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Speaker: Honourable Ross Wiseman, MHA

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The House met at 1:30 p.m.

MR. SPEAKER (Wiseman): Order, please!

Admit strangers.

Today, before we start proceedings, I want to acknowledge some guests we have with us. Today we are very pleased to have with us some students all the way from the West Coast, from St. George's – Stephenville East district.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: We have twenty-nine Grade 7 and 8 Social Studies students from Our Lady of Mercy Elementary. They are accompanied today by their teachers: Darlene Sexton and Heather Locke; together with some chaperons: Gerald LaSaga, Gerald Sexton, Ruth Gough, and Samantha Pitcher.

Welcome to our galleries.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: We are also very pleased today to be joined by Mr. Gerald Anderson, who is the Director of Development and Engagement of the Fisheries and Marine Institute of Memorial University of Newfoundland and Labrador. We will hear a little more about him in a few moments.

Statements by Members

MR. SPEAKER: Today we will have members' statements from the Member for the District of Mount Pearl South; the Member for the District of Bonavista South; the Member for the District of Port de Grave; the Member for the District of Signal Hill – Quidi Vidi; the Member for the District of Torngat Mountains; and the Member for the District of St. John's East.

The hon. the Member for the District of Mount Pearl South.

MR. LANE: Thank you, Mr. Speaker.

Mr. Speaker, it gives me great pleasure to rise in this hon. House to recognize several outstanding young people in my community. The twenty-fifth Annual Mount Pearl Focus on Youth

Awards, held at the Glacier yesterday evening, was a tremendous success and highlighted the great talent, athleticism, and intellectual ability possessed by some very amazing youth.

These individuals included: Mount Pearl Female Youth of the Year, Lauren Winsor; Male Youth of the Year, Colin Hunt; Youth Volunteer of the Year, Mallory Pitts; Male Youth Athlete of the Year, Deepal Deshpande; Female Youth Athlete of the Year, Meghan Earle; Youth Sports Team of the Year, the Junior Girls – Pearlgate YBC bowling team; Official of the Year, Andrew Preston; RNC Youth In Service Award Winner, Natalie Hiscock; Youth Group of the Year, the Mount Pearl Senior High Husky Nation Soup Kitchen; Performing Arts Individual Award winner, Ashley Hunter; Performing Arts Group Award winners, the O'Donel Jazz Band and Mount Pearl Show Choir; Visual Arts Award winner, Miranda Saunders; and Literary Arts Award winner, Emily Hepditch.

There were also two wonderful adult volunteers recognized at the gala: Adult Volunteer Working with Youth Award winner, Lynn Lyver-Sparks and Adult Volunteer Working with Youth in Sport Award winner, Gayle Cave.

I would ask all members of this hon. House to join me in congratulating all of these individuals on their accomplishments. Our future is in good hands.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Bonavista South.

SOME HON. MEMBERS: Hear, hear!

MR. LITTLE: Thank you, Mr. Speaker.

I am delighted to rise today to recognize Tom Maddox for the countless hours of dedication he has given to the Town of Kings Cove. He has contributed numerous hours to committees and organizations over the years.

Tom was a teacher and principal at St. Mark's School in Kings Cove for thirty years. He is Mayor of the Town of Kings Cove with forty-

five years of service. Mr. Maddox was an executive member of the Bonavista-Trinity Minor Hockey Association. He was the founding member of the Kings Cove Recreation Committee and historical society. Tom is the Chairperson and Treasurer of the Kings Cove and area Waste Disposal Committee.

Tom was a founding member of the Kings Cove and area Volunteer Fire Department, and is currently Treasurer. He received the provincial and local Knights of Columbus Knight of the Year Award. Tom served two terms as Grand Knight and is presently Deputy Grand Knight, and always held an executive position. He is a member of the Board of Directors of the Discovery Regional Service Board and Canadian Rangers. Tom was also presented with the Queen's Jubilee Medal in 2002.

Mr. Speaker, hon. colleagues, please join me in honouring Mr. Tom Maddox for his dedication and contributions to his community.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for the District of Port de Grave.

MR. LITTLEJOHN: Thank you, Mr. Speaker.

I rise today in this House to recognize two individuals from my district who recently received Recreation Volunteer Recognition Awards from Recreation Newfoundland and Labrador. Angela Norman of Bay Roberts and Robert Clarke of Upper Island Cove were two of nineteen recipients from across our Province.

Robert Clarke has been a tireless recreation volunteer with the Town of Upper Island Cove. He has been instrumental in the revitalization of the Recreation Centre in Upper Island Cove, calling bingo on Wednesday evenings and organizing the children's playgroup. Robert recently oversaw renovations to the centre, which received new washrooms, an enlarged fitness room, and an outside play space.

Angela Norman is an active volunteer in her community, serving on the Bay Roberts Recreation Commission as their secretary, a key

organizer of other town events, the St. Matthew's Church Anglican Auction Committee, a member of the Conception Bay North Ladies Volleyball League, and the list goes on.

The old adage, Mr. Speaker, if you want something done, call someone who is busy, would describe these two individuals to a T.

I ask all members to join me in congratulating Angela and Robert, two tireless recreation volunteers.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for the District of Signal Hill – Quidi Vidi.

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

I am happy today to congratulate one of my favourite singer-songwriters – and in this Province, that is saying a lot.

Colleen Power may be best known to many Newfoundlanders and Labradorians as the genius behind hilarious hits like *New Townie Man* and *Na Na Song*, but I have a special love of the music she has done in French.

She released her first full-length French CD, *Terre-Neuvienne*, in 2006, and her second, *Le Bonheur Domestique*, last year. She has received many varying awards and recognitions for her multi-faceted talent.

Recently, we learned that Colleen has been selected to take part in the World Acadian Conference, a grand reunion of the Acadian diaspora which takes place just every five years.

This year, Le Congrès Mondiale Acadien will be in Edmunston, New Brunswick. Colleen will join musicians like Lennie Gallant, Nathalie Renault and Daniel Légère to perform in showcases throughout the festival. Her song *Mon Copain* will be included on a musical compilation from The Francophone Centre of the Americas to promote emerging Francophone artists.

Felicitations, Colleen!

SOME HON. MEMBERS: Hear, hear!

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

MR. EDMUNDS: Mr. Speaker, I rise in this hon. House today to congratulate Constable Justin Lyall of Nain on being recognized as the Police Officer of the Year for the Royal Canadian Mounted Police by Newfoundland and Labrador Crime Stoppers. The award was presented on May 2, 2014 by His Honour, the Hon. Frank Fagan.

Constable Lyall, who joined the RCMP in 2005, and now stationed at the Bonavista detachment, was born and raised in the Inuit Community of Nain, the son of George and Bonnie Lyall. He spent most of his young life hunting and fishing in Northern Labrador, an experience that has prepared him well for his policing career.

I personally had the opportunity to spend a lot of time with Justin and his parents and shared with them the wonderful experience of being out on the land.

Constable Lyall is an active volunteer for the community with Special Olympics. He actually started the Special Olympics chapter in Clarenville-Bonavista. Justin also spearheaded Unite the Bight campaign to secure a new playground for the area.

Mr. Speaker, Constable Lyall's commitment to community and policing earned him this prestigious award, and I ask all hon. members to join me in congratulating him on this achievement.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MR. MURPHY: Thank you, Mr. Speaker.

One of Canada's most innovative educational institutions celebrates its fiftieth anniversary this year.

The College of Fisheries, Navigation, Marine Engineering and Electronics opened on Parade Street in 1964. In 1992, by now relocated to Ridge Road, it became the Fisheries and Marine Institute of Memorial University of Newfoundland and Labrador. The Marine Institute – or MI to its friends – offers diplomas, certifications, degrees and specialized industry training in the schools of Fisheries, Marine Studies and Ocean Technology.

The facilities at MI are more than impressive. The flume tank is the largest in the world and the ship's bridge simulator is an incredible experience. I would venture to say that in fifty years of its existence, there has not been an important advancement in any of our marine industries that the staff, students, faculty, and the alumni of the Marine Institute has not been part of.

The anniversary celebrations were launched on January 15, there was an official anniversary reception on April 30, to which I had the pleasure to attend, and there will be events throughout the Province during this coming year.

I ask all hon. members to join me in congratulating the Marine Institute on fifty great years as an integral part our most important industries, fifty years in advancing education in the same.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Statements by Ministers.

Statements by Ministers

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

SOME HON. MEMBERS: Hear, hear!

MR. KENT: Thank you, Mr. Speaker.

Thank you to my colleagues as well; they are very spirited today.

I rise in this hon. House to provide an update on the consultations we are undertaking together

with Municipalities Newfoundland and Labrador and the Professional Municipal Administrators on the review of the provincial-municipal fiscal framework.

The goal of this review is to examine the existing provincial-municipal fiscal framework to identify options for efficient and effective ways for services to be delivered, paid for, and shared in the Province.

Mr. Speaker, as part of the review, government committed to consulting with various stakeholder groups and the general public. These consultations were designed to ensure that the views of municipalities, local service districts, residents of unincorporated areas, and all who utilize municipal services are considered.

I am pleased to say that phase one of the stakeholder consultation process is now completed. Sixteen roundtable discussions were held across the Province from January to April involving over 470 registrants from organizations such as Municipalities Newfoundland and Labrador, Professional Municipal Administrators, local service districts, and Rural Secretariat Councils. The views expressed by these individuals have been invaluable in determining key areas of concern, and illustrating how the framework can support our communities into the future. The Office of Public Engagement was instrumental in assisting us to facilitate these sessions across the Province.

Mr. Speaker, my department has conducted a jurisdictional review of other provinces and territories, to obtain information about their fiscal relationships between provinces and municipalities and their governance structures. As we move into phase two of the consultation process, meetings will be held with targeted stakeholders that are involved in municipal service delivery such as economic development, recreation, waste collection and disposal, environmental protection, infrastructure, firefighting, bylaw enforcement and land-use planning.

I would also like to encourage residents who have not already participated to complete our online survey by visiting the departments Web

site. Residents and other interested stakeholders can submit their feedback either by mail or electronically until the end of June.

Mr. Speaker, we have made great progress with this review, and by continuing to work together to collect, engage, and consider the views of municipalities, local service districts, residents, and other stakeholders, we will gain a clearer insight into the priority areas across the Province. These efforts will inform our work, as we build a strong fiscal framework to guide us into the future.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

SOME HON. MEMBERS: Hear, hear!

MR. JOYCE: Thank you, Mr. Speaker.

I thank the minister for an advance copy of his statement. Mr. Speaker, this was committed back in 2008. Six years later – and all members on this side would love to see a new fiscal arrangement with MNL for all the municipalities. When you speak to MNL and you speak to councillors, the time for consulting is over. It is six years. We are still getting boil advisories. We still have systems that towns cannot afford.

I say to the minister, the consulting time is over; we need action. Every year we delay this, Mr. Speaker, municipalities fall further behind, the less water systems are taken off-line, and we get major problems with our roads. I know the minister has committed to have something done by 2015 in the next Budget. Personally, I know the Opposition feels very strong that anything we can do to help move this along, we will.

This is so vital to all the residents of Newfoundland and Labrador and all the municipalities of Newfoundland and Labrador that we have to find a solution collectively. We need answers. We need something concrete.

We will hold the government to the commitment that it will be in the Budget in 2015. We, again,

offer ourselves if there is anything we can do to help push this through because this is provincial, for the Province of Newfoundland and Labrador, to ensure our residents that they can maintain the infrastructure they have and improve the infrastructure they have. Collectively, we must ensure that is done.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. MURPHY: Thank you, Mr. Speaker.

I would also like to thank the minister for the advance copy of his statement. We will hold his feet to the fire on the deadline they put forth for the 2015 Budget to have this new fiscal arrangement in place. We would like to offer a few suggestions, too, at the same time to the minister, that we could see more investment done, for example, as regards to municipal transit. We could see the government give a break to some municipalities when it comes to taxes, for example, on fuels to operate the busing system here in the Northeast Avalon when it comes to Metrobus.

Breaks to the cities, for example, government paying its own way for the use of government buildings that are in some jurisdictions. My district alone is being tagged right now with taxes not paid, for example, on four or five buildings right now that government uses. They supply the service at the same time, the government services, and jobs, yes, but still they are using the sources from the City of St. John's, for example, to their benefit. So I suggest to government that also be included in the formula of (inaudible).

MR. SPEAKER: Order, please!

The hon. the Minister Responsible for the Status of Women.

SOME HON. MEMBERS: Hear, hear!

MS SHEA: Mr. Speaker, I rise today in this hon. House to recognize Saturday, May 17, as International Day Against Homophobia and

Transphobia. The theme of this year's campaign is Same-sex parenting: I love my two moms, I love my two dads, and it aims to reduce prejudice towards children who grow up in same-sex parented families.

Mr. Speaker, this day aims to raise awareness of homophobia and transphobia, to campaign against it, and to celebrate gender and sexual diversity.

Celebrating the full diversity of our Province and continuing to educate is the first step to preventing violence against all vulnerable populations, including gay, lesbian, bisexual and transgender people, or LGBT individuals.

Every day, Mr. Speaker, LGBT individuals are subjected to acts of violence in schools, workplaces and communities, and experience higher rates of violent victimization than heterosexual individuals.

Mr. Speaker, our Violence Prevention Initiative aims to educate and increase awareness about the prevention of violence against women, children and youth, Aboriginal women and children, older persons, persons with disabilities, LGBT individuals, persons of varying race or ethnicity, and persons of different economic status.

As part of the Violence Prevention Initiative, our Regional Co-ordinating Committees have many events planned throughout the Province to educate and celebrate International Day Against Homophobia and Transphobia. For example, the Southwestern Coalition to End Violence arranged a proclamation signing yesterday in Stephenville. Violence Prevention Labrador has arranged for an individual with same-sex parents to do an interview tomorrow morning with CBC Radio's Labrador Morning Show, and the Western Regional Coalition to End Violence has created stickers promoting facts about same-sex parenting which will be placed on coffee cups provided by Brewed Awakening in Corner Brook.

Mr. Speaker, I invite all of my colleagues to join me in recognizing International Day Against Homophobia and Transphobia, and acknowledge the hard work that our Regional Co-ordinating Committees do on a daily basis. The

Government of Newfoundland and Labrador remains fully committed to preventing violence against all populations so that residents of Newfoundland and Labrador can live in violence-free communities.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Burgeo – La Poile.

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

I thank the minister for an advance copy of her statement. Certainly, we in the Official Opposition would also like to recognize the International Day Against Homophobia and Transphobia.

Gains made in the LGBT community have been hard fought and won by the LGBT community. The right to marriage, the right to raise children, are accomplishments we should all celebrate because it is reflective of a society that is evolving. These are rights we should defend in our daily conversations to uphold a tolerant society.

We are all aware of the controversy surrounding the application of Trinity Western University in British Columbia to establish a law school that requires all students, faculty, and staff to sign a community covenant prohibiting any sexual intimacy outside heterosexual marriage. How can the pursuit of law proceed unhampered when lawyers are being trained in homophobic institutions, when their institutional homophobia conflicts with our Charter of Rights and Freedoms?

Law Societies across the country are grappling with this issue and our own Law Society of Newfoundland and Labrador are seeking feedback from its members on how to deal with graduates from this school. As a member of the Law Society of Newfoundland and Labrador, I will be making a submission that emphatically states that attorneys educated under a homophobic program lack the requisite, character, and fitness to practice law in our Province.

I appreciate the opportunity to speak to this very important day.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MS ROGERS: I too thank the minister for an advance copy of her statement.

As a same sex parent, I am proud to stand in this House to celebrate the incredible work LGBTQ activists have done throughout the ages and around the world with passion, audacity, determination and style to bring us to this point where our rights are enshrined in our human rights legislation. Rights are not given but hard won.

Our Department of Education has become a world leader with Egale Canada by developing and implementing a full education program to deal with homophobia and transphobia in our schools. This will benefit our whole society, Mr. Speaker, as these very students come and teach us all about diversity and acceptance.

I invite all members here today to join me in the anti-homophobia breakfast tomorrow morning, organized by Planned Parenthood. It is at the Uptown Club on Kenmount Road at 7:00 a.m.

Bravo again to all the LGBTQ activists and bravo to Planned Parenthood.

Thank you very much, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

SOME HON. MEMBERS: Hear, hear!

MR. S. COLLINS: Thank you.

Mr. Speaker, Newfoundland and Labrador boasts a culture that is rich in creative and theatrical talent. Nowhere is it more evident than in our annual Provincial Drama Festival organized by the Newfoundland and Labrador

Drama Society. Celebrating its sixty-fourth season this year, our provincial festival is the longest running full-length play festival in the entire country.

Each year, it brings theatre to various areas of the Province, and continues to showcase numerous outstanding performances and entertain audiences filled with local residents, members of the arts community, and tourists alike. The drama festival is the ideal outlet to showcase the outstanding work of amateur theatre groups who enjoy working together and sharing their artistic talents with admiring audiences.

Mr. Speaker, this year's festival was hosted last month in the Stephenville, Bay St. George, and Port au Port area – a region well known for its community and professional theatre. A total of seven community theatre troupes gathered for the festival to perform a variety of plays, from comedies to tragedies. The performances were *Jenny's House of Joy*, by the Bay Theatre, Stephenville; *Blasted* by Off-Broadway Players of Corner Brook; *Giovanni's Women* by School Zone, St. John's; *Everybody Loves Opal* by the Carol Players of Labrador City; *God of Carnage* by Northern Lights Theatre Company, Labrador West; *Girl in the Goldfish Bowl*, Mokami Players, Happy Valley-Goose Bay; and, *The Laramie Project* by Avion Players, Gander. I wish to offer my congratulations to the Off-Broadway Players who received the Government of Newfoundland and Labrador's Drama Festival Award for best presentation of a full-length play for *Blasted*.

As a government, we understand how important it is to foster artistic production, and so we have been very proud to support this festival through the years. We recognize that it is through these amateur productions that many of our actors, playwrights, directors, backstage personnel, and others hone their craft and go on to pursue professional careers in the theatre industry.

Mr. Speaker, our Province has long been recognized for our strong cultural community, and our theatre is an important aspect of this recognition. We have a vibrant professional and amateur theatre tradition in Newfoundland and Labrador, and we place great value on both. Theatre performers in this Province are an

inspiration to us all, particularly to our young people who are watching and learning from their mentors in the theatre industry. Annual festivals like this one, Mr. Speaker, are but one example of how our Province celebrates and encourages these remarkable talents.

SOME HON. MEMBERS: Hear, hear!

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

MR. JOYCE: Thank you, Mr. Speaker.

I thank the minister for an advance copy of the statement. As we see here, the festival has been on the go for sixty-four seasons. So, just that alone shows how valuable it is to the community and the towns and the people who play into it, act, and direct. It takes up a lot of time and energy, and a lot of these volunteers must be recognized for that.

Congratulations to all the winners at these awards. I noticed, Mr. Speaker, that the Government of Newfoundland and Labrador Drama Festival Award was presented by the MHA for Port au Port. So I just want to recognize that he was at the festival, and he presented the award. We, on this side of this of the House, also commend all these actors, players, and production. It is a great tradition in Newfoundland and Labrador; we do have a great tradition. We do have a lot of culture that does bring out – and there a lot of these amateurs, as the minister mentioned, who do go on to professional careers, and we do lay a base that a lot of these people can get a professional career.

Anything government can do, anything the Opposition can do to promote our culture, to promote our history, to help these amateurs to receive their full potential and help our youth to get engaged, we are all supportive.

Congratulations to all of the winners and to the government for their support for this also.

SOME HON. MEMBERS: Hear, hear!

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

MS ROGERS: Thank you, Mr. Speaker.

I, too, thank the minister for an advance copy of his statement and bravo to the Provincial Drama Festival for its success, longevity, and for enriching the lives of many. I am glad to see government's commitment to fostering artistic production, particularly live theatre which no matter how successful will always need some form of public support to launch its productions.

Live theatre in this Province has created many successes in film and television and has launched a career of many, but government must provide more support to the creation phase, the seed money needed by artists to write plays and screen plays. These beginning steps are crucial.

The Newfoundland and Labrador Arts Council is the main provincial source of support for original, artistic creation, but only half of the eligible applicants are funded and only 18 per cent of those get the full money they ask for, even though the budgets are so small.

Bravo once again to all those who participated and to all the volunteers of the 2014 drama festival.

Thank you, Mr. Speaker.

Oral Questions

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

MR. BALL: Thank you, Mr. Speaker.

Yesterday, the Premier said that the details of any warranty on the work completed by Humber Valley Paving are contained in what was really an undated termination letter. That letter only briefly mentions warranty and does not provide any details at all; there is no reference to a specific contract or section of a contract. The minister yesterday said that there was an agreement in place.

I ask the Premier: Is the current warranty the same as the warranty that is outlined in section GC 31 of the contract with Humber Valley Paving?

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

SOME HON. MEMBERS: Hear, hear!

MR. MCGRATH: Thank you, Mr. Speaker.

Mr. Speaker, as I stated yesterday, during the negotiations with Humber Valley Paving to terminate the contract, one of the things that the government specified was that the two-year warranty on the work that had been completed, the sixty kilometres, that the warranty would be as it was written in the original contract, and that is as it stays.

SOME HON. MEMBERS: Hear, hear!

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

MR. BALL: Thank you, Mr. Speaker.

Contractors are continuing to tell us that bonds support the warranty on a contract. That is the normal way to do business in this Province. Without a bond, there is little protection for Newfoundlanders and Labradorians.

I ask the minister: Since you released the \$19 million in bonds, what warranty exists if Humber Valley Paving goes out of business?

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

SOME HON. MEMBERS: Hear, hear!

MR. MCGRATH: Thank you, Mr. Speaker.

Mr. Speaker, I have to emphasize again today because I really feel it is inappropriate to assume that a company is going out of business. That is certainly not an assumption that this government has and not an assumption that we took into account, nor do we still take into account. There was one contract due to unforeseen circumstances.

We have been doing business with Humber Valley Paving since 1996. They have done exemplary work. They have been very professional in their work. We have never ever – and I did check with the officials with the department – in the history of the department used a bond to go against warranty work for any

company in roadwork. We have our guarantees in place –

MR. SPEAKER: Order, please!

The hon. the Leader of the Official Opposition.

MR. BALL: Thank you, Mr. Speaker.

I am happy to hear that you have not had to do that.

Maybe the minister will clarify: Have you ever used a bond to support a warranty?

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

SOME HON. MEMBERS: Hear, hear!

MR. MCGRATH: Thank you, Mr. Speaker.

Mr. Speaker, normally when a contract is put out, a bond is kept there for two years afterwards. Coincidentally, the warranty on the work is also two years. One matches with the other. That is not the reason the bonds are kept there.

When a contract is finished, a bond is kept there in case there is something within the work that was done that was not up to the performance value. In this particular case with this contract, we have a warranty in place for two years with a contract that was mutually terminated.

SOME HON. MEMBERS: Hear, hear!

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

MR. BALL: Thank you, Mr. Speaker.

I do not want to argue with the minister here today, but it is not strictly a coincidence either, that you keep those bonds in place, and the minister knows that.

Several months ago the Premier made a big announcement of how this government was now going to be open. Yet we have asked for several documents and they have not been forthcoming with the information. They have refused to table the information. Yesterday, he said that the

documents would be released when the timing is appropriate.

I ask the Premier: Why are you delaying to release those documents? What does appropriate mean? Please define appropriate to this House.

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

SOME HON. MEMBERS: Hear, hear!

MR. MCGRATH: Thank you, Mr. Speaker.

Mr. Speaker, when I was asked that question the department said that we would go back, we would get legal advice as to what could be released. Since the request was put out, we have invited the Auditor General in.

The Auditor General has requested the exact same information as part of the information that the Auditor General is asking for. As I stated yesterday, we have the utmost respect, on this side of the House, for the Auditor General and the report that he will put out.

I think it is only fair that the department will provide the Auditor General with the information, allow him to do his investigation, file his report, and then whatever information the Opposition wants we will provide it to you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

The Leader of the Official Opposition.

MR. BALL: Thank you, Mr. Speaker.

It is very obvious the minister is hiding behind the announcement of the AG. That has become extremely obvious today.

Mr. Speaker, it has been revealed that government does not keep track of what they spend on various health care procedures. When government was asked for the cost of specific procedures, they said that they do not keep such information.

I ask the minister: Shouldn't proper management of health care include actually knowing what we spend on various procedures?

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

SOME HON. MEMBERS: Hear, hear!

MR. DAVIS: Thank you, Mr. Speaker.

I thank the hon. member for his question. This came up yesterday during an interview I did with CBC Radio in the morning.

It is not as simple as pushing a button to find out information to particular cases and particular circumstances. Our health care is not set up that way. It is not set up in a for-profit manner, whereby we produce bills on a regular basis or statements on a regular basis for individual users. It is set up under an umbrella of a budget. It is set up under an umbrella where areas of health care – different areas of service provisions are set up with different budgets and they operate within those budgets.

We do have reciprocal agreements with other provinces so that when people visiting Newfoundland and Labrador, or Newfoundlanders and Labradorians are visiting other provinces, there is a reciprocal agreement where each province bills each other.

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Hear, hear!

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

MR. BALL: Thank you, Mr. Speaker.

We have a health care budget of \$3 billion, thirty-eight cents of every dollar that government spends. This is not unusual. Many jurisdictions would have what we are asking for here or what is being suggested here. With such a very high level of spending – proper management, of course, is the key if you want to get to appropriate health care.

I ask the minister: How can you actually manage health care costs if you are not keeping track of those various procedure costs?

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

SOME HON. MEMBERS: Hear, hear!

MR. DAVIS: Thank you, Mr. Speaker.

His question is appropriate to the continuation of information I was going to provide.

Through these reciprocal agreements, we have set billing standards, billing processes where each province charges the other province when they have a visitor. If a visitor from another province comes to Newfoundland and Labrador and has to go to an outpatient service or an inpatient service, there is a set standard of what is billed to each other's province.

The Canadian Institute for Health Information is an organization that is fed into by all provinces. We submit information to that as well. They have actually an estimator, a patient-cost estimator, on their Web site where people can go in and look at various issues or various matters of health care they may need in various provinces, and that will provide generally the cost for each procedure, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. OSBORNE: Thank you, Mr. Speaker.

Mr. Speaker, the Colonial Building Act clearly states that not only the Colonial Building but also the grounds around the building are declared a Provincial Historic Site. When government announced the refurbishment of that site, the overall goal was to respect the historical integrity.

I ask the minister: Why are you destroying a part of our historic vegetation on such a valuable historic site by destroying the trees on that site just to make room for a fence?

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

SOME HON. MEMBERS: Hear, hear!

MR. S. COLLINS: Mr. Speaker, thank you, and I thank the hon. member for my first question.

I enjoy the opportunity to be able to stand up today and talk about the restoration, and the significant restoration, that is going on with the Colonial Building, a significant piece, certainly, of our historical fabric in this Province worth \$22.3 million, a significant piece. I will mention to the member, though, it was done for a couple of reasons. It was not done to destroy nature, as he had suggested. There were two reasons: remove to reinstate the original landscape design, which was an important piece, obviously; and the other piece of that is construction issues, which necessitated their removal.

Each tree was not removed haphazardly; it was done with intent and reason. Certainly, that is why it was done. I think if you look across with regard to stakeholders who were talked to prior to this, they were all in agreement with it.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MR. OSBORNE: That is funny, Mr. Speaker. Those trees were probably as old as the building. If he is going to return to the original landscape, I would have thought the trees would have been part of it.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. OSBORNE: Mr. Speaker, the City of St. John's –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. OSBORNE: – was not aware that trees were being destroyed. Not only does the minister have such blatant disregard for the value these trees offered that historic site, but the government continues to show blatant disregard to municipalities, especially the capital city.

I ask the minister: How could you have such little foresight for these historic trees without even consulting the capital city?

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

SOME HON. MEMBERS: Hear, hear!

MR. S. COLLINS: Thank you, Mr. Speaker.

I will speak about foresight and research the hon. member should have done because I have looked at pictures, the original intent, and what the building originally looked like. We are looking at a building that was built in the 1850s, approximately, and if he looked at pictures – I looked at one earlier today from a riot in 1932, a significant time from when the building was first built – there were no such trees in front of the building.

It was not part of the original design. They were added later, perhaps even as much as 100 years later. That obviously is not the case.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for The Straits – White Bay North.

MR. MITCHELMORE: Mr. Speaker, the Minister of Transportation and Works has confirmed roadwork for the Southern portion of the Great Northern Peninsula and Cartwright – L'Anse au Clair.

I ask: Given the condition of the hundreds of kilometres of roads in my district, when can the residents expect their fair share of the Provincial Roads Program?

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

SOME HON. MEMBERS: Hear, hear!

MR. MCGRATH: Thank you, Mr. Speaker.

Mr. Speaker, I have been very proud to say in this House we had \$81 million this year in our roads improvement budget this year.

SOME HON. MEMBERS: Hear, hear!

MR. MCGRATH: The department, Mr. Speaker, has had requests from all forty-eight districts. I listed off a list to some of the Opposition the other day with work that is being done. There are more tenders coming out. Stay tuned and you will see what is coming into your district.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for The Straits – White Bay North.

MR. MITCHELMORE: Mr. Speaker, in addition to the condition of the paved roads, gravel roads are going to ruin, especially Conche, Croque, St. Julien's, Boat Harbour, Wild Bight, Deadman's Cove, and Bear Cove given the region has lost grading equipment.

I ask the minister: Since you have no plans to pave these routes, will you commit to replacing the obsolete grading equipment and remove the tree stumps from Croque Road?

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

SOME HON. MEMBERS: Hear, hear!

MR. MCGRATH: Thank you, Mr. Speaker.

After just listening to the hon. Member for St. John's South, I am not sure I would remove the tree stumps.

We work constantly, Mr. Speaker, on all of the roads. We have over 10,000 kilometres of roadway that the government is responsible for throughout the Province. We realize there is a lot of work to be done on some.

Just a couple of weeks ago I met with one of the mayors. I had a very productive meeting with

the Mayor of Conche. We are meeting with the people in the district. We are doing our best, and we will continue to do that.

SOME HON. MEMBERS: Hear, hear!

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

MR. EDMUNDS: Mr. Speaker, the court circuit in Labrador is back up to two Crown prosecutors until July, and then it is back to one again. The prosecutors currently have at least 300 active cases each and growing. The required complement for Crown prosecutors for Labrador is five.

I ask the Minister of Justice: What is your department doing to fill the vacancies we have in Labrador?

MR. SPEAKER: The hon. the Attorney General.

SOME HON. MEMBERS: Hear, hear!

MR. F. COLLINS: Thank you, Mr. Speaker.

The hon. member is right; the complement of Crown prosecutors in Happy Valley-Goose Bay is five. The new senior Crown took his office last week, Mr. Speaker. I had a grand chat with him. He is a Newfoundlander who has been away. He is happy to come home and make his home in Labrador. I am looking forward to working with him in Labrador.

We have an articulated clerk on staff there now. We are still taking the Crown prosecutor over from Wabush who is helping out. We are sending two Crowns from St. John's to look after the circuit courts. The advertising has been completed in the public service, Mr. Speaker. There have been a number of applicants and we are hoping, in the next week or so, to look at what applicants are there to fill the vacancies.

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Hear, hear!

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

MR. EDMUNDS: Mr. Speaker, still no answer there.

Mr. Speaker, last month one of the two judges in Labrador retired, leaving only one Provincial Court judge to handle the Labrador court circuit. I have discussed many shortcomings in Labrador within the justice system with the Attorney General.

I ask the minister: What are the short-term and long-term plans to provide an acceptable level of comfort to victims of crime in Labrador?

MR. SPEAKER: The hon. the Attorney General.

SOME HON. MEMBERS: Hear, hear!

MR. F. COLLINS: Mr. Speaker, we have had a number of discussions with the hon. member about the delivery of legal services in Labrador. There is no doubt, there are challenges in delivering legal services in Labrador but they are not unique to Labrador. There are challenges all across Canada's North in recruiting people and being able to properly resource that particular field.

Mr. Speaker, with respect to Labrador, we have invested a significant number – \$13 million, as a matter of fact, over the last eight years in Labrador, in the provision of legal services, and we are going to continue to do that.

Mr. Speaker, the issue of delivering legal services in Labrador has challenges but they are not all met with bricks and mortar and dollars and cents. There are challenges with geography and challenges of culture. Mr. Speaker, we are dealing with them every day and we will continue to do that.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for St. Barbe.

MR. J. BENNETT: Mr. Speaker, after the 2005 Lamer Inquiry it was recommended that government create a prosecutors guidebook that permits the Director of Public Prosecutions to appoint special prosecutors to work with the police in complex investigations.

I ask the Minister of Justice: How many special prosecutors have been appointed to work with the police over the past seven years?

MR. SPEAKER: The hon. the Minister of Justice.

SOME HON. MEMBERS: Hear, hear!

MR. FRENCH: Thank you, Mr. Speaker.

Let me assure the hon. member, the investment in policing in this Province over the last number of years, since 2004, has been a billion dollars. Our concern for policing in this Province goes back to the first day we formed government a number of years ago. We have invested not only with mind and policies, Mr. Speaker, we have also invested with the people's resources here in the Province.

Just in this last Budget, Mr. Speaker, we saw five new RCMP officers go to Labrador alone. Mr. Speaker, this is something we are extremely concerned about, so much so that we have actually increased the budget for policing in this Province by \$50 million since 2004.

So we are very concerned about policing in this Province. It is one of the staples that this government was elected on, and we stand by it, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. J. BENNETT: Mr. Speaker, in Estimates last week the Minister of Justice heard the Director of Public Prosecutions say he did not know the answer to that question and threatened to leave Estimates if I did not stop asking questions like that. So let's try one from 2008.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. J. BENNETT: Mr. Speaker, the 2008 report on our prisons, Decades of Darkness, recommended hiring a psychologist and a mental health nurse who would regularly visit the women's prison in Clarenville. On February

20 I wrote to the minister asking if these professionals have yet been hired. To date, I have no response.

Today I ask the minister: Have these professionals been hired, and if so, how frequently do they attend the women's prison in Clarenville?

MR. SPEAKER: The hon. the Minister of Justice.

SOME HON. MEMBERS: Hear, hear!

MR. FRENCH: Mr. Speaker, I am struck amazed, as a former member of this House used to say. This hon. gentleman – my learned colleague, as I will call him, as many in the profession refers to – has a bee in his bonnet about Public Prosecutions in this Province, Mr. Speaker. I think the hon. member should stand up in this House and apologize to the people of this Province who work in Public Prosecutions.

He stood up in debate last week while we were talking here and he managed to manoeuvre it around, and he was taking shots at the Director of Public Prosecutions, Mr. Speaker, in this House. I think it is absolutely ridiculous. These people are hard-working people, they have a tough job to do, and they do a darn good job at it, Mr. Speaker. If the hon. member had any class at all, he would stand in this House and apologize to the people who work in Public Prosecutions.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

The hon. the Member for the District of St. Barbe.

MR. J. BENNETT: Mr. Speaker, maybe if the Minister of Justice had any notion of how the law is supposed to operate he would be able to answer the question.

I asked the Director of Public Prosecutions the question before that, and he directed me to the guidebook, which obviously he has not read.

I asked the minister a question, I am still going to ask the minister: How many occasions has the

Government of Newfoundland and Labrador appointed prosecutors to work with the police in complex investigations? – so we do not have more Lamer Inquiries.

MR. SPEAKER: The hon. the Minister of Justice.

SOME HON. MEMBERS: Hear, hear!

MR. FRENCH: Mr. Speaker, I really want to apologize to the member. It seems like he is upset that I am not as knowledgeable as my learned friend opposite. He references that we do not know much about law on this side, Mr. Speaker. Unfortunately, Mr. Speaker, what the hon. member has to realize is the investment we have made in policing in this Province.

I still believe he should stand and apologize profusely to the Director of Public Prosecutions in this Province, and the people who work in Public Prosecutions. I would also suggest that he go back and read, since 2004, the investments that we have made in policing. Like I said, the annual operating budget increased by \$50 million –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. FRENCH: Mr. Speaker, 145 new police officers in the system since 2004; a \$1 billion investment since 2004.

SOME HON. MEMBERS: Hear, hear!

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

MR. KIRBY: Mr. Speaker, parents and teachers are increasingly frustrated by the lack of classroom space that is plaguing Portugal Cove – St. Phillips and other communities on the Northeast Avalon. In an interview with *The Telegram* newspaper last week even the English School District CEO revealed he breaks out in a sweat when he sees new neighbourhood development because he questions where those children are going to find the space in a school.

I ask the minister: Why does his government not have a long-term plan to address the infrastructure deficit in our schools?

MR. SPEAKER: The hon. the Minister of Child, Youth and Family Services.

SOME HON. MEMBERS: Hear, hear!

MR. JACKMAN: Mr. Speaker, if the member is getting up and questioning our commitment to infrastructure, I do not know where he has been in the last four or five years.

The number of new schools, Mr. Speaker, that we have constructed in the Paradise area, out in Torbay, work is underway in Gander. There has not been a government previous that has invested in school infrastructure in the Province to the tune that this government has, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. KIRBY: Mr. Speaker, that minister was shuffled out of Education. I am sure it is because of things like having to wait up to a year to get portable classrooms in schools like Beachy Cove Elementary.

This government has been dragging its feet on building the new schools that are promised for the Northeast Avalon. Now some parents, like parents out in Portugal Cove – St. Phillips, are being told that their children may not have full-day Kindergarten in 2016 because of the shortage of classroom space that this government has created.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. KIRBY: I ask the minister: Will all Kindergarten-aged children have access to full-day Kindergarten in 2016 as you promised, and if not, which communities do you plan to leave out now?

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Minister of Child, Youth and Family Services.

SOME HON. MEMBERS: Hear, hear!

MR. JACKMAN: Mr. Speaker, let me assure the member, and he is throwing out information that he knows nothing about.

In our commitment to full-day Kindergarten, Mr. Speaker, we said that in 2016 all students who are eligible for full-day Kindergarten will have it.

I would encourage the public to disregard that type of fear mongering and throwing out rumours, Mr. Speaker. What I speak to about is fact, Mr. Speaker. All students who require full-day Kindergarten will have it.

SOME HON. MEMBERS: Hear, hear!

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

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

We continue to be told of people admitted for operations or emergencies being parked in beds in hallways because of hospital beds being occupied by people waiting for long-term care.

I ask the Minister of Health and Community Services: What is he doing about this critical situation?

SOME HON. MEMBERS: Hear, hear!

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

SOME HON. MEMBERS: Hear, hear!

MR. DAVIS: Thank you, Mr. Speaker.

Yesterday, the member opposite rose and criticized us for initiating a pilot project in personal care homes. She criticized personal care homes and personal care home operators, Mr. Speaker. I am going to tell you and set the record straight: Personal care homes and personal care home operators provide a

significant and valuable service to the seniors of Newfoundland and Labrador.

SOME HON. MEMBERS: Hear, hear!

MR. DAVIS: As well, yesterday, Mr. Speaker, the member opposite stood in this House and stated that our pilot project includes moving Level IV patients to personal care homes. Even though I stated in the House yesterday that was not accurate, she issued a press release yesterday saying Level IV patients are being moved to personal care homes.

I say to her: Do the hon. thing; rise in your place, and correct the information.

SOME HON. MEMBERS: Hear, hear!

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

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

The minister seems to totally ignore the issue that I brought forward, so I ask him: Will the minister do the hon. thing –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

The hon. the Leader of the Third Party.

MS MICHAEL: Thank you, Mr. Speaker.

I ask the minister: Will he do the hon. thing and tell the people of this Province whether or not he thinks having people on public display when they are weak, sick, and often very stressed an acceptable thing to be going on?

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

SOME HON. MEMBERS: Hear, hear!

MR. DAVIS: Mr. Speaker, I even offer to table a copy of this press release that was issued by

the NDP caucus news as it is entitled yesterday where it indicates, “The Department of Health and Community Services has a pilot project using for-profit personal care homes for Level Three and Four seniors who need high levels of care”.

Mr. Speaker, I can tell you that is not what the pilot project is about. It is about providing opportunities for seniors to stay in their homes longer in their own communities and for them to have out-of-home care that is second to none. Personal care home operators are very proud of the service they provide to seniors, and so am I.

The member opposite, if she was the hon. member she claims to be, will rise in her place, admit her mistake, and correct the information, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

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

Four years ago, an Eastern Health patient flow study –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MS MICHAEL: – found that a shortage of home care and rehabilitation services had caused a backlog of patients in hospitals waiting for these services so they can leave the hospital. Four years later, this problem still exists.

I ask the minister: What percentage of hospital beds are currently occupied by medically discharged patients waiting for long-term care?

SOME HON. MEMBERS: Hear, hear!

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

SOME HON. MEMBERS: Hear, hear!

MR. DAVIS: Thank you, Mr. Speaker.

It just goes to show that the member of the NDP stands in her place and she will stand by the fact of never let the facts get in the way of a good story. That is what I say, Mr. Speaker. She issued this press release yesterday. It goes on to say, Mr. Speaker, across the country –

MR. SPEAKER: Order, please!

I remind the minister not to be quoting or reading directly from a citation. You may reference it or paraphrase it.

MR. DAVIS: Thank you, Mr. Speaker.

I will table it. She goes on to say that across the country, studies have shown that public and not-for-profit facilities provide better services.

Mr. Speaker, I ask her to stand in her place and table those studies to the House of Assembly. I have stood here in my place when I have made errors and I have apologized for errors that I have made. We have tabled information when we can and when we are asked to table information.

I ask her, rise in her place, correct the information, and say she made a mistake. Be a powerful and hon. person, say she made a mistake and provide that information, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MS ROGERS: Mr. Speaker, the youth in the Stephenville group homes are being moved Monday. Blue sky does not have a house ready for them. Reports are that the staff Blue sky hired have already been laid off. The children are confused and worried about their fate. This is total chaos.

Mr. Speaker, will the minister prove he cares and personally intervene to sort out this mess?

MR. SPEAKER: The hon. the Minister of Child, Youth and Family Services.

SOME HON. MEMBERS: Hear, hear!

MR. JACKMAN: Mr. Speaker, the service provider, we have very much confidence in. I am wondering if she still has the same confidence that she had in here when she made a statement in this House on April 2 that she was willing to sit with these entrepreneurs who are leaders and examples of women in business and such who are making such a contribution to this Province.

Mr. Speaker, I have full faith in the service provider here. They are working through it. I read her transcript that she had on Open Line the other day. It is shallow when you create fear and chaos, or attempting to create fear and chaos on the backs of these youth. I would ask her to discontinue it and support us and these people as they move forward in finding the house and then housing these youth.

SOME HON. MEMBERS: Hear, hear!

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

MS ROGERS: Mr. Speaker, these youth have been entrusted to our care. Government has put them at further risk because of the misguided desire to save money. Stability is crucial to these youth.

I ask the minister: The buck stops at his desk; what is he going to do to ensure their safety? It is in his hands.

MR. SPEAKER: The hon. the Minister of Child, Youth and Family Services.

SOME HON. MEMBERS: Hear, hear!

MR. JACKMAN: Mr. Speaker, I can only shake my head. When I think about the people who I have met in this department over the last couple of weeks and the people who work on the ground who commit not only their hours of work, they commit their soul to these youth. Mr. Speaker, nothing will be different in this particular case. There will be a resolution to this. The service provider is working with the community to work out the issues. We will find the accommodations, and this issue will be resolved in the best interest of these youth.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: I ask the Member for St. John's Centre to have a quick question.

MS ROGERS: Mr. Speaker, I ask the minister: Why is he moving all these youth before the end of the school year, putting their lives in total upheaval? Why?

MR. SPEAKER: The hon. the Minister of Child, Youth and Family Services, for a quick response.

SOME HON. MEMBERS: Hear, hear!

MR. JACKMAN: Mr. Speaker, I wish the member would take a look back in Hansard. I addressed that exact question a few weeks ago when she raised it. My answer at that time, Mr. Speaker, is the same as it is now. If there are accommodations that need to be made for these children, it will be made. This is nothing but trying to make political hay on the backs of vulnerable youth.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The time for Question Period has expired.

Presenting Reports by Standing and Select Committees.

Tabling of Documents.

Notices of Motion.

Notices of Motion

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

MS SHEA: Thank you, Mr. Speaker.

I give notice, under Standing Order 11, I shall move that the House not adjourn at 5:30 p.m. on Tuesday, May 20, 2014.

Further, I give notice, under Standing Order 11, I shall move that this House not adjourn at 10:00 p.m. on Tuesday, May 20, 2014.

MR. SPEAKER: Further notices of motion?

The hon. the Minister of Health and Community Services.

MR. DAVIS: Mr. Speaker, I give notice that I will ask leave to introduce a bill entitled, An Act To Amend The Dispensing Opticians Act, 2005, Bill 19.

MR. SPEAKER: Answers to Questions for which Notice has been Given.

Petitions.

Petitions

MR. SPEAKER: The hon. the Member for The Straits – White Bay North.

MR. MITCHELMORE: Thank you, Mr. Speaker.

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

WHEREAS government has a responsibility to ensure that Internet access is broadly available so people have a right to be able to access the Internet in order to exercise and enjoy their rights and freedom of expression and opinion and other fundamental human rights; and

WHEREAS Bide Arm was bypassed under the Broadband and Rural and Northern Development initiative, which saw high-speed Internet added to thirty-six communities on the Great Northern Peninsula in 2004; and

WHEREAS nearly a decade later Bide Arm still remains without broadband services despite being an amalgamated town with Roddickton; and

WHEREAS residents rely on Internet services for education, business, communication, and social activity; and

WHEREAS wireless and wired technologies exist to provide broadband service to rural communities to replace slower dial-up service;

We, the undersigned, petition the House of Assembly to urge government to assist providers to ensure Bide Arm is in receipt of broadband Internet services in Newfoundland and Labrador.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, I have been speaking out about the need for broadband Internet for quite some time. I have nine communities in my own district that do not have access. I have taken it a step further to file with the Inquiry Officer with the Canadian Radio-television and Telecommunications Commission on behalf of the Official Opposition when it comes to reviewing matters related to transport services provided by satellite.

Satellite Internet can be something that can provide service, as long as it is fair. If we look at the United States and the distribution that they offer, the fees are comparable to broadband Internet by a fixed wire line; but right now, for somebody who is using satellite, they are caps, they pay high fees of up to \$200 for residential. When you look at operating a business, it is completely unacceptable that way.

So I am part of the inquiry process of obtaining information from providers of satellite services and purchase of satellite services, and it is focused on rural Northern communities. If we look at the parties that are on the list: the Government of the Northwest Territories is there, the Government of Nunavut, the Government of Yukon, the Province of British Columbia and myself, as Member for The Straits – White Bay North, with the Official Opposition.

The Department of IBRD or the Province of Newfoundland and Labrador is not present there, but I would be happy to have dialogue and share information because we do need to make sure that we are utilizing all options whether it is wireless, wire line, cellular, or fixed opportunities here when it comes to Internet.

It has to be done, Mr. Speaker. This is a great opportunity and I think something that can serve the residents of Bide Arm quite well.

Thank you, Mr. Speaker.

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

MR. MURPHY: Thank you, Mr. Speaker.

A petition to the House of Assembly of the Province of Newfoundland and Labrador:

WHEREAS Tordon 101 contains the chemical 2,4-D and Picloram, and

WHEREAS the chemical Picloram is a known cancer-causing carcinogen; and

WHEREAS the provincial government has banned the cosmetic use of the pesticide 2,4-D; and

WHEREAS safer alternatives are available to the provincial government for brush clearance such as manual labour, alternative competitive seeding methods, and/or the mechanical removal of brush; and

WHEREAS the provincial government is responsible for ensuring the safety and well-being of its citizens;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge government to cease the use of chemicals covered under its own cosmetic pesticide ban and begin using safer methods of brush clearance that will not place its citizens in harm's way.

Mr. Speaker, it is spring and thank God really that the weather is starting to warm up, but it is also a time for people to get out and do their gardening. They know that these chemicals covered under the pesticide ban cannot be used, so they have gone and sought a safer alternative. These signatories expect government to follow that same example by leading by example.

Let me give you an example of leading by example, Mr. Speaker. I will go to the corporate world on this one and I am going to give a high five to Bell Aliant who, in their 2006 Sustainability Report, said – and it is worth mentioning to government and for government to make note of – “Our practice is to control

weeds and other nuisance vegetation using mechanical techniques (cutting, chipping and mulching), organic lawn care, alternative landscaping and site naturalization. This practice helps prevent water pollution and protects people, ecological processes and useful organisms such as earthworms and bees.”

We are under a threat here by pesticides. We are under a threat by herbicides.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. MURPHY: Here is a unique way, Mr. Speaker, of the message from government about the safe use of pesticides and herbicides – lead by example. Let’s choose mechanical over pesticides and herbicides, let’s make this safer for our Province, and more particularly let’s protect our people.

Thank you very much, Mr. Speaker.

MR. SPEAKER: The hon. the Member for St. John’s North.

MR. KIRBY: Thank you, Mr. Speaker.

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

WHEREAS the lack of services and supports in school system is a serious obstacle for learning for children and youth with autism spectrum disorder; and

WHEREAS long wait-lists for pediatric assessment and diagnostic services are preventing many children with autism spectrum disorder from receiving needed early diagnosis; and

WHEREAS the Intensive Applied Behavioural Analysis Program is currently not available for children after Grade 3; and

WHEREAS applied behavioural analysis has been shown to be effective for many individuals beyond Grade 3; and

WHEREAS there is a lack of supports and services for children and youth with autism spectrum disorder after they age out of the Intensive Applied Behavioural Analysis Program; and

WHEREAS it is unacceptable to expect parents in Newfoundland and Labrador to pay thousands of dollars out of their own pockets to cover the cost of privately delivered applied behavioural analysis after Grade 3;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge government to extend eligibility for the Intensive Applied Behavioural Analysis Program beyond Grade 3 in consultation with parents, advocates, educators, health care providers, and experts in the autism community.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, I have presented this petition a number of times before, and I assure you I will continue to press government by entering this petition in the House of Assembly until we get some action on this. We have not seen any to date. We have people on this petition today who have signed it from Cox’s Cove, Corner Brook, and from neighbourhoods around St. John’s. There have been a good number of people who have signed this so far and we continue to see people completing these and sending them in.

As I said before, there is a good bit of research out there to support the provision of applied behavioural analysis after Grade 3 and certainly well beyond that. I did see an academic article some time back that suggested it works for sure up until young adulthood, so it is an effective strategy and it is one of the few things people have available to them. I hear it all the time.

I saw a parent in my District of St. John’s North yesterday who lives off Thorburn Road who mentioned again when something was going to happen. Her son, who goes to Larkhall Academy, is aging out of the program this year because he is going on to Grade 4. I saw parents who are my constituents in front of the Confederation Building here some time back

who also have the same concern. I urge government to act, Mr. Speaker.

Thank you.

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

MR. LANE: 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 there is a waste recovery facility being proposed by Eastern Waste Management in the Peak Pond-Reids Pond area; and

WHEREAS such a site will drastically impact the pond and general area in a negative way from an environmental perspective; and

WHEREAS there are many species of wildlife that will be negatively impacted by such a site, such as moose, rabbits, loons, ducks, Canada Geese, et cetera; and

WHEREAS such a site will result in litter and strong odours in the general area; and

WHEREAS there are a significant number of cabins and permanent homes in the Peak Pond-Reids Pond area which will be negatively impacted by this site; and

WHEREAS Eastern Waste Management has many sites available to them for such a facility, including former dump sites in the area;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge the Government of Newfoundland and Labrador to intercede in the matter and advise Eastern Waste Management to withdraw this proposal and find a more suitable location for this waste recovery facility.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, I have presented this petition now a number of times on behalf of – it certainly started out as cabin owners at Reids Pond and

Peak Pond. There are some permanent residents there; a lot of them are cabin owners. It was brought to my attention by some people who actually live in my district who own some of these properties.

Today, Mr. Speaker, on this particular petition we have residents here of Dildo, Old Shop, Blaketown, Green's Harbour, New Harbour, Spread Eagle, and so on.

Mr. Speaker, as it is being stated here in this petition, Eastern Waste Management is proposing to put a waste recovery facility here at this location where people can drop off bulk garbage, and also being proposed is a test compost site. This is going to have many negative impacts on that particular area.

Mr. Speaker, nobody is disputing the need for a site for people to drop off their bulk garbage. There are other ones around the Province, we totally agree with that, but there are other locations available in that general area. Such as former landfill sites, for example, or industrial sites. It makes all the sense in the world that if you have areas of land that have already been exposed to industrial use and garbage and so on, why would you want to destroy another pristine area, destroy that area and cause all these negative impacts on people living in the area.

Again, we call upon the government to intercede and to speak to Eastern Waste and ask them to find a more suitable location.

Thank you, Mr. Speaker.

MR. SPEAKER: The hon. the Member for Burgeo – La Poile.

MR. A. PARSONS: (Inaudible) of the Province of Newfoundland and Labrador in Parliament assembled, the petition of the undersigned residents humbly sheweth:

WHEREAS the residents of the community of Margaree-Fox Roost of the Province of Newfoundland and Labrador must use Route 470-10 on a regular basis for work, medical, educational and social reasons; and

WHEREAS Route 470-10 is in a deplorable condition, such that the shoulders of the road

continuously wash away and there are huge potholes on the road; and

WHEREAS the condition of Route 470-10 poses a safety hazard to residents and visitors to the community; and

WHEREAS the Department of Transportation and Works is responsible for the maintenance and repairs in the Province; and

WHEREAS the local division of the Department of Transportation and Works does make periodic repairs to this route but these repairs are only temporary patchwork and this road needs to be resurfaced;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge the government to support the uses of Route 470-10 in their request to have this route resurfaced.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, this is a petition, again, that I have spoken on numerous times in this House before as it comes to most of the roads in my district, which are in dire need of some work being done.

Yesterday, I spoke about Route 480 taking you down to Burgeo and also servicing the communities of Ramea, Grey River, and François. Today I am talking about all of Route 470, which is in very tough shape in many places, but in particular, the road that goes into Margaree-Fox Roost.

Now I have had the complaint brought to me by citizens. I have had the complaint brought to me by the school bus drivers who feel they are putting the kids in jeopardy. I have had the complaint brought to me by taxi operators and business owners who have a hard time getting in and out and are damaging their vehicles.

I went down myself most recently to go to the firemen's ball. It was absolutely amazing to go down again after a long winter and to see how I had to swerve in around the potholes and break most of the rules of the Highway Traffic Act just to stay safe. I had to go from one side to the other and back again. Obviously, at some point

something is going to happen. Somebody is going to get hurt and then there will be a reaction I am sure.

What I am suggesting is that we do these things in some kind of semblance of an orderly fashion where people have an idea of what to expect, and we start the work now rather than leaving it to the point of no return. I have asked the members of the department, what is going to happen here? Is this going to get taken care of? I get back: It is on a priority basis and as resources allow. I would say that obviously means we are not a priority and the resources are not allowing very much because we have not seen a lick of it in a long time.

I am going to continue to make this fight. I could be up every day on the roads in my district –

MR. SPEAKER: Order, please!

MR. A. PARSONS: – which for some reason do not seem to get the attention and I would ask, why?

Thank you, Mr. Speaker.

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

MR. LANE: 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 there are extreme overcrowding issues in St. Peter's Elementary and Mount Pearl Senior High, a direct result of poor planning by the Department of Education; and

WHEREAS the solution imposed by the English School Board to deal with this now crisis situation will have a devastating impact on many students, families, and teachers in Mount Pearl Senior High, Mount Pearl Intermediate, St. Peter's Elementary, and Newtown Elementary; and

WHEREAS there are other less disruptive solutions which can be introduced to alleviate

this overcrowding issue, including capital investment as the preferred option, as well as catchment area realignment; and

WHEREAS the school board was not provided with the financial flexibility by the Minister of Education to explore other more suitable options; and

WHEREAS the government has intervened in board decisions in the past such as in 2005 in Bishop's Falls reversing the closure of Leo Burke Academy;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge the Government of Newfoundland and Labrador to intervene in this matter and commit appropriate resources to the English School Board and instruct them to develop more suitable options.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, I am pleased to – I should not say I am pleased; I am disappointed to have to stand in this House again today to present this petition. This is the first petition of eighty-four petitions which was presented to me by a Grade 4 student from Newtown Elementary in my district who actually went out door-to-door in the neighbourhood in my district getting these signatures. I can tell you there is a litany of people in my district who are not very pleased with this decision that has been made, and none too pleased with either the former Minister of Education or the new Minister of Education in not addressing these concerns, Mr. Speaker.

Now, I was hopeful that the new Minister of Education would be a fresh set of eyes perhaps, and he would look at it in a different light. That he would be prepared to listen to the people, to listen to the parents, to listen to the teachers, and to actually revisit this issue. Unfortunately, like his predecessor before him, he is not prepared to listen and he says it is going to be status quo.

If he is not going to change his mind I guess he is not going to change his mind, but I will continue on a daily basis to remind him of the poor decision which he has made and to remind him of this Grade 4 student from Newtown, to

remind him of the fact that he is not very pleased that his education is going to be jeopardized by this government.

Thank you, Mr. Speaker.

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

MR. MURPHY: 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 consumers and businesses in Newfoundland and Labrador pay some of the highest automobile insurance rates in the country; and

WHEREAS part of the recent increases in automobile insurance is due to uninsured automobile coverage which could increase by 329.3 per cent in 2014 for taxis and limousines insured by the Facility Association; and

WHEREAS consumers may see an increase in taxi fares and limousine rates as a result; and

WHEREAS consumers insured by the Facility Association could see their own auto insurance rates increase partly due to uninsured drivers;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge government to establish a procedure for insurance companies to co-ordinate with police, highway enforcement officers and Motor Vehicle Registration Division to remove unlicensed and uninsured vehicles from our Province's highways.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, I rose on this petition before, and I keep getting these petitions coming in, mostly from the taxi industry but indeed from some concerned citizens around the Province who are deeply concerned about their insurance rates. It seems to be an easy fix here. I think the government can pair up not only with Motor Vehicle Registration as it does, but Motor Vehicle Registration can pair up with the

insurance industry itself so that we can set together a format for reporting of uninsured drivers.

Mr. Speaker, it is kind of surprising really that I have to rise in this House to make a comment on the role of the Consumer Advocate. It was surprising to hear from some officials within the taxi industry that the question being asked of the Consumer Advocate was not that – it was not an automatic thing where the Consumer Advocate was stepping in to look at this. What was really surprising was when they approached the Consumer Advocate about this issue, the Consumer Advocate said to them that he did not know if it was under his purview or not. There is a question here as regards to the role of the Consumer Advocate as well.

When does the Consumer Advocate act in the best interests of consumers? Taxi drivers are consumers as well. The Consumer Advocate goes and he would contest companies, for example, like Fortis and whatever when it comes to rate increases and everything. He is also representing, I would say, the best interests of the companies. That is another role the Public Utilities Board has, too, at the same time – equality, if you will, when it comes to representation.

When it comes to the role of the Consumer Advocate, we should not have to ask as citizens that the Consumer Advocate step in here. It should be a clear pathway for him to step in at any time. If he is short of resources, we should be giving him more resources at the same time to be looking after not only businesses, but taxpayers like taxi drivers and other small businesses that are out there.

Mr. Speaker, knowing that the Advocate is looking at this I will still table these petitions and I will still rise on their behalf.

Thank you very much.

MR. SPEAKER: Order, please!

The hon. the Member for The Straits – White Bay North.

MR. MITCHELMORE: Thank you, Mr. Speaker.

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

WHEREAS Labrador-Grenfell Health employs a nurse practitioner at St. Anthony, able to take appointments and operate a full scope of practice for which nurse practitioners are licensed to operate; and

WHEREAS Western Health at Port Saunders and Norris Point on the Great Northern Peninsula have similar nurse practitioner practices; and

WHEREAS nurse practitioners have advanced education and training beyond the registered nurse level and provide comprehensive care ranging from health promotion and prevention to diagnosis and treatment, including ordering diagnostic tests, prescribing pharmaceuticals, and performing procedures within a legislated scope of practice; and

WHEREAS nurse practitioners are alleviating physician shortages in rural areas across Canada and Newfoundland and Labrador by operating clinical practices in collaboration with physicians and other health practitioners, leading to better access to services and shorter wait times; and

WHEREAS residents from Eddies Cove East to Reef's Harbour deserve to have regular nurse practitioner clinics that are available to other residents on the Great Northern Peninsula;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge government to ensure that a nurse practitioner clinical practice be established at the Strait of Belle Isle Health Centre to be fully integrated with clinical practices of physicians.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, this is not the first time I have presented this petition and it will not be the last time. If you look at the concurrence that was put forward when we talk about the social service

sector, we are spending an increasing amount on health care – \$3 billion of our Budget – 37 to 38 cents to every dollar government brings in; and if we are not doing things like fully utilizing nurse practitioners, it only goes to show the complete waste of our health care dollars when it comes to not being more efficient, and not having better health outcomes. There is a nurse practitioner currently on staff unable to operate in a 9-5 setting. This completely does not make sense, it is poor practice on behalf of the Minister of Health and Community Services, and these are the types of things that certainly need to change. If we are ever going to have better health care outcomes for the residents of The Straits – White Bay North, we need to make sure that we have a nurse practitioner clinic.

People want fairness. This government should be providing fairness to people. We have it in other areas of the district; it should be operated in Flower's Cove as well.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MS SHEA: Mr. Speaker, we will move to Orders of the Day.

Mr. Speaker, from the Order Paper, we will do Order 2. I move, seconded by the Minister of Advanced Education and Skills, that Bill 16, An Act To Amend The Student Financial Assistance Act, by now read a third time.

MR. SPEAKER: Before we move that one, the Deputy Government House Leader called for Orders of the Day, so we need a motion to do that.

MS SHEA: Okay.

Mr. Speaker, I move, seconded by the hon. Minister of Advanced Education and Skills, that we move to Orders of the Day, and then the order that I read.

MR. SPEAKER: It is has been moved and seconded that we go to Orders of the Day.

All those in favour, 'aye'.

SOME HON. MEMBERS: Aye.

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

Carried.

Orders of the Day.

Orders of the Day

MR. SPEAKER: So we will now move on to the Third Reading of –

MS SHEA: (Inaudible).

MR. SPEAKER: No, that is fine. We would not want you to repeat yourself.

So it has been moved and seconded that the bill now be read a third time.

All those in favour, 'aye'.

SOME HON. MEMBERS: Aye.

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

Motion carried.

CLERK: A bill, An Act To Amend The Student Financial Assistance Act. (Bill 16)

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

On motion, a bill, "An Act To Amend The Student Financial Assistance Act", read a third time, ordered passed and its title be as on the Order Paper. (Bill 16)

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

MS SHEA: Thank you, Mr. Speaker.

Mr. Speaker, I call from the Order Paper, Order 10, second reading of Bill 18.

MR. SPEAKER: The hon. the Minister of Fisheries and Aquaculture.

MR. HUTCHINGS: Thank you, Mr. Speaker.

Mr. Speaker, I moved, seconded by the Minister of Child, Youth and Family Services, that Bill 18, An Act To Amend The Fish Processing Licensing Board Act, be now read a second time.

MR. SPEAKER: It is moved and seconded that Bill 18, An Act To Amend The Fish Processing Licensing Board Act, be now read a second time.

Motion, second reading of a bill, “An Act To Amend The Fish Processing Licensing Board Act”. (Bill 18)

MR. SPEAKER: The hon. the Minister of Fisheries and Aquaculture.

MR. HUTCHINGS: Thank you, Mr. Speaker.

Mr. Speaker, I am certainly pleased to stand today to speak to Bill 18, An Act to Amend the Fish Processing Licensing Board Act. This is an amendment that is based on past experience in regard to the functioning of the fish licensing board. It is not a very in-depth amendment. It is a minor adjustment to the operations of the licensing board related to experiences and what has been seen over the past number of years.

It allows members of the board to continue in office upon the expiry of their terms until they are reappointed or replaced to ensure that we have those individuals in place if they are not replaced at the immediate termination of their term.

As well, decrease the required minimum number of meetings per year from six to two. That is the minimum. What we have found is that there is not often a requirement to have that minimum of six, so it would change now to a minimum of two and then, after that, it would be called at the discretion of the Chair. That is just from an administrative perspective, both of those, that they would flow more easily in terms of the board. That is based on recent experience in terms of the volume of licensing requests and what we have heard. As I have said, it is not sufficient to require six meetings per year, so reducing the requirements to at least two

certainly will meet the requirements of the board.

The other one, as I said, is to allow members to continue their service until replaced. It certainly eliminates the possibility that the board would cease to function, which you would not want to happen, if some issues prevent a timely replacement of board members at the end of the term.

These amendments are certainly very straightforward to make the operation of the board simpler, and certainly in no way would impact the stakeholders in regard to the provincial fishery.

Mr. Speaker, I am not going to get into a lot of detail in terms of addressing the amendment. The bill is fairly straightforward in terms of what the amendment is doing here in terms of some administrative adjustments in regard to how the board functions in those two areas related to replacing someone once their term is up, and as well, related to the minimum number of meetings that are required during the year. Outside of that, obviously, the board can meet at any time at the call of the Chair.

Thank you, Mr. Speaker.

MR. SPEAKER (Verge): The hon. the Member for The Straits – White Bay North.

MR. MITCHELMORE: Thank you, Mr. Speaker, for the opportunity to speak to Bill 18, An Act to Amend the Fish Processing Licensing Board Act.

It is certainly a pleasure to hear what the Minister of Fisheries and Aquaculture had to say. I would have liked to have heard more details on the actual Fish Processing Licensing Board, why it was established and to go through that process – and to have quality debate in the House here. We need to have a broader understanding of the act. What the intention of the board act was and why the board was set up, given the changes will have an impact and what that could mean to, I guess, the small processors we have here, especially in Newfoundland and Labrador.

I, myself, have had the privilege, I guess, being a Member of the House of Assembly, I appeared before the Fish Processing Licensing Board. I will get into that as I go through my particular debate here this afternoon.

I want to put before the House that the board itself came from a recommendation of the Dunne Report. This actual report was called the Fish Processing Policy Review Commission. They had looked at a new policy framework. This dates back a decade now, in 2004, so that we could have a very open, transparent, and an attempt to eliminate any type of complacency that may happen in the industry.

If we look at the intent of what this amendment is looking at doing – and I will get to these points as I go through the debate – it is allowing members to stay in their terms long after the expiry. It could lead to latency, and it also reduces the accountability because you are looking at reducing the number of meetings from six to two.

The intent of the board was to make processing plants more accountable to government, not less. If we look at access and we look at what the role of the board does in terms of being able to have information put forward, to have licensing applications put forward and reviewed, this is something that is really important because the review will mean a processing plant will either get accepted or rejected.

If you have only two meetings, then where is the clear appeal and the delay? We all know it is important, and sometimes very urgent, to have meetings because of the fishing season and being able to be ready, having a plant ready. The equipment that will need to be installed in this type of operation is something that needs to be looked at, and that whole business plan needs to take place.

I am going to get into all this over the course of my debate that I have here this afternoon in talking about the Fish Processing Licensing Board. I think it is something we need to make sure of, the intent of why it was established and to ensure that we do have accountability because the fishing sector in our Province, Fisheries and Aquaculture, is critical. We are talking about a \$1 billion industry where you have many

stakeholders. We have seen just in recent years the number of processing facilities that have closed. There have always been concerns around licensing and the politics around that.

By establishing an arm's-length Fish Processing Licensing Board as a formal industry-government policy advisory committee – so they are giving advice. They give the advice to the Minister of Fisheries and Aquaculture. They focus on the active processing licences that are there and they adopt a species of licensing systems that are linked to a resource threshold. We all understand there are challenges when a resource goes beyond a certain threshold. That is a decision that the Fish Processing Licensing Board has to make.

If we look at just recently in terms of the northern shrimp allocations and the quotas as to how that resource threshold from the federal government has said these cuts have to happen; that Area 6, for example, is losing over 9,000 metric tons, Area 7 is going down by half, and there is also a 10 per cent cut to Area 5. This has an impact when we look at it. It is very important that this committee is meeting and they meet on a regular basis because of the accountability that must be put at play in the intent of the original report that established them, what was in the Dunne Report.

The board itself – and the minister did not get into this – was about establishing criteria for new licences. The board needs to make those criteria clear, whether it is based on a resource threshold. If it gets to a certain level, what happens at that point? Will boards look at revoking licences because the resource threshold is not there? We have seen where licences have been transferred.

They look at licence transfers. That has always been an area of contention when we look at what the licensing board – when an application comes forward. Sometimes as members, when a licence comes up and we see that maybe there is an increase in a resource. We see in our local papers sometimes, there are applications they are filing with the board, and they have to give notice through that process, the processors do. Many times there are a number of processors competing for the same licence, and there is that process.

We want to look at, it is stated that it is a requirement for processors to submit annual processing plans. This is a level of accountability. Depending on when companies have their financial year-end, if they have to submit a processing plan to the board they may be submitting them at differing times of the year, which would mean there would be a greater level of meeting time.

The board was not just established to meet to discuss the new licences and licence transfers; they are also talking about processing plans. If you are talking about processing plans, you are really talking about the value added and the value we have in our industry so we could see, maybe, some of our processing plants look at more secondary and tertiary processing.

Yet we have seen things change on that level because that is not always the discussion at these meetings. If you are looking at reducing the number of meetings to a minimum of two, we may really get into a period of complacency here where we may not see the activity we need to. We know how important the fishing and aquaculture sector is in Newfoundland and Labrador to our rural communities and to our economy. We talk about it. Every member here knows the importance.

There was a statistic in my very own district that 25 per cent of the population are directly linked to the fishing sector. That is critical. We have seen the number of processing plants close. We have seen plants close. I have seen that in my own district. Sometimes there is not the adequate explanation and maybe you would like to get that sometimes in more thorough detail from the Fish Processing Licensing Board.

I only have to go back to 1992. I was not that old in 1992, but we had a very active fish processing plant in the community of Green Island Cove, in which I grew up. There was one in Green Island Brook. There was one in the community adjacent in Pines Cove, then one in Sandy Cove, and one in Savage Cove. We had one in Flower's Cove. We had one in Bear Cove. We have one in Anchor Point. Now we see that all of those primary processing plants have all closed up shop. All the licences have either been transferred or cancelled, despite having fishers there that have to catch their raw

material, they have to bring it to shore – and we are talking small scale here; but is the resource threshold there when it comes to looking at the type of product and is that a responsibility of the Fish Processing Licensing Board to look at small-scale fisheries and look at finding solutions as the operators, the small- and large-scale operators, that are in the industry looking at how we can grow and how we can create those value added?

I do not understand why the minister would get up and say that there would not be reason to have six meetings, and they have not met that often. There is a lot of opportunity to utilize these boards and attract the expertise and make sure that we have that level of expertise there to advise and give good suggestions to the department and make recommendations to the Department of Fisheries and Aquaculture, but ultimately we know that it is the minister who makes the decisions at the end of the day. They have final authority.

That is something that we look at: the annual processing plans. Because if people are not submitting the annual processing plans, there is really a lack of innovation. A lack of innovation in the industry when it comes to being able to seek new opportunities. I think the board plays a critical role in that, but if you are going to change the amendment and add to the act that there is no transition, there is no deadline to ensure that there is renewal on a board or that you keep experience – surely, we can find a number of people to sit on the Fish Processing Licensing Board who have the expertise, who have worked in the industry: retired fishers; there would be a number of people who work in processing plants who would have that expertise, who work in management positions. There should be a great recruiting effort put in place to make sure that we do not allow terms to expire.

Mr. Speaker, I sat on the Public Accounts Committee for over two years. When it came to the Auditor General's report, one of our first public meetings was on Marble Mountain, and in it we questioned why all the terms of the board members were basically expired. There were people there, their terms had lapsed, yet decisions were still being made. There needs to be thorough follow-up and accountability to make sure when somebody's terms is

approaching to be expired, there is a recruiting process put in place so that the term does not lapse, so that a year prior or so there is a member or an alternate set there.

You do not have to just recruit one member. There could be multiple people so that if somebody ends up having a medical emergency or something changes, they leave the Province or they lose their job, they were laid off in last year's Budget cuts or impacted in that way, then I am sure we can put better mechanisms in place than just simplify the legislation to say that we are going to extend the term indefinitely. Where is the accountability in doing that when it comes to something as important as the Fish Processing Licensing Board? They have a very critical role to play.

Mr. Speaker, they also have an annual requirement to report corporate shareholders in fish processing companies. That is important to make sure that when we look at the share and the holders that are responsible, that are investing in our processing sector, and to also be accountable when things go wrong. Things went ultimately wrong when it comes to looking at the Town of Englee, when they had one of the first fresh fish processing plants in the Province. It pre-dated the town, actually.

They were processing fish there and up until the early 2000s, they lost their licensing. These were decisions of the fish licensing board. It became a very political statement, and it became a huge issue that this government has to be accountable for in the decision and what has ultimately happened when it comes to the Englee decision of losing the licensing that was associated with it. At the end of the day, the licensing was cancelled or transferred out of the area, and now we see that a community that was thriving, that had robust employment there, is now quite vulnerable economically.

What we did see is we did see the removal and remediation of that plant, but the shareholders and the company who was responsible did not remove that plant and were not held liable. There is a process, I believe, going through with Justice and several other departments of Service Newfoundland and Labrador to collect. I have made my point many times in Fisheries Estimates about how there needs to be

appropriate auditing put in place, whether it be through Service Newfoundland and Labrador; and maybe that is an authority that the Fish Processing Licensing Board needs to look at when it meets and when it looks at accountability of licences and it looks at these processing plans, that the quality of the site itself – because it is the responsibility of the CFIA to do the audits on the food and the security around it, making sure that there is compliance.

When it comes to the overall site structure and when it comes to making sure that the owners, the shareholders, are making sure that they are investing in the community – because ultimately this is a public resource and that the community would see the spin-off benefits that would come from this. That is something that is key, and I think is very important.

I wanted to point out that the intent of what is happening here with this amendment will have changes. I think it will, not necessarily, improve the current situation when it comes to the fish processing that is happening in Newfoundland and Labrador.

The policy review of the Province's management and fish processing sector was commissioned all the way back in June of 2003 and if we look at the commissioner at the time, there was a lot of consolation. There were fifty meetings held with the industry members and various concerned citizens for close to 100 communities, so it has far-reaching impacts. We do not want to just –

MR. SPEAKER: Order, please!

MR. MITCHELMORE: Yes, Mr. Speaker.

MR. SPEAKER: The Speaker is giving the member a far bit of latitude to discuss the bill that is at hand. The bill at hand has two clauses and I would ask him to make his comments relative to the bill.

MR. MITCHELMORE: Yes, Mr. Speaker.

I have certainly been trying to do that in debate, talking about how the decisions of the board, the changes to this piece of legislation, is looking at extending the term indefinitely, so there is an accountability piece for the long-term and the

recruiting and the transitioning for new members. I am also looking at the minimum number of meetings from six to two. Establishing that, I have to go back and look at some of the groundwork that was done and the role of the fish licensing board to show the importance of why there necessarily would have to be more than a minimum of two meetings per year.

These are the statements that I am putting forward, and that is how these statements are relative.

When we look at the appointments to the board – and I want to make this clear – the appointments are all about equality, equity, and impartiality. On some levels maybe this makes it more challenging when we look at how people are selected, who is selected, who is appointed, and why the terms may need to be extended longer.

I wish the minister would have gotten more into that and explained it. This is why I am here asking more questions and putting that out there. I am going to need a response on these types of things.

These board members are going to be appointed by the Lieutenant-Governor in Council. We are only talking about five members on the board. The chair of the board is designated by Cabinet. One position on this board is designated by Cabinet. If the term is set up for a period of so many years then is there a process to extend that term or should Cabinet be able to appoint somebody else? We are talking one position there.

Another position on the board itself is elected by an internal vote. The other members of the board – there are a total of three other members who are on the board. The board is already established. I am very interested to see and review. I always like following up on fishery issues because they are so pertinent to rural Newfoundland and Labrador.

The board issued its activity plan for 2014-2016. The board itself – when we go and look at the review of what it is doing – reviews and makes recommendations to the minister on all the requests for new processing licences and

transfers, and the changes of operators. If we are looking at a business or an operator that is looking at changing its name or changing its company format, changing the number of directors or shareholders who are there, because of the complexity of the board, we are going to need to make sure there is knowledge and there is expertise on that board.

We look at the appeals for reinstatement of licences cancelled due to inactivity. We have seen that at times when it comes to certain species. On the Department of Fisheries and Aquaculture Web site it lists all the processors, it lists the licence holders that are there, whether they are independent, whether they are fish buyers, and the role that they have. In it they list all the species and not every plant would be a multi-species plant. Some of them would have just pelagics. Some of them just have seal. Some of them would have the shrimp, crab, and other shellfish.

There is a requirement, and I want to make this clear; there is a minimum of two years where if the threshold is not met for processing, then the minister basically has the authority to cancel a licence. They have that authority to cancel a licence, and that goes through the processing board.

When we look at this, we need to ensure the public and members interested have the opportunity to provide feedback because this impacts all of our rural communities. We have eighty or ninety fish processing plants in the Province and sites that were stated. We also have a number of aquaculture sites that are designated. There are over 100 of those and future sites proposed for development. All of these applications and all of these activities need to go to the Fish Processing Licencing Board.

If you only have a minimum of two meetings per year, whenever there is a decision for growth and opportunity in the fishery, whether it is at the primary, secondary, tertiary, buying level, marketing, or other opportunities go into this board, if there is just a minimum, it is really limiting public engagement. In an era of open government, you want to make sure our citizens are engaged, the stakeholders are engaged, and that it follows the appropriate timelines and timeliness when we go through looking at the

number of meetings. We have seen this before where government wants to look at limiting participation by setting the standard very, very low at a minimum level. In my view, that is not that acceptable.

If we look at the fish processing licencing applications – and before I get into those, I will go in particularly to the meetings. I have taken some time to do some research in the matter when we look at meetings and when the licensing board actually met. I have a review of the last six years. We look at all of the significance that has happened in the fishery and the aquaculture industry, in some sectors some very robust growth. A lot of licences looked at approved or transferred.

If we look at 2009, and we take a quarterly approach to the meetings that took place, on January 12 the Fish Processing Licensing Board met. That is the first quarter of the year, so they met. They met again on April 2, 2009. They also met again on June 24. They met again on July 17. They met again on September 10. They met again on September 19. In doing so, we look at that the board had a minimum requirement of six meetings per year. In 2009, the board itself fulfilled its requirement.

We only have to look back at 2009 and the activities that were happening, and the significant challenges that were being faced in the industry in 2009. My goodness, the industry was in a real uproar. There were tie-ups when it came to the crab fishery. When it came to shrimp, really low prices, a slow start to the season. There was a real challenge and turbulent times. Looking at the processing sector as to how we look at growth, and we look at companies that may have amalgamated or grew, or we look at when it comes to quota allocations and resources that have happened, we have seen increases that have come up. With that, we have also seen growth in certain sectors.

Sitting on the all-party committee for shrimp with the Minister of Fisheries and Aquaculture we know there was a period of time where there was significant growth in the shrimp quota, and with that there were processing plant after processing plant that opened. These were decisions that were made by the Fish Processing Licensing Board because they met. They met on

a regular basis. They looked at the resource thresholds, they looked at all the requirements, and they looked at the applications that were coming in.

Then if we go into 2010; I do not know why, if you have such a consistent approach in 2009 holding your regular meetings, there was not a meeting that happened in the first quarter of 2010. They did meet in the second quarter prior to the fishing session – and you are getting things really close then at that point. On April 27 the licensing board met. They met again in the third quarter on August 11. Then just two weeks later they met on August 26. We only have to look at the number of times the board meets and how close they meet because there is not really a consistent approach to meetings.

If we look at the legislation, previously the board was supposed to be meeting a minimum of six times a year. They did it in 2009. They did not do it in 2010. In 2011, it is a lot worse in terms of them trying to meet the legislative requirement in the current act, not as the bill amended. They only met in the second quarter, April Fool's Day of 2011. I wonder why only one meeting per year. If they unable to meet at all, what happened in 2011 that this board itself could not either get a quorum or could not – there should be an explanation as to why. Because if that is the case, if they met only once in 2011, why then hasn't the minister put the minimum down to one? They are already breaking their own rules of the act itself. If they feel that one meeting is sufficient – they have done it in the past. I do not think it is acceptable that there was only one meeting of the board for the Fish Processing Licensing Board, because this is a real opportunity for growth. They play a pivotal role.

I will say maybe 2011 was an anomaly because it was an election year, but in 2012 things did get a lot better. It got a lot better for the Fish Processing Licensing Board. In the first quarter of March 27, they met. I think it is important for the board to meet early. When we look at the actions of DFO when they announce resource thresholds and they look at licensing, the first quarter meeting is definitely important when we are looking at getting our processing sector ready, getting the plans in place, so that we can experience growth, so that we are not in a period

where we look at, seeing that the price is low, we do not have an alternative plan, we are not going to process this species or this sector, we are not going to buy from these fishers in this area or whatnot because we do not have an alternative plan. We do not have that option.

If we push things up too late into the season, we do not have an opportunity to allow the processors then to put forward an alternative plan. Alternative planning is important because things do happen. We do see challenges. We see challenges this year where fishers are not able to get out on the water because of the ice. The ice conditions are preventing them. This is having an impact on processors. Surely, their plans now, on some level, will have to change if they are not bringing in the product and there is going to be further delay.

This is why, as we move forward, we look at the number. Then we go into the second quarter. They met on June 15, they met August 15, they met October 11 in 2012 – four meetings took place. We go into 2013, and we look at last year. Last year, the Fish Processing Licensing Board met on April 9. Not only did they meet on April 9, they met again on May 6. Then they met again on May 28, so they met three times in a very short time frame. There was a lot happening during that time of the year when it comes to the activity. I think that you would see a lot more activity in the earlier part of the season because you want to have your work done prior to the start of any season, and then meet during the season to deal with any anomalies that come forward and to make sure that the processors are certainly in compliance and up to date with the information that they are required to do.

We have multiple meetings. When you sit on a particular issue, you may have to have multiple meetings to make sure that you get through it. I think meeting just a minimum of two times is not much, to be honest. The bar should be set higher.

They also met on August 28, and they met on October 10. So there were five times – they almost met the minimum amount of six last year. We look at where we are going this year, Mr. Speaker. It is 2014; in the first quarter, the board has met on March 6. On March 6, there

was a first-quarter meeting. If we look at the span of the last six years, there has only been, in the first quarter, a meeting only half the time. Then if we look at the second quarter, there are more meetings consistently. It seems like there is always a meeting in the second quarter – sometime between April and June there is a meeting, up to three meetings. This year we have not seen a meeting yet in April or May, and we are getting through May. So what is that saying about the state of where we are going for the fish processing sector?

Then we look at the third quarter. The third quarter has been relatively pertinent as well, except in 2011, where there was no meeting, and we do not know where things are headed this year, Mr. Speaker. The worst time, when the committee has failed to meet, is typically in the fall of the year. They have only met three times in the last six years as well in the fall.

It seems like the most robust activity happens during the highest peak in the fishing season. I guess that is not unusual, but maybe we should set a minimum of one meeting or two meetings that would happen, one meeting per quarter. A meeting that would happen during the first quarter and at least the last quarter, so that you can deal with getting the share information, also getting the details. Make sure that everything is up to date so that the Department of Fisheries and Aquaculture can have the most up-to-date, robust information, so that when we are selling our product and marketing Newfoundland and Labrador brand seafood that information is made available, and that it is online.

It is already made online in the Department of Fisheries and Aquaculture when it comes to who the owners are. Maybe we can take that one step forward when it comes to the Open Government Initiative. We may be able to put the minutes of the meeting up in a more timely fashion, maybe they could be more thorough, and made available publicly through proactive disclosure. We may be able to see where there are spatial maps of where our processing facilities are.

Maybe there is also the ability to broaden the opportunity of the board to be integrated to look at other opportunities where we have closed facilities and there is not, pursuant to the past owners, to either remove, remediate, demolish,

create other opportunities, or how to help towns look at utilizing that space to create economic wealth. That is what we are talking about here.

This is exactly what we are talking about, the responsibilities of these people on this board to be making recommendations to the Minister of Fisheries and Aquaculture on the licence processing – which is our provincial responsibility. We do not have the responsibility when it comes to the quotas itself, but we do have the responsibility when it comes to the processing.

This is the expertise that we have on the panel that are making the recommendations to say this is how our processing sector resources should be allocated. How we can thrive, how small operators can thrive. It links back then to the employment that is created in terms of each individual community in Newfoundland and Labrador.

Also looking at the harvesting sector, looking at fishers, and looking at that whole corporate network and the responsibility that is put in place, because if we look at the responsibilities and duties a board, when it considers the application of the fish processing licence, if it has been properly made in the application for a new licence, or a consolidated licence or a transfer of licence.

We are looking at a very complex issue that we have seen and we saw it last year. We saw it last year where a company looked at buying up a number of fish processing assets in the Province. It closed down multiple plants, but it was a consolidation, a consolidation where another player in the industry got larger. We saw where people were able to still – I would imagine in the plan that was put forward, the processing plan, it also looked at the economic benefits, it also looked at the employment and the negative impacts. The board itself needs to look at these decisions. When we look at the fishery, we are always talking about rationalization. That always comes up.

I attended a meeting on a fisheries policy launch at Memorial University with Dr. Barb Neis. The FFAW was there, Earl McCurdy, and Craig Pollett was there with MNL, talking about the piece of the fishery and how to transform it.

This board plays that role. They play that role in economic development. Because if we look at corporate concentration, mergers, acquisitions, issues, and processing licences it matters. We may need to look at the reason why the minister is proposing to go down from six to two because of the complex issues they deal with over the course and action of the matter in order to fulfill its mandate of the act.

I want to go back and look at the processing facilities of the Province and look at the applications that were put forward. If we look at 1990, 231 fish processing plants; 1993, 189. We fast forward to 2003, 145; 2004, 138; 2005, 137. We did see a jump though, in 2006, where there were 140. In 2007, it went down to 138. Then in 2009, we see that number drop drastically, it went from 136 down to 118.

When it comes to the cancellation of licences, when it comes to the transfer, these are decisions by the board. I just want to correlate the drastic decisions and how I was talking about 2009 as being a very busy year for the Fish Processing Licensing Board. They held their six meetings. They met their minimum requirement that year. In that year, we saw a total of eighteen processing facilities either closed – because the number went from 136 down to 118. Then in 2010, it jumped up. They added. It went to 121.

We see in 2011 it was the status quo, where there were no new processing facilities operating. This also includes the status of the aquaculture processing facilities as well. In 2012, we had 110 fish processing plants. We go from 121 again, down to 110. We look at resource threshold, we look at all the decisions, but that is eleven fish processing plants that closed from 2011 to 2012.

We look at, in 2011 there was only one meeting, yet there was a lot of activity required by the board. In 2012, they had four meetings. So we see that change. In 2013, according to the briefing we had with the Department of Fisheries and Aquaculture – and I thank the officials, certainly, in the Department of Fisheries and Aquaculture for providing information to our office, stating that in 2013 there was only eighty stated in the briefing but the Department of Fisheries and Aquaculture

Web site stats, they say ninety-six. Then the board report itself says ninety.

There needs to be some clarification when we are looking at dealing with the information that is coming forward, and that it is relevant. When we look at the significance of going from 110 plants down to, a briefing that was given to say eighty, and then it was up to ninety-six by the department itself on the Web site, and now it is ninety from the board itself. We will take the board information at ninety, which is somewhere in the middle – that they went from 110 plants down to ninety.

You can see there is a lot of activity that is happening that our sector is changing quite significantly when we are looking at processing facilities. We do see, and we have seen growth in aquaculture, Mr. Speaker. We have seen that, where this government has talked about it. They have made investments in aquaculture.

We have seen some challenges in it in recent years, but we have also seen where a processing plant was hoped to be made available, that was not made available. We are seeing some co-operation, I think, in the industry itself, where they are looking at profitability. They are looking at margins. They are looking at working together. In some case, we may even see where companies in aquaculture are sharing facilities down in the Coast of Bays Region. That is quite pertinent.

When we look at where aquaculture is heading, right now we have not seen the launch of the aquaculture development sustainability plan from the department that is undertaken to look at –

MR. SPEAKER: Order, please!

MR. MITCHELMORE: Yes, Mr. Speaker.

MR. SPEAKER: I would ask the member once again to please make his comments relative to the bill.

MR. MITCHELMORE: Yes, if I could just maybe take a moment to state how this is relevant, Mr. Speaker.

Once the report is tabled, because it is looking at the bay management and it is looking at the growth that would happen in the aquaculture sector, or if there will not be new proposed development. If there is potential for growth and how they deal with bay management in the areas and in the coastal areas, then it could lead to the addition of more fish processing sectors when it comes to aquaculture, when it comes to the finfish that is happening there.

Primarily, it is more on salmon but we have seen some licences that have been approved by the Fish Processing Licensing Board, when it comes to char, when it comes to other fish species. I think there is opportunity in that, but we need to see that information come forward. By not seeing that information, maybe looking at saying that two as the threshold is quite low because we do not know what other type of activity is going to happen when it comes to applications coming forward.

DFO plays a big role in this as well when it comes to their scientific information on the resource thresholds where we have seen, not that long ago, there was a real chase, I guess, for sea cucumber licences, because there was application after application after application. I think there might have been six or seven that were put in the *Northern Pen*. There was a lot.

During that time, they would have to look at – and there was a lot. When I had to present before the Fish Processing Licensing Board, I made a presentation there because I requested at their next meeting, so they met, but they do not have a set schedule. Maybe a set schedule would allow people to plan and permit the quorum so that if you have a minimum of maybe four meetings, one each quarter, and then you set two aside, at least two, to deal with issues.

If you have four meetings scheduled, the people who are on the board, these committed individuals who are willing to step up and be part of a board, and serve on a board in that capacity, then they should be able to arrange their schedules to commit if they know in advance; but, if people are given short notice, well, they might not be able to meet.

If you put better rules in place or better legislation in place to set a standard to make sure

volunteer board members understand when they accept a position there is a guideline and there is a schedule in place, they would know their own schedules and they would be able to give some understanding that I would be able to be there for the majority of these meetings. When you set up meetings on the fly, then people may have – we all understand how busy our volunteers are in communities and the roles they serve, so they may not be available at the call of the Chair to have a meeting. That then may not lead to quorum. If you set the minimum too low to just two, then if you look at trying obtain a quorum, then you may have a difficult time to do that.

I want to look at how the bill was looked at and described as housekeeping and operational, and that the amendment was an act put forward by government to allow for the board member whose term had expired to carry on their role until a new member has been appointed. We do not have anything put in here that if somebody ends up passing away in their role, if somebody has to resign for a particular reason, or if there is a particular conflict of interest that may exist, there may a point where you would not get a quorum in that role. Extending the terms simply does not solve all the problems. There may need to be more detail in dealing with this.

This may come out. Maybe the minister will explain and state that this will come out in a regulation of some form and that they will put in some form of regulation to deal with that. Maybe they will clarify it in their policy handbook around that. Simply allowing the terms to go on indefinitely does not necessarily solve the problem there, Mr. Speaker. Also, in granting that the term for a number of two per year, this is at the call of the Chair. This gives a lot of authority to the Chair itself.

I have some concerns in seeing that the length of time – and as I talked about the length of time that the board was established, the roles and reasons, it has not really been reviewed. There has not been a thorough review of the effectiveness, mandate, and efficiency of the board. I would have liked to have seen some form of consultation and decision in rationale. Maybe when the minister gets up he will talk about the consultation that had taken place with the industry, with stakeholders, with fishers, with plant workers, with the union, with

companies themselves, with the current licence holders, with former licence holders, with the Fish Processing Licensing Board members, current and past, with expertise maybe from the Harris Centre. To be able to do that level of research to make sure that what Dunne had implemented is actually taking place.

We have seen – and I have pointed out the board itself has not been fulfilling its minimum of six meetings. We have also seen over that time where we have had over 200 processing plants in 1990 and now we are down to – well, we do not really know the number based on the conflicting information of eighty, ninety-six, and ninety, though we will go somewhere around the ninety ballpark figure.

There is no time frame for the member's term ending. If that means a member is on autopilot, Mr. Speaker, that they are going to serve indefinitely, can there be some form of limitation that is put forward here? Even the Senate has a shelf life. The term ends at seventy-five years of age. We are saying that we can appoint somebody to a board, they can serve in the term as long – so somebody might be there for fifty, sixty, seventy years serving on this particular board without having a term lapse.

When we look at the democracy and we look at that – I understand the intent of what the bill is trying to do, but I want to point out some of the deficiencies if it is not clearly articulated around clarity. Bills should be clear and concise. They should not be left for broad interpretation. This bill currently is left for a real broad level of interpretation. It is.

I would like for the minister to explain and maybe table before the House the consultations that had taken place in this bill itself. We have seen bills come before the House where we have seen that terms would be extended. They say this will allow them to get the general work done. I feel and I strongly believe that there would be enough expertise in the fishery in Newfoundland and Labrador to ensure that if a term expired, there would be an appointment of an appropriate official.

We may not all be experts in the field of fish process licensing, but there is a level and there

could be criteria established to make sure that when it comes to dealing with industry and the efficiency that board members have a set standard of maybe some level of business expertise, some level of dealing with the shareholder – not every member may have all the expertise, but as a complement it would be a very strong and efficient board – somebody who would be in the harvesting sector and understand the challenges that people face, because there are challenges both internally when we deal with this and externally.

In the briefing, we were told that the amendment is a common element in most acts pertaining to boards, but this was something that was overlooked when it came to establishing this act itself. The minister said that they do not want a member to cease simply because of date. I can understand if they are in between board members. There could be an example and a very relevant example that a member's term is set to expire, somebody was set to come into that role, maybe they have not been trained in that capacity. There could be some very complex cases, new to the board, so transitioning into that role, making sure that they are adequately trained, and there could be a number of applications put forward.

In that policy launch that I attended at Memorial University, it talked about the fifty underutilized species that we have in the Province. We are focused on a core of basically four, and there are others that we are tapping into; but there is a lot more licences that are going to be applied for, as we transform our fisheries in the future. They are going to be applied for through the Fish Processing Licensing Board.

There are many other jurisdictions across Canada and across the world that are tapping into various underutilized species. We have seen where we should be bringing in and looking at the value-added and getting licences approved. Some of it, Mr. Speaker, may be a permitting piece – and we may be able to simplify the process and simplify the meetings by having a permitting process put in place so when the board meets, instead of giving out a full-blown licence at a point, they may be able to look at a permit so that the processor can look at and say you put your business case forward but we want to make sure that you are committed.

That you are committed not only for the short term, but you are committed for the long term and that there is stability in the industry. So that, in doing so, we do not have a company come in, set up shop, and create adverse and negative consequences. That is one of the responsibilities of the board, to make sure that if, for example, they approve or they transfer a sea cucumber licence, other players in the industry should not be adversely impacted, and adjacency also plays a role.

If a company can establish that the resource threshold is there, then why not look at giving them a permit? If they give them a permit, they are there, and they are committed for a long time, maybe that then can be transferred into a licence. We could have better processing and we could see innovation because sometimes some of the people who would be applying to the Fish Processing Licensing Board do not. They do not because there seems to be a real implication by government itself when it looks at licensing to say: Well, there is already one here or there is one there, the market is currently flooded, and we are not going to look at approving.

We should be taking a more proactive approach. The board should be taking a more proactive approach, and maybe some of their meetings could be open and public consultations where they can collect the input because we do need to build a stronger fishery for Newfoundland and Labrador. I do not know if we are going to achieve that by going down to two meetings itself.

I want to say that it has been quite a bit of discussion that I have put forward to the bill itself. Before I look at clueing up, I would like to give an example where we have seen innovation in a sector; we have seen some innovation where somebody wants to do something but they are not really permitted to do so.

We have and we talk about sealing quite a lot in Newfoundland and Labrador, yet we only have one seal processing facility that is currently processing the pelts itself. We have a co-op that is set up to deal with some meat that has been receiving approval and it has received that process. Then we have a couple of other

independent buyers. We have other people who have processing, but we are not tapping into the real opportunity. All we need to look at are some decisions that government made in last year's Budget to increase the fees.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. MITCHELMORE: Yes, Mr. Speaker.

When we look at increasing fees to licensing, it limits the innovation and the opportunity for certain sectors. Maybe some of the underutilized species, when we look at seal, if we want to really create a market we would look at the licensing fee there and maybe that is something the board would be looking at too. I think there is a real proactive approach, and maybe that is not something for the board itself; maybe that is something for the Department of Fisheries and Aquaculture.

I just want to say that if the board only meets twice a year because the number of applicants coming in is decreasing, I truly believe that is a sad reflection. It shows lack of thinking and lack of a willingness to diversify our fishing industry and economy by government because that just means the processing sector in Newfoundland and Labrador is in decline. I have proven it in debate that we have seen it rapidly, but does it have to be that way? That is the question I will put before the Minister of Fisheries and Aquaculture as we look forward to furthering debate.

I am sure there are a number of my colleagues who will add to this because we know how important the Fish Licensing Processing Board's role and activity. They should be active and they should not meet just a minimum of two times a year. Setting the bar low does not help anyone in the fishery in developing our fishery and aquaculture in Newfoundland and Labrador.

I thank you, Mr. Speaker, for allowing me the opportunity to speak to this in debate and giving me the time that I need to clearly articulate Bill 18. I am sure other members opposite will be contributing. I am sure there are a lot of members represented in other districts. There are a lot of fishing districts across the way and a

lot of people who participated in the all-party shrimp committee. I am hopeful they will get up and they will talk about the importance of the Fish Processing Licensing Board, their role, their relevance, the importance they play, and also talk about the intent of what the legislation is trying to do and how that is going to have an impact when it comes to dealing with the fishery and its operations in Newfoundland and Labrador.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. MITCHELMORE: I am very pleased to see we have four fish processing facilities in the District of The Straits – White Bay North. I think there could be more. I think there is significant opportunity. The fish processing facilities are in Conche, Main Brook, St. Anthony, and Anchor Point. It is very diverse. Some of them are developed with a social enterprise and companies in share.

With that, Mr. Speaker, I certainly see my time is running out. I will have opportunity to speak more to this piece of legislation in Committee of the Whole, and I will certainly be doing that.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

The hon. the Member for Signal Hill – Quidi Vidi.

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

I am happy to stand and speak to this bill, a bill which was presented by the minister as being sort of a housekeeping bill and a very simple bill, but in actual fact a bill which has much more behind it than that. It would appear we have a bill that is recognizing we have something serious happening in our fishery.

I will start with section 2 of the bill, which repeals a section from the original act and replaces it with: "Meetings of the board shall be scheduled at the call of the chairperson or, in his

or her absence, the vice-chairperson, but there shall be no fewer than 2 meetings in a calendar year.” Of course, in the original act it calls for six meetings. I understand that in the briefing – I was not in the briefing myself, our researcher was at the briefing – the reason that was given was the lower number of applications the board now receives means the need to meet six times a year has proven onerous and unnecessary.

I think that is a pretty sad statement in this Province where the fishery historically has been so important and where processing and harvesting have been so important that we now are at a stage where the very board that was set up to give licences for the processing of fish is saying that it does not have enough work to do. That means we are in a sorry state and so from that perspective I certainly find this bill is much more important than just being housekeeping. This bill is a statement on the state of the fishery in Newfoundland and Labrador at this moment.

I wish the minister might have expressed his own concern about this. We are working together in an all-party committee looking at what is happening with the shrimp and the shrimp quota that has been determined by the federal minister and we are very concerned in that all-party committee about what is happening to the inshore shrimp fishery. We should be, and I am very pleased that we are working on that all-party committee, but when I see the minister bring forward this bill today and downplay what its meaning is, it is rather disturbing because we have to be consistent as we work together on the issue of the fishery. We have to be consistent in our stance. We have to make sure that we cannot, on the one hand, go to meetings in Ottawa and talk about our concern with regard to the communities of Newfoundland and Labrador, the rural and coastal communities, and our concern about the loss of the inshore shrimp fishery, and then bring forward a bill that says we do not need the Fish Processing Licensing Board to meet very much anymore because we do not have the applications that require they meet as often as the original bill said.

The concern I have is that we do not see anything creative going on in this Province around the fishery. We do not see a commitment by this government. They are

fighting back on the shrimp quota. I am glad they are fighting back on the shrimp quota and that we are doing that together. That is absolutely essential. I do not see anything in their vision or in their plan with regard to doing anything creative around the fishery.

Historically, over the past while we have seen more being given to the offshore than to the inshore, so, for example, allowing the yellowtail to be caught and processed offshore. That is a classic example of what is wrong with the fishery here in Newfoundland and Labrador.

MR. SPEAKER: Order, please!

Again, I would ask the member to make her comments relative to the bill.

MS MICHAEL: Yes, sure, Mr. Speaker. I will really try to do that.

With regard to the meetings of the board if we had more processing going on related to our inshore, there would be more applications. If we had a vision for the fishery that was looking more at the need for an inshore fishery to keep our coastal and rural communities alive, there would be a need for the board to meet more often.

It disturbs me that instead of the government putting forward a vision for our fishery; it is accepting the status quo and changing the act to reflect a fishery that is under their governance in distress. That is very disturbing, Mr. Speaker.

What I would like to see from this government, instead of saying everything is over, which is what they seem to be saying, that they look at the fact that they are not valuing our inshore fishery. We know where they are putting a lot of their interest. A lot of their interest is in aquaculture, and I have nothing against aquaculture, but we need to be looking at what will keep our coastal rural communities alive, a revitalization of the fishery, and finding the ways to revitalize it for the inshore, and then to keep processing happening on land in our coastal and rural communities is the way to help the economy of this Province if they have a long-term vision; not taking something out of an act, not changing the act definitively and saying: Well, what can we do? We do not have any

work to do, so we can tell them they do not have to meet six times a year; twice a year is enough. We cannot have them just sitting around and talking, and doing nothing. If there are no applications, then there is no need for them to meet. Maybe they should be thinking more about how they can be putting people at tables and at board tables, meeting together to look at how to revitalize the fishery.

If we really had a vision in this government, we would see those kinds of meetings happening. We would see municipalities being brought together, along with people in the inshore fishery, both harvesters and processors, and saying what can we do to make it important for us to have a fish licensing board, to make it important for this board to be in existence; not how do we give them less work to do because it is not important any more that they be there, because they are not really needed.

If ever there was an example of why maybe the all-party committee should become a Standing Committee on the fishery is the example of what we see here today in this bill. This is telling us that it is not just what is happening with the shrimp quota that is a problem. It is much bigger than that, and I would hope that we would start realizing that we need to work together for the future of this Province. It is not just for the future of the fishery itself; it is the future of coastal and rural Newfoundland and Labrador. Without coastal and rural Newfoundland and Labrador, then our Province is in a mess.

I turn then to the first part of the bill, Mr. Speaker, which I find rather curious. It is a bit different than what I have been speaking to, but this is where the term of a member of the board expires. "Where the term of a member of the board expires, he or she continues to be a member until reappointed or replaced."

The interesting thing is that in the act it says that the term is four years, but when you say where the term of a member of the board expires, he or she continues to be a member until reappointed or replaced ad infinitum, no limit to it, it does not say how long that can go on, basically you have removed the term; the term is irrelevant. Saying there is a term of four years does not mean anything anymore because now the four

years come to an end but nobody does anything; the Lieutenant-Governor in Council does nothing, there is silence, and they just continue on their merry way waiting to see when is the time going to come when I am not on this board any more. There is absolutely no direction as to what should happen.

We now have a board that is basically a board without anybody on the board having a term. That, to me, is absolutely unacceptable. I cannot believe that the government has seriously brought this here to the room, instead of saying we should make sure that we at least meet our responsibility as a government to make sure that people are on the board, that we have people on the board when their term comes up, that we have new people to go on the board; or you could say the board person could be reappointed for a second term. There are all kinds of creative ways of doing it, but to have this open-ended statement just makes no sense to me whatsoever. You have a board basically now with nobody really with a term, and so this could be a lifetime existence on this board. Where is the accountability, one, of the board itself, and then the other, of the government itself, of the ministry to the people?

It is very disturbing. If it were not serious, it would be funny. I just cannot understand how the minister could put this forward with the straight face that he did and not realize this is very, very disturbing.

We have to be looking at the future. This here gives me real concern, this bill; because it shows me a government that has given up, that it does not see a future for the fishery. That is really bothersome, and I hope people in the Province, I hope people in the fishing communities out there where they have processing are paying attention to this bill today, because it is a statement, I think, to them of what the future of their communities is all about. It will not just be the shrimp quotas that we will be worried about; it is going to be much more than that. It is not because the resource is not there. The resource is there. There is fish out there, but we do not have a government that is being creative, that is getting ideas together for the revitalization of the fishery. The fishery is not broken –

MR. SPEAKER: Order, please!

MS MICHAEL: Yes, Mr. Speaker.

Thank you.

MR. SPEAKER: Again, I will remind the member that she is speaking to the principle of the bill –

MS MICHAEL: Yes.

MR. SPEAKER: – and if she would confine her comments to the principle of the bill.

MS MICHAEL: Will do, Mr. Speaker.

I will come back to the second point, the second section of the bill, which deals with subsection 8.(1) of the act, and that is the calling of the meetings. It is clear that there shall be no fewer than two, and therefore the board can have as many as it wants, which is good. I am glad to see that, but we have not really been given a rationale from the minister except that one statement: there are not as many applications therefore they do not need as many meetings. That is not much of a rationale. We have not been given a real rationale for why they would go the whole jump from six down to two.

Maybe the board should be paying more attention to the act because I think the act gives directions with regard to the board, what the objectives of the board are. There are recommendations the board could be making to the minister, recommendations that would maybe help with the revitalization of the fishery. If the board were meeting not just for the sake of applications but also for having a broader vision with regard to the whole resource itself, the whole fishery, then maybe they would be able to have meetings with municipalities. Maybe they could come up with recommendations that would be meaningful for the minister in the revitalization. I think one could have a broad interpretation of what I see in the act with regard to the board's objectives.

Mr. Speaker, I say to the minister it is too bad that he did not take time to explore a bit more deeply with us – well, he did not explore deeply at all – but to explore with us what this bill is all about. I would have to say I suspect he is well aware of how weak this is. He is well aware of what the implications of this bill are all about,

and that is why he did not make much of it because he does not want us to concentrate on the reality that this is pointing out.

Having said that, maybe the minister will take some time to give us a bit more information from his perspective, Mr. Speaker, with regard to why he thinks it is adequate to bring this bill forward as a way of dealing with what I think is a very sad situation.

Thank you.

MR. SPEAKER: The hon. the Member for Port de Grave.

MR. LITTLEJOHN: Thank you, Mr. Speaker.

Mr. Speaker, we have heard a lot from the Opposition this afternoon about this bill. The bill was a very straightforward bill. It is Bill 18, An Act to Amend the Fish Processing Licencing Board Act. Basically, there were two points. “The Bill would amend the Fish Processing Licensing Board Act to allow members of the board to continue in office upon the expiry of their terms until they are reappointed or replaced; and decrease the required minimum number of meetings per year from 6 to 2.”

Now, Mr. Speaker, I am going to speak to the latter first. Maybe before I even do that I want to point out that this board is totally independent and autonomous of government. It is the Fish Processing Licensing Board. The board is responsible for reviewing and assessing all fish processing licence proposals or requests made to the provincial government through the Fish Processing Licensing Board Act.

Mr. Speaker, we have heard a lot on the other side this afternoon. We have gone from – what was it – limiting participation to everything is over, there is no accountability of members, they can only have two meetings. Mr. Speaker, nothing is further from the truth. If the board requires having twenty meetings in the run of a year, the board can have those meetings if they feel it necessary. They are an independent board, therefore, all we are saying is you have to meet twice.

It was time to change the act, Mr. Speaker, because the act was outdated. It needed to be

revised. In reality, at some point – and even the hon. Member for The Straits – White Bay North pointed out in his dialogue this afternoon that some years the board did not meet the required six times under the act. That does not mean to say that the board cannot meet six times or it cannot meet twenty times. The board can meet as often as it is necessary to get their work done.

Mr. Speaker, why does the board meet? Why does the Fish Processing Licensing Board meet? They meet for two reasons: they review applications for new fish processing licences, or they are responding to a request from individuals seeking information related to an application that is presently on file. That is what the board does, no more, no less. This afternoon we have heard that the board would do many other things. The fact of the matter is the board has two requirements: to review applications, or to respond to information from individuals who have an application already on file.

Mr. Speaker, when the board receives these applications, the board meets. It is pretty obvious, the board would meet. When the board meets, they meet and they hear these people, and they make recommendations to the minister. The board is an advisory board. It advises the minister on fish processing licences, and whether or not they should or should not be approved. When the minister receives the recommendation, the minister has the final decision-making power. On all matters, on all licenses, the minister has the final decision-making power.

Now, Mr. Speaker, when the minister makes those applications one of the key features as well, as I read my notes, is the fact that the recommendations and the information is public knowledge. The board is required by the act to make sure that all the information they provided the minister and the recommendation made is public knowledge. So, it is an open process. The process is very open. Everybody will know what the recommendation was. The minister, whether he accepts the recommendation or rejects the recommendation, must provide a reason why that has taken place.

Mr. Speaker, to allow me a little bit of variance this afternoon, we heard this afternoon, it was like the fishing industry was dead; dead on its

feet. In fact, Mr. Speaker, we still have over ninety processing facilities in this Province; ninety processing facilities operating in this Province. Seventy-five of those facilities are primary processing facilities. We have ten in-Province retail facilities. We have three aquaculture facilities, and two are secondary industries.

So, Mr. Speaker, when they stand and say this government does not care about the fishing industry, we have ninety processing facilities still in operation. As well, I would allow –

SOME HON. MEMBERS: Oh, oh!

MR. LITTLEJOHN: I hear my hon. colleagues opposite across the way calling relevance, but I would suggest, Mr. Speaker, they had fair leeway this afternoon themselves.

AN HON. MEMBER: It is shocking.

MR. LITTLEJOHN: It is shocking, Mr. Speaker. It is terrible. It is absolutely terrible, Mr. Speaker, that I should speak to them.

It is a \$1.1 billion industry, Mr. Speaker, that employs some 18,000 people in our Province. Those 18,000 people are spread throughout our Province, particularly in rural communities.

Mr. Speaker, this is what we thought a pretty straightforward piece of legislation. We wanted to make sure that the requirement – we reduced it from six to two, but that in no way limits the board's ability to meet more often.

As well, Mr. Speaker, in past years the volume of applications or the volume of inquiries have decreased. Therefore, there has not been a need for the board to meet as frequently as in the past. Are we going to have the board meet, and they have no business to discuss or business to address, because they are supposed to meet? I do not think, Mr. Speaker, that is rational. That is not a good expenditure of taxpayers' dollars. When the board is required to meet, they would meet. Mr. Speaker, I truly believe that the volume is not there. This recommendation came forward because the volume is no longer there.

When we talk about replacement on the board, there are a variety of reasons. Many things can

happen. Things can get delayed, people can be sick, there could be many reasons why members cannot do it at the moment and having a member continue, it is not indefinitely; it is just until the board replaces the member. We want to make sure the board continues to have a quorum.

Mr. Speaker, there is a little bit of allowance and leeway there. The term is a four-year term, it is not an indefinite term, but there would be some leeway, for whatever reason, if a member could not take up their duties for a period of time. Again, we do not want the board to cease. There may be important business that the board needs to address at that particular point of time, and we want to make sure that the board can function twelve months of the year, 365 days a year.

These amendments were intended to make the operation of the board just a little simpler because the board, in recent years, has been trying to meet their mandate of a required six meetings. We do not believe that this would impact the stakeholders in the provincial fishery, because the board will meet if there is business to conduct.

Mr. Speaker, the changes in no way inhibits the powers or the impartiality of the board. As I stated earlier, this board is independent. This board is totally independent and provides recommendations to the minister, so these changes in no way impact the impartiality of the board and the recommendations that they may make. The board is still functioning, it is more efficient, and they can make the same recommendations. There is no change in what they can do and there is no change in their impartiality.

The board will continue to meet the industry's needs, and I think that is important. We want to make sure that the board meets the industry's needs. One of the things that I think: Who would know best than the board themselves if they are meeting the industry's needs? Allowing them to have the call of the Chair after two required meetings would make that easy, the industry still gets what they want, and we can move forward.

Mr. Speaker, I think this is a good piece of legislation. I think all hon. members should support it. It just improves the efficiency of the

board. It allows the board to continue when the board needs to meet. It lessens the requirement from six to two. I believe that all members should support this bill.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

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

SOME HON. MEMBERS: Hear, hear!

MR. LANE: Thank you, Mr. Speaker.

I would say to the members across the way – now, they already started: What do you know about the fisheries? Well, Mr. Speaker, I am elected by the people to represent them on all types of issues. We have people who are appointed to ministerial posts who are – we have a Minister of Justice; I do not think he is a lawyer or I do not think he is a judge. I do not think he was a former police officer. Maybe he watched *Matlock* or *Night Court* or something, I do not know, but we are all entitled to speak on this legislation. So I would ask for the respect that I have given the members across the way. I have not opened my mouth when they were up speaking; I would appreciate the same courtesy. Thank you very much.

Mr. Speaker, I am pleased to stand and speak to Bill 18, An Act to Amend the Fish Processing Licensing Board Act. What is being proposed here, as we said, they are going to take section 6 of the Fish Processing Licensing Board Act and it is going to be amended by adding after subsection (2) a clause which is going to be 2.1. That is going to say, "Where the term of a member of the board expires, he or she continues to be a member until reappointed or replaced."

Basically what they are saying there is that instead of having a fixed term – and I believe I heard the member opposite talk about a four-year fixed term, whereby once that term is over, they would simply have a process of reappointing somebody else. They are saying that they can kind of let it slide for a period of time, for whatever reason, and there is nothing that says what that time is. It does not say that it

is going to be four years and one month; it is going to be four years and six months; it does not say it is going to be five years, ten years, fifteen years, twenty years, or whatever it is.

I am sure the intent obviously, I would hope, would be that it would only be for some unforeseen circumstance beyond the four years that there was a period of time there that, for some reason, they could not get somebody, or they had somebody they were going to reappoint or to appoint to the board but there was a slight delay and they wanted to have a little bit of wiggle room.

If that is the intent, which I assume it is, then I would not have an issue with that per se, Mr. Speaker. In terms of this appointment, I think it is important, though, that no different with this board than any other board – and there are many, many boards which operate within government at arm's-length from government in various departments of government. I think when it comes to all of these boards it is incumbent upon the department and it is incumbent upon the minister to ensure we have people appointed to all the positions. I would hope there would be some level of knowledge or expertise, perhaps, in a particular area to ensure that the people who are appointed to the board are – there are no conflicts of interest or anything like that. I am sure that would be the process.

Mr. Speaker, if somebody is simply put there and there is no set mechanism and no set time to look at reappointing and people and so on – and I heard my colleague, I believe, refer to it as the board is put on autopilot – then sometimes I think that could lead to issues. I think it could possibly lead to complacency. You could have somebody who may have gone on the board originally and they were very interested in serving on that board and so on. They felt they had something to offer. Maybe they thought a four-year term would be good. Maybe after only a year or two they realized they were not really into it as much as they thought or the interest was not there, and so on. Sometimes people can get a little complacent and so on. Then you have issues, if that were to happen, about people not showing up to meetings and so on.

Mr. Speaker, we know we have a number of people within our Province who work in Alberta, just as an example, in Fort McMurray or other parts of the country. They are away from home for periods of time. Perhaps somebody might have been appointed to the board and originally there was no issue there, but then because of employment and so on taking them away from the Province and taking them away from things where they live, family issues, and personal issues, certainly taking them away from being able to properly serve on this particular board. That could happen.

Obviously, we could have deceased people. There is a whole host of issues as to why somebody may have been appointed to a particular board. In this particular one, we are talking to this one, but it could be any board. For any host of reasons, perhaps they are not going to be available to serve at all or they are going to be very limited in their ability to serve. Perhaps when they were appointed to the board originally there was no conflict of interest, but now because they, or a family member, or somebody got involved in the industry, maybe that could have created a conflict of interest that was not there at the time when they were appointed.

With all those reasons, I think it is important to ensure that when we appoint people to any board, including this particular board, that we have a process, a set of checks and balances when it comes to the appointments, when it comes to the terms of the appointments, and when it comes to reappointment. Even beyond the four years, I think there should be regular monitoring of any board, including this board, by the minister or by the minister's office.

Even if there was a fixed term for four years, they should be monitoring those boards to ensure the boards are meeting as often as they ought to be, that they are dealing with issues that are supposed to be dealt with, that they are keeping good records of the meetings, that they are serving the stakeholders they were put in place to serve, and they are doing it properly. To have a set of checks and balances even within that four-year term – or five-year term, whatever it is, in this case I hear it is a four-year term – I think that should be here as well.

Mr. Speaker, when we are talking about this particular committee or when we are talking about any committee for that matter, it is important we have people who are there with the best of intentions. It is important that we have people there who are doing the job they are supposed to be doing on behalf of the stakeholders they were put in place to deal with.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Littlejohn): Order, please!

MR. LANE: When we talk about this particular committee, Mr. Speaker, we are talking about a committee that has a mandate of reviewing fish processing licences. That could be looking for new processing licences, or that could be looking to get a fish processing licence transferred from one facility to a different facility. Perhaps from one company to another company, one community to another community, and so on.

This is very important, obviously, to the industry. It is very important to the fishers. It is very important to the processing companies. It is very important to the people who are employed by the processing companies. It is very important to people who are employed as a result of spinoff from the fish processing companies. It is very important to the town or to the community in terms of tax base, in terms of employing its people and making the communities viable to economic development, because in many of our rural towns they depend solely on the fishery. Their life's blood is that particular fish processing facility. Therefore the issues, in terms of licensing, in terms of new licenses, transferred licenses and so on, this is critical to the life of many communities in rural Newfoundland and Labrador.

This committee, while one can argue, and the government side might maybe argue: well, this is only a minor amendment. It is not a large amendment, but the subject matter to which this amendment applies, that being the Fish Processing Licensing Board, is huge. It is huge to many communities in rural Newfoundland and Labrador in particular.

So, it is important to make sure that any piece of legislation we review that has any impact on the

fishery, and hence any impact on many of our rural communities, that we give it the due diligence it deserves, that everybody has some input, that we ask some questions. I do not think there is anything wrong with that. There is not a thing wrong with it in the world.

That is why Oppositions exist. They exist to ask questions, to hold government's feet to the fire, to debate legislation, to bring forth new ideas and so on, so that we make sure, collectively, that we have the best possible piece of legislation for the stakeholders involved. The stakeholders involved in this particular case are fish processors, fishers, and as I said, spinoff businesses, towns, communities, workers and so on. It has a huge impact. That is why we ask some of these questions.

Mr. Speaker, the other amendment here talks about the required number of meetings. Six was a minimum, and now we are going down to two as a minimum. Again, I understand as it is written here, there is nothing to say they cannot have more than two. I believe the previous speaker, which was yourself, Mr. Speaker, indicated that. They can have more than two, and that is fine.

Again, when you look at the fact that we have issues here around the committees, as I outlined, the fact that there is not necessarily checks and balances with the committees to make sure who is on the committee, if they are not in a conflict of interest, if someone is not deceased who was appointed to the committee, and so on. Without that monitoring of those people, then how do we ensure those people are going to meet more than twice, if it is required that they meet more than twice?

Hopefully they would, but it is important to do the due diligence to make sure they do, because the fishing industry is seasonal, as we know, for different species and so on, that you fish in certain areas at certain times of the year. If you have somebody who is going to apply for a licence or they are going to apply to have a licence transferred and so on, and of course we know quotas can change, the value of the product can change, and the dollar can change. All that stuff can have an impact on whether or not it is viable to process a certain species in a certain area in a certain plant and so on.

As these things change, as these things evolve, it is important that this particular committee is able to react to that request in a timely fashion, because it is all about timing. Like in any business, you have to strike when the iron is hot. In this case, you have a limited window, time, area and so on, to do this. So, it is important that when you determine that there is an opportunity in the particular fishery, in a particular area, for a new licence or for a transferred licence and so on, once you determine that, you need to be able to go to this board and that board needs to be able to deal with that matter in a timely fashion and get the recommendations to the minister in a timely fashion so that the minister can make a decision which is hopefully going to have a positive impact on that particular processor, is going to have a positive impact on the workers in that facility, and it is going to have a positive impact on the community as a whole.

Now, Mr. Speaker, the other point I wanted to raise here, I am wondering about consultations with the stakeholders. Like any piece of legislation – and perhaps the minister will address this when we get to Committee of the Whole. I would hope that there was consultation done on this piece of legislation, as I would hope that there would be consultation done on any piece of legislation going through this House; but, in this case, with fishers, with processors, with current and past board members, with experts in the fishery, with the communities, with the general public, and other experts in the industry. I think it is important that those consultations take place. I hope they have and hopefully the minister will address that when he gets up to close debate or perhaps even in Committee.

Mr. Speaker, that pretty much concludes the points that I wanted to make on this particular bill. Overall, I think the intent once again – and we have seen this in other bills, other pieces of legislation, which we have debated here in the House, and I am sure others we will debate. I think that perhaps the intent is good, but maybe it needs to be tightened up a little bit. I heard a number of suggestions from my colleague here for The Straits – White Bay North who certainly does have a lot of fishing processing facilities in his particular district. He made a lot of very valid points; I thought he did.

I hope the minister is taking these issues into account. I hope the minister is listening to what my colleague has had to say. Hopefully we will have the opportunity to debate this even further as time goes on. I am certainly prepared to stand on my feet again if that is the way they want it over on the other side. We can get into Committee and we can talk about this. We can debate it all night long and I can ask questions. I have no problem doing that.

AN HON. MEMBER: (Inaudible).

MR. LANE: Perhaps even the Member for Cape St. Francis might get up because he seems to be a real expert himself in the fishery. He seems to be an expert. He is having an awful lot to say there. I would love to hear some of his expert knowledge come out in this particular –

MR. SPEAKER: I remind the hon. member to address the Chair and the bill, please.

MR. LANE: Yes, sorry, Mr. Speaker.

I certainly would like to hear some of his expert knowledge come across because I am sure there is a lot I could learn from him about the fishery. I am very willing to learn from him or anybody who has any information to offer – constructive information – to this debate. I want to hear it because if I am going to –

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

MR. SPEAKER: The hon. the Member for Cape St. Francis, on a point of order.

MR. K. PARSONS: I would like to tell the hon. member that I know a whole lot more about the fishery than he does. I have a son and a brother on the water today on the crab fishery, by the way, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: There is no point of order.

The hon. the Member for Mount Pearl South.

MR. LANE: Yes, Mr. Speaker, and I have a number of family members of my own, my wife's family and friends, and so on, who are

likewise involved in the fishery. If being an expert in the fishery means you have some family member who goes out and fishes, well I guess we are all experts here because we are all Newfoundlanders.

Anyway, Mr. Speaker, as I was saying –

MR. SPEAKER: I remind the hon. member his time has expired.

MR. LANE: Thank you, Mr. Speaker. I look forward to speaking some more.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Bonavista North.

SOME HON. MEMBERS: Hear, hear!

MR. CROSS: Thank you, Mr. Speaker.

Just to clarify to our listening audience, I am sure most hon. members know we are talking to Bill 18 today, An Act to Amend the Fish Processing Licensing Board Act, but for anyone who has tuned in quite recently, I want to get the topic back that exactly.

This is an act that has two short clauses, Mr. Speaker, “The Bill would amend the Fish Processing Licensing Board Act to allow members of the board to continue in office upon the expiry of their terms until they are reappointed or replaced; and decrease the required minimum number of meetings per year from 6 to 2.” Those are just two short clauses. You can get to these rather quickly, clearly, and succinctly, and talking directly to the points.

Mr. Speaker, just to clarify, for some members opposite and for the general public, this board we are referring to is totally a transparent board. This board has the autonomy to call meetings, to meet, to make decisions, and make recommendations to the minister, and meet as often as it needs. I will get into a couple of these things in a moment.

I also know that as I listened to members from the opposite side here – and one member gave a lengthy diatribe on statistics from 2009 up through to 2013 upon the number of meetings

per year. He used terms like uproar in some of these years, and challenging times, yet the number of meetings was decreasing.

I am sure he knows no more about why the number of meetings was decreasing any more than I do. Maybe it was just the fact that there were missing members on the committee, or something was happening and the committee was not full. Therefore, it is very important that one of these recommendations says when a member’s term expires and no one is there to replace them, then they stay on the committee. This allows for continuance, Mr. Speaker. It allows the committee to continue to act and to work.

In the past if people rolled off as soon as their term was up, Mr. Speaker, and it would take the time to replace them on this committee, then – there probably were times in 2009 or 2011, whenever there that the member opposite was talking about, that they just did not have the quorum to meet to enable the work of the committee to continue. Therefore, it was very, very important that we think about that when we look at some of these statistics. We can take them and move them any way we want.

The other comment, Mr. Speaker, that was argued and argued here today talked about reducing the number of meetings from six to two. It has been referred to as if you cannot have any more than two meetings a year. It sounded exactly like that when the argument was coming.

This group is autonomous. They can meet three times, five times, fifteen times throughout the year, Mr. Speaker, if the topics and the licences are applied for, or questions are coming into the committee from people in the general public. This committee can meet any number of times it sees fit.

The fact they were forced to have six meetings per year, Mr. Speaker, is costly when these members would have to travel to St. John’s or travel wherever the meetings were being held.

The fact that the statistics the hon. member opposite was showing, that maybe these meetings might not have been needed, then, Mr. Speaker, without the need for the meetings we

would be spending money in waste. We always hear them talking about waste, talking about not wanting any waste. Now because of the way they want to spin this, they put it on the spin cycle and spinning around and using the arguments to argue in the opposite direction.

I see, Mr. Speaker, that this board is very important to the operation of our Department of Fisheries and Aquaculture. The purpose of the board is for recommendations to the minister, to review applications, and to respond to requests from any persons seeking information. In all of this we see a great need for the committee when the need is there. The committee also has the ability to schedule the meetings when there are key times in the season.

The member opposite talked about the fishery as being seasonal just a few seconds ago, Mr. Speaker. There is a busy time and a busier time. I would stand up for any of the fishermen and the harvesters in my district, and I would say it is not a real seasonal operation for any of these harvesters. They are busy all times of the year, whether it is repairing their nets or getting ready to go out for different species.

All through this winter, Mr. Speaker, in most every other section, the shrimp and the sea urchin have been busy throughout the entire year. People are not shut down as it appears to seem and talking about it is only a seasonal operation. I would like to stand up to say that any fisherperson in this Province does not really work on a seasonal basis. They might have income that is seasonal but their work is full year-round. It is good hard work; it is dangerous work, Mr. Speaker. We would stand up for these people any day and speak on their behalf, and quite a few of them live in my district.

The mandate of the Fish Processing Licensing Board is to make public recommendations on all issues of licensing and questions about licensing to the minister. Now that is very clear. It is very succinct. We do not have to get into hour-long diatribes on what this is all about. It is clear that we can improve the efficiency of this committee. We can improve the costliness of this committee and things can work efficiently. That is exactly where this is heading. I am sure any other questions the members opposite would be able to bring up our wonderful minister will

answer, and I am sure when he gets a chance to summarize at the end he will do just that.

Thank you today for your time, Mr. Speaker. I must say, this is a very, very important piece of cost-saving legislation. It will make this more efficient and it is good news.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

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

MS C. BENNETT: Mr. Speaker, it gives me great pleasure to rise in this hon. House today to speak to a bill, An Act to Amend the Fish Processing Licensing Board Act.

As I understand it, having read the information, what we are looking at here is revising the terms of the members of the board, particularly when that term expires, so that he or she can continue to be a member until reappointed or replaced. In the second piece of the amendment, "Meetings of the board shall be scheduled at the call of the chairperson or, in his or her absence, the vice-chairperson, but there shall be no fewer than 2 meetings in a calendar year."

What was interesting for me, as I listened to the debate this afternoon, was the discussion needs to be had around directors' participation on advisory boards. There are best practices that are considered to be, Mr. Speaker, best practices related to building advisory boards that can provide competency and effective feedback. It is important that advisory boards can provide direction, and I am certain this is the intention of this particular advisory board, to provide quality advice and also to be a test market for ideas related to the important issues of managing our fishery.

Advisory boards, as we know, should consist of a cross section of diverse people with different skills, backgrounds, and experiences. Fixed terms, and terms that are extended without review of performance of those individuals who are participating on the boards, eliminate the chance to improve the skillsets that are on the board.

It is important to have a variety of centres of expertise. Certainly, the primary purpose of a board, an advisory board in particular, is to provide sound advice and guidance on a range of issues that are currently significant, particularly in this situation on the fishery. Ensuring we have the competencies on the board is very important.

Secondly, there are circumstances on any board, particularly advisory boards, where individuals will be appointed, or elected in some cases, to positions and for whatever reason that particular individual is not engaged in the discussion, and as a result is not contributing in a way that is meaningful to the overall goals and outcomes. As a result, the quality of the advice the advisory board is providing is not sufficient.

One of the risks, in my opinion, that this amendment does present, is that the member is allowed to stay on the board until reappointed or replaced, but there is no communication here or expectation around an evaluation of performance of that board member. What happens is it makes it very difficult, should a board member need to be removed, for that board member to be removed for reasons of performance or lack of following their fiduciary responsibilities as it comes to an advisory board, which are certainly limited.

When it comes to scheduling meetings, one of the things that have been referenced in this debate this afternoon is the difficulty sometimes in scheduling the meeting and having people attend meetings, and certainly with an advisory board, the consistency of the advice based on the strategic plan that is being advised on. It is important to have that schedule for board members so they understand the places and times they are responsible for providing advice.

Saying how often an advisory board meets really is impossible, how many times they should meet. The real answer is to have a schedule that is clearly defined with clear terms and reference for every single meeting so that the participants of the board understand what the expectations are of their participation, and that they can prepare well in advance for those discussions.

In this situation for an advisory board, making sure there is stable advice being provided is

important, but in order for these board members to be prepared, having a schedule so they can do their research and do their homework before they come into the board meeting is certainly very important. As an example, if you meet on a monthly basis, or if you are meeting biannually or quarterly, it is important to have information for that advisory member so they can, in advance, be educated on the agenda for the meeting and that they can do the research, and speak to the things that are important, and the decisions that they are being asked to advise on.

The directors have a responsibility when they offer themselves on an advisory board to make sure they are well educated on the topics of conversation that are going to be discussed at the advisory board. When you are talking about the fishery, there is a requirement to have, I believe, a regular conversation. I think when you ask an advisory board to choose its own schedule, there may be a need to have an emergency discussion on a particular decision that needs to be advised on, or the consistency of having a quarterly meeting would certainly be something that would allow the directors and the board members to be better prepared.

Some of the risks in making changes like this: if an advisory board member is not performing or is not contributing in the way that is meaningful to the intention of the act, then it is very difficult to remove that individual through what would be a normal process of evaluating their decision and their contribution to the board; and leaving the schedule and saying that the board can meet up to twelve times also creates an issue around how costs associated with the board meeting are planned for. It creates an opportunity for increased costs that are not necessarily required if the meetings are scheduled in a way so everybody understands when those meetings are to happen.

The board members' participation, particularly around whether or not they are attending the meetings on a regular basis, and more importantly being evaluated by their peers on the advisory, on their participation, on what they understand about the topic, and then identifying as an advisory board if there are gaps in skills, are important things that allow the advisory board to provide the best advice when the questions are asked of them. The advisory

board's role and function is to make sure the advice they are providing is in the best frame of those people who are sitting on the boards.

It is not meant to be a rubber stamp for approval. An advisory board is not intended to have information that is received and being approved. It is meant to be a counterpoint to improve the quality of decisions. I think the people of the Province would expect decisions made by these advisory boards would be done in a way that would draw out the talent of those directors and make sure those directors on the board have a chance to put their best thinking on the table.

When you look at the issue of when you schedule board meetings and the frequency, having inconsistent schedules, not having a clear idea of when board meetings are going to be – advisory boards – and not having clear scopes of work and times when topics are going to be discussed certainly does not provide for an opportunity for those people who are participating, people who we value their advice, we value their contribution, and we value their participation, to do the work that they should do and need to do to participate in an advisory board. I would like to ask and will look forward to in Committee asking some questions around the training and the supports we give these individuals who offer themselves to sit on advisory boards to make sure they are able to have the best training possible to be able to participate so their ideas, suggestions, and their knowledge can be drawn out to actually influence and help support what is ultimately the priority for the advisory board. The fisheries, as everybody in this House knows, are a complex, emotionally charged, important issue for our Province, and it behoves us to have a process and system in advisory boards that ensures we get the best advice we can.

Public engagement, through advisory boards, is not tokenism. It needs to be about making sure we get the best quality advice each and every time. By allowing those directors to have clarity around when meetings will be scheduled, ensuring they have information in advance, ensuring there are set agendas, and they understand what the expectations are on a calendar year or a fiscal year, depending on what makes sense, it is important for those people as

directors to put their best foot forward and to be able to provide the advice they need.

Mr. Speaker, it has been my pleasure to speak to this bill here in the House and I look forward to asking some questions when this does go to Committee.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: If the hon. Minister of Fisheries and Aquaculture speaks now –

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

MR. KIRBY: Thank you, Mr. Speaker.

I am just going to have a few brief words to say. I think there was some question about whether or not people had any fishing heritage over on this side, Mr. Speaker.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. KIRBY: I wanted to get up and say a few words about this bill, An Act to Amend the Fish Processing Licensing Board Act, Mr. Speaker, because I believe the fishery is an extremely important part of our heritage, our history, and our economy today and certainly well into the future. I just wanted to take a few minutes to go over and make a contribution to this.

AN HON. MEMBER: What a mockery.

MR. KIRBY: I will tell you what a mockery is – somebody was saying a mockery – a mockery is sitting there and not listening to other members on this side of the House of Assembly when they have something to say. That is a mockery, okay? That is what I think a mockery is. Members should be more interested in what each other have to say rather than sitting there and casting judgement on people before they even utter any words out of their mouth, Mr. Speaker. It is absolutely shameful. We should be far above that behaviour in here.

Anyway, Mr. Speaker, back to the bill, and my understanding from reading the explanatory

notes of the legislation is that this will allow members to continue in their positions on the licensing board “upon the expiry of their terms until they are reappointed or replaced.” People who give freely of their time on boards often get a bit worn out.

I know, as somebody who has held a lot of these positions in a different capacity, oftentimes people give freely of their time and they are often on multiple boards in a number of different capacities with different organizations. Most of this is volunteerism. Their time gets spent, they feel like they have given everything they can give, and the people choose not to continue. Many people do, however. We do have a lot of volunteers, not only in this sector of our economy, but in other sectors people will continue for long periods of time.

The interesting thing I think that is sort of curious about this legislation is it decreases the “minimum number of meetings per year from 6 to 2.” If you do the math on that, as it stands right now the licensing board would have to sit once every two months in order to do what it is supposed to do and function as it is intended. Here we are reducing this to just two times a year, which is just once every six months, really. It seems like an awful significant change.

I think while it has been said that this is housekeeping or this is just something that is operational in nature, I wonder about the impact of just meeting twice a year as opposed to six times a year. I know I have heard it said that six times a year was not necessary. I have not had the luxury of speaking to anybody who is presently a member of this board or anybody who has been a member of it in the past to find out whether or not they feel that way. I guess we will just have to take their word for it, Mr. Speaker.

At the briefing for this I understand members were told who were at the briefing –

AN HON. MEMBER: (Inaudible).

MR. KIRBY: Yes, we had somebody there who took notes, I say to the Member for Lewisporte. There was somebody there who took notes. I would hazard a guess that you have probably spoken to legislation here in the House of

Assembly in the past, I say, Mr. Speaker, to the Member for Lewisporte, that he has not attended a briefing for either, but that does not mean that I cannot read, nor he.

I understand from the briefing that this amendment is a common element in most acts pertaining to boards. Most of the legislation that we have pertaining to various boards in the Province, that this is a common element. This obviously must have been overlooked when the current government was last looking at this, when it established the Fish Processing Licensing Board back in 2004.

The aim, our members were informed, was to ensure that a member does not cease to be a member simply because a certain amount of time has passed and we have gone past a certain date. Of course, that can cause the board to no longer have a quorum. If there were a number of members who were appointed around the same period of time – and that is often the case; we often see press releases, press statements, public statements, from government where they are appointing a whole bunch of people at the same time to a particular board. Sometimes those are reappointments and sometimes those are new people but if they were limited in the duration of their term of office in that particular capacity by the date to more or less be renewed or be replaced by a particular date, then they could cease to be a members, enough of them, in order to cause the body to become non-functional.

The current requirement for the board, as I said, is that they met at least six times a year. It is about once every two months more or less. Now they are going to be meeting at least twice a year. I would suggest that they could probably have more meetings than that, but this is really setting a baseline minimum requirement.

If you look at the statistics up on the Web site for the Department of Fisheries and Aquaculture, you would see that the last time that this board met six times a year was back in 2009. That certainly raises a number of questions about what has been happening in terms of oversight between 2009 and now. I am not privy to any information about what has been done to try to intervene to ensure that this legislation has been better adhered to, at least the

requirement for six meetings a year. It would suggest that someone is negligent somewhere if this legislation has been in place and it has not been adhered to.

It is obviously a concern that members can now keep their positions until somebody is appointed to replace them. You have to wonder how long people will remain in these positions if there is no requirement, if there is no hard-and-fast date or deadline put in place, because they could continue in perpetuity, effectively, under this. I do not think that is what the minister or what the Department of Fisheries and Aquaculture is intending here, but that is potentially something that could happen.

As it stands, the Chair of the board and one of the members are appointed for a four-year term, and then there are another three people who are appointed for just two years. As anybody who has ever been a member of a board of directors or a similar body, it is always good to have people who have some institutional memory. You will notice oftentimes there is a president and past president or a Chair and a past Chairperson so you have people who are around for a sufficiently long period of time so as they can impart the knowledge they have accumulated over a period of years to other members of the board. That is what we often refer to as institutional or corporate memory, so we have some sort of continuity of knowledge and a greater depth of insight into the board's operations, what your responsibilities are, things like reporting requirements, change of command, and those sorts of things.

I will not go into a whole lot more detail there. I will try to be brief with the remainder of my comments. One of the concerns that I have, Mr. Speaker, really boils down to the question of meeting only two times per year, and that is supposedly because the number of applicants that are coming into the board are in decline.

I know my colleague, the Member for The Straits – White Bay North, has often pointed out issues surrounding the fishery in his district, as other members have on this side, and questions about where it is we are headed. The whole issue of a declining number of applicants suggests decline on a broader scale of things. I can see that just in the community that I grew up

in on the Burin Peninsula, and the Burin Peninsula as a whole, there are glimmers of light here and there, but by and large over the last decade or so government has presided over a closing down of numerous fish plants.

I could name all of those. Those have involved work from a significant number of fish harvesters, a significant number of plant workers, and, unfortunately, a diminishing number of stakeholders; and I would infer, then, a declining number of applicants as a result.

As my colleague, the Member for The Straits – White Bay North, pointed out, back in 1993, there were over 189 processing plants – 189 plants. We have had debate from time to time about whether that was too much, or whether we had too much capacity in the processing side and not enough harvesting or not enough resource. I suspect that will go on for quite a long time from now.

In 2011, there were only 101 plants. That is a decline of 46 per cent. That is a decline that has had a significant impact on rural and outport communities across Newfoundland and Labrador; and, as I said, you go down to the Burin Peninsula, we have seen plant closures, a significant number of people put out of work down there all around the Burin Peninsula, certainly not withstanding the towns of Marystown and Burin. A significant number of people have just uprooted and left the Province as a result. That is a decline of another sort: a rural and outport community decline.

Apparently, according to officials in the Department of Fisheries and Aquaculture, there are only about eighty processing plants in the Province and we had an estimated 8,427 people involved in the processing sector last year. If we just look at the decade before, back in 2003, there were over 11,000.

It really speaks to the shifting nature of our economy, the shifting nature of the economy in rural and outport Newfoundland, and the decline in the fishery as an occupation choice and a decline in the overall value of that resource. It is not just the value of the raw product or the processed product either; it is certainly the value of having people employed in our communities in rural and outport Newfoundland and

Labrador; people who are able to live in those communities, keep the lights on, keep their kids in school, and continue to build on what their fathers and mothers and so on managed to achieve in those communities over time.

Looking forward into the future, I think this decline in the frequency of meetings of this board, by virtue of the decline in the number of applications, by virtue of the declining nature of the industry, is a cause for great concern for everyone who is here in the House of Assembly and for people in communities across the Island and in Labrador where people work in the fishing industries.

When we see jobs eliminated in processing plants and all of the associated costs of production, the need for product development, the need for advertising, the cost of shipping the product, the purchasing and procurement of things like insurance, inventory costs, the value and the purchase of marketing products, the procurements of warehousing and space to store products, the distribution chains for this to bring all the products to market, all of those related costs including maintaining processors and keeping staff, whether that is large numbers of people working in plants or smaller numbers, you see all of that declining and eventually becoming eliminated in many of our communities as well.

Of course, related directly to that decline is a decline in goods and service jobs in our communities. Because for every full-time job we see disappear in a plant, it has an impact on other sectors of rural and outport economy. When I was growing up my parents had a convenience store, a general store, they were small business people in the community of Lord's Cove, Mr. Speaker.

MR. SPEAKER (Wiseman): I ask the member to stick to the relevance of debate, please.

MR. KIRBY: Yes, Mr. Speaker.

Every time when the fishery was successful, that got more people to buy more goods and services

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MR. SPEAKER: Order, please!

I remind the member again to be relevant to the bill before the House. This is an amendment to the act governing the board and not general economic conditions.

MR. KIRBY: Yes, Mr. Speaker.

I certainly will come right back, but I just am just trying to talk about how the decline and the downsizing —

MR. SPEAKER: It is not relevant to the bill before you, though.

MR. KIRBY: Yes, Mr. Speaker.

MR. SPEAKER: Please speak to the relevance of the bill.

MR. KIRBY: I was assuming, Mr. Speaker, that was really associated to the decrease in the number of meetings from six to two in a year. As I said, that decreased, I understand, as a result in the decreased number of applicants to this particular board. That decrease is a result of, I guess, a decline in activity in the fishery sector, which is evidenced by fewer people who are going aboard a boat to fish in either one of our industries. Of course, we know that we have, in certain areas, big crab fleets and fairly big shrimp fleets. Those are pillars of the modern fishing industry, of course, and we still have lots of other people fishing in other sectors.

Again, down around St. Lawrence there is lots of whelk being caught, so it continues to diversify. You have to wonder sometimes whether we are starting to scrape the bottom of the ocean harder than we ever did before, Mr. Speaker. We sort of started up here and it is after moving down, down and down.

You hear people on Open Line talking about it all the time, wondering about whether or not — if you think about the ecosystem, the biology of the food chain, how it is that as cod started to decline that we started to fish all of these other species, as I said, as somebody who has studied science and biology, closer and closer to the sea floor.

I will not belabour any of that, Mr. Speaker. I really thank you very much for your patience in allowing me to have a little bit of leeway to

discuss this and try to drive the conversation a little bit more. As I said right off at the beginning, the fishery in Newfoundland and Labrador sustained us for hundreds of years. Unfortunately, because of mismanagement and not a proper oversight of the fishery, we are where we are today. I think instead of trying to have more attention, to meet more, have more collaboration and discussion, and to have more discourse around the fishery, what we are doing is really not –

MR. SPEAKER: Order, please!

The member's time has expired.

MR. KIRBY: Thank you, Mr. Speaker. I will leave it at that.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Minister of Fisheries and Aquaculture. If he speaks now, he will adjourn debate.

MR. HUTCHINGS: Thank you, Mr. Speaker.

Mr. Speaker, it is good to have an opportunity to get up again and speak to Bill 18 after hearing some discussions this afternoon. It is pretty detailed in terms of this amendment. Again, I reiterate that this amendment is based on the administration of the Fish Processing Licensing Board making it a bit more effective and reflective of what we have seen in the past number of years in terms of meetings, what is required, consultations from the board, and their feedback on it.

In regard to coming from six to a minimum of two, we have seen over the past number of years that the board at times did not need to meet those six times. At two, it allows them to meet during the year. As well, as it goes forward during the year when applications come in from transfers of licences through actual applications of licences, the board can meet. They can meet fifteen, twenty, thirty times as the needs presents.

This is an autonomous board, Mr. Speaker, which is significant. They meet at their own discretion at the call of the Chair. There was some conversation, I think, from the Member for

Virginia Waters in regard to preparatory work of the board members. If there is a need for the board to meet all that material is made available to them, a package is completed. Timelines are allowed for them to review that information and the review proceeds. They are volunteers who are certainly very competent. From my work and short stay in the ministry, I have a lot of confidence in them.

Mr. Speaker, today the debate went off in various areas talking about various aspects of the fishery. We even heard from the Leader of the Third Party in the NDP. She referenced the fact that somehow this represents a dying industry, the fishing in Newfoundland and Labrador. It is unbelievable.

It is an industry this year that was \$1.1 billion, almost \$200 million in our aquaculture, and she stands here in the House and says this amendment reflects somehow on the industry, the growth, and what has been happening in this Province. It is unbelievable, obviously not in tune with what is happening, and it is unfortunate.

As well, Mr. Speaker, we heard the Member for The Straits – White Bay North somehow tie in the sealing industry and the number of sealing licences and sealing plants, and somehow this is tied into this actual amendment we are having today. Nothing can be further from the truth. The sealing industry, we have worked hard as a government and we see the results of that and working with those who are there today and what is happening today in the industry.

This amendment, as I said, is related to adjustments in terms of the operation of the licensing board. The member just up, again, tried to connect it to rationalization and somehow it is going to affect plant closures. They should go back and take a look at fisheries industry renewal, the MOU over the past ten years. That included all industry, all stakeholders' consultations, and everybody agreed that rationalization was required in the industry.

This was to ensure that all enterprises had a sound financial foot, whether it is the processing sector, whether it is the harvesting sector, that they have the income they need for a viable

industry, and that is there. I suggest they go back and take a look at the history over the past ten years of the consultations that were done, just not for government, from industry, from stakeholders, and from all involved.

To suggest that this amendment somehow is a reflection on rationalization is unbelievable, again. Obviously, it is not an understanding of the fishery, does not understand our history and what has transpired and collectively what we are working towards in this Province in terms of continuing to grow an industry. As I said, this year it is \$1.1 billion. It continues to grow with such things as the Comprehensive and Economic Trade Agreement and what we are able to negotiate with that.

Through all of that, no doubt, there will be applications again as there is in terms of transfer of licenses, in regard to new applications. New applications from CETA, when we look at additional species and being able to get into markets with new species and developing new species and new opportunities. No doubt they will come before the board in the future in regard to new applications for new species. We have a transfer of licences with regard to specific species related to plant operations. We will see that as we move forward, Mr. Speaker.

SOME HON. MEMBERS: Oh, oh!

MR. HUTCHINGS: I hear some folks on the other side heckling now. It is unfortunate. When I sat here all afternoon I certainly extended them the courtesy of listening to them. Oftentimes it is nice to have the same courtesy, Mr. Speaker.

Again, I will go back and talk about this bill in regard to what it is intended to do. It is meant to just streamline, based on the history and what we have seen in regard to the activities of the licensing board and the good work it does. Certainly those volunteers, in consultation with them –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. HUTCHINGS: – and what we have seen over the past number of years, this will help to

continue to move the industry forward, have that ability there, that independent oversight. They will evaluate and get the information they need. Everything they need in terms of training and information leading up to a decision-making process is provided to them. They will make recommendations to the minister and we will proceed as we always have in the last number of years in terms of this process.

In 2005, the licensing board came into being and has worked well. As I said, that independent arm is fully functional and does very well. It does a good job.

I will just clue up by saying these two clauses are very straightforward, allowing members of the board to continue in office upon the expiry of their terms until they are reappointed or replaced. That is basically in a situation, if it did occur, Mr. Speaker, where we had applications coming that needed to be heard. We may not have had a quorum and the timeline could have run out. In that case, that could be heard by the board and there would be no interruption. That is the primary issue in regard to that provision. That deals with and makes it a priority in industry so nothing is overlooked and it can be dealt with in a timely basis.

As I mentioned in regard to the minimum number of meetings, from what we have seen based on the applications, too, my hon. colleague from Bonavista mentioned earlier in regard to why we are meeting. Why are we calling a board together when there is no requirement for them to meet? Leave it in the board's discretion. They are autonomous. They can make the call. When they get applications, they can evaluate those applications, ask for the information they need, call the board together, schedule it, and move forward as they would as a board to make the decisions and recommendations they need to make.

Mr. Speaker, I thank those involved in the debate today and thank those for their input. I will certainly be looking forward to Committee.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Is it the pleasure of the House that the said bill be now read a second time?

All those in favour, 'aye'.

SOME HON. MEMBERS: Aye.

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

Motion carried.

CLERK: A bill, An Act To Amend The Fish Processing Licensing Board Act. (Bill 18)

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

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

MS JOHNSON: Tomorrow, Mr. Speaker.

MR. SPEAKER: On tomorrow.

On motion, a bill, "An Act To Amend The Fish Processing Licensing Board Act", read a second time, ordered referred to a Committee of the Whole House on tomorrow. (Bill 18)

MR. SPEAKER: The hon. the Minister of Finance.

MS JOHNSON: Thank you, Mr. Speaker.

Mr. Speaker, I move, seconded by the Minister of Child, Youth and Family Services, that the House do now adjourn.

I wish everybody a happy long weekend.

MR. SPEAKER: All those in favour of the motion that this House do now adjourn, 'aye'.

SOME HON. MEMBERS: Aye.

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

Motion carried.

The House stands adjourned until 1:30 p.m. on Tuesday.

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