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HANSARD

*Speaker: Honourable Derek Bennett, MHA*

Tuesday

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The House met at 1:30 p.m.

**SPEAKER (Bennett):** Order, please!

Admit strangers.

Before we begin, again, today I'd like to welcome everyone to the public gallery.

Today, we will hear statements by the hon. Members for the District of Harbour Main, Humber - Bay of Islands, Labrador West and Mount Pearl North.

The hon. the Member for Harbour Main.

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

**H. CONWAY OTTENHEIMER:** Thank you, Speaker.

I rise in this hon. House, today –

**AN HON. MEMBER:** A point of order.

**SPEAKER:** Order, please!

Sorry.

The hon. the Member for Torngat Mountains.

**L. EVANS:** Thank you, Speaker.

I rise on a point of order under Standing Order 49. I rise at my earliest opportunity to do so, as I was waiting to review *Hansard* from presenting of petitions yesterday afternoon, March 11, 2024. The Member for Windsor Lake used unparliamentary language when he referred to my presenting petitions on the *Limitations Act* to clearly state that there is no limitation period for civil claims involving child abuse of any form.

When I presented that petition yesterday, he also referred to this incident as the second time and that was Wednesday, March 6, when I presented a petition reforming the

justice system to better serve survivors of sexual assault.

I will point out when the Member from St. John's Centre presented a petition, the Member from Windsor Lake did not rise to correct him.

The petition was developed by/from first-hand accounts of survivors of sexual assault at a town hall. The Member for Windsor Lake has accused me of presenting mistruths in this hon. House of Assembly regarding the petition to amend the *Limitations Act* to clearly state there's no limitation period for civil claims involving child sexual abuse of any kind or child abuse of any form.

Regarding the petition – and I'll quote from *Hansard* – the Member for Windsor Lake said, "that it's unacceptable to have facts like that stated in this House that aren't true." He went on: To say that the government doesn't acknowledge it is disgusting and untrue and this is the second day in a row I've had to stand up and correct the Member for Torngat Mountains on her mistruths.

The second day, the Member is referring to another petition I presented on March 6, 2024, concerning reforming the justice system to better serve survivors of sexual assault. He stated – and this is from *Hansard*, again – "So, I don't want anyone in this House to mislead what's happening in court here with regards to sexual assault victims."

The second petition was presented to address concerns we've heard from sexual assault survivors during a town meeting. That was the second petition. The petition was created to try to encourage government to act and reduce stigma faced by survivors.

Sorry, Speaker, I prepared this, so I want to be accurate in what I intend to say.

These words that the Member for Windsor Lake describes as mistruths are words directly from survivors who have to come forward to seek justice. In that petition – that’s not my petition. It’s the petition from sexual assault survivors who’ve gone through the court system. These words are personal accounts experienced by survivors.

Speaker, we know that it isn’t impossible for sexual assault victims, as the Member says it is, for survivors to be retraumatized in court processes and from defence lawyers. I received an email today from a survivor of sexual assault that states that during her trial she was approached by the defence and that the court process was more triggering for her because she had to go into intimate details and aspects of the attack and more.

Speaker, to conclude, the Member for Windsor Lake said that I was using misleading and false information in this House. This is disrespecting the survivors of sexual abuse who have asked for those petitions to be presented. The Member is trying to negate their pleas for action by negatively affecting my reputation by saying what I’m presenting on their behalf as being misleading and untrue.

Speaker, I know that you have ruled on this issue; you’ve ruled on the use of these phrases in the past. I ask if you could review the matter and if you could find that the Member is breaching my privilege as a Member of the House of Assembly and that you ask him to withdraw those comments he stated against me.

I fear that the Member’s action may place a chill on the presentation of petitions in our hon. House by the people of the province.

Thank you, Speaker.

**SPEAKER:** I’ll take this point of order under advisement. I will take some time to review *Hansard* and the petition that was presented

yesterday and I’ll report back to this House at a later date.

Statements by Members.

### **Statements by Members**

**SPEAKER:** The hon. the Member for Harbour Main.

**H. CONWAY OTTENHEIMER:** Thank you, Speaker.

I rise in this hon. House today to recognize and honour Jenna Lake of Upper Gullies in the District of Harbour Main.

Jenna is no outsider to the world of volleyball and, in fact, she’s a Newfoundland and Labrador volleyball star. She recently helped make history with leading the Acadia University Axewomen volleyball team to its first-ever Atlantic University sport title by defeating the Saint Mary’s University Huskies.

An astronomical performance for the 21-year-old Jenna, who also earned the title of Player of the Game and was selected as the Atlantic University Sport Playoff Most Valuable Player.

Jenna and her teammates will be travelling to McMaster’s University this coming weekend to compete in the Canadian University Championships.

Before attending Acadia University, Jenna, who is now in her third year, competed in the sport of volleyball right here at home on provincial and national levels, including Team Newfoundland and Labrador at the last Canada Summer Games where she was also captain of the team.

I ask all Members to please join me in congratulating Jenna and also extend our best wishes to her and her teammates on the Acadia Axewomen as they compete this weekend in the national championships.

Thank you.

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

**SPEAKER:** The hon. the Member for Humber - Bay of Islands.

**E. JOYCE:** On January 25, I had the pleasure of attending a very special event at Templeton Academy in Meadows as a very deserving individual was honoured.

With members of his family present, Barry Park, a dedicated teacher and mentor, was recognized by his peers and students for his dedication and support to them and his community for his many selfless contributions over the years. The affection they have for Mr. Barry, as they call him, was quite evident in the heartwarming tributes given by his colleagues who were once his students.

Barry's passion for sports is undeniable and his encouragement to help others is unwavering. He has touched the lives of many students, providing guidance, leadership and always with a friendly smile.

In recognition of Barry's continued contribution, Rick Crane, president of the Corner Brook Royals Hockey Club and members, which included a couple of Barry's former students, presented him with an invitation to be their guest of honour at the hockey game held on February 3 and do the Royals ceremonial puck drop.

I ask all Members in this House to congratulate Barry, a legendary Templeton Tiger, on receiving this well-deserved recognition.

Congratulations.

Good job, my friend.

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

**SPEAKER:** The hon. the Member for Labrador West.

**J. BROWN:** Thank you, Speaker.

I rise today to congratulate the racers of the Cain's Quest snowmobile race 2024. It takes months of planning and organizing for the racers and their families to take on the challenge of Cain's Quest. I commend each and every team for the decision and drive to compete in Cain's Quest.

Cain's Quest winners, Team 99, crossed the finish line on March 7, 2024. Team 99 called themselves Saga Boys Vikings and is a father and son duo: Randy and Sebastian Malleck. Randy and Sebastian ran out of fuel just before their last checkpoint and Team 72, Mark's Legacy, stepped in and fueled up their machine so that they could cross the finish line. In return, Team 99 helped other teams along the way to make it to the finish line, as well. Thank you for showing your support and the true Labrador spirit.

I'd like to take an opportunity to give a big thank you to the racers, their support crews, Cain's Quest volunteers, staff, board members and all the search and rescue personnel who were called upon to ensure that each team makes it to each checkpoint safely.

Cain's Quest is one of the most enduring snowmobile races; the toughest and the longest in the world and it's the biggest one out there.

I ask all hon. Members to join me in congratulating each team for accepting the challenge: to challenge the legend itself.

Thank you.

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

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

**L. STOYLES:** Speaker, I am delighted to stand today and congratulate a constituent

in my District of Mount Pearl North, Sarah Dawe.

Sarah has been named to the coaching staff for Team NL's indoor volleyball at the 2025 Canada Games. Sarah is a very skilled and accomplished volleyball player and coach. Since 2011, Sarah played on various teams from local clubs, three AUS championship teams with Memorial University, Team Manitoba at the National Team Challenge Cup and Dalhousie's women's volleyball with whom she won the two AUS championships and received an all-star award.

Since 2016, she has coached with clubs at Memorial, Dalhousie, the Junior Elite and Provincial Team Excellence team, the 16U Female Canada Cup Team and, currently, the Mount Pearl Senior High 4A female team.

Sarah's academic career is quite impressive as well. She completed a Bachelor of Kinesiology at Memorial University and a master's degree in occupational therapy and a Certificate in Disability Management at Dalhousie during her years of study. Sarah received four Academic All-Canadian awards.

Speaking, I ask Members to join me in congratulating Sarah and wishing her continued success and good luck at the 2025 Canada Games.

Thank you.

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

**SPEAKER:** Statements by Ministers.

#### **Statements by Ministers**

**SPEAKER:** The hon. the Minister Responsible for the Public Service Commission and Deputy Premier.

**S. COADY:** Thank you very much, Speaker.

I welcome to the gallery today the newest group of university graduates who have joined our public service through the graduate recruitment program.

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

**S. COADY:** These new graduates bring a wealth of skill and education to government. Among this team you will find many with master-level degrees in science, medicine, gender studies, sociology, political science, business administration and environmental policy, to name just a few.

These talented recruits are very eager to make meaningful contributions to our province. They are gaining first-hand experience in the development of social, health, fiscal and environmental policies, as well as business analysis, mineral development, renewable energy and public safety, just to name a few.

Since its implementation in the spring of 2022, the graduate recruitment program has enabled recent graduates to gain valuable experience in one or more work assignments, expand skills and knowledge, network and connect with professionals and receive ongoing mentoring, coaching and learning opportunities. Through this program we are developing a career path to management and executive roles within the public service.

The graduate recruitment program is offered by the Public Service Commission, which works to lead, guide and build a professional public service that is inclusive, diverse, respectful and skilled.

Speaker, I invite my colleagues to join me in wishing the very best to our newest cohort of graduate recruits as they learn from and enhance our strong public service.

Thank you.

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

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

**T. WAKEHAM:** Speaker, I thank the minister for an advance copy of her statement.

Speaker, it is a pleasure to rise to welcome graduate students to the gallery. We, the Official Opposition, welcome them on their new careers in our public service.

Recruitment and retention of university graduates is critical to the sustainability of this province in so many ways. Unfortunately, there is a hemorrhaging of young people away from this province, including those graduating from our own university.

This government is jet-setting around the world to recruit physicians, nurses and nurse practitioners and other critically needed health care roles, while our graduates, here at home, are still looking for jobs. Members on this side of the House are consistently hearing from constituents graduating here in our own province about the lack of reasonable employment opportunities despite having received offers from other jurisdictions.

Thank you.

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

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

**J. DINN:** Thank you, Speaker.

I, too, thank the minister for an advance copy of his statement and join in welcoming the recent graduates to the House of Assembly and to their jobs.

The public service should do its part to retain our students. We encourage government, also, to support students before they graduate. Reduce costs for students and stop exploiting the labour of

work-term students who are forced to take unpaid work terms by this government in education, social work and nursing.

Thank you.

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

**SPEAKER:** Are there any further statements by ministers?

Oral Questions.

### Oral Questions

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

**T. WAKEHAM:** Speaker, once again, the steps of Confederation Building are filled with people, the gallery is filled with people, all concerned about the upcoming fishing season.

I ask the Premier: Do you believe in free enterprise in our fishing industry?

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

**A. FUREY:** Thank you, Mr. Speaker.

Certainly, we've heard the voices of those on the steps. We've heard the voices of those around the province and let me tell you, once again, how important the fishery is, not just to us in the economy, but to the social fabric of Newfoundland and Labrador. We have heard that.

We're glad to say that two sides are currently negotiating. As a government, we just facilitate those discussions.

(Disturbance in the gallery.)

**SPEAKER:** Order, please!

**A. FUREY:** As I said yesterday, I called both sides into my office –

(Disturbance in the gallery.)

**SPEAKER:** Order, please!

I couldn't hear the response.

The hon. the Premier.

**A. FUREY:** – to continue to talk. We certainly ask them to continue to talk, to come to a timely resolution so that the uncertainty and the anxiety that exists within our harvesters and the processors and the plant workers alike can be resolved.

That said, Mr. Speaker, I've also told them all that we're committed to looking at the structural issues that exist throughout the fishery.

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

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

**T. WAKEHAM:** Speaker, I'll ask my question, again.

I ask the Premier: Do you believe in free enterprise for our fishing industry?

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

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

**A. FUREY:** Mr. Speaker, we certainly are committed to looking at all the structural issues that exist within the fishery, including the potential for outside buyers, the processing capacity and the controlling agreements and corporate concentration.

There are 500 years of these problems that exist. They're not going to change overnight but this government is committed to reviewing them.

With respect to outside buyers, that is the one thing that we would consider, but that said, we also have to consider –

(Disturbance in the gallery.)

**A. FUREY:** Mr. Speaker, can I speak or should I speak directly to them?

**SPEAKER:** Order, please!

The hon. the Premier.

**A. FUREY:** On this side of the House, we have to make sure that whatever decision we make and the downstream impacts that have on, whether it is plant workers or communities like, those who support the industries within those very local communities, we take those decisions seriously and we have to weigh them, Mr. Speaker. As a result, we're not willing to make a snap decision on any of these issues but commit to fully reviewing them.

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

**SPEAKER:** Order, please!

If the Members continue to shout back and forth, I'm going to take away speaking privileges from Members.

**SOME HON. MEMBERS:** Oh, oh!

**SPEAKER:** Order, please!

I hear the questions; I want to hear the response equally. I'm sure the people up in the audience would like to hear the responses, too.

The hon. the Leader of the Official Opposition.

**T. WAKEHAM:** Speaker, again, I'll rephrase the question so that maybe the Premier can give us an answer on this.

Premier, what is your definition of free enterprise in the fishing industry?

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

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

**A. FUREY:** Again, Mr. Speaker, I can only assume that the Member opposite is referring to outside buyers. With that, Mr. Speaker, we committed to looking at that. But we're also committed –

**L. PARROTT:** (Inaudible.)

**SPEAKER:** If the Member for Terra Nova continues, he'll lose his speaking privileges for this afternoon.

The hon. the Premier.

**A. FUREY:** No different than any other resources that belong to Newfoundlanders and Labradorians, Mr. Speaker. We need to make sure we evaluate each part of that value chain to ensure that every element is fully maximized for the people of the province, whether that's in the harvesting itself or the induced and indirect consequences of that industry in communities, including plant workers.

If the FFAW wants to come together with a proposal, we'd be happy to have a look.

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

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

**T. WAKEHAM:** Speaker, I ask the Premier: Do you believe that government legislation has helped create corporate concentration within the processing industry?

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

**SPEAKER:** The hon. the Minister of Fisheries, Forestry and Agriculture.

**E. LOVELESS:** Thank you, Mr. Speaker.

In all that the Leader of the Opposition has mentioned, in terms of corporate concentration, free enterprise – I met with six harvesters after I was out on the steps this morning and we had a discussion around that. I'm interested in making

decisions that are going to give a balance and fairness to the industry and that is inclusive of everyone: harvesters, processors, fish plant workers, graders, the list goes on.

We will continue to look at that. I committed to them today. They have clearly made the point that there is not a balance. Right now, I'm doing everything I can in terms of striking that balances that will be fair to the harvesters as well.

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

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

**T. WAKEHAM:** Speaker, I heard for some of those fishers who attended that meeting and they did not get any answers today.

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

**T. WAKEHAM:** They did not get the answers today.

Speaker, when the Fish Processing Licensing Board recommends granting a processing licence, why does it sit on the minister's desk?

**SPEAKER:** The hon. the Minister of Fisheries, Forestry and Agriculture.

**E. LOVELESS:** Well, that was one of the things that were discussed in that meeting this morning, and that's around capacity. That is a structural issue in the industry, no doubt. I've said I'm going to take a serious look at it.

There will be change, but I told them in the room today, the measure of the change, I don't have an answer for that right now, because I want to do due diligence to it and be responsible in my decision-making, instead of like the Member for Ferryland who would make any decision, doesn't matter what the repercussions are.

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

**T. WAKEHAM:** Speaker, the Premier and the Minister of Fisheries told the House of Assembly earlier that they had gone around the province meeting with harvesters and talking about their issues.

We're back in the House of Assembly today so I simply ask: What action are you going to take to address those issues?

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

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

**A. FUREY:** Thank you, Mr. Speaker.

One of the things we heard, as I said yesterday, I believe, loud and clear, was the old panel did not work. The forced choice of extreme prices did not lead to a timely start of the fishery. As a result, one of the things we heard consistent across the province was a different process. They wanted a different process to help set the price.

As a result, in the fall, we led a committee, stakeholders on all sides were involved, to come together with a formula, Mr. Speaker, that would share the risk on both the –

**SOME HON. MEMBERS:** Oh, oh!

**SPEAKER:** Order, please!

Member for Ferryland, again, this is your last warning.

The hon. the Premier.

**A. FUREY:** Again, we developed a formula, Mr. Blackwood developed a formula that would share the risk in a high-price environment and limit the risk to the harvesters in a low-price environment. That's what's on the table right now, that's what's been passed back and forth. That's what the FFAW needs to come back with, is that counter proposal.

**SPEAKER:** Order, please!

The Premier's time has expired.

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

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

**T. WAKEHAM:** Speaker, what people are looking for is action – action. They want to have action.

Is the Premier confident that every single issue that he heard in his travels with his minister this past summer are being addressed at this meeting with the FFAW and the ASP? Because that's not what we're hearing on this side.

So I ask the Premier: Will you get directly involved in making sure that our fishery starts on time?

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

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

**A. FUREY:** Thank you, Mr. Speaker.

There are 500 years of issues that have existed in the fishery, we heard many of them, many structural. You've heard the minister and I commit to doing a fulsome evaluation of that to ensure that we protect the industry within the province. The last thing we want to see is everything moving out of the province, Mr. Speaker.

**SOME HON. MEMBERS:** Oh, oh!

**A. FUREY:** I'm happy to continue if they'll listen.

On top of that, as I said, we have been involved. I called both sides into my office last week to make sure they were back at the table to try to get an orderly, timely start to this season.

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

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

**T. WAKEHAM:** Speaker, words, words, words, that's what we're hearing, words, words, words. When? When? When?

**SOME HON. MEMBERS:** Oh, oh!

**SPEAKER:** Order, please!

**T. WAKEHAM:** Tell that to the people of rural Newfoundland and Labrador who are concerned about their jobs.

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

**T. WAKEHAM:** Tell that to the fish plant workers. Tell that to the people in the gallery.

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

**T. WAKEHAM:** Tell that to the people on the steps of Confederation Building.

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

(Disturbance in the gallery.)

**SPEAKER:** Order, please!

I remind members in the gallery; you're not permitted to participate in debate in favour or against. If it continues, we'll clear the galleries.

The hon. the Leader of the Official Opposition.

**T. WAKEHAM:** Thank you, Speaker.

I simply ask on behalf of everyone here, on behalf of people in rural Newfoundland and Labrador and their communities: Will the Premier get directly involved?

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

**SPEAKER:** The hon. the Minister of Fisheries, Forestry and Agriculture.

**E. LOVELESS:** Thank you, Mr. Speaker.

The Premier did get directly involved and he started the process last year, Mr. Speaker. Right now, you have two sides that are at the table.

Whether you agree with it or not, the reality is there are two sides at the table. They need to get a deal done, a resolve done, not necessarily a formula, and I heard that in the meeting today. There are structural issues and I promise to take a look at those structural issues. I identify that. I realize that and on this side we're taking it serious, but, ultimately, right now, is to get a deal done so boats can get back on the water and fish plant workers can be working in the fish plants so we can have a good season this year.

The other issues, we'll be taking a look at no doubt it, but you can't fix that overnight.

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

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

**B. PETTEN:** Thank you, Speaker.

There may be two sides at the table, we have one government and everyone is waiting for that government to step in and make a decision.

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

**B. PETTEN:** The Minister of CSSD stated yesterday that he found out that basic funeral costs are covered. The rates for those needing funeral assistance haven't change in nearly 20 years. The minister knows how much the cost of living has increased over the past eight years because of his government.

Minister, will you take action?

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

**P. PIKE:** Mr. Speaker –

(Disturbance in the gallery.)

**SPEAKER:** Order, please!

(Disturbance in the gallery.)

**SPEAKER:** I ask the Commissionaires to clear the galleries.

This House do stand recessed. I ask Members to leave the Chamber.

### Recess

**SPEAKER:** Order, please!

We'll continue with Oral Questions.

The hon. the Opposition House Leader.

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

A lot of emotions, but I think those emotions run right across the province. This is one issue, but I think you can multiply that by a lot.

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

**B. PETTEN:** Powerful, but really raw emotions, Speaker.

**SOME HON. MEMBERS:** Oh, oh!

**SPEAKER:** Order, please!

**B. PETTEN:** I don't need an audience, Minister for Industry, Energy and Technology –

**SPEAKER:** Order, please!

Address the Chair, please.

**B. PETTEN:** Thank you, Speaker.

As long as the same thing applies to both sides.

**SPEAKER:** Yes, it does.

**B. PETTEN:** The Minister of CSSD stated yesterday that he found out basic funeral costs are covered. The rates for those needing funeral assistance hasn't changed in nearly 20 years. The minister knows how much the cost of living has increased over the past eight years because of this government.

Minister, will you take action?

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

**P. PIKE:** Mr. Speaker, work is ongoing with the Department of Children, Seniors and Social Development to review the rates paid to funeral home operators to cover the costs of basic funerals.

Mr. Speaker, one thing I forgot to mention yesterday that I should have was that the funeral home operators provided services for 360 families last year. That's a large number of families, at a huge cost. The funeral home operators are taking advantage of what Children, Seniors and Social Development is doing.

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

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

**B. PETTEN:** Thank you, Speaker.

I believe the minister may not have got the full force of my question, because we have all these bodies that over in the coolers, that's the issue. The rates are really low and they say that's part of the reason the bodies have not been claimed; people can't afford to bury them with \$2,300.

I ask the minister again: Are those rates going to increase or are we going to leave them at \$2,300 and leave them over there in the KeepCool coolers?

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

**P. PIKE:** I will again, Mr. Speaker – we are now reviewing the rates paid to funeral home operators in the province. We're doing that now.

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

**P. PIKE:** In that process, I might add, we will be including funeral home operators to help offer advice to us on the rates that they need to be paid.

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

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

**B. PETTEN:** Thank you, Speaker.

So, another review. We see it with the fishery, we see it with all the (inaudible) – another review.

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

**B. PETTEN:** That's not what people are looking for, Speaker, and that's not what I'm asking. That's not why I've been stood in my place several days here in this House.

People can say what they want, but I think this is a really sad statement of our province, in the country of Canada to have bodies in the coolers out by the door –

**AN HON. MEMBER:** Shame.

**B. PETTEN:** – and the rates low and no one willing to do anything. I think that is very shameful is right. Shame is only one word.

Mr. Speaker, I ask the Minister of Health: How many unclaimed bodies are across the province?

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

**T. OSBORNE:** Mr. Speaker, again, that's an operational issue. That number can change on a day-to-day basis and this government provides policy, oversight and direction to the health authority; but the operational issues, I welcome the Member to contact the health authority for that information. They would certainly have it.

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

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

**B. PETTEN:** You know, Speaker, that's appalling. A Minister of Health is standing in his place – he done it yesterday, too. He's saying – it not my words; it's his words: I am not responsible. David Diamond, head of NL Health Services, is responsible.

That's not the answer. You're elected, you're sworn in and you're the Minister of Health and Community Services. You are responsible for everything that falls under you. David Diamond cannot make a final decision without the sign-off of the minister. I think it's appalling.

So, Minister, who is responsible for these bodies?

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

**T. OSBORNE:** Mr. Speaker, the provincial health authority maintain storage, in a respectful way, of individual's remains until they are able to contact a loved one or next of kin to make claim of the remains. That is their responsibility. Once they've fulfilled that, then they pass on to another agency, whether it's the Public Trustee or Income Support to assist with the payment.

But they are fulfilling their responsibility and they're making plans, Mr. Speaker, to ensure that they can do it in the morgue –

**SPEAKER:** Order, please!

The hon. minister's time is up.

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

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

**B. PETTEN:** Minister, you are responsible and what's your plan for these bodies?

That's the question: What's your plan for these bodies?

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

**T. OSBORNE:** Mr. Speaker, there is a growing number across the country. In fact, I saw a news report from Ontario where the numbers had gone up about 200 per cent in the number of remains that were unclaimed. So, this is a situation that's happening in other jurisdictions as well.

Based on what is happening in this province and in other provinces, the health authority have made plans and are proceeding with increasing the size of the morgue, Mr. Speaker, so that remains can be held in a respectful way until they are claimed.

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

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

**B. PETTEN:** I'll contact Mr. Diamond later today and get some clarity, if that's right.

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

**B. PETTEN:** Speaker, Mahatma Gandhi's quote: "The true measure of any society can be found in how it treats its most vulnerable members." Very powerful statement but it's very fitting in this province. What we're hearing in this House, it's very fitting words.

One more question for the Minister of CSSD. These people deserve a respectful burial. Minister, will you stand in your place

and commit that these people will get the respectful burial as soon as possible?

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

**P. PIKE:** Yes, again, my department is certainly here to support families who are receiving income support or who have low incomes.

When a family member, a trustee, or a friend gets in touch with us about that the passing of a person with no financial capabilities or no means to pay for a funeral, we work with them, Mr. Speaker, on an application to help them access the benefits. As I indicated yesterday, that's the answer here, is to work with us. Contact CSSD and we'll immediately follow up.

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

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

**B. PETTEN:** Speaker, one follow-up to that. We see it; the freezers are full. We know these people can't afford it, either they're unclaimed or people can't afford to claim them. There's a mixture of everything there.

All I'm asking the minister is will he commit to giving these people a dignified burial? That's all we're asking. That's all as a society we should look for.

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

**B. PETTEN:** It's shameful that we have people in Tent City. We're so worried about keeping them housed and fed, which is right, keeping them warm but when you pass, you can be thrown into a KeepCool cooler and we'll forget about you. That's not on, Mr. Speaker.

I ask the minister: When will you commit to giving them a decent burial?

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

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

**P. PIKE:** Mr. Speaker, last year we conducted 360 funerals – or we helped out 360 families and we will do that as required, when needed, when people actually get in touch with us.

All of the funeral homes that we've been talking to – we're not in arrears with anyone. The funerals are being carried out. The burials are happening. So, as soon as we know, we will follow up and provide the necessary funding for funeral benefits.

Thank you.

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

**SPEAKER:** The hon. the Member for Terra Nova.

**L. PARROTT:** Shame on you, Minister. Nobody's assuming that these people are low income – shame on you. They're in a cooler outside the Health Sciences.

Recently, when I was in Labrador West, we learned that there are over 500 children on a wait-list for child care. What is the point of \$10-a-day daycare if there are no spaces for children in Labrador West?

**SPEAKER:** The hon. the Minister of Education.

**K. HOWELL:** Speaker, thank you very much for the opportunity to respond to the question.

I've been sitting here anxiously waiting for the opportunity to talk about the good work that's happening –

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

**K. HOWELL:** – in the Department of Education as it relates to early learning and child care.

We have, right now, 8,600 children in this province who are availing of \$10 a day or less.

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

**K. HOWELL:** Without a doubt, there's still much room for improvement. We've got the Island of Newfoundland and the Big Land to consider as we move forward on these processes. But it takes time to establish settings, so we have a process in place. We have to ensure that we have certified, trained professionals to work in these institutions and that we have resources available for the communities which we open our centres in and as we continue to roll these out. They're opening imminently.

**SPEAKER:** Order, please!

The minister's time is expired.

**SPEAKER:** The hon. the Member for Terra Nova.

**L. PARROTT:** Eighty-six hundred across the province but 500 in Labrador West. That number is way too high.

In Labrador, the cost of food is significantly more due to the high cost of transport. On April 1, the cost will skyrocket because of Mr. Trudeau's carbon tax hike.

Premier: What are you going to do to ensure residents of Labrador don't see this massive hike on April 1?

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

**A. FUREY:** Thank you, Mr. Speaker.

I am happy to answer the question on the federal carbon tax. As we've said many times, we don't agree with it. We've written to the prime minister several times. The most recent was today to ask him to pause the carbon tax. It's not the right instrument at the right time. You've heard me say it many times. It's not the right instrument at

the right time, especially given the inflationary pressures that exist within this province, but I'll acknowledge the Member opposite, especially in Labrador West.

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

**SPEAKER:** The hon. the Member for Terra Nova.

**L. PARROTT:** Thank you, Mr. Speaker.

Premier: What airport did you send that letter from?

Recently, in Labrador, I heard significant cost of groceries and gas placed on seniors who live there. On April 1, thanks to the Premier's friends and partners in Ottawa, things are about to get worse.

Why won't you tell your partner, Mr. Trudeau, to axe the tax?

**SPEAKER:** The hon. the Minister of Finance and Deputy Premier.

**S. COADY:** Thank you very much, Speaker.

I would like to speak to the preamble. I think the Member opposite is suggesting that our Premier should not represent our province. I would say to the Member opposite, the very thing he should be doing is going out there and bringing Newfoundland and Labrador to the world.

To answer his direct question, the Premier has been persistent and very consistent, including a letter today, if the Member opposite wants to –

**SOME HON. MEMBERS:** Oh, oh!

**SPEAKER:** Order, please!

The hon. the Deputy Premier.

**S. COADY:** I will say the Premier's been very persistent and very consistent and he's also been very successful in ensuring the

federal government is aware of the impacts of the carbon tax to Newfoundland and Labrador – successful, because the prime minister did remove carbon tax from home heat fuels.

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

**SPEAKER:** The hon. the Member for Harbour Main.

**H. CONWAY OTTENHEIMER:** Thank you, Speaker.

We've heard that there have been some new hires for correctional officers at HMP.

Can the Minister of Justice and Public Safety provide an update as to whether rehabilitative programming has finally resumed?

**SPEAKER:** The hon. the Minister of Justice and Public Safety.

**J. HOGAN:** Thank you, Speaker.

As everybody knows, we've talked about it in this House, there have been some issues at Her Majesty's Penitentiary, but, of course, we know that, thanks to the Minister of Transportation and Infrastructure, we're moving forward on a new facility there sooner rather than later.

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

**J. HOGAN:** As the Member pointed out, we've put some extra funding in place for correctional officers last summer so we could provide them to go away to do some training and come back from PEI and come here and work in facilities such as HMP. That's certainly alleviated some of the problems as well.

We've increased our training in Labrador so individuals can work in correctional facilities in Labrador as well as HMP. We continue to work on solutions at HMP as we move forward. Certainly, we want a facility, but we

haven't ignored the fact it's going to take some time.

We look forward to the correctional officers getting in there right now, and as there continues to be more that graduate, they'll come here again and help alleviate some of the problems down there, Speaker.

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

**SPEAKER:** The hon. the Member for Harbour Main.

**H. CONWAY OTTENHEIMER:** Speaker, a new facility many years down the road does not address the immediate serious issues that are faced in the HMP.

In the AG's audit report last year, the AG concluded that the Department of Justice and Public Safety did not provide adequate rehabilitative programming at HMP, citing public safety concerns.

Since the AG's report, what new programming – talk about rehabilitative programming – has been offered in this correctional facility?

**SPEAKER:** The hon. the Minister of Justice and Public Safety.

**J. HOGAN:** Thank you, Speaker.

As we know, and we've talked about, of course, we need the facility down there to be fully operational so we can access all the space. But, of course, as the facility ages – and we look forward to a new facility, which certainly sounds like everyone on the other side of the House is willing to support – we have done consultations through the budget process about temporary measures that can be put in place regarding structures, availability of areas and places where people can do these rehabilitative programs to help rehabilitate inmates, get them back into the population in Newfoundland and Labrador and work towards a better life for them and all of us here in the province.

Thank you, Speaker.

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

**SPEAKER:** The hon. the Member for Harbour Main.

**H. CONWAY OTTENHEIMER:** Speaker, we all know that rehabilitation is the key to the protection of our society.

On that note, I recently met with the executive director of the John Howard Society Newfoundland and, as we know, it's a very important advocacy group in our criminal justice system. Like the Official Opposition, she believes, as does her program, in the bail supervision program and the importance that plays in reducing risks to public safety.

I ask the minister: Is he committed to this program? If so, what steps have been taken to implement it?

**SPEAKER:** The hon. the Minister of Justice and Public Safety.

**J. HOGAN:** Speaker, yes, we are looking at implementing further changes to the bail supervision program, as well as electronic monitoring to help alleviate some of the concerns with the population there.

But as well, I've said it before and I'll say it again, we've put a lot of funding in there to make sure we have the appropriate number of correctional officers here at the facility in St. John's, at HMP, as well as throughout the province.

I look forward to the Minister of Finance's budget, I'm sure there'll be some issues addressed there as well with regard to consultations we've done for spacing down there as well.

Thank you, Speaker.

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

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

**J. DINN:** Thank you, Speaker.

Speaker, whether it's the contract with Canadian Health Labs or the accumulation of unclaimed bodies at the Health Sciences Centre, the Minister of Health and Community Services today and in previous days used the excuse of operational issues to absolve himself of any responsibility. Yet, yesterday, the minister also stated that: We've asked the health authority to deal with the dumpster issue, which I would argue is an operational issue.

So I ask the minister: When do operational issues become his issues, when he wants to deflect, or make the problem disappear?

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

**T. OSBORNE:** Mr. Speaker, it's an odd line of questioning. The Member himself wanted us to deal with that. We do provide direction to the health authority; we also provide oversight and policy to the health authority, which is what this government has been doing, whether it's the quality council that we've put in place or are putting in place, the health authority meets with Treasury Board on a quarterly basis for monitoring and oversight. We are looking at additional auditing of the health authority based on the percentage of the provincial budget that is spent on health care, but the reality is we provide direction; the health authority looks after operational issues.

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

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

**J. DINN:** Thank you, Speaker.

We want actual solutions to why the bodies are accumulating, not the construction of new storage facilities.

Speaker, \$22,000 was spent to add security cameras to the outside of the Colonial Building. Last night, a person who is unable to use the shelter system, unable to get a return call from the shelter line and unable to find shelter at Tent City outside the Colonial Building, faced the prospect of spending the night in the rain. Out of desperation, that person raised enough money through social media for a hotel room.

So I ask the minister responsible: Is this the solution homeless and vulnerable individuals must resort to, to make up for inadequate housing options?

**SPEAKER:** The hon. the Minister of Transportation and Infrastructure.

**J. ABBOTT:** Thank you, Speaker, for the opportunity to respond.

In terms of the task force on acute homelessness here in St. John's, we are addressing many of the issues that the Member raised. We are working with the front-line workers across all social agencies in the city, including government departments to –

**SOME HON. MEMBERS:** Oh, oh!

**SPEAKER:** Order, please!

The hon. the Minister of Transportation and Infrastructure.

**J. ABBOTT:** So, we're working right across the system here in St. John's and with all the departments and agencies so that we can find long-term solutions to the many issues that we're facing here.

The folks down at the tent encampment, we're making sure they're provided with supports and if there is an issue, as the Member raised, then as the minister and the Minister of Housing, we'll definitely address that.

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

**SPEAKER:** The hon. the Member for Labrador West.

**J. BROWN:** Thank you, Speaker.

Timely access to addiction treatment is out of reach for many Labradorians. Time and time again we see people asking for help, only to be told access to rehab services are nine to 16 weeks away. The Canadian Centre on Substance Use and Addiction analysis shows that being unable to access treatment is associated with more rapid drug use.

I ask the minister: Will he commit to bringing addiction rehab treatment to Labrador and lowering the wait times to improve access to addictions treatments?

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

**T. OSBORNE:** Thank you, Mr. Speaker.

We recognize that this is an issue in the Member's area. We recognize that it is an issue in other areas of the province.

*Towards Recovery* has put a solid foundation in place, but much more work needs to be done in terms of mental health and addictions. We do have another All-Party Committee looking to make recommendations to build on the foundation of *Towards Recovery*, Mr. Speaker. I look forward to those recommendations, but government continues to look at and provide funding for mental health and addictions in the meantime.

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

**SPEAKER:** Time for a quick question; no preamble, please.

**J. BROWN:** Thank you, Speaker.

Emergency rooms continue to overflow in Labrador West –

**SPEAKER:** The question, please.

**J. BROWN:** The question: When will the family care clinic finally open in Labrador West. It has been over a year since you made the announcement; people are pissed off in Lab West. When will it open?

**SOME HON. MEMBERS:** Oh, oh!

**SPEAKER:** Order, please!

The language is unparliamentary; I ask the Member to retract that.

**J. BROWN:** I retract that, for now.

Thank you.

**SOME HON. MEMBERS:** Oh, oh!

**SPEAKER:** Order, please!

I ask the Member to retract it, unequivocally.

**J. BROWN:** Retracted.

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

**T. OSBORNE:** Mr. Speaker –

**SOME HON. MEMBERS:** Oh, oh!

**SPEAKER:** Order, please!

Order, please!

The time for Question Period has expired.

Presenting Reports by Standing and Select Committees.

Tabling of Documents.

Notices of Motion.

### Notices of Motion

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

**J. HOGAN:** Speaker, I give notice that I will on tomorrow introduce a bill entitled, An Act to Amend the Correctional Services Act, Bill 71.

**SPEAKER:** Further notices of motion?

Answers to Questions for which Notice has been Given.

Petitions.

### Petitions

**SPEAKER:** The hon. the Member for Ferryland.

**L. O'DRISCOLL:** Thank you, Speaker.

The background to this petition is as follows:

The Long Run Road is the main access road from the Goulds to Petty Harbour-Maddox Cove. This piece of infrastructure is in need of major repairs. This road is in deplorable condition and is relied on by both residents and visitors on a daily basis. Petty Harbour-Maddox Cove –

**SOME HON. MEMBERS:** Oh, oh!

**SPEAKER:** Order, please!

If it continues, I'll recess the House for the rest of the day.

The hon. the Member for Ferryland.

**L. O'DRISCOLL:** Petty Harbour-Maddox Cove is a well-known tourist attraction in the area.

Therefore, we petition the House of Assembly as follows: We urge the Government of Newfoundland and Labrador to complete necessary repairs to the Long

Run Road in Petty Harbour-Maddox Cove to enhance and improve the flow of traffic to and from to allow safe travel on this important roadway.

Speaker, I travel this area pretty often down in the district to go down to Petty Harbour with all kinds of tourism. I would go out on a limb to say that it's probably the most visited community in the Province of Newfoundland and Labrador when it comes to tourism.

They probably don't track it but when they land in St. John's, or when they're staying in St. John's overnight, they're going to get to a rural community within 10 to 15 minutes, and the drive down those roads are deplorable.

With all these tourist attractions down there, there's an aquarium, there's an ice cream parlour, there's a zipline, there's fishermen down there, there are other adventures down there as well, and to be able to go down there and drive these roads, it's ridiculous.

Last year, we did speak to the department, and they were going to go down and do something with the road. It's about a kilometre and a half, two kilometres. They were going to go down and have a look at it. It hasn't been touched. They go down and fill in or put in patchwork, it's gone again.

There's something that should be done. Something in this budget to take care of this. It's a very, very busy tourist area in the district and we'd love to have it looked at to make that more attractive to go down there.

Thank you, Speaker.

**SPEAKER:** The hon. the Minister of Transportation and Infrastructure for a response.

**J. ABBOTT:** Thank you, Speaker.

Just to respond to the petition for the Member for Ferryland. As I think all of us

would appreciate, there are a lot of demands placed on our road's construction and maintenance budget. The Minister of Finance has provided a multi-year budget to my department of \$1.4 billion over five years.

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

**J. ABBOTT:** I think it's fair to say, we will get that work done. Will I get it done in '24 or '25 or '26? That's to be determined in each annual budget.

Thank you, Sir.

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

**SPEAKER:** The hon. the Member for Exploits.

**P. FORSEY:** Thank you, Speaker.

Route 350, 351A and 352 in the Exploits District are main highways for the travelling public in the district.

We, the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador to pay an immediate attention to brush cutting in the needed areas that are growing along side the highways and are causing safety issues with increased moose-vehicle accidents in the area.

Speaker, we have continued brush in the area that I know last year the minister committed to getting some brush done, and we did; but unfortunately, on some of the other routes in the district, we are getting a lot of calls with regard to the brush in the area that need to be done, so we're looking at some areas, especially on Route 352, that needs to be done – also 350 and 351A in those areas.

It continues to be a safety hazard in the area, so we're looking for those areas to be addressed with regard to the brush cutting so that we can have a good visibility in

regard to maintaining for emergency vehicles and safety on our highways.

Thank you, Speaker.

**SPEAKER:** The hon. the Minister of Transportation and Infrastructure for a response.

**J. ABBOTT:** If I may, Speaker, to respond to the petition, it is timely. A little bit too timely in terms of the time of year, but we will be getting to the brush cutting as soon as possible after the winter and as early in the spring as we can.

We will be putting money in the budget. My intent is to expand brush cutting. Working with the Member for Mount Pearl North, we're looking at fencing for moose protection for the motoring public as well, so all of that will be considered on the multi-year budget for the foreseeable future.

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

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

**L. EVANS:** Thank you, Speaker.

We, the undersigned, are concerned citizens of Newfoundland and Labrador who urge our leaders to ensure that our Northern Labrador residents are provided with access to timely and adequate health care.

Frequently patients are prevented from getting to medical appointments at outside provincial health authority's health centres in Happy Valley-Goose Bay, St. Anthony, St. John's, Corner Brook, et cetera.

Some of the delays are due to inclement weather, but often patients are prevented from getting on medical flights to their appointments because there are no seats left on that flight. There are multiple reasons for this and we are calling on government to work towards removing these barriers so

patients can access their medical appointments for diagnosis and treatment.

Now, Speaker, I asked the minister in Question Period yesterday and I think he misunderstood. I was talking about patients who are going out for their chemo treatments, patients who need an MRI, patients who need to see a doctor because there's something wrong with them.

The problem is they can't get out to those appointments and their appointments get cancelled and then have to be rescheduled. When they do finally get out to their appointments, a lot of times they can't get back. I know people blame it on the weather: Oh, it's because you got problems with weather. But it's not about the weather. Weather does cause some delays, but a lot of times even when the weather is clear, patients can't get out to their appointments and if we're in the province, is that acceptable?

The first time I heard about cancer patients getting bumped off the flight, I thought it was a mistake. Then I reached out to people and people were telling me stories about cancer patients getting off. I saw posts from a mother who is battling cancer, trying to get out to her appointment for her treatment. What she told me – because I called her – is her treatment is very scripted. It's got to be a certain time that it's got to be delivered for it to be effective.

Now, Speaker, for her not to be able to get out to her appointment – and she posted on social media and created such an uproar that she was able to get out to her appointment without much delay. But, at the end of the day, we shouldn't have to resort to social media; we shouldn't have to resort to calling the head of Labrador-Grenfell Health for the air transportation. It's not about medevac. Medevac is another problem in my district where people can't access timely medevac.

But, at the end of the day, Speaker, I don't think there are very many places in Newfoundland and Labrador where patients are chronically failed by this province to get them to their doctors' appointments for their treatment.

Thank you, Speaker.

**SPEAKER:** The hon. the Member for Bonavista.

**C. PARDY:** Thank you, Speaker.

We know that we have an aging workforce in the fishery in Newfoundland and Labrador, especially the inshore. With very few young people opting to pursue licensing, many in the District of Bonavista believe the regulations from the government through the Professional Fish Harvesters Certification Board serve as an impediment to enticing young harvesters to the fishery, as well as the lack of a Fisheries Loan Board.

We, the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador to reinstate the Fisheries Loan Board eligibility to aid young, prospective harvesters in securing funding to enter and become active participants in the Newfoundland fishery.

Under the Liberal government of Premier Wells, back in '95, the Fisheries Loan board was abolished at that time. We know the moratorium came in 1990. It was different in the '90s. But what it was replaced with was the Fisheries Loan Guarantee Program, which is offered for harvesters, but it is operated under the Industry, Energy and Technology.

We would contend that one of the questions that the Leader of the Opposition asked the Premier was controlling agreements. The newspaper, SaltWire, *The Telegram*, last Wednesday reported a fisher in LaScie who was involved in a controlling agreement; he

couldn't access funding in order to get a licence.

Michael Hogarth is a fisherperson, a harvester from Trinity East. I gave him the number to the Fisheries Loan Guarantee Program to help him out with purchasing another licence. The response back from the 729 number I gave him on the program was that he called and they directed him on to the major banks and he got connected with somebody in Toronto in order to try to get funding for a fishing licence.

We need something locally. How do we know if what we've got is working? Here is some data: Two applications since 2020, but both applications since 2020 were withdrawn. One in '21, one in 2022; zero application approved in 2020, zero applications denied. Seven other inquiries to the program which did not result in any applications.

**SPEAKER:** Order, please!

The Member's time has expired.

Orders of the Day.

### **Orders of the Day**

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

**J. HOGAN:** Thank you, Speaker.

I call from the Order Paper, Order 6.

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

**J. HOGAN:** Speaker, I move, seconded by the Deputy Government House Leader, that An Act to Amend the Management of Information Act and the House of Assembly Accountability, Integrity and Administration Act, Bill 22, be now read a second time.

**SPEAKER:** We're going to move into Bill 22. We're actually at the amendment to that bill, so we'll speak on the amendment first.

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

**E. JOYCE:** Thank you, Mr. Speaker.

I'm going to speak on this amendment. For the record, I will read into the record to the amendment:

"Whereas a reasonable period of time has not been provided to review and consult on this bill, and further consultations are urgently required on this bill prior to its passage to ensure the changes it would cause will not improperly deny accountability, transparency and access to information to the people of Newfoundland and Labrador and those who serve them, and will not compromise the work of the statutory offices of the House of Assembly that safeguard the rights of Newfoundlanders and Labradorians, including the Office of the Information and Privacy Commissioner, the Office of the Auditor General, the Office of the Citizens' Representative, the Office of the Child and Youth Advocate, the Office of the Seniors' Advocate and others.

"Therefore the motion be amended by deleting all the words after the word "That" and substituting: 'the bill be now not read a second time but that its subject matter be disposed and returned to the House of Assembly at a further date following public consultations.'"

That is the amendment that we're discussing in this House right now, Mr. Speaker. It's an amendment. I'll just read the penalties under the act. "The Bill would amend the *House of Assembly Accountability, Integrity and Administration Act* to provide the *Management of Information Act* applies to the Management Commission, House of Assembly services and statutory offices; and require that the

Speaker include in the annual report of the Management Commission information regarding the compliance of the Management Commission, House of Assembly service and statutory offices with the requirement to create records of decisions.”

Mr. Speaker, I’m going to speak on that for a little while, because there’s an old saying is that the best person to ask is someone who had the experience of it. I’ll tell you my experience with the House of Assembly Management Commission, Mr. Speaker, and you’re chair of that Commission now. I just give some background on that. People know my situation. People know it. The whole situation happened in 2018.

Under the act, under the duty to document, minutes of the Management Commission are supposed to be documented. There was a Management Commission meeting. I can’t remember the exact date, October 24 or something. There was a statement made at the Management Commission meeting – and this is why it’s so important for us to have public consultations on it. So important, Mr. Speaker, because I’m not the only one I’m sure. I’m not the only one. I happen to be the one with a vocal voice and the ability to speak up in the House of Assembly.

During that meeting, there was a statement made by the former Commissioner that I refused to participate. Now, under the duty to document, the minutes of that meeting were supposed to be documented. So, the Member for Burgeo - La Poile went out publicly and said – here’s what he said – the Minister of Finance and President of Treasury Board said to me, that’s not what he said this morning. Later, when I said: Well, will you stand up? Oh, I don’t recall, I don’t recall.

I went to the Speaker at the time, right where you’re sitting. He stood up and said: That’s not what he said this morning. He said, you’re willing to meet.

I applied for the minutes of the meeting.

**SPEAKER:** Order, please!

I’m going to ask the Member to stay relevant to the bill.

**E. JOYCE:** It is.

**SPEAKER:** The issue you’re discussing now has been dealt with, voted on by the House, decision made. I ask the Member to stay relevant to the bill.

**E. JOYCE:** (Inaudible.)

**SPEAKER:** You’re discussing an issue that’s been already debated in the House of Assembly, ruled on by the House Members and you’ve apologized to that.

**E. JOYCE:** It’s an example of why we need this. Let me finish.

**SPEAKER:** Stay relevant.

**E. JOYCE:** I know I have to stay relevant; I know.

The other thing, Mr. Speaker, that day I applied for the minutes of the meeting, which were supposed to be documented. They came back and said no such minutes. This is what this bill is about, forcing the Management Commission to document. How can you tell me it’s not relevant when I have first-hand experience.

I applied under the access to information for the minutes. The report came back and said: No, there were no minutes taken at the meeting. The duty to document wasn’t followed. But there were private notes that they refused to put in as minutes.

This is what we’re discussing, exactly what we’re discussing. This is why the Management Commission, Mr. Speaker, is over and above the law of the land. This is why we need public consultations so people could have their say about the duty to

document and under the privacy act be able to get access to the minutes.

I don't know how you can say this is not relevant when I just – and I'll read it again, Mr. Speaker, you may have been talking to someone, I'll just read it again. This is part of the bill: "... provide that the *Management of Information Act* applies to the Management Commission, House of Assembly service and statutory offices; and require that the Speaker include in the annual report of the Management Commission information regarding the compliance of the Management Commission ...." Exactly what we're talking about. It says right in the bill: Management Commission.

Mr. Speaker, that's a prime example. I'll give you a prime example that happened back in 2018 where the minutes of the Management Commission – we had two people go public and say: No, that's what was said in the meeting. The third one, the next day couldn't recall. Two people went public and said: No, here's what was said. I went for the minutes and the Management Commission refused to put the notes into the minutes so you could have an official record of that meeting. That's what happened. That's documented. I can show you the access to information, if you want it.

So this is why we need the public consultations because we can't have the Management Commission over and above the law. We can't do it. We've got to have them following the law. When it affects another Member's reputation, it affects his ability to work in this Legislature, it's serious. You may not think it's serious. Some people here may not think it's serious. Ask the Member for Burgeo - La Poile how serious it is. Ask him, the Member for Burgeo - La Poile, that's a prime way to find out how serious it is.

The other thing, Mr. Speaker, that I have an issue with that I think we need public consultations on. I wrote the Management

Commission and I spoke to several people on the Management Commission on it. Do you know, I made a request to bring something back to the House of Assembly. I know the Member for CBS is aware of it and I know the Member for Bonavista is well aware of it. Do you know the Management Commission, at the time, would not keep minutes of that discussion and would not have it public.

It wasn't a legal issue, it wasn't a personnel issue, but the Management Commission did not take minutes of that meeting and did not have a public debate like they're supposed to do. They didn't do it, three times – four times, they didn't do it. So this is why it's so important to include the Management Commission. So if anybody here in this House don't think that it's a serious issue, ask me. It could be anybody here next.

The same thing with the Member for Mount Pearl - Southlands when he went to a meeting and, all of a sudden, he called and asked for the notes. He couldn't get them. Yet, there was possible investigation; couldn't get them.

The same thing, Mr. Speaker, just three or four weeks ago, I wrote you and asked you for minutes and discussions you had with somebody. You wouldn't give them to me: apply under access the information. I couldn't get them from the Commissioner for Legislative Standards, things about me, I couldn't get it.

So this is why anytime there's a discussion, this is why it's so important. People out in TV land that are watching this now are saying: Well, it's the House of Assembly. But they've got to realize the Management Commission controls the House of Assembly. What happens here in this House of Assembly affects a lot of people.

So I'll ask anybody, the Member for CBS is there, I know the Member of the Third Party is standing there and the Member for Bonavista is listening: Why weren't

discussions made public? Why? No one can answer me. They can't. Do you know why? Because they didn't want the information out public. That's all. And who was hindered? Me and other Members of this House that were involved. This is why I feel so strong that the biggest culprit of this here, so far, was the Management Commission over time. Absolutely, no doubt in my mind – no doubt in my mind.

Mr. Speaker, the act under the Management Commission – I'll just go through the *House of Assembly Accountability, Integrity and Administration Act*, that was brought in in 2007 after the constituencies scandal here in the province. I met with Justice Green in 2007, sitting here; sitting in this House, I met with Justice Green. I had a discussion with Justice Green about how we can make this House better. This is where the *House of Assembly Accountability, Integrity and Administration Act* came into play because of that constituencies scandal and the report by Justice Green that was brought in this House.

So that's why the rules of this House of Assembly were done so that, for example, if anything comes up – part of the Management Commission oath is that you act independently – you act independently. That's it. You're supposed to go on the best information you have in front of you.

So, I'll ask anybody in this House, Mr. Speaker: What are the repercussions and what is the remedy when you know that the Speaker and the Chair of the Management Commission refuses to document a meeting? What's the remedy? None. You stand up on a point of privilege; not listening to it. Stand up on a – no, not listening to it. What is the remedy? This is why we need public consultations.

Then I asked you because you were the Chair – I can't ask the Speaker questions but someone here could talk to him. When I wrote the Management Commission, for example, why wasn't it debated publicly like

it was supposed to be? Why? It wasn't a legal issue. It wasn't a personnel issue. It was my issue which I even wrote in one of the letters: I want it discussed publicly. Why wasn't it done? What's the remedy? None. Liberal majority. None.

People are saying: Well, what's the big issue with all of that? Okay, you were done wrong. What's the big issue? The big issue is – and I said this back then – if you don't have controls in place then the government will roughshod over everything, including the Members' rights. Once you run roughshod over everybody that is when you're going to get the \$80-million Costco deal. That is when you're going to get the \$33 million non-tendered up at the Quality Inn. That's when you're going to get the \$35-million travel nurses because you've got no controls, if you don't follow the act.

So I say when you set up the *House of Assembly Accountability, Integrity and Administration Act* and you don't follow it, would you say, okay, well, we just won't do this because it's going to look bad on us, it's part of the government, won't look bad, the truth may get out there and then that develops into government entitlement and then that's where you get the bigger issues that, okay, we're going to do what we want. We're gonna roughshod, run right over everybody and we don't need to document anything because once you start at the *House of Assembly Accountability, Integrity and Administration Act*, once it starts at that act and it just flows right on through government.

I've asked on numerous occasions, Mr. Speaker, why weren't meetings public and why weren't the minutes documented? Do you know what I got back? Not even an answer from your office. Never got an answer. I asked: Why? I'll ask again: Why? I can't get an answer.

But once you don't follow the act, Justice Green's report, it's just as well to take the *House of Assembly Accountability, Integrity*

*and Administration Act* and go burn it if you don't follow it. That's the sad part of it. All the work that went through for Justice Green and now we have a House of Assembly Management Commission who, in my opinion, on several occasions did not follow the act.

This is why we need the public consultations out so people can have an opportunity. It's not just me. I know other people who have tried through the Management Commission, I know. People contacted me, I know.

This is why we need public consultations that if we're going to amend this act, what are the penalties if you don't follow it? What are they? Can anybody in this House of Assembly – I'll sit down – stand up and tell me what the penalties are if, for example, the Management Commission don't document the minutes?

What is the penalty? I'll sit down. Anybody? Do you know what the penalties are? Nothing. Do you know what the penalties are then if you stand up and try to speak in this House of Assembly? You get shot down on a regular basis – shot down.

Mr. Speaker, one of the things, too, you need to document, and I'll give you a good example. I know you can't debate any Speakers' ruling. I understand that. I'm not debating any Speakers' ruling but under the *House of Assembly Accountability, Integrity and Administration Act*, is that when they had the Management Commission meeting back in, I think, October 24, 2018, it was said that I violated Principle 10. Not a problem. It didn't exist, but not a problem.

Later on, when there was a Supreme Court judge made a decision that Members aren't government employees – you remember that decision – I filed again a point of privilege. You, Mr. Speaker, which I can't debate but I'm looking for clarification because I wrote you and asked you for the clarification that I violated – which is not

even in the *House of Assembly Accountability, Integrity and Administration Act* – the preamble.

So in order to violate the preamble, it has to be debated and concurred with the House of Assembly. I've asked for the minutes to that. I'm still asking for the minutes to that, Mr. Speaker, because I'm sure that any hon. Speaker, which I'm sure you are, do have it. Because that's the act we're following. And the Management Commission, and you as Chair of the Management Commission in this House stood and said I violated the House of *Assembly Accountability, Integrity and Administration Act*, the preamble.

I'm looking for the minutes of that debate where it was concurred by the House of Assembly. That's what I'm looking for. Because if we're going to follow the Management Commission, which this is the duty of the document, there has to be some documentation of that. And I ask again, publicly – I can't dispute your ruling. I'm not disputing your ruling. I'm just asking for the clarification, because you made that decision. You are Chair of the Management Commission.

When you walk in here, you're the Speaker. But the Speaker is Chair of the Management Commission. So I'm asking you again, publicly, to please get me the *Hansard* – and I'll be satisfied. Once I get the *Hansard*, I'll be satisfied. Because if I don't get the *Hansard*, I'll always question the *House of Assembly Accountability, Integrity and Administration Act*. I could question it because we're not following it as the Management Commission and this House of Assembly. We're not following it. So if we're not following the exact law that we got to ask other people to do, are we above the law?

Are we above the law in this House of Assembly? We shouldn't be. We definitely shouldn't be above the law. So if we're not going to follow the law, but we're telling

everybody else we don't have to follow the law in here, but we're gonna tell everybody else how to do it – Justice Green did a lot of work with this. And when you continue this House of Assembly, and I use the Management Commission too, when the Management Commission wants to continuously not follow the legislation, what do we have it for?

This is why we need the public consultations. This is why we need to go to the public and say: Have you been affected by this? Have you been involved in this any way? That's the question, Mr. Speaker, that we should be giving out to the general public. Because we're not closed here, there's people watching. A lot of our decisions here and a lot of decisions of the Management Commission concerning governing the Members affect our constituents. They do. They actually affect our constituents.

So this is why I think it's so important to vote for that amendment. What's the delay – what's the delay? So what, we delay it? So what? The House of Assembly's going to close in three weeks' time; we won't be back until November or before an election if there's an election called.

So what's the delay?

(Disturbance.)

**E. JOYCE:** That's one person calling me now and agreeing with me already. They're agreeing with me. Because they've been offended, too, by this here. So it don't take long for people out there in TV land to say: Yes, b'y, me too.

Mr. Speaker, I'm going to sit down and close my debate. I'm not disputing your ruling, but again I'm saying under the *House of Assembly Accountability, Integrity and Administration Act*, which we must follow, any ruling in this House must be concurred by the House of Assembly.

I ask you, Mr. Speaker, as the leader of the House, to show example and point me to the *Hansard*, the date that that was concurred by the House of Assembly, that I violated the preamble of the House of Assembly and I'll take my seat. I hope, Mr. Speaker – I'm sure you've got enough staff here that you can get that for me in the next five or 10 minutes. Then I can stand up and say: I apologize, because it was concurred in the House of Assembly and I just happened not to be here. I'm sorry that I wasn't here. I never seen it. I couldn't find it. I ask your staff to find it, so this is why.

This is so important the *House of Assembly Accountability, Integrity and Administration Act*, that we follow it; we send it out to the public so they can have their views on it. I'll take my seat now, my time is up and I look forward to that *Hansard*, Mr. Speaker.

Thank you.

**SPEAKER:** The hon. the Minister of Digital Government and Service NL.

**S. STOODLEY:** Thank you, Speaker.

I thought it would be helpful to give a bit of a refresher for everyone as to what we're chatting about. This was here in this House last March 2023, so it's been a year now since we originally brought this forward, Speaker.

What we're talking about is the *Management of Information Act* and I just want to start by saying this was a recommendation of the Muskrat Falls inquiry. It was also a recommendation from the ATIPPA review that Justice Wells did. So, in good faith, I am trying to implement this very important recommendation.

What we're talking about, the *Management of Information Act* applies to public bodies in Newfoundland and Labrador, so 160 public bodies and core government, Speaker. What we're changing, the biggest thing we're changing, is around the requirement

to document decisions, and by decisions we're talking about important decisions. So just very quickly, I just want to give a high-level overview of exactly what we're talking about.

The definition of a decision, what public bodies are going to have to document – they're going to have to maintain complete and accurate records of important decisions. So an important decision is one that has a significant or long-term impact on the high-value activities or direction taken by a public body in the fulfillment of its mandate.

So this would be a change for 160 public organizations, including core government, Speaker. Before we brought it, last year, we did a full consultation with 160 of those public bodies and in this House during the debate, Members opposite said they wanted more time.

It's a year now. I have not had any feedback from anyone about this. I, personally, do not have any concerns. Just to give a bit more information, there will be a four-part test to what makes an important decision. The four-part test – and I'm reading from *Hansard* from a year ago, my speaking notes from *Hansard* – it has to be complete, comprehensive, accurate and timely. Those are the four key points when documenting an important decision.

There is a balancing act here, Speaker, between adding more regulation and more rules and making things too burdensome for our public bodies, but also completing the spirit of what was recommended by the Muskrat Falls inquiry and what was recommended in the Justice Wells ATIPPA review.

So that is what we are trying to do. It will be up to the permanent head of the public body to make that decision, to oversee that for their organization. OCIO, we're responsible for training, so we have all the training materials ready to go. We have examples

for different public bodies so that they can work through themselves how this applies to them, Speaker. So, I think our team have really done a lot of work in getting ready.

Just while I'm speaking about it, Speaker, section 14 says this would come into force January 1, 2024. So I just want to be transparent. Later in Committee, I intend to bring an amendment – if we get that far, Speaker – to change it to January 1, 2025, is when it would come into effect because obviously January 1, 2024 is passed.

But in a nutshell, that is what we're hoping to change. There was one last year when we were debating this. There was one significant, outstanding – not outstanding, but the Privacy Commissioner indicated that his interpretation was that Cabinet was exempt from that. I have written the Privacy Commissioner and I'm happy to say in this House that that is not the case. Cabinet will not be exempt from the duty to document.

I do think it's important to explain that this is the *Management of Information Act* and so this is how public bodies maintain and manage their own government records. ATIPPA is how those records are released to the public, and so this doesn't make any changes to ATIPPA and we're not making any changes to the Privacy Commissioner's role or scope. In fact, the Privacy Commissioner, as his role is to oversee the implementation and execution of ATIPPA, will continue to have that role in how these decisions are rolled out and communicated to the public.

So that's just a bit of a recap or refresher because it was a year since we were in the House debating this originally, Speaker. The amendment is to ask for more time. We've had a year, Speaker. I'm happy to answer any more questions in Committee as well when we get to that point.

Thank you.

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

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

**P. LANE:** Thank you, Speaker, and I'll take a few minutes now to make a few comments about this bill and this amendment.

First of all, I'll just say that I do support the notion of duty to document. I'm sure every Member in this House of Assembly would support that notion – at least, I would hope they would. Certainly, we've seen and heard of a number of examples where duty to document did not occur. A couple of very, very troubling ones came out of the Muskrat Falls inquiry, actually, and I guess that's where this recommendation came from, where you're discussing a high-level project, it's a high-level meeting with senior people, with a multi-billion-dollar project and to have a former premier go on the stand and say I had no notes, nobody took any notes at all, which was pretty scathing, I thought.

I thought it was pretty scathing that a former premier of this province would be having high-level discussions with senior people at Nalcor and so on, over a multi-billion-dollar project and no notes to be found. Of course, there were other examples of high-level people who apparently lost all their notes; they had it all in books or something, in their office, their former office, and they went looking for them and somehow they magically disappeared or where they misplaced, where they filed somewhere, where they – who knows what happened to them.

Again, no notes and there were other things like that, that came up in that particular inquiry, that really left one shaking their head. So I wasn't at all surprised – well, actually, I was a little surprised because I think I was probably naively under the impression that that would be an automatic – they would be taking notes in any case for such matters, but apparently that wasn't the case. So I wasn't surprised at all when one

of the recommendations that came out had to do with duty to document.

It just makes good sense that we would be documenting decisions, and particularly, important decisions. Now I do have a little bit of – I suppose you can always question – concern about the definition of important decision, and I know there may be some guidelines but it's still somewhat left to the discretion of the public body, as what they're going to determine as an important decision and what they're not. If history has shown us one thing, it will be, I would suggest, that if there's anything there that they don't want to get out, someone will make that judgment call and say: No, that wasn't an important decision because I don't want a paper trail. That's one of the fears that comes with it.

I do appreciate and I do understand that the bill is separate from ATIPPA. I get that. This is about the management of the actual documentation itself, how it's stored, how long you keep it, when it gets destroyed and all that type of thing, and certain things that might be of provincial and national security, documents and so on that they talk about here. I get all that and I don't have an issue with that. I understand it's not ATIPPA. But personally, I don't think you can have one without the other. I think duty to document and ATIPPA go hand in hand. You kind of can't have one without the other, to my line of thinking, at least.

One of the big concerns I have and this is a concern that has been raised by our Privacy Commissioner, actually, on a couple of occasions. He has raised it and other people have raised it as well, and that's where we get into the consultation process, not just around this little piece, not just about this piece of legislation, this amendment, but also consultation around ATIPPA and how it ties into it and so on because you hear examples, and like I said, they've been raised by the Privacy Commissioner.

There are two glaring examples that really come to mind that are, again, totally open for abuse or misuse or whatever you want to call it. One is the use of Cabinet document. So we can document all decisions we want, especially an important decision because an important decision, in all likelihood, would probably find its way to Cabinet in one shape or form.

So one of the things that's been happening, which I think totally goes against the spirit of what ATIPPA and former Premier Wells, he was the one who crafted it, is this motion of: We can make everything a Cabinet document. I can have boxes and boxes of information on any subject under the sun, and all I've got to do is plunk it on down on the Table, at the Cabinet Table, and get the Clerk or someone to stamp it or whatever. All of a sudden, everything here, everything in this box is a Cabinet document.

So now any time someone puts in an ATIPP request, even though it's been documented, but you put in an ATIPP request – nope, can't have it. Why not? Cabinet document. Everything becomes a Cabinet document. Anything you don't want the public to see becomes a Cabinet document.

The other one that has sort of come to light, that's happening, according to the Privacy Commissioner and others, is the old client-solicitor privilege. That's the other great excuse. So I've got a document here and I don't want the public to see it, send it on over to someone in the legal department, just to have a read-through. Might have nothing to do really with it, but just have a look at that, will you? Oh, all of a sudden because I presented it to someone over in Justice or something, because they looked at it, a lawyer, now it's client-solicitor privilege. So now I can hide that.

It's conveniently using those two clauses in the ATIPP Act to hide information. Quite frankly, that's what it is. So we can document – and again, I'm totally in favour of the duty to document, very important to

democracy that that be done; very important to, I would say, the province and the people of Newfoundland and Labrador, that we hold people accountable because we have a paper trail. But if you're going to create that paper trail, and then you're going to hide that paper trail under certain clauses of the ATIPP Act that was never meant to be used for that purpose, but because we're going to leave it as a judgment call, we've decided that this is client-solicitor privilege and we've decided this is a Cabinet document so, therefore, nobody can see it – nobody can see it.

I would say when you look at this and you apply it to a public body, i.e., OilCo, or Newfoundland and Labrador Hydro, because they're public bodies, you can make them document everything they want. They don't have to show you anything. They don't have to show you a thing. Does anyone remember when former Premier Ball was going to show the public, he was going to get all the information on all the embedded contractors, all them contracts, them scathing contracts that we all heard about? And former Premier Ball came out in the media and he said he was going to release all that information.

He went and met with the \$6-million man, and lo and behold, oh, no, we can't release it. Can't release it. Do you know why? Because Nalcor was exempted from ATIPPA. Now you can go and you can find out general stuff about in the office, but beyond that they are exempted from ATIPPA. And when this administration – and you can say we can talk about the fact that Nalcor was created by, I think it was the Williams administration, Nalcor, and everything else, but we had an opportunity when this administration shut down Nalcor and we created NL Hydro and OilCo.

And we debated the legislation in this House of Assembly and one of the points that I made, over and over during that debate, and a question I had asked, was around exemption from ATIPPA. And I said

to the minister at the time: OilCo, NL Hydro, are they going to be exempted from ATIPPA? And yes, they were. I said: Well, now is our opportunity to make sure that they are not exempted from ATIPPA. That their decisions, someone could be held accountable once they document, which they'd be required to do under duty to document, that we can see their decisions.

Guess what? Under the current scenario, just like Nalcor before them, OilCo and NL Hydro, if you put in a request, they can just say: No. Doesn't have to be commercially sensitive, they can just say no to everything. They don't even have to give you a reason. At least when you go to a core government department, if they turn down your request, they have to give you a reason why you're being turned down – it's a Cabinet document, it's client-solicitor privilege, it's commercially sensitive, whatever it is, it's personal HR information, whatever. They have to give you a reason.

Under ATIPPA, if you disagree with that reason, you have the right to go to the Privacy Commissioner and let the Privacy Commissioner decide whether the information should be released or not. Guess what? When it comes to OilCo, when it comes to NL Hydro, they don't have to give you any reason and there is no appeal. There's no appeal. The answer is no, don't ask me why, I just said no. No appeal, no reason.

So we're going to take this piece of legislation now and we're going to go over to OilCo and we're going to go to NL Hydro and say you must start documenting your decisions because we need to have accountability, but no one is allowed to see it. Nobody is allowed to see it. We're not allowed to see their important decisions. We're not allowed to see their not-so-important decisions. We're not allowed to see any of their decisions.

It doesn't matter if it's not commercially sensitive. It doesn't matter. We can't see

any of their decisions. They have the right to just say no, you're not seeing it period. Which makes this exercise not worth the paper it's written on when it comes to those two particular entities.

That's a fact. I mean, it is what it is. And I'm not downing, don't get me wrong. I've said I support the duty to document, but what is the point of documenting information if nobody can see the information? That's the point. That's what's being missed here. It's basically a smoke-and-mirrors exercise. It's a smoke-and-mirrors exercise if we're going to pass legislation here, make an amendment to say you've got to start documenting your decisions, but nobody can see it.

It's just as well not to document it at all, is it? Why bother documenting it if nobody can see it? So, that's a big concern I have. That's where these things tie in hand in hand. That's where the public, because I'm not sure that the public – because, listen, people are busy with their lives – they are – trying to survive, working, doing their thing, keeping their house going. They have kids. They have their day-to-day lives to live. They're not paying attention to this stuff, like this. They're not. That's what we were elected to do, to pay attention to this stuff. They're not paying attention to it.

But I bet you that if you were to sit down with the average person and say to them we are going to bring in legislation that requires governments and government agencies, boards, commissions and entities to start documenting their decisions so that they are held accountable, does that sound like a good idea to you? I bet you they'd say yes, that sounds like a great idea. I definitely agree with it. Perfect, okay, well, here's the only catch – what's the catch? Nobody is allowed to see it. That's the catch: Nobody can see it.

We're going to document it all, but then we're going to call it a Cabinet document so you can't see it. We're going to call it

solicitor-client privilege, can't see it. And if you're over in OilCo, or you're over in NL Hydro, they don't have to give you any reason. You're just not going to see it because we don't want you to see it. None of your business. Just your tax dollars, but it's not of your business.

So that's where this becomes pretty flimsy, to my mind, and that's why the intent of this is good and the fact that we're going to force people to document their decisions – absolutely, brings with it accountability; totally onboard, 100 per cent.

But if by the same token, we're going to put that in place but then we're going to start using these excuses to call things client-solicitor privilege, Cabinet documents, whatever, so nobody can see it and you're going to allow entities like OilCo and NL Hydro to tell you to go fly, we're not even talking to you; you can't see it. I don't need to give you a reason. Then this is a total waste of time – absolute waste of time if that's what we're going to do.

**E. JOYCE:** There are no repercussions.

**P. LANE:** And no repercussions. My colleague talked about the repercussions and he's right. He is right. There are no repercussions.

If you were to talk to the average person out there, they would say to you there are no repercussions for anything that happens in government, and that's not on this administration, just in general. I bet you, go out to the coffee shop and ask, they'll say there is never any repercussion for anything. Everybody gets the golden handshake; nobody loses their job. There are no pink slips. There is no accountability. There is no nothing. That's how a lot of people feel, I'm telling you. That's how a lot of people feel because we see it time and time again where nobody is held accountable for the decisions or not making decisions or not following the rules.

My colleague here makes a good point about the Management Commission because that's included in here. I share his concerns. I don't have the same issue that he had. We all understand what happened with the Member here. He's brought it up a thousand times. I appreciate why he does.

**AN HON. MEMBER:** I'd say 2,000.

**P. LANE:** Well, okay, maybe 2,000. We all get that, but I don't have that issue. I still agree with him in principle that we've got to have rules that we need to follow, the House needs to follow, the Management Commission needs to follow and our statutory Officers need to follow.

As long as there's going to be room open for people not to follow the rules or misuse or abuse the rules or use their office to try to intimidate Members and intimidate people, if we're not going to have some remedy to that, some consequence, some independent third party – and I know people will say, well, the statutory Officers are independent, but they still work for the government, still appointed by the House of Assembly, the government and so on.

They are independent but they're not truly independent. They're not truly independent, in my view, and I don't have any faith in the process. I don't have any faith in most of those offices in my dealings with them. In my dealings with them, I have no faith – zero. I don't. It is what it is, but it should apply there as well. I agree with the Member, it should apply there as well.

Anyways, I understand the rationale, why my colleagues here and the Official Opposition – and I say to the minister: Yeah, you're right. It's fine to say a year has gone by or whatever, but did you have the consultations because I think that the amendment is about having consultations as well. It's not just the passage of time. It's not about passage of time, it's about did you have public consultations. Did you put this on the – what do you call it? What's that

thing that the government has for feedback and everything?

**AN HON. MEMBER:** EngageNL.

**P. LANE:** Yeah, was this on engageNL? I don't know if it was or not, but was this on Engage NL? Were there town hall meetings? I don't know. I don't think there was. Maybe there was, but I don't think there was.

So it's fine to say you asked for this a year ago and now it's a year later and nothing has changed. Well, if you didn't engage, then you didn't fulfill what was intended here by the amendment, to put this out to the people and truly explain to the people – truly explain to the people how this works, what you're trying to do and have them to understand all aspects of it, including the relationship between this and ATIPPA.

Again, I'll close off by saying, you can't have one without the other. There is no point in documenting information, forcing people to document information, but then nobody can see it. There is also no point in having this if it's not going to be enforced everywhere, including the Management Commission.

Thank you.

**SPEAKER:** Order, please!

The Member's time has expired.

Seeing no other speakers, we'll now vote on the amendment for Bill 22.

All those in favour of the amendment.

**SOME HON. MEMBERS:** Aye.

**SPEAKER:** All those against the amendment.

**SOME HON. MEMBERS:** Nay.

**SPEAKER:** Just so Members are all clear, we're voting to the amendment on Bill 22.

All those in favour of the amendment.

**SOME HON. MEMBERS:** Aye.

**SPEAKER:** All those against the amendment.

**SOME HON. MEMBERS:** Nay.

**SPEAKER:** The amendment is defeated.

We'll now go back to the debate on the main bill.

Seeing no speakers, if the minister speaks now, she'll close the debate.

The hon. the Minister of Digital Government and Service NL.

**S. STOODLEY:** Thank you, everyone.

I appreciate the comments, happy to answer lots and lots of questions in Committee.

Thank you.

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

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Motion carried.

**CLERK (Hawley George):** A bill, An Act to Amend the Management of Information Act and the House of Assembly Accountability, Integrity and Administration Act. (Bill 22)

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

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

**L. DEMPSTER:** Now.

**SPEAKER:** Now.

On motion, a bill, “An Act to Amend the Management of Information Act and the House of Assembly Accountability, Integrity and Administration Act,” read a second time, ordered referred to a Committee of the Whole presently, by leave. (Bill 22)

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

**L. DEMPSTER:** Thank you, Speaker.

I move that this House do now resolve itself into Committee of the Whole to consider Bill 22.

**SPEAKER:** And a seconder, please.

**L. DEMPSTER:** Seconded by the Minister of Digital Government and Service NL.

**AN HON. MEMBER:** (Inaudible) second reading.

**SPEAKER:** Pardon?

**AN HON. MEMBER:** (Inaudible.)

**SPEAKER:** I did go back to second reading.

**AN HON. MEMBER:** You didn’t say it; we didn’t hear it.

**AN HON. MEMBER:** No one heard it.

**AN HON. MEMBER:** No one heard that.

**SPEAKER:** I clearly stated –

**AN HON. MEMBER:** Check *Hansard*.

**SOME HON. MEMBERS:** Oh, oh!

**SPEAKER:** Order, please!

No, I clearly stated we’re going back to the main bill and I asked if there were no speakers.

**B. PETTEN:** You never said second reading, Speaker (inaudible), it wasn’t clear.

**SOME HON. MEMBERS:** Oh, oh!

**SPEAKER:** Order, please!

Order, please!

I called for second reading and nobody stood. Then I called for the minister – if nobody else spoke, I called for the minister.

**B. PETTEN:** You didn’t call for second reading, Speaker.

**SPEAKER:** I did call for it.

**B. PETTEN:** No you never, you said back to the motion.

**SPEAKER:** We have a mover and a seconder –

**AN HON. MEMBER:** (Inaudible.)

**SPEAKER:** Pardon?

If it’s the House’s wish that we go back –

**AN HON. MEMBER:** Yes.

**SOME HON. MEMBERS:** Oh, oh!

**SPEAKER:** Order, please!

Order, please!

I’m going to recess the House for a second, go back and check *Hansard* and see what I did say.

**SOME HON. MEMBERS:** Oh, oh!

**SPEAKER:** Order, please!

The House do stand recessed for a few minutes.

**Recess**

**SPEAKER:** Order, please!

Are the House Leaders ready?

I did have a chance to get a copy of *Hansard* and, in reviewing, it was clearly stated the Speaker said: The amendment is defeated. We'll now go into debate on the main bill – which I paused. Seeing no speakers, if the minister speaks now, we'll close debate. I then called upon the Minister of Digital Government and Service NL. The minister stated: Thank you, everyone. I appreciate the comments. I'm happy to answer lots and lots of questions in Committee. Thank you.

I then said: Is it the pleasure of the House to adopt the motion? All those in favour, 'aye.' Then: All those against, 'nay.' The motion was carried. The Clerk clearly read the long title of the bill and then I stated: This bill has now been read a second time. When shall the bill be referred to a Committee of the Whole? The minister and the Deputy Government House Leader stated now. The Speaker moved on.

So the bill clearly passed second reading and now we're going to vote on going into Committee of the Whole. We have a mover and a seconder on that and we'll now call for the vote.

I will remind Members that during Committee, when into Committee, during clause 1, you can openly debate the bill during that time, too.

The hon. the Opposition House Leader.

**B. PETTEN:** Speaker, respectfully, on a point of order, I sat through that, and you clearly reiterated what I heard you say, main motion. There was no reference to second reading. In full respect to the situation, we brought this bill – this bill came in last March 2023. We're in the middle of an amendment, a reasoned amendment, and government at the night – it was in the night, and the Government House Leader got up,

and in a very curt way shut down debate, everything ended abruptly, and we have never revisited this bill since then.

We come back here a year later, in the middle of an amendment, we come back here and we were in the middle of debate – we were okay with what happened in November because there was consultation. If the independents wanted to speak on it, fine. We waited for that process to end, to go back to second reading and we had speakers lined up for it.

You never once referred to second reading; you got up and you asked for two votes on the amendment, because the first one government said they voted against their own – they said yes and they should have said no. I was agreeable to let you give them a second vote, and you did, and they voted the right way. Out of respect for the House and respect that it's been a year too long, late and I realized everyone was rusty, and they voted the right way the second time.

Then you come back and you said something about main motion. Next thing I know it's the Deputy Government House Leader is in their place and we're going to Committee and that's when we interrupted, me and the Member from Bay of Islands. It's not being difficult with the process here. We only want the fair opportunity to speak during a second reading.

This is part of a democracy, we're here and we want to speak on this bill. In fairness of being a year later, we're in the middle of a Committee stage, it's a bit tangly for everyone to try to explain to everyone in the House how it's going, from Committee to vote, and wrong votes, and what have you. It creates confusion.

So I respectfully asked for some extra bit of leeway, consideration here, because I don't think we're being unreasonable in asking that. If we missed this on a normal day, it's on us. This was a bit of an exception

because we're a bit rusty. Again, we were in the middle of an amendment. It wasn't normal type, you go first reading, second reading, Committee. It was a bit of a different beast.

So respectfully, Speaker, you made your ruling and I respect that, but I wish you would give some consideration and leeway to what I just explained to you that time.

Thank you.

**SPEAKER:** The hon. the Member for Humber - Bay of Islands.

**E. JOYCE:** Mr. Speaker, I'm going to speak to the point of order, and I'm just going to read the *Hansard*. What happened, to be fair – and they'll have lots of time to speak, but to be fair to the Opposition, is that when the amendment was debated, the amendment was over, you said: All in favour? That's here in the *Hansard*: All in favour? Everybody said yea.

You realized, okay, there was an amendment and then you said again, hold it, all in favour, and then that's when they realized that they should have said nay. That's what's in *Hansard*. Then they said, while they were saying nay, Mr. Speaker – to be fair to the Opposition, while they were saying nay, there were people started coming in because there may be division. When the people were coming in, saying division, then when you asked a second time, all in favour, and they said, over here, yea. The government said nay, which was the majority, which is clear. Then, by the time that was happening, people were coming in and you said the amendment has failed, which is in *Hansard*, and you said, now we go to the main motion.

At no time did you say, are there any speakers? You just said we're going to the main motion, while people were walking in. I never heard it. Definitely never heard that you said, are there any speakers in this

House? To put it in context, is that it was after –

**J. HOGAN:** The main bill, not the main motion.

**E. JOYCE:** The main bill. Yes, sorry. Main bill, sorry.

To put it in context, that was after they said yea, all in favour of the motion, that you went hold it now, this is not right here and you gave them a second chance to do that. When that happened, if you said – because there were no speakers, no one knew that you were actually going to ask now we're on the main bill, would anybody like to speak to it? That was never said. It was all the confusion.

I'm not disputing what's here, but I just wanted to put it in context on the reason why a lot of people never heard and didn't even know that we're prepared to go on the main bill.

So I'd like to take that in context because that was the second time – that was a bit of confusion there about voting for the amendment.

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

**J. DINN:** Thank you, Speaker.

Two points, there was confusion at the beginning of this because I watched as Members, on the government side, voted in favour of the amendment. Then realizing that they should have been voting the other way. It should have passed if that were the case but, I guess, in collegiality, we're not going to object to that, if that is what it comes down.

There was clear confusion. Second point, I raised it already with you, Speaker, that at times here whether it's the microphones or the sound system, it is very difficult to hear. Add that at the confusion that was taking

place, as Members were coming into the House voting, it makes it for a very – and you can hear it here, a very difficult situation just to hear, especially when the speakers may not be working the way they should be.

So, I think, in many ways in the spirit of a democratic process to proceed with the second reading.

Thank you.

**SPEAKER:** The hon. the Minister of Immigration, Population Growth and Skills.

**SOME HON. MEMBERS:** Oh, oh!

**SPEAKER:** Order, please!

**G. BYRNE:** Speaker, I find that our *Standing Orders* – I'm sorry, there are Members on my side who don't want me to speak, but I think I'd like to speak on this matter.

Our *Standing Orders* are not clear on this matter, but O'Brien and Bosc is very clear within the Westminster parliamentary systems. Once a Speaker has ruled on a matter of privilege, there is no appeal of the ruling of the Speaker. If you want to apply the rules that we have adopted in this place and extend it to other Westminster systems, I think what you will find is that your ruling is in order. If a Member wants to advance a procedural matter, he's entitled to do so.

Standing Order 10 of the House of Commons clearly indicates that there is no rightful appeal through a secondary matter of point of order on a ruling of the Speaker, Mr. Speaker.

**SPEAKER:** Thank you.

I've heard from both sides of the floor on this here and I will rule there is no point order. I clearly did call for the vote before. I called for the vote on both aye and nay. I was unclear on the vote. I did call it a second time, then the vote at the time was

carried – the amendment was carried. We moved on into second and I did call for the main bill. That's typically what I've done in the past, call for the main bill. I did pause and take a look on the sides of the floor to see if there were any speakers before I called upon the minister.

Unless it's the consensus of the House of Assembly, the vote has been done and the vote has been carried. The Clerk did read the long title. So I'm going to move forward. There's no point of privilege.

**P. LANE:** Mr. Speaker, just a point of order.

I think I just heard you say unless there's a consensus of the House. I'm asking can we have a consensus of the House? In the spirit of co-operation and in the spirit of democracy, can we have consensus of the House to allow us to continue with second reading?

I put that before the House asking for consensus.

**SPEAKER:** If it is the will of the House, yes, we can take it back.

**P. LANE:** Okay, well –

**SPEAKER:** But it has to be unanimous and have the will.

**P. LANE:** Do you have to call for that or do I have to call? How does that work? I'm asking for consensus of the House.

**J. HOGAN:** (Inaudible.)

**SPEAKER:** I think it's pretty obvious there is no consensus.

There is a mover and a seconder that we now do move into Committee of the Whole to consider the bill.

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

**SOME HON. MEMBERS:** Nay.

**AN HON. MEMBER:** (Inaudible.)

**SPEAKER:** Are you rising to speak?

**AN HON. MEMBER:** (Inaudible.)

**SPEAKER:** The motion is carried.

The hon. the Deputy Government House Leader.

**L. DEMPSTER:** No, the motion is defeated.

**SPEAKER:** Oh, sorry.

**L. DEMPSTER:** We're not going into Committee.

**SOME HON. MEMBERS:** Oh, oh!

**SPEAKER:** Order, please!

I'm going to call for the motion again, please.

The motion is that I do now leave the Chair for the House to resolve itself into a Committee of the Whole.

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

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

**SOME HON. MEMBERS:** Nay.

**SPEAKER:** The motion is defeated that we do now move into Committee of the Whole.

The hon. the Deputy Government House Leader.

**L. DEMPSTER:** Thank you, Speaker.

I move, seconded by the Minister of Municipal and Provincial Affairs, that this House do now adjourn.

**SPEAKER:** It is moved and seconded that this House do now stand adjourned.

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

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Motion carried.

This House do stand adjourned until 10 a.m. tomorrow.

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