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Speaker: Honourable Tom Osborne, MHA

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MR. SPEAKER (Osborne): Order, please!

Admit strangers.

We are honoured to have join us in the Speaker's gallery today Ms. Bertha Butler and her niece Russie Churchill. Ms. Butler will be the subject of a Member's statement today.

SOME HON. MEMBERS: Hear, hear!

Statements by Members

MR. SPEAKER: For Members' statements today we have the Members for the Districts of Lewisporte – Twillingate, Fogo Island – Cape Freels, Conception Bay East – Bell Island, Placentia West – Bellevue, Virginia Waters – Pleasantville and Topsail – Paradise.

And I understand the Member for Windsor Lake has leave for a Member's statement.

AN HON. MEMBER: Leave, yes.

MR. SPEAKER: Okay.

The hon. the Member for Lewisporte – Twillingate.

MR. D. BENNETT: Thank you, Mr. Speaker.

I rise in this hon. House to recognize three chapters of the Salvation Army from my district that celebrated significant milestones this past year. The Lewisporte Salvation Army Corp celebrated 100 years, while the Campbellton branch commemorated 120 years of service and the Twillingate Island Corp celebrated 130 years of operation in that community.

The Salvation Army is widely recognized throughout province, our country and, indeed, the rest of the world for its distinguished track record of good work and community outreach.

At this time of year, heading into Christmas, the Salvation Army members are especially visible in the community, manning the red kettles that help those less fortunate. With a long and distinguished history in communities through the province, the Salvation Army is one of the

pillars of the vibrant and diverse faith community in Newfoundland and Labrador.

I ask all hon. Members to join me in congratulating the Salvation Army branches of Lewisporte, Campbellton and Twillingate for their significant milestones, and offer them best wishes as they continue to serve our communities.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. BRAGG: Thank you, Mr. Speaker.

It's an honour to bring attention to positive things regarding the youth in my district. During National Forest Week in October, there was a poster challenge with the theme True North Strong and Green – Celebrating Canada's Forests.

Grade 5 students in our province were invited to participate and 280 entries were received from 20 schools. Braeden Mouland, a student at Phoenix Academy, Carmanville was named the provincial winner. His poster featured a man and his son chopping wood, outlining that forests are renewable and create jobs.

A caption from the dad says: "Son, we can only cut 3 more trees because we only have 3 plants left." The son looks up and says, "Okay, Dad."

It was an exceptional honour to present Braeden with the winning prize. The smile on his face lit up the room, full of his classmates. I stood on the stage with him while everyone shouted out his name. An honourable mentioned also went to his classmate Keira Hancott.

I urge everyone to log onto the website and view their posters. It will make everyone proud to see the work of our youth.

I ask all Members to join me in congratulating the participants, especially Braeden and Keira.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. BRAZIL: Thank you, Mr. Speaker.

I stand to acknowledge and congratulate a constituent of mine who will be named as a recipient of Order of Newfoundland and Labrador next week. I speak of educator, farmer and entrepreneur Ms. Melba Rabinowitz of Portugal Cove-St. Philip's. Melba and her husband, Mike, have become the premiere experts regarding organic farming in our province

Melba has had a storied history as an innovative educator, particularly as it related to children with special needs and support for vulnerable families, as one of the original architects of the Daybreak Parent Child Centre, noted as the first family resources program in the province and one of the first in Canada.

Melba has spent nearly four decades as an innovator in developing educational programs that combine every aspect of a child's development. She has become one of the leading trainers for early childhood development, not only in our province but the country. She is also a founding member of the organization GEMMA, which is for the promotion of infant mental health that helps develop policy, programs and services for professionals who offer services for early childhood development.

I ask all Members to join me in congratulating Melba as a recipient of the Order of Newfoundland and Labrador.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. BROWNE: Thank you, Mr. Speaker.

I rise today to commend Marystown Sacred Heart Academy for being named one of the grand prize winners for this year's Aviva Community Fund competition.

The competition has been running since 2009, and was founded to pursue the goal of creating positive change in communities across Canada. Since its creation, the fund has awarded over \$7.5 million to charities and community groups to fund their ideas and initiatives for community improvement. This year, 13 grand prize winners will share a total of \$1 million to implement their winning ideas.

Sacred Heart Academy won in the category of community health for a project called Playspace with Heart. The goal of this project is to create a play space that becomes the heart of the community and fosters the physical, mental, social and emotional growth for all individuals.

In addition to the prize money, Sacred Heart Academy's school council and playground committee has raised approximately \$40,000 to be put towards realizing this idea. The play space that these funds will build will offer children in Marystown opportunities for active living and outdoor recreation for years to come. Combined together, it is nearly \$100,000.

I ask all Members of this hon. House to join me in congratulating Sacred Heart Academy and their committees on this win.

SOME HON. MEMBERS: Hear, hear!

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

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

I rise today to recognize a group of seven students and two teachers from St. Paul's Junior High School. On November 30, the group attended We Day Atlantic in Halifax, Nova Scotia.

This event, involving nearly 9,000 students from the Atlantic provinces, aims to inspire young people to give back to their communities and move from Me to We. Speakers and performers such as Rick Hansen, Margaret Trudeau and Gord Downie energized and motivated participants.

One of the students, Zaira Freda, was recognized for her volunteer work at the school and in her community. Zaira received a Make 150 Count

grant from RBC, which gave her \$150. During the We Day event, Zaira spoke about how she is making a difference at St. Paul's Junior High and in our province and in other parts of the world. She was asked to do something great with her grant and there is no doubt she will do that.

Students Emma Howell, Lia Dumaresque, Emily Martin, Sophie Fitzgerald, Charlotte Muise, Avani Adluri as well as teachers Jessica Webb and Lindsay Janes also represented St. Paul's and our great province at We Day.

I ask all hon. Members in this House to join me in recognizing these exceptional individuals.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

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

Mr. Speaker, just recently in Halifax, Nova Scotia Newfoundlander and Labradorian Rich Wheeler, a native of Baie Verte, received the Michael Wright Community Leadership National award from the Huntington Society of Canada. Through his efforts, Mr. Wheeler has helped organize an annual walk and event in Coachman's Cove which has raised \$60,000 in four years.

The true motivation behind Mr. Wheeler's efforts is his wife Ruby. She was diagnosed with this debilitating disease in 2012 and the degenerative disease of the brain's nerve cells has progressed rapidly since then.

Ruby was forced to retire, plagued by weight loss, sleeping problems, slurred speech and a gradual slowing of her movements. Despite Ruby's physical ailments, Mr. Wheeler says his wife is an inspiration to him. "I'm motivated every day by Ruby," he said. "Never once does she complain about what life has dealt her. Every day I come home, she asks how my day was, not how her day was."

Mr. Wheeler said the recognition was a shock. Receiving the award from Susan Wright,

daughter of Michael Wright, who had Huntington's disease, was very special for him.

Mr. Speaker, I ask all Members to join me in congratulating Mr. Rich Wheeler on his efforts to bring public awareness to Huntington's disease.

SOME HON. MEMBERS: Hear, hear!

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

MS. C. BENNETT: Thank you, Mr. Speaker.

I rise in this hon. House to acknowledge Bertha Butler, a member of the District of Windsor Lake on the occasion of her 100th birthday.

SOME HON. MEMBERS: Hear, hear!

MS. C. BENNETT: Mrs. Butler is an incredible woman who enjoyed a rewarding career in health care at the former General Hospital in a variety of roles.

Mrs. Butler gave up her career when she married Hector Butler, a widower, and became a stay-at-home mom to his four young boys. Together, Bertha and Hector also raised two children of their own.

After raising her family, she went to work at Prince of Wales Arena and later at the United Church School Board. Following her retirement, she became heavily involved with activities at the Mews Centre. A very active member of the community, Mrs. Butler doesn't let anything slow her down. As a matter of fact, she drove her own vehicle until she was 95.

Today, Mrs. Butler still lives in her own home and sings in a seniors' choir. When asked of her secret to longevity, she says you need to keep moving, socialize, show respect and be honest.

A valued member of the community, I ask all Members to join me in wishing Mrs. Bertha Butler a happy 100th birthday.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Statements by Ministers.

Statements by Ministers

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

MS. C. BENNETT: Thank you, Mr. Speaker.

I rise in this hon. House today to recognize and congratulate PAL Airlines on receiving three awards yesterday at the St. John's Board of Trade 2016 Business Excellence Awards. The company received the Community Impact Award for 20 or more employees, the Customer Service and Reliability Award and the prestigious Business Excellence Award.

Mr. Speaker, the Business Excellence Award is the most prestigious award presented by the St. John's Board of Trade. The winner of this award recognizes innovation, creativity, sales growth and a passion for success.

Our government extends congratulations to PAL Airlines and all recipients of the 2016 Business Excellence Awards. In addition to PAL Airlines, I would like to congratulate East Coast Mortgage Brokers, Vigilant Management, The Rooms Corporation, Wedgewood Café and Catering, Pennecon, and Roger Maunder, Up Sky Down Films.

Mr. Speaker, PAL Airlines, a subsidiary of PAL Aerospace, is the largest regional airline in eastern Canada. PAL Aerospace, headquartered in St. John's, is considered a global leader in maritime surveillance, with patrol aircraft in Canada, the Caribbean and the Middle East.

There are many exciting things on the horizon for PAL Airlines and PAL Aerospace, Mr. Speaker. We are very pleased today that the Government of Canada has announced a \$2.4 billion contract for new search and rescue aircraft and that PAL Aerospace will provide maintenance and support services.

This federal partnership with PAL Aerospace extends to 2043 and will enhance the delivery of a complete, modern and technologically-advanced search and rescue solution for the province and the country. PAL Aerospace will provide maintenance and support services to the

new fleet of the 16 C-295 aircraft manufactured by Airbus Defence and Space to replace Canada's current fleet of aging search and rescue aircraft. This announcement speaks to the commitment we have from the federal government for even further investment in Newfoundland and Labrador.

Mr. Speaker, this is exciting news for Provincial Airlines, for Provincial Aerospace and for the province as a whole.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. HUTCHINGS: Thank you, Mr. Speaker.

I thank the minister for the advance copy of her statement. We, too, join the minister in congratulating PAL Airlines and PAL Aerospace on their continued success, not only in our province, but certainly globally. We congratulate PAL on their recent awards on being awarded the Community Impact Award, the Customer Service and Reliability Award, and the Business Excellence Award.

We also congratulate PAL on today's announcement from the Government of Canada that PAL will provide maintenance and support service for a fleet of fixed-wing aircraft. There are certainly bright things in PAL's future. I know from our past administration, as Minister of Innovation, Business and Rural Development, we worked with PAL to support their growth and we recognize the great work they've done.

I'd also like to congratulate all other award winners at the 2016 Business Excellence Awards, East Coast Mortgage Brokers, Vigilant Management, The Rooms Corporation, Wedgewood Café and Catering, Pennecon, Roger Maunder, Up Sky Down Films.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

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

I thank the minister for the advance copy of her statement. I'm delighted to join in congratulating PAL, all the winners and nominees. Their success is definitely success for the province.

It's interesting to see The Rooms Corporation included as a winner of a Board of Trade Business Excellence Award. It's a pity that pending legislation in this House will probably have the effect of seriously undermining The Rooms Corporation from achieving this kind of success in the future.

There's still time to rethink the passing of this bill, Mr. Speaker, and I urge government to do so.

Thank you.

MR. SPEAKER: Further statements by ministers?

The hon. the Minister of Transportation and Works.

MR. HAWKINS: Thank you, Mr. Speaker.

Mr. Speaker, it's a pleasure to rise in this hon. House to mark the launch of the 30th annual Christmas Lights Across Canada.

This evening, the Minister of Finance and I will welcome families and residents to the Confederation Building for this annual event whereby provincial capital cities illuminate their public buildings and their grounds. It is an event that symbolically links Newfoundland and Labrador with our neighbours from across this great country.

Approximately 60,000 LED lights will be lit on the Christmas trees in front of the Confederation Building, the Petten Building, the Arts and Culture Centre and along Prince Philip Drive.

Mr. Speaker, this evening's event will be enjoyable for people to come together to celebrate the Christmas season. Guests will be entertained by the Royal Newfoundland Regiment Band, the Larkhall Academy

Elementary School Choir and the Mary Queen of Peace Student Leadership Team.

Nine-year-old Grace Moores will have the honour of turning on the lights. She will be joined by her great-grandfather, Second World War veteran Chesley Bull, along with other family members.

I invite all residents, public service employees, and certainly Members of this hon. House to join us in what will be a wonderful evening.

The event begins at 6 o'clock in the lobby of the Confederation Building East Block. I hope to see you all there.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. PETTEN: Thank you, Mr. Speaker.

I want to thank the minister for an advance copy of his statement. On behalf of the Official Opposition, I welcome children, families and all members of the general public to join together this evening at 6 p.m. for the lighting of the Christmas tree and the launch of the 30th annual Christmas Lights Across Canada.

Tonight, capital cities across Canada will light their Christmas trees and lights. It's a magical celebration of the holiday season, friendship and families.

I would like to thank those who are involved in tonight's ceremony: the Royal Newfoundland Regiment Band, the Larkhall Academy Elementary School Chair and Mary Queen of Peace Student Leadership Team.

I'd also like to congratulate Grace Moores and her great-grandfather, Second World War veteran Chesley Bull, on being selected to turn on the lights. I'm sure this will be a memorable experience for the entire family.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

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

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

I, too, thank the minister for the advance copy of his statement. Surely now, the turning on of these lights is a tradition. It's a wonderful event here in the city and I hope that the ceremony of turning on the lights will remind us of the true meaning of this season of Christmas and Hanukkah, which includes celebrating the value of community and the importance of taking care of each other.

Thank you very much, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Further statements by ministers?

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

MR. BYRNE: Mr. Speaker, I would like to commend all Members of this House for unanimously passing Bill 53, An Act to Amend the Labour Standards Act, to increase compassionate care leave provisions from eight weeks to 28 weeks.

Our government, and clearly this House, believes people should not have to choose between work and family during such difficult times. This important form of leave allows family members to care for a gravely ill family member and not have to worry about job security during this very difficult time in their lives.

These enhancements have brought provincial legislation in line with recent changes to the federal Employment Insurance program and with the *Canada Labour Code*. In January of 2016, the Government of Canada enhanced access to compassionate care benefits under the EI program from six weeks to 26 weeks and adjusted the time in which leave can be taken from 26 weeks to a window of 52 weeks. Changes were also made to the *Canada Labour Code* to provide up to 28 weeks job protection for employees under federal jurisdiction, which

includes the two-week waiting period that is added to the maximum 26 weeks of compassionate care benefits under the EI program.

These changes now align with government's commitment to work with and support employers, employees and unions to foster positive employment relations and work environments, which contribute to a stronger workforce and to economic growth.

Mr. Speaker, this important change in legislation will have a positive impact on the people of our province during challenging times. I would like to acknowledge the unanimous support by all hon. colleagues in passing this legislation and I'd encourage all Members to assist in sharing information about these important workplace enhancements with their constituents during the Christmas season. You deservedly can take a certain amount of satisfaction with your own role in delivering these important improvements to the lives of people throughout our entire province.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. BRAZIL: Thank you, Mr. Speaker

I thank the minister for an advance copy of his statement. All Members of the House agree with the principles of compassionate care leave and it's very beneficial to have those enhancements. Many of us go through difficult periods of time in our lives and having the ability to take time for family and loved ones, when necessary, are vitally important.

The department's staff advised us during the briefing that the Canadian Federation of Independent Business and the Newfoundland Federation of Labour are supportive of the amendments, and the Employers' Council has no significant concerns.

Without the amendment to the *Labour Standards Act* to align with the *Canadian Labour Code* Newfoundlanders and

Labradorians will not have the job protection for new benefits beyond the current 8 weeks. It is for all these reasons I was happy to speak to the legislation and was even more happy to support it.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

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

I, too, thank the minister for the advance copy of his statement. As I said earlier this week in debate, I am glad that we're adopting the federal government changes to companionate care. As I said in debate also, I'm proud to be part of a country that recognizes the fact that workers' family lives and work lives are intermeshed.

I'm glad to see companionate leave expanded to 26 weeks, which I believe is a more reasonable period time to have to care for a very sick or a dying family member.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Further statements by ministers?

Oral Questions.

Oral Questions

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

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

Mr. Speaker, I ask the Premier: Will any charges or cases be dismissed in courts in Newfoundland and Labrador as a result of the R. v. Jordan decision?

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

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

I appreciate the question from the Member opposite. The case of R. v. Jordan, which came from our Supreme Court of Canada, has certainly been a significant case that's affecting every province in this country.

Basically, what that case did was impose hard and fast ceilings and timelines on when prosecutions need be handled, as opposed to earlier when they didn't and everyone was judged on a case-by-case basis.

I can say in this province right now, we've had three Jordan applications that I'm aware of; two in which it was not found to have met the standard; and one in which it did.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

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

Yes, the decisions of R. v. Jordan came from the Supreme Court of Canada earlier this year. It was designed to uphold an accused person's right to a speedy trial. As the minister referenced, it did set some hard and fast rules.

I'll ask the minister: Are there cases in the system today that you believe are at risk as a result of that ruling?

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

MR. A. PARSONS: Yes, certainly, when this came down our department was very proactive in looking at this. Our department of Public Prosecutions has actually done a case-by-case review to look at whether there are concerns here.

Now, obviously, when it comes to an application, it would be made by a defence counsel, but I really appreciate the hard work that's been done by our prosecution team. In fact, the work being done by all members of the justice system whether it's the judiciary, defence counsel. The fact is we have to change our practices. But I think we've been ahead of the

curve here as opposed to other provinces that have systemic problems; in many cases, over 200 cases that may face this.

So I appreciate the work done by our department to deal with this very substantive decision.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

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

I join with the minister in respecting the work done by people who work for government and deliver services and programs. We know and I know the minister is aware as well that there is quite often a heavy burden on those who are burdened with the task of ensuring that justice is served in all cases.

The director of Prosecutions recently identified several areas of concern about cases. One of those was disclosure and access to disclosure.

I ask the minister: What steps have been taken to increase disclosure and reduce the delay in timelines?

MR. SPEAKER: The hon. Government House Leader.

MR. A. PARSONS: Yes, thank you.

Again, there were a number of steps taken after this case came down. We had to look at absolutely everything, whether it be courtroom procedures, whether it be just how we handle all aspects of this system and all the people that play a role in it.

One of these things that can be looked at – and, in fact, our new director of Public Prosecutions has actually held seminars with our police forces to talk about the need for quicker disclosure and how we have to get that out, and working with electronic disclosure to ensure that accused get all the access to information and on a quicker basis.

So these are steps that we are taking. I appreciate the work done by our Crown to make sure that the word is getting out and to educate all members of the justice system to ensure that accused get access to a speedy trial.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Opposition Leader.

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

I thank the minister for the information. We know that resources are taxed very heavily right now. I know and believe that further assistance will be required.

Mr. Speaker, gasoline prices are soaring just before the holiday season and are the highest in the country today.

I ask the Premier: When will you lift the Newfoundland and Labrador gas tax, which is the highest in the country?

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

MS. C. BENNETT: Thank you, Mr. Speaker.

I thank the Member opposite for the question today. As we discussed in this year's budget, and we reiterated in the fall fiscal update, the financial situation of the province required some significant action by government. As a result, the gasoline tax was put in place.

We have been reviewing the gas tax on a regular basis. As we communicated with the fiscal update as part of our announcement back in October of being able to reduce the deficit by about \$250 million, we did at that time say that the review of the gas tax was continuing and was an ongoing process. The tax had only been in place for a short period of time and we'll be making further announcements in the next budget.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Opposition Leader.

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

In Glovertown today people are paying \$1.379 per litre. Part of that \$1.379 is the Newfoundland and Labrador gas tax of 33 cents a litre. The Canadian average in gas tax is only 14.5 cents, the next highest is 10 cents less than what Newfoundlanders and Labradorians are paying. The price of oil is up. Newfoundland and Labrador is benefiting from that as well and people are in difficult times.

I'll ask the minister: Will you give people some relief now before Christmas and lower the gas tax immediately?

SOME HON. MEMBERS: Hear, hear!

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

MS. C. BENNETT: Mr. Speaker, as the Member opposite would know, we've made an announcement about the gas tax. We certainly are monitoring the situation on a go-forward basis. We have been monitoring it since the summer. We are still gathering data as to the consumer patterns, the purchasing patterns, what's happening with regard to the tax.

With regard to the oil price, I would remind the Member opposite who under the former administration ignored the fact that we had reached peak oil price in 2007 and peak oil production in 2008, that despite the recent increases in oil prices those are volatile based on the current OPEC agreement. I would be happy to answer more questions.

SOME HON. MEMBERS: Hear, hear!

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

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

I say that's little comfort to the people of Glovertown who are paying \$137.9. Our gas tax at 33 cents a litre is 10 cents more than the second highest in the country, which is British Columbia. They are only paying \$112.7 a litre

while Newfoundlanders and Labradorians, as the case I used, Glovertown is \$137.9.

What relief can you provide to Newfoundlanders and Labradorians? The volatility of oil exists in BC and Alberta and Saskatchewan and in Newfoundland and Labrador. What are you going to do to help Newfoundlanders and Labradorians?

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

MS. C. BENNETT: Mr. Speaker, I'm perplexed by the Member opposite's question about oil price and the impact that oil price has on the Province of British Columbia. The revenue model, that he would be very well aware of based on his years in government, is that our province had a significant reliance on oil price as revenue.

The oil price is a volatile commodity. It's volatile not just because of the price per barrel of oil. It's volatile because of the production numbers, it's volatile because of the US exchange and all of those things have led to some of the challenges that we are currently facing in the fiscal situation for the province, Mr. Speaker.

I'm empathic to the situation people of the province find themselves in, and I regret that the former administration put them in that situation.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

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

The time before Christmas when the Minister of Finance has the ability to correct it and to provide some relief to Newfoundlanders and Labradorians who need relief more than they have in the last decade and she's denying that right only to say the previous administration. We've heard that before.

Mr. Speaker, people are concerned about road conditions this winter.

I'll ask the Premier: Will you step in and reinstate 24-hour snow clearing for the province's busiest highways?

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

MR. HAWKINS: Mr. Speaker, I think I've been very, very clear in the last couple of weeks talking about this. I just want to tell this hon. House again, the only difference this year versus previous years is that in previous years there was a dedicated 24-hour service to 13 routes out of 289 in this province, and even with those there was not 24-7 for all 13.

Mr. Speaker, I think I need to be very, very clear again. Nowhere have we said that we will not be providing service after 10 o'clock. We have said if weather conditions merit our forces to be deployed, they will be deployed. They will be out, and we're regularly looking at that, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

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

The province's busiest road anywhere is the Outer Ring Road. It is the road that leads to the busiest and largest hospital in our province.

I ask the minister: Can you confirm that the Outer Ring Road will not have 24-hour snow clearing after 9:30 each night during the winter?

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

MR. HAWKINS: Mr. Speaker, when it comes to protocols in place for emergencies, there is absolutely no difference this year than it was in previous years.

When we talk about important routes that are there – as I've said and stated very, very clearly, I think I've stated very, very clearly. The only difference between previous years and this year is that we do not have a group or crew – and I must say, a reduced crew at that – sitting in a depot waiting for it to snow. We have targets

that we will look at, that will trigger and if in fact the conditions merit our forces to be on the highway beyond 10 o'clock, they will be there.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

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

A very busy highway, such as the 13 that the minister referenced, can become very slippery, very quickly with a small amount of snow. With all that traffic it compacts it, it becomes hard-packed ice very quickly and difficult to remove.

The Premier and the government have said many times, if you can't listen you can't lead, and the people of the province are asking the government to listen and to lead.

I ask the Premier, will he show leadership, listen to the people's concerns and reverse the decision on 24-hour snow clearing?

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

MR. HAWKINS: Thank you, Mr. Speaker.

Again, I just want to be clear in not letting people out there have the understanding – as an example, I think there was a press release went out from the Opposition, you wouldn't know there was going to be about five feet of snow on the highway and there were going to be no plows out. That is totally erroneous, Mr. Speaker.

I have made it clear, it has been clear. I have made a statement in this House that we are monitoring the situation. As a matter of fact, Mr. Speaker, we have supervisors that are out, that are looking at the conditions of the road. There are RCMP officers that are frequently on the roads, and there's the general public. And if, in fact, somebody identifies an area that needs attention, there are numbers they can call. When they call that number we will deploy our resources.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. PETTEN: Thank you, Mr. Speaker.

I want to remind the minister, the public are concerned. Safety is the number one issue. You should go and follow some social media sites, because I tell you, there's a lot of information on it about you.

I ask the minister: Will you park your \$1 million tunnel study and invest the funding into 24-hour snow clearing to keep roads, such as the Outer Ring Road, maybe even the TCH from Corner Brook to Deer Lake, open?

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

MR. HAWKINS: Thank you, Mr. Speaker.

I like the hon. Member's statement, that Facebook page – we understand all that but, again, a lot of cases and situations that are out there, they do not have the correct information. If you listen to some of the Opposition Members, you would think that we have no snow clearing, Mr. Speaker.

I am telling you, Mr. Speaker, as well as the Members opposite, that we are very – safety is number one for us. No one on this side is saying safety is not important to us. Safety is important to us. We are saying very clearly that we have the resources in place that if, in fact, it requires us to have our resources out after 10 o'clock, the example, very clearly: if 10 o'clock tonight there's a storm on – I hope hon. Members over there are not leading people to think that we're taking our plows off, because we're not, Mr. Speaker. We are looking after the people of this province.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. PETTEN: Thank you, Mr. Speaker.

Well, I guess he should leave the crews on and forget about taking them off the extra shift if they're going to be available all the times he says so.

I ask the minister: Why not revisit the 2005 Labrador link study as opposed to spending a million dollars on the new study, which will likely lead to the same conclusion?

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

MR. HAWKINS: Mr. Speaker, I wish I really, really had the – I wish I really had the foresight that our hon. Member has. Obviously, if they want to start looking at any initiative that we have, they probably should have had the foresight before if they had really – be able to look ahead and be able to determine what's happening, they could have probably done that previously.

Mr. Speaker, we, last year in the budget, allocated a certain amount of money to look at the fixed link. That is still something we are looking at, as I think I mentioned last week as well. That's a very big piece of work that needs to be done. So far what we've done this year, this fiscal year, is we basically are drawing together some committees to look at how we want to move forward. I think I made it clear last time that we had not spent any of that money in this fiscal year, and we'll be looking at that next year as well.

SOME HON. MEMBERS: Hear, hear!

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

MR. PETTEN: Thank you, Mr. Speaker.

I ask the Minister of Transportation and Works: What time will snow clearing and salting end on the Veterans Memorial Highway?

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

MR. HAWKINS: Thank you, Mr. Speaker.

I don't know if I need to be slowing down or if I need to be speeding up with this answer. It's very, very clear. I am very, very clear. I just made a statement, Mr. Speaker, that if the conditions of the road at 10 at night are not conducive to good driving, we will continue to clear the roads. Whether it's the Outer Ring Road, whether it's the area between Grand Falls-Windsor and Gander, we are monitoring –

AN HON. MEMBER: Grand Bank.

MR. HAWKINS: Or in Grand Bank. We are monitoring these areas, Mr. Speaker, very clearly. I want to make it clear again: Safety is number one for us.

SOME HON. MEMBERS: Hear, hear!

MR. HAWKINS: We are making sure that we have all of these in place. Unfortunately, another thing about winter driving is the fact that we have to be conscious that we are in a season that we need to adhere to the conditions of the road as well, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. PETTEN: Thank you, Mr. Speaker.

I ask the minister: Who will monitor this road after 9:30 p.m.?

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

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. HAWKINS: Mr. Speaker, we have qualified people that are working with us and we have supervisors. I just stated very clearly that these conditions are being monitored.

We're getting two up-to-the-minute weather reports at 5 in the morning and 5 in the afternoon. We have people that are servicing, that are using the highways, such as the RCMP and we have individuals that are out there. We have 24-hour open line areas that they can call in

if they find conditions are not conducive and we will deploy resources.

Mr. Speaker, the last thing in the world that we want is conditions that are not conducive to driving. But again, as I said, we have to realize these are winter conditions and we have to make sure that our cars and vehicles are suited for it.

MR. SPEAKER: Order, please!

MR. HAWKINS: Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MR. PETTEN: Thank you, Mr. Speaker.

In the House of Assembly the minister said that the RNC and RCMP would help them on the road conditions.

I ask the minister: Will they have the full authority to dispatch snowplows from the Department of Transportation and Works, when needed?

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

MR. HAWKINS: Thank you, Mr. Speaker.

It's a good question. Thank you very much for that question.

Certainly as I said before, we depend upon a number of resources whereby we can identify that. If, in fact, we are on the highway and the conditions are not conducive to safe driving, then there are measures in place whereby if they call in to the depot, we will go out and we'll look at that.

If, in fact, it's a situation that we don't need to get out there for that, we will call in a shift. We will call people in; we'll deploy our resources to make sure that problem is corrected.

Mr. Speaker, as I said, I think this is an important time of the year for all of us to make sure that our vehicles are suited to winter driving with snow tires, we have windshield wash for

our windshield wipers and the conditions of driving – drive to the conditions of the snow.

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Hear, hear!

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

MR. PETTEN: Thank you, Mr. Speaker.

Does the minister know how many people travel the Outer Ring Road between 9:30 p.m. and 4:30 a.m.?

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

MR. HAWKINS: I don't have the traffic count today, Mr. Speaker, but I would assume that there are a fair number of people – and I'm not taking this lightly. I think I have stated very clearly we are serious about what we are doing and this is not something to be taken lightly, and we're not taking it lightly.

One of the things that I'll continually say is that if, in fact, we have conditions, we know that there are conditions, if there is freezing rain that's coming up or any conditions that would cause a problem then we are going to deploy our resources; or if, in fact, at 10 o'clock at night there is a situation, there's snow falling at 10 o'clock, we will continue to have our resources out there.

So it's not something that we're taking lightly. We will make sure that we will get those highways done the way it should have been done.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. PETTEN: Thank you, Mr. Speaker.

I ask the minister would he table all of the traffic counts for the 13 areas which are no longer in receipt of 24 hour snow clearing?

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

MR. HAWKINS: Thank you, Mr. Speaker.

I would assume that's readily available for anyone to be able to find those counts. If, in fact, it's not, we'll certainly be able to get that. We have resources. We have those counts. I know that my staff has been looking at these numbers, as well as numbers in other areas of the province, so I don't see that being an issue, being a problem. In fact, we can certainly provide that, if we have that information.

I'm not too sure how often they do the counts on these roads. It might be fairly frequently; it may not be. So that's something that I would certainly have to check out.

SOME HON. MEMBERS: Hear, hear!

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

MR. PETTEN: Thank you, Mr. Speaker.

I would hope they got some idea of traffic counts with snow clearing. I mean, you should know which roads are busier than other roads. I look forward to the minister when he tables that information.

I ask the minister: What is the plan to address ice buildup on roads which is likely to occur with the reduction of 24-hour snow clearing?

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

MR. HAWKINS: Thank you, Mr. Speaker.

I think I've been fairly clear and I know it's difficult for me to answer in 45 seconds; it's very difficult for me to do anything in 45 seconds. But I just want to make it clear to everyone that's out there that we're not intentionally going to provide adverse driving conditions. What we're going to do, we are addressing the situation. If there's an ice buildup, we're going to salt it.

If there's a snow buildup, we're going to plow it. So, Mr. Speaker, as I said before, last year there

was a dedicated 24-hour service where people were in the depot. This year, it will be triggered by either freezing rain or snow or some other weather conditions so we get our resources –

MR. SPEAKER: Order, please!

The hon. the Member for Conception Bay South.

MR. PETTEN: Thank you, Mr. Speaker.

Ice buildup cannot be taken off by plows, I want to remind the minister. You might need to get a grader or some other piece of equipment to do it because that's happened in the past. Just as a reminder.

Mr. Speaker, facilities like Come By Chance refinery will be negatively impacted by the province's carbon tax.

I ask the Minister of Environment: Is he concerned about the impact this tax will have on jobs at the Come By Chance plant?

MR. SPEAKER: The hon. the Minister of Environment and Climate Change.

MR. TRIMPER: Very pleased to say, Mr. Speaker, that I'm absolutely concerned, and that's why we initiated and passed legislation dealing with greenhouse gas emissions in June. Bill 34 does exactly that. It finds a good balance between the need to address this very important issue, as well as understand the economic situation of each of the industries targeted. So, yes, we do.

SOME HON. MEMBERS: Hear, hear!

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

MR. PETTEN: Thank you, Mr. Speaker.

I believe the minister does recognize the impact carbon tax will have on our local industrial economy. When he brought in his emission regulations bill, he said that it balances environmental progress with economic prosperity.

I ask the minister: Do you still prefer the flexible compliance options over a carbon tax?

MR. SPEAKER: The hon. the Minister of Environment and Climate Change.

MR. TRIMPER: The short answer is yes. This is why we took a pause in October when we heard the federal government's position that they wanted to implement a carbon tax across the country. We had great concern with that. We still have concern with that.

We feel our approach, Bill 34 that we passed in June, is frankly the better way to go. Right now, we've been in discussion with the federal government over our own strategies that respond to our own unique circumstances.

So stay tune tomorrow for the First Ministers' Meeting.

SOME HON. MEMBERS: Hear, hear!

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

MR. PETTEN: Thank you, Mr. Speaker.

I ask the minister: Has any emissions monitoring taken place in the province, to date?

MR. SPEAKER: The hon. the Minister of Environment and Climate Change.

MR. TRIMPER: Absolutely. As part of our legislation there will be an enhanced monitoring of emissions in large industry. I believe it starts at some 15,000 metric tons per year. That's a requirement, a guideline, that we'll be using with our legislation.

Right now, large industry in the province is reporting to the federal government. We're going to be asking, through our own legislation, that they report to us as well. We're making sure, though, that industry doesn't have to report twice. It will be a blend of the criteria that they need to respond to. We'll both be receiving the same information. So yes, it's happening and it will continue.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MR. HUTCHINGS: Thank you, Mr. Speaker.

Mr. Speaker, North Atlantic Refining Ltd said that safety at its oil refinery comes from appropriate work practices, protocols and training, something that will not change after 128 employees were laid off by the company.

I ask the minister: Are you confident that safety will not be jeopardized based on extensive cost-cutting measures?

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

MR. JOYCE: Thank you, Mr. Speaker.

Safety is a priority for this government. It's a priority for our government. The Occupational Health and Safety Division are very much in tune with all safety regulations in the province. We will ensure that all safety regulations that are brought in by Occupational Health and Safety are adhered to at Come by Chance.

And if the minister has any safety violations that he feels are not being addressed, I ask to just bring them forth and we'll definitely address any safety concern because safety of the workers is a top priority. And if you have any concerns, we'll definitely look into the concerns.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Opposition House Leader, for a very quick question.

MR. HUTCHINGS: Thank you, Mr. Speaker.

Mr. Speaker, we recently learned of an industrial accident that happened at the refinery in November, a caustic tank blew a large metal top that flew many metres in the air. Luckily, nobody was harmed.

Were you aware of this incident, Minister?

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

MR. JOYCE: Yes, I was. And it's under investigation, so there's not much more I can say now. I was aware of it. It is under investigation and once we receive the report, we will ensure that we will bring any regulations that we can to ensure that it don't happen again. So I was aware of that.

SOME HON. MEMBERS: Hear, hear!

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

MS. ROGERS: Thank you, Mr. Speaker.

Yesterday, I visited a man in another bed-sitter in my district. The previous night there was an assault in the house and the police were called. He wasn't involved, but he was terrified. When he moved in, there wasn't even a lock on his door. The rent for this tiny, dingy room is \$600 and it's paid directly to the landlord by AES. He's desperate to move out. He is one of many, many vulnerable people in unsafe, substandard bed-sitters across the city.

Mr. Speaker, I ask the Minister of AES: How much money does AES spend on these boarding houses and bed-sitters annually?

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

MR. BYRNE: Mr. Speaker, the financial allotment for a specific type of accommodation, of course, is very fluid; it changes on the circumstances. But I think what's important in this particular instance; it parallels a circumstance which occurred on the floor of this House not too long ago. If there is an individual that is facing insecurity, we have a group of highly trained professionals within the Advanced Education, Skills and Labour Department, we have social workers, we have case officers.

If, at any time, anyone is feeling insecure, that would like to have their situation reviewed, I would ask all hon. Members, all citizens, please come forward and provide us with some indication of who the individual may be. We will reach out to them and will offer assistance. It has happened in the past and will continue to happen as we –

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

SOME HON. MEMBERS: Hear, hear!

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

I, in fact, took him to a social worker and took him directly to a shelter. So I do know, Mr. Speaker, that one landlord told me he made \$360,000 last year alone on the rooms that he rents out to AES, that are probably substandard.

Mr. Speaker, the City of St. John's wants to work together with the province to regulate and enforce these substandard rooming and boarding houses. They are calling the government to the table. Thorough public consultations have already been done to review the *Residential Tenancies Act*.

I ask the minister: Where is the new act and will he commit to including regulating these bed-sitters and boarding houses in the new act?

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

MR. BYRNE: Mr. Speaker, as a major part of *The Way Forward* document there was an announcement, a clear indication that we would be beginning – the minister responsible for Housing would continue on with advance work on developing a better, more robust housing strategy, something which is very much needed. I applaud the minister and the government for doing that.

I think it will produce great results for all those affected. We're also looking at, in terms of the income support roles – housing, of course, is a major component of being able to provide safety and security for the individual, but also to be able to get off income support.

We are open to all suggestions, but what I will say I want to thank the hon. Member for indicating to this House that the system is working, there are individuals that are providing assistance and that she noted, in her question to the House, assistance was provided and the system is working.

SOME HON. MEMBERS: Hear, hear!

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

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

My question was about the *Residential Tenancies Act*. We know that there are many, many, many substandard boarding houses and bed-sitters that aren't covered under the act and need to be.

Mr. Speaker, today we will debate a bill allowing for secure withdrawal management for youth. Many youth dealing with addictions and mental health issues end up living in horrible, unsafe bed-sitters or boarding houses rife with drugs and violence.

I ask the Minister Responsible for the Newfoundland and Labrador Housing Corporation: Will she commit to developing and resourcing an overarching provincial plan to end homelessness for at-risk youth, as requested by organizations like Choices and other youth-serving agencies?

MR. SPEAKER: The hon. the Minister of Children, Seniors and Social Development.

SOME HON. MEMBERS: Hear, hear!

MS. GAMBIN-WALSH: Mr. Speaker, the mandate of the department of Newfoundland and Labrador Housing Corporation is to ensure individuals have access to safe and affordable housing. Mr. Speaker, we are working with community groups. In actual fact, just last week, myself and my parliamentary assistant went out with the Gathering Place and End Homelessness St. John's and we went out on the street interviewing individuals who were homeless.

So, yes, Mr. Speaker, we are working with the community. We are working with groups and organizations, and we are aiming to end homelessness.

SOME HON. MEMBERS: Hear, hear!

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

MS. ROGERS: I ask the Minister Responsible for Newfoundland and Labrador Housing – we know that there are several, several bad boarding houses and bed-sitters across the province. Aside from reviewing her programs, what is she going to do now to address the immediacy of the growing number of people so precariously housed?

MR. SPEAKER: The hon. the Minister of Children, Seniors and Social Development.

MS. GAMBIN-WALSH: Mr. Speaker, I understand why the MHA has great interest in Newfoundland and Labrador Housing. In actual fact, I believe we have over 1,200 housing units, 1,200 families that avail of supports and services from Newfoundland and Labrador Housing in the Member's district.

Mr. Speaker, we are investing in affordable housing. We are moving forward. We are reviewing. We do realize that there are situations out there that people need additional assistance and we are working to meet those needs.

SOME HON. MEMBERS: Hear, hear!

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

Presenting Reports by Standing and Select Committees.

Tabling of Documents.

Tabling of Documents

MR. SPEAKER: Pursuant to section 8 and section 10 of the *Public Tender Act*, I hereby table the report of *Public Tender Act* exemptions from May, June and July 2016, as presented by the chief operating officer of the Government Purchasing Agency.

Further tabling of documents?

Notices of Motion.

Notices of Motion

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

MR. A. PARSONS: Mr. Speaker, I give notice that I will ask leave to move the following resolution.

BE IT RESOLVED by the House of Assembly as follows:

WHEREAS subsection 4(2) of the *Elections Act, 1991* provides that on resolution of the House of Assembly, the Lieutenant Governor in Council appoint the Chief Electoral Officer; and

WHEREAS subsection 34(1) of the *House of Assembly Act* provides that on resolution of the House of Assembly, the Lieutenant Governor in Council appoint a Commissioner for Legislative Standards; and

WHEREAS subsection 5.1(2) of the *Elections Act, 1991* and subsection 34(3) of the *House of Assembly Act* provide that the same person may hold the office of the Chief Electoral Officer and the office of the Commissioner for Legislative Standards;

THEREFORE BE IT RESOLVED that Mr. Bruce Chaulk be appointed Chief Electoral Officer and Commissioner for Legislative Standards.

Further, Mr. Speaker, I give notice that I will ask leave to move the following resolution:

Be it resolved by the House of Assembly as follows:

WHEREAS section 4 of the *Child and Youth Advocate Act* provides that on resolution of the House of Assembly, the Lieutenant Governor in Council shall appoint a Child and Youth Advocate;

THEREFORE BE IT RESOLVED that Ms. Jackie Lake-Kavanagh be appointed as the Child and Youth Advocate.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Further notices of motion?

Answers to Questions for which Notice has been Given.

Answers to Questions for which Notice has been Given

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

MR. HAGGIE: Thank you, Mr. Speaker.

Yesterday in Question Period I was asked by the Member for Mount Pearl North for the numbers of people who have tried to or submitted access requests for extra diabetic test strips under the Special Authorization program. The number is 437. That represents 0.019 per cent of the 22,800 diabetics receiving benefits under the NLPDP.

The second request from last week was some information on numbers of the long-term care wait-lists. I would table this document for the House.

MR. SPEAKER: Further answers to questions for which notice has been given?

Petitions.

Petitions

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

MS. MICHAEL: Thank you very much, 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 Newfoundland and Labrador has the greatest percentage of the workforce earning the provincial minimum wage in Canada with women, youth and those from rural areas making up a disproportionate number of these workers;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge government to legislate an immediate increase in the minimum wage to restore the loss of purchasing power since 2010 and an annual adjustment to the

minimum wage beginning in 2016 to reflect the consumer price index.

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

These petitions continue to come in to us, Mr. Speaker. People on minimum wage, for the most part, themselves, concerned about the fact that they now have to wait until next April of 2017 to get a raise with the last one having been in 2010. It seems the minister doesn't really understand how desperate an issue the minimum wage is.

There's the myth that raising the minimum wage costs jobs. This is absolutely not true. We know there's been study after study done in countries – not just in Canada, but other countries in the developed world – showing this is a complete untruth.

The Canadian Centre for Policy Alternatives studied minimum wage increases and found that in 90 per cent of the instances there was no statistically significant connection between the minimum wage and labour market outcomes. Yes, you have some places where that may happen, but in 90 per cent of the cases studied there is no connection. You do not have a loss in the economy because of the rise in minimum wage. In most cases, you get more jobs and you have an economy that becomes better.

Another myth is that only teenagers make the minimum wage. We know that is not true. This, too, is a myth. We know that 14.3 per cent of minimum wage earners have been in their jobs for more than five years and 29.2 per cent of them have completed post-secondary education. It's an urgent issue that we have, Mr. Speaker. Two-thirds of people making the minimum wage are women.

I ask the minister to study carefully the reality of minimum wage and to revisit the decision that he has announced in this House that they're only putting it up in April by 25 cents and again in the fall by 25 cents. And not considering in any way dealing with the whole thing of the rise of cost of living every year and making sure that there's a CPI index attached to the minimum wage.

Thank you very much, Mr. Speaker.

MR. SPEAKER: Order, please!

I ask hon. Members to take their conversations outside the Chamber.

The hon. the Member for Cape St. Francis.

MR. K. PARSONS: Thank you very much, 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 changes to bus routes will impact the start times at Holy Trinity Elementary, Cape St. Francis Elementary and Holy Trinity High; and

WHEREAS these changes were put in place with no consultation with parents, families and against the recommendations of the three school councils; and

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge government to immediately instruct the Eastern school board to reverse the decisions regarding busing and start times in these schools.

Mr. Speaker, today is a little bit different than what it used to be years ago. We always had somewhere to go after school, whether it was a grandparent, a relative or anything else. But today, in a lot of cases in these schools, the high school children, when they get off school they are also responsible for taking care of their brothers and sisters and stuff like this. This is going to put an added cost on a lot of families to look for that three or four hours in the evening, to have someone to do the child care that is going to be needed.

The recommendation here is that the elementary schools will start earlier and that will mean the high schools start later. The elementary school will get out around 2:45 p.m. or 3 p.m. and the high school doesn't get out until 3:30 p.m. or 3:45 p.m. It's a huge impact on a lot of families in my district and a lot of families on the Northeast Avalon.

Like I said, before, when we were growing up, there was always somebody there that you could count on; the neighbour, go there for a couple of hours or have a relative. I lived next to my grandparents so my parents weren't too concerned. They knew where I was gone in the evenings. But this is forcing a lot of families to incur a lot of cost and we know how expensive it is for daycares and to send them to people's houses. There's also the issue that they have to go back to their own address when there's nobody home because of courtesy busing.

Unless there's a seat available on that bus, then you cannot go to these child cares. So it's another cost, then, to be able to get – most of the child cares in Torbay now, in particular, have their own buses because there are not enough seats on the buses to take care of the courtesy driving. This is very important. This is a cost factor that is going to be unbelievable to some families, when you talk about having a couple of children to go to daycare every day, when it's not necessary.

I'm sure that through the Eastern school board, through working with principals – I've worked with principals in the past and we've corrected some of the bus routes in the area. It made it easier for everybody to be able to get home and it worked. I think that if we just instruct the school councils, instruct the school boards to work together, we can solve this problem.

Thank you very much, Mr. Speaker.

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

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

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

WHEREAS government has once again cut the libraries budget, forcing the closure of 54 libraries; and

WHEREAS libraries are often the backbone of their communities, especially for those with little

access to government services where they offer learning opportunities and computer access; and

WHEREAS libraries and librarians are critical in efforts to improve the province's literacy levels which are among the lowest in the Canada; and

WHEREAS already strapped municipalities are not in a position to take over the operation and cost of libraries;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge government to keep these libraries open and work on a long-term plan to strengthen the library system.

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

Mr. Speaker, once again I rise to – although we know that the decision to close the libraries is on hold right now due to a consultation process, which one would have thought would have been done before making such a rash decision.

People still have no confidence that government is going to do the right thing, so they are still asking us to present these petitions on their behalf. The petitions that I have here today are from the community of Bell Island. Now, my colleague and I have presented petitions from residents from a number of communities in the province who were concerned with the impact of the threat and loss of the public library in their community. Nowhere would the loss be more significant than in the island communities that have enjoyed public library service.

Unbelievably, the plan unveiled in April by the Minister of Education and Early Childhood Development included the closure of every single, public library situated in an island community – every single island community in the province, Mr. Speaker.

Among those to be hit hard by this decision were the people of Bell Island. The nearest alternative libraries in Torbay and St. John's would require of Bell Islanders a drive to the ferry terminal on the island, a wait at the terminal for the next ferry, a ferry ride to Portugal Cove-St. Philip's, a drive to the library, a return drive to the ferry

terminal, another wait in line, a ferry ride across the Tickle, and then a drive home.

In other words, Mr. Speaker, Bell Islanders would no longer have reasonable access to a library. The only way they'd be able to reach a library within 30 minutes would be if they went by helicopter – or maybe Santa Claus and his sleigh and his reindeer. There's no way they could go there in 30 minutes. Among other things, they would lose the only public Wi-Fi access on the island.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MS. ROGERS: The only public Wi-Fi access.

Tourists would lose access to the Internet, children would lose their entree into the world of books, seniors would lose the opportunity to use what for many is their only access to a computer.

Thank you very much, Mr. Speaker.

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

MR. BRAZIL: 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 the recreational ground fishery is part of our culture, history and heritage; and

WHEREAS the federal government is proposing a tag system for the recreational ground fishery in 2017; and

WHEREAS participants would have to purchase a licence and purchase tags in order to participate in this recreational fishery;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge government to urge the federal government not to implement a cost

or fee for those participating in the recreational ground fishery in 2017.

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

Mr. Speaker, while this might be unorthodox for me, coming from my critic roles here but coming from Bell Island and being responsible for Portugal Cove-St. Philip's, I have a very vested interest here. The constituents in my district have a real problem with this. It's an inherent right that Newfoundlanders and Labradorians have all over this great province of ours, to be able to fish, following rules and regulations but free of charge. Not to be segregated from any other province. Not to be attached to a fee progress. Not to be limited other than those that make sense and everybody had agreed to.

We've had a good process in the last number of years that worked for the people of Newfoundland and Labrador. This has been a benefit to people when it comes to – not only is it a recreation process here and it adds to our economy, but it's also a food fishery and it's a reality here. This does help sustain people who normally would not be able to have adequate access to fresh fish, to salt fish; all the sustainable things that we took as a necessary process over our lifetimes as we were growing up.

We're not the people who gave away our fishery. We're not the people who sold our fishery. The people of Newfoundland and Labrador should not be punished because of the ill decisions made by former administrations federally.

What we're saying to the federal government here and what we're particularly saying to the Liberal MPs, fight for the people of your province, show due justice here, show that we shouldn't be segregated, that we are the people who own that fishery. We should have the ultimate right to that fishery. We shouldn't be regulated other than processes that we know work in a safe manner, and that's what has happened for the last number of years. There has been no inherent issue around the food fishery that I've heard of.

I've been on docks. I've seen people come in. I've been out on the boats. I've seen people catch their fish. I see the community engagement here as they are cleaning their fish. I see people who normally can't get out to fish, fish being delivered to them. This has become a community event. It has become an engagement process. I've seen organizations being able to take advantage for a fundraising process to put things back into the community.

This is an inherent right by the citizens of Newfoundland and Labrador. It took us two decades to fight to get back to something that was comparable, to being able to go out in your boat and supply your fish needs for the winter for your family.

Now, all of a sudden we're putting restrictions on it. We're saying, one, you have to pay money; two, we've got to set you up with a set of tags. You've got to go through a bureaucratic process and then, who knows, we may also add some other restrictions as we go through it.

There is nobody who has any problems with proper monitoring to ensure that people follow rules and regulations. They're set there. We have no problem with that. There are all kinds of other ways they can do that from on docks and this type of thing.

Mr. Speaker, I'll have an opportunity to speak and represent my district concerns again. I do ask that the MPs in Ottawa fight to ensure this doesn't happen.

Thank you, Mr. Speaker.

Orders of the Day

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

MS. COADY: Thank you, Mr. Speaker.

I call Order 2, third reading of Bill 54.

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

MS. COADY: Mr. Speaker, I move, seconded by my colleague, the Minister of Education, that Bill 54, An Act Respecting Regulatory

Accountability And Reporting be now read a third time.

MR. SPEAKER: It is moved and seconded that Bill 54 be now read a third time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

Carried.

CLERK (Barnes): A bill, An Act Respecting Regulatory Accountability And Reporting. (Bill 54)

MR. SPEAKER: Bill 54 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 Respecting Regulatory Accountability And Reporting", read a third time, ordered passed and its title be as on the Order Paper. (Bill 54)

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

MS. COADY: Mr. Speaker, Order 4, third reading of Bill 57.

I move, seconded by the Minister of Education, that Bill 57, An Act To Amend The Municipal Elections Act be now read a third time.

MR. SPEAKER: It is moved and seconded that Bill 57 be now read a third time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

Carried.

CLERK: A bill, An Act To Amend The Municipal Elections Act. (Bill 57)

MR. SPEAKER: Bill 57 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 Municipal Elections Act," read a third time, ordered passed and its title be as on the Order Paper. (Bill 57)

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

MS. COADY: Thank you, Mr. Speaker.

I move, seconded by the Minister of Education, for leave to introduce a bill, An Act To Amend The City Of St. John's Act And The City Of St. John's Municipal Taxation Act, Bill 62, and I further move that the said bill be now read a first time.

MR. SPEAKER: It is moved and seconded by the hon. Minister of Natural Resources that she have leave to introduce Bill 62 and that the said bill be now read a first time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

Carried.

Motion, the hon. the Minister of Municipal Affairs to introduce a bill, "An Act To Amend The City Of St. John's Act And The City Of St. John's Municipal Taxation Act," carried. (Bill 62)

CLERK: A bill, An Act To Amend The City Of St. John's Act And The City Of St. John's Municipal Taxation Act. (Bill 62)

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

When shall the said bill be read a second time?

MS. COADY: Tomorrow.

MR. SPEAKER: Tomorrow.

On motion, Bill 62 read a first time, ordered read a second time on tomorrow.

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

MS. COADY: Thank you, Mr. Speaker.

Order 5, second reading of Bill 55.

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

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

I rise in this hon. House today to speak to Bill 55, An Act Respecting Secure Withdrawal Management for Young Persons. The purpose of this bill is to provide a secure environment for young people with drug addictions –

MR. SPEAKER: Order, please!

I ask the minister to move and second the bill.

MR. HAGGIE: My apologies.

Mr. Speaker, I move, seconded by the Minister of Natural Resources, that Bill 55, An Act Respecting Secure Withdrawal Management for Young Persons, be now read the second time.

MR. SPEAKER: It is moved and seconded that Bill 55 be now read a second time.

Motion, second reading of a bill, “An Act Respecting Secure Withdrawal Management For Young Persons.” (Bill 55)

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

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

Now I can start. So keen to get going; it’s been a long time coming.

The purpose of this bill, Mr. Speaker, is to provide a secure environment for young people with drug addictions so they can safely detoxify from drugs. The ultimate goal of that is to engage them, while not under the acute influence of drugs, in a treatment plan.

Essentially, the bill has two objectives: The first is to provide for the treatment, supervision, care and support of young persons aged 12 to 17 who are suffering from addictions to drugs or alcohol in a safe and secure environment; and secondly, to remove young people from their chaotic lifestyles and, in some cases, criminal activity and to assist them with withdrawal and then possible engagement in treatment options, either in a non-secure setting or in the community itself.

Secure withdrawal management for young persons is an important piece of treatment and an overall continuum of health care services. This continuum also includes prevention, education, early intervention, counselling – both in individuals and groups – support, residential treatment, medication, aftercare and support services.

This is not a bill to deal with the errant teenager who has a beer at the weekend or a toke at a party. The young people that this bill refers to in this province have addiction issues and they’re considered to be at high risk to cause harm either to themselves or others, and these are the people who it is felt would benefit most from this legislation.

Prior to drafting the act extensive, targeted, province-wide consultation sessions were held across the province, in St. John’s, Happy Valley-Goose Bay, Nain, Corner Brook and Grand Falls-Windsor. In addition, specifically, consultations took place with a large number of stakeholders, including but not limited to: young people and their families with lived experience of mental illness and addiction; community-based, youth-serving agencies such as Choices for Youth; advocacy groups such as the committee on the Stand Against Drugs on the Burin Peninsula, and I acknowledge their presence in the gallery today; Newfoundland and Labrador Federation of School Councils, and I acknowledge their presence in the gallery today; the Child and Youth Advocate.

We spoke with indigenous and Aboriginal groups; people representing the justice system, both peace officers, legal aid and corrections; and we actually went to other jurisdictions where secure treatment was already legislated. There's been significant support and recognition of the need for legislation by each of these groups that we've met. Even more recently, the All-Party Committee on Mental Health and Addictions met with individuals and groups across the province and heard repeatedly about the need for this kind of support that only this piece of legislation can bring.

The province has two 12-bed youth residential treatment centres. These were opened a couple of years ago. Each centre has eight beds that are voluntary and non-secure, and four-bed unit which can be secure. The Tuckamore Centre in Paradise provides mental health treatment for those with complex mental health issues, whereas the Hope Valley Centre in Grand Falls-Windsor provides residential care and treatment for addictions specifically. Bill 55 will apply to the secure unit principally at Hope Valley.

Since its opening, the young people there who've received treatment typically present with polysubstance abuse, and that means it includes a whole variety of items: alcohol, cannabis, opioids, inhalants, cocaine and benzodiazepines.

In accordance with the provisions of this act, the unit will be able to admit young people who've been assessed and do not have capacity to provide consent for treatment for their addiction. That is the essence; they do not have the capacity to provide consent. They're severely and persistently abusing drugs and, as a result, are at risk of endangering their safety or the safety of others.

Similar to the process for admissions to the voluntary and non-secure beds, referrals from parents, physicians, social workers and other health care professionals can be made to the admissions committee. This committee consists of the managers of both youth centres, social workers and others, and based on all the information provided, including information from the health care professionals, this team, this committee will make a determination as to whether or not a young person meets the criteria for admission to a secure unit.

Mr. Speaker, we understand that depriving a young person of his or her liberty in order to undergo medical treatment is an extraordinary measure. This act is a balance between the young person's need for secure withdrawal management and their health, essentially against his or her right not to be detained against their will and it achieves this balance by establishing some fairly strict and narrow criteria for admission that are quite detailed and legislatively fairly onerous to protect their right.

For emphasis, I will repeat here the criteria that are set out in section 6. These are additive, not optional. All of them have to be present before an order can be issued.

Firstly "(a) the young person is abusing one or more drugs severely and persistently and, as a result, is likely to deteriorate substantially either physically or psychologically; (b) the young person is likely to cause harm to himself or herself or others if he or she is not detained for a period of secure withdrawal management; (c) a period of secure withdrawal management is likely to reduce the risk of the young person causing harm to himself or herself or to another person or from suffering substantial physical or psychological deterioration"; in addition, the committee must feel that "(d) the young person is in need of a period of secure withdrawal management to facilitate the young person's supervised withdrawal from drugs;(e) the young person is unable to fully appreciate the nature and consequences of his or her drug addiction or to make an informed decision regarding the cessation of drug abuse and the need for treatment related to withdrawal from drugs; (f) other available interventions are inadequate in the circumstances; and (g) the order is in the best interests of the young person."

Where the manager believes that these criteria are met and with the consent of the person's parent or guardian, the manager can then move to make an application to the court to seek a secure withdrawal management order. A judge must be satisfied that all the criteria as set out in section 6 are met before an order can be made.

The order has two purposes: It provides authority for a peace officer, where their assistance is necessary, only where their assistance is necessary, to seek, apprehend,

detain and convey a young person to a treatment centre; and the order also provides authority for the staff at the centre to provide care, supervision and treatment to a young person to assist with the withdrawal process.

Mr. Speaker, we appreciate that a person's capacity to consent to medical treatment is actually a fluid entity, it can change from day to day and it depends on the person's level of intoxication. Thus if in the opinion of a judge at the time the application is made consent capacity remains an issue, a judge can order the apprehension of the individual for the purpose of such a capacity assessment to be completed. That capacity assessment would have to be done within 24 hours to inform the validity of the judge making any order.

A young person will only be admitted and detained on the secure unit under the authority of a court order made under the act. That's the only way that will happen. The court order will specify the young person's length of stay. The act suggests a minimum of five days and a maximum of 10 in the first instance. The reason for that is that time frame is viewed by subject-matter experts as the average length of time required for a young person to actually withdraw safely from drugs. It's a short period of time and it pertains only to the detoxification process. It doesn't include, nor should it be taken to or read to include the time required for full treatment to overcome addiction.

The secure withdrawal management order may be renewed once and once only for an additional period of up to 10 days, only as long as the criteria set out in section 6 continued to be met. Given the importance of safeguarding an individual's rights under this act, there are some checks built into the legislation. These include: the young person's right to be advised of the reasons for the secure order, to retain and instruct legal counsel, to be provided with appropriate medical treatment while withdrawing if they have concomitant physical issues, to have access to their parents, a rights advisor and visitors and also to appeal the order itself.

A young person must be advised of these rights initially and at multiple times by multiple different people, given the comments about

capacity earlier on. So the young person must initially be advised by a peace officer upon apprehension where they're apprehended by a peace officer. A manager must ensure, within 12 hours of the person's arrival at the facility, that the person is advised of his or her rights. In addition, a rights advisor, an independent person specified under the act, must again advise the young person of their rights within 24 hours of arriving at the facility.

Mr. Speaker, Alberta, Manitoba and Saskatchewan currently have legislation specific to secure detox and stabilization and we considered that while drafting the bill. We consulted with our officials and that's why the mechanism involving a manager as well as the parents and consent was fashioned in that way. We've used their experience, whenever possible, to make this act a better piece of legislation.

There are similarities between Bill 55 and the legislation in those other three jurisdictions including the scope, the age range, as well as the admission criteria. Where we do differ, based on the feedback we've received, is in the application process. Bill 55 sets out a process whereby a parent or guardian must consent to the application. The manager, however, files it on behalf of the court. In the other jurisdictions it's a parental issue and they have to go to the court themselves.

The reasoning behind this, the experience in those other three jurisdictions was that there was considerable difficulty emotionally, psychologically and practically for putting the onus of going to the court on the parent themselves. It was felt that, with parental consent, the manager of the facility would be the person best placed to deal with the process issues as outlined in the legislation.

We already actually have an admissions criteria process to determine a voluntary admission for non-secure beds. The same process is envisaged to be used. We've test run that and debugged it. The difference is these additional criteria, as specified under the act, would be those that would trigger an application. It would be that admitting process that would make the determination about whether all the criteria had been met.

It's recognized, Mr. Speaker, for someone who's suffering from addictions, a parent or a guardian can be their primary source of support. The process that we've outlined in this bill attempts to respect that role and protect the parent-child-guardian relationship as much as possible so that those supports are available as part of their recovery process.

It's anticipated, Mr. Speaker, that proclamation of the act would be deferred in time to develop the regulations and policy required to take this legislative framework and operationalize it. We would expect significant effort from the department and others to engage in education and awareness initiatives; however, should the House feel comfortable in passing this bill, that work can begin immediately.

Mr. Speaker, the health and safety of the young people in our province living with mental health and addictions is our prime concern. We all benefit, the whole province benefits, when we give our young people every opportunity to flourish and become productive and contributing members of society. It's the aim of this bill to advance that process.

I ask all Member of this hon. House to join with me in supporting the passage of this bill. I look forward to hearing the comments, both now and when we take it to the Committee stage.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

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

MR. PETTEN: Thank you, Mr. Speaker.

It's a pleasure to get up and speak on this legislation. I want to first of all thank the staff at the Department of Health for the briefing they provided myself and my colleague for Mount Pearl North and our staff yesterday morning. It was a very thorough briefing and I want to thank them for that.

Mr. Speaker, this legislation was worked on and mostly completed by the former administration. The issues that existed that never got to final stages were that there were a lot of concerns

expressed by the child psychiatrist at the Janeway at the time. We've been assured by officials within the Department of Health and Community Services that those concerns have now been addressed.

This legislation builds upon the former administration's commitments and key investments in mental health and addictions initiatives. One of the best examples of those investments was the construction of two treatment centres: In Paradise, Tuckamore; and in Grand Falls-Winsor, Hope Valley. Both opened in 2014. There are currently only three provinces with similar legislation: Alberta, Manitoba and Saskatchewan.

This is a piece of legislation that has been in the works for quite some time. Health officials who briefed us on the progress of getting this bill made two things clear: first, this bill is the product of years of work started under the previous administration; and second, this bill is not the final word. It may take another six months and maybe more before the bill is once passed to be proclaimed into law and take effect, for regulations to be drafted and vetted, for officials to prepare and for facilities to be ready.

There are no shortcuts when it comes to this type of legislation and here's why. There are two competing interests and both must be satisfied for this legislation to work. On one side there are the *Charter* rights and human rights of a young person to be in control of his or her life, even if that means making a choice to refuse treatment. On the other side are the rights of parents, guardians and society to protect people when they are not capable of making free choice, not capable of protecting themselves and not capable of recognizing the harm they are causing to those around them.

Many young people are willing to seek treatment once they appreciate what addiction is doing to them and those around them. This legislation is for some young people who are not willing to seek treatment, at least not yet. The rationale behind this legislation is that some addicts are so controlled and clouded by their addiction that they cannot make a clear-headed choice about treatment and are letting their addiction drive their decision to continue to abuse. They are so

enslaved to their addiction that they are not able to make a free choice.

Detox, withdrawal, interrupting the habit, cleaning the system, lifting the drug induced fog. This can make a difference for some people and show them it's possible to break the connection and not be ruled by cravings.

Madam Speaker, department officials assured us that staff at provincial treatment centres have the necessary Aboriginal, cultural sensitivity training as well, which is very important to have when you're dealing with Aboriginal peoples, and dealing with this issue I think is a very important thing to have in place. I commend them for that.

This breaks the connection to the drug culture they may live in, their connection to other users, to drug availability. It takes them out of their home environment which they may have altered through manipulation to serve their habit.

Addiction can drive young people to mangle their relationships with significant people in their lives. Addiction and drug abuse issues are among the most grievous and troubling issues that any family can face.

I am certain there are people right now in our province living in constant fear a loved one will die from abusing drugs. I'm also sure there are people right now in our province living in constant fear that a loved one using drugs will do harm to them.

There are limits to the things a family and friends and society can compel an addicted young person to do against their will, even if it is in their best interest. Young people that family and friends are afraid for and perhaps afraid of have constitutional rights, *Charter* rights, legal rights, *Human Rights*; rights that courts are obligated to enforce.

If a piece of legislation cannot withstand a court challenge that it has breached those rights, then the legislation may be squashed by the courts. That is why it is so important and so difficult to get it right.

There are some, including addicts, who may say the best approach is to do nothing at all. Let

people live and learn and come to their own decisions in their own time, but I believe most people do not think that way. We are talking, not just about youth who are 17, 16 but youth who are as young as age 12. Their choices are causing a great deal of suffering. Doing nothing and leaving vulnerable people in harm's way is wrong. Our conscience will not allow us to do nothing when lives are in jeopardy, when public safety is in jeopardy.

Some young addicts have siblings and peers who are deeply affected by their behaviour, by its disruptive impact or by its harmful influence. Some young people in the throes of their addiction are terrorizing their loved ones for money, threatening, stealing, committing crimes, doing whatever they can do to feed their addiction.

Some loved ones of those young people are feeding their addiction, not out of malice, but out of fear of the alternative, fear of losing the child to the streets, to gangs, prostitution, prison, disease, suicide, to damage that can never be undone, or they fear the young addict will do some terrible damage to someone else or to them.

Many of us have seen the reality TV shows *Intervention*, which aired on the A&E network, and *Intervention Canada*, which aired on the Slice network. We are told the show is all too real in depicting how profoundly a young addict can affect a wider circle of family and friends. One life out of control can rob so many others of peace of mind, health, safety and liberty. Many parents worry that they do not have the luxury of waiting things out and hoping their child's life will eventually turn around on its own.

You look at the recent news about the contents of the drugs that some are using. I read to you a headline from a CBC story in Toronto on December 7 of this week: "Deadly elephant tranquilizer carfentanil found in Toronto street drugs for 1st time. A dose no bigger than a grain of salt can be fatal, police and public health officials say.

"The highly toxic opioid carfentanil has appeared in Toronto, with police announcing Wednesday they have seized heroin laced with

the drug considered to be 10,000 times more potent than morphine.”

That’s quite troubling, Madam Speaker.

“Carfentanil was only publicly confirmed to be in Ontario on Tuesday. Waterloo Regional Police announced that an analysis of 85 counterfeit pills seized there showed they contained amounts of carfentanil rather than OxyContin.

“No amount of the drug is safe for human consumption, public health officials say. It’s designed to sedate large animals – like moose and elephants – and even one microgram will cause a reaction in humans.

“To put that in perspective, a grain of salt weighs at least 100 times that amount – and that’s why Toronto Public Health officials say that just one grain can be fatal.”

“Carfentanil has not yet been tied to any deaths in Ontario.

“Alberta, however, has recorded at least 15 fatalities connected to the opioid. Health Canada reported the presence of carfentanil in Vancouver street drugs in September and police in that province say that at least one person has died of a related overdose.

“The drug looks almost identical to table salt and has no distinctive smell or taste.

“Toronto Public Health issued a warning to opiate users Wednesday about carfentanil tainting local street drugs.”

An Edmonton physician who treats addictions was quoted in another CBC story on December 6 of this week, Madam Speaker. He said, “he’s alarmed at the speed at which carfentanil has taken hold here.

“I think we can all expect to see more carfentanil-related deaths. This is the worst drug-safety crisis in history, clearly.”

It is quite troubling information, obviously, but it’s definitely newsworthy and noteworthy. Some parents are absolutely scared out of their wits and at wit’s end. They have turned

everywhere they can think of. They can find no solution, no light at the end of the tunnel.

This legislation is intended for them. It’s not a panacea but it does provide one other option that isn’t an option right now; an option that might allow the young person to be free from the grip of the drug just long enough that he or she can see more clearly what is happening to make the rational choice about undergoing long-term treatment voluntarily.

In a secure environment under the care of a professional addiction management specialist, free from external stimuli of the environment associated with the addiction, that young person may finally see the light. Even if one young person is helped, even if one life is saved by this option that would not be saved otherwise, it is worth providing this option as a lifeline.

I commend the officials for working hard to define the parameters for this work and to survive a legal challenge. I commend them for removing prisons and lockups from the list of places where a young person can be detained under this act because it’s a health issue, not a criminal justice issue.

It is not about imprisoning the young person, but giving them an opportunity to break out of prison that is denying them the capacity to make free choices. We are not removing their power to decide but clearing the space for them to make a meaningful decision and take command of their life with a clear head.

I understand why officials removed psychiatric mental health treatment facilities from the list of places where a young person can be detained under this act. I’m very happy that Hope Valley Centre exists specifically for addictions treatment. Completed in May 2014, and officially named in January 2015, the centre was planned as far back as 2009 and built with a \$12.5 million investment.

Madam Speaker, it is one of the ranges of treatment centres available in our province which are doing great work to treat addictions of people who are ready to break free. The Hope Valley Centre will continue to help young people who choose to voluntarily break free of their addictions, but now it will have an added

purpose – providing secure space for people whose addictions is deemed to be blocking their capacity to make a voluntary choice. When that block is removed, the young person will be able to make voluntary choices about treatment, as the other residents have.

Our province's approach will be unique in this country. There are many different approaches across the country. If ours is as successful, as we hope it is, then it will serve as a model for others.

Addiction is a challenge every jurisdiction is faced with. BC is grappling with it right now. Four provinces have legislation that is not specific to youth detoxification custody. The three Prairie provinces have legislation specifically for secure youth detoxification orders. Alberta has the *Protection of Children Abusing Drugs Act*. Saskatchewan has the *Youth Drug Detoxification and Stabilization Act*. Manitoba has the *Youth Drug Stabilization (Support for Parents) Act*.

Officials have shaped our legislation in a way that fits with the intake model for Hope Valley; a model that differs from other models by reversing the approach. Here the assessment will be done first before the order is granted.

In the West, a court order must be granted first and an assessment follows. Here, the parents do not have to initiate and bear the cost of a court application. A parent can consent for a manager to apply to the court for an order and, if necessary, an extension.

Officials have contemplated circumstances in which parents are not one minded about this. Officials have also contemplated circumstances where parents are not caring for the young person at all. Officials have contemplated the risk of court challenges when making criteria for an order very specific and exacting.

This legislation cannot be applied to a young person who simply comes home from a wild night experimenting with alcohol or drugs. As distressing as it might be for a parent, this legislation is for young people who have severe addictions. So severe that they deem to lack the capacity to make their own decisions regarding treatment and, even then, care has to be taken to

ensure young people are not placed in long-term treatment against their will.

The order will be for a period of five to 10 days under subsection 7(2), with a renewal of up to an additional 10 days under subsection 13(3) if specific criteria are met.

The officials told us they will even take care in drafting the regulations to work out how the young person may be apprehended to ensure it does not look like a *Criminal Code* arrest, which it is not. The young person will be treated with dignity and respect. The young person will be advised of his or her rights and will be able to appeal the order.

During treatment, as circumstances change, the assessment will take those changes into account. Everything is being done to minimize the impact on the rights of the young person under the *Charter* but, at the same time, the bill is intent on bringing a young person to the state of mind in which he or she will have the capacity to make a clearheaded choice about treatment, a capacity the person is initially deemed to lack. The public officials, addictions specialists, who make the determination about the status of the young person will need to be well trained and astute because an enormous responsibility rests on their shoulders.

Not only the freedom of the youth but the life of the youth may hang in the balance. Specialists will need to make a decision they can defend in court against any appeal on the basis of their professional expertise. But they must also recognize this may be a vital life-saving action for the young person they are examining.

What appears to be an act of freewill by the young person to resist treatment may actually be a manifestation of enslavement, enslavement to the drug that has the tight grip on the young person's life and is driving the youth to reject treatment. Perhaps the short involuntary stay of five to 20 days max will be just the thing to break the chain enough to let the young person make a choice that is truly voluntary and truly free.

Madam Speaker, I'm going to conclude my comments in a moment. I just want to say we feel this is a good piece of legislation and it's

necessary. I guess you read it, you kind of struggle with it, internally, but it's a fact. I've had the pleasure of serving on All-party Committee and I've heard lots of stories throughout the province. I've had a first-hand view of this and we realize this is an issue.

As I said, the previous administration were very supportive of this legislation, did the majority of the work. I commend government for carrying it forward to this stage and I look forward to some further debate on it. From where we stand, we think it's a good piece of legislation.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

MADAM SPEAKER (Dempster): The Speaker recognizes the hon. the Member for Placentia West – Bellevue.

MR. BROWNE: Thank you, Madam Speaker.

Drug addiction, particularly drug addiction amongst our young people, is a terrible tragedy. I'm sure that Members of this hon. House know of families who have been devastated by addiction. We have heard of young people who are so focused on getting their next fix or high that they stop going to school. They isolate themselves from their family, their support network, and this may indeed lead to other crimes to finance their addictions.

In many cases, these young people have seen counsellors and have been involved in some form of treatment. But, Madam Speaker, there are treatment programs and interventions available in this province for drug addiction. However, the success of these programs depends on a young person's level of engagement in that treatment.

When a young person is under the acute influence of drugs, he or she may not be in a position to understand the significance of the addiction and the need for help. It is important that they stop taking drugs before they can even think about treatment for their addiction, which may be a longer term commitment.

Madam Speaker, we do not stand in this House today to suggest that Bill 55 is the answer to all

addiction problems in this province. Indeed, it is not. However, it is a tool in the continuum of care and treatment for young people suffering with addiction.

Bill 55 provides a step towards engaging a young person to help them on the road –

SOME HON. MEMBERS: Oh, oh!

MADAM SPEAKER: Order, please!

MR. BROWNE: – to recovery so that they can lead happy, productive lives and contribute to society.

When a young person succeeds, Madam Speaker, we all benefit as a society. This bill will provide a key role in the safe and secure withdrawal management for young people who are unable to fully understand and make an informed decision respecting their need to undergo treatment for addictions and are unable to take steps to begin recovery and reduce the risk of harm to themselves or others.

We know that the biggest challenge in mental health and addictions is timely access to care. Another challenge sometimes faced by young people and their families is when they have to travel out of province to access this care. We are very fortunate, as Newfoundlanders and Labradorians, to have Hope Valley Centre in Grand Falls-Windsor for youth with addictions.

Should the *Secure Withdrawal Management Act*, Bill 55, be passed by this hon. House, and I sincerely hope that it is, Hope Valley Centre will be able provide secure withdrawal management in a safe and comfortable environment. This care and treatment will be provided by highly dedicated and professional staff, which includes a social worker, a nurse practitioner, a physician, a psychiatrist, an occupational therapist and a psychologist.

Since it's opening in 2014, Hope Valley Centre has served approximately 100 young people, ranging in age from 12 to 18 years of age. This includes an equal number of males and females, the majority of whom are over the age of 16.

While this includes young people from all four regions of our province, the majority of these

people have come from the Eastern region which is not surprising, given the Eastern region is the largest geographic area and has the greatest population density. The number of referrals to this centre has been steadily increasing; in fact, 37 per cent of admissions to date have occurred since January of 2016.

Madam Speaker, young people who have received treatment on a voluntary basis at Hope Valley Centre typically present with polysubstance abuse including alcohol, cannabis, opioids, inhalants, cocaine and benzodiazepines. Evidence collected to date shows that if a young person stays at Hope Valley for 10 days, the chance of completing the treatment program increases. That is a very positive statistic.

Addiction issues are on the rise, Madam Speaker, not only in Newfoundland and Labrador but across the country. It is our responsibility as a government, and indeed as members of our society, to do our utmost to protect the health and well-being of our young people so that they have every opportunity to grow into healthy and thriving adults. The *Secure Withdrawal Management Act*, Bill 55, is a step in that right direction.

It has two main goals: To provide for the treatment, supervision, care and support of young persons who are suffering from addiction to drugs in a safe and secure environment; and to remove young people from their chaotic lifestyles and, in some cases, criminal activity, so as to assist them with withdrawal from drugs and to engage them in treatment for addictions in a non-secure setting on a voluntary basis or in the community.

Bill 55 consists of four parts. Part I sets out the purpose and general principles of the act which include, “(a) to provide for the assessment, treatment, care and supervision of young persons with drug addiction and to provide a secure place for those young persons to withdraw from drugs ... (b) to prevent young persons with drug addiction from causing harm to themselves or another, from suffering substantial mental health or physical deterioration or serious mental or physical impairment; (c) to provide for the apprehension, conveyance, detainment, custody, restraint, observation, assessment, medical

treatment, stabilization, care and supervision of young persons by means that are the least restrictive and intrusive ... and (d) to provide for the rights of young persons apprehended, detained, restrained, admitted, assessed, treated, stabilized, cared for and supervised under this Act.

Part I of this bill also states that the act is to be interpreted and administered in accordance with the best interests of the young person, Madam Speaker.

Part II of the act is quite detailed and sets out the process by which a young person may be required to undergo a period of secure withdrawal management. Secure withdrawal management, Madam Speaker, is defined as the following: “... care, support and medical treatment of a young person with drug addiction detained in a facility during a drug-free period in a safe and secure environment which would allow the young person to decide, while not under the acute influence of drugs, whether to accept treatment for drug addiction”

Bill 55, Madam Speaker, focuses on the young person safely withdrawing or detoxing from drugs. To be placed on a secure unit for the purpose of withdrawal from drugs management, a court order will be required. The bill specifies that with the consent of the young person’s parent or guardian, a manager of the facility may make the application to the court.

Madam Speaker, as the Minister of Health and Community Services indicated during his remarks in opening the debate on Bill 55, referrals will be received by an admissions committee of which the manager of Hope Valley Centre is a member. All of the information gathered from health care professionals and parents or guardians regarding the young person’s addiction will be considered and a determination will be made as to whether the young person meets the criteria for admission to the centre. Where the manager reasonably believes all of the criteria for admission have been met, an application may be made to the court to seek the apprehension, detainment and conveyance of a young person to the centre for a period of secure withdrawal management.

Part II sets out the process to be followed to obtain the order and to whom notice of the application shall be given. It also sets out the process by which an order may be appealed. Where a judge is satisfied that a secure withdrawal management order should be made, he or she may make an order for a minimum of five days and up to a maximum of 10 days.

Madam Speaker, the length of the order reflects the average length of stay required for a young person to safely withdraw from drugs. Where additional time may be required, depending on the nature of the young person's addiction, the manager may apply to the court for an order to extend the young person's stay on the secure unit for up to an additional 10 days.

Part II of the bill also sets out the process for obtaining the renewal order. If an order is obtained from the court, the order is authority for the police, where their assistance is required, to apprehend, detain and convey a young person to the centre.

Bill 55 does contemplate the situation where a parent or guardian may be able to safely convey the young person to a facility. In those instances, police assistance may not be required. However, where the police are needed, the bill grants them the legal authority they need to search for, apprehend and convey the young person to the centre. The security withdrawal management order is also authority for the staff at the centre to provide support and assistance, including medical treatment, to a young person that is reasonably necessary for the young person to safely withdraw from drugs.

Part II of Bill 55 also sets out the rights of a young person. The bill requires the police, the manager and a rights advisor at various intervals to advise the young person of his or her rights under the legislation. The police must advise a young person at the time of apprehension of his or her right to contact the parent or guardian, or to contact legal counsel.

The manager must, within 12 hours of the young person's arrival at the centre, advise the young person of his or her rights, including the right to contact the parent or guardian, the right to contact legal counsel, the right to contact a rights advisor and the right to appeal the secure

withdrawal management order. A rights advisor, within 24 hours of the young person's arrival at the centre, must once again advise a young person of these rights.

Bill 55 also requires that while a young person is subject to a secure withdrawal management order, he or she shall be continuously assessed to ensure that the criteria for admission to the centre continues to be met. Where a young person no longer meets the criteria, the manager shall take the necessary steps to release the young person. This may require an application to the court to release the young person early.

Part III of the bill focuses on the court proceeding and the manner in which the hearing of the application for a secure withdrawal management order may be conducted. Part IV of the bill is a general part that sets out the requirement to develop the care and treatment plan for the young person.

Bill 55 requires that all information collected in accordance with the act be kept confidential. The *Personal Health Information Act* will continue to apply for collection, use and disclosure of personal health information. This bill requires the legislation be reviewed every five years to consider any improvements necessary. It also contains regulations making authority for both Cabinet and the minister to implement the policy intent reflected in the bill.

The proclamation of the act will be deferred to allow time to develop these regulations and the policy manual that will accompany the act, as well as to undertake appropriate education and awareness. Madam Speaker, this bill reflects a part of the overall continuum of treatment for young people with drug addiction. For that small number of young people who may benefit from withdrawal management in a secure setting, Bill 55 provides the mechanism to provide that level of support.

Madam Speaker, I want to personally thank the Minister of Health and Community Services for bringing this forward. This is a very important piece of legislation that I've worked with him on now since being elected one year ago. I know the Member for Conception Bay South referenced the number of years that went into this from the previous administration.

Unfortunately, they were not in a position to bring this forward, but I do certainly thank them for their efforts on this. It's been a long time coming.

As the minister also referenced, we have several people in the gallery today who worked very hard on this legislation. Of course, many people in my district and across the province have come to know the name of Ruby Hoskins as a very functional individual who works very hard on the causes that matter deeply to her. The Stand Against Drugs Committee has done extremely excellent work on the Burin Peninsula and indeed the entire province. I know that they are pleased with this legislation as am I. This is not the end of the road for our advocacy work together. We will continue working alongside her group as well as the Federation of School Councils to ensure that we continue to address the mental health and addictions of our province.

For me, Madam Speaker, this is very personal. I have had a number of mental health issues in my own family. I had an uncle, in fact, who took his own life as a result of mental health issues, so for me this is very personal. Days like today are the reasons why I offered myself for public office, the reason why I entered politics, to make positive changes in our communities.

I couldn't be happier that the Minister of Health was so willing to work on this matter with us to ensure that the young people of our province – many of whom are around my age, friends of mine, Madam Speaker, people I know who have succumbed to the influence of drugs. This is an extremely positive step in moving this issue forward in our province.

So, Madam Speaker, I certainly hope that the entire House votes for this legislation. I can't say thank you enough to the outside groups in my district who have helped make this a reality and to the Minister of Health for bringing this forward.

Thank you, Madam Speaker.

SOME HON. MEMBERS: Hear, hear!

MADAM SPEAKER: The Speaker recognizes the hon. Member for Conception Bay East – Bell Island.

MR. BRAZIL: Thank you, Madam Speaker.

It's indeed a privilege to stand and speak to Bill 55, An Act Respecting Secure Withdrawal Management. Madam Speaker, I'll start as the way I'm going to end by saying that I wholeheartedly support this piece of legislation and will be voting for it. I think it's a very necessary piece of legislation.

I think it's very well thought out, very well crafted and outline all the key components that you would want when you have to make some very entrenched decisions because this conjures up a discussion around a young person's rights and freedoms versus their protection and their health. Decisions have to be made around what's in the best interests of every citizen, but particularly young people who find themselves faced with some very serious challenges in life.

I've had the privilege in my former life, 20 or 25 years as a civil servant, particularly – this was one of the hardest issues that I had to face on a daily basis with the dozens of organizations who were advocates for this, the thousands of parents who had to face the challenges around mental health and addictions of their young child, the family trials and tribulations that were faced. But also the hundreds of professionals – health professionals and legal professionals – who felt at times stagnant from being able to actually move the services and the process forward to engage young people into services that were necessary.

There were challenges around that; a lot of challenges were we just didn't have the proper facilities. We had great professionals, very explicitly trained, had a great understanding of the issues, we're well equipped to be able to handle it, but we just didn't have that extra resource that was necessary.

This is why this piece of legislation is so important, because it falls hand in hand with now us having the infrastructure, having the actual facilities that have the amenities that you would need to address issues around this. There's no doubt, it conjures up, as I mentioned at the beginning, the discussion around having to enforce protection on a young person. Obviously every profession will tell you, the decisions here are not taken lightly. The decisions are about the

safety of the individual, the safety of society, the betterment of that individual, that individual's family and everybody that's connected to that individual.

It's also about ensuring that we do have protections and we do have services for people. Our society is based on it, and we've been very good at this in Newfoundland and Labrador, about protecting each other and supporting each other. No doubt, services such as this are very important to do that.

Having a piece of legislation that gives us the ability to step in, when necessary – and this is not a piece of legislation where willy-nilly it can be used at the whim of something. This is drafted in such a way that it outlines the process and the structure. While you don't want to put too much of a bureaucratic stumbling block in it, or too many hoops to have to jump through, what you do want to have is the ability for the right people, the professionals, the people who have the expertise, to be able to make the decisions and the assessments, in conjunction with parents and all those stakeholders who have a vested interest here to ensure that the health and safety of the young person involved here and the young person who are facing particular demons in their life, particularly as it relates to addictions.

We know all the issues that are attached to addictions. There are mental health issues, there are financial issues, there are education issues, there are criminal-related issues and there are all the things that hinder a young person from being able to develop, move into adulthood and be a productive citizen. So the first thing you need to be able to address are those individuals who have particularly harsh situations. This is what this is about. This is about not the individual – and the minister had mentioned that – who just one a whim goes out on a weekend and overindulges and doesn't see the impact it may have on them.

What is this really about? This is about those who have severe addiction issues, and some severe reliance on alcohol and drugs. It gives the professional who have been able to assess them, and the parents, and all the particular people involved in it to be able to address the particular issues around that.

It also gives the ability for the facility manager here to work with the professionals and work with the families to ensure that after doing the proper assessment they can invoke the *Secure Withdrawal Management Act*. It also gives the ability for the legal profession, particularly judges, to be able to assess if they're dealing with a young individual who may have had obviously run-ins with the law and realizes that there are some situations and challenges relevant to why that individual now potentially is going to move into a life of crime and what impacts that may have around their addictions issues and related to their mental health issues.

So, again, I want to note this is a good piece of legislation. While it outlines the particular parts of how it would be implemented, the regulatory process and the outlined elements so people would understand exactly what the rights and freedoms are here when it comes to the process, I do want to note a number of these here so people would understand that this is built through a process that has been engaged through hundreds of individuals over the years, particularly health professionals, to assess how we protect young people.

I just note some of the orders respecting secure withdrawal management. The section sets out the process of how a young person can enter secure treatment, noted here as detox. I do want to note, too, before I get into that, the two newest facilities that we have here are state of the art. They're state of the art in a number of cases because there's an open process and there's a secure process. They're built in an engaging, friendly, enlightening process that opens up young people for an opportunity to reflect, get the services they need and find the process that's important for them.

It takes that short period of time where they could be admitted to one of these facilities, but particularly the one in Grand Falls-Windsor to assess, go through the detox process, find out what services are available, find out exactly what challenges they have around their addiction issues. And particularly find out how they're going to address that and all the mechanisms and all the support mechanisms that there and how they can engage those people in society that can support them. That goes from their family, to their educators, to social workers, to counsellors,

friends, to the community itself. Everybody has a stake in this process.

This legislation sets out that a manager may apply to the court to secure withdrawal management orders where they reasonably believe based on all relevant information; a manager shall obtain the consent of a young person's parents or guardians before making an application under the act.

So what we're saying here, again, this is an open discussion here. There has to be some red flags, obviously, that have come to the forefront. This has either been identified through a manager of a facility, through a health professional in some way or manner, through the parents themselves having a discussion to ensure that this individual gets the immediate need that they need before their life moves to another level, which obviously adds more turmoil to them and everybody around them.

So there's a very positive process here. We're talking about what it would be based on. The abuse is persistent, meaning they're continuously having this negative activity and it's continuously having an impact on their lives. Self-harm or violence is possible. You want to ensure that the young people are protected. You want to ensure that society is protected and you want to ensure that they stay away from any form of violence because, again, you want society to be protected but you don't want them to get into a criminal set of activities and have a criminal record, which then has another impact on their lives.

Secure withdrawal would be the benefit in these cases until they can be better assessed, until they can come down from their addiction process, until they can find what interventions are necessary there to support these types of services.

And other interventions have been inadequate. In some cases, unfortunately, we've had young people go through a number of interventions that have proven not to work. In some cases, it looks like some young people have made a step forward and then all of a sudden you see them take two steps back. That's unfortunate, it's demoralizing for the family, it's frustrating for the individual and it obviously adds another

major impact on the health professionals because they have a process and program in place and they want to be able to make the progression go forward constantly for any young person who has to avail of a particular service, particularly around addictions.

It's also in the best interest of the young people – and there's no doubt, of the hundreds, thousands of health professionals and legal professionals that I've dealt with in my career as a civil servant, particularly around youth at risk, all of them have as their primary objective what's in the best interest of that young person. And the best interest of that young people is about how you better improve their life, how you give them the supports to move forward. So no doubt, all these are things that are taken into account before the piece of legislation for secure withdrawal management is imposed.

Also when you talk about the health professionals, physicians doing an assessment, obviously they're the health professionals who have the expertise, have the experience to be able to assess and determine at what level these young people are when it comes to their addictions to a particular opioid or to alcohol, or to whatever it may be that they are addicted to and the impact that is having on their behaviour, be it for their own harm or the safety of their own society.

And an order by a judge – obviously a judge, in a number of cases, depending on the behaviour that has happened and if they're obviously before a judge, the judge can assess why they are before that individual, the severity and what the causes are. But a judge also has the ability to intervene here and ensure that the notice is given that this young person would be put in secure management so as to receive the services they need and to go through the whole process.

The notice shall be served on a young person whom the applicant has filed, "The parent or guardian of the young person" or order by the court made. So this is a process here where there is an open engagement that people have a dialogue to ensure that what we're going to move forward on is in the best interest of the young person.

If you look at the outline here on how this is being done and the authority of peace officers, the authority of the health professionals, the authority of the interveners and the managers, the authority of the facility counsellors and this type of thing to act in the best interest of the individual, then you can be reassured when this is imposed you know that individual, that young male or female are going to get the best services possible.

To get to that point, everybody has come to the understanding that this individual is facing some severe challenges. This individual needs as many services and as many supports as possible, and the best way we can provide them in a safe, engaging, caring environment is to have them in a secured managed facility.

Again, it has been a privilege over the last number of years to tour the two newest facilities in Paradise and Grand Falls-Windsor to see the great work that has been done and the great asset we've added to dealing with addictions and mental health issues, particularly around young people. Particularly to see the professional staff and the pride they take in the services that are being provided, but it's also to see how the community comes together, how some not-for-profit organizations support those facilities and how they partner with them.

What I found over the last number of years, we've come a long way in developing partnerships. At one time it was always about the health professional must take it. They have to bear the brunt of all the responsibility and all the interventions. We've been fortunate enough that in this society, particularly in Newfoundland and Labrador, over the last number of decades that we've been able to foster good partnerships between our education systems, our health care systems, our legal systems, our professional systems, our not-for-profit systems, our municipalities, all have a stake, but particularly the parents and the families, in how we address issues faced by young people.

Particularly when people understand these are severe issues that will forever have an impact on a young person's life and will forever direct in which direction they go. Is it going to be a positive direction or a negative direction? No

doubt, all of us have that we want to be able to move a young person in a positive direction.

Mr. Speaker, I may have a few questions in Committee but going through this bill and going through the piece of legislation, I do have to give credit to the department and to the professionals and the bureaucrats who put this together. They've, no doubt, had great dialogue with those who do this for a living. Those who've lived this for the last number of decades, that they're outlining exactly what needs to be covered off so there's no misconception about how we're going to address this issue, and you do balance the rights and freedoms of an individual to comparing it to their health needs and protection, and that of society and their families.

So I will say that I will be, no doubt, supporting this. I see this as another great step in our endeavours here to address the needs of young people, particularly as they deal with some of the challenges around addictions and mental health.

I thank you, Mr. Speaker, for that. I thank the minister and I look forward to discussion in Committee.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Bragg): The Speaker recognizes the Member for Torngat Mountains.

MR. EDMUNDS: Thank you, Mr. Speaker.

It's certainly a pleasure to rise and speak to Bill 55, An Act Respecting Secure Withdrawal Management For Young Persons.

Mr. Speaker, I think this is a long time coming. It's groundbreaking legislation for our province and something that's much needed when we look at some of the mental health issues that my colleagues spoke to when they addressed Bill 55.

In a former life, if you could say, Mr. Speaker, I did work in youth corrections and counselling. We had young people that were placed under care under the young offenders act at the time,

and as a counsellor there you certainly saw the impacts of mental health illness and the use of alcohol and drugs and other inhalants that impacted young people in our district.

Mr. Speaker, it's not a good feeling as a counsellor when you lose a client to suicide. That's something that you have to live with for the rest of your life. It's also wonderful to see kids that you counselled back then who have become successful people in our communities. So it's one extreme to the other, and you live with what goes right and what goes wrong.

Mr. Speaker, we've identified two centres in our province: the Tuckamore Centre in Paradise and the Hope Valley Centre in Grand Falls-Windsor. These are facilities that are ready to go. We'd like to see young people that are placed in care, because they would otherwise bring harm to themselves or others. I think a five to 10-day period is time to get a good assessment and certainly there would be need for a follow-up plan on release. This bill also gives you the ability to have that person come back again for a 10-day period. Sometimes in communities you just don't have that alternative.

We've also had centres that dealt with mental health issues that are relative to Bill 55. We operate a group home for young offenders in Nain. We have the Charles J. Andrew Treatment Centre in Sheshatshiu that you would think would primarily be looking after Innu children but we've also got children from the North Coast of Labrador who are Inuit that are in the Charles J. Andrew Treatment Centre. So there are other avenues for a place to go.

Mr. Speaker, I looked through the bill and when you look at some of the consultations, I think it was very broad and very conclusive. When you deal with young people and their families, you deal with community-based youth serving agencies, advocacy groups, federation of school councils, indigenous groups, justice and other jurisdictions.

Now, in the last year I've had the opportunity to travel in my district with the Minister of CSSD to some communities in my district to get first-hand knowledge of some of the impacts and some of the problems we face as an indigenous community that is far removed from the venue

where we are right now. That is far removed from the capital city and some of the issues that we address.

I've also had the pleasure of touring communities in my district with the Minister of Justice, and the same thing, Mr. Speaker. We sat down with law enforcement officials and discussed some of the issues around problems that adults, as well as young people, face.

As recently as last week, Mr. Speaker, I had the opportunity to go with the all-party committee on mental health to Nain and certainly some good discussions in that community. The issues aren't new to me, but when you get the people who are responsible for looking after our children on location, they get a different perspective. Some of my colleagues actually enjoyed a good snowmobile ride while they were up there.

The comments I want to make, and I want to speak mostly on the indigenous groups because that's the people I represent. I represent two different cultural groups in my district and we realize that we do have some challenges. An example is that when it comes to geography in our province, you can actually take the Island of Newfoundland and fit it in my district. Now having said that, Mr. Speaker, I do have the smallest population.

We've had our dark chapters as Aboriginal people with residential schooling, with relocation. All of this, Mr. Speaker, impacts us as a people and it impacts our mental health. As a result of that, we're seeing incidents where Bill 55 would be a tool in getting a young person out of the state they're in, whether it be from alcohol and drug abuse, or issues like gas sniffing that shows it's ugly head from time to time.

I'm certainly looking forward to everyone in this hon. House supporting this. If there needs to be any convincing, Mr. Speaker, I hope that we can do it. I would hope that all Members in this hon. Legislature would follow suit.

With that, Mr. Speaker, I'll take my place. I certainly look forward to any other comments on this bill.

Thank you.

MR. SPEAKER: Thank you.

The Speaker recognizes the Member for St. John's Centre.

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

I'm very happy to stand and speak to this bill, Bill 55, the *Secure Withdrawal Management Act*. It's a bill that has been a long time in preparation.

First off, I would like to thank – Mr. Speaker, do you want me to wait until the clock goes? Did you want me to wait until the clock starts?

Oh, there we go. Okay, start again.

Thank you very much, Mr. Speaker.

Again, I'm very happy to stand and speak to Bill 55, a bill regarding the *Secure Withdrawal Management Act*.

I would like to thank those who gave us an excellent briefing yesterday. It was only yesterday – all this is happening very quickly, although I know it has been a long time coming, that there have been a few years leading up to this bill.

I'd like to thank those in the department who have worked so hard in this area to ensure we have a bill that is effective, that in as much as possible respects the rights of youth in our province, and that it's about delivering timely health care to some of our most vulnerable youth in the province. So I'd like to thank them for their work, for their passion and their compassion in dealing with this particular issue.

I'd also like to acknowledge all the people throughout our province who work so hard in the area of addictions and mental health. It's not the easiest work to do, often doing the work with very limited resources. We've heard from them, the growing demand on the need for services, particularly among our youth.

I'd like to acknowledge my colleague from Torngat Mountains who was speaking about, particularly, as well, some of the issues in Aboriginal communities, who've been dealing

with these issues and really crying out for the need for more services, and services that are culturally responsive and respectfully responsive to the culture of the indigenous communities here in our province.

About two years ago I had a district association. It's a collection of people who live in my district, varying ages, from young folks in their teens to – I think the oldest person I had on my district association was in their seventies. They are people with university educations, people with very low literacy rates, people who are financially secure and people who are living in poverty with income support. So a whole group of male, female, people with physical disabilities, straight, gays, a real cross mix of people in my district association.

We would have regular meetings. One evening I said: where do we want to go? What do we need to do? What is keeping people awake at night in our district? What's keeping people awake? And almost, without exception, everyone around that table said mental health and addictions issues.

We had quite a long meeting that night. Some people talked about their own experience. Some people talked about the experience of their families or friends. They talked about the experience of trying to get help. They talked about what does work in the system and what was helpful. I said, so let's do a town hall on mental health and addictions.

As the MHA for St. John's Centre, I rented a town hall. What I decided to do was not to have experts talk to everybody and give a lecture, but I invited a number of key people who were doing very interesting work in our province around the areas of mental health and addictions. Some of them with lived experience. I invited them to come and participate in our town hall but I asked them to speak only for three minutes each. Then we had people sitting at tables. It was sort of café style, because I wanted everybody in the room to have the opportunity to speak.

Among the people who were some of our special guests were Andy Jones and Mary-Lynn Bernard who had been very, very open about the death of their son Louis; Louis who died by suicide. Mark Gruchy, an incredible mental health advocate and lawyer –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

I'm having a problem hearing the speaker.

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

Mary Walsh, who is a well-known comedian, actor, writer and mental health advocate in our province. There was Roger Baggs, who works with the Canadian Mental Health Association and does his work in peer counselling, as well as someone with lived experience.

So we had quite a few people. They all spoke for about three minutes and then they dispersed and went and sat at a table with everybody else. We had a facilitator at each table and a note taker, and people talked.

Now, there were over 350 people there. I thought maybe we'd get about 60 people. There were over 350. As a matter of fact, I didn't know until afterwards that they actually had to lock the door and turn people away. There just simply wasn't enough room. There certainly weren't enough tables and chairs.

When we broke up into groups and people started their own discussions, there were people who were sitting on the floor in a circle. There were people who were standing up in a circle speaking to one another. The room was on fire. It was absolutely on fire. People were so eager to speak to one another, to talk about the issues in their community, what they thought needed to happen around the areas of mental health and addictions.

Out of that, what I garnered was that people wanted to continue to talk and needed to get together. So I started inviting different groups in the community who were dealing with mental health or addictions issues anywhere from Eastern Health workers to CHANNAL, that's a peer led group, Turnings, the school counsellors, students. It was quite an incredible eclectic group, and we met every Friday morning for about two months. People hadn't been used to working together. That was one of the things we heard in those meetings, was how important it was for people to be able to work together, to

network and to consolidate some of their work. And so we decided to do a launch.

The other thing we decided was that there was a need for an all-party committee on mental health, that this wasn't a partisan issue, that there was a need for all of us to work together. Because in every community in Newfoundland and Labrador there is so much suffering around the area of mental health and addictions, if not ourselves then our families, or our neighbours or our colleagues at work; everybody had a story. So they knew that we needed all of us to work together and that's how the All-Party Committee on Mental Health and Addictions was formed. It came out of those humble beginnings.

And, Mr. Speaker, it's been an absolute honour to travel across the province and to hear from hundreds of people across the province, to hear about the difficulty, to hear about some of the strengths, to hear proposed solutions and recommendations. We heard so often from parents about their concerns about their children, about their children who are youth but also about their adult children, particularly in the area of addictions.

We heard about the pain and the suffering of their children and the pain and suffering of their families who love them, who are afraid to lose them, who want to see the pain stop. So I can very much identify with how important this bill is. I know that we have dealt with a problem of youth addictions in my own family, in my extended family, and I know how difficult it is.

What this bill is about, it's trying to reach out to help our young people who are addicted to some kind of substance whether it be alcohol, prescription drugs, street drugs, solvents like glue or gas sniffing, and to try and help them clear their minds for a short period of time so that they can be reached, so someone can reach them and say there's help for you; we can help you.

So it's only one part of what we need to do in order to help our youth and to treat our youth, particularly youth with severe addictions. And often youth who are severely addicted to some kind of substance, it's because they are self-medicating. Addictions usually don't just happen because someone has tried a few drugs.

It's often as a result of self-medication or past trauma in their lives.

What this bill is about – for the people at home – is helping a young person get a little bit of control for a few days so someone can reach out to them and say there is help; we can help you. Because when someone is in a cycle of persistent and chronic addiction it's really hard for them to be able to clearly think, or to clearly imagine that maybe, maybe I can get help; maybe there's something that can be done. So that's what this is about.

And I'd like to, again, thank, particularly Gerrie Smith and Colleen Simms from the Department of Health and Community Services who did so much work in this area. What we're talking about is a secure facility at the Hope Valley Treatment Centre in Grand Falls-Windsor and it's about a very small group of young people from the age of 12 to 17 who are in a certain state that they aren't able to make good decisions for themselves and it's hard for someone to reach them because of the effects of their severe addiction.

So this is about reaching out to them. Mr. Speaker, it's a really tricky thing because we're talking about making decisions for someone, that someone, be it their parents or their guardian, is going to one of our facilities and our addiction managers and saying my child, or the person for whom I am a guardian, is in such rough shape and I fear that they are going to further hurt themselves or hurt someone else, and we need to make a decision for them, in spite of what they may say, in spite of what they want, and we need to make a decision for them to sometimes forcibly, physically take them to a facility where the facility will be locked and we're going to enforce detox on them. It's a tricky thing because it involves rights.

And I believe at this point, from the briefing that we've had and the brief time that we've had with the bill, that there a number of checks and balances in the bill to ensure that people's rights are protected, that the rights of youth are protected. Among those rights is that a rights advisor – because this almost mirrors and parallels our *Mental Health Care and Treatment Act* where, again, someone can be assigned and forced to go to a mental health facility because

of fear for their own safety. So it mirrors some of the legislation around that.

Basically, we have a rights advisor. There's a very limited time after a child is to a facility that a rights advisor has to speak to them informing the youth about their rights and also informing the youth why they are there, how long they will be there and what the treatment will be for them. It's also informing the youth they have the right to a lawyer. Apparently, the department is working with Legal Aid to work that out as well. So it is so important that we ensure their rights are taken care of.

The other thing, one aspect about this that's a little bit tricky as well is when we force any kind of treatment – but this is not sort of addictions treatment; it's withdrawal. It's helping someone detox so that they could hopefully, hopefully consider going into voluntary treatment.

It's a very delicate balance once again, because it could have the negative effect of driving young people away from the potential for help. But it is my hope, because there are still regulations to be worked out, that the type of facility where the youth will be taken, the Hope Valley, is a facility that's built around recovery, respect for young people, acknowledging the particular needs of our young people –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MS. ROGERS: Thank you, Mr. Speaker.

Mr. Speaker, acknowledging the fact that many of them have past traumas, that have a number of perhaps mental health or psychological issues that they have to deal with.

So again, we have to tread carefully. I believe those who have been involved in writing this legislation have kept that in mind. Again, there are some regulations that need to be looked at.

One of the aspects that I find kind of interesting is that in other provinces it's the parents who go to the court and ask for an order so that their child can be taken to a secure facility to manage detox. The way our legislation will work is that a parent or guardian may go to a mental health

worker or a doctor and say I believe that my child needs this.

Then a mental health worker or a doctor, psychiatrist or a family doctor can do an assessment and if they feel that, yes, in fact, this child is in danger or in danger of hurting someone else and, because of their chronic use of drugs or substance abuse, does not have the capacity to clearly think for themselves then they will appeal to a mental health manager who's associated with the Hope Valley treatment centre who will then go to the court and ask for the order to have this child brought to the treatment centre.

I think that's a good measure. That's not how it happens in other provinces. I believe that's a good measure because then the child sees that it's not the parents who are enforcing this. That leaves more doors open between the parents and the child. So I think that's really important.

I have a few issues that I'm hoping that the minister may be able to speak to and, again, they will come out probably in regulations. It's going to take a while for this bill to be proclaimed. In our briefing yesterday the staff from the Department of Health and Community Services said they feel it would take at least six months before this bill would come to the point of proclamation because there's training that needs to be done. Often, in some of these cases – although the number of youth who will probably come under this legislation won't be a large number, but the police probably will be involved.

If you have a child who is not willing to go and who needs to be taken to the secure facility, then it's often the police who will be involved in helping the transportation of that youth to the facility. So one of my questions and recommendations will be that the police are not specifically trained in mental health issues; the police also during the All-Party Committee on Mental Health and Addictions have told us they no longer want to be the transporters of people to mental health facilities or addiction facilities. They don't have the specific training. They're willing to do their part, however.

So one of my recommendations, and I would hope the minister would consider that, that when

there is a situation where the police or ambulances are involved in helping transport a reluctant or resistant youth to the secure facility, that in fact a mental health worker will be involved in that transfer to help the child, to help the family of the child as well. Another issue, I would hope, is that we would have an absolute guarantee, because if a child has to be held overnight before getting to the secure facility, we need an absolute guarantee that they will not be held in any kind of correctional facility before being transported to the secure treatment facility.

So, Mr. Speaker, I see that my time is up and I am happy. Again, I will be supporting this bill. I think it's one that has been a long time in coming, and hopefully once we see the regulations and the details that it will make a difference.

MR. SPEAKER: I would remind the Member her time for speaking has expired.

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

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

MR. LANE: Thank you, Mr. Speaker.

It's a pleasure to stand and speak to Bill 55. I'm not going to take too long. The bill is pretty extensive, there's no doubt, but the minister did a good job, I think, of explaining and most Members, between them all I think they've captured pretty much every point. So I don't see any need in regurgitating everything that has already been said.

As I've indicated, Mr. Speaker, this is a good bill. It's a good piece of legislation. I have to say that thus far, with the exception of the legitimate concerns I had with the procurement act, I think pretty much everything so far has been good legislation. Although I have some concerns about The Rooms, too. But overall, we've had good legislation come before the House, and this is another piece.

So I won't be taking too long. Obviously, as has been said, though, really what we're talking about here, this is a tool in the toolbox of our

agencies that would be dealing with youth who have addictions issues. It's not going to be the cure-all. I think we all understand that.

We had a pretty extensive briefing and I asked a lot of questions. I have to say, the staff were very good with the answers and addressing any issues, concerns we had. As I said, it's not going to fix it all. Obviously, we have centres where youth will go voluntarily. And that is the preferred mechanism that they would go on their own, they would recognize that they have an addictions issue, they would go there, they would seek treatment and hopefully they would get well.

What this piece of legislation specifically is dealing with, though, is really not about treatment for addictions; it's about detox is really what this is talking about. So basically, this is just establishing the ground rules I guess around a secure unit that would be at the Hope Valley Centre in Grand Falls-Windsor where there would be a secure unit with two or three beds, I think it is – I'm not sure of the exact number, but it is only a few beds –

MS. ROGERS: (Inaudible.)

MR. LANE: Four, is it? Okay. The Member for St. John's Centre is reminding me it's four; thank you for that.

So basically four beds, it would be a secure environment and it would be a place whereby if you had a youth who is severely addicted to drugs, there would be a process outlined in here whereby the parent or guardian could make application to the courts to have that youth placed in secure custody for a period of time, five to 10 days. There is an opportunity to extend that as well, one extension for an additional five to 10 days, depending on how it goes and the drug and if the person is coming down from detox and how long it takes and so on.

But generally, to basically place that individual in secure custody to detox them and, hopefully, as they start to detox with the counsellors and everything and the staff that are there, they would hopefully then be able to convince that young person that now that you're here, now that you're coming down from these drugs,

we're going to try to convince you to stay then voluntarily and receive treatment and hopefully get well.

Obviously, there is a process, which naturally there would have to be, as I indicated, for this to happen. I guess there's a balance there in terms of looking out for the best interests of the youth and then balancing that with the youth's right to make a choice.

There are a whole series of steps basically before a youth would be placed there by the courts involuntarily, I guess. There would be a series of steps that you would have to go through, including those that youth have the capacity to make the decision and to make that informed decision saying no, I'm not going to avail of this treatment.

All of that is outlined here in the legislation, which all makes good sense, good legal sense. I suppose there's always that moral dilemma of the rights of the individual to choose versus looking after their best interests, particularly if somebody is addicted to drugs and so on. It's pretty complex, but there are steps and everything put in place to address all of those issues.

At the end of the day this program, as I said, is a tool in the toolbox, and hopefully will address some of the youth who would not normally go voluntarily and, hopefully, it will result in some of those youth – which I understand, and I asked the question. Again, I can't remember the exact number, but I'm just going to just throw out there that 90 or 95 per cent would go through voluntarily. There's a small percentage of youth who, while they need treatment and they need detox, they're just not going to go on their own. So this is mechanism, I guess, to ensure that they do get treatment – sorry, ensure that they receive treatment in terms of detoxing and then hopefully, as that process is happening, to convince them to go into treatment.

This will work for some. It's not going to work for all. Regardless if it's one or two children or 100 children, if it's 50 per cent or if it's 70 per cent, or it's only 20 per cent that are successful and come off drugs as a result of this new measure, this new program and this new legislation, it's still worthwhile doing because

every life is important. And we have to be mindful of that, as I know we all are.

With that being said, Mr. Speaker, I'm going to take my seat and just again to say that it is a step in the right direction. It's not the be-all and end-all; it's not going to fix it all but it hopefully will help some more youth. It's going to help some more. We've done some good things in terms of our addiction centres and our addiction programs that we have for youth. Certainly on the voluntary side of things, a lot of great things happening, glad to see that, but there are still youth who are falling through the cracks, that are not getting the help they need.

This is not going to solve it for all of those youth but, hopefully, it is going to solve the issue or it is going to help some of those youth. Like I said, it's a step in the right direction.

I will be supporting the bill.

Thank you, Mr. Speaker.

MR. SPEAKER: Thank you.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

If the hon. the Minister of Health and Community Services speaks now, he will close the debate.

The hon. the Minister of Health and Community Services.

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

I think the unanimity of support from both sides of the House has to be a testament to the effort of the staff in Health and Community Services, but also in Justice, our law enforcement colleagues and the various other contributors to this. It's a testament to their hard work and effort.

I would say for the record, this is a next step. It's not the only step in our opioid action plan. It shouldn't be seen as an end in itself. It is, as other Members have said, a tool in the toolbox.

I think it was really heartening that on Tuesday – we'd made an announcement about naloxone kits earlier on in the summer – we made the announcement about Suboxone and removing, completely, barriers to access for that, for management.

An expert from the Centre for Addiction and Mental Health in Toronto, Dr. Brian Rush, who's a speaker there, sat down and said: You guys are now at the cutting edge of what the provinces in Canada are doing.

SOME HON. MEMBERS: Hear, hear!

MR. HAGGIE: You're not following anyone. On top of that, we now have this piece of legislation. This is not the end. The All-Party Committee has made recommendations.

When I came into office –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. HAGGIE: – and heard the families and the representations, from there, this legislation had, in one form, been introduced before but it had stalled. It did not stall. We didn't plan. We didn't engage and continue to engage. We took what we had and we delivered and it's here.

Going forward, we have the All-Party Committee on Mental Health. That report is coming. We have the PharmaNet coming online at the end of December. On the basis of that, we will build a prescription-monitoring program. These are all threads in a narrative – a tapestry, if you like – of things we're putting together to deal with the opioid crisis. It is an action plan. It's not a strategy. It's built on concrete actions.

I would be happy to conclude with no better a comment than from my colleague, the Attorney General, who said: Good legislation derives from the work of the community and interested and committed folk. This, Mr. Speaker, is a testament to that and I commend it to the House.

SOME HON. MEMBERS: Hear, hear!

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

The motion is that Bill 55 be now read a second time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

Carried.

CLERK: A bill, An Act Respecting Secure Withdrawal Management For Young Persons. (Bill 55)

MR. SPEAKER: This bill has now been read a second time. When shall this bill be referred to a Committee of the Whole?

MS. COADY: Now.

MR. SPEAKER: Now.

On motion, a bill "An Act Respecting Secure Withdrawal Management For Young Persons," read a second time, ordered referred to a Committee of the Whole presently, by leave. (Bill 55)

MS. COADY: Mr. Speaker, I move, seconded by the hon. Minister of Health and Community Services, that the House resolve itself into a Committee of the Whole to consider Bill 55.

MR. SPEAKER: It is moved and seconded that I do now leave the Chair for the House to resolve itself into a Committee of the Whole to consider Bill 55.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Carried.

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

Committee of the Whole

CHAIR (Dempster): Order, please!

We are now considering Bill 55, An Act Respecting Secure Withdrawal Management For Young Persons.

A bill, "An Act Respecting Secure Withdrawal Management For Young Persons." (Bill 55)

CLERK: Clause 1.

CHAIR: Shall clause 1 carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

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

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

I have just a few questions here for the minister. One of them is specifically around the transportation of the youth to the secure facility, particularly if the police or ambulance or any other peace officer is involved, is there a plan to have a mental health worker present when that happens? (Inaudible) present when that happens but all the way through the transportation?

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

MR. HAGGIE: Thank you, Madam Chair.

The regulations have not, and the policies within those regulations are the subject of the next six months. Certainly, discussions with the Constabulary and the RCMP have raised a point about transportation.

We've discussed with the RNC in the urban area the Crisis Response Team, which consists of a mental health worker and a police officer. The plan for that team would fit very nicely with this, in that it would be an unmarked police car, it would be a plain clothes officer who will have done what's called the Memphis training. That's being funded at the moment, and we have some

RNC officers out getting the Train the Trainer teaching. So that when they return, within short order we would have in the urban centre here 40 RNC officers trained in mental health crisis work along with the case worker.

We've had some interest from the RNC in Labrador City and we're working with the RCMP to deal with the more rural areas of the province. The short answer is that would be our goal.

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

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

Another question that I have is around the cost of transportation. We probably will have youth from all over the province. Again, it will probably be a small number of youth, but there will be a considerable amount of money perhaps in the cost of transportation for some of them.

Will there be any cost to families – when the transportation and delivering a child to the secure treatment facility. Will there be any cost at all to the parents?

CHAIR: The hon. Minister of Health and Community Services.

MR. HAGGIE: It's a good question.

Thank you, Madam Chair.

It is not envisaged that the numbers would be great. Our ballpark estimate gives us probably around eight or nine youth who, in the time that the current facility in Grand Falls-Windsor has been opened, may have fallen into this category.

In discussions with the RNC and the RCMP, the matter of who pays for the officer's time is one of our negotiations between the two departments. In terms of cost to family, it is my understanding that there is currently no cost for those people who are adults who are detained under the *Mental Health Care and Treatment Act*. I have not envisaged any cost recovery for family or the youth concerned in this.

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

MS. ROGERS: Because we're dealing with a whole area of rights as well, it's so important because of the age of the youth to ensure this not perceived as punitive by either the youth themselves or community members or family members or people who are involving – or even the police. It's very important that the police also see that this is not punitive, that this is not about corrections, that this is a health service that is being provided.

It might very well be that in certain circumstances, because of our vast geography and that the secure treatment facility is in Grand Falls-Windsor, it may involve a youth being taken and held overnight, because of our transportation system, until they are transported to Grand Falls-Windsor.

Can we have a guarantee from the minister that in no circumstance would a youth be held in a correctional facility during the day or overnight while waiting for transportation to the secure facility?

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

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

I'm actually trying to scuttle through the act to find the appropriate section, really just to read it out to give the intent of the act. It essentially says that the officer or peace officer should convey the youth by the least obtrusive means possible. That is the spirit and intent of the transportation piece. The comments before about using plainclothes officers and unmarked vehicles, again, are an attempt to address that.

In practical terms, I'm given to understand that for those folk who are not suitable to go to a facility immediately, it's often a medical problem. One of the things that transpired early on with the Hope Valley Centre was the presence on a regular basis of a nurse practitioner to deal with concomitant physical illness. These people are often significantly dehydrated; they have concomitant medical programs. It is not envisaged in any way that

any correctional institution would be involved in the process associated with these youth.

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

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

We know that this particular piece of treatment for addictions is just one part of a treatment process. In fact, detox is to get the person to the point where they may be open to the possibility of treatment. And we know how difficult the detox process is. We know how complex addictions are, how complicated, how complex, and our solutions are often complicated as well. There is really no one easy solution.

It's very difficult too for a young person, for an adult, as a matter of fact, who goes to detox and then the doors open and if they don't immediately have wraparound services, how difficult that is. And it's such a critical time when a person can just start using again if they don't have the appropriate supports, the appropriate treatment, if they are open to treatment.

Again, some of the issues that surround the lives of some youth who may not be living at home are issues of poverty, are issues of homelessness or issues of being precariously housed in unsafe situations. So I would ask the minister, for those young people who have finished the detox time allotted – we know that there are wait-lists at Hope Valley, but the wait-lists are not as long for instance as they are at Tuckamore and the wait-lists are not as long for treatment and for mental health services. As long as they are in the community, for instance, it still takes up to 18 months for a young person to see a counsellor.

I ask the minister: Will there be some kind of guarantee in the treatment plan of any youth that undergoes detox, that in fact there will be – in the briefing they talked about that the wait-list at Hope Valley is maybe two to three weeks, but after someone has gone through detox that two to three weeks can seem an eternity. After going through such a difficult trial of detox, what are the stopgap measures there for when someone is finished their detox and they want treatment?

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

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

My discussions with officials this morning tell me that the occupancy at Hope Valley currently ranges between 75 and 80 per cent. My understanding of the delay currently in getting non-secure patients in relates to part of the assessment process and the central intake, rather than necessarily bed availability.

These people would actually be in the facility on detox. Therefore, if they were to be agreeable to voluntary treatment, and that involved in-patient, they would already physically be there. They're not going to be sent home if their care needs exceed the community's ability to deliver it.

On the other hand, as is referenced in some of the speaking notes, if the youth concerned can be managed further in the community environment, either with their parents or if the home environment is not suitable, maybe through the facility of the *Children and Youth Care and Protection Act* then that would be the next aim.

The other piece of this, which I mentioned briefly, is we put Suboxone on open access before we did this. The reason is Suboxone is the gold-standard treatment for youth and allows for a faster detox and a safer detox. You don't have to wait for the opioids to be out of their system before you can start Suboxone. Methadone, you do. This is going to abbreviate the time between admission under a secure order and the ability to make a decision about voluntary treatment.

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

MS. ROGERS: Thank you, Madam Chair.

I thank the minister for his answers. I also am aware that some of these youth may be able to be treated in the community. Also, what we're finding is that many youth who are involved in real heavy addictions often may not be living at home. They are youth who are very vulnerable

and at risk. Some of them are living at home with their families but many are not.

We've seen a number of times of young people who are released from the Waterford or young people who are released from a correctional facility, HMP, that the housing situation is abhorrent; (a) if they're on income support, they don't have enough money to live on. Often, the cheapest rent they can find is about \$600 to \$650 a month. That is often in a substandard rooming house, oftentimes without even a lock on their door. In the rooming houses, the boarding houses, there's a lot of violence. There's a lot of drug use. There's a lot of alcohol use. So they're not that safe.

I would also support, whenever possible, for treatment to be done in the community because it sets up also ongoing supports.

I would ask the minister, we really need – in cases like this it is so essential because we see young people, youth, leave the Waterford or leave HMP and they don't have a safe place to live, or our young people leaving correctional facilities not necessarily, because we're dealing here with people under 18. If they're leaving a correctional facility or also a treatment facility and then having to live in poverty, because if they're having to spend \$600 to \$650 of their income support on housing, they end up with about \$75 every two weeks to feed themselves, to buy their clothing, their transportation, their personal needs.

So I'm wondering if the minister, in fact, is looking at this. Again, because the amount of money and resources that go towards these kinds of programs, towards treatment, towards detox, towards residential treatment and then a young person is released and is not able to live in a safe, affordable, secure environment, they spiral down again.

I'm wondering if the minister can speak to that.

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

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

The Member opposite makes some pertinent points. Unfortunately, I can't address any of those through this piece of legislation. The all party committee is, as the Member knows sitting on it, interested in the social determinants of mental health and addictions. I think that's best addressed through a different forum than this piece of legislation.

CHAIR: Shall clause 1 carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clause 1 carried.

CLERK (Murphy): Clause 2.

CHAIR: Shall clause 2 carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clause 2 carried.

CLERK: Clause 3.

CHAIR: Shall clause 3 carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clause 3 carried.

CLERK: Clause 4.

CHAIR: Shall clause 4 carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clause 4 carried.

CLERK: Clauses 5 to 42 inclusive.

CHAIR: Shall clauses 5 through 42 inclusive carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clauses 5 through 42 carried.

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

CHAIR: Shall the enacting clause carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, enacting clause carried.

CLERK: A bill, An Act Respecting Secure Withdrawal Management For Young Persons.

CHAIR: Shall the title carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, titled carried.

CHAIR: Shall I report Bill 55 carried without amendment?

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: All those against?

Carried.

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

CHAIR: The hon. the Deputy House Leader.

MS. COADY: I move, Madam Chair, that the Committee rise and report Bill 55.

CHAIR: The motion is that the Committee rise and report Bill 55.

Shall the motion carry?

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: All those against?

Carried.

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

MR. SPEAKER (Osborne): The hon. the Deputy Speaker.

MS. DEMPSTER: Thank you, Mr. Speaker.

The Committee of the Whole have considered the matters to them referred and have directed me to report Bill 55 carried without amendment.

MR. SPEAKER: The Chair of the Committee of the Whole reports that the Committee have considered the matters to them referred and have directed her to report Bill 55 carried without amendment.

When shall the report be received?

MS. COADY: Now.

MR. SPEAKER: Now.

When shall the said bill be read a third time?

MS. COADY: Tomorrow.

MR. SPEAKER: Tomorrow.

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

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

MS. COADY: Thank you.

Mr. Speaker, Order 8, second reading of Bill 60.

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

MR. JOYCE: Mr. Speaker, I move, seconded by the Member for Lab West, that Bill 60 be read a second time.

MR. SPEAKER: It is moved and seconded that Bill 60 be now read a second time.

Motion, second reading of a bill, "An Act To Amend The Highway Traffic Act No. 4." (Bill 60)

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

MR. JOYCE: Thank you, Mr. Speaker.

I won't be long on this here because we know everybody is going to agree with this. It's a bill we're bringing in for safety in the province as usual. Co-operation is always abundant here when it's the right thing for Newfoundlanders and Labradorians. This is absolutely no different, Mr. Speaker.

Mr. Speaker, this amendment to the *Highway Traffic Act* will add a specific definition to three-wheeled vehicles. This will allow them to properly register it in the province, establish criteria for their safe operation and falls in line with all other registration requirements for motorized vehicles in the province.

Newfoundland and Labrador currently does not register three-wheeled vehicles like the Polaris Slingshot and the Campagna T-REX. Mr. Speaker, for the people to see, this is what we're talking about. I'm sure the Members opposite don't mind. We are just trying to make it a bit safe here with the T-REX.

I know the Member for Cape St. Francis is jumping over there because he has one. Apparently he has one up in his garage and he's very happy to have it registered. Yes, the Member for Cape St. Francis was telling me earlier he has one up in garage. He got one of these and he said he can't wait to get it registered so he can get it on the road. I have to say, Mr. Speaker, a man of his size, the big old hockey, tough guy is going to look some nice on one of them little T-REXs.

There are a number of distinctions between three-wheel vehicles and motor tricycles. Three-wheel vehicles have a steering wheel and the occupant sits in a conventional passenger car, seats equipped with seatbelts, while a motorized tricycle has head bars and the occupants sit astride each other. Three-wheel vehicles are operated with foot pedals for acceleration and braking, while motorcycles are operated by a combination of foot and hand controls.

These vehicles are approved by Transport Canada for on road use but are in a prescribed class separated from motor tricycles. These vehicles do not meet the criteria required for classification as an automobile car by Transport Canada. Since they are open-air vehicles, they don't afford the occupants the same level of roll over protection as an enclosed vehicle.

In Newfoundland and Labrador, the *Highway Traffic Act* definition of motorcycles is not as broad as in some other jurisdictions and does not capture all types of three-wheel vehicles. Alberta, New Brunswick, Prince Edward Island and Quebec register these vehicles as motorcycles, while British Columbia, Manitoba, Ontario and Saskatchewan register them as three-wheel vehicles.

Three-wheel vehicles are exempt from certain safety standards applicable to conventional motor vehicles and may not provide users the same level of occupant protection in the event of

a collision. This amendment will allow for those vehicles to be driven on provincial roads and highways and they will be required to meet all the safety and licensing standards as other on road motor vehicles. This means they will be required to have insurance, a registration fee will apply, the operator must hold a driver's licence and other requirements.

Users will be required to wear a helmet and in cases where the vehicle does not have a windshield, eye protection such as facial safety glasses or goggles. These vehicles are not equipped to accommodate a child restraint system, such as booster seats and car seats.

This amendment speaks to the provincial government's commitment to support safe and sustainable communities throughout Newfoundland and Labrador.

This change to the act will require a separate series of plates for registration purposes and the Office of the Chief Information Officer will be required to make system changes to reflect the vehicle's plate. Additionally, person hours will not be needed at the OCIO to make these changes.

These vehicles will be issued J-series plates. Side by Sides and Rhinos, while they are occupied with a steering wheel as opposed to head bars, are not approved by Transport Canada for (inaudible). These additional person hours will be covered under the staffing and in minimal time frames.

Mr. Speaker, that's what we're bringing in here today. I understand, for safety reasons, I'm pretty confident we will get the support of everybody in the Legislature.

Thank you.

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

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

Bill 60, the Highway Traffic Act No. 4, when the minister got up earlier, he said that I had one of these – what I was talking about was my Big Red home, which was the old three wheeler that

we used to use before we had the four-wheel trikes.

This particular type of vehicle has to be approved by Transport Canada to be able to go on the road and that's so important because, as the minister just alluded to a few minutes ago, about different all-terrain vehicles, they're not approved by Transport Canada to be able to go on the road.

I've seen a couple around now that you see the two wheels on the front and usually it's a rear-wheel drive that the vehicle is. To be able to register this, it is important that we have the legislation in place. There is some safety requirements that are needed also with this vehicle and the minister also mentioned. It's something like a motorcycle that you would have to wear a helmet. Also, some of these vehicles you can see the windshield will come right up over and they can be enclosed over the top. If they are, then you wouldn't need to wear a visor but if the windshield only comes up half way, then part of the legislation means that you will have to have a visor on your helmet. That is just basically for safety protection.

Nova Scotia and Newfoundland are the only provinces right now that don't have the legislation in place for these vehicles. There will be some fines that will be put in place for operating a vehicle without a helmet or eye protection. The minimum fine for that is \$400. Child seat restraint system, where it is not allowed, if you do try something like that in one of these vehicles also that can go up to \$500 or higher.

Mr. Speaker, there's not a lot you can say about this bill, but I'm sure we will be supporting it. It's something new that's on the road these days and anything that goes on the roads, we make sure that the proper legislation is in place, that people wear the proper helmets and visors and everything else for safety reasons. We ensure that children are not put at risk in any way, shape or form.

We have to abide by the standards that are out there right across Canada and in other provinces. I don't know if we'll see a lot of these vehicles around, apparently they're pretty expensive. But

I'm sure that when we do, we have to make sure the proper legislation is in place.

I'm sure that we will be supporting this bill.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

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

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

This is a good piece of legislation, Bill 60, amending the *Highway Traffic Act* to support the three-wheeled vehicles. This morning at the briefing they actually gave out the pictures of the three-wheeled vehicles. I'm not allowed to use props, but it's here on my desk.

AN HON. MEMBER: (Inaudible.)

MS. MICHAEL: Oh, you're giving me permission are you, Sir?

AN HON. MEMBER: Yes, go ahead.

MS. MICHAEL: Here's a three-wheeled vehicle. And there are people using them already. Just a couple of weeks ago actually, I heard a gentleman on CBC, I think it was, being interviewed about them. So the use is coming, I know, here in the St. John's area. I don't know about other areas in the province.

So knowing that they're coming in, it does mean that we need to have registration and we need protection. I'm not going to go through what the minister and my colleague for Cape St. Francis went through, it's very straightforward: registration, safety protection such as the wearing of helmets and then penalties for not keeping the regulations.

I think it's good that we are coming on board, especially since we and Nova Scotia are the last two left to get this done. There's really no more to say. They are different from other all-terrain vehicles that are in use in the province because they have a steering wheel as opposed to handlebars. So it is a different kettle of fish, this

particular vehicle. I'm glad to see the regulations in place.

Thank you very much, Mr. Speaker.

MR. SPEAKER: The hon. Member for Mount Pearl – Southlands.

MR. LANE: Thank you, Mr. Speaker.

I'm just going to take a second here to speak to Bill 60 just for the record. I'll be supporting the bill, obviously. There's no reason why anybody wouldn't support it.

I have to say I never heard of these three-wheeled vehicles before now. I never saw one, never even heard of one. I guess it's a sign of the times as new forms of transportation get developed. Who knows, at some point in time, we might be standing in the House of Assembly and approving regulations for jetpacks or something – who knows?

In the meantime, the piece of legislation we have here now is just basically going to include these new vehicles which weren't considered previously under the *Highway Traffic Act* and is going to put in measures for registration, recognition of them and some safety measures when you're operating them.

So like I said, I'll be supporting the bill.

Thank you.

MR. SPEAKER: The hon. the Minister of Natural Resources – are you closing the bill?

MS. COADY: (Inaudible.)

MR. SPEAKER: Okay.

The hon. the Minister of Municipal Affairs, if he speaks now, he shall close debate.

MR. JOYCE: (Inaudible) what happens, when you bring in good legislation everybody wants to support it.

So, Mr. Speaker, I just thank everybody who spoke on this bill and understand that it is for the safety of the people of Newfoundland and Labrador. I just want to thank everybody who

spoke on the bill and I recognize once again that we're all working together for the safety of Newfoundland and Labrador.

So I thank everybody who supported it, and I thank everybody who spoke on it.

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

The motion is that Bill 60 be now read a second time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

Carried.

CLERK (Ms. Barnes): A bill, An Act To Amend The Highway Traffic Act No. 4. (Bill 60)

MR. SPEAKER: Bill 60 has now been read a second time.

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

MR. A. PARSONS: Now.

MR. SPEAKER: Now.

On motion, a bill, "An Act To Amend The Highway Traffic Act No. 4," read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill 60)

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

MR. A. PARSONS: Mr. Speaker, I move, seconded by the Minister of Natural Resources, that the House resolve itself into a Committee of the Whole to consider Bill 60.

MR. SPEAKER: The motion is that the House resolve itself a Committee of the Whole to consider Bill 60.

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

Carried.

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

Committee of the Whole

CHAIR (Dempster): Order, please!

We are now considering Bill 60, An Act To Amend The Highway Traffic Act No. 4.

A bill, "An Act To Amend The Highway Traffic Act No. 4." (Bill 60)

CLERK: Clause 1.

CHAIR: Shall clause 1 carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clause 1 carried.

CLERK: Clauses 2 through 4 inclusive.

CHAIR: Shall clauses 2 through 4 inclusive carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clauses 2 through 4 carried.

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

CHAIR: Shall the enacting clause carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, enacting clause carried.

CLERK: An Act To Amend The Highway Traffic Act No. 4.

CHAIR: Shall the title carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, enacting clause carried.

CLERK: An Act To Amend The Highway Traffic Act No. 4.

CHAIR: Shall the title carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, title carried.

CHAIR: Shall I report Bill 60 carried without amendment?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

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

CHAIR: The hon. the Government House Leader.

MR. A. PARSONS: I move, Madam Chair, that the Committee rise and report Bill 60.

CHAIR: The motion is that the Committee rise and report Bill 60.

Shall the motion carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

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

MR. SPEAKER (Osborne): The hon. the Deputy Speaker.

MS. DEMPSTER: Mr. Speaker, the Committee of the Whole have considered the matters to them referred and have directed me to report Bill 60 carried without amendment.

MR. SPEAKER: The Chair of the Committee of the Whole reports that the Committee have considered the matters to them referred and have directed her to report Bill 60 carried without amendment.

When shall the report be received?

MR. A. PARSONS: Now.

MR. SPEAKER: Now.

When shall the said bill be read a third time?

MR. A. PARSONS: Tomorrow.

MR. SPEAKER: Tomorrow.

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

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

MR. A. PARSONS: Mr. Speaker, I would call Order 6, second reading of Bill 58, An Act To Amend The City Of Corner Brook Act, The City Of Mount Pearl Act And The City Of St. John's Act.

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

MR. JOYCE: Mr. Speaker, I move, seconded by the Member for Lab West, that Bill 58 be read the second time.

MR. SPEAKER: It has been moved and seconded by the hon. Minister of Municipal Affairs that Bill 58 be now read a second time.

Motion, second reading of a bill, "An Act To Amend The City Of Corner Brook Act, The City Of Mount Pearl Act And The City Of St. John's Act." (Bill 58)

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

MR. JOYCE: Thank you, Mr. Speaker.

I introduce this bill. Just for the record, these amendments we're making in the House of Assembly were requested by the City of St. John's, the City of Corner Brook and the City of Mount Pearl. They were requested. What it is the *Municipalities Act* was changed back in 2011-2012, so we're bringing in amendments now to match that for those towns.

As I spoke to the Member for Cape St. Francis on agreement, what we said was I'll go through each change and explain why it's being done and the difference so it will be clear in the House.

Mr. Speaker, the first one is for grants for charitable causes. It is proposed that both the City of Corner Brook Act – before I get into that, Mr. Speaker, some of these are going to be the City of Corner Brook, Mount Pearl, some just for the City of Corner Brook. There is one just for the City of St. John's. Some you'll hear the City of Corner Brook and Mount Pearl. Some just the City of Corner Book, and there's

one there just for the City of St. John's. That's to bring their city laws up to the stand of the *Municipalities Act*.

It is proposed that both the City of Corner Brook Act and the City of Mount Pearl Act be amended to allow a two-thirds council vote, a grant to charitable or philanthropic causes to be provided. This, as we brought in earlier, is a bill that was passed in the House where a council can pass on goods with a vote of two-thirds.

I just want to make this very clear, too, Mr. Speaker. This excludes grants for political parties or candidates in a federal, provincial or municipal election. Even with this, they can't give to a political party or a candidate during an election from the municipalities. That's still in effect.

The second one is minimum property tax; right now, as we speak, it is for residential and commercial. It is proposed that both the City of Corner Brook Act and the City of Mount Pearl Act be amended to allow a separate minimum real property tax to impose for vacant land and land upon which there is a non-residential building of a specific size.

What that is, Mr. Speaker, is vacant land, wharves, sheds within municipal boundaries. This would cover that because I think we remember back years ago, there was a court case back years ago about that. So this would allow it.

Mr. Speaker, once again, this relates to the vacant land, wharves and sheds and they are just bringing it up. So if there is a wharf or shed in someone's municipality, then they could actually charge them.

The third amendment; it is proposed that both the City of Corner Brook Act and the City of Mount Pearl Act be amended to authorize property to be conveyed free from encompasses except Crown land claims and easements to be purchased upon sale of a property for purposes.

What that is, Mr. Speaker, for example, if there are liens on a building from a mortgager, right now those towns cannot sell that property if there are taxes owed. What this says here now is that they can move those liens off and sell it.

The City of Corner Brook or the City of Mount Pearl will get their taxes first. Whatever is left for the mortgages, however the restructuring of the debt, whoever is the first party for the debt will get the remaining debt.

What they're saying is if something is sold in the City of Corner Brook where there's a lien on it from two or three different entities, the city will get the first taxes owed on the building, what is left will go to the remaining debitures. What that will do is give clear title for anybody, Mr. Speaker. This is to ensure that there's priority given over in the municipal debt that is owed for the town, so municipal debt is the first one.

The proposed number four, adverse possession; it is proposed that *The City of Corner Brook Act* be amended to protect municipality real property from adverse possession by a third party. What that is, for example, the city adverse is 20 years, open for use, can acquire possession now. What we're saying is if someone in the City of Corner Brook went in and claimed land, right now under the act they could own it.

What the City of Corner Brook is saying is they can't claim land through adverse possession. So if they just happen to move on a piece of land and they stayed there for over 20 years, right now they can own it. Once this is brought in you can't own city property in the City of Corner Brook just because you happen to put some building or structure or use it for some reason.

MR. K. PARSONS: Squatter's rights.

MR. JOYCE: Squatter's rights would be an ideal – Cape St. Francis. What they're saying, if someone went in there now and tried to say, well, squatter's rights on this city property. You can't do it on city property. Crown Lands goes back to '56 and they can do squatter's rights but once we pass this, that the city asked for, is they can't get ownership because of that.

Number 5, proposed amendment, response to emergencies; it is proposed that *The City of Corner Brook Act* be amended so that a minister's authorization is no longer needed to respond to emergencies. Mr. Speaker, right now if there's an emergency in the City of Corner Brook, the city has to ask the minister to give them permission for emergencies. What we're

saying now, the City of Corner Brook, there's no need to contact us. If you have an emergency, you have the ability now to declare and respond to emergencies on your own right now. That there, Mr. Speaker, is no longer needed to respond to emergencies. They can respond on their own without notification and approval from the minister.

The next proposed amendment is municipal budget and capital reserves. It has been proposed that both *The City of Corner Brook Act* and *The City of Mount Pearl Act* be amended so that expenditures in a municipal budget shall not exceed revenues and capital reserves can be established without requiring ministerial approval. What that is, Mr. Speaker, right now, as we all know, municipalities have to put in a budget and you can't spend over your budget. You have to have a balanced budget.

What this is, if you can find savings you can keep the savings. If they restructure somehow within, you can keep your savings within the towns. In other words, they can have surpluses.

Right now, it has to be a balanced budget. What it is, they can't have surpluses now. If they streamline things throughout the year, they can definitely now – if they have a surplus now, they can find ways to save money to have a surplus to move it ahead for the following year. Before, they couldn't have surpluses.

Number seven, audit financial statements; it is proposed that both the *City of Corner Brook Act* and the *City of Mount Pearl Act* be amended to "require annual financial statements to be consistent with the standards of the Public Sector Accounting Board." They are already doing it. They're already adhering to the Public Sector Accounting Board.

What this legislation is, they're doing it legally after we approve this. They're already doing it, so this is just putting it in the act. They're following the standards anyway, but it was never in the legislation for them to do it. So this is just a minor one to ensure that they actually follow the procedures that they're following and have it in the act.

The eighth one, municipal departments; it is proposed that both the *City of Corner Brook Act*

and the *City of Mount Pearl Act* be amended to provide flexibility to council in restructuring their operations. Now, if they want to do anything structural, it has to be prescriptive, Mr. Speaker. The regulations will allow authorities with council to restructure. Right now, there are certain restrictions there; you need to have this person in this position, this person in this position. It's actually in the legislation now that you have to prescribe where you're putting these people, who they are.

Under this amendment the City of Corner Brook right now will have the authority and the council will have authority to prescribe where to go. So they don't have to have everything spelled out to the government. They can actually go in – and it's almost like a city council taking over and doing their own affairs. That's all this is also. It's a situation where such large towns – there's some prescriptive in their act now, that they're saying, listen, we don't have to be prescriptive, we just need to do the restructuring on our own.

Appointment of an auditor; again, this is another one that's a housekeeping one. It is proposed that both the *City of Corner Brook Act* and *City of Mount Pearl Act* be amended so that ministerial notification with respect to the appointment of an auditor is no longer required. Now they must notify the minister who the auditor is. The City of Corner Brook and Mount Pearl, the large towns that they are, must notify who they are. What we're doing is we're taking that out now and saying there's no need to notify us who they're appointing as their auditor.

Once again that's minor. They're doing it now. They're actually not doing that now but they want to be able to. We want to appoint an auditor, just go to it; it's just very minute housekeeping.

Mr. Speaker, supplementary assessments, it is proposed that both the *City of Corner Brook Act* and the *City of Mount Pearl Act* be amended to provide full integration and consistency with the requirements of the *Assessment Act, 2006* in regard to supplementary assessments.

Right now, Mr. Speaker, under the current legislation, use supplementary assessments like a new home. Just if the house burned down they can use it as a supplement. With the new part,

they can do a supplement if a house is burned down. Real property assessment is changed and is in line with the *Assessment Act*. So if any new property, they can come in and do a supplementary if the house is burned down, real property assessment.

Right now, if your house burned down, they can't do a supplement under the *Assessment Act*. What we're saying is if you have that situation where a house burned down, you can come in and do a supplement. So it's more of a getting real if something burned, then you come in and assess that and someone has to pay taxes on a burned down house.

Definition of real property, number 11; it is proposed that the *City of Corner Brook Act* be amended to provide for consistency with the *Assessment Act, 2006* in regard to the definition of real property. Now real property includes machinery and equipment. What you notice here, this is just the City of Corner Brook wants this done. This will not include machinery and equipment for the City of Corner Brook. This is consistent with the *Assessment Act*.

Mount Pearl, they feel there is no need to change this because they already have it in their own regulations that they don't include machinery and equipment. The City of Corner Brook asked to have it done so it wouldn't include machinery and equipment, which is consistent with the *Assessment Act*. Mount Pearl feels they have the authority now.

Number 12, debt collection mechanism; it is proposed that the *City of Corner Brook Act* be amended to provide the use of lawful means of civil debt collection and to be reimbursed the reasonable cost of such.

Mr. Speaker, now if the City of Corner Brook was going to get someone to go and collect your debt, they couldn't charge that off. They couldn't pay for it, and if any expenses, they couldn't do it. What they're asking here, any cost we'll be able to use toward debt collection and any cost associated with that debt. If they go and get a debt collector to help them collect their debts, before they weren't allowed to pay for that at any cost. Now what they're asking for, if they go hire someone to collect debt they're

owed, they can pay for that and pay for the associated costs with it.

Once again, this is in line with the *Municipalities Act* that all small towns – and I know the Member for Cape St. Francis is aware of that. If people go and get a collection agency to help collect their debts, they can get paid for the duties. Under the *City of Corner Brook Act* now, they can't. So they're asking for that change.

Number 13, it is proposed that both the *City of Corner Brook Act* and the *City of Mount Pearl Act* be amended to include: in a statutory lien and interest owing in relation to outstanding debt. What that is if you have a debt to the City of Corner Brook or the City of Mount Pearl right now, they can't charge interest on that lien. If you owe taxes or for some reason you owe money to the City of Corner Brook or the City of Mount Pearl, right now what you owe is what you owe.

What they're asking for here is that they be able to charge interest as prescribed by the town, interest on that debt. It's common in government. It's common for any bank that if you owe money, which is overdue, they can charge you interest. They're asking in this case, if there's a debt owed to the town that they can definitely charge interest on that debt.

Proposal 14, poll tax; it is proposed the *City of Corner Brook Act* be amended to require an employer on demand of the council to provide the addresses of his employees, as well as the names and dates on which their employment began. Now, for example, the City of Corner Brook, they have no way. If they write an employer to say we want to know how many people you have working and their address and phone number, they can't do it right now for the poll tax.

What they're asking is that with this change, if they write an employer, they have to give them a list of the employees and their address so they can collect poll tax. Once they receive the letter, they have three weeks to ensure they give them the names and addresses. St. John's and Mount Pearl don't have a poll tax, so there's no need for those changes. Once again, it's just a

mechanism for them to keep account so they know who's in their town working.

Number 15, this is the St. John's one, Mr. Speaker. Section 146 of the *City of St. John's Act* requires Water Street business owners to pay half of the cost of reconstruction work. CFIB has expressed concern with this requirement in light of the City of St. John's scheduled water construction project. The City of St. John's, in response, requested section 146 to be repealed to allow more equitable treatment for Water Street business owners. It is proposed that section 146 of the *City of St. John's Act* be repealed.

These provisions will come into effect January 1, 2017, with the exception of the amendment to the *City of St. John's Act* which will come in as soon as this bill comes on Royal Assent.

What was on the *City of St. John's Act* was that downtown St. John's had to pay 50 per cent of construction costs for some reason. So what they're doing now is eliminating that. They would pay however to the city, as they do other businesses around the City of St. John's.

Mr. Speaker, you can see most of these things here are very sensible. They're very sensible; they are very timely for the towns. It's bringing them up in line with the *Municipalities Act*. As I stressed before and I'll say again, everything here was asked for by the towns. They asked for these by the towns –

MR. LETTO: Cities.

MR. JOYCE: By the cities, sorry; asked for by the cities. The Member for Lab West, who's very familiar, corrected me on that. It's the cities, not the towns. So I apologize there for all the towns.

AN HON. MEMBER: (Inaudible.)

MR. JOYCE: Pardon me?

He's saying good job. Thank you.

Mr. Speaker, I'll just take my seat. I look forward to all the comments, which I know again that everybody is going to be supporting this because we're supporting all the cities that are putting these forward.

Thank you, Mr. Speaker.

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

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

We go for a lot of briefings over in different departments and stuff like this. With 15 amendments in place, we were over there for a long while getting explanations on each one of the amendments. I really do have to thank the people over in the Department of Municipal Affairs and thank the minister for getting them all together and giving us the answers. As the minister went through each one of the amendments that time, we had a great explanation over in the department. They did a great job on this bill.

I guess the main thing about the bill is this is something the cities requested. Interesting though, when I was over there I was wondering how each city – the City of St. John's basically does things on their own and said, okay, we don't need it. No city was told that these are the regulations that are coming in. These are actually what they wanted and what they asked for in this bill.

So there were things there – you'll see that the City of Corner Brook is there by themselves. You'll see some regulations and amendments that only the City of Mount Pearl is involved in. The last one, which was very interesting when I looked at it – I said, oh, I know there's a lot of talk in St. John's now about the big dig down on Water Street. If you looked at it, it went back and said that the responsibility of this, the cost of this would go to the business owners.

Maybe years ago it was something that was acceptable, but we all know today that any time a big dig or anything to do with water and sewer and digging up, it's a major, major cost. So you understand why this was brought in now to repeal that – I'm sure the businesses really didn't want to pay for half of that.

I'm not going to go to amendment by amendment, the minister did a great job of explaining each one but I'd like to say a few words on the *Municipalities Act, 1999*. Most of

these changes were made under that act. The same changes that were made here today, this was all done in 2011 and 2012 under the *Municipalities Act*. So all the changes that were done to the amendments that were made here today are made under the *Municipalities Act* also.

What we're doing is bringing that in line, bringing the cities – for people at home that don't really know that Municipalities Newfoundland and Labrador have their own act but each one of the cities in the province – Corner Brook, Mount Pearl and St. John's have their own acts. They have their own pieces of legislation.

A lot of this today, what we're doing, is bringing those cities in line with the *Municipalities Act* and, again, it's important that we do that. Personally I'd like to see and I know the minister and I – I asked this and it's strange that we don't have the one city act. I think it's being worked on. I think it would be a good thing because that way we could have everybody under the one level and everyone would know what's on the go.

There's a lot of stuff in this act when you come and look at grants to charities that while it's in legislation now, stuff like that was done – you can look at all the cities around, they've been donating to charities for years but this brings it more in line now with the *Municipalities Act*. It also eliminates grants to political parties and candidates.

The interesting thing about that there is no maximum amount of money that they can put out there. Other than that, the minister went through all the amendments and I think he did a good job. There's nothing here that can be controversial because this is what each one of the cities asked for.

Thank you very much.

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

MR. A. PARSONS: Yes, Mr. Speaker, given the hour of the day I would move, seconded by the Minister of Natural Resources, that the House do now adjourn.

MR. SPEAKER: The motion is that the House do now adjourn.

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

The House now stands adjourned until Monday at 1:30 in the afternoon.

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