

MS. P. PARSONS: Thank you, Mr. Speaker.

I would like to welcome my young, courageous constituent, 12-year-old Sarah Clarke of Bay Roberts, who lives with quadriplegic cerebral palsy and epilepsy. She was also born with congenital cataracts. Her health conditions, Mr. Speaker, leave her with very little mobility. Sarah has undergone many surgeries and procedures over the years – much more than many people would undergo in a lifetime – but in spite of all of this, Sarah is determined and is an extremely positive person. This special little girl is known for her beautiful smile. Although life is a challenge for her every day, her family members say she is sassy, funny, enjoys playing ball and loves listening to Tina Turner.

Currently the family depends on a wheelchair van, which is getting old and in need of repair. Family has come together to organize fundraising events for a new, specialized van and a walker, as keeping Sarah moving will certainly contribute to her quality of life. Sarah has also so much support from family, friends and the community. Although she wages a war against her little body every day, they say she has the courage of a true warrior.

Sarah, in the words of your favourite singer: "You're simply the best!"

Colleagues, please join me in recognizing Sarah.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Statements by Ministers.

Statements by Ministers

MR. SPEAKER: The hon. the Minister of Advanced Education, Skills and Labour and also the Minister of Education and Early Childhood Development.

MR. HAWKINS: Thank you, Mr. Speaker.

Mr. Speaker, I rise today to recognize May 27 to June 2 as Provincial Early Childhood Educators' Week. It was a pleasure to join members of the Association of Early Childhood Educators of Newfoundland and Labrador earlier today to sign the official proclamation.

The Association of Early Childhood Educators of Newfoundland and Labrador represents approximately 2,200 certified early childhood educators working in child care centres, family child care homes, family resource centres, educational institutions, businesses and not-for-profit organizations throughout the province. Early childhood educators provide developmentally appropriate education and care to children from birth to age 12.

For many families, access to high-quality, affordable child care is a necessity. That is why this government entered into a three-year, bilateral agreement with the Government of Canada, reaffirming our commitment and support to the unique early learning and child care needs of Newfoundland and Labrador. This agreement allocates just over \$22 million, over three years for early learning and child care investments across the province.

The funding supports existing programs and will be used to implement innovative approaches to enhance the early learning and child care system. In particular, there is funding allocated to support early childhood educators through bursaries for those who wish to complete upgrading; a grant for early childhood education diploma graduates and enhanced professional learning opportunities.

I ask all hon. Members to join me in thanking members of the Association of Early Childhood Educators of Newfoundland and Labrador for their expertise, and celebrate the crucial role our early childhood educators play in the lives of our children.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. BRAZIL: Thank you, Mr. Speaker.

I thank the hon. Member for an advance copy of his statement. This side of the House is pleased to recognize May 27 to June 2 as Early Childhood Educators' Week. Affordable and accessible child care is imperative to a highly functioning society. In this province, one particular barrier to population growth will be access to affordable child care. The former government made great strides in this area, and I encourage the present government to concentrate their efforts on removing such barriers.

We salute these educators for their hard work and dedication; the influence that these 2,200 individuals have on the formative minds of our youth is invaluable.

We thank them for their contributions.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

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

I, too, thank the minister for the advance copy of his statement. I join him in thanking members of the association for the wonderful work they do. I'm glad the new bilateral funding will help some of them upgrade their ECE certification. But I would point out to the minister that although the new subsidy funding reaches more parents, it still helps only a small number. What we require is a public, affordable, accessible and quality child care program.

Thank you very much, Mr. Speaker.

MR. SPEAKER: Further statements by ministers?

L'honorable le ministre responsable des affaires francophones.

MR. MITCHELMORE: Thank you, Mr. Speaker.

I rise in this hon. House to recognize today as Provincial Francophonie Day. The Government

of Newfoundland and Labrador has celebrated this occasion since 1999.

Ce matin j'ai été très heureux de participer à un événement organisé par la Fédération des francophones de Terre-neuve et du Labrador, ici à l'édifice de la Confédération. J'ai eu l'honneur de me joindre aux élèves de l'École des Grands-Vents et de l'École Rocher-du-Nord et aux membres de la communauté. Des activités similaires se déroulent aujourd'hui sur la péninsule de Port au Port et au Labrador.

Mr. Speaker, I have been working closely with the Office of French Services and the Francophone Federation as we identify ways for government to better serve the needs of the francophone communities.

En décembre le gouvernement provincial a renouvelé une entente sur la francophonie avec le Québec, qui va tirer profit des partenariats solides créés entre les deux gouvernements et les communautés francophones.

Mr. Speaker, in March I travelled to Cape St. George with the local MHA where we attended a public speaking competition with children from École Notre-Dame-du-Cap. It was truly a wonderful sight to see these children speaking French with such pride and confidence. This is a sign of a bright future.

Today I ask all hon. Members to join me in congratulating the Francophone and Acadian communities of Newfoundland and Labrador on this Provincial Francophonie Day.

Thank you. Merci.

SOME HON. MEMBERS: Hear, hear!

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

MR. LESTER: I thank the Minister for an advance copy of his statement.

Monsieur le président, nos membres d'Opposition eux aussi soutiennent le gouvernement en soulignant la Journée provinciale de la francophonie. Ce jour est très important pour notre histoire et avenir. Dans les jours d'exploration pendant la moitié de la

dernière millénaire il y a plusieurs fois que l'île de Terre-neuve est presque devenue un territoire français.

L'anglais et le français ont pensé que qui la contrôlait, ils vont contrôler l'Amérique du nord. Lorsque il y a une grande présence de français dans tout nos provinces. Ce jour est une opportunité de célébrer la responsabilité de notre pays et province de célébrer le bilinguisme et aussi de célébrer le droit de chaque citoyen d'obtenir les services dans la langue de leur choix.

Ainsi, j'encourage tout le monde de célébrer la Journée de la francophonie.

SOME HON. MEMBERS: Hear, hear!

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

MS. MICHAEL: Merci, monsieur le président.

I also thank the Minister for the advance copy of his statement.

C'est un plaisir vraiment pour moi de reconnaître avec le ministre, le développement et la présence la plus grande de la langue française et la culture francophone dans notre province.

For too long, the presence of the Francophones was a deep, dark secret, but the Francophone and Acadian communities have been at the core of who we are.

Je dis félicitations tout le monde.

Merci, monsieur le président.

MR. SPEAKER: Thank you.

Further statements by ministers?

Oral Questions.

Oral Questions

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

MR. BRAZIL: Thank you, Mr. Speaker.

In November 2017 the Finance Minister stated that all agencies, boards and commissions would have to cut costs and find savings, and that he would be bringing the legislation to force them to do so.

I ask the minister: What is the status of this legislation?

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

MR. OSBORNE: Thank you, Mr. Speaker.

At the time we'd also indicated that there was a desire to work with these agencies, boards and commissions. Up to that point, the co-operation wasn't as forthcoming.

But we have had conversations with Nalcor and Memorial University, Mr. Speaker. We've developed a working relationship with them on some of the issues that were outstanding. I'm pleased to say the dialogue is progressing well, Mr. Speaker. I think we're making progress on many of the issues that we had concerns with.

SOME HON. MEMBERS: Hear, hear!

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

MR. BRAZIL: Thank you, Mr. Speaker.

On November 14, 2017, the minister said and I quote: "We can't simply just ask and hope they deliver. We need to ensure we get our spending under control. This legislation will be brought in."

When will you live up to your promise and implement legislation restricting the spending at MUN, Nalcor and other agencies, boards and commissions?

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

MR. OSBORNE: Mr. Speaker, we are working with our agencies, boards and commissions. I indicated just yesterday that we had made a request to Nalcor that, on a go-forward basis, any hiring they would put it in line with government, the wages based on the same job

evaluation, as close as they could get to government.

We're bringing in the legislation. Both pieces of legislation are currently before the House on wage freezes, severance and post-retirement benefits for our agencies, boards and commissions. We've also seen, Mr. Speaker, greater attrition efforts within our agencies, boards and commissions. I would say we're getting there.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The leader of the Official Opposition.

MR. BRAZIL: Thank you, Mr. Speaker.

The legislation the minister brought in this week regarding salary restraints does not apply to MUN or Nalcor. Instead, the minister said: "We've asked them to follow the same framework. It's certainly our hope that they do."

Minister, you yourself said six months ago that just asking was not enough. How do you expect the ABCs to find savings when you are giving them mixed messages?

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

MR. OSBORNE: Thank you, Mr. Speaker.

With or without other legislation regarding Memorial University and Nalcor, I'm asking the Member opposite: Is he suggesting that we throw out the window a fair bargaining practice? Memorial University is responsible for bargaining with their own bargaining units and Nalcor is responsible for bargaining with their own bargaining units.

We, as a government, bargain for all of our agencies, boards and commissions other than these two. Are you suggesting that we throw fair bargaining practices out the window for Memorial and Nalcor?

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The leader of the Official Opposition.

MR. BRAZIL: Thank you, Mr. Speaker.

What I'm suggesting is that you made a commitment to get your spending under control. One of the commitments was around bringing legislation that would ensure everybody – agencies, boards and commissions – would also do their part to ensure that. You haven't done that to this point.

In Estimates, the minister said that Nalcor was directed to keep costs as low as possible, but she also said that the core budget is flat when compared to last year. In fact, after Nalcor cut \$20 million from the Seismic Program government put it back.

I ask the minister: How can Nalcor be reducing their spending?

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

MS. COADY: Mr. Speaker, I'm happy to answer this question. Nalcor, over the last number of years, has been requested to cut its spending. Ever since we came into office at the end of 2015 we've been working with Nalcor to ensure they keep their costs under control, something the Members opposite certainly didn't do.

Mr. Speaker, we put in place in early 2016 a directive to Nalcor to ensure the non-unionized executive did not receive increases, similar to what government today is seeing; zero per cent increases. They do get their steps. We have made sure that Nalcor has, over the last number of years, reduced their expenditures. This year we kept expenditures very, very low, especially in a transition year to electrification.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The leader of the Official Opposition.

MR. BRAZIL: Thank you, Mr. Speaker.

We haven't seen any indications of changes or cuts, particularly when they did cut \$20 million and the government gave it back to them. That

doesn't do anything here to keep our fiscal responsibilities intact.

Yesterday, the Minister of Health stated he found out through the media about the retraction of a job for a radiologist who received a \$50,000 government bursary. The minister said he had directed Eastern Health to provide him with the details.

Can the minister now inform the House on why the job offer to fill a critical radiology position was cancelled?

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

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

I have, as was mentioned in the House yesterday, directed Eastern Health to provide me with that input. I have as yet not received it. The clock is ticking and I expect to hear soon. Once I do, I will get back to them.

This Bursary Program has given out 60 bursaries in the last four years and this is the first occasion of someone not showing up, Mr. Speaker.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The leader of the Official Opposition.

MR. BRAZIL: Thank you, Mr. Speaker.

The minister called the job cancellation a hiccup.

I ask the minister: What decision-making process led to the cancellation of a negotiated radiology position?

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

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

As I said yesterday, this is an unfortunate situation. As I have just said and said yesterday,

I have directed Eastern Health to provide me with the background and information on how that decision was reached and the circumstances around it. Once I have it, I will share it.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The leader of the Official Opposition.

MR. BRAZIL: Thank you, Mr. Speaker.

There are indications that the doctor was penalized for activities he did outside of his work.

Does the minister feel it was appropriate for a doctor to be penalized and his job offer retracted because he chose to obtain a pilot's licence on his own time?

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

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

It is not appropriate for me to go into specifics in this situation, nor do I have them. I have said, quite clearly, that I have directed Eastern Health and I expect their report on this decision-making process very shortly.

Mr. Speaker, we have 22 bursary programs in this province. This is the first incident in four years where a physician has not delivered and not turned up in response to a bursary. I will get to the bottom of it. When I do, I will inform the House.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MR. LESTER: Mr. Speaker, we are less than a month and a half away from when the summer winds from the West will be able to carry insect infestation to our province.

I ask the minister: Have there been any public consultations on spray programs to control this possible insect infestation?

MR. SPEAKER: The Minister of Fisheries and Land Resources.

MR. BYRNE: Mr. Speaker, I think the word "possible" is the key word there from the hon. Member's question. There has been no infestation; there has been no indication of exactly where a possible infestation may occur. It's difficult to conduct a consultation on a hypothetical.

We are always engaged with our forest sector. We are in constant communication with our forest operators, our saw millers and our pulp and paper company. Those that have an interest in this, including our scientific community, will always be engaged with them.

We're monitoring the situation very carefully because, as the hon. Member points out, this is a serious circumstance. There is the potential possibility of an insect infestation and we need to be very vigilant about that.

SOME HON. MEMBERS: Hear, hear!

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

MR. LESTER: The most important thing about insect control and mitigating damage is getting it as soon as it shows up. We want to prevent those insects from repopulating.

In the minister's response he mentioned individuals in industry, the paper companies and scientific, but he left out one very important segment of the province and that's the people whose communities will be adjacent to possible spray programs.

Will the government be proactive in arranging some public consultations and engagement, unlike what was experienced with forest management by the residents of Port Blandford?

MR. SPEAKER: The Minister of Fisheries and Land Resources.

MR. BYRNE: Mr. Speaker, if we were to take the model of the environmental assessment process where we hold public meetings wherever there's a change in the management plan – which was conducted in the Port Blandford where the Town of Port Blandford examined the plan and signed off on the plan after making recommendations for change to the plan. Yes, we will probably follow exactly that same process, if and when there is any indication that there is a significant insect infestation.

Mr. Speaker, one of the best things to do is to continue to scientifically monitor insect populations, expansion of insect populations to determine if there's an actual infestation. To conduct a hypothetical consultation before there is any infestation whatsoever of any serious magnitude, could potentially be considered by the hon. Member – should we have done that – as a waste of very valuable resources.

SOME HON. MEMBERS: Hear, hear!

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

MR. LESTER: Proactivity is obviously not part of their mandate.

Mr. Speaker, the salmon season normally opens June 1. Are we waiting for a makeup and photo session between the provincial and federal friends?

I ask the minister: When will the salmon season open this year?

MR. SPEAKER: The Minister of Fisheries and Land Resources.

MR. BYRNE: Mr. Speaker, I appreciate the passive-aggressive nature of the question. I do anticipate that it was done to seek answers on the floor of the House as to exactly what the status is of the salmon angling season for 2018.

This is a very serious issue, one we are seized with. We are working with the federal government. We're very disappointed with some of the actions and decisions of the federal government. We feel as though not only should the angling season be in full start for June 1, but

we should know exactly when the cod food fishery should start.

SOME HON. MEMBERS: Hear, hear!

MR. BYRNE: The federal government has not provided any of us with any of that information. What I can tell the hon. Member is we are now struggling to do in 12 days what has been normally the case that we would have 120 days to deliver licences. The federal government's decisions have forced us to do that in a 12 (inaudible).

MR. SPEAKER: Order, please!

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Member for Mount Pearl North.

MR. LESTER: I still didn't really get a clear date but, once again, I'd like to point out how beneficial our friendship with the feds has done us again.

What impact will the changes to the salmon regulations have upon outfitting operations and the province's tourism industry as a whole? This is directed to the Minister of Tourism.

MR. SPEAKER: The Minister of Fisheries and Land Resources.

MR. BYRNE: Mr. Speaker, our tourism industry, our salmon industry – let's be very clear. We recognize that not only is it an industry which nets over \$30 million in direct benefits to the province, but in indirect benefits of \$120 million. It's important to conserve but it's also important to encourage both the tourism sector, our outfitters and, as well, our domestic anglers, because a lot of that benefit comes from activity from our domestic anglers.

We appreciate and we are supporting. We put forward recommendations to the federal government to the Department of Fisheries and Oceans to protect our outfitters, to encourage our outfitters' continued prosperity. Unfortunately, the federal government did not accept that advice. We also brought forward

advice to encourage, respect and protect our recreational domestic anglers.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Thank you.

The Member for Mount Pearl North.

MR. LESTER: I really wonder does the federal government listen to our advice at all. Outfitters are reporting the fallout has already begun with many customers cancelling their annual angling trips.

I ask the Minister of Tourism: What analysis and consultation has been conducted by your department to assess the impact on outfitters and other related operations in response to these cancellations?

MR. SPEAKER: The Member for Fisheries and Land Resources.

MR. BYRNE: Mr. Speaker, the best action that can be taken is to encourage the federal government to reconsider some of its own decisions related to the 2018 recreational wild Atlantic salmon angling plan. We brought forward recommendations that would have respected, protected and enhanced those opportunities for outfitters; however, that advice was not accepted.

At this point in time, we are working as fast as we possibly can, within the limits that were imposed upon us by the Department of Fisheries and Oceans, to get those licences out, to get activity by not only our outfitters, but by our own recreational anglers here at home.

Mr. Speaker, this is a very, very serious – serious – priority that we're taking action on.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Member for the District of Topsail - Paradise.

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

Mr. Speaker, as we sit in this hon. House here this afternoon we can hear the winds swirling from above.

I ask the minister if he can provide an update on roads infrastructure and services as a result of this spring winter rain and windstorm that's being experienced in parts of our province today.

MR. SPEAKER: The Minister of Transportation and Works.

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

I thank the hon. Member for the question. Mr. Speaker, late yesterday afternoon or early yesterday when we saw what the forecast was going to behold – because as the Member opposite alluded to in Central Newfoundland, I think on the Baie Verte Peninsula this morning we were plowing snow and here on the East Coast we've been sustaining high winds and rain.

From the Transportation and Works side of this, our crews, our supervisors were out at 5 this morning. Our regular crews came in at 7 a.m. There is some light-to-moderate damage on some areas of the Avalon; we're continuing to monitor that, Mr. Speaker. We'll have more information as the day goes forward.

Thank you very much, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Thank you.

The Member for Topsail - Paradise.

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

I've received reports of some damage in municipalities in the area, flooding and some rain damage, those types of things that have happened today. I also understand there may have been some damage done here at this building.

I ask the minister if he can update us on what he knows so far pertaining to any infrastructure damage, provincial government infrastructure

damage. Have any been reported as a result of the wind and rain here today?

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

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

I thank the hon. Member for the question. As of the time I came to the House this afternoon, I haven't been made aware of any specific damages. I know we do have a circumstance in Lower Island Cove, Mr. Speaker, where we have a road flooded out and a short-term closure.

Our staff in Transportation and Works are certainly monitoring the situation, as I'm assured are the staff in Municipal Affairs and Environment.

Thank you very much, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

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

The Minister of Service NL announced that as of April 30 the Motor Registration Division would no longer be sending out reminders in the mail for renewal for a driver licence and registration. There was very little notice and no advertising.

Minister, why aren't you doing more to inform the public about this significant policy shift?

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

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

This gives me an opportunity to let the House know actual initiative that we're putting forward will save \$460,000 a year, Mr. Speaker.

I actually have a lengthy list here of things that we did to inform the public and to inform individuals. Mr. Speaker, one of the things that we did was we reached out to 50-plus service

clubs so we could ensure that seniors were aware of this change.

SOME HON. MEMBERS: Hear, hear!

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

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

I spoke to a 75-year-old lady. She has no access to email.

Why are we giving people with no access to email no notification about their driver licence before renewal?

MR. SPEAKER: The Minister of Service NL.

MS. GAMBIN-WALSH: Mr. Speaker, on everyone's licence it says the expiry date so individuals are aware of when their licence expires.

We have reached out through numerous ways: posters were distributed, shareables went out and we reached out to seniors groups. There have been a number of things, Mr. Speaker, this government did to address and to inform people of the change.

SOME HON. MEMBERS: Hear, hear!

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

MR. K. PARSONS: Government is asking people to register an email address to receive notification. When asked in Estimates about individuals who do not have access to computers or emails, the suggestions were made to use a trusted friend, to take a note and put it on a calendar or take a picture of your driver's licence and put it on your fridge.

Does the minister support sticking a driver's licence picture on your fridge for 10 years?

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

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

I do support saving \$460,000 a year, Mr. Speaker, and I also support the fact that on every adult's driver's licence it says the expiry date. We are adults, Mr. Speaker, that's informed and it's on their driver's licence. There's notification of when your licence is going to expire.

Mr. Speaker, we're also adopting the process of individuals can use a trusted friend's email address, if you wish, to inform your daughter, your son, your husband, if they have email access. There are numerous ways.

SOME HON. MEMBERS: Hear, hear!

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

MR. K. PARSONS: Mr. Speaker, people in the province have been accustomed for years and years of getting notification and with very little notice and no public advertising whatsoever this is coming through.

Under the *Highway Traffic Act*, Minister, it's your responsible for road safety.

Minister, are you concerned about the abrupt and largely unpublicized policy change as a result of this? Will this cause more uninsured drivers or more unregistered drivers and unlicensed drivers on our highway?

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

MS. GAMBIN-WALSH: Mr. Speaker, the last mail out that went out in April reached 50,000 people. As I said, Mr. Speaker, the expiry date is on your licence, and this does save \$460,000 a year.

SOME HON. MEMBERS: Hear, hear!

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

MR. PETTEN: Thank you, Mr. Speaker.

In the Finance Estimates and in Natural Resources Estimates, we asked what the impact on Holyrood would be when the Liberal carbon tax is due to be paid. No one could give us an

answer. Finance even directed us to Municipal Affairs and Environment.

So I ask the minister responsible for Environment: Do you know how much the Holyrood Generating Station will have to pay in carbon taxes?

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

MR. A. PARSONS: Thank you.

As the Member opposite knows, the climate change and carbon tax is something that we have not implemented yet. We all recognize that climate change is real and the federal government has dictated that we need to make changes, and that all provinces must implement a plan or else the federal plan will be implemented, which I would remind everybody does not deal with every province's unique circumstances.

What I can say is the plan that we make, as a government, will be in the best interest of Newfoundlanders and Labradorians, and will consider the various interests that we have, such as our offshore, such as our fishery. Anything that we're going to do is going to be in the best interests of Newfoundlanders and Labradorians.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MR. PETTEN: Thank you, Mr. Speaker.

I ask the minister: Has your department done an assessment on the impact of the carbon tax on the Holyrood Generating Station?

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

MR. A. PARSONS: I look forward to the opportunity, when the time comes, to debate an amendment that we will make to our *Greenhouse Gas Act*. That's something we're going to deal with. Again, there may be changes that we have to make dealing with the fact that

we do have to look at Holyrood. That's one of the issues that we have. We have a number of industrial emitters who will be a part of this.

One thing I can say is that the changes that we have made in the past in this House have dealt with the fact that we have to deal with large-scale emitters. Going forward, when it comes time for the carbon tax, which we'll have no choice but to implement, due to the fact that the federal government will come in and implement their own, which will not always be in our best interest.

Thank you.

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

MR. PETTEN: Thank you, Mr. Speaker.

Premier, we have now asked three departments dealing with the carbon tax file and no one could tell us how much Holyrood will have to pay for the \$10 per ton carbon tax.

Can you tell us who will pay the carbon tax?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

First of all, let's talk about carbon pricing, where this all began. This goes back to a number of years ago. Targets were set by their friend, Mr. Harper. As a matter of fact, their current leader of the party felt so much and strongly about Mr. Harper, he wanted to run for him. So it was Mr. Harper who set the current carbon targets in place for Newfoundland and Labrador and for all of Canada, I would say, Mr. Speaker.

In 2015, 195 countries in the world gathered and set in price what climate change targets would look like. Harper already had those implemented. It was the federal Liberal government that actually continued on with those targets. So carbon pricing for all provinces, as the ministers have already said, would be backstopped if we do not put in our own hybrid pricing for this province.

I will say, Mr. Speaker, we are not going to put our province in an uncompetitive environment

with any other jurisdiction. We are working very closely with the federal government. We want to be able to use the money from carbon pricing for the discretion 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.

I say to the Premier, maybe you should stand up for the people of this province.

How much in emissions does Holyrood produce each year?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Mr. Speaker, I will tell you about standing up for the people of this province. I can tell you now that if it was my choice in 2012, we would not be sanctioning the biggest tax in the history of this province. That was what they did without talking to people in this province.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

PREMIER BALL: We call that Muskrat Falls. We call that doubling of electricity rates.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

PREMIER BALL: Why will you not accept responsibility for your actions in 2012 for doubling electricity rates, while today you sit in this House and complain about federal initiatives, Mr. Speaker, when you can take the responsibility for your own decisions in 2012?

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

I remind all Members I will not tolerate interruptions.

The hon. the Member for Conception Bay South.

MR. PETTEN: Thank you, Mr. Speaker.

The Premier might want to look around his own Cabinet table and his caucus, a lot of supporters of Muskrat over there, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. PETTEN: A lot over there.

The Liberal price on carbon will be \$10 per ton. That means Holyrood will have to pay \$13 million each year. That's based on 2016 emissions.

I ask the minister, or the Premier, or somebody: Will Nalcor pay this cost or will it be passed on to ratepayers?

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

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

I'm certainly happy to speak about this. The reality is that every province will have to bring in their own carbon tax and climate change plan because it's being implemented by the federal government. We have until September to come up with that plan. If we do not, come January 1, we will be forced into a federal plan that will then be in place for, I believe, three years.

What I can guarantee you is we are going to do what is in the best interests of Newfoundlanders and Labradorians, considering the fact that we have unique circumstances. We do have large-scale emitters. We do have an offshore industry. We do have a vibrant fishery. We need to take steps to make sure that we protect these industries as we move forward.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Conception Bay South, for a very short question, please.

MR. PETTEN: Has the minister directed Nalcor to do an assessment of what Holyrood emission levels would be in each year for the next five years?

MR. SPEAKER: The hon. the Minister of Natural Resources for a very short response, please.

MS. COADY: Mr. Speaker, I would have hoped that the Member opposite knew a little bit more about our electricity system than what he's portraying here today. Mr. Speaker, clearly he doesn't understand about the Public Utilities Board. It's been in place since 1949 –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

No interruptions.

MS. COADY: They circumvented the Public Utilities Board on a regular basis. The Public Utilities Board is tasked with keeping rates as low as possible – as low as possible – what is just and what is reasonable and that will be their task.

As we move forward, Mr. Speaker, we'll continue to listen to the wise people of the Public Utilities Board.

Thank you.

MR. SPEAKER: Thank you.

The hon. the Leader of the Third Party.

MS. ROGERS: Mr. Speaker, speaking of circumventing, yesterday the Minister of TCII introduced legislation to establish the innovation and Business Investment Corporation. The Office of the Information and Privacy Commissioner was given less than one working day to review the new legislation. The Commissioner raised serious concerns regarding section 21 addressing so-called commercially sensitive information and saying their section can rarely, if ever, be justified.

I ask the minister: Why is he ignoring the expertise of the Privacy Commissioner who says section 21 is an unnecessary encroachment on transparency and accountability, and given this commercially sensitive information is already protected by the ATIPP Act.

MR. SPEAKER: The hon. the Minister of Tourism, Culture, Industry and Innovation.

MR. MITCHELMORE: Thank you, Mr. Speaker.

I'm very proud of the business, innovation and growth act that we passed in the House of Assembly that is actually taking the former Research & Development Corporation, the *Research and Development Council Act* and the *Business Investment Corporation Act* and blending the two to form this act. It was something that is going to streamline the process and improve innovation in Newfoundland and Labrador.

When the Clyde Wells report was done in 2015, it had highlighted at that time that the ATIPP provision for the Research & Development Corporation should be retained. It was endorsed by all Members, the Clyde Wells report, Doug Letto and the former privacy commissioner of Canada was on that report and they endorsed the report. Every Members of this House of Assembly (inaudible) –

MR. SPEAKER: Order, please!

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MS. ROGERS: Mr. Speaker, the minister has completely ignored the expertise of the Privacy Commissioner. The Commissioner says the new corporation must be transparent in its operations and expenditures, particularly concerning the spending of taxpayers' dollars. The Commissioner's letter is right here.

I ask the minister: Will he do the right thing and reintroduce the legislation to address the Commissioner's serious concerns about this unnecessary encroachment on transparency and accountability?

MR. SPEAKER: The hon. the Minister of Tourism, Culture, Industry and Innovation.

MR. MITCHELMORE: Mr. Speaker, in the debate in second reading, I clearly explained how the new act is more open and transparent, that there are initiatives that are being taken when it comes to making sure that public disclosure would take place when it comes to business investments. There is still the three-part harms test when you're dealing with commercially sensitive information.

The ATIPP provision that exists in the act of Bill 26 is a more narrow scope than what existed in the former *Research and Development Council Act*, which was when the review of Bill 29 and the whole review of access to information and privacy protection was done by Clyde Wells and his team. They endorsed keeping this recommendation.

We've narrowed it, but every Member in this House of Assembly voted for that provision.

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Hear, hear!

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

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

The minister had more than ample time, along with his officials, to prepare this bill.

I ask the minister: Why did he give the OIPC, our experts, less than one working day to review his legislation?

MR. SPEAKER: The hon. the Minister of Tourism, Culture, Industry and Innovation.

MR. MITCHELMORE: Mr. Speaker, when it comes to the provisions of our business, innovation and growth act, we have developed a very good piece of legislation that allows us to deal with the start-up, to commercialization, to market, to internationalization to provide the full continuum of supports when it comes to innovation and business growth to make strategic investments in Newfoundland and Labrador.

The chair of our Innovation Council has cited that this is very important to keep the ATIPP provision, which is more narrow. The vice-chair, Jackie Walsh, who's an IP lawyer, has stated that it's important to have and protect commercially sensitive, innovative aspects when it comes to things that are in the R & D scope. Only that provision, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Member for St. John's East - Quidi Vidi for a quick question, please.

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

I ask the minister if he's ignoring the expert advice of the OIPC and including section 21 in your act so he can keep his actions completely secret.

MR. SPEAKER: The Minister of Tourism, Culture, Industry and Innovation for a quick response, please.

MR. MITCHELMORE: Thank you, Mr. Speaker.

I certainly respect any opinions of the Office of the Information and Privacy Commissioner. But when it comes to the provision of the confines of R & D and things that could cause harm to a company, that information must be protected and should be protected.

It's not me just saying that, Mr. Speaker, the chair of the Innovation Council, Mark Dobbin, the vice-chair, Clyde Wells in his report and all Members of the House of Assembly that agreed with the revisions of Bill 29 who voted for it, endorsed it. I don't know why the Member opposite disagrees.

MR. SPEAKER: Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Time for Oral Questions has ended.

Presenting Reports by Standing and Select Committees.

Tabling of Documents.

Notices of Motion.

Answers to Questions for which Notice has been Given.

Petitions.

Petitions

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

MR. K. PARSONS: Thank you very much, 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 class sizes, adequate school space and healthy socialization is essential to our students receiving the best quality education; and

WHEREAS students, such as St. Francis of Assisi, are without cafeteria space and students do not have the opportunity to move about during the day; and

WHEREAS schools in Newfoundland and Labrador have some of the largest cap sizes and some of the lowest rates of literacy; and

WHEREAS the education system in our province must be designed to ensure that each child has the ability to reach his or her full potential;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge government to take action in our education system and ensure smaller class sizes and provide sufficient personal space per child to allow for a high quality of education. Take action to address issues in schools such as St. Francis of Assisi which are without adequate space and are using combined classes, and ensure that students have a high standard of education in a quality learning environment.

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

Mr. Speaker, this is the third time I presented this petition in the House of Assembly. It's very important to the constituents in my district and I say it's very important to all parents and students in our province, along with teachers.

Mr. Speaker, in the 2016 budget cap sizes were increased. We are among the highest cap sizes in Canada when it comes to the number of students in our classrooms. It's important that our teachers are able to do their jobs the best they can. The less number of students in a class obviously means a bit more one-on-one. It means that students who really do need that little extra will get it. When we're talking cap sizes right now in our schools we can have up to 29 and the hard cap is 31. That's way too many children in our classrooms.

This particular school, St. Francis of Assisi, is a fantastic school; the teachers do a great job. But the parent's concern is that the cap size is so high that the students who need the one-on-one, the students who need that little bit of extra help – it's not going to be there because there are so many students in the class.

I'm calling on the Department of Education to look at reducing cap sizes right across this province. Our future is our children and we need to ensure that our children get the best possible education. I call on government to cut the cap sizes in our schools so children will get the best possible education. I also call upon other parents in other districts to step forward and call on their MHAs to ensure that government listens and reduces the number of children who are in our classrooms.

Thank you very much, Mr. Speaker.

MR. SPEAKER: Further petitions?

The hon. the Member for Ferryland.

MR. HUTCHINGS: Thank you, Mr. Speaker.

I'm pleased to rise today to present a petition on behalf of the people of my district related to Mutton Bay Bridge located just outside of Trepassy. This is a piece of infrastructure we

spoke of here before and looking at two facets of infrastructure: one being immediate repairs based on emergency circumstances and the other being just the long-term replacement of it.

We had an engineering inspection report done in 2015. They had some recommendations in regard to rehab and replacements. Just recently, I received an engineering report – I think it was February of this year – which reaffirmed some of the findings, obviously, in the prior years and a necessity to do immediate repairs and to also do some replacements.

We've advocated here and I have met with officials in the department. I am pleased to recognize that there were some handrails put on a little while ago, but through working with the department there has been – I'm told yesterday – a private contractor who's been awarded to do some work to put some guiderails in place along the structure to deal with the immediate issue of safety for a vehicle that comes and veers towards the side of the bridge. This would certainly assist in protecting such an occurrence happening in regard to vehicles.

I'm certainly glad to see that. I spoke to the minister a while ago in regard to that. I'm glad to see that the department is going to act on this, and I understand is going to act on this in the next few days, which I'm certainly pleased with.

In the long term, looking at the replacement, we still advocate to have this done as quickly as possible. I know the department has looked at possible options. I know the minister has indicated in discussions they may look at some pricing in the fall of hopefully next year, but no commitment. They are looking at it and I certainly recognize that.

It is an important piece of infrastructure. It's about safety; it's about heavy traffic volume in that area with our tourism sector and residents there when they're coming south to receive services. It's very important that we continue to look at this and look forward to the immediate repairs being done in the next few days or the next week or so, and that we're able to start this in the next number of months to get completed by next year.

Thank you, Mr. Speaker.

MR. SPEAKER: Thank you.

Orders of the Day

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

MR. A. PARSONS: Mr. Speaker, I'm going to make a request here.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. A. PARSONS: I'm going to make a request here now. Normally, today would be Private Members' Day. With leave of my colleagues on the other side, I will be asking leave that instead of debating the private Member's resolution that is on the Order Paper, I would request that we be able to debate the resolution that I entered yesterday in its place.

MR. SPEAKER: Does he have leave?

AN HON. MEMBER: Leave.

MR. A. PARSONS: Yes.

MR. SPEAKER: Leave has been granted.

Please proceed.

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

I believe leave has been granted, so I believe that by debating this resolution we would dispense with normal PMR rules which would require 15 minutes and 15 minutes. I have up to an hour; I do not plan on using that. I think this is an opportunity for Members on both sides to stand up and speak to the resolution that I put in, so I appreciate the Members from the opposite side granting me leave to have this debate.

I'd like to start off perhaps with the origin or the genesis of this.

MR. SPEAKER: Could you read the resolution?

MR. A. PARSONS: Yes, I'll read the resolution.

BE IT RESOLVED that the House of Assembly urge the Government of Newfoundland and Labrador to establish an all-party Select Committee on Democratic reform. I'd like to have that seconded by the Minister of Service NL.

The genesis of this, Mr. Speaker, for me, it's a subject that we have discussed on a number of occasions. The talk of democratic reform goes back as long as there has been democracy. Whatever place that you live in this world that has a democracy, from the moment that it was launched people have discussed the reform of democracy, which is a good thing. The fact that you can ask to change it indicates the fact that it's not like other political regimes where you cannot often ask for change.

Instead of getting into a deep, philosophical chat about democracy, basically what I've been asked here – I have a letter here in my hand, Mr. Speaker, which is accessible publicly. It's on the government website and it's dated November 15, 2017. This is a rehash of the letter that I received. I can't tell you the actual date. I think it might have been December 14 of 2015. This is what they call a mandate letter which our Premier wrote to all ministers of the government laying out his expectations going in, and what he would like to see completed during the mandate.

My personal letter here has a number of things that was asked to be discussed including legal and court services, legislation, public safety and public inquiries. Again, I think we've made progress in some. But one of them that are very important goes under my role as the Government House Leader and that's under the House of Assembly. One thing we talked about here is "modernizing the province's legislative process and engaging elected representatives from all political parties; making better use of existing committees and seeking opportunities for further nonpartisan cooperation, including establishing legislative review committees to review proposed legislation; and bringing a resolution to the House of Assembly to establish an All-Party Committee on Democratic Reform."

By moving this motion here today I'm glad to say that I have satisfied one of the mandate items that were given to me by the Premier; however, that's only the beginning of what I

expect to be an important process. What we have here, the resolution in and of itself is very short but if it is supported today – and I assume that it's going to be supported by all Members of this House – is: Be it resolved that we urge the government, as a House, to establish an all-party Select Committee on Democratic Reform. What we're asking is that we, as a government, being asked by all Members of this House to support the government in establishing an all-party committee to discuss this.

I can only talk about my experience in that in the last number of years that I've been here we have seen multiple all-party committees, select committees that are designed to bring together politicians of all stripes from all sides of the House to discuss important issues. Perhaps the one I'm most familiar with is the All-Party Committee on Mental Health and Addictions. That's one that was launched by the previous administration and features Members from all sides.

I did get an opportunity to serve as a Member of that committee for some time, up until the election in 2015, at which time there was a changeover of some of the Members on the committee. The good thing to note – and this comes back to the membership itself which is made up of Members of both sides, of all political stripes – is that the committee started with one government and finished with another government. I think that's important because that's how this is supposed to work. It's meant to be an opportunity to look at issues that affect the people of the province and we have an opportunity to discuss them as politicians from all political stripes and from all backgrounds.

I think there was the all-party committee on shrimp – I believe it might have been the one. I think the Member for Cape St. Francis would have been on that all-party committee, I think the Member for Signal Hill - Quidi Vidi and I know Members on our side as well. That's a group that banded together – actually, that committee went to Ottawa to fight for the province on an issue that was important to all people in this province.

What we have here is something that is a bit different. It's something that – really when you think about it – is so important, but at the end of

the day, it's also inherently political in many of the things we will discuss.

The other thing is this will not be the first time this has been done in a jurisdiction. We have seen select committees from other legislatures and parliaments that have been convened over time to discuss important issues. In fact, I've seen them from Prince Edward Island, I've seen them from Alberta. The federal government had one as well.

I don't know if it's an ominous sign, that as we discuss reforming this House that this House starts leaking.

Mr. Speaker, I can continue if you wish or we can recess if you want to look at the –

MR. SPEAKER: No.

MR. A. PARSONS: I'll continue on. Thank you.

I've done, over the last couple of years – I would like to point out too, the concept of democratic reform, once this was put in my mandate letter, this did generate some interest amongst certain quarters. There were certain members of the media that were quite interested in this topic, certain members of the academic world that were interested in this, certain members of the political world. People have an interest in this.

The thing about democratic reform is it can be as wide or narrow as you want it to be. You can have it discuss a particular issue or a set of issues. I think the reason we have it here is that one of the issues we have seen over time is that we have seen – and this is in legislatures across the country. I don't think it's just here, but we have seen what we've seen to be as sometimes a lack of participation, we see smaller voting turnouts, we see people – again, there's no, I think, study on this right now that I'm aware of but anecdotally people talk about sometimes the disenfranchisement with the political process.

That's something that's of concern to all of us, not only as parliamentarians, but the fact is we are all here by virtue of being selected by individuals to represent them. That's why we're here; we are here to serve democracy and to serve the people of our province. So when we

think our democracy may be faltering, then I think it's incumbent on us to look at what can we do to reform it and, hopefully, to rejuvenate our democracy. What can we do to bring about change that may improve the process or improve people's perception of the process?

As I've stated, I want to point out and I want to put on the record, maybe it's just for myself. I was asked about this a number of times. I had various members of the media, I don't know if I actually – I was asked some questions in the House over time, but primarily it was the media.

If he's listening right now, to a former reporter who used to ask a number of questions on this, a fellow named James McLeod – Telegram James – who absolutely loves it every time he gets a shout-out in this House. He has left us, he's gone back to Upper Canada. This is something he is interested in, and I have no doubt.

He used to ask me a number of times: are you going to do this, are you going to do this? I would like to say that I think he said it with a sense of skepticism at all times, a healthy skepticism, as to whether we would keep that commitment. In fact, I had a Member opposite, the Member for Fortune Bay - Cape La Hune, during the session said: you need to bring this forward, are you going to do it, what assurances can you give me?

All I did to both is I said, this is my word that I'm giving. What I would like to say is I've kept my word. I have kept my word here today. I've entered it in this House. I don't use this very often, but I say to James McLeod – if he is listening today – I told you so. That's what I say to you James, and I hope you're doing well in Ontario. The reason I think he asked, like all of us, is that this is an important topic.

By voting or supporting this motion today, this resolution, what we are going to see is an all-party committee established. What I think is also important, though, is we're going to leave it to this committee to be able to decide the mandate that they strike. Now I have my personal opinions on how this works, and everybody has their personal opinions on what are the issues we should broach. What are the issues that can be achieved in a very quick time? What will take a longer time? What are more systemic issues?

I will note that during this entire process – I'm speaking very frankly here – when I look at the research from other jurisdictions the results have not always been positive. I would like to say the federal approach to this – the federal government made a promise when it came to democratic reform, when it came to proportional representation, I think is the promise they made.

When it comes to questions like this I always look to my colleague from Humber - St. George's. Is that right?

MR. REID: St. George's - Humber.

MR. A. PARSONS: St. George's - Humber; I'm close and that's a start.

Again, this is somebody with a tremendous background. This is somebody that actually has the combination of not just being an academic but having worked behind the scenes in politics and he is a legislator as well. He comes at it having actual practical experience at all levels.

I can talk about the elected part, but it's not something – besides having some courses in university, I don't even have a political science degree. I look at my colleague who is somebody that has had a career doing this, and this is obviously something that's of interest to him.

The federal government, in making that promise and not living up to it, opened itself up to a tremendous amount of derision and scorn. I look at other jurisdictions; PEI had one where they talked about fundamentally changing their system. Again, if you talk to legislators and bureaucrats from that area, they'll talk about the fact that there was a lot of difficulty with that process. Alberta went through the same thing as well.

What I'd like to think is I'm coming into this with a – I'm hoping to be realistic about it, pragmatic about it and also realizing that the same approach we've used – and I'll take my experience with another, not a select committee but a committee made up of Members of all the House is the Standing Orders Committee. That's sort of my experience where I've worked with my colleagues on all sides of the House, including my own, and we looked at something like the Standing Orders.

I've explained on numerous occasions. Many people outside don't realize, but really it is the guidebook, it's the playbook. It is the rules by which the House operates and by which we operate. It doesn't mean much to a majority of the people, but to the people that are serving here it means everything because these are the rules.

These rules are quite dated. They are quite dated, quite old. There had been an attempt at reform a number of years back, back during the previous administration or maybe even the administration back then, but they decided to look at the whole thing. Long story short, Mr. Speaker, there was no change. There was absolutely no change, because the change they attempted to make was so big that they got swallowed up and didn't make any change.

We took a different approach. I'd like to congratulate my fellow Members of the Standing Orders Committee both on this side, my colleague who sits next to me, the Deputy House Leader, the Minister of Natural Resources. Somebody who has a tremendous amount on her plate but still found time to be a significant contributing Member of the Standing Orders Committee, as well as my colleague that I previously referenced, because this is something that's important to us. Again, my colleagues across the way took the time as well.

Do you know what? Over the last two-and-a-half years we have made more changes to the Standing Orders Committee and to the rules that govern us than you had seen in decades and decades before. In fact, I'm going to point out – I'll leave them nameless, but there are some Members of the House staff, and if they're listening, I won't identify you but they even looked at me with some dubiousness. They said don't make that promise; don't make that promise. I say to them, I told you so. I told you so. We made the change, but it was we as a collective that made that change.

One thing I just point out so people have a practical example of what we changed, we took our House schedule which before was just an addendum basically, a schedule in the back of the Standing Orders book, there was no rhyme nor reason. We knew a general idea of when the House was open, a general idea of when the

House was closed, and you never knew what was going to happen.

Now, for those that can't see, the Speaker's holding up an actual parliamentary schedule, a calendar that we brought in place. That's important and I'll tell you why. It's led to I think an improved functioning of the House of Assembly. I think it's led to an improved ability for MHAs of all stripes to be able to leave this House and go back to their districts and talk about changes that are being made.

I've had situations here – my first term in here we came in in March; we didn't leave until June. And besides being done for Easter, you don't really have a great opportunity to talk to your constituents about what's happening. But what we have with constituency week now is an opportunity to go back to your district and hear from the people that you represent.

That's not an issue for those that live on the Avalon but it's an issue for many of us that live outside, whether you live up in the Big Land or whether you're over in my area which is an 890-kilometre drive; and that's just if you're going to Port aux Basques, let alone trying to get down to your communities that you represent that you can only reach by boat or by helicopter. As I say this, there's a lot of talk from my colleagues here because they all know that challenge. It's challenging enough to get home but be able to have that meaningful conversation.

So that's a change that was made by all Members, voted on by all Members, and it's improved things. We didn't shorten the schedule; we just put some certainty into it and made it more reasonable. In many ways we modeled what goes on in Ottawa. When it comes to democratic reform, in many cases we just have to look to our colleagues across the way, everywhere, to every jurisdiction, to the federal counterparts and say: What have they done? What could we do?

I've done countless jurisdictional scans on some of the issues that this committee may wish to consider. There are so many things that may be talked about, whether it's an issue of voting. Just voting in and of itself, you could talk about we have a first-past-the-post system. Do you want to consider proportional representation? The

trick is that we have not made any promises. I think that was one of the downfalls is when the federal government made the promise without realizing the challenge in having a committee do this. They had significant difficulty doing this.

We talk about voting systems. How do we want to vote? Do we want to change it? I've had experience doing it obviously the way that we all vote in municipal elections and federal and provincial elections now. I've seen it in terms of within our political parties. We've had different voting methods that we've used. We used a method in our leadership that was quite successful in 2013.

When we talk about something like voting age, our voting age is at 18. Do we want to consider lowering that? And that in and of itself can generate a significant amount of discussion and that can go quite some time. In fact we could talk about something like e-voting, which again now it makes so much sense to me that everything else we do now, things that you used to do before like going into the bank is something that still goes on for a lot of people. For a lot of people, they couldn't tell you the last time they were inside a bank.

I look at our access to technology now and maybe the possibility of increasing turnout by changing it. But with each change comes cost, comes difficulty, and we have seen examples of where people have had difficulties with voting. When I was on that side there was a former Member on this side who does not sit over there now said: Well, we can't do e-voting because the next thing you know anybody can vote and we don't know what they're going to say. I don't trust how much they know.

I don't think that was the most sound logic that was ever used, but the point that that makes is that everybody has a view on it, and when we get to this committee that's the thing is there are so many different views. In many cases, that's going to be the difference between this committee and, say, a committee on mental health. I didn't have any background expertise to bring to the All-Party Committee on Mental Health. What I had was the ability as a legislator to listen to those individuals with expertise, who were trained, professionals, or those people with lived experience and dealing with mental health

and addictions, and come back to this House and be a part of the legislative change that we make here.

Now that I'm in government, I can be a part of policy change that can happen here. But democratic reform is something that is different than that because everybody really does have an opinion. Just because you happen to be somebody who has a doctorate of political studies, a masters, or in some cases if you have absolutely no university background in this but you might be a 20-year politician and know more about politics, or you could be the individual that's voted in every election since Confederation, I think those people have experience and something to add as well.

One person I'd like to thank for raising the contributions and the discussion on this is Dr. Alex Marland. He put out a book just before Christmas which was contributed to by a number of individuals. It was an opportunity for people to discuss this more and I think that that has also formed part of this. *The Democracy Cookbook*, I think is what it was called – I'm pretty sure it's *The Democracy Cookbook*. I was at the launch and it was a great effort to talk about democracy, and the more we talk about it I think the better it is.

There are a million different viewpoints and perspectives and opinions as it comes to this, and that's why I come back to the point that I was making which is when it comes to the mandate of this committee, the committee has tough work ahead of them because you can make it too broad, too narrow and everybody has a view on what should we change. That's just one thing when we talk about voting.

Then we could talk about campaign finance. Campaign finance is a significant issue. Every jurisdiction does it different. Many of them are moving in a direction right now that is not consistent with what we do here. We talk about things like corporate donations, we talk about things like union donations, we talk about the reporting of donations and we talk about leadership campaigns and the amount of money that is raised and where it goes. I think it all comes back to the idea of transparency and accountability when it comes to this. Who are political parties funded by? I've talked to some

individuals who are out there that are having very strong conversations and viewpoints on this one way, then we have people that are on the other end of the spectrum.

These are the deliberations that have to happen. You can get rid of all donations but democracy costs money. It has to be paid, which is why in some jurisdictions you have the subsidies. So basically it's paid for by the public. Is that something that the public wants to contribute? It's the idea that politicians can be beholden to corporate donors to do their bidding to make policy change, which again I think is reprehensible. But sometimes it's not about the reality, it's about the perception of reality and that's how politics is guided, is by perception.

So if you're perceived to be beholden then that sometimes is worse than even the reality of it, just the fact that people think you're doing something. We can't allow that. We have a Code of Conduct that we live by and the fact is that we are answerable to our constituents and to our communities. So the fact that that is an issue that may prevent people from engaging or following politics or voting in elections, or even worse being apathetic to it, just not caring. And that I don't think is good enough.

We don't want a system where people only get involved just when they're personally involved or aggrieved or have an issue. We want a system where people want to be engaged and to be involved. So again, campaign finance and financing of politics in general is a significant issue. Mr. Speaker, there's so many more we could talk about. Those are probably the biggest ones right now that I would discuss. I've got a study here showing the work that's been done in other jurisdictions.

What I will say is this: I'm going to have an opportunity to speak to this again, but in closing my first commentary to this I look forward to the comments from my colleagues across the way and their contributions to this resolution. What I'm ultimately hoping for is two things: (a) that this House will support unanimously our resolution to have an all-party select committee on democratic reform – that's the first thing that I want – and the second part is I look forward to moving quickly into having the committee, the panel, the makeup of the committee, the

mandate established as quickly as possible so that we can move forward having these discussions.

There's a lot of talk and there are a lot of opinions on how this should work. Should it be a travelling road show? Should it be done here? Should we use technology? Who should we listen to? Should we just listen to one group versus listening to another group? Then you get into the issues themselves. There's a lot of work ahead of us, but I'm very happy today to be able to fulfill another one of the mandate items that the Premier has given me.

The Premier has said that this is important. When he issued mandate letters to everybody in his Cabinet, he made sure that you were going to have this role but here are some things I want you to be able to do. As I reminded members of the media and Members of the Opposition at various times, a mandate isn't one year, a mandate isn't two years.

One of the questions was: Why haven't you done this yet? I say a mandate is four years, change takes time. We didn't get to this point in our Legislature just like that. We got here over time. This is where we are, but I'd like to think that there's a desire on behalf of, not just this side, because I know there's a desire on behalf of this government to bring change, to look at this process and to see what we can do to improve our democracy.

I know from the comments from my colleagues across the way that they wish to be a part of this as well and that will be evidenced by their comments coming up shortly.

On that note, thank you for the opportunity to speak and I look forward to this debate.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Warr): The hon. the leader of the Official Opposition.

MR. BRAZIL: Thank you, Mr. Speaker.

As I do when I get up to speak to a private Member's resolution, which I know this is not

what this is and we've changed the format here, I'll start the way I normally would end by saying: We, on this side, will be wholeheartedly supporting the piece of legislation that is being put forward here. We do acknowledge and accept that this is a very valuable, a very important piece of legislation that we're putting forward here to develop the next step in democratic reform and setting up an all-party committee is a key component to moving that forward.

I must note two things here in reference to the Government House Leader. I first really acknowledge the fact the key word he used – everything he used here was very relevant and expedites what we're doing, but his key word about how quickly he wants to move this forward because I know everybody in the Official Opposition, I would suspect everybody on this side of the House, acknowledges the fact that not only are we going to talk and debate this, but this is something that we all support and we need to move in play as quick as possible.

I also want to acknowledge the hon. House Leader. Today is his birthday, for those who are listening at home, a special nod out on his special birthday as he brings in a very important piece of legislation.

Happy birthday to the Government House Leader.

SOME HON. MEMBERS: Hear, hear!

MR. BRAZIL: I also want to acknowledge the discussion here about democratic reform is a living entity; it's a continuum that continuously goes on. Unfortunately, I think we've gotten stagnant over the last number of years about debating how we move it, who is going to take the lead and to what degree we use to make it more inclusive.

To get things moving, we need to have a framework in play. Where we are right now and what we're proposing being debated today, at the end of the day, I'm hopeful but very confident that we will have a resolution that all of us will abide by, live by and look forward to participating in the framework to move forward in a very professional manner and a very inclusive manner but also very expedited.

Sometimes we get beat up because we move things too slow; sometimes we get beat up because we move things too fast. I think this is a piece of legislation that has to move at a proper pace but also has to keep moving because there's a time frame here that's relevant. People want democratic reform.

We've seen by the turnouts in elections over the last number of years, be it federal elections, provincial elections, municipal elections. We've seen it in troubles we're having to get candidates, particularly at the municipal level. We're even having it where people have a different perception of elected officials. We even have it where election officials themselves are questioning: Was this worth getting involved in?

The Opposition House Leader had mentioned, we've come a long way, even in the last two years, with some reforms about the operations within the House and setting calendars, which at least gives people an opportunity to put a framework in play that can also be sustainable from their family life, how they work within their districts, how they represent their own people, how they take care of their own physical and mental health. They're important components because that itself is part of our democracy. That then entices people who may have various issues in their life, challenges or various responsibilities to ensure that they themselves can be part of the democratic process.

Some people's part of the democratic process may be just marking an X. I have constituents who never vote and have no intentions of voting, but exercise their democratic process by showing up to every debate, every time there's a public meeting, outlining their views.

Now, I would like to encourage them to go to the ultimate level of having a direct input into who is going to represent them, but democratic reform is about people being engaged and having an outlet that gives them an opportunity to feel included into the democratic process, depending on what gage that is. Some have said the reason 50 per cent or 45 per cent or 40 per cent of the population at any given election don't vote is because sometimes it's encompassing, sometimes the information process is not engaging to them, sometimes it's

the time frames. So these are all things when you talk about democratic reform.

Sometimes they have disdain for politicians because – we talked about it here before – it's about the corporate world being involved and how things are funded. There has to be a balance here; campaigns need money to run. We've talked about making it less encompassing for people who work in the House of Assembly when they're elected and the challenges they have, but at the same time, you can't make this a financial burden on a particular candidate because then you segregate those who may be able to run for elected office versus those who may have a better opportunity to do that. So you have to find a balance and the balance here is particularly around openness and transparency. This discussion here will, to me, be the forefront of how we move that forward.

I had the opportunity to look back to see what other jurisdictions did. Fortunate enough, a number of jurisdictions have – I can't say tied because tied is not the right word here, but they've done some inquiries. Some have called committees, some have done inquiries around it and very few have taken action, unfortunately. That's a bit alarming.

I know provinces like Prince Edward Island have taken a bigger step forward. They've only recently started to do some review on democratic reform and they've started to move it forward. At least there's enough information out there for us to know we can expedite this because we've talked about it for years. We've had input from the general public over the years.

As was noted, the book that's been done, the publication that's been done, *The Democratic Cookbook* has a great outline of some of the challenges people have, some of the questions that they've had in the general public around, politically, what is acceptable and what isn't, and it's about modernizing our democratic process.

Sometimes the word reform frightens people. You're going to change everything, everything is going to change and it's going to be so disruptive. In this case, what we're looking at, and what I'm convinced the intent of the government is putting this forward – and I know

the intent of the Opposition here when we've talked about it as a caucus, it's about how we improve the democratic process. How we open it up. How we ask the general public and the population to have their input to make it more engaging for them. How we ensure that young people, as they are only now hearing about democracy and their role and their responsibilities and their privileges because it's a full continuum here now.

It's not just one side that you can take out of it when it's beneficial to you, and it's not only that you have to be responsible for giving constantly. It's got to be a continuum here, that society has roles and responsibilities, but it also has privileges and benefits in democracy.

That's what we have here and we've only recently looked at some of the key things that have gone on in the world. Some of the ceremonies that we have – I was at a ceremony just this past Saturday where we recognized a family in Pouch Cove, with the hon. Member for Cape St. Francis, where the Trail of the Caribou group had acknowledged three fallen soldiers; all of the same family, sons of a mother and father who all fought for three different countries in WWI and whose bodies were never recovered.

There are the freedoms that people have fought for. There are the sacrifices they've given us. What we take for granted – or, unfortunately, it's not even what we're taking for granted anymore, it's what we're dismissing. That's what's happening when half of our society is dismissing the democratic rights they have and the democratic responsibilities they have to ensure that people who represent them do so based on the same principles or the same abilities or the same concerns that they have. Or at least that they have a mechanism and an avenue to be able to express their approval or disapproval or have input to ensure that the end result is that there's a better society and that there's a better opportunity for the next generation to continue and add on to democratic reform.

As we look at this, let's just look at the history here just recently in this House. We, in the Official Opposition, have been wholeheartedly supportive of democratic reform. I know the

NDP have been wholeheartedly in favour of democratic reform. I know the independent Member has noted in here in dialogue and in debate. I know the government has had this as one of their cornerstones from their 2015 campaign about establishing an all-party committee on democratic reform. I'm glad we're getting to it. I know people would say it's later in the game. There's a time frame for everything. You move things at certain paces; there are certain things that need to be done.

The standing committee that we had in the House of Assembly has made some real strides to improve that. I think that was at least a lead-in to see how we could move to the next level of establishing an all-party committee that goes outside of just looking at our own needs internally to include organizations, agencies and people who have a particular background in democratic reform. But, particularly, the average citizen, no matter where they are geographically, an opportunity to be able to send in their view on what they feel democracy is in one case; secondly, how they feel we can improve democracy; and, thirdly, how they can avail of our democratic process in Newfoundland and Labrador.

We have an opportunity to do that. I think once this committee is set up, we first sit down and there's a dialogue about the parameters, the responsibilities and our outline of our priorities, we do look at the Standing Orders Committee to have a discussion around what it is that we're going to be trying to improve upon. We've learned that we've improved things here. We've made things more inclusive. We found ways to ensure that people from outside could look at this and say: At the end of the day now I understand how this works, and I know at the end of the day this would be attractive for me to be engaged in.

Now we need to make it attractive. I say attractive in the sense that people are educated in what they do, that it's not overbearing for them to be able to be involved in the democratic process. That could be through the exchange of information. It could be, during elections, how they vote. Is it electronically? Is it in a polling booth? Is it some other form? Is it mail-in ballots? All the avenues that can be used to

ensure there's more engagement as part of that process.

While we start that – we've talked about this, because we don't want this to be dismissed by people and say all of them in there are trying to do the same thing now to make themselves look good. We have to educate and include the general public out there to say this is your opportunity to tell us in the House of Assembly how democracy should run, how we best can serve you, and how you best can have input into what it is that we develop here as legislation that sets the tone for the economic and social well-being of our province.

We have to do that. There's a twofold approach here: one is telling people or explaining to people or giving people the opportunity to understand that democratic reform is about them telling us, giving us the template, the information and the guidance to set, through legislation, what democracy is about here. Those would be the logistical things: the amount of money you can spend, the time frames for elections, how long you can serve, the particulars around nominations and these types of things, the corporate sponsorship and all these type of things.

There also has to be an inclusion process so that the general public are very aware of democracy in a big sense, that they have a stake in this, they have role to play. Not only when they mark their X, but for the next four years they shouldn't be lying dormant or think they have no input. There has to be mechanisms where they can continue to guide us, encourage us, keep our feet to the fire, hold us accountable and help us change direction if the direction is not going where they feel it should go.

We did have a debate a year or a year and a half ago about a piece of legislation that we had brought through, or a private Member's resolution about recall legislation. I know that's an extreme scenario about democratic reform, but it is another part of democratic reform that gives the citizens more control and more inclusion in democracy rather than just every four years when they mark an X.

There was some debate about that. Who knows, maybe this committee then can also have that

discussion about recall legislation and where that fits. Does it fit? Is it in the best interests? Or is there another mechanism to ensure accountability within the House of Assembly and accountability to those who are elected in a particular district and their roles and responsibilities.

I think there are great opportunities there. I think maybe one of the key points, as we're looking at this, might be to ask in a general context some way of people having input into what it is they think that we should move as our priorities. We know there are going to be some, at times, off-the-wall comments from people who either have no desire to be involved in the democratic reform or have an extreme view of what democratic reform is all about, and that's fine. So you take the balance. I suspect the majority of the population would take the balance and look at what would be a reasonable approach for a Committee to look at when we decide our approach to democratic reform.

As we looked at this – and I do give credit, the Liberal Party did have it as a major part of their platform and did outline the needs and roles and the responsibilities, and they had heard over periods of time that people were disenfranchised with politicians and the political process. Not particularly only by choice but by design, that the process we had in play had gotten so stagnate, had gotten so old, had gotten to a point where it was so predictable.

Somebody had said that to me one time, politics is predictable. You know what's going to happen every eight or 10 years. You know what's going to happen. We can tell what's going to happen in our districts. We can tell every year what kind of budgets are coming. We can tell what kind of legislation is going to come. We're going to know it all goes in a cycle and in a circle.

We need to be able to ensure people, and it is unfortunate people see it that way, but that's not it. We're in this House of Assembly, my colleagues are here, former colleagues have talked about it; we know what goes on. There's nothing predictable in the House of Assembly. It's about legislation that's relevant, it's about updating legislation that's outdated, it is about

modifying legislation because of something that we were never aware of, changing times.

One thing about the House of Assembly, it's a living entity. As I said at the beginning, democracy is a living entity. We always have to elevate it to the next level. The next level is about what's acceptable. What becomes the norm and what becomes a better way to ensure that citizens don't get dissatisfied with their elected officials and don't get dissatisfied or disconnected with the democratic process.

We've managed to come a long way but I think we have an opportunity now. We're a year and a half or two years – or whenever it's going to be – away from the next general election. So we have an opportunity to do things that no matter what party stripe you have or where you are, at the end of the day the general population would say, you know what, I have no qualms of making sure I ask questions before the next election or during the election campaign.

I have no issue in ensuring I go out to a public event to see what people stand for, the candidates stand for, or the party platform or the individual platforms. I have no issue in ensuring that I have a right and a privilege and a responsibility to make sure I vote so that my voice is heard and I had input into the democratic process. We need to get back to that and we all have to take that responsibility.

The good thing about the motion that's being put forward here and what's being proposed is it will be all parties, all engagement in the House of Assembly to ensure that we move this forward. We've had great success. We've learned what's happened on the All-Party Committee on Mental Health and Addictions and how that is continuing. That's a living entity, it's moving forward. We're making strides. We bring in policies and programs and services, we partner with other agencies because of the recommendations made by that Committee, which came from the grassroots.

One thing about that, my colleagues sat on that Committee and I read all the briefings and the reports. This was done and driven by individuals in our society, agencies in our society, and special interest groups in our society who would give their experiences, their advice, but

particularly would frame how we could do things rather than having to reinvent the wheel. So it's already a proven process that can work here. We need this because we need to plan for the next generation and the generations down the road to ensure our democratic process is fluid and continues to be very successful.

As we look at that, I want to note we've been talking about it. The Leader of our Party, Ches Crosbie, had his platform over the last year-plus about democratic reform and accountability. So we're all on the same page. One thing about this, we're not segregating one group or more affluent to move that forward, or more committed to it. We're all committed to it.

We're at a point now where government has taken the bull by the horns in saying we want to move this forward, and we're here to say we support that. We're going to work with you guys to make that happen. We think it's a very valued exercise that will come out with some valuable information that will become valuable legislation that would be of value to the people of Newfoundland and Labrador.

With that being said, though, I do have one thing I'm proposing, an amendment to the wording. We're hopeful and confident that it doesn't change the intent. It's in no way meant to take away from what we're trying to do here, but it's in our opinion strengthening the ability to ensure that there's more inclusiveness in the House of Assembly to making this a success.

There's an amendment we're proposing, Mr. Speaker, to the resolution regarding the establishment of an all-party Select Committee on Democratic Reform, to move that the resolution be amended to delete the words "urge the Government of Newfoundland and Labrador to" and be replaced with: "BE IT RESOLVED that the House of Assembly establish an all-party Select Committee on Democratic Reform."

Mr. Speaker, I present those to be reviewed by the Table Officers, please.

Thank you.

MR. SPEAKER: Order, please!

The House will recess to have a look at the proposed amendment.

MR. BRAZIL: To be seconded by the Member for Conception Bay South.

MR. SPEAKER: Thank you.

The House will be in recess.

Recess

MR. SPEAKER: Order, please!

After taking the opportunity to look at the proposed resolution, it is deemed to be in order.

The hon. the leader of the Opposition.

MR. BRAZIL: Thank you, Mr. Speaker.

It is indeed an honour to get up again and talk after we made – it's a slight wording amendment but we think it's important because it starts what everybody here agrees to, another process in the democratic process here by engaging the House of Assembly, which the people of Newfoundland and Labrador entrusted us to do.

Again, I won't take too much time because I know my colleagues on this side and my colleagues on the government side would like to get up and speak to the value of this piece of legislation and the importance; and particularly, around the importance of moving this as quickly as possible, setting the parameters, and exactly what the roles and responsibilities of the committee are going to be, and how we find a way to engage those who have an expertise. The expertise comes from those in academics who've written about this to the average citizen who just wants to be more engaged.

I will just say that we do look forward to this process being put in place. We would be hopeful that this could be expedited to the point, but not rushed, so that we do have a better framework come the next provincial election. But we want to make sure this is one opportunity to do this and we do this right. That's the key thing here. An all-party committee, it's not about how quickly you get something done; it's about the quality at the end of the day and that it meets the

expectations and particularly that it benefits the people of Newfoundland and Labrador when it's completed.

Mr. Speaker, with that being said, I will sit and I will be voting for the amended resolution that is being put forward.

Thank you, Mr. Speaker.

MR. SPEAKER: The hon. the Member for St. George's - Humber.

MR. REID: Thank you, Mr. Speaker.

It's great to have an opportunity to rise and add a few words to this debate. I probably won't take my full time, but I just wanted to have a few words on this topic because it's something I've been very interested in for a number of years.

I think there's certainly a value in having a public discussion, having a committee that looks at democratic reform. I think it's important to get people engaged and get people thinking about what democracy is, why it's important and how we can make it better. I think that's a very important thing. It's something we need to do every now and then to refresh ourselves. Because democracy is really a fragile thing; it's something that can slip away; it's something that we can take for granted. I think it's important that we as province look at how we run our affairs and how we operate our democracy.

A committee on democratic reform, I think the fact that it's an all-party committee is important. I think it's important that we have – I find when we get together as all-party committees, the discussion is very non-partisan. It's sort of the sense that we're all here to do a job, we're all here to try to make it better and we don't look at which party we represent, it's all about how we can make things better for the province. So it's very important that we have that all-party aspect of it, Mr. Speaker. That's very important.

Also, another thing I like about what the Government House Leader said is that the mandate of the committee is going to be determined by the committee in the initial resolution. The initial resolution was, "BE IT RESOLVED that the House of Assembly urge the Government of Newfoundland and Labrador

to establish an all-party Select Committee on Democratic Reform."

We just had an amendment from the Opposition Leader which would change the initial resolution, and the amendment is: "BE IT RESOLVED that the House of Assembly establish an all-party Select Committee on Democratic Reform." There's just a slight change in the words, but as the Leader of the Opposition said in his comments these are very important changes.

Just from my initial review of the amendment, I think it does a few things. I can sort of understand where it's coming from. It would take it from being a government committee to being a committee of this House. But I think that's problematic in some ways in terms of if we want to get going quickly the amended resolution, if passed, would require that the House of Assembly bring in another motion, really, to establish the committee.

I think that would take more time. We probably wouldn't be able to get started until November some time. So I have a little problem with that. I'd like to get this committee going as soon as we can and to have it working over the summer and looking at what we're doing here, because I think it's important that we get people talking and thinking about democratic reform.

For example, some of the things that other committees and other jurisdictions have looked at, some of the things that have been out there in the media that we should be examining is how political parties fund themselves, and how much money can they raise. Some provinces have very, more restrictive donation rules than we do in this province. For example, federally I think it's a little over \$1,000 individuals can donate. Candidates or parties can't take donations from corporations or unions, they can only take donations from individuals.

So that's different here in this province. Financing rules are different for political parties in this province. We don't have any limit. We have a limit on how much of a tax receipt that people can get if they donate, but in this province, if people wanted to give huge donations to any candidate, they could do that. Now, there are restrictions on how much they

can spend and things like that during election periods but that's sort of differences in the rules. That sort of impacts the way people – in the academic literature it's been noted that this sort of changes the way political parties and politicians and representatives in Houses, in legislatures operate.

If funds are raised from one small group then it's less representative, I guess. There's a pressure on representatives to represent who donates to them, in some ways. So that's sort of an interesting issue that we might want to look at in the committee.

Also, people have talked about things like the election format that we have. How we elect people. Who is eligible to vote? What age should people be to vote? Some people say the voting age should go down to 16; the rationale for this is that it would involve more young people in the process at an earlier age and start a lifelong process of involvement in democracy.

So that's something that might be interesting to look at. The electoral reform might look at the system that's used: proportional representation, first past the post or a ranking system of some sort are used in other jurisdictions, France and those places. So that might be something that we want to look at.

For example, in our Liberal leadership convention last time around, we had a preferential system where people ranked the candidates running for the position. They voted one, two, three, and as people were knocked off, then their second choice was counted. That sort of changed the system and changed the way people operated within the system.

It meant that you had to not only consider people's first choice, but you had to campaign to try to be their second choice as well, if you thought there was going to be more than one; if someone wasn't going to get 50 per cent on the first ballot. So those sort of changes are important as well.

The Standing Orders Committee, I think, shows that this type of all-party committee, this all-party effort to look at democratic reform can be very successful. We've changed the calendar, as the Government House Leader noted. We've

made the House a little bit more family friendly in the way we operate in terms of the constituency weeks that we take. That's a very positive change.

It's interesting that other people in the community are sort of urging government to move forward with this and to look at democratic reform.

The effort by author Alex Marland in *The Democracy Cookbook* – someone I know from teaching at the university – is very, sort of, helpful for this process in terms of getting people from various disciplines to add to this debate about what type of democracy we should have and how it should operate. I think that's important.

I think the value of this type of committee is that it gets people talking and thinking about democracy. I want to encourage all Members to support the initial motion.

Thank you very much, 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'm delighted to stand and speak to the amendment, which has been found to be in order and which I fully support. It's an excellent amendment.

The government says that it wants everything to be open and transparent and wants everything to be democratic. So here we are setting up a committee to look at democratic reform, but not saying that the committee that would do the work, looking at democratic reform, would be under the whole House of Assembly, not just under government. It actually flies in the face of reason to say that the committee would be something that would be controlled by government rather than by the whole House of Assembly.

One of the most important things, I think, with regard to democratic reform – in terms of when

we're talking about it here inside of the House of Assembly and in the Legislature – is that we are all here together as representatives of the people of the province. We were all elected by the people of the province and we're here together to do the work together.

So it makes all the sense in the world that the committee that's going to be set up to look at democratic reform would come out of the most democratic process that we have here in the House of Assembly and that is through Standing and Select Committees, which are all party and which have rules in our Standing Orders that apply to them. To me, it is the most democratic way to go. I'll be really surprised if government votes against the amendment to the resolution because they're saying they want democratic reform and then they're not using a democratic process. This is very problematic.

It's true that with the all-party committees we had, I sat on one of them and my colleague from St. John's Centre sat on one as well. I was on the one on the Northern shrimp and she was on the one with regard to mental health and addictions. They certainly did great work, there's absolutely no doubt about that, but they were under the aegis and therefore the control of a department, a minister in both cases. Sometimes that was problematic. Many times it was problematic. So I think to have a select committee, which is under the House of Assembly, then we're ensuring full participation of everybody, full participation of all parties in that committee.

The amendment is excellent. I'm so happy that it was found to be in order. It wasn't found to be against the spirit of the resolution. I think that's very, very significant for us to think about. It was in the spirit of the resolution. It's not changing the intent of the resolution and it's offering a more democratic process than what was being suggested in the resolution.

When you look at our Standing Orders, our Standing Committees, for example, "may sit at all times during the Assembly for which they are appointed whether or not the House is in Session, adjourned or prorogued." That's here in relationship to the Standing Committees and that is under section 65(4).

It would seem to me, and there is no absolute direction around a select committee in the Standing Orders, but the spirit of it is obviously – they're all in the same section of our Standing Orders. I would think there is nothing here that says a select committee would not be the same. There's nothing in the Standing Orders that says the select committee would not be the same; therefore, a select committee would be in for the rest of the Assembly. It would be free to meet whenever it wants to meet. It is covered by the rules for Standing Committees so that it can hold public hearings. It can hold briefings. There has to be a budget and whatever resources it needs to do its work get put in place. To me, it gives us everything that we need.

There are details that the committee itself would work out. For example, the committee would get together and the committee would decide its work plan. The committee together – all parties together – deciding the mandate, what it is that they're going to work on. It just makes all the sense in the world that it is a committee that then is accountable to the House of Assembly and comes back to the House of Assembly. Not something which goes to the government and then government decides what it's going to do with the recommendations of the committee. When you get the committee doing that work and you bring it back into the House of Assembly, the House decides what it is going to do with the work that's been done by the committee.

As I said, I would really be surprised to have government vote against this amendment because it just offers everything that's needed to make sure the process itself is democratic. One of the things this committee would do would be reaching out, getting involved in public participation and hearing from people. Select committees do that and select committees have the resources to do their work.

I am all for this amendment. I certainly hope the government is going to support the amendment. I'll be extremely disappointed – more than disappointed – if the government doesn't accept the amendment because it certainly is, I absolutely believe, the way to go.

Thank you very much, Mr. Speaker.

MR. SPEAKER (Reid): The hon. Member for Placentia West - Bellevue.

MR. BROWNE: Thank you, Mr. Speaker.

I certainly appreciate the opportunity to stand on this motion here today. I won't take all of my time. I know my colleague from Virginia Waters - Pleasantville has some words to say as well. I might just take his time; it depends on my mood, Mr. Speaker.

In any case, I certainly wanted to contribute as someone with a political science degree and a background in it. It's something that I'm very interested in, Mr. Speaker. It's probably a foreign concept to many out there that someone could have interest in this matter, but I guess those of us in this Legislature do have an interest in this matter. I think a lot more people out there should as well, because if we do not have a strong democracy and a strong backbone to that democracy, then what are we, who are we and what path will we take forward?

I think it's a time for renewal, Mr. Speaker. I'm very pleased the Premier included this in the minister's mandate letter. I'm very proud of our minister today for bringing this forward for debate, but I do have a couple of comments that I wanted to make. I've done a lot of study in looking at different issues with respect to democratic reform in other provinces and other countries around the world.

I do hope that the committee, which will establish its own mandate, will look at issues where tangible success can be realized, Mr. Speaker, where you can take an issue that won't get lost or caught up in process. Or something that requires, for example, a constitutional amendment because there are some things that may be outside of the reach of this committee that perhaps could be included in future work in committees that could be put in place.

I think we're at a point where there are a host of issues that can be addressed in a fairly expeditious manner as parliamentary expediency will go, Mr. Speaker, that wouldn't get caught up in the types of things that, for example, changing a voting system would. Which would require a referendum, I believe, and many other benchmarks. There are perhaps other things such

as political financing that we can look at. It's been mentioned that Newfoundland and Labrador hasn't had an update to that in a while.

I believe another thing that should be looked at is the voting age. I believe it is time to look at and study –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. BROWNE: – the ability to lower the voting age and allow others, perhaps to the age of 16 or whatever the number is, to be included in the democratic process. If we want more young people to be involved, Mr. Speaker, and interested in politics – if they don't strike an election just after high school when they turn 18, then it's very likely they will go through their high school time without any kind of ability to participate.

Just as we did with impaired driving where now it is illegal to drive with any alcohol consumption from 22 years of age and under, it's about forming the habit early, Mr. Speaker. Getting into the habit of not drinking and driving and getting into the habit of voting, I would hope, and perhaps running as well.

People often look at our right that our forefathers fought for as the right to vote. They also gave us the right to run and the right to participate as candidates in elections. I think far too often we disregard the role of young people in terms of being credible candidates. But there are a lot of young people out there, Mr. Speaker, who can make lasting and good contributions to the debate here.

I think the committee should also look at ways to engage younger people, to engage more women in politics, Mr. Speaker, more persons of indigenous origin, other minorities. I think it's important that the occupants of these chairs reflect our society because from that I believe we will get the most productive legislative processes.

I also think the committee could consider looking at how we vote. I think there's no reason why an online voting system couldn't be developed. Perhaps the committee could develop

a pilot project to be used, for example, at the municipal level first. Perhaps that would be beneficial and see how successful it is, what the turnout is, what the uptake on that would be, and then move it up the line into the provincial or federal elections.

I also think, Mr. Speaker, those few points referenced and talked to the voter participation angle, but we also need to see how the operations of the Legislature work. I do agree with Members opposite when they say that we need a better use of committees in the Legislature. I think that is lacking here in Newfoundland and Labrador. I think having standing committees where bills can be analyzed at committee, rather than in Committee of the Whole here, will be beneficial to the entire process. It would enable, I believe with expert testimony, witnesses to come forward on a particular bill.

I think back to when the Minister of Health introduced the *Prescription Monitoring Act*. It's an excellent piece of legislation, Mr. Speaker. Lots of consultation was done on that and a number of groups from my district were involved with that. They were consulted but it would have been nice – in an ideal world, in a functioning Legislature of this day and age – that those types of consultations could be heard at a committee process. I do believe there is room for improvement and I do hope this committee will take a look at that.

Just in closing, Mr. Speaker, I will say I really support having this committee. I think it is important work. I think it will help restore confidence for some people. But what I would urge the committee is to take on issues that can be tangibly dealt with and successfully actioned on. Then perhaps if there are larger issues, they can be looked at over time.

I can't help but not think about a former professor and a friend of mine, Dr. Christopher Dunn, who passed away recently. He would have been here today watching this from the gallery, Mr. Speaker. He was certainly a gentleman of great intellect and somebody who had an even keener interest than I in these matters, and could read out an entire lecture of the most mundane material and think you had just saw a Broadway show.

He was an amazing character and is sorely missed by his students and his family. I had the opportunity to do a term at MUN's Harlow campus with Dr. Dunn, and there I got to see a different side of him. We spent some time as a class travelling to different places, including in Scotland – they were actually in the midst of a referendum there at that time – and saw how their system works.

So there's lots out there. I hope the committee undertakes the time that is required to do an adequate assessment of the issues that it chooses to study, but I would certainly hope they will take on issues that can be addressed in a way that is action-oriented and action-minded, and as the Member for St. George's - Humber said, hopefully this work can begin over the summer and this process can unfold.

I support the motion brought forward by the Government House Leader.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

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

As I speak today on democratic reform, I'm going to say it's – and my first statement that I always make in the House of Assembly, it's a privilege to stand up here today to represent the beautiful District of Cape St. Francis and also the beautiful people in the District of Cape St. Francis.

That's a big part of democratic reform that I'm going to talk about today, because us as politicians, and as people in this House of Assembly, we have to realize who elected us, who are our bosses and who – when we come in, we talk about democracy. Democracy is all about the people that elected us to represent them.

Mr. Speaker, I'm going to just talk a little bit about one portion of this first. I'm not going to try to take all my time today because I know there are lots of people in this House and I'd like

to see everybody get up and give their opinion on this today because it is important that everybody's perspective is heard.

The last election in this province, Mr. Speaker, the highest number of voter turnout in any district in the province was in Cape St. Francis. It was the highest anywhere in the province. Over 70 per cent of the people in my district got out and voted. I don't take credit for a lot in my district, but I am going to take credit for that. I'm going to take credit that I had a great team. I engaged a different group of people.

I'll tell you a little story first. My son and my daughter started a Facebook page. The Facebook page said: Re-elect Kevin Parsons. I got a call a couple of days later and someone asked me: How did you get 2,400 names on that Facebook page? I don't know, it was a group. They had to sign into a group. I really don't know how it worked. I said I don't know, but I'll ask my son and my daughter how it was done. By engaging 2,400 young people into a Facebook page, I'm sure it played a role into 70 per cent of the people who came out and voted.

We look at politics, and I always look at numbers. I'm always trying to figure out this, what you need for this. If 50 per cent of the people only get out to vote, that means only 25 per cent of the people got a say on who the elected person is in their district. Just think about it. If only 50 shows up and there are three parties there, if you get 25 per cent of that 50, you're almost guaranteed a seat. That means only 25 per cent of the people could have a say in who is elected here.

I think it's important that when we talk about reform that we look at the sign of the times, we look at young people. We try to figure out how to engage young people. You mentioned yourself, Mr. Speaker, about bringing the age down. I think that's a great idea. I think bringing the age down to 16 – but we have to do the education part of it.

Next week I'm going to be down in Holy Trinity Elementary in a grade four class. They all sent me in what they were looking for in their districts, a swimming pool, sidewalks and all that. I get an opportunity to go down. They had their own election in the class. I'm going to have

the opportunity to go down and talk to them, and I do it every year.

I remember the first year I came in and one little one wanted to know where my limousine was. She figured elected officials definitely got to have a limousine to come along with. Anyway, I showed her my Toyota Tacoma outside the door with a few scratches and dents in it.

That's where we have to be, young people. We have to engage young people and figure out how to do it. The more we talk to people, the more we get people engaged, the better democracy will be.

The other thing, I look around the House of Assembly and there are three women on this side and I believe there are five on the other side. There are not enough women here in the House of Assembly. We need to make sure it's even. When you look at the population and where they have 51 per cent who are women in our population; yet, only probably about 20 per cent are represented here in the House of Assembly.

Minorities and people with disabilities, every person has a perspective that is a little different than whatever. We have a doctor here, we have people that are educators here, we have a lawyer here, we have people from all sorts of different backgrounds, and a farmer. We have all kinds of people, but that's what this legislation should be about.

I'm sure there are times I'll get up here and speak in the Legislature and people will look at me and say: that's not a bad idea, that's okay. I'll look at somebody else, it'll come up, because we all come from different walks of life, and that's what it's supposed to be, but we need to make sure we're engaging as many people as possible.

Now there are a couple of changes I really would like to see and I'm going to talk about a little bit today. I like legislation. I really like legislation and I think you get to understand more about what's really happening and what our job is. We make the laws of the land. We bring in different rules and regulations and everything else but when we get legislation – and I only really realized it in Opposition. In

government it's a little bit different because you can get a little heads-up. The ministers know in their departments what's coming down and they got a lot more information, but when it comes to legislation I believe we should be doing it a little different.

What happens most times the legislation gets introduced, the minister will give first reading. Then it'll be introduced, and probably the next day there's a briefing. Now, there's a possibility if there's a briefing the next day, you could have a briefing at 11 o'clock in the morning and you could be up in the House at 1:30, 2 o'clock in the day talking about that piece of legislation.

Does that give you the adequate time needed to do the proper research that you're doing? I don't think so. I believe legislation should come to the House of Assembly as soon as it starts. Then the special groups, groups that need to be engaged, they can give you their perspective on what they think about the legislation so you'll know, you'll have public dialogue. That's what this is about.

Democracy is about giving everybody a chance to tell what their opinion is on stuff. When it comes to legislation, I think we could really make big changes when it comes to legislation, by even putting it online at the start of the Assembly. Here's the legislation that's coming in for this session so everybody has a look at it. Somebody may look at it and say I'm interested in that. It'll make the public more engaged, and we need to do that.

Again, I have to say, I've been here for a number of years, going on 10, and I have to say I really want to say a big thank you because when it comes to legislation, most times I get up here in the House of Assembly and speak, and all my colleagues, it's our research staff that gets us ready, that does the notes, that works in the nighttime and everything else, and has to because it comes in so fast that these people do the job and they give us the information. So a big kudos to the people that do our work upstairs. I really appreciate it because they really do a lot of work for us and make us understand the legislation.

If the legislation was out there earlier people in the public could have an idea. They wouldn't hear about it on VOCM news in the morning

that this piece of legislation is coming through. They'd be after hearing about it a month, they'd be after talking about it, there may even be a conversation that people at different – Stella Burry or it could be Choices For Youth, it could be different organizations like that. They'd say this piece of legislation is coming in now and this might affect us. If they did this or if they asked this question, maybe we'd get better laws in the land and everyone would be engaged a little bit more. That's just one point, when we talk about this today, that I really wanted to get up and talk about.

The other thing, I understand and I applaud government for the changes they made. Personally, I did like filibusters. I did like the way the filibusters ran, that we could get up and go, go, go. In this House of Assembly I've been here for a few of them. I thought they worked really, really well. But you know what, it's important that we respect families, and everything else that was done here. I think that closing the House at 12 o'clock rather than going on all night long is good thing.

Like the minister mentioned when he got up: the change of calendar so now we know exactly when we're here in the House of Assembly and also the break. I used to laugh because I'd be talking to my colleagues, I'd be talking to Members on the other side and we'd be talking about the advantage and the disadvantage of living in the St. John's area.

When you're in St. John's and you're from Torngat Mountains, you don't get a chance to go to the concert at the school; you don't get a chance to go to the firemen's ball, or any organization –

AN HON. MEMBER: You can't even go to the fire.

MR. K. PARSONS: You can't go to the fire.

I think myself and the hon. Member mentioned that – and myself and the Member for Burin - Grand Bank mentioned it also – that when I'm here in this House of Assembly, when I get out of the House of Assembly in the evening most times I have to go to a function in my district.

My family tells me all the time: You're gone all the time. I'm sure the Member for Virginia Waters - Pleasantville knows exactly what I'm talking about. I know you'd like to be in your district but sometimes it's a disadvantage to be there because there's too much. Once you go to one, you'd better go to them all. I try to attend everything in my district.

There are pros and cons to everything. I believe the rules that were brought in, when we changed to go to have it every three weeks and then have a week off, that's great for everybody. Like I said when I started, the people that elected us here are the people that should have the opportunity to make sure we're doing the work. If we have to go to their houses or we have to go to a function or go to a town council or whatever, we should be doing it because that's what we're here to do.

I could speak on this for hours and I really don't want to because I know everybody else wants to. I have one other little thing I'd like to talk about. I believe that once a person is elected to – as a party, I'm elected from the PC Party of Newfoundland and Labrador and I'm elected in Cape St. Francis. The people in Cape St. Francis elected me as a PC. I believe – and this is my belief, it's not my party's belief – if I'm elected as that person, if I decide that I want to change, it should go back to the people that elected me to decide whether I can make that change or not because I don't believe that the people's voice is heard.

If they elected me as a PC, or if they elected me as a Liberal, or if they elected me as NDP, that's how I was elected. Those are my bosses and they should be the people to make the changes. That's my opinion. I know most people will have a different opinion on that, but I believe that is what the general public would like out there.

When we do democratic reform, I gave a couple of ideas. I have everything written down here that I could on to speak for, but those are a couple that I would like to see. I look forward to this coming to the House. I think any change we can make to engage more people into politics to run, to vote, is great for our province.

Thank you very much, Mr. Speaker.

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

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

I'm very happy to stand and to speak to this amendment which I fully support and my colleague from St. John's East - Quidi Vidi, as well, fully supports. We're very happy to see this amendment and actually congratulate our colleagues from the Official Opposition on this well-thought-out amendment. It's simple but very far reaching in its application.

We know that a lot of people in the Province of Newfoundland and Labrador feel that their province has been taken away from them. People are constantly complaining – and I don't mean complaining in a negative way – constantly stating that they are no longer interested in politics as usual. They want to see change. This is what this motion guarantees. Also, the proposed amendment makes it even clearer that this will be an all-party initiative.

People want us and need us to work together. This is actually a motion that is a gift to the people of Newfoundland and Labrador, which really comes not from government's initiative, not from our initiative, but from the initiative of the people of Newfoundland and Labrador. That's what we are speaking about today, Mr. Speaker, the fact that we must and we can do politics in a different way; that is more inclusive, that is more responsive, more collaborative and that is more relevant to the people of the province. That's what they want. When we look at what democratic reform is a lot of people automatically think about electoral reform. Democratic reform is a whole bag of goodies. That's what this motion is about, looking at that whole bag of goodies.

By the proposed amendment, the House of Assembly shall establish this all-party Select Committee on Democratic Reform. It's exactly as it should be. This should not be an all-party select committee that is initiated, mandated or controlled by government; it should be by this House. Unlike the All-Party Committee on Mental Health and Addictions, in fact, that was controlled by government. That was one of its drawbacks. Also, the minister of Health, the

previous one and the current one, were the ones who chaired that committee. This should not be done in that manner. That's how the All-Party Committee on Mental Health and Addictions was – and government controlled it and sort of drove the bus on it.

This one, particularly because of the nature of having an all-party Select Committee on Democratic Reform, it absolutely should be a select committee of the House which will be struck by the House and which will report directly to the House. That's so important. It totally takes the partisanship out of it and makes it answerable to this House.

Our hope will be that we will work with a broad definition of democratic reform, not just electoral reform or reform of political financing – although these will be important elements, electoral reform and political financing, both of campaign and parties. It's very important to take a look at those issues.

The all-party committee must consider both internal issues: how we do our work here in the House of Assembly, how we do our work as legislators and, also, aspects about external, public aspects of democratic reform which will have a heavy component of education. Our school system has not done a whole lot of work in educating our young people about our democratic systems, our democratic processes and how important that is.

We've seen a decline in voter participation and civic engagement, so we have a lot of work to do. If we're not learning it in school, it's not likely we're learning it anywhere else. Some people become self-educated about the particulars of our democratic processes and systems, and a lot of people get it by reading the paper, watching the news, speaking to people in their communities.

It will have a strong outreach component. It needs to have clearly defined within its mandate – this committee – the obligation to address the issue of democratic deficit so it can consider questions such as – because we do, we all talk about democratic deficit but let's look a little bit about really what that means.

Why are people opting out of political life, and what can we do about it? How come we don't have more people running? How come we don't have a more diverse population running? When we look around this House, there's not a whole lot of diversity in terms of really reflecting the diversity of our community. We need to look at that.

Again, only 25 per cent of our elected MHAs are women. That's a problem. That's really a problem, because women are 51 to 52 per cent of our population. How can we ensure greater diversity in our political system? How can we reduce financial barriers for those interested in running for political office?

It's very expensive to run for political office, so candidates are expected to raise money. Also, for some candidates if they have to take time off from their jobs, that's an economic hardship as well. How do we make it more financially accessible to people who are interested in running? How do we build the habit of civic participation? And that's an important one.

Our democracy shouldn't be seen as just what is happening here in this House. Our democracy is also about real civic engagement, and how do we promote that? How do we ensure that is happening? How do we make that more accessible? Not just the kinds of consultation that government often does, which is not real consultation and real engagement. How do we do that, Mr. Speaker?

Should we lower the voting age? If so, to what age? How can our school system better prepare youth for civic engagement? How can we make sure that our young people are not only being prepared to vote but being prepared to push us, to prod us, to question us, to be part of the solutions of the challenges that are facing our communities.

Boy, do we have a lot of really persistent and significant challenges, but we all must be part of addressing those challenges. So, how do we ensure that? How do we ensure more civic engagement? Because people are pretty fed up, a lot of people have opted out. How do we turn that around? How do we ensure that people with various disabilities are able to participate?

A lot of campaign offices are not physically accessible. People who are hearing impaired; how many large debates, political debates are interpreted for the hearing impaired? How do we ensure it? None of our proceedings here in the House are interpreted for the hearing impaired. I don't believe – I haven't watched it in a while because we're here in the House, but we don't have speech-to-text in our broadcast of proceedings of the House of Assembly.

People who are hearing impaired, how do they access what is going on here in the House? How do they participate? It's not just about people who are hearing impaired being able to have the interpretation so they can hear what is happening in the House, how do they also participate? We don't have anybody here in this House with a physical disability. We don't have anybody who's hearing impaired. We don't have anybody who has limited sight. So what happens? Do you know?

There are those kinds of issues. How do we make this House and our democratic processes, which are not just internal here to the House but external as well, to make sure that everybody has the access to participate? That's what we need. We can't afford as a province, our 520,000 and shrinking population can't afford not to have every brain cell participating in the solutions that we need going forward in our province.

I believe we can. I'm excited about this. I'm excited about this all-party select committee. It was a long time in coming. I'm very disappointed that it's only now coming.

This government's been at the helm for over two-and-a-half years, and they're also saying it is doubtful that any of the recommendations will be implemented before the next election. I believe that has been negligent on the part of this government. This committee should have been struck – let's give them half a year. Let's give government half a year. It should have been struck two years ago so that we could have come up with recommendations. We would be at this point maybe at least half a year ago, and recommendations could be implemented before the next election. It's not likely that's going to happen now.

I'd like to say again, I believe government has been negligent in that. They made a promise to do this, and it's a promise that has come too late.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Trimper): Order, please!

MS. ROGERS: It's a promise that has come too late in terms of the validity of implementation.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MS. ROGERS: Thank you, Mr. Speaker.

What are some of the key issues that the committee could work on? I also would like to say that this committee cannot work in isolation from the open government movement.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

Neither of these other individuals has been identified to speak, only the Member for St. John's Centre.

Please proceed.

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

This committee cannot work in isolation from the open government movement. Mr. Speaker, I know I've heard you speak about it, the open government movement that's going across the world and in governments in many, many jurisdictions. Our committee must also be plugged into that open government movement.

What does that mean? It must acknowledge that democratic reform includes efforts to make government more accountable. It's what people want. They've been asking for it. More transparent; they want to see who's making decisions, how they're making decisions and why they're making decisions. More consultative, real consultation, real engagement and more collaborative; people want all of us working together because there are so few of us. There are 40 people in this House of Assembly.

We need to work together on behalf of the people and to the benefit of the people.

Ample research has shown that when the public is asked how could government be improved or changed, more often than not they want their government to be better in these four interrelated areas: accountable, transparent, consultative and collaborative. That's how I have hoped that we would be able to work together. Hopefully, this committee will be able to get to those issues and see how we can do it better. How can we do governing better? How can we make sure that people are really involved?

My colleague from Mount Pearl - Southlands, who is an independent Member of the House, will speak to the issue of where independents sit in all of this. I'm really looking forward to that. We currently have three independent Members in our House. How do we ensure they are able to represent their constituents in this House? We have to look again. There may be some candidates running as independents in the next election. What is fairness there? How do we deal with the issue of independents? That will be an interesting discussion to look at through this select committee.

I'm sure that we will hear from the independents about some of the issues they identify that need to be addressed by the all-party select committee. I'm looking forward to that conversation. It's a bit of a dicey one. How do we ensure that our democracy is open, transparent, collaborative and accountable? That's looking at those issues as well, the issues of Members who are sitting as independents.

Mr. Speaker, I have a few minutes. I'm not sure if – two minutes? Okay, I have two more minutes. I will use those.

Key issues that the committee should work on are political party campaign financing reform and electoral reform about proportional representation versus first-past-the-post, versus other online voting, mandatory voting. Those are all issues that we need to look at. That is exciting. I'm excited about the possibility of looking at those issues.

Mr. Speaker, I'm instructed at this point I should move to adjourn debate. I will pick up where I left off when the House sits again.

Thank you very much.

MR. SPEAKER: Thank you.

The hon. the Government House Leader.

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

Given the fact that it's 4:58 p.m. and that we are scheduled to close at 5 p.m., I would move, seconded by the Member for Burin - Grand Bank, that we now adjourn.

MR. SPEAKER: It is moved and seconded that this House do now adjourn for the day.

All those in favour?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: All those against?

It being Wednesday, and in accordance with Standing Order 9, this House does now stand adjourned until tomorrow at 1:30 p.m.

I would remind all Members of the Management Commission that we will be convening in 16-17 minutes at 5:15 p.m. in this room.

And happy birthday greetings to the Government House Leader.

SOME HON. MEMBERS: Hear, hear!