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Speaker: Honourable Perry Trimper, MHA

Monday

March 4, 2019

The House met at 1:30 p.m.

MR. SPEAKER (Trimper): Order, please!

Admit strangers.

I would like to welcome the Members to this session and, as we begin today, I would like to begin with a very important tradition of Parliament.

I do have today the pleasant task of formally welcoming a new Member who was duly elected in the by-election of January 24, 2019. The new Member is Mr. Paul Dinn, representing the District of Topsail - Paradise. I've 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 Topsail - Paradise, along with the Leader of the Official Opposition, enter the Chamber through the main doors, approach the Chair and bow to the Speaker.)

(Applause.)

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

MR. CROSBIE: Mr. Speaker, may I introduce Mr. Paul Dinn, the Member for Topsail - Paradise, who appears before you to claim his rightful place in this House of Assembly.

MR. SPEAKER: Let the Member take his seat.

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

(Applause.)

MR. SPEAKER: Order, please!

The hon. the Member for Humber - Bay of Islands.

MR. JOYCE: Mr. Speaker, I rise today on a point of privilege.

O'Brien and Bosc, in the *House of Commons Procedure and Practice*, states that a Member must satisfy the Speaker that he or she is bringing the matter to the attention of the House as soon as possible after becoming aware of the situation.

As indicated through the email on Saturday, March 2, 2019, I asked for your guidance on making a point of privilege. I've given you notice and a written copy of the point of privilege this morning, March 4, 2019. Mr. Speaker, this is new and very relevant information that was made public on Saturday, March 2, 2019. This is the earliest possible opportunity for me to bring this matter to your attention.

Sources within the Management Commission informed me that Chaulk did tell MHAs that Joyce was unavailable for an interview. This was reported by *CBC News* and they had the information confirmed and that was actually said. This is critical to the investigation that has been widely circulated on local, national and international media. Mr. Speaker, as you are aware, there were harassment and bullying complaints made against myself and the Member for Mount Scio. There was an investigation and there was no basis to these allegations or complaints.

Mr. Bruce Chaulk, Commission for Legislative Standards, in a CBC interview on May 3, 2018, made statements that were very serious and alarming. He stated: "You might say they can be fired," Chaulk said, the grin returning to his face. "I have the ability to recommend that they can be fired." This was before any complaint was ever received and expressed the gravity of a situation without receiving a complaint.

The CBC report says: "But a grin comes across his face as he talks about the power he wields to hire any help he needs to get to the bottom of the issues unfolding in Newfoundland and Labrador's House of Assembly." He is quoted as saying: "I'm not a harassment investigator, but I'll certainly have an experienced one to do the work." Mr. Chaulk informed the general public that he was not qualified to carry out these investigations and he will be using outside help. The firm eventually used was Rubin Thomlinson and, to date, this report has not been made public

but there was no foundation to their harassment and bullying complaints.

Mr. Speaker, the reports were handed to you, my lawyer and myself on October 19, 2018. I received the final report. In it, it found that I had violated the Code of Conduct Principle 10.

Mr. Speaker, I want to make it very clear and unequivocal that I was never interviewed by the firm Rubin Thomlinson or Mr. Bruce Chaulk. The rule of natural justice, the right to be heard was not followed. In any court of law, from a speeding ticket to first degree murder, the accused has the right to be heard. The Supreme Court of Canada allows people to be heard in person.

Procedural justice is defined as the fairness of the processes that lead to outcomes. When individuals feel that they have a voice in the process or that the process involves characteristics such as consistency, accuracy, ethicality and lack of bias, then procedural justice is enhanced. This is Leventhal, 1980.

Mr. Speaker, I was never heard in the process, and the characteristics mentioned above were not evident in either the report for myself or the Member for Mount Scio.

In a technical briefing with the Management Commission on October 24, 2018, Mr. Bruce Chaulk made the following statement: I interviewed witnesses – he named a number – and one refused to participate and wouldn't be interviewed. When asked who that person was, it was stated it was Eddie Joyce.

Mr. Speaker, may I remind you of your response to me on November 6, 2018 at 9:18 p.m. You stated: As the request refers to an in-camera technical briefing, technical briefings of Members are not bound by confidentiality. I must remind the House, on many occasions in the House of Assembly, ministers are asked questions arising from a technical briefing, which is very common. Members can speak openly and freely, and I expect you will inform them.

Mr. Speaker, I received an email on Monday, October 29, 2018 from Mr. Chaulk stating: You were not required to appear, nor was it expected.

The act provides that you can make representation in writing or in person, or by counsel or by representative. Your counsel provided very extensive submissions. I will table that document, Mr. Speaker.

If this was the case, why would Bruce Chaulk state that I refused to participate in the Management Commission October 24? On the following floor of the House of Assembly I produced the letters from my lawyers which clearly showed that I would have met. Your statement to me was: This is not what he said; you were definitely willing to meet. I approached Bruce Chaulk immediately after showing the letters and he stated: I will correct to the letter. Mr. Speaker, you were present for that.

Mr. Speaker, you were present and you confirmed that you heard that exchange. Mr. Speaker, I am tabling the letters from my lawyers dated July 26, 2018 and August 1, 2018, and an email from Mr. Chaulk on August 1, 2018 at 8:32 a.m. The letter on July 26 states: This is further to our telephone conversation of July 24 and your office's request to interview our client on August 1, 2018. As I advise, the undersigned is out of the office – that is the lawyer.

The letter clearly indicated that Mr. Chaulk's office did request an interview with me on August 1, 2018. This was the only date given and there was no alternate dates provided or even asked if we could have an alternate date. Mr. Speaker, August 1 was Regatta Day in St. John's and my lawyer could not be present, and this was communicated to Mr. Chaulk. Without my lawyer being able to be present, I agreed to meet with the investigator.

The letter states: If, however, the Commissioner for Legislative Standards, you feel that any aspect of the request for the opinion has not been fully addressed or requires further clarification or amplification, our client will agree to meet with you and the investigator or to respond in writing, questions from the investigator, within the time frame indicated. Please be advised that this was against the advice of my lawyer that felt strongly that legal counsel should be present at this interview.

Mr. Speaker, with an ultimatum of August 1, 2018 only, and no other opportunity, I wanted and was looking forward to presenting my side which never happened. On August 1, 2018, my lawyer wrote Mr. Chaulk and has not received confirmation from your office or any respect of the request for opinion has not been addressed, or that further clarification or amplification is required, we interpret your silence to mean that your office no longer considers it necessary that our client meets with the investigator on Wednesday, August 1.

Mr. Chaulk wrote back to Ms. Wells on 8:32 a.m. on August 1 and replied: Hi, Ms. Wells, sorry for the misunderstanding on my part, I wasn't expecting you or your client.

Mr. Speaker, the documentation provided clearly disputes Mr. Chaulk's statement to the Management Commission that I refused to participate. This is clearly false, baseless and without foundation or truth. This reckless statement shows the bias towards myself and a predetermined decision without all the facts. This credibility and ability to conduct his findings in both reports should be called into question, and he stated publicly that he personally does not have the expertise.

Mr. Speaker, as I stated earlier, my lawyer was given one date, August 1, 2018, to meet, the only day available and no compromise for another date. Without my lawyer being present, Mr. Speaker, I agreed to meet with the investigator. No meeting occurred that day and I needed and expected to give my version and list of witnesses. Evidence will show that there were five later days of interviews – five different dates and people made arrangements with Mr. Chaulk for dates that could fit their schedule. Mr. Speaker, with such implications on my professional life, personal life, family and friends, I should have been given the due process and an opportunity to present evidence and provide witnesses.

Mr. Speaker, I wrote you on November 6, 2018, advising that I had this statement from Mr. Chaulk and asked you if it was necessary to have an emergency Management Commission meeting to discuss the vital piece of damaging information. This meeting never occurred. This document I will table. I will also table the letters

from my lawyer to prove that I was willing to meet.

If you make a decision that this is a prima facie case, I'm asking that you refer the Joyce report of October 19 and the Kirby report of October 6 back to the House of Assembly. I want to make it quite clear, if you decide this is a prima facie case and this is referred back to the House of Assembly, we'll be discussing the process. Not the merit of what's in the reports but the process alone, Mr. Speaker.

Mr. Speaker, O'Brien and Bosc states: "It is impossible to codify all incidents which might be interpreted as matters of obstruction, interference, molestation or intimidation and as such constitute prima facie cases ... However, some matters found to be prima facie include" – this is very important, Mr. Speaker – "the damaging of a Member's reputation, the usurpation of the title of Member of Parliament, the intimidation of Members and their staff and of witnesses before committees, and the provision of misleading information."

O'Brien and Bosc quote Maingot is stating: "The purpose of raising matters of 'privilege' in either House of Parliament is to maintain the respect and credibility due to and required of each House in respect of these privileges, to uphold its powers, and to enforce the enjoyment of the privileges of its Members. A genuine question of privilege is therefore a serious matter not to be reckoned with lightly and accordingly ought to be rare, and thus rarely raised in the House of Commons."

I refer to O'Brien and Bosc page 141 where matters involving privilege before the House of Commons are treated with the utmost seriousness. As you outlined this week, there is a formal process to be followed. I have followed that process and notified the Speaker of my intentions to raise the issue of privilege and this is the earliest possible opportunity.

Mr. Speaker, for the record, I would like to table the letters from my lawyer, and also the letter that I sent you on November 6 because it was before the House of Assembly had their vote. I wanted to make sure – which the Members weren't aware – that I was refused the opportunity. The statements made by Mr.

Chaulk were that I refused to participate; these legal letters will prove that's just absolutely false.

Thank you, Mr. Speaker.

MR. SPEAKER: Thank you.

Are there other Members who wish to speak to this matter?

Seeing none, I will take the request to consider this point of privilege under advisement and I'll be reporting back to this House of Assembly.

Thank you.

I will now return to our routine proceedings.

Statements by Members

MR. SPEAKER: For Members' statements today we will hear from the hon. Members for the Districts of Lewisporte - Twillingate, Fogo Island - Cape Freels, Conception Bay East - Bell Island, Placentia West - Bellevue, and Windsor Lake.

The hon. the Member for Lewisporte - Twillingate.

AN HON. MEMBER: He's sick. He's not here.

MR. SPEAKER: I'm sorry.

MR. KING: (Inaudible) he notified me just before (inaudible).

MR. SPEAKER: Okay, thank you.

The House was not notified.

Okay, thank you. I will continue, then.

The Member for Fogo Island - Cape Freels.

MR. BRAGG: Thank you, Mr. Speaker, and welcome back.

Thank you for the opportunity to rise in this hon. House and highlight exciting things happening in my District of Fogo Island - Cape Freels.

The good folks of Centreville-Wareham-Trinity and Indian Bay, along with their mascot, Willie Melt, just celebrated the most successful 26th annual winter festival.

The week started with a huge crowd attending the opening ceremony where fun and laughter filled the room. Their sense of community pride is alive and well. There was song and dance, mummers and feasts, events starting early in the morning and others ending late in the evening.

Each and every event was sold out days in advance. The number of volunteers that were dedicated to this event was outstanding. I had the opportunity to attend many of the events, to be made fun off and to make fun.

My mere words cannot express the magnitude of success of this annual event. You have to experience it and its people to get the true picture.

I would like to thank the host committee and amazing volunteers from Centreville-Wareham-Trinity and Indian Bay for another successful winter event.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Thank you.

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

MR. BRAZIL: Thank you, Mr. Speaker.

I stand today to acknowledge an organization in my district that, in less than two years of existence, has had a major impact on both outlining the many noted attractive amenities the community of Portugal Cove-St. Philip's offers, along with modernizing the business community into a professional, inclusive and focused entity.

I speak of the Portugal Cove-St. Philip's Chamber of Commerce. In only a short period of time they have developed a membership of over 60 businesses and organizations who see the value of working together to enhance our community socially and economically. These

businesses and organizations range from farming to manufacturing and everything in between.

Their focus to engage not only the business community, but all residents through round-table discussions and presentations by expert in many fields, shows the true meaning of how business is an equal partner in the community. Their focus on developing a tourism strategic plan that not only includes the Portugal Cove-St. Philip's area but many adjacent communities is another example of how they show a true desire to ensure as many as possible in the region benefit from their work.

I would be remiss if I didn't acknowledge the support from the officials and councillors from the Town of Portugal Cove-St. Philip's, along with the officials from the Department of Tourism, Culture, Industry and Innovation who have all worked with the Chamber these past number of months to achieve their goals.

A special thank you to the Chamber's board of directors and its president, Mr. Mike Murray, for showing true leadership and commitment to the community.

I ask all Members in this House to join me in wishing the Portugal Cove-St. Philip's Chamber of Commerce best wishes in the future.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. BROWNE: Mr. Speaker, I rise today to mark the passing of a pioneer of the fishery, a man of unparalleled passion who has been rightly hailed as a visionary in his field: Mr. Bruce Wareham.

On January 4, Bruce's battle with cancer came to an end but his legacy lives on in Arnold's Cove and beyond.

In the words of his own family – and I quote:

“While his career brought him to many countries around the world, his greatest commitment remained to the town, plant and people of Arnold's Cove. Bruce often modestly attributed the success he experienced in life to the people of Arnold's Cove. This commitment was the driving force behind Bruce's decision in 2004, at the age of 61, to form the Icewater Group of Companies. Bruce's hard work, determination and vision not only kept a groundfish processing plant open in Arnold's Cove, but built it into a successful operation with a worldwide reputation for quality. Bruce remained passionate and optimistic about the future of the fishing industry in Newfoundland and Labrador until his passing and will be remembered as a man of his word and a true gentleman.”

Mr. Speaker, I can say no more or no better than those who loved and cherished him most.

I ask all hon. Members of this hon. House to join me in extending our condolences to his wife, Hilda, of 50 years, his sons, Alberto and Ken, and all members of their family on their personal loss.

On behalf of the people of Arnold's Cove I say thank you, Bruce, and Godspeed.

SOME HON. MEMBERS: Hear, hear!

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

MR. CROSBIE: Thank you, Mr. Speaker.

I rise today to recognize the outstanding work and community service of Windsor Lake resident, Dr. Lloydetta Quaicoe

I was honoured to be in attendance at Government House in January to witness Dr. Quaicoe receive the Order of Newfoundland and Labrador for her many cultural contributions in our province.

A human rights champion, Dr. Quaicoe was founder and CEO of Sharing Our Cultures, an organization that works to address the needs of migrant children and fosters intercultural

connections. Dr. Quaicoe's work beyond the organization includes work with the African Canadian Association of Newfoundland and Labrador and the Multicultural Women's Organization.

In 2013, she was awarded the Queen Elizabeth Diamond Jubilee Medal for promoting multicultural and intercultural relations.

Mr. Speaker, I ask all hon. Members to join me in congratulating Dr. Lloydetta Quaicoe on receiving the Order of Newfoundland and Labrador and for her significant cultural contributions and community service.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Statements by Ministers.

Statements by Ministers

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

SOME HON. MEMBERS: Hear, hear!

MR. LETTO: Thank you, Mr. Speaker.

Mr. Speaker, I rise in this hon. House today to highlight our government's recent announcement of the expansion to the Fire Protection Vehicle Program.

SOME HON. MEMBERS: Hear, hear!

MR. LETTO: We have made changes to the program so that it works better for communities, fire departments and the residents they serve.

We have expanded the program to allow communities to apply for cost-shared funding under one of three funding streams, depending on which stream best suits their financial needs. Communities can now apply for cost-shared funding for used fire protection vehicles, as well as for a fixed contribution for new vehicles.

The program has been improved so that our fire protection budget will make a bigger impact in more areas of the province. The changes will also provide increased opportunity for

communities to collaborate and take a shared approach to fire services.

I would like to thank all the firefighters, their families and fire departments in this province for their dedication and sacrifices. I would also like to acknowledge the good work of the Newfoundland and Labrador Association of Fire Services. We look forward to continuing to work with our fire services partners to strengthen the level of fire and emergency services for Newfoundlanders and Labradorians.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

SOME HON. MEMBERS: Hear, hear!

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

I want to thank the minister for an advance copy of his statement. It's good to see this program has expanded to include more options for communities to access funds for new and used fire protection equipment. We all recognize the importance of strong fire protection, and I certainly hope that this will allow more communities to improve their services.

Firefighters play an important role in our community, protecting the public and responding to emergencies. I hope these increased resources will help them in their very important and, often, difficult job.

I would also like to commend all fire departments across the province. I know many are volunteer and I thank all firefighters for everything they do to protect our communities.

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, too, thank the minister for the advance copy of his statement. I'm delighted to join with him in recognizing the volunteers who work in firefighting. Anything that helps communities and volunteers who struggle with the cost of firefighting is good to see.

It's interesting, though; this statement does not include any details on what the cost-sharing ratios will be for participating communities. No community who needs the financial assistance to obtain appropriate firefighting equipment should be denied it because they cannot afford it. Volunteer firefighters in small communities provide an invaluable service and government must ensure that they get the equipment they need.

Thank you, Mr. Speaker.

MR. SPEAKER: Further statements by ministers?

The hon. the Minister of Education and Early Childhood Development.

SOME HON. MEMBERS: Hear, hear!

MR. HAWKINS: Thank you, Mr. Speaker.

Mr. Speaker, March 3-9 is Education Week in Newfoundland and Labrador, with opening ceremonies held this morning at Memorial Academy in Botwood.

The theme this year is "Go the Extra Mile." For students, going the extra mile shows that they are working hard and doing their best to succeed. The theme also speaks to teachers, who go above and beyond to help our students achieve.

As a government, we understand the importance of a quality education for our students and the role that it plays in the future growth and continued prosperity of our province.

Through the Education Action Plan, we are implementing over 82 actions, including hiring 350 teacher resources over the next three years so that our children and our youth have access to the supports that they need.

On behalf of the provincial government, thank you to the Newfoundland and Labrador Teachers' Association, to teachers, to school districts and school councils for their hard work, professionalism and dedication to the youth and education in Newfoundland and Labrador.

I encourage all students to take part in the many activities that will be happening during Education Week. You all have much to contribute and can learn and grow from your involvement in this very special week.

Mr. Speaker, I ask all hon. Members to join me in celebrating Education Week. The opportunity for education never ends.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. BRAZIL: Thank you, Mr. Speaker.

I would like to join the minister in recognizing the start of Education Week here in Newfoundland and Labrador. Education Week is about celebrating learning in our communities. This year's theme is Go the Extra Mile. And I'm happy to say, Mr. Speaker, that the people in our education system are world class. Our students, teachers, parents, volunteers and staff are the ones that make this a reality by going the extra mile every day.

On behalf of the Official Opposition, I wish everyone involved in the K-12 education in our province a fun-filled week of activities.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Thank you.

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

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

I, too, thank the minister for a copy of his statement. I commend and thank the teachers who work so hard and face challenges to reaching every student and making sure they have a good educational experience. They are all going the extra mile.

I would like to see government go the extra mile as well and reduce the class-size caps and ensure that teachers have the resources they need to provide for a good teaching and learning environment.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Further statements by ministers?

Oral Questions.

Oral Questions

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

MR. CROSBIE: Thank you, Mr. Speaker.

Would the Premier agree that at stake in the 2005 Atlantic Accord fiscal arrangement review are hundreds of millions of dollars to this province on an annual basis?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Mr. Speaker, the review of the Atlantic Accord, based on the amended agreement that was put in place in 2005, outlines five principles of what a review would look like. Mr. Speaker, right now it really goes back, when you look at the history of the Accord, it really started in the early '80s. It was finalized around 1986 and we had an amendment that was made in 2005.

So what we're currently undergoing now is a review. But I will assure you, Mr. Speaker, we will make sure that the principal beneficiary of the Atlantic Accord will be Newfoundlanders and Labradorians.

SOME HON. MEMBERS: Hear, hear!

PREMIER BALL: These are the people that will get the full benefit of this review by the Atlantic Accord.

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

MR. CROSBIE: I'm gratified to hear the Premier endorse the principal beneficiary right.

This is actually being conducted pursuant to section 8 of the 2005 Atlantic Accord fiscal arrangement which states that, "No later than March 31, 2019, the parties agree to review the current arrangement."

The Premier could have commenced the review of the current arrangement in 2015 when he took office. Why did he wait until last year to commence the review?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Mr. Speaker, we started the review by sending a letter to the prime minister last February. We made the commitment and the prime minister has made the commitment that this review would be finalized by March.

You could pick any point in time – I would say to your party, you had every opportunity to do the same thing. As a matter of fact, you had every opportunity not to take away Muskrat Falls from the Public Utilities Board but your party decided not to do that as well.

SOME HON. MEMBERS: Hear, hear!

PREMIER BALL: So you can pick any point in time, Mr. Speaker, we are having meaningful negotiations with the federal government. I can assure you we will stand up for the people of this province. We will not play politics, which is exactly what you are doing, trying to create a diversion from a plan you do not have.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

The Leader of the Official Opposition.

MR. CROSBIE: Mr. Speaker, you and I could perhaps agree that part of the respectful

workplace training that we just enjoyed is that when a colleague asks a question, the answer is responsive and not irrelevant.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. CROSBIE: Former Premier Brian Peckford, one of the fathers of the Atlantic Accord, has released an open letter containing his thoughts on the review.

He asks: “Has the provincial government made public its position on this review?”

And I ask the Premier: What is the need for secrecy and what is his response to this father of the Accord?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Mr. Speaker, we released the letter based on the five principles and the amended agreement that was signed in 2005. That letter was released. The Leader of the Opposition should, if he hasn't, take an opportunity to read that. That really outlines the framework of the discussions that we're having right now.

I will tell you, we will leave no stone unturned, Mr. Speaker, in finding benefits for Newfoundlanders and Labradorians. We need to because this province has been left in an unprecedented mess by the party that the Leader of the Opposition leads.

We will leave no stone unturned in those negotiations to find money, to find revenue and ideas to solve the problems that we've been left with by your party.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Leader of the Official Opposition.

MR. CROSBIE: Mr. Speaker, in light of that determination to find every available benefit, the Premier should not mind enlightening the House as to which years are under review with the purpose of establishing the allocation of benefit from the offshore, and therefore the fiscal

payments to Newfoundland and Labrador that may be required to obtain our right as principal beneficiary.

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Mr. Speaker, there's an ongoing process, as I've just mentioned.

I find it ironic when the Leader of the Opposition stands up here and talks about transparency, talks about accountability. Yet it's the Leader of the Opposition that is out there making these statements publicly in our province right now and he fails to tell the people of this province.

He says there will be no – he would have balanced budgets. That would mean right now, in this year – this fiscal year – the Leader of the Opposition would need to come up with almost \$600 million.

I say if you want to be truly transparent, a man of your word, why don't you tell the people what it is you're going to cut in health care and education?

SOME HON. MEMBERS: Hear, hear!

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

MR. CROSBIE: Mr. Speaker, as a matter of respectful interaction between colleagues, I'll simply remind the Premier that I did ask what years are under review.

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: As I said, Mr. Speaker, we are leaving no stone unturned when you look at the opportunities within the Atlantic Accord to find benefits for Newfoundlanders and Labradorians.

This is not to a date; this is about the principles that are outlined during a negotiation. I think the people of this province – I can give you an example around legislation that could have an impact on our offshore, Mr. Speaker. When you think of the statements that I made just last week in front of the Senate, these are examples of what I am doing to improve revenue for

Newfoundlanders and Labradorians, making sure that we get full value of our offshore resources.

We are working hard to make sure that we are the principal beneficiary. You can call it the primary beneficiary, call it what you want, our objective is to bring benefits – more benefits to Newfoundlanders and –

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Member's time has expired.

The Leader of the Official Opposition.

MR. CROSBIE: I don't doubt the hon. Premier's good intentions, but it's clear at this point that he either is incapable or unwilling to tell the House what years are under review.

Let me ask: What mechanism will be built in to ensure that we maintain our principal beneficiary status as 100 per cent beneficiary of offshore resources in future years?

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Mr. Speaker, what the Leader of the Opposition is referring to – what he's really referring to – is the mistakes by the PC Party when this was negotiated in the beginning. If he had done the job at the beginning we would not be identifying the very things that the Leader of the Opposition is identifying right now.

The Leader of the Opposition knows quite clearly that there was no formula attached to the 1986 Accord that was signed by previous federal and provincial PC Parties. He knows there's no formula there. What we have to do now is look at the benefits that we see are rightfully ours as Newfoundlanders and Labradorians, Mr. Speaker. That is the history of the Accord. There is no formula attached to this.

Mr. Speaker, I am telling you right now – and I'll make it quite clear one more time – we will

leave no stone unturned looking for benefits for this province.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Leader of the Official Opposition.

MR. CROSBIE: Again, it appears that the opposite side is not able to tell us what is the period during which the review is being conducted, which years.

Mr. Speaker, section 8 of the Accord fiscal arrangement – inserted by Premier Williams by the way – does not state that the parties must complete their review by March 31. Many would agree that the review should proceed until the province has fully obtained its rights under the Accord.

Why the artificial deadline of March 31 to complete the review?

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Mr. Speaker, there are a couple things I want to make reference to. Number one, in the previous question the Leader of the Opposition spoke about the incompetence. I will tell you, Mr. Speaker, people in this province have been watching quite clearly the incompetence of your party and we just call it: Daily coverage of the Muskrat Falls Inquiry. Which you, the Leader of the Opposition, still sits in his chair and laughs at me while I'm talking about doubling electricity rates in this province.

I take exception when the Leader of the Opposition smiles and grins at me when I make those comments. This is serious stuff we're dealing with here, the future of this province, Mr. Speaker.

What I say right now – as I said – we were looking for whatever options we have available to us within the Accord right now, looking for every revenue opportunity that we can have. Mr. Speaker, as I said, there is no formula in place in any of those accords, including the amendment

that the Leader of the Opposition has just mentioned.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Thank you.

The Leader of the Official Opposition.

MR. CROSBIE: I can only say I don't know how it comports with a respectful workplace for the minister or the Premier being questioned to go on the attack with irrelevancies against the questioner.

Is the Premier concerned that the constitutional crisis, which has engulfed Prime Minister Trudeau as a result of allegations he interfered with the criminal law independence of the Attorney General for Canada, will delay the March 31 deadline?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: No.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Leader of the Official Opposition.

MR. CROSBIE: Former Premier Peckford states in his open letter that there should be no trade-offs for other things.

Will the Premier commit that these negotiations will not be influenced by any other files or demands?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

What I'd like for, as a matter of comment to be, when you look at clarification and so on, right now I have not spoken to former Premier Peckford that he's mentioning right now. I'm not so sure about the conversation the Leader of the Opposition would have had, although there are many people in our province right now that were some of the early architects.

As I said, the architecture of the Accord really goes back to around 1981, in some of the early

days the drafts and iterations that went, that was back and forth. I've talked to a number of people that would have been involved in this.

Mr. Speaker, the Accord is an important document for Newfoundlanders and Labradorians. I can assure you that based on the five principles that we are negotiating and having discussions right now, we fully intend to have this review completed – a successful review completed by March 31.

Mr. Speaker, it is my thinking that what would be a successful review for us would not be a good day for the Leader of the Opposition because he seems clearly more about (inaudible.)

MR. SPEAKER: Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Member's time has expired.

The Leader of the Official Opposition.

MR. CROSBIE: Mr. Speaker, I'm clearly about getting answers that the people of the province are seeking.

SOME HON. MEMBERS: Hear, hear!

MR. CROSBIE: Former PC Premier Peckford also asked in his open letter whether "the provincial government sought advice from any of those who were involved in the successful negotiations that led to the Accord."

Has the Premier reached out to those involved in these successful negotiations? If not, why not?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Mr. Speaker, we have a number of people that work within government. A number of groups of people would have been in our JPS, our Justice and Public Safety division, Mr. Speaker. We have a lot of people right now who are involved in the review of the Atlantic Accord.

Mr. Speaker, the Leader of the Opposition made reference to getting answers. Isn't it ironic today

that we had to do an inquiry to get the truth and to get answers from the Muskrat Falls Project? Isn't it ironic that you have the gall to stand up here today and talk about getting answers?

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

PREMIER BALL: We will put the information from the Atlantic Accord, once the review is finished, on or before March 31, Mr. Speaker. We're hoping for a successful completion of this review to bring benefits for our province.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Leader of the Official Opposition.

MR. CROSBIE: I take it the answer is, no, he has not reached out.

Who is on your negotiating team, Mr. Premier, including outside experts?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Mr. Speaker, the negotiating team right now primarily consists of people inside of government: people within the Department of Finance, people within the Department of Natural Resources and people within the Justice and Public Safety Department. I will assure you there's a strong group of officials right now. They have a network of people that are negotiating on behalf of this province.

Mr. Speaker, I'll tell you this: We're not relying on some outside agency to conduct those negotiations with us because we've learned a lesson from that. We've learned a lesson. The bureaucrats and the officials within government are directly involved. We are not leaving this to CEOs of an agency, Mr. Speaker.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

PREMIER BALL: I think Newfoundlanders and Labradorians have learned a lesson from that.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: I'd like to remind all Members that this is still the same Speaker that was here in December. I still will not tolerate interruptions – warning.

The hon. the Leader of the Official Opposition.

MR. CROSBIE: When PC Premier Danny Williams entered negotiations with Ottawa, he had the benefit of the findings of the 2003 report of the Royal Commission on our place in Confederation; specifically, that 80 per cent of the benefits were going to the federal government and only 20 per cent to us.

What analysis as to the distribution of offshore benefits did the Premier have conducted before he started these review negotiations? Who authored it and what did it conclude?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Mr. Speaker, there has been a complete analysis that's been done on a number of options that would be available to get to those numbers. The 2003 submissions – I'm guessing the Leader of the Opposition would have read them because I know I've certainly read them. Based on the press release that he did last week about primary versus principal, if you go back and read the 2003 submission – some of which was done by your own father – used the word, by the way, "primary"; did not use in every single incidence the word "principal."

Mr. Speaker, right now this is a bit of a math exercise, there's no question about it, when you look at the benefits, and trying to find where the principal beneficiary would be. I can tell you there's a very fulsome analysis that is being done for that negotiating table.

SOME HON. MEMBERS: Hear, hear!

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

MS. PERRY: Thank you, Mr. Speaker.

Years ago, *The Way Forward* document committed to hosting a women's leadership conference. Last week, many amazing female

leaders were disappointed with how this conference was delivered.

I ask the Premier: Is this the standard he expects in delivering on his *Way Forward* commitments?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Mr. Speaker, *The Way Forward*, which is the vision for the growth and sustainability of Newfoundland and Labrador, is having a significant impact. We know now that in 2019-2020 Newfoundland and Labrador will lead the growth in GDP for all of Canada; we're seeing jobs created in our province.

To the question of the women's leadership conference, Mr. Speaker, no other government in the history of this province – no other government in this history of this province – no other government in Canada has set aside a department for the Status of Women. That is our commitment to women's leadership.

Even with our boards and agencies just last year we are seeing progress – significant progress – in the number of women that are in leadership roles on our boards, agencies and commissions, Mr. Speaker. That will continue under the leadership of the Minister Responsible for the Status of Women.

MR. SPEAKER: Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MS. PERRY: I ask the minister: With almost 350 attending, did you reach out to any of our province's esteemed female leaders and ask them to facilitate the networking session? If so, how many did you try to contact?

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

SOME HON. MEMBERS: Hear, hear!

MS. HALEY: Thank you, Mr. Speaker.

I do thank the hon. Member for her question.

Mr. Speaker, yes, we hosted a leadership conference last week, attended by more than 350 people from all diverse backgrounds.

SOME HON. MEMBERS: Hear, hear!

MS. HALEY: It was a great day, Mr. Speaker.

The conference was a tremendous opportunity that allowed a range of opinions and thoughts to be shared, Mr. Speaker. I acknowledge that there were issues with the networking session and I apologize for that.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MS. PERRY: Did you reach out to any status of women councils, advisory councils on the status of women, or other women's groups to ask them for suggestions on speakers or presenters?

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

SOME HON. MEMBERS: Hear, hear!

MS. HALEY: Thank you, Mr. Speaker.

Mr. Speaker, this was not an exclusive event. As you can see, we had 12 female speakers that day at the conference. An invitation was extended to extensive community groups. The room was filled to capacity and it was on a first-come, first-serve basis, Mr. Speaker.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MS. PERRY: Thank you, Mr. Speaker.

Whose decision was it to use the Dale Carnegie networking program and who selected the facilitator?

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

MS. HALEY: Thank you, Mr. Speaker.

Again, I thank the hon. Member for her question.

As I said – I will reiterate – I acknowledge there were issues with the networking session, Mr. Speaker, and I apologize for that. We will take that feedback into consideration as we move forward with new sessions.

There were lots of positives that came out of this conference, Mr. Speaker.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MS. PERRY: Was the facilitator for this keynote suggested by the Premier's office?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: No, Mr. Speaker, it wasn't suggested by the Premier's office – not at all. What I looked at – I did attend that conference and brought some opening remarks.

As the minister just mentioned, it wasn't a perfect day, but I will tell you that when you look at where we are in our province today, when you look at the key focus areas around violence, gender-based violence and prevention of gender-based violence, when you look at a gender analysis, from step one of the things that we do within government, Mr. Speaker, advancing women in leadership roles, these are areas that never existed within any government within our province.

And I just remind the Member opposite, her government, when she sat in government, did not go as far as this government is going today, and this is just the beginning –

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Thank you.

Order, please!

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

MS. PERRY: Thank you, Mr. Speaker.

Minister, why did you only invite the female Members of the Liberal caucus and exclude all other female leaders in the House of Assembly from this conference? Was this intentional or was it a mistake?

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

MS. HALEY: Thank you, Mr. Speaker.

Again, I thank the hon. Member for her question. This was not an exclusive event. The invitation was provided to an extensive list of contacts in the community, asking them to distribute to their network. I'm surprised that the Member opposite, given the network that she has, wasn't reached out by the network that we sent the invitations to.

Thank you very much.

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

MS. PERRY: I didn't get a clear answer on that at all, but certainly I feel that myself and the other female leaders in this House, it was very unfortunate that we found out about it after the fiasco of the speaker hit the news.

Moving on now to another topic, and that is that of busing, 1.6-kilometre busing. On two occasions, we brought forward private Members' resolutions to eliminate 1.6-kilometre busing restrictions. The Minister Responsible for the Status of Women voted both times to water down those resolutions, leaving students without that coverage that we were asking in our resolution.

On August 17, 2018, in a letter to the Education Minister, she describes the 1.6-kilometre busing as a regressive move where safety is compromised.

I ask the minister: If this was such a safety concern for the children of your district and across the province, why didn't you vote in favour of our resolution to eliminate this regressive policy?

MR. SPEAKER: Order, please!

The hon. the Minister of Education and Early Childhood Development.

SOME HON. MEMBERS: Hear, hear!

MR. HAWKINS: Thank you, Mr. Speaker.

It's certainly my pleasure to speak on this 1.6 kilometre because we have made a significant difference in the 1.6, contrary to what was done in the last 12 years when they were in office when nothing was done.

Since September of this year, we have done 166 different routes; we have 72 courtesy stops in place. We are continuing to work on that and where certainly safety is always number one – you have to realize, Mr. Speaker, that safety is important to us, even outside the 1.6 kilometres.

So we are addressing that. We are addressing the courtesy stops that we have put in place. We have made changes contrary to what was done before when nothing was done for safety of busing.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MS. PERRY: Thank you, Mr. Speaker.

Acknowledging that the 1.6-kilometre busing policy compromises safety for children across this province, I ask the Minister Responsible for the Status of Women and Member for Burin - Grand Bank, do you support elimination of this regressive policy?

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

MR. HAWKINS: Thank you, Mr. Speaker.

I really want to say a thank you to the Member opposite for the real concern that they have now in 2019 with regard to safety of children on busing. Because, as I said before and stated, there was simply nothing done – nothing done – with regard to busing.

As a matter of fact, Mr. Speaker, they had Deloitte do a study in 2013 and guess what they left out of it. They left out the 1.6 kilometre. They didn't even address it. So, Mr. Speaker, when you get over there, it is somewhat disingenuous for them to speak the way they are speaking with regard to something that's very, very important.

Mr. Speaker, we're continuing to work on that and we're continuing to make sure that safety is important to all of us. We will continue to ensure that we have safety as the number one priority for all of us within the school system.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Thank you.

The hon. the Member for Ferryland for a quick question, please.

MR. HUTCHINGS: Thank you, Mr. Speaker.

Mr. Speaker, since the Atlantic Accord was last amended, the federal government has signed on to the UN Law of the Sea, which requires a royalty from 1 to 7 per cent for oil production in areas like Bay du Nord basin.

I ask the Premier: Has the prime minister promised that the federal government will pick up these royalties and not Newfoundlanders and Labradorians?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Mr. Speaker, we have taken the position as a province that when you sign on to UNCLOS, that the Member is just mentioning there right now, that is the responsibility of the federal government. So there's no need in our role to have that discussion because our view is that's a responsibility of the federal government.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Thank you.

The hon. the Leader of the Third Party.

MS. ROGERS: Mr. Speaker, the Premier and the Minister Responsible for the Status of Women held what they called a women's leadership conference, inviting women from around the province for five hours of passive listening; no scheduled time for questions or even to discuss the important issues affecting women. Instead, he had a man speak for 1½ hours about being nice and to smile and to pray.

Women were rightfully frustrated and angry. This was not a conference on women's leadership but a hastily organized PR event for the Premier and the new minister.

I ask the Premier –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MS. ROGERS: Mr. Speaker, I ask the Premier why did he invite all these women leaders and change makers from around the province but leave absolutely no time to hear from them and for meaningful work.

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Mr. Speaker, this is the beginning of what will be change in women's leadership in our province. It started off on Wednesday of last week. There have been three key focus areas that have been identified.

Mr. Speaker, to suggest that Lorraine Mitchelmore, a women leader from Newfoundland and Labrador who's left a mark across North America, to suggest that her comments were not important, I find that a little hard to take.

I find it very hard to take that a panel of five female women leaders across our province sat on a panel for nearly an hour that was facilitated by a well-known women from St. John's, I find that was not irrelevant today. It was very

relevant on the day that occurred, which was last Wednesday,

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Thank you.

The hon. the Leader of the Third Party.

MS. ROGERS: Mr. Speaker, women were invited on short notice and no travel assistance was given to women from outside St. John's. He knows how desperate women's organizations are for funding for their life-saving work. He invited his Liberal colleagues but not myself nor women colleagues in Opposition.

I ask the Premier: How much of taxpayers' money did he spend on his personal, partisan PR event?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Mr. Speaker, politics at its worst.

I would say that from the Status of Women and what we've had on last Wednesday, although the day was not perfect, and that's been acknowledged, as we said, there was a lot of progress that has been made.

To the women leaders that exist outside – they're playing key roles outside of St. John's. The minister has already made a commitment that she will be travelling this province, holding sessions in communities around Newfoundland and Labrador.

This is the first time in the history of this province we're seeing such a focus on women and women in leadership and issues that face women in our society, Mr. Speaker. It's the first time that we've seen that in the history of this province, and we're going to continue to put a larger focus.

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.

One of the promises made by the Premier and by the minister last week at this conference was that this government was going to do a gender-based analysis of everything that happens in government.

I've been sitting here, along with my colleague, listening to that promise, both from the former government and from this government now for a number of years. I want the concrete proof that they do gender-based analysis, not that they're going to do it, because the budgets that they've brought in do not show a concern for women.

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

Well, that is one of the three areas that we've made a commitment from the department of the Status of Women to focus on. The gender-based analysis is now from step one, but the funding will be put in place, first of all, to put the training in place for decision-makers within government. These are the people that are putting budgets together, these are the people that are putting training together and these are the people that review legislation within our province.

So, Mr. Speaker, for the first time, you're going to see it occur from step one. That is what these training allowances will be all about it, and it's one of the three focus areas that I've just mentioned coming out of last Wednesday's conference. The other one was about prevention of gender-based violence, Mr. Speaker, and making sure that we have more women in leadership roles within our province.

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 find it very interesting, what the Premier has just said. We have in this House had Members of his Cabinet tell us that gender-based analysis was done, that it was the tool that was put together by Status of Women Canada, and it was used throughout his government.

Is he now saying there was no training and people didn't know what they were doing about gender-based analysis?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: What we're saying, Mr. Speaker, we were not satisfied with the level that was done, so now we're going to do it from step one. Isn't that better? Aren't we in a better position now beginning that at step one?

I say to the former leader of the Third Party, do you use those analyses within your own party? Do you use that within your own party, Mr. Speaker? Because I got to tell you, as a government, from step one, the training will begin and we will be using that when it comes to legislation, when it comes to budgeting and so on.

Mr. Speaker, we acknowledge by putting this in a key focus area last Wednesday that we were not satisfied, and that is a reason why we're improving the analysis based on the focus area that we put in place last Wednesday.

MR. SPEAKER: Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Oral Questions are over.

Presenting Reports by Standing and Select Committees.

Tabling of Documents.

Tabling of Documents

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

MR. OSBORNE: Thank you, Mr. Speaker.

Pursuant to section 26(5)(a) of the *Financial Administration Act*, I am tabling one order-in-council relating to a funding pre-commitment for the fiscal year 2019-2020.

MR. SPEAKER: Thank you.

The hon. the Government House Leader.

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

I have here for tabling a report of the Standing Orders Committee dated March 4, 2019.

MR. SPEAKER: Thank you.

Further tabling of documents?

Notices of Motion.

Notices of Motion

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

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

I rise as Member for St. John's East - Quidi Vidi to give notice of the following motion:

WHEREAS the PUB has confirmed when Muskrat Falls power comes online in 2021, electricity rates will double to 23 cents a kilowatt hour but, alternatively, keeping current rates, will create an estimated annual budget shortfall of \$744 million, restricting government's ability to provide the public services people rely on; and

WHEREAS the Muskrat Falls Inquiry is revealing that past and present governments made disastrous decisions leading to this financial crisis; and

WHEREAS government efforts have not resulted in practical solutions, other than to direct the PUB to exam rate mitigation options; and

WHEREAS the PUB can only address part of what needs to be done and experts have advised government of the work it must do immediately; and

WHEREAS the people of the province have lost confidence in government's ability to solve this crucial and complex problem and need and want all Members of the House of Assembly to work together;

BE IT RESOLVED that the House of Assembly urge government to immediately strike an all-

party select committee to work in an open, transparent and collaborative manner on behalf of the people to identify all possible solutions for rate mitigation –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MS. MICHAEL: – and the future of Muskrat Falls.

And, this motion was seconded by the Member for St. John's Centre.

Mr. Speaker, I add that this private Member's resolution will be presented on Wednesday, March 6.

MR. SPEAKER: Thank you.

Further notices of motion?

The hon. the Minister of Finance.

MR. OSBORNE: Thank you, Mr. Speaker.

I give notice that I will move that this House resolve itself into a Committee of the Whole to consider a resolution relating to the advancing or guaranteeing of certain loans made under *The Loan and Guarantee Act, 1957*, Bill 53.

MR. SPEAKER: Thank you.

MR. OSBORNE: Further, I give notice that I will ask leave to introduce a bill entitled, An Act To Amend The Public Bodies Reporting Act, Bill 50.

MR. SPEAKER: Thank you.

Further notices of motion?

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

MR. MITCHELMORE: Mr. Speaker, I give notice that I will ask leave to introduce a bill entitled, An Act To Amend The Historic Resources Act, Bill 49.

MR. SPEAKER: Thank you.

Further notices of motion?

The hon. the Minister of Advanced Education, Skills and Labour.

MR. DAVIS: Mr. Speaker, I give notice that I will ask leave to introduce a bill entitled, An Act To Amend The Fishing Industry Collective Bargaining Act, Bill 48.

MR. SPEAKER: Thank you.

Further notices of motion?

MR. DAVIS: And I further give notice that I will ask leave to introduce a bill entitled, An Act Respecting Student Financial Assistance, Bill 52.

MR. SPEAKER: Thank you.

Now, I think the Minister of Fisheries and Land Resources has (inaudible).

SOME HON. MEMBERS: Hear, hear!

MR. BYRNE: Save the best for last.

Mr. Speaker, I give notice that I will ask leave to introduce a bill entitled, An Act To Amend The Forestry Act; otherwise, it will be known as Bill 51.

Thank you.

MR. SPEAKER: Thank you.

Further notices of motion?

The hon. the Minister of Justice and Public Safety.

MR. A. PARSONS: Mr. Speaker, I give notice that I will ask leave to introduce a bill entitled, An Act To Remove Anomalies And Errors In The Statue Law, Bill 54.

Mr. Speaker, I give notice that I will, on tomorrow, move the following motion that the amendment to Standing Order 92, which was adopted provisionally on February 27, 2018, be adopted permanently with sub-order 92(2) amended by the substitution of 60 seconds for

90-second speaking time, and that this change come into force on the date of its approval.

The permanent Standing Order will read as follows: (1) Standing Order 92 is amended by renumbering it as Standing Order 92(1) and by adding immediately after that the following: (2) a minister, in his or her discretion, may reply to a petition and the minister's response shall occupy no more than 60 seconds in so doing; (3) a minister's response under Standing Order 92(2) may be given on the day that the petition is presented or the next sitting day only; and (4) where in a session multiple petitions of the same subject matter are presented, a minister may respond to each petition in the manner contemplated under Standing Order 92(3), but only one response to petition with the same subject matter may be made on each sitting day.

Thank you.

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 Humber - Bay of Islands.

MR. JOYCE: Thank you, Mr. Speaker.

Mr. Speaker, I present this petition:

WHEREAS the successful proponents to the new hospital in Corner Brook are scheduled to be announced this spring, with construction anticipated to begin this fall, and that is estimated to be a four-year construction period and there are experienced local tradespeople and Labradorians in the area;

THEREFORE, we, the undersigned, petition the hon. House of Assembly as follows:

To urge the Government of Newfoundland and Labrador to encourage companies that are awarded the contracts for the new hospital to

hire local tradespeople and labourers at no cost to the taxpayers so that they can work in their own area, support their local economy and be able to return home to their families every evening.

Mr. Speaker, we know last year that a lot of local people were looking for work in the Corner Brook area and very few got work. So what I'm urging the government – I'm sure the Member for Corner Brook is agreeing with me that a lot of local people, where possible, would like to work on this hospital. We're encouraging the government that, where possible, at no extra cost to the taxpayers, that they hire local people.

Last year, Mr. Speaker, I was involved with trying to get a few things set up for local people. I know the iron workers were so much involved – they had negotiations with the company – they were even willing to put in \$100,000 of their own money to ensure that there's no extra cost. That's how desperate the local workers are for work.

I encourage government when you're doing your evaluation and the estimates of the cost, ensure wherever it's possible for local workers because it would be great for four years to have local people, instead of have to go away, be able to stay in their own home. Four years is a long time for a lot of tradespeople, a lot of labourers, a lot of different skilled people.

I'm from the understanding – and I spoke to a couple of unions – that there are enough people on the West Coast – Corner Brook, Stephenville, the whole Bay St. George area, out past Deer Lake and other places – that we can get that work done with local people at no extra cost to the taxpayers, as it would cost if you brought someone in.

So we're just asking and encouraging government to try to keep that in mind and encourage, where possible, to get local people hired on because it will benefit the whole region. We're always talking about a major project that helped the local people. Here's one over \$600 million, \$700 million.

I ask government to keep that in mind when they're speaking for the companies and when

they're determining who's going to get the contract.

Thank you, Mr. Speaker.

MR. SPEAKER: The hon. the Minister of Transportation and Works for a 60-second response, please.

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

I thank the hon. Member for the petition. We have been very aggressive in this matter and this issue. Just last fall, we hosted a business session in Corner Brook where we invited in the two proponents who have been selected to bid on building the hospital. We brought in as many local contractors as we could, in consultation with the Newfoundland and Labrador Construction Association, to make sure that our contractors see the opportunities that this long-term care facility is going to bring, along with other facilities – sorry, the acute-care hospital.

We also have the new long-term care facilities in Central Newfoundland that we're going to be announcing the successful proponent in the following weeks.

And, Mr. Speaker, it is timely. I did have the opportunity this morning to meet with TradesNL and that was the agenda for our meeting, is ways to make sure that Newfoundland and Labrador companies can be a big part of the construction of the new acute-care facility in Corner Brook and other facilities that we're constructing in our province.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MS. ROGERS: Thank you, Mr. Speaker.

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

WHEREAS Newfoundland and Labrador has one of the lowest minimum wages in Canada and minimum wage workers earn poverty incomes; and

WHEREAS proposals to index the minimum wage to inflation will not address poverty if the wage is too low to start with; and

WHEREAS women and youth and service sector employees are particularly hurt by the low minimum wage; and

WHEREAS the minimum wage only rose only 5 per cent between 2010 and 2016, while many food items rose more than 20 per cent; and

WHEREAS other Canadian jurisdictions are implementing or considering a \$15 minimum wage as a step towards a living wage;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge government to legislate a gradual increase in the minimum wage to \$15 by 2021 with an annual adjustment thereafter to reflect provincial inflation.

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

Mr. Speaker, I've been standing up in this House, almost daily, for the last few months that the House has been open speaking to this minimum wage petition. Here we hear the Premier talk about how they're using gender-based analyses and tools to look at any budget item as it affects women and any law, any legislation, any policy as to how it affects women.

This is one of the key issues of lifting women out of poverty, because we know that the majority of minimum wage earners are women and we know that one of the key factors in women escaping abusive situations is poverty. We also know one of the key factors for children to thrive and to do well in school is poverty and the majority of children who are headed by single-parent moms who are making minimum wage are living in poverty.

This is a basic human rights issues, it's a basic justice issue and if this government is committed

to what they're saying, they would do something about improving minimum wage. Yes, there was a 15-cent increase – a 15-cent increase – but the problem that we have, Mr. Speaker, is that the base rate of minimum wage right now, at the rate that it's being increased, according to the policies of this government, it will be years down the road – years, more than a decade before it reaches minimum of \$15 an hour. This is a matter of social justice. It's also a matter of equality. It's a matter about safety for women and children.

Mr. Speaker, to not do otherwise is short-sighted and does not speak to the commitment that this government proposes that they have to the status of women in this province.

Thank you.

MR. SPEAKER: Thank you.

The hon. the Minister of Advanced Education, Skills and Labour for a response, please.

SOME HON. MEMBERS: Hear, hear!

MR. DAVIS: Mr. Speaker, thank you very much to the hon. Member for bringing forward this petition.

We, as a government, opened up this process. We had extensive public consultations to find a balanced approach that balances both the needs of the employee and the needs of the employer. We've tied it to a harmonized strategy within the Atlantic provinces to harmonize minimum wage increases to April 1, which we've done.

We've recently announced the minimum wage will be going up by 25 cents to \$11.40 per hour, which makes it balanced across the Atlantic provinces, within reason. We're looking at this option. There was a two-year period which would happen. Once that two-year period is up, which it is now, we're going to start a review of the process again and that's what our office is looking at right now.

I thank the hon. Member for bringing forward the petition and we will take it under advisement.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

SOME HON. MEMBERS: Hear, hear!

MR. BRAZIL: Thank you, Mr. Speaker.

The government now requires regional health authorities to strictly enforce a policy that requires all applicants being assessed to have a physical care need to qualify for admission to a personal care home. Seniors with issues such as anxiety, depression, fear of falling and loneliness are no longer eligible. Many seniors who would have qualified just months ago are now being denied access.

We, the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador to revise the policy on personal care home access.

Mr. Speaker, we've had a conversation here over the last number of years about improving our health care system here, but also particularly around mental health. What we're talking about here is a very vulnerable sector of our society. We're talking about their personal health, but we're particularly talking about mental health as it covers over with physical health. When we're talking about seniors, because of no control in their circumstances, have had to change their needs – and their needs sometimes, basically, are based on the fact one of the spouses has passed away, or needs another type of special care. And they now need to have better access to supports that would endeavour them to have a different quality of life, but as equal as they should be entitled to.

We have a responsibility here. To deny something that was taken for granted because it worked, it served a purpose, it kept families united because they knew the stresses were off them, that their mom or their dad or their aunt or their uncle or their grandparents were taken care of by professionals in personal care homes, that they knew there was a quality of life, there was a social component, and that the anxiety by that individual and the family members would be eliminated because they knew there were supports and programs and services put in play.

It appears that the government fixed something that was never broken. If it was about a financial dollar costing, then that should have been discussed with the general public and talked about the need to find a more efficient way to do it. An efficient way of denying people a service that they expect because it's valuable to their quality of life is an injustice to those people. We have professionals out there who have modified the programs they offer in their personal care homes, professionals who've gone out of their way to counsel with the family members to find the most inclusive way to have the family united in those type of personal care homes and offer programs that engage, in some cases, seniors who've never been socially as active as they have been in their twilight years.

Yet, we've denied that because we say you have to have a physical ailment that's diagnosed when we know health is a holistic approach here. And mental health not dealt with or not supported obviously leads to issues around physical health. When we talk about seniors who may have lived in a two-story home now are not conducive to being able to do that because they're afraid of slips and falls, or somebody's moved out of their home, or unfortunately a spouse has passed away, they need to be in an environment which is positive to their mental well-being and personal health.

So, Mr. Speaker, we will be presenting this many times in the sitting of this House.

Thank you, Mr. Speaker.

MR. SPEAKER: Thank you.

The hon. the Minister of Health and Community Services for a response, please.

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

Pleased to stand up and provide some information to the House to rectify some errors and misinformation that is out there. There has been no change to the clinical criteria for eligibility for personal care. We have and are still engaged in active discussions with the personal care home operators to see if we can improve still further on those criteria to make

them more sensitive to the needs of the individual.

What we have done is we have taken a big load off seniors in that we have streamlined the financial assessment piece for those people who are looking at personal care home or home support. We are now in line with the rest of Canada. And we now, in addition to the rest of Canada, have a hardship policy for those people for whom that financial assessment may produce some hardship.

Just to correct some further misinformation that's out there, as of the end of calendar 2017, 80 per cent of people in personal care homes had some degree of government subsidy. As of the end of calendar '18, 83 per cent of people in personal care homes have some degree of government subsidy – an increase. Subsidies are going out there and we are increasing the number of people subsidized.

From the vacancy point of view, Eastern Health has 70 people waiting for personal care homes, and they're all waiting for a home of their choice. There are vacancies to be had, Mr. Speaker.

MR. SPEAKER: Thank you.

Further petitions?

The hon. the Member for Mount Pearl - Southlands.

MR. LANE: Thank you, Mr. Speaker.

There have been numerous concerns raised by family members of seniors in long-term care throughout Newfoundland and Labrador, particularly those suffering with dementia, Alzheimer's disease and other cognitive, debilitating conditions whereby loved ones have experienced injuries, have not been bathed regularly, not received proper nutrition and/or have been left lying in their own waste for extended periods of time. We believe this is directly related to government's failure to ensure adequate staffing at those facilities. Therefore, we petition the House of Assembly as follows:

To urge the Government of Newfoundland and Labrador to instate legislation which includes

the mandatory establishment of adequate ratio of one staff to three residents in long-term care and all other applicable regional health care facilities housing persons with dementia, Alzheimer's disease and other cognitive, debilitating conditions in order to ensure appropriate safety, protection from injuries, proper hygiene care and other required care. This law will include the creation of a specific job position in these facilities for monitoring and intervention, as required to ensure the safety of patients.

Mr. Speaker, this petition, of course, was originated by the group Advocates for Senior Citizens' Rights. They have termed it as Lillian's Law is basically what we're talking about here, which a lot of Members may be aware of. I have a lot of signatures here today, a couple of hundred, primarily from CBS area, Clarke's Beach, Brigus, Holyrood, a lot here from Lab City and some from St. John's today.

Mr. Speaker, basically what is being referred to here is the care of our seniors in long-term care facilities. And while it is great to construct new facilities, brick and mortar, what this speaks to is ensuring that there is adequate staffing in place. There certainly have been stories – I encourage any Member if you go on to the Advocates for Senior Citizens' Rights Facebook site, you'll see many stories shared of unfortunate situations that have happened with people's loved ones in long-term care where there wasn't enough staffing there to take care of their needs, to make sure that they were fed on time properly, to ensure they were bathed and so on, and to make sure they don't get injured because people can be aggressive and so on with Alzheimer's disease, dementia and stuff like that, and make sure there's someone to monitor and watch them.

That's what they're asking for. They believe it should be legislation because policy, of course, can be changed overnight on a whim, and it's not a mandatory thing.

So, that's what they're asking for, that's why I'm presenting the petition and there will be more to come.

Thank you, Mr. Speaker.

MR. SPEAKER: Thank you.

The hon. the Minister of Health and Community Services for a response, please.

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

Delighted to stand and take the opportunity to do something that I think is long overdue, which is to thank and recognize the hard work of those people who go to work every day in our long-term care facilities to look after our seniors. They do a grand job –

SOME HON. MEMBERS: Hear, hear!

MR. HAGGIE: – and I would encourage my colleagues to support them in that endeavour.

We have several approaches to the issue of staffing in long-term care. We look at nursing and we actually provide 3.4 hours of dedicated nursing time per day. However, that doesn't take into account the fact they have recreational therapy time, they have music therapy time and they have group activities.

I spent the whole morning on Friday in Lakeside Homes in Gander. I can tell you that the atmosphere there was very homelike and solely down to the combined efforts of management and front-line staff.

We're not here to defend the indefensible and I have no problem with monitoring a patient's safety. Indeed, I stood in this House and introduced an act to that effect. Every RHA is now responsible for doing just that in their own regional health authority, and long-term care facilities fall under that act, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Further petitions?

The hon. the Member for Cape St. Francis.

SOME HON. MEMBERS: Hear, hear!

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 areas

without the proper safety, and this puts the safety of all 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 restricted 1.6-kilometre busing policy where safety is a concern.

Now, Mr. Speaker, I know that the Member and the Minister of Education is going to get up after me and he's going to talk about what they've done in the last number of years and what we haven't done in the last number of years, but they've been in government now for almost four years and have done absolutely nothing on this policy. He will also get up, Mr. Speaker, and he will talk about courtesy seating and how they've given so many courtesy bus seating to children along the way.

Well, I've spoke to a lot of people from my area and from the Member for CBS's area where there is courtesy busing that's put in place, but guess what? There are no seats on those buses – absolutely no seats on those buses. So you can put it in there all you like, if the children can't avail of it.

In my district, I have 17,000 cars a day travelling along Torbay Road – 17,000 cars a day travelling along a road where there are no sidewalks and children – at this time of year in particular, we've seen the temperature change from rain to sleet to snow and it's very dangerous.

I'm not asking you, Minister, to say what we didn't do or what wasn't done or what policies are in place. Are you going to make any changes to this so the safety of these children are not – every day that they leave to go to school that the safety of those children should be the most important thing that we talk about here in the House of Assembly.

You've added some courtesy bus seating but where they're no seats available, it's no good. Now, you'll get up and say again what we didn't do, but I'm asking you: What are you going to do?

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Minister of Education and Early Childhood Development for a response, please.

MR. HAWKINS: Thank you, Mr. Speaker.

I won't say that the problem lies with the previous administration. What I will talk a little bit about, Mr. Speaker, is that they keep pushing and throwing out the 1.6 kilometres and eliminating the 1.6 kilometres. Mr. Speaker, there's not one single province in this entire country that does not have a busing policy – not one single province in this country.

Now, Mr. Speaker, we talk about safety. Within all of the policies within this province, within every province in Canada, is that if you live within the 1.6, it's a responsibility of the parents to get their children to school in a safe manner.

Now, they always keep talking about within the 1.6. Outside of the 1.6, we do not pick up every child at every house. Outside of the 1.6 –

AN HON. MEMBER: Four hundred metres.

MR. HAWKINS: Four hundred metres.

So they're eliminating 1.6 – so are you eliminating 1.6 or you want to put in 400 metres? These are discussions that need to be had because when you go out and say a blanket we're removing 1.6, what does that really mean? Removing 1.6 is going to be a significant cost to the province, somewhere in the vicinity of \$10 million, which equates really to about 112 teaching positions or resources. So are you going to replace one? Are you putting your emphasis on teachers or reduction of teachers for these purposes?

So I can speak – I hate the rule that's going to come in with 60 seconds because I can go on for about another hour on this alone, so thank (inaudible) –

MR. SPEAKER: Thank you very much.

Further petitions?

The hon. the Member for Conception Bay South.

MR. PETTEN: I say thank God for 60 seconds, Mr. Speaker.

The reason for this petition: The Foxtrap Access Road in CBS is a vital link to the TCH and Peacekeepers Way, as well as being a heavily populated area. The road is in need of immediate repairs and needs asphalt resurfacing, as well as shoulder repairs. The road is listed for resurfacing in 2023 in the five-year roads program. This is not soon enough, Mr. Speaker, and needs immediate attention.

Therefore, we petition the House of Assembly as follows:

We, the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador to provide immediate repairs to the Foxtrap Access Road.

Mr. Speaker, this road is unlike other roads. I know Route 60 was a road I spoke about a lot in the last session and I credit that the department did provide repairs to that road and I thank them for that, but Foxtrap Access Road is a bit different. It's a route – it's a trunk road to Trans-Canada, Peacekeepers Way. Like I said, it's a very heavily populated road.

It's a provincial road in the true sense of the word and it's in bad need of repair. I acknowledge it's on the five-year roads program. I mean it has 27 cross-cuts alone on this road. The shoulders are eroding. There are areas where a small car would not get through; you got to cut around. The shoulders of the road are gone. People are veering over the yellow line.

I make numerous, repeat calls to the depot and they do what they can. Really, unless you're getting hot patch, doing a proper job, it's not lasting. At the end of the road, when you butt into Route 60, it's almost a ditch. Again, like any road, it's not had upgrades for a long time, it's required and people in my district are asking for these repairs to be carried out.

The minister may respond, he may not, but I know last time he always responded with the fact that, this road, probably the town should have taken it over and what have you. This road is entirely in the province's purview, plus it's

listed. So they've acknowledged – I think it scored 350 out of 400. I got the score of that one. I've asked for that for two years, but I found that out myself when I looked and finally it made the list. So now I know what it's actually scored. It was pretty easy when I looked and it was written down. They must have had that on their list a while before that.

I want just to stress the point that this road is in need of immediate repairs. The patching is just not cutting it. It's a busy road. I don't know the volume of traffic, but Route 60 has 22,000 cars a day, my guess is that Foxtrap Access Road is close on that number. It needs repairs. I call upon the minister and the department to give it, push it – it's already there, but in four years, this road will not be fit, not for a car, but for a boxcar.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Minister of Transportation and Works for a response, please.

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

I thank the hon. Member for the petition. Mr. Speaker, we've made significant investments in Route 60, the Peacekeepers Way. Last year, we were able to actually pave the entirety of Salmonier Line on the north side, which is very important. Because as the Member points out, there is a lot of traffic on those roads coming in and accessing into Conception Bay South and the Conception Bay South area, but the reality is these roads didn't get to these deplorable conditions overnight.

I agree with the Member, one of his points he made was the cross-cuts. And one of the challenges that we have throughout the province is when you have municipal work on provincial roads. Lots of times, Mr. Speaker, we do find ourselves in a situation where the cross-cuts are an issue.

Mr. Speaker, we're very fortunate this year. Through a new agreement with the federal government, we have an extra \$102 million over the next 10 years through northern and rural to

put into roads in our province. This year alone, we're going to invest over \$130 million in roads in our province – unprecedented spending.

Mr. Speaker, last year, we paved some 800 kilometres of road. Our roads plan is working; we're seeing the results. It takes time, but one thing we've done is we've taken the politics out of paving. If you look at the Auditor General's report, if you look at the 2014 Auditor General's report, 46 per cent of all priorities for roads back in their time were MHA priorities, not the priorities of the people.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

The hon. the Government House Leader.

MR. A. PARSONS: Orders of the Day, Mr. Speaker.

MR. SPEAKER: Orders of the Day, Sir.

Orders of the Day

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

MR. A. PARSONS: Mr. Speaker, I call from the Order Paper, Order 3, second reading of Bill 46.

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

MS. GAMBIN-WALSH: Mr. Speaker, I move, seconded by the MHA for Harbour Main that Bill 46, An Act To Amend The Marriage Act, be now read a second time.

MR. SPEAKER: It is moved and seconded that Bill 46, An Act To Amend The Marriage Act, be now read a second time.

Motion, second reading of a bill, "An Act To Amend The Marriage Act." (Bill 46)

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

MS. GAMBIN-WALSH: Mr. Speaker, I'm honoured to stand once again in this hon. House

during the first day of this new session. As the Minister of Service NL, I've had the opportunity to stand on numerous occasions to speak to amendments to various pieces of legislation such as the *Highway Traffic Act*, *Pension Benefits Act*, *Corporations Act*, and *Vital Statistics Act*, to name a few.

I have said many times that Service NL is a department that touches the residents of the province at many points throughout their lives. From birth certificates to death certificates, obtaining a driver's licence, obtaining a marriage certificate, legislating real estate transactions, inspection services, renting a property or regulating pensions, Service NL has a role to play.

Today, I'm introducing an amendment to the *Marriage Act* which governs marriage in our province. When it comes to marriage in Newfoundland and Labrador the current legislation states that, "A member of the clergy or marriage commissioner shall not perform a marriage where either party to the intended marriage is under the age of 16 years."

This effectively makes the minimum age of marriage in Newfoundland and Labrador 16 years of age. The act states that where a person is 16 or over consent of a parent/guardian is required until they reach the age of majority or 19 years of age, unless they are widowed or divorced. However, section 13(8) of the act gives a judge the authority to allow an exception to the marriage under the prescribed minimum age if the judge believes that a marriage will be in the best interest of the parties, even though one or both of the parties to the intended marriage is under the age of 16 years.

Mr. Speaker, historically, the provision was used in Newfoundland and Labrador for instances where someone under the age of 16 wanted to or may have been pressured to get married. One of the reasons would have been in the case of a pregnancy, where societal norms or families may have placed pressure on the woman or couple to marry. Such marriages have become very rare in our province. In fact, Mr. Speaker, our Vital Statistics Division is unaware of any examples within the last 15 years. Since 2003 when records that allow for searches based on

age became available, 17 years of age is the lowest recorded age of any person marrying.

Mr. Speaker, the federal government has exclusive jurisdiction over marriage and divorce under the *Constitution Act, 1867*. Parliament has exclusive jurisdiction to make laws in relation to marriage and divorce, whereas provinces have exclusive jurisdiction over the solemnization of marriage. This means that provinces have the authority to pass laws relating to marriage ceremonies, including pre-ceremony requirements such as issuing a licence, and can stipulate the qualifications of the person performing the ceremony.

In July of 2015, Mr. Speaker, the federal *Civil Marriage Act* received Royal Assent. In June of 2015 the federal *Civil Marriage Act* was amended to state that: "No person who is under the age of 16 years may contract marriage." Additionally, section 293.2 of the *Criminal Code* of Canada was amended to state that: "Everyone who celebrates, aids or participates in a marriage rite or ceremony knowing that one of the persons being married is under the age of 16 years is guilty of an indictable offence and liable to imprisonment for a term not exceeding five years."

Given the provincial *Marriage Act* is inconsistent with the federal *Civil Marriage Act* it would not have any merit from a constitutional perspective. It would also mean that if a judge were to allow an exception to the provincial age-of-16 requirement, any person who celebrated or participated in such a marriage ceremony will be committing an offence under the *Criminal Code* of Canada.

Essentially, Mr. Speaker, this means that our provincial legislation does not align with federal legislation regarding the age of which someone can marry. It also means that any justice authorizing a marriage under the age of 16 will be committing an offence under the *Criminal Code* of Canada. Given that the act is not aligned with the federal legislation, and that the federal government has exclusive jurisdiction in this area, I'm introducing a bill today that will amend the act to mirror the federal legislation. This change will ensure that the legal age to marry in Newfoundland and Labrador is 16 regardless of the circumstances.

Mr. Speaker, it is important that we also look at the social impacts of marriage under the age of 16. Research tells us that marriage for persons under the age of consent disproportionately affects young girls. By prohibiting marriage under 16 years of age the Government of Canada was taking action to prevent forced child marriages. These marriages often occur between young girls and older men.

The United Nations Children's Fund states: "Child marriage often compromises a girl's development by resulting in early pregnancy and social isolation, interrupting her schooling, limiting her opportunities for career and vocational advancement and placing her at increased risk of domestic violence." Preventing child marriage is important for protecting girls and women and advancing the status of women throughout their lives.

While not widely reported, these marriages do occur within Canada or occur in other countries, with those impacted returning to Canada to live. According to a September 2013 report by the South Asian Legal Clinic of Ontario, there were 219 confirmed or suspected cases of forced marriage in Ontario and Quebec from 2010 to 2012. Of these, in 57 per cent of the cases, people were taken out of Canada to get married.

While amending the legislation in Newfoundland and Labrador would not prevent child marriages that occur outside of provincial jurisdiction, it is important, given the role legislation has in setting norms in our society. By changing the legislation, our government is indicating that child marriage is not acceptable in the province.

The Government of Canada has been applauded for taking a strong stance against forced marriage. In 2017 it announced \$650 million over three years in funding for sexual and reproductive health and rights, which is also aimed at preventing and responding to child early and forced marriage. Furthermore, the Feminist International Assistance Policy was launched in June of 2017, which includes a renewed commitment to support comprehensive approaches to addressing child marriage, and more funding was also announced for women's organizations.

It is essential that both federal and provincial lawmakers address such issues in our society and that we align our legislation. The bill we have introduced on the floor of the House today will help us do just that.

Mr. Speaker, as I stated at the beginning of my comments, I have stood many times in this House regarding amendments to various pieces of legislation. Each amendment represents another improvement we have made in our efforts to help advance the lives of the people in Newfoundland and Labrador.

We made a commitment through *The Way Forward* to continue to identify opportunities for better outcomes and better services for our residents. We recognize the ability we have to change lives for the better and amendments to legislation affect all residents in all regions of our province. Part of this commitment is to periodically review and amend the legislation as required to ensure it is kept current in its purpose of serving the people of Newfoundland and Labrador.

I look forward to debating the amendment to the *Marriage Act* with my hon. colleagues in this House.

Thank you, Mr. Speaker.

MR. SPEAKER (Warr): Thank you.

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

MS. PERRY: Thank you, Mr. Speaker.

Thank you, Minister, for that introduction to the bill. There's not a whole lot that I can add to the debate in terms of the content of the bill because it is, Mr. Speaker, a very brief bill. It is one clause stating: "Subsection 13(8) of the *Marriage Act* is repealed."

The minister just did a great job in terms of outlining how this change came about and it's primarily following a 2015 change to the federal legislation. As the minister explained, it is unlawful now not just to get married to someone under the age of 16, but for any person to even participate in any planning of such a wedding or attending such a wedding. That's considered a

criminal offence that carries up to a five-year sentence.

It was, of course, Mr. Speaker, prudent of us in the Province of Newfoundland and Labrador to ensure that our legislation here is in line with the federal legislation. Basically, we are removing the one clause that allowed a judge to have the discretion to approve a marriage licence in special circumstances where one or more of the people in the marriage were under the age of 16.

In Canada, there's some jurisdiction for marriages with the federal government and some of it with the provincial government. The federal government, under the *Civil Marriage Act*, has the legislative authority over marriage and divorce, but the provincial government has the authority regarding the solemnization of the marriage or, that is, the performance of ceremonies and licences. That is where the provincial jurisdiction comes into play.

In our province that authority is outlined in the *Marriage Act* and it comes under the purview of the Department of Service NL. Again, at the risk of being repetitive, we are, in making this change, following the changes that were made at the federal level under the *Civil Marriage Act*. I want to reiterate how important it is for people to know that it is illegal in Canada now for a person to marry someone under the age of 16 and, as well, for anyone else to participate in the planning of such an event or attending such an event. It's very important, Mr. Speaker, that awareness is out there for people to understand this.

My colleague and I were just talking a short while ago about how back in the day it was common probably. I know when my mother got married she was 20. She was considered getting close to being an old maid then and a spinster at the age of 20; if you weren't married by 20, 21, you were getting old. Many people were married at the ages of 15 and 16 and, as the minister said, in some cases that was due to fact that they were carrying children but, in some cases, of course, it was the way of life.

I also talked about the boys in school. Today, we don't encourage child labour, but back in the early '20s and '30s it was nothing for a strong, young man at the age of 12 or 13 to leave school

and go into the woods and start working, or go fishing and start working.

We are now in the year 2019 and there is certainly a much stronger resistance to children getting married at such a young age and there is an opportunity for women to have the freedom of choice to wait until later. This bill is very important in addressing that freedom of choice for women as well, Mr. Speaker. So certainly it's a bill that we, on this side of the House, will be supporting.

Mr. Speaker, I just wanted to talk a little bit, though, before I wrap up – according to department officials, a number of provinces, BC, Saskatchewan and Nova Scotia, still have similar references in their legislation, but the rest of Canada have either repealed it or it didn't exist in the first place. So, we're certainly happy to be supporting the repeal of clause 13(8). The proposed amendment will come into force upon Royal Assent, so that will probably happen, Mr. Speaker, before the session is over or certainly very shortly thereafter.

It is certainly for me, as a female, a great honour to support this bill. I think it is crucially important especially where, oftentimes, the party under the age of 16 was usually of the female gender, that I do think this is an important bill. I certainly am proud to support this bill and I thank the minister for bringing it forward.

Thank you, Mr. Speaker.

MR. SPEAKER: Thank you.

The hon. the Member for Harbour Main.

SOME HON. MEMBERS: Hear, hear!

MS. PARSLEY: Good day, Mr. Speaker.

It's an honour to be back here in the House with our colleagues. Mr. Speaker, I'm very pleased to stand today to speak to Bill 46, An Act to Amend the Marriage Act. Since I became parliamentary secretary for Service NL, I have come to learn a great deal of interaction our department has with the public on a daily basis. I want to reiterate the minister's comments earlier by saying there aren't many services you can avail of in our province that don't touch Service

NL in some way. With this highlight of their interaction also comes the responsibility to ensure we are providing the best service possible to the people of our province.

Service NL, through its Regulatory Affairs branch, is responsible for marriage legislation in the province, through administration of the *Marriage Act*. As the Minister of Service NL said in his remarks, our department is responsible for the laws relating to marriage ceremonies, including pre-ceremonial requirements such as issuing a marriage licence. We also stipulate the qualifications of the person performing the ceremony, whether clergy or a marriage commissioner.

Mr. Speaker, marriage is defined as the process by which two people make their relationship public, official and permanent. In Newfoundland and Labrador, there were 2,158 registered marriages in 2018.

Under Canada's Constitution, marriage is a federal power. The Canadian government has passed laws that allows same-sex marriages and prohibits certain people related by blood or adoption from getting married. They also have made changes to the federal legislation to make it unlawful for anyone under the age of 16 to marry. And today we are bringing Newfoundland and Labrador in line with that change.

It is important to note that the federal changes also make it a criminal offence to celebrate, aid or participate in a marriage, knowing that one of the individuals being married is under the age of 16. Before the federal amendment was made, an exception could be granted for someone under 16 if the judge believed the marriage would be in the best interest of the parties.

Mr. Speaker, when we look at other jurisdictions across the country, there are several which have similar provisions to which that is currently in place in our province. Nova Scotia, Saskatchewan and British Columbia's legislation include the same provisions. New Brunswick and Prince Edward Island, however, recently amended their legislation to eliminate such provisions. In Quebec, a person must be at least 18 years old to marry; however, they may

be able to apply to the courts for authorization to marry at the age of 16 or 17.

Today, Mr. Speaker, we are introducing the change to our provincial legislation. We will bring our act in line with the federal government. The harmonization of legislation is important for the people that government services, both provincially and federally. This change also makes the act more modern and better reflects the society in which we live.

Underage or child marriage is defined differently in each country and occurs in extremely high numbers in developing countries, particularly in Africa and the South Asia region. However, according to Global Citizen, underage brides, who are often made to leave school, are more likely to experience domestic violence and have a higher risk of dying from pregnancy and childbirth complications.

Amending legislation regarding the age of marriage modernizes and updates the *Marriage Act* to better reflect today's society. It is important that the legislation of our province be consistent with our federal partners in these matters. It is also important, Mr. Speaker, that we constantly review our legislation to ensure that it's contributing to a better society.

Mr. Speaker, I am very proud of our government's continued commitment to improving outcomes for the people we serve. The changes we are debating today follow a long list of improvements we have made to legislation that falls within the mandate of Service NL. All of our legislative changes speak to our government's commitment to safe and sustainable communities throughout Newfoundland and Labrador.

I'm delighted to join my colleagues today for debate of Bill 46 in this hon. House.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

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

I'm glad to have the opportunity to speak to Bill 46. I thank the minister for the opening comments that she has made and I join with my other colleagues in the House in following her and speaking to the bill. I'm not going to repeat all the things that were said. I don't think that's necessary, but I do want to say how important it is that we are making this change to our legislation. Because, in actual fact, since the change that was made to the federal legislation in 2015, our legislation has been illegal. So now, with the removal of the possibility of somebody being married under 16, we have brought our legislation in line with what's happening, not just in Canada, but actually globally.

I'd like to point out that, for the most part, the types of marriages that we are considering here, the marriages that have happen with children under 16 and even over 16, between 16 and 18, the vast majority of the children who are married and have been married under those rules are girls, not boys. For the majority, it's girls and older men. And, it's something that's not acceptable and now we have removed the possibility of there being marriages under 16.

Unfortunately – I'm glad that we've done it but it's surprising that we aren't the last jurisdiction in Canada to make the change. We still have three other provinces that haven't done it: British Columbia, Nova Scotia and Saskatchewan. I certainly would hope that we soon would have all of our jurisdictions recognizing the need to disallow children under 16 to be married. Very often these marriages have been forced marriages; it's children being forced to marry.

We have a couple of examples that have gone on right here in our own country which have been disturbing actually, they had to do with religious sects; one was the Lev Tahor sect which was originally from the US. They moved to Quebec and to Toronto to avoid child protection laws. They regularly took young girls to certain US states to be married. They'd get married in the States but bring them back here. Back then it was considered fine because they were married.

Then we had the members of the fundamentalist Mormon sect in Bountiful, BC. I think we'll all remember; it's not that long ago. It was prosecuted for bigamy and child abuse and the

child abuse was forced child marriage. I think in all of those cases, those forced child marriages were young girls being married to – in relationship to the young girls, really old men.

What we're talking about is an abuse and particularly an abuse of girls that has been going on. I think it's good for us that we have finally joined with a growing international movement among governments and organizations to prohibit and prevent early marriage. I'm not going to go into all the details. The minister did make reference to UNICEF and what UNICEF has said with regard to marriage before the age of 18; not before the age of 16 but before the age of 18.

Here in Canada we're included in that, between 16 and 18 there has to be parental consent. I would like to think here in Canada we may want to move towards looking at abolishing marriage between 16 and 18 as well. Not just allowing it with parental consent but actually abolishing it. Then we'd be more in line with what's being asked by groups like UNICEF.

The United Nations has really dealing with this very substantially. In the UN Convention on the Elimination of All Forms of Discrimination against Women – to which Canada is a signatory and therefore, we, as a province are – it says: "The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage" The 2017 International Human Rights Council resolution was co-sponsored by Canada, recognizing the need to address child early and forced marriage in humanitarian contexts and the 2015 human rights convention was brought in.

The amendments also criminalize forced marriage ceremonies and the removal of a child from Canada for the purpose of underage marriage, which was something that was going on with the religious sect that I talked about. So subsection 13(8) of our *Marriage Act* has allowed something, as I said a minute ago, that has actually been illegal for four years in Canada.

The UN Sustainable Development Goals includes target 5.3, which is the elimination of child early and forced marriage by 2030. The

goal is nowhere on a global level would we have child early and forced marriages existing. Canada committed to these goals and submitted a 2018 report on our country's contributions, which included aid given to countries for prevention, plus our domestic statistics on child marriage. As well, the proportion of women in Canada aged 15 to 19 who were married or in common-law relationships was 1.1 per cent in 2016, which is down from 1.5 per cent in 2011.

We are showing that we can make a difference here in Canada. I think it's very important that we continue to do that. Canada is considered a leader in the movement to eliminate child marriage. The 2015 federal amendments, however, only prohibit marriage under 16. Even though we're seen as a leader, we still do allow marriage for 16- and 17-year-olds with parental consent.

I don't think we should sit on our laurels, I think that we are giving leadership. I think we should show that we do want to bring it down to zero here in this country, and by doing that being a model for other countries that we work with in the UN.

Thank you very much, Mr. Speaker.

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

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

I just want to speak a few minutes on Bill 46, the *Marriage Act*. It's an interesting topic we have here today about marriage itself.

I remember my colleague from Conception Bay East - Bell Island last year did a Member's statement on a couple that was married 70 years. I know that we all watch the news in the evenings and see a lot of our friends and we'll see people that will be married for 63, 65 years. It's amazing to see the couples are still together that long.

I feel that in years to come there'll be very few of those because people today are getting married a lot later in lives. You'll see most people getting married in their late 20s or in their mid-20s and stuff like that, but you hardly

see them getting married at 15 or 16 like they did years ago. I guess times have changed. Also, when you talk about marriage, Mr. Speaker, I'm a marriage commissioner and my success rate is very good so far, I have to say that first and foremost. Today, when we talk about marriage, we just talk about how things have changed. The traditional way that people got married years ago has changed.

I know a lot of young people. I've done weddings in the Doctor's House out in Greens Harbour; I've gone to Jamaica to do one. I've done them in people's kitchens, I've done them downstairs in their living rooms and I've done them in backyards: anywhere you can talk about, people today decide to get married and they want to do that.

In actual fact, a couple of weeks ago a real good friend of mine got married. He never even told anyone about it, he just got married that day. Then he went out and told his mom and they went out for supper that evening and that's the way it is. We all know what the traditional marriage was in years gone by and it still is today. There are still some people who like to go that way but it has changed.

I'm sure that everybody in this House supports this bill. It's important that we do support the bill because I honestly feel that getting married under the age of 16 is too young also. The minister mentioned forced marriages. This is a way to eliminate that also, so that people are not forced into doing a marriage. Basically, what we're doing in this bill is we're aligning ourselves with the federal legislation. The federal government has the responsibility of the *Marriage Act* itself so we're just aligning ourselves to ensure that a person can't go to a judge or to somebody and just say: I have this reason to get married before the age of 16.

It's important that even a person like myself that is a marriage commissioner – and I have to say I'm after doing probably 50 marriages since 2005; I've done a lot of marriages. It's important that we all know because if I ever performed a marriage with a person under the age of 16 once this comes in, then I'm liable also to be – I think the minister said it's up to five years you could be incarcerated for doing something like this and even people that participate.

I think we support this. I think it's a good bill; it's a sign of the times. Like I said, God love all those people on the NTV News in the evening that are celebrating their 60th and 65th wedding anniversaries, but I think it's time that we come with the reality that you shouldn't be married under the age of 16. This is a bill that I'm sure we will all support here in the House of Assembly.

Thank you very much, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. LANE: Thank you, Mr. Speaker.

I'm not going to take long, but I do want to, I guess, just add my voice to the bill as I always do, Bill 46, An Act to Amend the Marriage Act. I'm not going to repeat everything that's been said, but basically what we're saying here is that you're not able to get married – a judge can't look at a special circumstance and allow somebody to get married under the age of 16, bringing us in line with federal legislation, which currently we're not.

Technically, as has been said, a judge right now – if someone got married under the age of 16 in Newfoundland and Labrador, which would be permitted under the current act, you'd actually be guilty of a criminal offence based on the federal legislation. So, I guess in that regard it's sort of a housekeeping thing, but a very important one albeit, to bring us in line with federal legislation.

Of course, once we get beyond that, it's all a matter of values and opinions and so on. You know, we've heard Members talk about the fact that it's going to prevent forced marriages, and particularly we see that type of thing happen primarily with young girls that are forced into marriage with older men. Obviously that's something that we don't want to see in this province or in this country. Certainly, the vast majority of us don't want to see it for sure in this country, and so it sort of deals with that.

I would just like to say for the record that I do agree with my colleague from St. John's East -

Quidi Vidi again – jeez, I agree with her on a lot of stuff, actually. But I agree with her on this one as well that, you know, for me personally, because it is sort of a judgment thing I suppose, a value thing or whatever, and I understand that times have changed, and I understand years ago people got married at younger age.

I recall stories – my mother was only 15 years of age when she left Wesleyville in Bonavista North and went to St. John's to work in service – and I'm sure people have heard of that concept – by herself and so on. And people were getting married much younger in those times, but times certainly have changed. Again, to go back to what the Member from St. John's East - Quidi Vidi said, personally, I think it should be at the age of majority. That's just my personal belief.

That's something, from a legal point of view, has been determined by legislators in Ottawa. They've made the determination that 16 is okay, but for me, personally, I think it should be the age majority. I still think 16 is too young to enter into marriage. Any of us who are married or have been married, we all understand the responsibilities that go along with marriage, the stress that can occur. It's not always a simple thing, it's not all rosy and I think that young people below the age of majority, personally, I don't think they're ready.

That's just my opinion and, like I said, that would be a federal matter that's already been decided. So, at the very least, we're saying that you have to at least be 16. As I said, we are bringing ourselves in compliance with the *Criminal Code*, the federal legislation, so I will certainly be supporting that.

Again, I just wanted to put on the record being in support of 16 doesn't mean that I don't personally believe that it should be higher than that, because I do.

Thank you, Mr. Speaker.

MR. SPEAKER: Thank you.

If the hon. the Minister for Service NL speaks now, she close debate.

I recognize the hon. the Minister of Service NL.

MS. GAMBIN-WALSH: Mr. Speaker, I'm pleased to stand again today to speak one last time to the amendments to Bill 46, An Act to Amend the Marriage Act. As the Minister of Service NL, I see first-hand the importance of the many transactions that my department completes every single day for the people of this province.

One of those significant vital events for residents is, in fact, marriage. As I said in my earlier remarks, I want to highlight again how this change to the act will align legislation in Newfoundland and Labrador with the federal legislation. The Government of Canada has exclusive jurisdiction to make laws in relation to marriage and divorce, while provinces have the authority to pass laws relating to marriage ceremonies, such as issuing a licence. They can also stipulate the qualifications of the person performing the ceremony.

It is important that our provincial legislation reflect the changes that were made to the *Civil Marriage Act* in that no one under 16 can marry. Mr. Speaker, we all know how important it is that we continue to address the needs of the people of our province and ensure our legislation is modern and reflects the society in which we live. Bringing this amendment forward is a part of our government's ongoing efforts toward better services and better outcomes for the people of Newfoundland and Labrador.

I also want to thank my hon. colleagues for their support of Bill 46 that we brought forward here today in the House.

Thank you, Mr. Speaker.

MR. SPEAKER: Thank you.

Is the House ready for the question?

The motion is that Bill 46 be now read a second time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

Carried.

CLERK (Barnes): A bill, An Act To Amend The Marriage Act. (Bill 46)

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

When shall the bill be referred to a Committee of the Whole?

MR. A. PARSONS: Presently.

MR. SPEAKER: Presently.

On motion, a bill "An Act To Amend The Marriage Act," read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill 46)

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

MR. A. PARSONS: Mr. Speaker, I move, seconded by the Minister of Service NL, that the House resolve itself into a Committee of the Whole to consider Bill 46.

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, 'aye.'

SOME HON. MEMBERS: Aye.

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

Carried.

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

Committee of the Whole

CHAIR (P. Parsons): Order, please!

We are now considering Bill 46, An Act To Amend The Marriage Act.

A bill, "An Act To Amend The Marriage Act." (Bill 46)

CLERK: Clause 1.

CHAIR: Shall clause 1 carry?

All those in favour, 'aye.'

The Chair recognizes the Member for Fortune Bay - Cape La Hune.

MR. PERRY: Thank you, Madam Chair.

I don't have many questions on this bill. I just have the one, Minister, and that is around the time frame. Where the change to the federal legislation took place in 2015, why did it take until 2019 for the change to occur here in this province? As well, what is your plan to inform stakeholders about this change?

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

MS. GAMBIN-WALSH: People were still protected in that the judge should still consider the federal law before granting permission to marry. So, the protection would have been there. Given that the protection would have been there, and the fact that Service NL has so much legislation to do, we wanted to amend and modernize.

We did put this on the Order Paper in the last sitting and here we are today, the first day in the House of Assembly, bringing it forward. So this was our first opportunity, really, to bring this forward.

CHAIR: Seeing no further speakers, shall clause 1 carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clause 1 carried.

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

CHAIR: Shall the enacting clause carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, enacting clause carried.

CLERK: An Act To Amend The Marriage Act.

CHAIR: Shall the title carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, title carried.

CHAIR: Shall I report the Bill 46 without amendment?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

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

CHAIR: The Chair recognizes the Government House Leader.

MR. A. PARSONS: I move, Madam Chair, that the Committee rise and report Bill 46.

CHAIR: The motion is that the Committee rise and report Bill 46 without amendment.

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

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

MR. SPEAKER (Trimper): The hon. the Member for Harbour Grace - Port de Grave and Deputy Chair of Committees.

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

The Committee of the Whole have considered the matters to them referred and have directed me to report Bill 46 without amendment.

MR. SPEAKER: The Chair of the Committee of the Whole reports that the Committee have considered the matters to them referred and have directed her to report Bill 46 without amendment.

When shall the report be received?

MR. A. PARSONS: Now.

MR. SPEAKER: Now.

When shall the bill be read a third time?

MR. A. PARSONS: Tomorrow.

MR. SPEAKER: Tomorrow.

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

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

MR. A. PARSONS: Mr. Speaker, prior to speaking again, what I'd like to do, as I've discussed in this House before, is I had given notice of a number of bills this morning and the only way, procedurally, that we can move forward with first readings or second readings is with leave of the House.

So, my goal was to ask for first reading and second reading right now of Bill 48, but prior to requesting that I would ask if I have leave from my colleagues across the way.

AN HON. MEMBER: Leave.

MR. SPEAKER: Leave.

The hon. the Government House Leader has leave. Please proceed.

MR. A. PARSONS: I say, first of all, thank you, Mr. Speaker, and thank you to my colleagues.

Mr. Speaker, I move, seconded by the Minister for Advanced Education, Skills and Labour, for leave to introduce a bill entitled, An Act To Amend The Fishing Industry Collective Bargaining Act, Bill 48, and I further move that the said bill be now read a first time.

MR. SPEAKER: It is moved and seconded the hon. the Minister of Fisheries and Land Resources shall have leave to introduce a bill entitled, An Act To Amend The Fishing Industry Collective Bargaining Act – I'm sorry, I'm going to restart that.

It is moved and seconded that the hon. the Minister of Advanced Education, Skills and Labour shall have leave to introduce a bill entitled, An Act To Amend The Fishing Industry Collective Bargaining Act, Bill 48, and that the said bill shall now be read a first time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

The motion is carried.

Motion, the hon. the Minister of Advanced Education, Skills and Labour to introduce a bill, "An Act To Amend The Fishing Industry Collective Bargaining Act," carried. (Bill 48)

CLERK: A bill, An Act To Amend The Fishing Industry Collective Bargaining Act. (Bill 48)

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

When shall the said bill be read a second time?

MR. A. PARSONS: Today.

MR. SPEAKER: Today.

On motion, Bill 48 read a first time, ordered read a second time presently, by leave.

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

MR. A. PARSONS: With leave of my colleagues across the way, I would ask leave to introduce second reading of Bill 48.

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

MR. A. PARSONS: Mr. Speaker, with leave from my colleagues, I would move second reading of Bill 48.

I would call Bill 48, second reading of An Act To Amend The Fishing Industry Collective Bargaining Act.

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

MR. DAVIS: Thank you, Mr. Speaker.

I'm pleased to stand today to talk about Bill 48. I think I need a seconder for the bill and I'm going to move Bill 48, An Act To Amend The Fishing Industry Collective Bargaining Act. And the seconder would be the Minister of Fisheries and Land Resources – what a minister!

Motion, second reading of a bill, “An Act To Amend The Fishing Industry Collective Bargaining Act.” (Bill 48)

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

MR. DAVIS: Thank you, Mr. Speaker.

I'm pleased to stand here today to speak about the Act to Amend the Fishing Industry Collective Bargaining Act. Mr. Speaker, the *Fishing Industry Collective Bargaining Act* regulates the collective bargaining between fish harvesters and processors. The collective bargaining framework for the fishing industry was created in 1971 and has been amended several times in the ensuing years.

The current model was established in 2006 with the creation of a three-person Standing Fish Price-Setting Panel. This panel has a responsibility of collecting and disseminating market information, establishing parameters for negotiations, facilitating collective bargaining, acting as the arbitrator panel for the parties in setting fish prices, setting hearing dates and setting fish prices when the parties to the negotiations have been unwilling to or unable to agree.

Mr. Speaker, this interest-based negotiation and binding arbitration process prohibits strikes/lockouts in the industry and ensures that the raw material pricing and conditions of sale are in place prior to the start of the fishing season. A full-time mediator is employed by the panel to provide mediation services to the parties during the collective bargaining process.

The certified bargaining agent for the harvesters is the Fish, Food and Allied Workers Union. There are two other organizations in the province that represent fish processors: the Association of Seafood Producers and the Seafood Processors of Newfoundland and Labrador.

The most recent amendments to the act were made in 2010 to provide further stability to the industry by ensuring prices were established early in the season and reinforced the responsibility of the parties to engage in collective bargaining. Since then, additional amendments have been made and identified by panel members, industry stakeholders and the Department of Advanced Education, Skills and Labour. That will enhance the panel structure and the reconsideration processes.

These amendments are as follows, Mr. Speaker: the terms of appointment for members of the Standing Fish Price-Setting Panel; the terms of

reconsideration by the panel for the decisions; and the time period provided to the panel to reconsideration requests.

Mr. Speaker, the first amendment will provide flexibility to the appointment terms of panel members. The panel is comprised of three regular members and two alternate members. Currently, the act restricts appointment terms to three years for all panel members. For regular panel members, they will continue to serve until they are reappointed or replaced, but the alternate members – this is where the change is coming – they cannot continue to serve unless they are reappointed or replaced, so there's no continuity there.

The amendment to the act will allow all members to be appointed and serve up to a three-year term. This change will facilitate staggering appointment times, allowing for flexibility and also providing continuity for the panel and the retention of corporate memory, which is always important in expertise. It will also provide the ability for alternate members to continue to serve until they are reappointed or replaced.

The next two amendments, Mr. Speaker, deal with the reconsideration of the panel decision; changes to the terms for reconsideration request of a non-majority processors' organization, and changes to the timelines for the release of a decision from the panel respecting reconsideration.

We are proposing that the panel be provided the authority to reconsider a decision upon the request of a processor who has engaged in collective bargaining process with the certified bargaining agent or who has appeared before the panel at the original hearing. Currently, only the processors' organization that represents the processors that produce the majority percentage of the fish species or the accredited processors' organization can make a reconsideration request. Example of this would be the FFAW and the Association of Seafood Producers.

Processors who do not fit in either of these categories such as a non-majority, smaller or independent seafood producer currently cannot make reconsideration requests. With this amendment, non-majority fish processors or

processing organizations will be allowed to submit a reconsideration request to the panel. However, it is very important to note that just because the reconsideration was submitted, doesn't mean that it'll be accepted at this point.

The price decisions of the panel is an exceptional event and can only be engaged when the operation of the fishery is in jeopardy, such as a significant market decline or major change to the currency rate.

Mr. Speaker, the final amendment deals with the timeline for the decision respecting reconsideration. We are proposing that we increase the time the panel has to make its decision in a response to the reconsideration request from 48 hours to 96 hours. Currently, within that small 48-hour time frame, if the reconsideration request is submitted, the panel must be assembled and be available, obtain the necessary information, contact all the parties involved, conduct a hearing and make a decision. As you can see, Mr. Speaker, that would very difficult in a 48-hour time frame.

Over the years, challenges have been identified with the current time frame with respect to the availability of the parties on such short notice and the ability to gather pertinent information that forms the basis for the reconsideration request. The new 96-hour time frame, although it is only an extension of day, will satisfy all parties and will ensure sufficient time for the panel to make a well-informed decision.

Before I conclude, Mr. Speaker, I would like to acknowledge that the panel, the Seafood Producers of Newfoundland and Labrador, the Association of Seafood Producers, the Fish, Food and Allied Workers Union and the Department of Fisheries and Land Resources were all consulted and are supportive of these proposed amendments.

Mr. Speaker, our government is committed to the province's fishing industry and the important role that the Fish Price-Setting Panel plays. It is felt that these amendments will enhance the panel's appointment process, allow for the gradual succession of panel members and provide stability within the panel operations to improve the reconsideration process.

I encourage my colleagues on both sides of the House to support these amendments that are more of a housekeeping nature to make the panel operate that much better.

Thank you very much, Mr. Speaker.

MR. SPEAKER: Thank you.

SOME HON. MEMBERS: Hear, hear!

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

SOME HON. MEMBERS: Hear, hear!

MR. DINN: Thank you, Mr. Speaker.

First off, it's a start for me today getting used to this environment, so I better start earlier than late. I want to thank the Member opposite for giving us time over the last few days to have a briefing on this bill and answering questions for us. As he said, the bill is more housekeeping and good housekeeping goes a long way. The bill itself is set to deal with some unintended exclusions with regard to minority groups from appeals and reconsideration.

Most of what I'll deal with here and speak to has already been said, it's just the reconfirmation of what we've heard from our meeting with the officials. The bill would amend the *Fishing Industry Collective Bargaining Act* and allow for regular and alternate members to serve up to three years on the Standing Fish Price-Setting Panel. It would also allow non-majority fish processors and processors' organizations to request reconsideration and increases the time in which the panel may respond to a reconsideration request.

Mr. Speaker, the Standing Fish Price-Setting Panel comes under the *Fishing Industry Collective Bargaining Act*. It falls under the purview of Department of Advanced Education, Skills and Labour. The panel has three regular members and currently two alternates. The act also provides for no strikes or lockouts. In the absence of a negotiated settlement, the panel holds hearings and provides a decision on prices and conditions of sale.

The proposed amendments, as again mentioned by the Member opposite, to be considered under the *Fishing Industry Collective Bargaining Act* regulations deal with the terms of appointment of members of the Standing Fish Price-Setting Panel, the terms of reconsideration by the panel of a decision and the time period provided to the panel to respond to a reconsideration request.

Four amendments are proposed – two deals with appointments to the panel members; two deals with reconsideration of a decision of the panel. Under the current framework, regular and alternate panel members will serve up to a three-year term. Alternate panel members will also continue to serve until they are reappointed or replaced. Officials with the department suggest this change facilitates staggered appointment times which allows for more flexibility, continuity of the panel and retention of corporate memory and expertise.

Under the current framework for reconsideration requests, and I quote: “A certified bargaining agent, an accredited processors' organization or a processors' organization that represents processors that produce the majority percentage of a fish species may apply to the panel to reconsider a decision respecting price and conditions of sale.”

Under the proposed framework for reconsideration, it will allow for the non-majority of fish processors and processors' organizations who have engaged in the collective bargaining or appeared before the panel at the original hearing to apply to the panel to reconsider a decision respecting price or conditions of sale.

Mr. Speaker, under the current framework, timeline for a decision respecting reconsideration, subsection 3(3) of the *Fishing Industry Collective Bargaining Regulations, 2011*, provides the panel with 48 hours to make a decision respecting reconsideration. The proposed framework increases the time of the panel to make such a decision to 96 hours.

As I said at the opening, I certainly appreciate the opportunity to meet with the staff of AESL and the minister and discuss this. According to the departmental officials, both the processors' organizations, that's the Seafood Producers of

Newfoundland and Labrador and the Association of Seafood Producers, along with the FFAW, are in agreement with these proposed changes. And I see no reason why we would not support it.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Thank you.

Further speakers to the bill?

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

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

I am happy to stand and speak to this bill, An Act to Amend the Fishing Industry Collective Bargaining Act. It's pretty straightforward and I think my colleagues have pointed that out. The amendments, as we were told in the briefing, are to fix aspects of the *Fishing Industry Collective Bargaining Act* which weren't working in practice. So, the amendments that have been made have been amendments that have been requested by the panel that is in place and we are told that the FFAW are in agreement with these changes as well.

It's important – I think one of the things that the changes to the membership of the panel will do, especially providing alternate members on the panel to continue to serve until reappointed or replaced, is really important because it does maintain a corporate memory on the panel. I think that's a good goal to have, to make sure that you don't have changes all happening at one time and losing the memory of what has been part of the past history of the panel. So that corporate memory is especially very much important.

The other thing that the act does is to allow non-majority fish processors or processors' organizations who have engaged in collective bargaining or appeared before the panel at the original hearing to apply to the panel to reconsider a decision respecting price and condition of sale. I think that's a very, very good thing that no decisions are perfect, and to recognize that perhaps sometimes when price and condition of sale have been set, perhaps

there are people out there who have experience of what's happening at that moment that should be recognized. So, being able to have an appeal, I think, is extremely important.

The panel itself was identified in the 2005 Cashin report. And, of course, we all know that the Cashin report was Richard Cashin who was the founder of the FFAW. That report was primarily on the ill-fated pilot project and raw material sharing in the crab fishery. Many of us will remember the debate that went on with regard to the raw material sharing.

The report condemned the raw material sharing concept and recommended in its place that government establish a special standing fish price-setting panel, which government did. I know there has been some controversy over this too with certain people in the past, but I think we know that that panel is working. It focuses on matters related to the price and conditions of sale of fish and it facilitates access by parties to collective bargaining information relating to the sale of fish, as well as acting as an arbitration panel for the parties in setting fish prices.

So, it's an extremely important party. It can also set fish prices if the parties to negotiation are unable to agree on price. And there are times when that happens and then you have to have somebody who is able to step in and make sure that a decision gets made.

The panel, in the past, has set prices on a variety of species: spring, summer and fall shrimp fishery, as well as mackerel, squid, capelin, lumpfish, cod, whelk, sea urchin and halibut. While it has been criticized by many players, as I've said, it has been functioning for almost 14 years and is doing a good job.

The bill we are amending today, which derived from the Cashin report, was passed in the House of Assembly in 2006. The four amendments that we are making: two deals with appointments to the panel, and two deals with reconsideration of a panel decision. So, I think what we will get from these amendments is a panel that is well constructed, a panel that makes sure that the corporate memory is maintained on the panel, and we also will get a panel that is able and open to reconsidering decisions that it makes. I think that's extremely important.

In the current legislation it says that the Lieutenant-Governor in Council may appoint as many persons as he or she considers appropriate to serve as alternate members of the panel, and the persons appointed hold office for three years and are eligible for reappointment. It's amended to say the Lieutenant-Governor in Council may appoint as many persons as Lieutenant-Governor in Council considers appropriate to serve as alternate members of the panel for a period of up to three years.

So that's the difference in the panel; that people who are appointed to it and people who are alternates may serve up to three years. It doesn't mean that they have to serve for three years but up to three years, and the persons who are appointed are eligible for reappointment. So if they're there for up to three years, they can also be reappointed.

I'm not going to go on. I think it's very straightforward. The reconsideration of a panel decision makes all the sense in the world. You know, as I said earlier, we can make decisions and to think that we've made the best decision, but if there's a real concern out there, then reconsideration does need to be done, and that's what this allows for, Mr. Speaker.

Having said that, there's one other change I think that's important, and that has to do with the time for reconsideration. The current regulation says a decision respecting reconsideration shall be made by the panel within 48 hours from the time the panel has acknowledged receipt of an application for reconsideration, and the panel was finding that that just wasn't long enough. So, we have an amendment that the time for reconsideration is up to 96 hours. This, I think, will make it better for the panel in trying to keep within the spirit of reconsidering. With a longer timeline, it will be something that will help them as they do a second thought in the reconsideration, and we were told in the briefing that the FFAW and others are in agreement.

So having said that, Mr. Speaker, I'm glad to have had the moment to do so, and I will be supporting the bill.

Thank you.

MR. SPEAKER: Thank you.

Further speakers to the bill?

If the hon. the Minister of Advanced Education, Skills and Labour speaks now, he will close debate.

The hon. the Minister of Advanced Education, Skills and Labour.

MR. DAVIS: Thank you, Mr. Speaker.

I'd like to take this opportunity to say a big thank you and welcome to the Member for Topsail - Paradise.

SOME HON. MEMBERS: Hear, hear!

MR. DAVIS: Very good job on your first time in the House, I got to say, good job.

Even more important than that, I would like to say thank you for supporting the bill; it's a very good piece of legislation. There is not much to it, but it's realigning the piece of legislation with where it should have been in the beginning, and it's industry-driven. So the people on the panel are bringing it forward and we're implementing what they want to make it run a little bit more efficiently. I'd also like to say a big thank you to the Member for St. John's East - Quidi Vidi for her support on this bill. It's much appreciated.

I'd be remiss if I didn't say a big thank you to the stakeholders that were consulted during this process to bring forward their ideas. The amendments that we're making today for this piece of legislation are out of the minds of the people that are involved in developing it, so I'm very happy they came forward, and we're happy that people in the House of Assembly here today saw fit to support this piece of legislation.

I won't belabour it, Mr. Speaker. I'm very happy that my colleagues on both sides of the House will be supporting this piece of legislation.

Thank you very much, Mr. Speaker.

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

The motion is that Bill 48 be now read a second time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

The motion is carried.

CLERK: A bill, An Act To Amend The Fishing Industry Collective Bargaining Act. (Bill 48)

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

When shall this bill be referred to a Committee of the Whole House?

Now?

MR. A. PARSONS: Tomorrow.

MR. SPEAKER: Tomorrow.

On motion, a bill, "An Act To Amend The Fishing Industry Collective Bargaining Act," read a second time, ordered referred to a Committee of the Whole House on tomorrow. (Bill 48)

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

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

Similar to the last bill, prior to introducing it, I must seek leave from my colleagues so that I can move first reading. So I would ask that leave be provided.

AN HON. MEMBER: Leave.

MR. A. PARSONS: Thank you.

MR. SPEAKER: For which bill?

MR. A. PARSONS: For Bill 49.

So, Mr. Speaker, I move, seconded by the Minister of Tourism, Culture – innovation and industry –

AN HON. MEMBER: (Inaudible.)

MR. A. PARSONS: – Industry and Innovation – I'll get it someday – for leave to introduce a bill entitled an Act To Amend The Historic Resources Act, Bill 49, and I further move that the said bill be now read a first time.

MR. SPEAKER: It is moved and seconded that the hon. the Minister of Tourism, Culture, Industry and Innovation shall have leave to introduce a bill entitled, An Act To Amend The Historic Resources Act, Bill 49, and that the said bill be now read a first time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

The motion is carried.

Motion, the hon. the Minister of Tourism, Culture, Industry and Innovation to introduce a bill, "An Act To Amend The Historic Resources Act," carried. (Bill 49)

CLERK: A bill, An Act To Amend The Historic Resources Act. (Bill 49)

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

When shall the said bill be read a second time?

MR. A. PARSONS: Now.

MR. SPEAKER: Now.

On motion, Bill 49 read a first time, ordered read a second time presently, by leave.

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

MR. A. PARSONS: Mr. Speaker, I would seek leave from my colleagues to proceed to second reading of Bill 49.

MR. SPEAKER: Leave?

AN HON. MEMBER: Leave.

MR. SPEAKER: The Government House Leader has leave.

MR. A. PARSONS: Thank you.

Mr. Speaker, I would call from the Order Paper, Bill 49, second reading of An Act To Amend The Historic Resources Act.

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

MR. MITCHELMORE: Thank you, Mr. Speaker.

It's my pleasure to stand here and move, seconded by the Member for Placentia West - Bellevue, Bill 49, An Act To Amend The Historic Resources Act.

Motion, second reading of a bill, "An Act To Amend The Historic Resources Act." (Bill 49)

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

MR. MITCHELMORE: Thank you, Mr. Speaker.

Today, I rise in the House to speak to amendments on the *Historic Resources Act*. The Heritage Foundation of Newfoundland and Labrador is a Crown corporation that was created through the *Historic Resources Act*. It has the mandate to help preserve the rich built heritage of Newfoundland and Labrador.

The Heritage Foundation does this through educational and outreach initiatives, along with programs to recognize the province's heritage and to provide financial support for the preservation of designated structures. In addition to encouraging and supporting the preservation of the province's architectural heritage, the Heritage Foundation actively promotes the safeguarding of this province's intangible

cultural heritage and recognition of aspects of our history and culture.

The Heritage Foundation also provides advice and information on a variety of topics, including: How to preserve and restore a heritage building, cultural inventorying and mapping, the protection of heritage districts, utilizing heritage resources for community development and how to undertake community oral history and intangible cultural heritage projects. It is important to note that the Heritage Foundation designates heritage structures for the province making them eligible for restoration grants. As well, it designates registered heritage districts to support their preservation, management and development.

The Heritage Foundation is an independent Crown entity that is governed by the *Historic Resources Act*. While government provides the entity with an annual grant to support various programs, it is not involved with its day-to-day operations. This amendment is a routine matter intended to align the legislation with that of other Crown corporations and agencies of the provincial government by removing section 27 of the *Historic Resources Act*, which is referenced to the *Financial Administration Act*, the FAA. Honourable Members will recall a similar amendment made to the *Arts Council Act* just last year.

The FAA is the primary legislation that governs the province's financial management and applies to all departments of government. However, as I've already noted, the Heritage Foundation is a Crown corporation and not a core department of government. The requirements for operating and reporting that are contained within the *Historic Resources Act* put the entity at odds with the rules of the FAA.

When the Heritage Foundation was established the intention was to provide, Mr. Speaker, operational flexibility required to manage its programs. It has operated that way since it was established. This allows it to provide flexibility in administering its grants to third parties. Removing and replacing this section from the *Historic Resources Act* will align this legislation with that of other Crown corporations and agencies within the Government of Newfoundland and Labrador.

In order to ensure that there is an appropriate financial accountability for the Heritage Foundation, the act will include a requirement for the Auditor General to audit the financial statements. I will note, Mr. Speaker, that the Auditor General has been auditing the Heritage Foundation's financial statements for a number of years, but this concretely puts it in the act.

The act will also set the financial year-end for March 31 as it is also the current practice. These amendments will ensure that the Heritage Foundation is indeed in compliance with its legislation as was identified by the Office of the Comptroller General. Our government remains committed to the arts community in the province and values the important role the Heritage Foundation plays in preserving and protecting our province's heritage.

To recap the changes to the *Historic Resources Act*, this, again, will put into practice how the Crown entity has operated since inception. I look forward to dialogue and debate this afternoon on Bill 49 and look forward to what other speakers have to say in contributing to second reading and further into Committee.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MS. PERRY: Thank you, Mr. Speaker.

Thank you, Minister, for the introduction to this bill. I think we're being fairly efficient here in the House this afternoon, Mr. Speaker. We're on our third bill and this bill, as well, is mostly housekeeping. That's why, I guess, the debate is not quite as long because they're just standard changes that need to be made.

This bill in particular deals with the section of the *Historic Resources Act* pertaining to the Heritage Foundation. It's important to keep in mind that the *Historic Resources Act* is much broader than just the Heritage Foundation, but this housekeeping piece speaks just to the Heritage Foundation itself.

The *Historic Resources Act* currently requires the Heritage Foundation to be compliant with the *Financial Administration Act*. This, of course, is problematic as the *Financial Administration Act* was designed to regulate government departments and not Crown agencies. For example, the *Financial Administration Act* governs the Treasury Board, public debt and the various departments.

This bill will remove the requirement for the Heritage Foundation to follow the *Financial Administration Act*, which is currently listed in section 27 of the *Historic Resources* bill. Instead, it requires the Heritage Foundation to have its financials reviewed by the Auditor General on an annual basis. Having an audit completed by the Auditor General is the current practice which the foundation has been following since its creation, so it's just bringing the act in line with the practices the foundation is following.

Most boards' and agencies' legislation do require that the Auditor General review the financials of the corporation. In the briefing that was held for us, Mr. Speaker, officials noted that the *Legal Aid Act*, the *Public Trustee Act* and the *Innovation and Business Investment Corporation Act* all contain the requirement to be audited by the Auditor General and not the requirement to follow the *Financial Administration Act*, or FAA.

MHAs in the House may recall that late last year the House passed an amendment to the *Arts Council Act*. This amendment is identical to the one being considered today. In that bill we removed the requirement to follow the *Financial Administration Act* and we replaced it with an audit completed by the Auditor General. This gives flexibility, Mr. Speaker, to the Heritage Foundation to award multiple-year funding and carry over unused funding and the like. It certainly has advantages for the foundation.

The fiscal year would continue to be in line with government's fiscal year, running from April 1 to March 31. This legislative change was recommended, actually, by the Office of the Comptroller General at the Department of Finance. They're going through a process where they're ensuring that the financial oversight provisions contained within all of the boards'

and agencies' legislation is all consistent and appropriate, Mr. Speaker. In the briefing it was noted that this legislation was created in 1985 and the *Financial Administration Act* requirement was added at that time.

Before I close out, Mr. Speaker, I'll talk a little bit about background of the Heritage Foundation. It was established in 1985, as I just said, with a purpose to stimulate an understanding and appreciation for the architectural heritage of the province, to support and contribute to the preservation, maintenance and restoration of buildings and other structures of architectural or historical significant in the province and to contribute to the increase and diffusion of knowledge around architectural heritage in the province.

MHAs may recall as well there was a recent heritage poster contest. Heritage is very important to us here in Newfoundland and Labrador. Our heritage shapes who we are and will continue to shape us, I think, well into the future. It's where our strong characters come from, I have no doubt.

The Department of Tourism, Culture, Industry and Innovation provides an annual grant to the Heritage Foundation. This most recent grant for 2018-2019 was \$397,700. The year previous to that it was \$442,900; 2016-2017 the grant was \$463,000; and in 2015-2016 the grant was \$515,500. That information, Mr. Speaker, is available in the Estimates budgets of the House of Assembly and the department.

These grants provide operational funding to the foundation and educational programs, in addition to covering their office, administrative and communications costs, Mr. Speaker. It is certainly prudent for the foundation to be having its books reviewed each year by the Auditor General; it is a practice that they have been following. Today's amendment to the bill just brings that practice in line with the wording of the legislation itself.

We certainly will be supporting this bill, Mr. Speaker.

Thank you.

MR. SPEAKER: Thank you.

The hon. the Member for Placentia West - Bellevue.

MR. BROWNE: Good afternoon, Mr. Speaker.

It's certainly a delight and an honour to stand in this Chamber in my place and represent the good people of Placentia West - Bellevue and speak to this act that is before the House today.

I'm certainly pleased to speak to the amendments to the *Historic Resources Act* and to speak more about the Heritage Foundation of Newfoundland and Labrador and its mandate to help preserve the rich built heritage of Newfoundland and Labrador, indeed, all across our province.

It was just a few weeks ago the minister and I were at St. Bonaventure's College for the unveiling of the poster winners for National Heritage Day, an initiative led by the Heritage Foundation. I believe there were over 3,000 entries in that poster contest, Mr. Speaker. That is heartwarming to say the least. It is a sign and a signal that the heritage and the culture of our province is alive and well in the minds and hearts of our young people. It is indeed wonderful to see.

In fact, one of the regional winners was a young lady from the District of Burin - Grand Bank, Jenna-Wade Drake. I saw her depiction of the Mariner's Memorial in Grand Bank. It was a beautiful depiction, Mr. Speaker; very artistically talented, creative, of course. The provincial winner was Brooklyn Nichols. I believe she's from the Member for Cape St. Francis's area. I know her grandmother, Rose, quite well. Many of us would here in the Legislature. Congratulations to Brooklyn. She was quite happy to get her iPad. I think she's going to have to share with her nan.

In any case, Mr. Speaker, I do digress from time to time, but it's certainly good to see the Heritage Foundation doing this type of outreach and engagement with youth across the province. They have a number of programs in addition to this, Mr. Speaker, which support communities to preserve and develop their heritage resources.

The Crown corporation has designed approximately 340 registered heritage structures

all across Newfoundland and Labrador, all of which are eligible for heritage restoration grants. As well, it has designated seven provincial heritage districts which comprise some of the most important collections of heritage structures and features in the province.

The Heritage Foundation has a wealth of technical knowledge and expertise on preserving the province's built heritage and is the go-to source for heritage preservation advice. It is recognized across Canada and beyond for its role in safeguarding Newfoundland and Labrador's intangible cultural heritage.

Mr. Speaker, this is a term I think that's worth expanding on, "intangible cultural heritage." A good example of this would be the work the Heritage Foundation did along with the Arnold's Cove Heritage Foundation in my district where they went out and did recordings of persons who had resettled from the various communities of Placentia Bay and settled in Arnold's Cove.

There's actually an app, Mr. Speaker, that you can download on your phone and as you walk through Arnold's Cove your GPS location will be triggered to evoke one of the stories from one of the persons that moved in, depending on where they lived and where they moved in to. These are the types of examples, not only about painting up houses or fishing stages, Mr. Speaker, it is certainly about also preserving, not only our built heritage, but the intangible cultural heritage.

Last year, I had the opportunity to attend one of their seminars, Mr. Speaker. They were building on the work they did in Arnold's Cove – which was revolutionary; much of what happens in Placentia West - Bellevue is, from time to time. They were taking in the model of the app and adapting it for the Battery so that tourists and residents alike, as they walked through the Battery could get a sense of the history and the stories. These are things that the Heritage Foundation certainly does.

Its work is engaging senior citizens in the province to share their stories. Their stories received a honorary mention for the Governor General's History Award for Excellence in Community Programming. The Heritage Foundation is a Crown entity, Mr. Speaker, but a

very talented group of individuals. A dedicated volunteer board of directors, dedicated truly to preserving the heritage of our province. They are to be recognized for that and they certainly were by receiving this honorary mention from the Governor General.

The goal of this project, Mr. Speaker, was to capture the stories and memories of seniors, to share these stories with their communities and to make them freely accessible to the general public. The Oral History Night Roadshow saw the Heritage Foundation travel to 10 communities to host oral history nights, conduct follow-up to oral history interviews and create a series of community history booklets.

The foundation is currently involved in two exciting initiatives, Mr. Speaker, to document the building traditions of this province. One of these is a new heritage paint colour chart. With the demise of Matchless paint, the old colour chart is no longer usable. The Heritage Foundation is partnering with the Paint Shop and Benjamin Moore Paints to develop a new heritage colour chart based on extensive historical research. It is anticipated that this will be launched in the late spring.

Another initiative, Mr. Speaker, involves an oral history project to capture the knowledge of an older generation of carpenters who had an intimate understanding of building with wood in this province. The goal is to pass this knowledge on to a younger generation of carpenters and to people who own and manage heritage properties.

Mr. Speaker, it really truly is all about preserving our heritage and culture and the passing down of skills. In fact, as I've said here I believe in a statement not that long ago, evenings in the shed with Rev. Fred, also in Arnold's Cove, where they go in and they build a rodney together as part of the congregation – that's about passing on the skills and traditions of days gone by and hopefully days present and future to come. It's work that the Heritage Foundation does that is very important to those types of other activities that then spin off from types of work that they're doing.

I think it's worth noting, Mr. Speaker, that the Heritage Foundation recently launched the Adapting Heritage Toolkit on its website, which

provides a variety of resources and information for individuals and groups who are interested in how we can adapt our heritage to present day needs.

What do I mean by this, Mr. Speaker? Well, finding new uses for underutilized structures, innovative operational models for managing heritage structures, using technology to make heritage buildings more sustainable.

Mr. Speaker, I think of my own district, of course, I think of St. Gabriel's Hall in Marystown, a former RC church hall that had been left to rot, basically, and was taken on by a volunteer group. With assistance from the Heritage Foundation and other entities, they were able to restore it to its historical significance. Because anyone who would know Marystown, it is a fairly new industrial town, Mr. Speaker, but there certainly are facets of historical achievement and context that ought to be preserved.

No different than I think of Burin or Grand Bank, if we look at the Bait Depot, a building that was used, of course, to store bait over the years, has been restored and is now used for a variety of functions in Grand Bank. So we're seeing this all over, Mr. Speaker.

It's certainly important that they would find the new uses for those underutilized structures, but also to use technology to make heritage buildings more sustainable.

Mr. Speaker, as the minister has referenced, the Heritage Foundation is an independent Crown entity that is governed by the *Historic Resources Act*. These legislative amendments are routine and intended to align this legislation with that of other Crown corporations and agencies of the provincial government by removing section 27 of the *Historic Resources Act*, which is in reference to the FAA, the *Financial Administration Act*.

Mr. Speaker, as has been mentioned my Members opposite and the minister himself, this is somewhat of a housekeeping bill to bring the Heritage Foundation in line with our entities and corporations of the Crown. This is a very important piece of legislation, though, nonetheless, to ensure their sustainability as time

goes on and to protect the good work that they do.

Just last week, the minister and I had an opportunity to be in Gander for Hospitality Newfoundland and Labrador. There's such a positive feeling in the province, Mr. Speaker, about tourism, certainly, but also so important to tourism is preserving our heritage and culture.

We saw just recently the launch of the 2019 tourism ad, which has seen the largest number of views on YouTube: 650,000 views. The next highest to that was the goat on the horse, some 400,000 over a three- to four-year period; and, just in some weeks, we've had over 650,000 views. Much of the scenes depicted in this year's tourism ad was of the beautiful Burin Peninsula, scenes such as the still waters of Fortune Bay East and the beautiful vistas of Parkers Cove and areas, Mr. Speaker.

There was some sheep and a dory up in Collins Cove in Burin, and a tree in Little Harbour. Mr. Speaker, it's just a beautiful ad and it is reflected in the number of views. The number of views has been phenomenal. Attracting tourists here is one thing and then providing a product for them – we have very talented operators. But having heritage preserved in its tangible and intangible ways is so important to our tourism industry. That is why the work of the Heritage Foundation is extremely important to the economy. It's extremely important to all of our communities, both urban and rural.

This is why we are putting forth this amendment and putting such value on it, Mr. Speaker, as it will allow the Heritage Foundation the operational flexibility required to manage its programs. Our government values the important role the Heritage Foundation plays in preserving and protecting the province's heritage, and we look forward to seeing continued progress on the organization's important work.

Mr. Speaker, as the parliamentary secretary to the minister, I fully endorse this piece of legislation and I'm certainly happy to see the support from both sides to continue the important work of the Heritage Foundation.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

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

I'm very happy to stand and speak to Bill 49 which is the *Historic Resources Act* and it's an amendment. It's a bit of a housekeeping issue. It's not a significant change to the bill, but it gives us a chance to speak to some of the issues around our Heritage Foundation and our intangible cultural heritage.

So what the bill does is it repeals and replaces subsection 27(1) of the *Historic Resources Act* regarding the Heritage Foundation of Newfoundland and Labrador. The 1985 act – that's a while ago now – required that the foundation comply with the *Financial Administration Act*. We want all of our institutions to comply with that; however, there are certain specific needs of some of our institutions that require a little more flexibility, not because they're ineffective or inefficient but because of the work that they have been tasked to do. So they need a little more flexibility so that they can do the work in the way that's really responsive to the reality of our province.

So, this is a really good amendment. This was done to ensure that the Auditor General would audit the financial statement as part of its status as a non-profit Crown agency of the Department of Tourism, Culture, Industry and Innovation. What it's saying here is that the Heritage Foundation of Newfoundland and Labrador is a non-profit Crown agency. We want to give it a little bit of flexibility. Again, so it can be the most effective it possibly can with the task that it has been given.

The legislation governing the Heritage Foundation still stipulates compliance with the act, which was an oversight. So, it needs to be changed up a bit. The new wording clarifies what has been the practice for 30-some years. The foundation's annual statement is audited by the Auditor General and the financial years April 1 to March 31, but it doesn't have to comply with the *Financial Administration Act*. So what that means, the act now only applies to

departments and restricts their autonomy, prohibiting them from carrying money over from one year to the next or managing their own projects.

Well, this Crown agency needs to be able to carry money over, not because they've been ineffective in their planning but because of the kind of work that they're doing. Sometimes – we have our fiscal year is April 1 to March 31 and that doesn't fit all projects, particularly when we're looking at restoring heritage buildings, that it takes time, you need expertise, you need to raise other money, so this gives the Heritage Foundation flexibility.

Again, it's not because they are inefficient; it's not that at all. It's about giving them flexibility so they can be even more efficient and that they spend their money – which is so important to the task of the Heritage Foundation. They're able to spend their money wisely.

So, it still means they're accountable. That's very important to say that they are accountable. So the amendment will align the Heritage Foundation with similar organizations such as the Legal Aid Commission – we know they need flexibility – and Arts NL, which was recently changed; we did that in the last session, or the last sitting. I'm not sure which is the proper, session or sitting, but anyways we did that a few months ago the last time we met – and which are subject to annual Auditor General audits but not the *Financial Administration Act*.

This is a good thing, Mr. Speaker. And, in 2018, the Auditor General reviewed agencies, boards and commissions and found these discrepancies. So, they're cleaning that up.

I want to say at this point, Mr. Speaker, I want to thank all those who have a vision to know how important it is to not only restore, but protect our built heritage and our intangible cultural heritage. I'm going to talk a little bit about that. What that does is it instills a certain amount of pride. Also, I don't know, was it Churchill who said if we don't know where we've been, we don't know where we're going?

I'll talk a little bit about some of our built heritage and how incredibly lucky we are that there have been – and it's often volunteers

throughout the province who have identified the treasures that belong to us as the people of Newfoundland and Labrador, that tells our stories, that tells our stories of hardship, that tells our stories of resilience, that really identifies what's important to the people of Newfoundland and Labrador, particularly, as well around the intangible cultural issues.

I want to just say a little bit about the Heritage Foundation. It was established in 1984 so that makes it over 30 years old – 35 years, I guess. Would that be 35 years? Yeah, that's 35 years. They have an anniversary this week, they should be celebrated. They're a not-for-profit organization. They have a government-appointed board of directors with an operating grant from government to assist in its designation and grant programs. They need that flexibility to assist them in their grant programs because of the specific type of work that it entails. The foundation can designate heritage structures upon application by the owner. In exchange, the owner can be eligible for restoration grants and we see that all over our province.

I was in Bonavista on the weekend and I saw the Bonavista Lighthouse. What's happening in Bonavista is so exciting, the restoration of many, many historic buildings and houses in Bonavista. This has really been championed by John Norman, who's taken it upon himself, Bonavista Living, to really protect some of the built heritage of that town, of that municipality. It's incredibly exciting to see what's happening. The whole town is involved in it.

Also, houses that have been abandoned, that people have felt should be taken down – I also live part time in Perry's Cove and there are very few historic buildings left there; they were taken down. John Norman has had this vision with a team of people from that area who've seen buildings that people said, oh, we should just tear those down – they're actually restoring them. If they're not in a location that makes sense for the restoration, they actually pick them up and move them and replant them in a place that makes more sense. It's really, really exciting and it builds pride in the community, it creates employment in the community and it also presents tourism opportunities.

When we talk about tourism, Mr. Speaker, we shouldn't just talk about tourism as it relates to people from away. We need to talk about tourism, too, as it relates to the people who live here, the people who live in Newfoundland and Labrador because we, too, are those tourists and what's important to us matters.

When we look at what's happening in Trinity, Port Union – Port Union is an incredible example of a built heritage that we've almost lost. That was a union town that was led by Coaker and it's now being renovated and restored. That was one of the first towns that had domestic electricity for its people. They had a printing press, they had a bottling factory. They did absolutely incredible work. If we didn't restore those buildings and that part of Port Union, that history would be lost.

Currently, you can go through the print shop, there are lots of displays about the history of Port Union. The houses where workers live are almost all falling down, but they are being restored now as well. Although it's legislated – it's also active in education, the Heritage Foundation. It assists municipalities and community organizations regarding building restoration, heritage inventory mapping – mapping, that's great – protection of heritage districts and community oral history. There's Trinity, there's L'Anse aux Meadows, there are beautiful places in Labrador that are also restoring buildings.

Also, its legislated mandate is architectural heritage. It started out preserving churches, housing and commercial buildings – that's how it started – and it's now also working on the classification and preservation of sheds and stages. I was in Maberly and they have a stage that they've reconstructed and it's a thing of beauty.

When we look in Pouch Cove and the stages that are there and stone walls out around the Bay Roberts area, the people in Bay Roberts were known for their stone walls and for their expertise in building that; so the restoration, the excavation of stone walls and seeing what a role stone walls played in our province, but also the great builders of stone walls. The Root Cellar Capital of the World right in Elliston; and English Harbour, they are preserving stone walls

out there. Then there's also the issue of intangible cultural heritage. What's happening in that area, Mr. Speaker, is so incredibly exciting.

The Heritage Foundation is now also heavily involved in intangible cultural heritage or living heritage: our customs, our skills, our activities and expressions. It includes a lot of traditional knowledge, land and fishing areas and boat building. We can see there was an international boat building festival here in the province that boat builders from all over the world attended; again, the pride we have and the incredible skill that boat builders had in Newfoundland and Labrador.

Then there was the whole area of food preparation, gathering and folk medicine. When we look at what Lori McCarthy is doing from Cod Sounds taking people out for boil ups. Everything that is eaten or drank in the boil up is stuff that's gathered from the land, like lovage and slicing up oysters that you harvest, then cooking them on hot rocks and then serving them up with blue oyster plant leaves, periwinkle snails and sea urchins.

We know about briches and cod sounds. Most people from away don't know what that is and a lot of our younger people don't know what that is. Most of us here in the House know about what that is, so celebrating our traditions, our food gathering. You look at Raymonds, one of the world's best restaurants and chef, Jeremy Charles, and his use of traditional herbs and traditional ingredients for his award-winning food.

Then there's the roots, roars and rants festival –

AN HON. MEMBER: Roots, Rants and Roars.

MS. ROGERS: Roots, Rants and Roars Festival celebrating music, food, dancing, fabulous cultural – and then Aboriginal languages. We see a renaissance in Aboriginal languages and people teaching Mi'kmaq online, free online to anybody who will take the time to learn.

We look at the work of the art of Mary Ann Penashue, an Indigenous artist, an Innu artist and her fabulous work. She had a one-woman show last year at the Christina Parker Gallery. Then Jon Howse; the Provincial Art Bank here has

bought a few of his paintings. I chose them for my office but they were taken away from me because they went on tour. I want them back; just fabulous, fabulous modern Indigenous art that we are celebrating this, and the Heritage Foundation is part of that, unveiling our culture and shining a light on it and celebrating it.

Then our regional English and French dialects and culture. I was with some folks this weekend and someone asked me: Did you have a chance to look at it? She was talking about a magazine. Did you do your look at it? That was an expression that she used. We talked about a lot of expressions that are no longer in use but are different all over the province.

And when we look at Colleen Power who is singing in French and, again, that renaissance of the francophone community in Newfoundland and Labrador and celebrating their culture, their music and their traditions and their expressions.

I can remember when mom would say: Coopy down for that. That's a word that came from French: Couper. But when we see the anglicization and usage of French words from all along the West Coast, and my mother was part of that and her family was part of that.

Then we have our story telling festivals and our music festivals. The Crow's Nest in St. John's has storytelling; they have a storytelling circle every week that's open to the public. Then when we look at the festivals in Cow Head. Then Joe Goudie; Joe Goudie when he took people on his Gander boat trips and teaching people about those expeditions. Elizabeth Penashue, who would walk people through the country in Labrador, teaching about food, teaching about Indigenous customs and Indigenous knowledge, traditional knowledge, herbal knowledge, medicine knowledge.

How lucky are we, Mr. Speaker, to have those people with that vision and that commitment to make sure that we restore our built heritage, but also to restore and to hold on, to explore again our intangible cultural heritage.

A lot of people don't know this, Mr. Speaker, but UNESCO created an international convention on safeguarding the intangible cultural heritage in 2003 with a range of related

policies and programs, and the Heritage Foundation is included in that, they're advisors to that. How great is that? We have lots to be proud of.

We know that right now Jerry Dick is the executive director – Mr. Jerry Dick – of the Heritage Foundation and what a great work he's doing and his team, again, to ensure that we don't lose those treasures. And not only that we don't keep them in the back, in the years behind us, but that we also revitalize them and continue to use them. How lucky are we?

The Heritage Foundation has an Intangible Cultural Heritage office which works closely with Memorial's Intangible Cultural Heritage initiative and together they have formalized an Intangible Cultural Heritage Strategy. They are doing the strategy, Mr. Speaker, how important that is. So it's not just willy-nilly; they actually have a specific strategy. They are planning, they're using their money and their resources wisely with a plan that directs the work that they're doing.

Here's another thing, Mr. Speaker, that people may not know, that our province, along with Quebec, has been nationally recognized as being at the forefront – imagine that, our little province, 520,000 people in economic turmoil, that we are recognized as being at the forefront of intangible cultural preservation work in this country. And the director of the Intangible Cultural Heritage office is now an advisor to UNESCO, again, coming from our province.

So, right now, Mr. Speaker, I have only a few minutes left, but the cultural and the heritage community are waiting for a new cultural strategy. It's been a while, and they're waiting for it because they know how important strategies are, because what they do is they direct where you're going to put your resources, what's your work plan, how you can most effectively use your resources and really where you want to go. And it's about a vision, and we know how important that is.

So, hopefully, that strategy will include a review of the *Heritage Resources Act* – hopefully, it's been a while. As we know it's been about 30 years, so it's time. And among other things that need to be updated in the act is to broaden the

purposes of the Heritage Foundation to reflect its current activity in response to our current interest in work in preserving all of our heritage, not just architecture but other structures, and our intangible cultural heritage.

Mr. Speaker, I also have a question for the minister, and I hope that in committee – what's happening with our building, Colonial Building, millions and millions and millions of dollars put into the Colonial Building, the restoration of the Colonial Building and it lies dormant, it lies fallow. I'm sure it's not good for the building for the work that's already been done, and we know that millions has been done, and it's a jewel. It's a jewel in our province, in our history, but also architecturally, and nothing that I know of is happening.

And everybody's asking, what's happening to our Colonial Building? When will we see it finished and the restoration finished? When will we see it open? It's space that is so vital to the heritage community. It can be used in that way. So that'll be a question that I hope the minister will be able to respond to.

Again, Mr. Speaker, I will take my seat now, and, again, I want to thank all those who have worked so hard to preserve, to recognize and to promote our cultural heritage, our built heritage and our intangible cultural heritage as well. We have a lot to be proud of.

Thank you very much, Mr. Speaker.

MR. SPEAKER: Thank you.

The hon. the Member for Bonavista.

MR. KING: Thank you, Mr. Speaker.

It's an honour to stand and speak in the hon. House and talk to something that's very important to the District of Bonavista. Certainly, this *Historic Resources Act* and the Heritage Foundation of Newfoundland and Labrador is something very important to my district. It's certainly great to see the NDP support of good things happening in the District of Bonavista and it's nice to see a nice endorsement from the Leader of the NDP, and I guess it's not all doom and gloom with them. So it's good to see them recognize some good things happening and the

good work that the people of the district are doing.

First of all, I'd like to recognize Tineke and Marieke Gow of the Artisan Inn for recently receiving a tourism achievement award, and this gets to a little bit of what we're talking about. This was a restoration award, Mr. Speaker, if you look at the Artisan Inn and the Twine Loft, the restaurant. It's a success story of heritage buildings being redone to generate and stimulate the economy. It's remarkable. Tineke Gow recently comes from Holland, and moved here to rural Newfoundland. It's great to see people coming from other areas to help establish and grow our local economy and do good things that draw people in.

This is one thing I love about the District of Bonavista, Mr. Speaker, is the people who have, through the years, built the infrastructure that we're finally seeing a tourism boom like we haven't seen before, and this goes back to the '80s and '90s where you're seeing significant investments in restoring heritage buildings. Take, for instance, Trinity with the Ryan Premises, the Lester-Garland House. These were shells of buildings. The Lester-Garland House was actually demolished and they built it back up in a heritage manner, back to its 1700s look. Now, they run a number of different things out of the Lester-Garland House, including art exhibits in the summertime, as a museum. The Trinity Historical Society operates their office out of there.

You see the provincial historic sites within Trinity, such as the Ryan's store, the museum, the Hiscock House – those are great things that we've invested in through the years that people are coming to see. The Trinity Historical Society, for example, made significant improvements to buildings in Trinity such as the Cooperage, where you can go buy products that are handmade in the historic ways.

Also the Green Family Forge, you go there now and you can walk in any day of the week and you can see people actually blacksmithing there in a traditional coal-fired forge. You know, it's certainly interesting to see when you go in and look at them work at a product and, sometime later, it could be something as simple as a door hook or something elaborate as a candelabra,

and people are coming from everywhere to see this sort of stuff.

You get into another restoration that we've actually helped support through the Department of Tourism, Culture, Industry and Innovation is the Rosewood Suites. We invested significant funding to help them restore an old inn and tavern (inaudible). They had their official launch and grand opening last fall. We went and looked there and it's beautiful, state-of-the-art accommodations, high-end accommodations for anyone coming in who wants a little bit more comfortable place to stay and certainly the good work that's been done there.

Looking at Maudie's Tea Room – we talk about the film industry in Newfoundland and Labrador, Mr. Speaker, and there have been several filmed in the District of Bonavista. You go back to *Random Passage*, back in the early 2000s and they're focused on restoring some of their sites in New Bonaventure.

From there, you go into *The Shipping News*, Mr. Speaker, it's certainly a –

MR. MITCHELMORE: *The Grand Seduction*.

MR. KING: The Tourism Minister is giving me hints, but he should let me speak – he should stop heckling me and let me speak because I'm making a point, Mr. Minister.

I'm going to get to *The Grand Seduction*, but I want to talk a little bit about *The Shipping News*. *The Shipping News* is a big part of the early 2000s, kicking off the film industry in Newfoundland and Labrador. Then you saw *The Grand Seduction* where it was filmed in a number of different areas such as New Bonaventure in the district, Keels, Red Cliff, a number of different places. From there you see Joe's Place, which is still used today as a tourism attraction in New Bonaventure.

Now, you get into *Maudie* where a number of different scenes were filmed throughout the district, but one from the takeaways from that movie, the legacy that came from the movie, is Mesh's general store in Keels. The producers of the film renovated the shop to look like an antique store that you would see in Digby, Nova

Scotia back in the 1920s and '30s and they actually kept it like that.

Through the initiative of Selby and Eileen Mesh of Keels, through support of TCII and other agencies, they've been able to successfully open their Tea Room. Now, they're open every Saturday and Sunday on the weekends right now, but certainly they're excited to get going and promote that area on the Bonavista Bay side, which is – normally you see a lot in Bonavista or on the Trinity Bay side, but now they're expanding over to Keels.

King's Cove is another area where you're seeing a lot of built culture, and local artists have just purchased the old Anglican church and they're making it into a studio. A similar thing done – I know the Leader of the Third Party mentioned about English Harbour. Something similar was done in the mid-2000s in English Harbour with the old Anglican church there and it's been turned into the English Harbour Arts Centre. I was very fortunate this past summer to take in two shows there. I swear, Mr. Speaker, that the acoustics in that restored church are second to none. Sitting there listening to Vivaldi's Four Seasons, it's like you're in a big opera hall in France or somewhere like that. It's amazing what they can do.

You look at Port Rexton – I'm just going around a number of districts because you don't want to stick to just one area, but Port Rexton, they've done a number of different things. Alicia, and Sonja Mills, of Port Rexton Brewing Company, they've taken an old school, which was then turned into a community centre, which was then turned into a brewery. They've been so successful telling the story of Port Rexton and that school and drawing people to the area that they're actually expanding – and we'll have some good news to bring on that on Friday, Mr. Speaker. I'm looking forward to the Minister of Tourism, Culture, Industry and Innovation coming and making some good-news announcements supporting local industry, supporting tourism, supporting economic growth in the District of Bonavista, such as we have over the last four years.

But it takes – it's not just government who does this, it's the community leaders, the people like Dave and Kim Paddon of English Harbour who

saw an old church, and their committee, a group of like-minded individuals coming together to form an arts centre. People like Selby and Eileen Mesh, taking an opportunity and running with it. People like Donna Butt, who formed Rising Tide Theatre just after – or excuse me, not formed, but brought the Rising Tide Theatre, Summer in the Bight, just after the cod moratorium. And that's been successfully running now for 26, 27 years. A couple of years ago they had their 25th anniversary, Mr. Speaker.

You take people like Jim Miller of Trinity who is chair of the Trinity Historical Society, and the work that him and his committee have done. You take people like Edith Samson, who's the executive director of the Coaker Foundation in Port Union, and her board of directors – the amazing work that they've done in Port Union to restore our heritage in Canada's only union-built town.

They first restored the old Fishermen's Union Trading Company, now which is a bottle production facility through PET Power. Then you see significant upgrades to the factory where they have a museum, a conference centre, Mr. Speaker. They have artists' residencies there. They have the cultural craft fair every year at that location. It's a great facility. I even had my victory party there during the 2015 election. It's something I was proud to host a time for my supporters at a historic site such as the factory in Port Union.

We're also seeing restoration of the Union Electric building where the power company used to be. As well, you're seeing a number of apartments being refurbished. Right now I had an opportunity to meet with a couple of individuals who are working hard to get an artist's residency in one of those apartment buildings. So you would have your artists' studio there, the residency would last three weeks. There are accommodations there. There is a place for them to work, bringing in local people. I'm certainly excited, and I'm in the process of writing a letter of support for that group.

Mr. Speaker, you move on north up to Elliston, and the Leader of the Third Party mentioned the root cellars. Well, you also look at our sealing

heritage and what they've been able to do with promoting the sealing industry and the Sealers Memorial and the interpretation centre. Also what they've done is been able to – what they've also been able to do is restore historic buildings.

In 1997, Mr. Speaker – and I believe I told this story before in this hon. House – they had a choice to turn off their streetlights because they couldn't pay the bills. At that point they decided, no, we are going to make a difference. There were actually two businesses in Elliston in 1997, and now there are countless businesses because of the people, the leadership within that community, that go-get-'em attitude that has seen that community revitalized. You see the Bird Island Puffin Festival in the summer, you see Roots, Rants and Roars, which is bringing in people from all over the world; world-class chefs, just not from Newfoundland, just not from Canada but internationally as well. It's a success story.

Champney's West, a small little community of less than a hundred people, they have a heritage house. They have recreations there. Whether you're two years old or 90 years old, everyone in that town pitches in to help out. I was at a variety concert, their 27th variety concert this past Saturday night, and certainly want to give them a shout out, the Fox Island Players at the annual Champney's West variety concert. Their creativity is second to none, and that ambition, that creativity, that vision for growth over –

MR. LETTO: Like the *Matthew*.

MR. KING: Now, the Minister of Municipal Affairs is heckling me, too, Mr. Speaker. You know, that's how good things are in the District of Bonavista, is that you got people shouting out to you, telling you the good things that you can talk about, and I'm not even on Bonavista yet. I'm still making my way up the Route 230 and getting going.

Mr. Speaker, their vision enabled them to go out and build an aquarium, and I tell you the success of that aquarium is unbelievable.

Now, we got to get to Bonavista. The Minister of Municipal Affairs wanted me to talk a little bit about Bonavista. So I'd be remiss if I didn't talk about the *Matthew* and the good work. Back

in 1997, I was there standing in the cove as a sea cadet when the Queen came inspecting us at the War Memorial – but the 24th of June, 1997, Discovery Day, and b'y what a day that was – when the people of Bonavista and that committee got together and said we're going to put this initiative together to celebrate the 500th anniversary of John Cabot's landing.

In Cape Bonavista they said they didn't know if they would get a soul, but you couldn't get a place to stand in Bonavista for those few days with the Queen, with the landing of the *Matthew* and the replica *Matthew*. Unfortunately, the *Matthew* seen some better times, when you have the *Matthew* legacy which is working hard to refurbish the *Matthew*. We've supported them through a number of different projects and grants as well and visitation there.

You look at the provincial historic sites in Bonavista; the lighthouse, the Mockbeggar Plantation. They're getting record number of tourists, from talking to workers there, and it's amazing to see. They're coming from everywhere. A lot of this has to do with – it's a hip place to be now. Obviously, it's a hip place to be, I live there, but it's a hip place to be even besides that because people want to come out and experience life of rural Newfoundland because it's a young – it's a lot of good things done by young people in the area.

Recently, on one of the local programs with Eastlink TV, they featured the Bonavista puffin tours and a young couple there who are doing great work in boat tours.

You also have people like John Norman. Imagine now, someone in their early to mid-30s taking a leap of faith and going out and restoring old buildings. And then, not just restoring old buildings to sell them or rent them out but offering them to businesses, nice restaurants, local artisans, craft people. There's a salt factory there now; something I never thought I'd see when I left the province back in 2004 and moved to Halifax. I come back and great things are happening. It's a renaissance in the area.

You've got a group like Bonavista Historic Townscape Foundation which has taken the lead. If you go to Bonavista, one of the first things you notice is down at the waterfront, the

amount of work that has been done there, walking boardwalks. The curbside is very beautiful going up – you know, that’s on Campbell Street going up to Church Street.

Then you get on to Church Street, you see the Garrick Theatre which was – and the Garrick Theatre and the old Chain Locker, which was pretty much down and out, closed down, but the Bonavista Townscape Foundation took it on themselves, to take the old Garrick Theatre, redo it in an historic fashion. Now every Saturday night they have – in the summer, every Saturday night they have a musician come in or a band and whatnot and it’s a packed house. They show movies on Thursday, Friday and Sunday.

You go next door to the Garrick Annex, it’s a beautiful little area. If you’re attending a show you could go have a martini or some other sort of cocktail or a beer. Then upstairs where the old Chain Locker used to be is a conference room.

So, Mr. Speaker, it’s people like that, like the Bonavista Townscape Foundation, who have taken our history and through the Heritage Foundation have done great work. I could go on and on; 20 minutes talking about good things in the District of Bonavista, you’re just getting warmed up, and all the key players and people that are doing good things there. I’m excited to see the growth. We’re having more new businesses opening up this summer. The economy is doing well.

Our government is certainly supporting the leaders in the communities who are coming to us asking for help to get things up and running, to help them expand. We’ve seen that numerous times.

I really can’t count on one hand the number of times that the Minister of Tourism, Culture, Industry and Innovation has come to my district. We’ve made an announcement that we’re supporting a business like the Seaport Inn, which helped them renovate the hotel to provide more accommodations to our area; like we’ll see on Friday with Port Rexton Brewery; with the Discovery Aspiring Geopark, and that’s another thing I want to talk about. We have a great group of people who are working hard to get a UNESCO designation as a geo park in the District of Bonavista based on our fossils in the

area, and that would run from Port Union all the way to King’s Cove and that area, Mr. Speaker.

Thank you.

MR. SPEAKER: Before we continue, I’m going to beg some attention from the House. I have been trying to work on the term “relevance.” It was interesting that, at the start of the reading of this bill, I was actually going to compliment the minister and the Opposition because they did a very good job, but it’s continuing to spiral off in an amazing direction.

So, I apologize, but I am going to interrupt because I don’t think I can take any more minutes of this. I’d ask the Members to be relevant to the bill, please, speak to the matter of the Heritage Foundation.

I will recognize the Member for Mount Pearl - Southlands.

Thank you.

MR. LANE: Thank you, Mr. Speaker.

I was sort of wondering the same thing, to be honest with you, but now I’m kind of disappointed because I wanted to put in a couple of plugs for all of our historic sites in Mount Pearl.

SOME HON. MEMBERS: Oh, oh!

MR. LANE: Mr. Speaker, I don’t blame the Member for Bonavista for being proud of his district from a tourism and historic point of view because it absolutely is a beautiful part of our province. I’ve visited many times. I go to Bonavista at least once a year for sure in the summer, Elliston and those areas, and it’s absolutely beautiful.

I do also want to thank the Member for St. John’s Centre for taking us on a virtual tour all throughout the Province of Newfoundland and Labrador. She never missed too much. I was kind of disappointed nobody mentioned the Barbour Living Heritage Village. That’s where my roots are from, down that way, and that’s also a beautiful spot from a heritage point of view, I got to tell you.

Mr. Speaker, to get relevant with the bill, I'm not going to speak long. I'm supporting the bill, obviously, as is everybody I'm sure. Basically, we're only mimicking what we did here the last time we were in the House as it related to the *Arts Council Act*. We're just applying that same process, if you will, to the Heritage Foundation of Newfoundland and Labrador, basically as it relates to the *Financial Administration Act*.

So, as has been said, because it's tied to the *Financial Administration Act* the same as would core governance of a department, then there are a number of restrictions there in terms of the inability to award multi-year funding, the inability to carry over a balance from fiscal year to fiscal year and so on. In other words, no flexibility. The work of this foundation is very important to our province as has been outlined, and it's important that they have flexibility to do the good work that they're doing, to be able to work with proponents who come forward, who would be looking for assistance and so on in the restoration of built heritage projects, or as the Member for St. John's Centre talked about the – what did she call it? Intangible heritage projects, I think that was the terminology she used. Basically, promoting our culture, promoting our heritage, promoting our way of life, our sayings, our unique accents from all around the province, our stories, our traditions and so on, promoting those things.

I heard the Member for Placentia West - Bellevue, I believe it was, talking about an app that's been developed, for example, for heritage as well to be able to look at heritage sites and so on, virtually, through that app and so on, to improve the experience that one would have. I can see that applying to sites all across the province where you would do that and certainly for the younger generation, I'll call it – not that I consider myself old, but the younger generation who are into apps and stuff like that, which I'm really not a great deal, to be honest with you. I still do things the old way in a lot of cases. But, certainly, for the next generation coming up, the newer generation who are into this whole concept of apps and virtual tours and all this good stuff, I think to be able to develop that into the future, to be able to enhance the heritage experience that one would have travelling throughout our province, I think that's a good thing as well.

But in order to be able to fund projects like this, perhaps fund them in stages, perhaps working with different voluntary groups and organizations and so on, partnerships, to be able to do those types of things, as well as built heritage things, it's important that this organization have the flexibility – the financial flexibility to meet the needs of the clientele, if you will. That's really what's being done here.

Again, as has already been said a couple of speakers ago, when we were sort of being more relevant to the bill, it's important to note that even though we're providing that flexibility, the books of this organization is still going to be audited by the Auditor General. Apparently, that's being done now anyway but, basically, it is cementing in legislation what is already happening in terms of the Auditor General, which is important because we're talking about \$300,000 or \$400,000 a year or whatever it is, a fair chunk of change being administered by this organization, of the people's money, so it's important that all the checks and balances be put in place to ensure that the money is distributed properly and everything is done the way it should be done. So having the Auditor General, on an annual basis, reviewing that financial information and documentation, I think that's important and it provides the checks and balances that required versus under the *Financial Administration Act*, where it would be dealt with by government.

So, it makes a whole lot of sense. As we said, it's been done in the past with other Crown corporations and I see no reason why we wouldn't do it here, given the flexibility it provides, given the financial oversight that continues to exist, and as I said it makes a lot of sense for this organization so that they can continue the great work that they do throughout our province in preserving, as we said, not just our built heritage, which exists throughout the province, but also our culture, our traditions, our stories and so on, which are so invaluable.

When you look at tourism here in this province, which continues to grow, I think that we are doing very well in terms of tourism but I think we're only still scratching the surface. We could do a lot more, and as more people get into the tourism industry and develop products that consumers will want, I believe that our tourism

will continue to grow in leaps and bounds; but, let's make no mistake, that while it's great to develop those products and so on, those attractions and accommodations and so on, really when people are coming to Newfoundland and Labrador they are coming for our heritage, for our culture primarily. That's the experience that they're looking for.

They're looking for that unique experience, that unique culture, that unique experience that we have here in Newfoundland and Labrador, and this organization certainly does a lot of good work in helping to provide that, and it's important that we support them in any way we can, including legislative changes where required to provide them, as we said, the flexibility, the ability to work with all stakeholders and partners for the benefit of our province.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Thank you.

If the hon. the Minister of Tourism, Culture, Industry and Innovation speaks now, he will close debate.

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

MR. MITCHELMORE: Thank you, Mr. Speaker.

I appreciated all the commentary and support for the bill that's been put forward, Bill 49, to amend the *Historic Resources Act*. I thank the Member for Fortune Bay - Cape La Hune for being so on point. In particular, I had the opportunity to be in her district and visit Sunny Cottage, which is a very important historic attraction, heritage investment that the Heritage Foundation and the department had supported.

So these are the types of things, though, sometimes, that funding requires and it doesn't always get expended for a project in a fiscal year. To ensure that it's meeting the criteria, that's why we're changing matters in this act.

I appreciate the commentary by my parliamentary secretary who has attended numerous functions on behalf of the department. I've had the pleasure, as well, of being in Arnold's Cove for various resettlement events and the heritage week. They have a great thing going on at Drake House, as well all throughout the province. I appreciate the Member for St. John's Centre being very passionate about the oral and intangible cultural heritage and aspects of our province, it's very important, the great work that's being done throughout our province, whether it would be built heritage or other aspects because that's very important. As minister, I take great pride in the ability to be the heritage minister.

When I was 16, I started a museum myself, depicting our province's history and culture on the Great Northern Peninsula and telling our stories and preserving that. That was also in a heritage home itself.

Mr. Speaker, I want to thank the Member for Bonavista who certainly has a high concentration of heritage resources, whether they're built or intangible, and the great volunteer work that's being done by people throughout the District of Bonavista. I always enjoy being there, whether it's in Port Union or Bonavista itself.

The Member for Mount Pearl - Southlands, thank you for your contribution and highlighting the Barbour Village – because that's something that I wrote down as well. Last year, myself and the Member for Fogo Island - Cape Freels had toured the facility and had recognized the leaky roof at the Alpheus Barbour village and the impacts that were happening. Working with the Heritage Foundation, we were able to invest hundreds of thousands of dollars to restore that white, magnificent property and that can generate revenue but also continue to make sure that we don't lose such an iconic piece of our built heritage.

Working in partnerships, working with community, working with organizations, working with everybody in this House is how we make sure that we're continuing to ensure that our historic resources are intact here in this province.

Mr. Speaker, I would like to thank as well the staff at the Heritage Foundation; the executive director, Jerry Dick; David Lough, who's the chair; as well as staff at TCII who would administer the briefing. I know there were some questions. I certainly can provide further detail, especially to the Member for St. John's Centre on the Colonial Building because I'm very proud of the progress that we have made on that historic structure.

We have 11 heritage properties throughout our province. We've already completed four of the five tender packages and we're making significant progress when it comes to making that property – that was our Legislature at one point – open again to the public.

Mr. Speaker, given the hour of the day and everything that's here, I'm going to take my seat and I'm going to allow the House Leader to be able to –

MR. A. PARSONS: You're finishing debate, though, right?

MR. MITCHELMORE: Yes, I'm finishing debate.

MR. A. PARSONS: (Inaudible.)

MR. MITCHELMORE: Yes.

Thank you, Mr. Speaker, and I look forward to third reading – Committee and third.

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

The motion is that Bill 49 be now read a second time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

The motion is carried.

CLERK: A bill, An Act To Amend The Historic Resources Act. (Bill 49)

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

When shall the bill be referred to a Committee of the Whole House?

MR. A. PARSONS: Tomorrow.

MR. SPEAKER: Tomorrow.

On motion, a bill, "An Act To Amend The Historic Resources Act," read a second time, ordered referred to a Committee of the Whole House on tomorrow. (Bill 49)

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

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

I move, seconded by the Member for Stephenville - Port au Port, that the House do now adjourn.

MR. SPEAKER: It is moved and seconded that this House do now adjourn.

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.'

Before I do adjourn, I would like to wish a very happy birthday to our wonderful Page, Alden.

Happy birthday!

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: This House stands adjourned until tomorrow at 1:30 o'clock.

Thank you.

On motion, the House at its rising adjourned until tomorrow, Tuesday, at 1:30 p.m.