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*Speaker: Honourable Perry Trimper, MHA*

Tuesday

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The House met at 1:30 p.m.

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

Admit strangers.

Before we do begin routine proceedings today, I would like to observe an old parliamentary tradition. I do have the pleasant task of formally welcoming a new Member who was duly elected in the by-election of September 20, 2018.

The new Member is Mr. Ches Crosbie, representing the District of Windsor Lake. I have been advised by the Clerk of the House that the Member has taken the Oath of Office and the Oath of Allegiance to the Crown, as required by the Constitution, and has signed the Members' Roll.

(The new Member for Windsor Lake, along with the Opposition House Leader, enter the Chamber through the main doors, approach the Chair and bow to the Speaker.)

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

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

**MR. HUTCHINGS:** Mr. Speaker, I present to you the newly elected Member of Windsor Lake, Mr. Ches Crosbie, and I ask that he take his seat.

**MR. SPEAKER:** Let the Member take his seat.

Welcome, Sir.

**MR. CROSBIE:** Thank you.

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

(The new Member and the Opposition House Leader then approach the Chair and exchange greetings with the Speaker. The new Member is escorted to his seat by the Opposition House Leader.)

**MR. SPEAKER:** I would like to take this occasion to welcome all Members back to this House of Assembly, and I would like to start today with a tribute.

On the 18th of August 2018, our hearts were shocked and saddened on the passing of Meech Kean – a member of the House of Assembly press gallery, and legislative reporter to VOXM news.

I'm certain all Members of this hon. House can attest to Meech's professionalism as a journalist, and his knack for delivering fair and balanced reporting; as well as his sense of humour, his endearing personality and determination. In the days that followed his death, I'm sure we all read the numerous outpouring of sympathy and fond memories for Meech. It was very evident that he was well respected by not only his family, friends and media colleagues, but by all those he encountered throughout his career as a journalist.

Fred Hutton, CBC news reporter and former colleague of Meech at VOXM said it well in a Facebook tribute post, and I quote: "Despite his size and presence, he disarmed people with his wide smile and sense of humour. He was a direct, but fair. Firm, but compassionate."

We are all aware of the circumstances surrounding Meech's passing, and as such, I want to speak about the issue of mental health in our society. "Eliminate the Stigma and Illuminate the Light" is a slogan used by "Moving Forward," a group in Labrador who advocate on the importance of speaking about mental health, suicide and the need to seek help. It must be a collective effort of us all to tackle the issues around mental health awareness, and we must all rise up to the opportunity to be leaders in our communities in effecting change.

On behalf of all Members of this hon. House, let me extend sincerest sympathy to Meech's family, his friends and his media colleagues, particularly the members of the press gallery.

I would ask all Members of this House to rise and join me now in a moment of silence in honour of Meech.

(Moment of silence.)

**MR. SPEAKER:** I thank you very much.

The hon. the Leader of the Official Opposition.

**MR. CROSBIE:** Mr. Speaker, thank you.

I rise on a point of privilege.

To put this matter in context, we need to recall that it was only one year ago, in October 2017, that the #MeToo movement took off, followed weeks later by the Time's Up campaign, both of them intended to draw attention to the prevalence of harassment in the workplace and the impact, particularly, on women; women and others in this province determined to put an end to the culture of bullying, harassment and intimidation that pervades so many workplaces in our society, including the offices of government and our own House of Assembly.

A new harassment policy was put in place for the Executive Branch of government, and I called for the establishment of a Legislature-specific harassment policy. The House passed a resolution last year to direct the Standing Committee on Privileges and Elections to create this policy and we look forward to its implementation.

Serious allegations have been brought forward of harassment by Members of this House against other Members, and they need to be dealt with properly. The investigative process was untested in this regard, so we put it under a spotlight. The Management Commission voted to establish a parallel process on an interim basis meriting the policy of the Executive Branch; but, in the meantime, investigations proceeded under the direction of the Commissioner for Legislative Standards under the existing code of conduct process, defined in the *House of Assembly Accountability, Integrity and Administration Act*.

To say the process has had its problems would be to make an understatement. The integrity of the entire process has been called into question, particularly as investigative reports have apparently been leaked and debated in the public arena. Even at this moment, they have not been formally tabled; yet, they are reportedly circulating in public. Recently, the media reported they had come into possession of some of the reports and announced that those reports had cleared certain Members of certain allegations.

On Sunday, another media report discussed findings regarding a Member. Most seriously is what happened on Friday afternoon, when, according to the press, the now independent MHA for Mount Scio issued a news release containing reports purportedly from the Commissioner into allegations made against him by two other Members. His breach showed the confidentiality of these two reports. Investigating his behaviour allowed him to advocate and make his case to the public before the reports on his behaviour were released and before other MHAs had an opportunity to read these reports first-hand for themselves after they were tabled.

His characterization of the findings prevented Members from seeing the Commissioner's findings and conclusions as they were meant to be presented at the conclusion of the defined investigative process. He attempted to superimpose his version of events and conclusions on the findings and conclusions of the Commissioner produced after completing his independent work. He attempted, not only to influence public opinion about himself and his actions, but to influence the perceptions of other Members who have not yet read or seen the reports. His actions attempted to short circuit the process; to persuade his constituents and all of our constituents, the people of the province, before the reports were ever received. He was not the investigator or adjudicator in this process, but the person accused. For the process to have integrity and to be fair to all involved, it needs to be impartial. The complainants and accused need to co-operate with the investigation, allow the Commissioner to reach the appropriate conclusion and await the tabling of those conclusions and recommendations in the House. Then, there is an opportunity for the parties to be heard in the House and in public.

That is how the process is designed to work. But the Member, as one of the parties in the investigation, usurped the role of the judge and attempted to skew the findings of the report in the eyes of those of us whose collective decision will determine the outcome of the process.

We are the judge and jury in this process – we, the Members of the House of Assembly. The Commissioner recommends we decide. Attempting to influence our vote by denying us the opportunity to see those reports uncoloured

at the time when they are supposed to be tabled is contemptuous of the process and of our work and of this House. It undermines the integrity of the entire process and makes it nearly impossible for us to show that justice is done and appears to be done.

We now have to contend with the circus that has been created during the time the leaked reports have been circulated and commented on through one interview after another. The Member for Mount Scio has compromised the ability of the Members of this House to do our jobs, and that is a breach of the collective privilege of the House.

It is all the more wrong, considering the fact that the investigations are about allegations of disrespecting Members. We have been working very hard to raise the bar in this House, to enhance the integrity of the processes that govern us and to make it a more respectful workplace so people will step forward to serve here and not be driven away. We must be firm in demanding a stop to this kind of behaviour; Newfoundlanders and Labradorians demand and deserve better.

The rules of Parliament are clear. The House of Commons Procedure and Practice, Second Edition, commonly known by the names of its authors, O'Brien and Bosc, clearly states in its chapter on privilege: "The premature disclosure of committee reports and proceedings has frequently been raised as a matter of privilege." It goes on to say: The United Kingdom Joint Committee on Parliamentary Privilege attempted to provide a list of some types of contempt in its 1999 report and they included: divulging or publishing the content of any report or evidence of a select committee before it has been reported to the House.

The Office of the Commissioner for Legislative Standards is an office of this House and its work must be treated with the same respect afforded to this House and its committees.

Section 38(1) of the *House of Assembly Accountability, Integrity, And Administration Act* defines the process for tabling reports of harassment allegations, and I quote section 38(1): "Where a request for an opinion is made under subsection 36(1) or (3), or where the

commissioner conducts an inquiry under subsection 36(2), he or she shall report his or her opinion to the commission which shall present the report to the House of Assembly within 15 sitting days of receiving it if it is in session or, if not, within 15 days sitting days of the beginning of the next session."

That is the established process. The Commissioner reports to the Management Commission which presents the report to the House. Until a report is presented to the House, it is not in the public domain. Prior to being tabled, a report is in the possession of only the Commissioner, the Management Commission and the Members involved. The process is defined in this way to protect the integrity of the process and to treat fairly and justly any complainants and persons accused.

If the process lacks integrity, then justice is not done or seen to be done, and the public can have no confidence in the outcome, the rights of Members are compromised and the House is held in disrepute. These reports are not just any reports; they are reports about alleged harassment, bullying and intimidation – a subject of intense public interest.

I urge the Speaker to rule that there is indeed a prima facie case of breach of privilege. A Member has shown contempt for this House and breached the privileges of other Members and all of us, collectively, by what he has deliberately chosen to do without regard for established protocols or the law.

If the Speaker finds that there is indeed a prima facie case, then I would ask that the House debate the following resolution, which would be seconded by the Opposition House Leader.

May I have your leave to read the suggested resolution?

**AN HON. MEMBER:** Leave.

**MR. SPEAKER:** Proceed please.

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

WHEREAS the Member for Mount Scio has admitted to releasing to the news media investigative reports into that Member's conduct

by the Commissioner for Legislative Standards before those reports have been tabled in the House of Assembly; and

WHEREAS the release of such reports of an Officer of the House is an indignity to the complainants that threatens to compromise the integrity of the investigative process and the public perception that justice is being served and prejudices the ability of the Members of the House to fulfill their responsibilities; and

WHEREAS the Member's attempt to use these leaked reports to influence perceptions of the reports conclusions before they have been presented to Members for debate affects not just the integrity of the process but our ability to fulfill our adjudicative responsibilities.

BE IT RESOLVED that this matter be referred to the Standing Committee on Privileges and Elections for an investigation and a recommendation of an appropriate action to sincerer the Member for Mount Scio for what he has done.

Thank you.

**MR. SPEAKER:** Thank you.

Are there other Members who which to speak to the motion?

The hon. the Member for Mount Scio.

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

There's a certain amount of irony in the statement just made by the new Member of the House. During the by-election that he was elected in he publicly accused the Premier and the government, and the Commissioner for Legislative Standards, of both burying these reports and not being forthright in their disclosure.

I'd also like to point out to the Member, he probably missed this since he wasn't in elected office at the time, but the Member for Terra Nova released two of these reports in August and there was no ruling by the Commissioner for Legislative Standards made subsequent to that. I would also say that sort of language about the reports being leaked I think is a misuse of that

language, because the Commissioner for Legislative Standards had no authority over myself when it came to the release of those reports.

The Member basically is not properly using that section of O'Brien and Bosc that he quotes, because the Members of the Management Committee, yes, are bound by confidentiality in the adjudication of those reports, that's why O'Brien and Bosc talks about the committee's authority and so on, but that did not pertain to me in this case; and, if it did, I'm certain the Commissioner for Legislative Standards would have made such a statement when the Member for Terra Nova released two of these reports in August.

Thank you, Mr. Speaker.

**MR. SPEAKER:** Additional Members?

The hon. The Leader of the Third Party.

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

I stand in support of this motion by the Leader of the Opposition on the point of privilege. And I would also like to speak to the incredible, difficult time that has been for Members of this House, for both respondents and complainants, for their families and their colleagues, for all those elected to public office. And, in particular, what a difficult time it has been for the people of Newfoundland and Labrador.

This House, and the work that we do, is about how we live our lives together, how we manage our resources, how we plan our future. And, hopefully, all that work we do, we do with respect, we do with a certain amount of expertise, we do as much as possible – but certainly not enough – in a manner that is collaborative, that is propositional, and that should always, always be, without exception, in the best interest of the people of Newfoundland and Labrador.

These are huge challenging times for our people – huge challenges we face. Not insurmountable, though, if we work together. If we work together with respect, if we work together with integrity, if we work together, always keeping in mind the

best interest and the well-being of the people who have given us the honour to serve them.

I have been so disappointed in what we have had to deal with in the past six months. We have people in our province who can't afford teeth. We have people who are saying goodbye to their loved ones because there are no jobs for them. We have people who are on stretchers in hallways, in hospitals. We have a university that is crumbling, physically crumbling.

These are the issues that we need to be addressing. And we have had people, our colleagues in this House of Assembly, lodge complaints, and their privacy has been violated from the first part of this process. They have said that they have felt bullied and intimidated, and mostly within the government caucus. We have to deal with all of these complaints, but we have to do it with respect, with integrity. And if we do not honour that process, what do we have and how do we go forward?

I have been amazed at some of the reactions and actions by those who have been accused. I believe that we must have a fair and just process—fairness and justice for complainants and for respondents. But the process has been violated, and how much time and energy and money, the people's money, has been spent on this already, only to have it derailed in this manner.

I am appalled, and I am sorry. I am sorry for the people of Newfoundland and Labrador who, again, face such incredible challenges, and they are relying on us in this House of Assembly to come up with solutions, not for them but with them. And what we have seen here in the past few months has rocked and has called into credibility their ability to trust us, to do the work that we have been asked to do.

And, Mr. Speaker, I hope that how we do proceed will guarantee justice and fairness for complainants and for respondents. And I do not know yet how we will instill in the people of Newfoundland and Labrador a reason—a reason to feel confident in the political process of Newfoundland and Labrador; this political process when we see the allegations of bullying and harassment within the government caucus, who should be leading the way.

It is my hope, Mr. Speaker, that there can be healing in this House, but there cannot be healing without justice and fairness. And it is my hope that as we continue to do our work that we give the people of Newfoundland and Labrador a reason to feel confident in the work that we have all been asked to do. And I don't want my time as an elected Member having to deal with harassment and bullying, particularly in the government caucus. I want to get down to the real important work that the people of Newfoundland and Labrador have asked us to do.

We cannot accept purposeful derailment of the process. We cannot support a Member of the House of Assembly making a mockery and sidelining the incredible work that has been done throughout this process. We have a lot of work to do in this House to even examine the process, and whether the process in and of itself was fair and just or was a tool that could arrive at fairness and justice.

So, Mr. Speaker, I support the Leader of the Opposition and his motion notice on a point of privilege.

Thank you.

**MR. SPEAKER:** Thank you.

Are there further speakers?

The hon. the Member for Terra Nova.

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

I feel I have to rise and comment on the comment that was made from the Member for Mount Scio. Certainly, what he said, Mr. Speaker, is not factual.

I received a copy of the reports from the Commissioner for Legislative Standards on August 24, around 3:30 in the afternoon. It was an electronic copy. Shortly after 4 p.m. various news media contacted me for comment. I contacted the Commissioner to ask him how those reports would have been provided to the media. He confirmed for me that he had not provided it. I assure this House that I did not provide it. Only the Members who were under investigation had copies of those reports.

I want to be very clear, what the Member just said is certainly not factual.

**MR. SPEAKER:** Further speakers to this matter?

Given that the matter that we are discussing did not occur on the floor of this House, I would like to take some time to make a decision as to whether or not there is a prima facie breach of privilege. I would offer to the House that I will report back first thing tomorrow.

Thank you.

### Statements by Members

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

For Members' statements today, we will hear from the (inaudible).

The matter that I've just been advised of is we have a Broadcast issue that we're dealing with. So our apologies to all those who are watching.

For Members' statements today, we will hear from the hon. Members for the Districts of Lewisporte - Twillingate, Fogo Island - Cape Freels, Mount Pearl North, Placentia West - Bellevue, and Windsor Lake.

The hon. the Member for Lewisporte - Twillingate.

**MR. BENNETT:** Mr. Speaker, the 2018 MusicNL Conference and Awards Week took place from October 10 to the 14 in Twillingate.

MusicNL provides an immense amount of support to artists across the province, offering a variety of workshops and networking events.

I had the opportunity to attend a number of events, including the awards gala. I was totally captivated by the level of talent and diverse genres.

I want to congratulate all nominees and award winners, including from my district: Dean Stairs, owner of Citadel House, winner of Outstanding Company of the Year; and musician/songwriter/teacher Adam Baxter, who won the Music Educator of the Year. These two

gifted individuals contribute so much to the music industry in Newfoundland and Labrador.

Mr. Speaker, MusicNL had a positive impact on the economy with hundreds of musicians, songwriters and people within the industry flocking to the picturesque Town of Twillingate.

I ask all Members to join me in congratulating MusicNL Executive Director Glenda Tulk, board members and all the volunteers who made this year's MusicNL Week a huge success.

Thank you, Mr. Speaker.

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

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

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

It's great to be back after our summer break, and once again it's an honour to rise and bring awareness of the things that are happening in my District of Fogo Island - Cape Freels.

August 25, 1918 was a memorable day in my hometown of Greenspond, but it was not to be outdone by August 25, 2018. That day, Mrs. Gladys Dowden celebrated her 100th birthday.

Well over 100 people gathered at the parish hall to celebrate her birthday. It was fun being part of a group who sang: We hope you live to be 110.

As a little bit of fun, her nephew interviewed her. Everyone listened and were amazed by the sharpness of her voice and her memory. She told stories dating back to kindergarten, or should I say, primmer years. At one point she even sang for everyone.

Mrs. Dowden lives alone in her home on country road, and to this day is all dolled off every time she comes down over the stairs.

I ask all Members to join with me and extend our belated birthday wishes to Mrs. Gladys Dowden of Greenspond.

Thank you, Mr. Speaker.

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

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

**MR. LESTER:** Good day, Mr. Speaker.

I rise today to congratulate the Mount Pearl Special Olympics for their important role in our community through the support they give to our athletes.

The Mount Pearl Special Olympics is a regional division of Newfoundland and Labrador Special Olympics. Currently there are over 150 athletes from Mount Pearl and surrounding communities involved in the organization. They offer various supports for individuals with mental and physical challenges by providing them with the opportunity to develop physical fitness, demonstrate courage, experience joy and share skills and friendship.

Registration is open to all persons with mental and physical challenges, and current programs being offered are swimming, bowling, floor hockey, athletics, soccer and bocce ball. Our athletes have competed in international games, the national games and the Newfoundland and Labrador games winning medals at all levels of competition.

I would also like to commend the parents and families, as well as the many coaches and other volunteers for the support they give to these athletes. I would like to thank them for their hard work and dedication.

Mr. Speaker, I ask all Members of this House to join me in congratulating Mount Pearl Special Olympics and all those involved in making the Special Olympics a reality and a success every year.

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

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

**MR. BROWNE:** Mr. Speaker, I rise today to recognize an athlete who first skated on the ice in Marystown and I can assure Members he is making his hometown proud of his accomplishments.

Now a player in Saskatchewan Junior Hockey League, Michael Clarke spent the first six years of his life in Terrenceville, where much of his proud family still resides today.

After a successful stint with the Calgary Canucks, Michael was recently traded to the Humboldt Broncos. Given the devastating accident this past April claiming the lives of 16 people and injuring 13, the emotional burden on new players has been heavy.

When asked of his trade to Humboldt, Michael is quoted as saying, and I quote: "there's not really a better spot that I'd want to finish my junior career, with what happened being able come here and help the community." Fine words, Mr. Speaker, from a young man with a positive outlook eager to play the sport that he loves and help guide his teammates. And add to his success, he scored the first goal of the season opening and the first Bronco's goal since that dreadful April day.

Mr. Speaker, I ask all hon. Members to join me in recognizing Michael's athletic and personal successes, and salute all members of the Humboldt Bronco community for their perseverance in the face of adversity.

Thank you, Mr. Speaker.

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

**MR. SPEAKER:** The hon. the Member for Windsor Lake.

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

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

In the British House of Commons during the war, Prime Minister Winston Churchill said: At the bottom of all the tributes paid to democracy is the little man, walking into the little booth, with a little pencil, making a little cross on a little bit of paper.

I thank all those voters of Windsor Lake who had the confidence in me to mark their little cross beside my little name. I thank my political opponents for holding me to the high standard necessary to win this confidence. I thank the



numerous supporters whose dedication carried the District of Windsor Lake.

I also thank my parents, the hon. John and Jane Crosbie for their inspiration and example of dedication to public service, my wife, the hon. Lois Hoegg for her love, support and sacrifice, and my daughters Charlotte, Catherine and Rachel for tolerating their father's strange new career choice.

The responsibility of MHA and Leader of the Opposition is a grave one, and I will not disappoint.

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

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

**Statements by Ministers**

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

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

In society and in this House of Assembly bullying, harassment and intimidation in any form and by any means is not acceptable.

As an employer, government has a stringent policy to deal with these issues. We have passed legislation to ensure that those working in the public sector have a clear and structured means to report incidents and to have them dealt with promptly and professionally.

A better, more defined process is required for the Members of the House of Assembly. We must be held to our Code of Conduct as required by the Oath of Office, to serve with integrity; to enhance public confidence and trust in government; and to maintain our high standards of ethical conduct in public office. The Standing Committee on Privileges and Elections is making progress toward the development of a legislature-specific, harassment-free workplace policy.

As Members of the House of Assembly, we must conduct ourselves in a manner befitting our elected positions. We must lead by example. Respect and integrity is essential in all that we do.

As Premier, let me state once again that harassment and bullying is not acceptable and there will be zero tolerance.

Thank you, Mr. Speaker.

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

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

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

I extend my thanks to the hon. the Premier for his very appropriate words. I can speak for all of us in this caucus on this side of the House in welcoming the Premier's announcement of his zero tolerance policy. We all expect that the application of the policy will mean that the Members for Humber - Bay of Islands and for Mount Scio will not be welcomed back to the Liberal caucus.

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

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

I thank the Premier. Today, especially today, I find the Premier's statement somewhat disingenuous. Harassment and bullying has been a reported issue in the Liberal caucus for quite some time. We are here today because of his lack of leadership in dealing with this in a timely manner. He says we must all lead by example. I hope the examples set in this House will be that those people who have come forward with complaints will get the justice and fairness they seek.

I thank the Standing Committee of Privileges and Elections for their dedicated and careful work.

Thank you, Mr. Speaker.

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

**MR. SPEAKER:** The hon. the Member for Mount Scio.

**MR. KIRBY:** Mr. Speaker, according to the Standing Orders of this hon. House, section 34:

“Whenever any matter of privilege arises, it shall be taken into consideration immediately.”

When the Member for Terra Nova stood a short time ago, he said that I had made statements that were inaccurate regarding his release of two reports by the Commissioner for Legislative Standards after they were provided to him on August 24.

And I refer you, Mr. Speaker, to a CBC story dated August 28, by Ryan Cooke, and I quote: “CBC News obtained the copies of the report, handed over by Holloway himself ....” That’s what it says, Mr. Speaker, and I encourage you to review this matter immediately.

Thank you.

**MR. SPEAKER:** I thank the Member for his comment, but I see no point of order.

I will now go to Oral Questions.

### Oral Questions

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

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

As we’re all aware, reports are to be tabled, so we have not all had an opportunity to read these reports.

I ask the Premier: Without regarding specific individual allegations contained in these harassment reports, accumulatively, from a 30,000-foot perspective, how does the Premier rate the conduct described in the reports in relation to the Code of Conduct?

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

**PREMIER BALL:** Mr. Speaker, I mentioned in my Ministerial Statement about integrity and not politicizing this event today. It’s important for Newfoundlanders and Labradorians to go through the tabling of these reports and get the proper debate that would occur only on this floor, once the reports are tabled.

It’s a bit odd that on a point of privilege just a few minutes ago, we talked about leaked reports

and that was destroying the process. And here is, his first question, being about the contents of reports that are not even tabled.

Mr. Speaker, I would ask and encourage all the Members of this House of Assembly, as we stand here in these very important times in democracy in our province, the process has had many questions and, no doubt, has been flawed; but let’s deal with the processes, with the responsibility that we have, and with consideration once the reports are tabled.

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

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

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

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

I did say without looking at specific individual allegations, the Code of Conduct, paragraph 5, states: Members will not engage in personal conduct that would tend to bring discredit to their offices.

On a scale of one to 10, where 10 represents full compliance with the ideals of the Code of Conduct, how does the Premier rank the conduct outlined in these reports?

**MR. SPEAKER:** I’m going to cut off this line of questioning because, frankly, and as the Premier rightly indicated, we have not tabled these reports yet, so I would refer the Members to discuss the contents of these documents once they are tabled on the floor of this House.

Thank you.

The hon. the Opposition House Leader.

**MR. HUTCHINGS:** Just on a point of clarification, Mr. Speaker, with the utmost respect, the line of questioning is not related to the individual reports. It’s related to harassment and some of the activities over the past four to five months, in a more general sense, that is a concern of all people in the public today. That’s what the question is related to, with all due respect.

**MR. SPEAKER:** Sorry, I've made my ruling; but again, I heard reference to the content of a report, so I would suggest to stay away from that topic.

The hon. the Leader of the Official Opposition.

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

I crave some leeway and I'm learning fast, thank you very much, as the newbie in the place.

Again, Mr. Speaker, my question is for the hon. the Premier. The Member for Mount Scio stated to media that he met the Premier last week and informed the Premier that he was releasing the report publicly. Did the Premier advise him against this and, if not, why not?

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

**PREMIER BALL:** Mr. Speaker, I've encouraged all Members of this caucus and Members of this House of Assembly, even the hon. Member himself, at any time they would want to meet with me, the door is always open on any issue. So I'm not going to get into the specifics of what we discussed, that was the contents of that meeting.

At no point there would I ever encourage the public leaking of any information. So, Mr. Speaker, as it has been mentioned earlier, I'm not going to speak to what we dealt with. I think the Member opposite, if you showed up for a meeting with me – I encourage you to do so – I think I would respect your privacy that when we had that meeting that indeed there, you would not expect me to run to the media or elsewhere to discuss what that meeting would be about.

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

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

**MR. CROSBIE:** I understand from the hon. the Premier, Mr. Speaker, that he did not encourage the release of the report prematurely before it was tabled.

In that case, Mr. Premier – or I would ask the Premier whether he believes that the leak of the information jeopardizes due process.

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

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

The process that I will be using, Mr. Speaker, is once the tabling of the reports are completed, we have a proper debate in this House of Assembly. At that point, I will consider the decisions that I will make.

Mr. Speaker, I will say once again: zero tolerance. Bullying and harassment should never happen. There will be zero tolerance from me as Premier of this province.

Mr. Speaker, I will tell you, though – I will tell you – it's a little ironic how the Leader of the Opposition and a former leader of the Opposition was willing to dismiss something that happened outside of this House, and they decided to brush that under the rug and not deal with it.

I've made decisions in the past and I will be making decisions once these reports are fully debated in this House.

**MR. SPEAKER:** Thank you.

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

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

**MR. CROSBIE:** The Member from Mount Scio also stated to media that the Liberal caucus was dysfunctional.

I ask the Premier: Can he give us an update on this statement?

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

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

Well, this Liberal caucus, I will tell you, has done a tremendous amount of functional work in the last three years dealing with the situation that has occurred.

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

**PREMIER BALL:** And I want to appreciate the Members that I have with me in this caucus, Mr.

Speaker. I will tell you they have done an incredible amount of work getting this province back on track.

It's ironic that we have a Leader of the Opposition that is going through this line of questioning today, with he himself has not really said anything about, for instance, a major project that he don't know – he still thinks that that's the right thing to do, and he is now encouraging and accepting the role of the previous administration in his role as Leader of the Opposition.

Mr. Speaker, we are dealing with issues in this province, and the issues around bullying and harassment is another issue that I will deal with. I will be decisive in my actions, Mr. Speaker, but the appropriate debate must occur in this House of Assembly first.

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

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

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

With the presence of dysfunction in the Liberal caucus and Cabinet, I would ask the Premier: How has this affected his ability to conduct the business of government?

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

**PREMIER BALL:** Mr. Speaker, the business of government continues.

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

**PREMIER BALL:** And we have made tremendous progress this year, Mr. Speaker, in creating jobs, getting this province back on track, attracting investment to this province.

It goes without saying, there's a lot of work to be done, but, Mr. Speaker, I enjoy the work that I've been doing working with this caucus, with every day Newfoundlanders and Labradorians.

Mr. Speaker, we have taken on the cause of getting this province back on track, and we're able to do that. No matter what challenges we face from day to day, bullying and harassment is not acceptable, zero tolerance, Mr. Speaker, but

we will continue to work in this framework and continue to make a difference in the lives of Newfoundlanders and Labradorians.

Mr. Speaker, we will make sure that this House of Assembly is a safe place to work, once we get through this current debate.

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

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

**MR. CROSBIE:** Mr. Speaker, the statistics show that we have been losing population steadily quarter after quarter since this administration took office.

With two less Cabinet ministers in the Liberal caucus, and no one apparently worth promoting, is the doubling of report portfolios undermining the effectiveness of government?

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

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

Well, here we go. Here we go.

Mr. Speaker, I will tell you that we have a hardworking Cabinet, we have a hardworking caucus. We have parliamentary secretaries that's working on behalf of Newfoundlanders and Labradorians.

Mr. Speaker, I will tell you, you could put 25 Cabinet Members with the work that was done by the former administration, Mr. Speaker, and I will tell you, I would put up the Cabinet that we have in place to make better decisions than the PC Cabinet made based on the knowledge that I've had and the experience that I've seen from the information that have come from the former PC Cabinet.

We are fixing this province, Mr. Speaker, we're getting it back on track. We have made significant advancements, creating jobs, attracting people to this province.

Mr. Speaker, this is a hardworking Cabinet and a hardworking government on behalf of Newfoundlanders and Labradorians.

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

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

**MR. CROSBIE:** I would ask the Premier, Mr. Speaker, is the alleged dysfunction in government the reason why your government needs to outsource its economic development plan at a cost of over \$10,000 a day to McKinsey and Company?

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

**PREMIER BALL:** Mr. Speaker, it gives me a privilege to talk about a plan that's called *The Way Forward*. We're attracting jobs for Newfoundlanders and Labradorians in aquaculture, in agriculture, in technology, Mr. Speaker. Our *Advance 2030* out of *The Way Forward*, White Rose project, Equinor. All of these projects are attracting investment in aquaculture. All of those projects, Mr. Speaker, are creating jobs for Newfoundlanders and Labradorians. It's called *The Way Forward*.

Mr. Speaker, the Minister of Finance reached out to a consulting firm to actually attract more business to use the global experience that they had based on the work that was done with *The Way Forward*. We will continue to work hard for Newfoundlanders and Labradorians, attracting investment, creating jobs, Mr. Speaker, and we do not have the \$25 billion that the former administration had available to them to do the work that we are doing.

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

**MR. SPEAKER:** As the temperature goes up in the room, I do remind all Members, I do not tolerate heckling or interruption.

The hon. the Leader of the Official Opposition.

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

There has been pronounced inaction on important government business. For example, the seven months of inaction on the methylmercury report that Nunatsiavut President Lampe refers to as empty words.

Is this inaction the result of dysfunction within government?

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

**MR. A. PARSONS:** Yes, thank you, Mr. Speaker.

I'm happy to stand up here in the House again and talk about initiatives that fall under my department. And I can guarantee the Leader of the Opposition, I'm certainly trying my best to do my job with no dysfunction over here.

What I would suggest is that the issue the Member talks about is one that's very important and I've been doing quite a bit of work on it over the six months. The irony again is that we're dealing with an issue that was left to us by the crowd over there when we talk about Muskrat Falls.

The fact is we've consulted with all these groups, but when we talk about the fact that there is not unanimity when it comes to all the recommendations, and the fact that we're dealing with possible solutions that may cost in the hundreds of millions of dollars, we are going to take our time to make sure that we do what is right and continue to work in consultation with Indigenous groups when we do so and make decisions that are in the best interest of Labradorians and Newfoundlanders.

Thank you.

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

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

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

Since my hon. friend, the acting minister of the Environment has chosen to put himself in the line of fire, I would take this opportunity to ask him: When can I expect a reply to my letter about the wetlands in my district, Windsor Lake, that I sent to you dated August 27 of this year?

**MR. SPEAKER:** Before the hon. Member speaks, I will remind all Members that this is the Minister of Municipal Affairs and Environment.

He is not acting, he is in that position. He should be addressed that way.

The hon. the Minister of Municipal Affairs and Environment.

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

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

And I appreciate it. I'm certainly trying my best to act.

What I would say to the Member opposite is certainly I did receive your letter. I'm not sure if it was during the campaign or not, but the wetlands issue is one that's of great importance to not just St. John's, and not certainly just to the Member's district, but it's to the entire province and it's one that we take quite seriously.

I've actually been having conversations with Mayor Breen on this because this also does fall within the city parameters here. So what I'm going to continue to do is to make sure that we talk to the city on this, to take steps that will promote development but also protect the environment, and we'll get back to the Member as soon as possible.

Thank you.

**MR. SPEAKER:** Thank you.

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

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

**MR. CROSBIE:** I thank the minister, Mr. Speaker.

Again, a question for the hon. the Premier.

Section 36 of the *House of Assembly Accountability, Integrity and Administration Act* gives the Premier the ability to request an opinion from the Commissioner for Legislative Standards.

Can the Premier confirm that he has not forwarded additional complaints to the Commissioner for review, other than those which have now been completed?

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

**PREMIER BALL:** Mr. Speaker, I wish I had my dictionary or I'd get the word, integrity, and kind of define it, because now he's asking if someone would come forward and they brought forward an allegation to me, if indeed I would take that allegation and forward it to the Commissioner for Legislative Standards.

I find that ironic that in one – just a few minutes ago we were talking about protecting people's privacy and now on another minute you're asking me that if anyone came to me with an allegation that I forward to the Commissioner if he wanted to release this publicly.

Mr. Speaker, no. There are no allegations. There's no one that approached me. And, Mr. Speaker, I can assure you if indeed that was the case, I would deal with it appropriately. I would deal with the integrity, protecting the interests of all those people that work in this House of Assembly.

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

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

**MR. CROSBIE:** Mr. Speaker, thank you.

I stated the issue. The answer to the question is no.

Since the initial allegations and dysfunction in the Liberal caucus became public back in May, I ask the Premier: What concrete steps have been taken to improve this dysfunction from then until now?

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

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

There has been a number of things that has been done with the harassment-free workplace, of course. The Privileges and Elections Committee are doing their work, as I just mentioned in a Ministerial Statement, Mr. Speaker. So this process is unfolding.

In the Ministerial Statement, that I've just mentioned already, we do have concerns, like

everyone else that's been through this process, Mr. Speaker, and we will be dealing with that. We have Standing Committees that are in place to make suggestions and recommendations on how this would work, Mr. Speaker. And over the next couple of days I'm sure that as we listen to the debate there will be another example and ideas that we can improve the process.

Mr. Speaker, fundamental in all of this is this must be a harassment-free workplace with zero tolerance. I will say it again, as Premier of this province, zero tolerance.

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

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

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

I'd ask the Premier if he could state: What is the normal protocol for a harassment complaint if it is made against a Member of his caucus or a Member of his staff in the Premier's office or in the Government Members' office?

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

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

Well, all the protocols are outlined, Mr. Speaker. They're publicly available. All you'd need to do is go right to the website. The Members would have a number of different options to them. They could go directly to the commission themselves. If so choose they could come to me and it could be dealt with that way, Mr. Speaker.

So all the protocols and the options that MHAs have available to them with allegations if they have concerns, Mr. Speaker, all those protocols are outlined.

I will assure you, Mr. Speaker, that any MHA that wants to come to me, regardless of the party they are affiliated with, my door is always open to listen to their concerns.

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

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

**MR. CROSBIE:** Thank you for that answer, Mr. Speaker.

I'd further ask the Premier: If allegations of harassment or bullying were to be made outside the four corners of the reports that will be tabled in this House today, would you expect to be made aware of them? And, if so, are you advised in writing?

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

**PREMIER BALL:** Mr. Speaker, it seemed like a hypothetical question there: if that, what if this, and so on.

As issues face me and come to me on a daily basis, we deal with them, Mr. Speaker. We deal with them within the mechanisms and the process that we have available to us. That's the honourable thing to do.

So, Mr. Speaker, I'm not going to stand up here today and talk about hypothetically what could happen if this and that and something else. Mr. Speaker, my job is to work with Members of my caucus, work with any Member of this House of Assembly. If they saw fit to come to me with an allegation, Mr. Speaker, we will deal with it.

Mr. Speaker I can assure you this, that if allegations would come my way, I would fully explain all the options that any Member would have available to them.

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

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

**MR. CROSBIE:** I'm not hearing whether such allegations are reduced to a record, a written record. Perhaps the Premier will get a chance to elaborate on that.

Are any additional accusations of harassment or bullying that have been made to your office or to your staff existing outside the reports that will be tabled today?

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

**PREMIER BALL:** So I think the question, what I heard, Mr. Speaker, was if there are other

allegations that I would be aware of that must actually go to the Commissioner? Mr. Speaker, no. No.

Mr. Speaker, if you remember back, the Commissioner himself said he was dealing with a number of allegations. The Speaker at the time, I think the Commissioner reached out and said let me deal with all the reports and then once the reports were all finalized that he had mentioned they were working on, that then we should open up the House of Assembly.

Mr. Speaker, we made the decision to open up this House as quickly as possible once the Commissioner had finished the reports he was currently working on. Mr. Speaker, these are the reports that I know are in the system that the Commissioner outlined. Mr. Speaker, there are no other allegations that I'm aware of.

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

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

**MR. CROSBIE:** Mr. Speaker, according to media reports, CBC filed an access request for BlackBerry messages in the Premier's office, and the Premier's office told the Privacy Commissioner these types of records were transitory; thereby, explaining why they were not retained. That's in quotes; that was the answer.

Have you provided any specific written direction to your staff to preserve these records in the future? And, if so, will you table this directive in the House?

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

**PREMIER BALL:** Mr. Speaker, access to information rules applies to people in this House of Assembly, and we will comply with the rules around access to information.

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

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

**MR. CROSBIE:** Mr. Speaker, will the Premier instruct the government to disable BlackBerry

messages on wireless devices to remove the possibility of records the Premier and staff allege to be transitory from being destroyed in the future?

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

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

We will be compliant, as I just said, with access to information. We always have, Mr. Speaker; but I think it's worthwhile to know (inaudible) because it's nice to get an activity report sometimes on how much information would come from this office compared to former premier's office.

Mr. Speaker, it's between three and four times more information that have come from the Premier's office today than we would've seen from the PC administration. So we have released more information, Mr. Speaker, and I encourage the Leader of the Opposition to look at the amount of information that this government has put out there under the freedom of information or the access to information. Mr. Speaker, that information is getting out there in numbers far greater than the former administration.

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

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

**MS. PERRY:** Thank you, Mr. Speaker.

On May 3, 2018, the Minister Responsible for the Status of Women indicated that anyone with concerns about harassment, intimidation or abuse of any kind would have her full support. And I quote: My full support, my absolute full support for anyone who comes forward.

I ask the minister: What support has she provided to the complainants?

**MR. SPEAKER:** The Minister Responsible for the Status of Women.

**MS. COADY:** Thank you, Mr. Speaker.

Now, I will reiterate. If there's anything I could ever do for anyone who is faced with difficult times, I certainly, as a human being, as a person,



as a female in this House of Assembly, would be very open and willing to assist them. I would certainly never breach their privacy. If they come to me in their manner and needed assistance, I would certainly not, in this House, give that information as to what they would have come to me and asked me to keep confidential.

I will say this, Mr. Speaker, again, if there's anything I could ever do for anyone who is going through any type of difficulty, I'm more than willing to provide it.

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

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

**MS. PERRY:** Thank you, Mr. Speaker.

The minister's former colleague, Ms. Bennett, wasn't vocal about the bullying and harassment that she was a subject of.

I ask the Minister Responsible for the Status of Women: What is she doing to ensure that the culture within her caucus does not lead to more resignations from victims of bullying and harassment?

**MR. SPEAKER:** The hon. the Minister Responsible for the Status of Women.

**MS. COADY:** I thank you for the question. It's a very important one, because it's not just in this House, Mr. Speaker, it's in society.

I think the Premier has been very clear, very direct in saying that in this particular House, in our government, there will be zero tolerance for harassment, bullying, intimidation of any kind – of any kind, Mr. Speaker. I think it's very important for that tone at the top to be there. This is a societal issue. We're working very hard through the various Status of Women's organizations, through violence prevention initiatives, through societal impacts.

Mr. Speaker, we all have a responsibility to change the manner in which society views harassment and bullying. We can no longer tolerate it. It's not to be tolerated. The Premier has been very clear.

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

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

**MS. PERRY:** Thank you, Mr. Speaker.

As the Minister Responsible for the Status of Women would be well aware, this process, this situation and these reports speak to a culture that exists within the House of Assembly.

I ask the minister: Does she believe that this culture will prevent talented and ethical people from offering themselves up for election?

**MR. SPEAKER:** The hon. the Minister Responsible for the Status of Women.

**MS. COADY:** Thank you, Mr. Speaker.

I won't respond to any of the reports or their contents, but I will say this: it is incumbent on everyone in this House, it is incumbent on everyone in our communities and our society to ensure that bullying, harassment and abuse is not tolerated. We cannot tolerate it. We cannot accept it.

I think, Mr. Speaker, we're seeing a societal change where all of us – all of us – are standing and saying that we can no longer accept that what was probably acceptable in previous times. It's certainly not acceptable today.

I say to the Member opposite, I think that it's incumbent on all of us to encourage leaders and community – people who give to our communities to come to the House of Assembly to work on behalf of the people in Newfoundland and Labrador.

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

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

**MS. ROGERS:** Mr. Speaker, today we are here to deal with the tabling and debating of the harassment reports stemming from the dysfunction within the broken Liberal caucus, and the failure of the Premier to lead and manage his own caucus.

It is my hope that the process and outcomes are fair and just, but it's time to deal with the huge challenges also that are facing our province, including soaring unemployment, increasing debt and out-migration of our young people. The people of the province are fed up and they want us to work together to create jobs and strengthen our economy.

I ask the Premier once again: Will he get down to business and call for an all-party select committee on jobs and sustainable economic development so we can all work together to deliver real solutions for the future of our people?

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

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

Well, first of all, I want to make some comments about the preamble that the Leader of the Third Party mentioned. Mr. Speaker, it's unfortunate – and no one likes the situation that Members of this House of Assembly find themselves in. This is not to make an excuse, but I think we must all learn from history as well. The Leader of the Third Party herself said she feels it's appropriate today to actually just direct her comments at this current administration when, she herself, sat in the party that had to go through a similar situation not that long ago.

So, Mr. Speaker, it's not about making excuses for anyone. We will deal with it, and I've already started that process. I've said: zero tolerance. The Member opposite, I think you already know that your own party has had to deal with similar situations in the past. So I think all of us can do better. I am committed to making this place a better place to work, just like I'm committed to make this province a better place to live.

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

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

**MS. ROGERS:** Mr. Speaker, this summer I travelled a good bit of the province learning about the incredible work being done in many communities by creative, motivated people working on solutions to the economic crisis in

their areas, often with no or minimal help from government.

They defined, identified the lack of community economic development infrastructure and delays in Service NL regulations that do not facilitate their work.

I ask the Premier. What concrete plans does he have for working with rural communities to support entrepreneurs who have great ideas on how to develop their economies?

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

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

Well, I'd encourage the Leader of the Third Party just to look at *The Way Forward* and you will see the tremendous work that's been done in creating partnerships in many rural communities in Newfoundland and Labrador. I think you need to look no further than what's been happening on the Burin Peninsula with aquaculture. I'm not sure if the Member opposite even supports aquaculture, but I will tell you there are over 800 jobs being created on the Burin Peninsula.

We've seen it all around the province this year in tourism, as we've set goals and objectives to create employment. We're seeing numbers just in the last few months of just over 6,000 jobs.

We are making a difference. We are attracting investment, Mr. Speaker. We've been creative in partnerships in many rural communities. Agricultural itself is a pillar and a priority for us as a province. Not just for food security for Newfoundlanders and Labradorians, for job creation as well.

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

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

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

And I certainly support sustainable aquaculture.

Mr. Speaker, the Minister of TCII told this House he had to give Canopy Growth \$40 million of the people's money to secure a guaranteed supply of recreational cannabis and

to create jobs, yet no other province has done this. There is no secure supply, as stores across the province quickly ran out last week and are still waiting for more product.

I ask the minister: With no secure supply in evidence, what exactly is he going to do to ensure that those small companies who took the risk in good faith to open businesses will get the supply that they were promised?

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

**PREMIER BALL:** Mr. Speaker, facts are important – facts are very important. And I want to remind the Leader of the Third Party that she’s been given a technically briefing and I ask her: Why do you continue to put out misleading information to the people of this province? There is no government cheque going to any cannabis producer. You’re saying she knows that – she just said she knows that, but indeed when you listen to the question, didn’t say that. No money coming from government to any cannabis producer, Mr. Speaker.

The option was: Do you import it, or do you set up an industry? So, just to give you an example, if there’s \$3 that will come into NLC from this production facility, \$2 of it will go to NLC, \$1 would go to the facility. That is how this is being paid for. The other option was to import it from New Brunswick. And the Member opposite is wrong, because other provinces have put in programs to attract investment for cannabis producers.

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

**MR. SPEAKER:** The time of Oral Questions has ended.

Presenting Reports by Standing and Select Committees.

Tabling of Documents.

### **Tabling of Documents**

**MR. SPEAKER:** Appointments to the House of Assembly Management Commission:

Pursuant to section 18(9) of the *House of Assembly Accountability, Integrity and*

*Administration Act*, I’m advising the House that Members of the House of Assembly Management Commission are as follows: the Government House Leader; the Opposition House Leader; the hon. the Minister of Natural Resources and Minister Responsible for the Status of Women; the Member for Placentia West - Bellevue; the Member for St. John’s East - Quidi Vidi; the Member for Windsor Lake; the Speaker and the Clerk.

In accordance with section 19(5)(a) of the *House of Assembly Accountability, Integrity and Administration Act*, I hereby table the minutes of the House of Assembly Management Commission meetings held on May 16 and May 30, 2018.

Furthermore, in accordance with section 38(1) of the *House of Assembly Accountability, Integrity and Administration Act*, I hereby table the following reports of the Commissioner for Legislative Standards: The Joyce Report – August 24, 2018; The Kirby Report – August 24, 2018; The Kirby Report – October 3, 2018; The Joyce Report – October 18, 2018; and The Joyce Report – October 19, 2018.

Further tabling of documents?

Notices of Motion.

### **Notices of Motion**

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

**MS. PERRY:** Thank you, Mr. Speaker.

As Member for Fortune Bay - Cape La Hune, I stand today to give notice of the following private Member’s resolution:

WHEREAS some Members have concerns about the process the Commissioner for Legislative Standards followed in producing investigative reports of harassment complaints against Members and;

WHEREAS the Speaker has informed Members of the House of Assembly Management Commission that the Commission does not have the authority to summon the Commissioner, but the House does and;

WHEREAS questions about the process must be dealt with before the House can properly deal with the reports the process has produced and;

WHEREAS ensuring the integrity of the process is paramount in assuring the public that justice is done in matters of harassment;

THEREFORE BE IT RESOLVED that this House summon the Commissioner for Legislative Standards prior to debate of any of the investigative reports in order to answer questions and provide clarity from the process so Members can have a full understanding of the process and have any questions answered before they deal with the reports' findings and recommendations.

Seconded by the Member for Conception Bay East - Bell Island.

Thank you, Mr. Speaker.

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

**MR. HUTCHINGS:** Mr. Speaker the private Member's resolution presented by my colleague will be the one that we'll debate tomorrow, Wednesday, in Private Members' Day.

**MR. SPEAKER:** Thank you.

Further 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.

The current 1.6 kilometre busing policy results in children walking to school in areas where there are no sidewalks, no traffic lights and through areas without crosswalks. This puts the safety of these children at risk.

We, the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador to ensure the safety of all children by removing the restrictions of the 1.6 kilometre busing policy where safety is a concern.

Mr. Speaker, I presented this petition many times in the House of Assembly. Yesterday evening I received a phone call from a constituent of mine that lives within the 1.6 kilometre zone in the Town of Torbay. I spoke to her – actually, I went by her house and looked at what she was talking about.

In the Town of Torbay there are no sidewalks. In actual fact, with the rain the weekend there was a major wash off of the road coming down over Piperstock Hill. It caused deep gouges in the side of the road where children have to walk, and I agreed with her.

This is a single lady who has no transportation herself and the children have to walk to school. In this particular area it's a common thing – as in a lot of parts where there are no sidewalks – which this occurs after every rainfall. For her to send her children to school yesterday she had a major concern, because there are 17,000 cars a day that travel along Torbay Road. The only way that these kids could travel along Torbay Road yesterday was basically to walk on the road.

Mr. Speaker, I'm not asking for the 1.6 kilometre to be dropped everywhere in this province, no, I know there – maybe we can do a solution. Maybe there's a way we can figure out – but my concern is the safety of the children. We need to look at areas where there are 17,000 cars a day travelling. We need to look at areas and maybe we can look at different grades that this can apply to.

Government needs to address this. This is very, very serious. Like I said, these children yesterday, the parent decided not to send them to school. It's serious in many, many districts, and I ask the minister to have a look at it. When it's the safety of children that are involved we need to do the best for our children.

Thank you very much, Mr. Speaker.

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

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

I just want to take a few minutes to respond to the 1.6 kilometre. I'd just like to ask the hon. Member opposite, where was he in 2015 or prior to 2015? What policy did you have? What did you follow?

**MR. K. PARSONS:** I think we should look at the future.

**MR. SPEAKER:** I remind the Member – that's it, no more warnings.

Please proceed.

**MR. HAWKINS:** Mr. Speaker, we, as a government, we've taken the 1.6 kilometre policy very seriously.

Mr. Speaker, we've been working through different scenarios. Not like what – according to the Member for Conception Bay East - Bell Island made a comment that the 1.6 kilometre rule was archaic. Mr. Speaker, I'd like to remind the Members opposite that we've been in government for three years, three years, the same policy, if it's archaic now, was archaic in 2012, 2013, 2014, 2015. There has not been a significant difference.

Well, I'd like to tell the Members opposite something different that we've been doing as a government, we've been listening. We've been listening to parents, we've been listening to schools. That's why, Mr. Speaker, this year we looked at – there were about 42 different schools that were impacted by some of the changes in the 1.6 kilometre enforcement of the rule. What we've done, Mr. Speaker, in fact, we have put in courtesy seating at 1.8, which they had never done. So that same parent would have had to take their child to school (inaudible).

**MR. SPEAKER:** I thank the minister for his response. Your time has expired.

Thank you.

The hon. the Member for Conception Bay South.

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

Caps and thresholds in automobile insurance would leave many people without adequate compensation when they are injured.

We, the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador to adopt a policy against the imposition of caps or thresholds in automobile insurance.

Mr. Speaker, this issue has been talked about a lot in the public domain. There has been debates. I know the Insurance Bureau of Canada has been lobbying for caps. The insurance industry, obviously, has been lobbying for caps. We've got another group lobbying against the caps.

When this first came out I know us, as a caucus – I think most people in the province were watching intently because insurance rates are – they are very high. On a personal level, I pay way too much for insurance but I can't afford not to pay for insurance, as most people in this House can attest to. We have to have insurance. You have to protect yourselves and your families, but in doing so, Mr. Speaker, the price has to be done at a fair level. Right now, it's not at a fair level, but if you got in these caps, if they were – some assurance these caps are going to reduce rates, you'd have a different conversation.

It's been all – many times, many public presentations. I know my colleague from Cape St. Francis was at a presentation by the Insurance Bureau and they were told outright, this will not reduce rates. So I guess the general question is, what purpose would putting a cap on injury – what benefit would it give the people of this province?

The only one who benefits from this, Mr. Speaker, is the insurance industry, the insurance companies. We were led to believe that this was going to be a resolution. This was going to be a solution to our problems with high insurance rates. Obviously, that's not what we're being told and it won't happen.

So my question is – I implore government to seriously consider opposing any caps in the event, for what purpose? Ultimately, we're

going to lose on both ends at that rate, Mr. Speaker. We'll have high rates and we'll have no coverage. We know a lot of people out there with serious injuries that require a lot of medical attention and a lot of lost income, and those insurances, they're a lifeline. So I implore government to give that strong consideration when a decision is made, Mr. Speaker.

Thank you very much.

**MR. SPEAKER:** Thank you.

Further petitions?

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

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

The 15 per cent retail sales tax on insurance premiums that the provincial government imposed in 2016 has significantly increased the cost of insurance. We, the undersigned, call upon the House of Assembly to use the Government of Newfoundland and Labrador to eliminate the 15 per cent retail sales tax on insurance premiums.

Mr. Speaker, we've been hearing this continuously since 2016 about the impact that this has had on the bottom line when it comes to costing for insurance rates itself. It's had a negative effect on a number of areas, too. We've known – discussions I've had with business people – that they've had to make decisions on how many vehicles they put on the road. And while I realize it's a revenue generator for government, sometimes you've got to look at it penny-wise and pound foolish at the end of the day.

A number of companies, a number of businesses who've had to go back to their reserves, that they may not have because the economy was stalling at the time, have had to make decisions around how do they make up that 15 per cent. In a lot of cases, what they've done is taken another vehicle off the road to eliminate the insurance on that to try to offset the additional cost, which, in turn, is a loss of revenue for government in many different avenues. Particularly around maintenance, purchase of vehicles, gas that would be used in those types

of vehicles, and all the other services that would be provided. In some cases, it actually means a layoff of an employee because you don't need as many – the number of human resources to sustain that same type of service.

When you take into account the impact it has on people on fixed incomes who have to have insurance – it's a given here from a safety point of view, from a piece of mind. In a lot of cases, from a legal point of view, you must have this service paid for. An additional 15 per cent – we're not talking 1 or 2 per cent; 15 per cent is significant when you add that to the bottom line on anybody, but particularly somebody on a fixed income.

We know there are people out there driving illegally, and we know some are doing it deliberately. It wouldn't make any difference if the tax is on it or not. But we do know, and we know this honestly, that there are some people who've had to make the decision to break the law by driving without insurance because they physically now can't insure that vehicle, and because they don't have disposable income. That 15 per cent was a different of them being law-abiding citizens who would normally not break the law – in this case, having to do that because they can't afford to do it.

So there are a number of factors here. While it's a revenue generator, if you look at the whole impact it has, I suspect we're losing money in other avenues that we haven't even thought of; that the left hand doesn't know what the right hand is doing, and it's having an impact. But outside of that, the average citizen who wants to follow the rules, who wants to ensure that they're safe on the road, and the car that may be involved in an accident is also secured safe because it has insurance – but by imposing this extra 15 per cent, what we've seen is a detrimental effect on people driving, and their peace of mind.

We've seen it: lost revenues. If you've got an extra bit of disposable income, you're going to put that in somewhere else in our society, and government has the ability to get all that money back to put back in infrastructure and services for its people.

When we impose something – and I said it in 2016 and I'll say it in 2019: This was a calculator exercise around just generating more money and it's not in the best interest of the people of Newfoundland and Labrador, so we ask the government to make sure that this is dropped so that people can have insurable vehicles on the road.

Thank you, Mr. Speaker.

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

**MR. SPEAKER:** Further petitions?

Orders of the Day.

**Orders of the Day**

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

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

And given that we've had reports tabled now, which I'm sure Members would like an opportunity to review, I would move, seconded by the Minister of Natural Resources, that the House do now adjourn.

**MR. SPEAKER:** It's been moved and seconded this House do now adjourn until tomorrow at 10 o'clock.

On motion, the House at its rising adjourned until tomorrow, Wednesday, at 10 a.m.