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*Speaker: Honourable Perry Trimper, MHA*

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The House met at 1:30 p.m.

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

Admit strangers.

I would like to welcome everyone back for this week of the House of Assembly and our session.

In the Speaker's gallery today I would also like to welcome board members of the Georgetown Neighbourhood Association. They will be referenced in a Member's statement this afternoon.

With us we have Elizabeth-Anne Malischewski, Griffyn Chezenko and Elizabeth Oliver. Welcome to you all.

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

**MR. SPEAKER:** In the public gallery today I would like to welcome Ms. Kim Keating's grade four class from Holy Trinity Elementary in Torbay. Ms. Keating will be mentioned in a Member's statement.

**AN HON. MEMBER:** They're viewing from home (inaudible).

**MR. SPEAKER:** They're viewing from home. Thank you very much.

Welcome to you at home.

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

**MR. SPEAKER:** Now in the public gallery I would like to recognize Ms. Barb Dunphy, Ms. Anne Flynn, Mark Kavanagh and Ms. Mary Ann Kavanagh. They are associated with a Member's statement this afternoon and they are with us.

Thank you.

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

### Statements by Members

**MR. SPEAKER:** For Members' statements today we will hear from the hon. Members for the Districts of Mount Pearl North, Harbour Grace - Port de Grave, Cape St. Francis, Harbour Main and St. John's East - Quidi Vidi.

The hon. the Member for Mount Pearl North.

**MR. LESTER:** Mr. Speaker, from May 8 to May 12 the Glacier Arena in Mount Pearl was transformed into a beautiful theatre. There was professional lighting and sound design, beautifully designed sets and costumes and a production of spectacular music and choreography.

*Etcetera 32* featured over 250 performers from Mount Pearl and Paradise schools, including the international award-winning Mount Pearl Show Choir. I was fortunate enough to attend the opening night production and was completely overwhelmed by the magic and talent of the young performers.

The show began 32 years ago with Carl Goulding as musical and choral director, with his wife, Jackie, as production manager. This year, they directed children whose parents were in the original show. The production has indeed now become a family affair, as Carl and Jackie are now joined by their son, Justin, as artistic director, and daughter, Rebecca, as a stage manager. I would also like to thank them for their dedication over the years.

Mr. Speaker, I ask those present to join me in congratulating all those involved in *Etcetera 32* on the tremendous success of this year's production. I would especially like to congratulate all the young performers and wish them all the best in the future.

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

**MR. SPEAKER:** The hon. Member for the District of Harbour Grace - Port de Grave.

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

I am very proud to congratulate the Bay Roberts Volunteer Fire Department on celebrating 75 years of service and dedication to the residents of Bay Roberts, Coley's Point, Shearstown, Butlerville, Country Road, Bareneed, and Port de Grave.

It certainly was an honour to attend their annual firefighter's ball recently, where some members received awards for 30 and 50 years of service. Mr. Speaker, it was a full house at the venue, the

Shearstown Community Centre, as the department has outstanding support of all communities.

There are four volunteer fire departments in the District of Harbour Grace - Port de Grave, and when help is needed they all come together. This May 24th holiday weekend a brush fire broke out in the Town of Spaniard's Bay. The volunteer fire department of Spaniard's Bay-Tilton was quick to respond, but given the size and location of the blaze, assistance from all four departments, along with a water bomber and a helicopter, was necessary. Residents in the immediate area of Seymours Road were also evacuated. Local fire chief Curt Roberts confirmed the fire was finally contained after five hours without injury or property damage.

The residents are also very grateful for the dedication of these brave volunteers, as many believe our volunteer first responders are among the most courageous volunteers in the world.

Thank you Mr. Speaker.

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

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

I rise today to congratulate Kim Keating on receiving the Prime Minister's Awards for Teaching Excellence. Mr. Speaker, Ms. Keating is a grade four teacher at Holy Trinity Elementary school in Torbay. She is well known for her remarkable achievements in the classroom and in the school community.

Ms. Keating is a leader in preparing students for the digital-based economy and has worked very hard to incorporate new technologies and creativity in her classroom and overall school programming. For example, she has worked on a pilot project to bring iPads into science classes, encouraged students to write and publish e-books, developed a program where students raised salmon eggs and released them. She's also integrated programs such as the Roots of Empathy into the curriculum to encourage social development in children.

I've worked with Ms. Keating on many occasions. Her passion for teaching and improving educational outcomes for the children is tremendous. I've seen first-hand her positive impact she has had on the school. One of her large projects was fundraising to install a beautiful new playground on school property.

I ask all honourable Members to join with me in congratulating Kim Keating on receiving the Prime Minister's Awards for Teaching Excellence, and thank her for all she does for her students and her colleagues at Holy Trinity Elementary.

Thank you, Mr. Speaker.

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

**MR. SPEAKER:** The hon. the Member for the District of Harbour Main.

**MS. PARSLEY:** Mr. Speaker, I rise today to pay tribute to a gentle soul, a dedicated member of my community and a man who helped those during one of the most difficult times in their lives.

Kenneth Michael Dunphy, alongside his sister Barbara, was the owner and operator of Dunphy's Funeral Home in Holyrood, a family business that has been in the town and served neighbouring communities since 1892.

Kenneth was a music teacher in his spare time; instilling the love and passion of music in many students throughout the years. He was a one-of-a-kind man who gave his life to serving others and taking the highest level of professionalism and dignity into the hour of need. Kenneth touched the lives of many people in his own special way as he walked with them through their darkest days. He was truly blessed to have wonderful friends and a lovely family by his side as he fought a very difficult battle with cancer.

I ask all Members to join me in paying tribute to the life of Kenneth Dunphy; a man who I am so proud to say was a friend of mine, and to countless others. Rest in peace Kenneth, you will be forever missed and forever loved.

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

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

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

It is not always easy in a city to feel part of a community, but the Georgestown Neighbourhood Association, formed in 2000 and run by volunteers, has been able to achieve that for the residents living inside the boundaries of Military Road, Bonaventure Avenue, Empire Avenue and Monkstown Road in St. John's.

Their goal is to maintain and improve the social and physical environment of the neighbourhood, which they do through advocacy, community building events, and direct involvement with the City of St. John's.

The Georgestown Neighbourhood Association plays a vital advocacy role in the neighbourhood, striving to improve and protect urban green space, support local development that enhances the quality of life for residents, improve snow clearing and removal and protect built heritage.

The group also plays an important role in planning with a representative on the Municipal Planning Area Advisory Committee for Georgestown. They coordinate a wide range of community building activities, including annual flea markets, winter skating parties, clean-ups, food drives, barbecues, flower bulk planting and workshops on community building.

I ask all hon. Members to join me in congratulating the Georgestown Neighbourhood Association, a model of what urban community building can be like.

Thank you, Mr. Speaker.

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

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

#### Statements by Ministers

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

**MR. CROCKER:** Mr. Speaker, I rise in this hon. House today to update Newfoundlanders

and Labradorians about our department's plans to increase highway safety for motorists and crews who work in highway construction zones.

Far too often, our contractors report instances of motorists who ignore highway traffic signs, putting the crews' and their own safety in jeopardy.

This summer, we will be partnering with contractors for the use of highway enforcement cameras. At construction zones with high traffic volumes and high speeds, cameras will be installed to detect speeding motorists, and record information including the vehicle's licence plate, speed and date and time of the violation.

This will determine their effectiveness for use as an enforcement tool in the future.

We will also be increasing our use of attenuators, which are safety barriers designed to absorb the impact of a collision and help redirect out-of-control vehicles away from machinery and workers, reducing the likelihood of vehicles striking the crews.

Mr. Speaker, motorists will be more informed of our road construction activity throughout this season, through the use of traditional and social media.

In addition, we will continue to collaborate with policing agencies, municipalities, the Heavy Civil Association of Newfoundland and Labrador, the Newfoundland and Labrador Construction Safety Association and other provincial government departments to address safety concerns.

Mr. Speaker, as we take these steps to increase safety for everybody, we remind all motorists travelling this summer to reduce their speeds, pay attention and obey all traffic signs.

Thank you, Mr. Speaker.

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

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

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

I thank the minister for the advance copy of his statement and for the update on the road safety plans.

Mr. Speaker, any measures that will advance the safety of motorists and crews in construction zones is something we all support. Highway cameras and attenuators can be useful tools and hopefully they will play an important role in addressing some of the safety concerns on our highways.

Mr. Speaker, road safety is the responsibility of everyone and ensuring the well-being of the travelling public and our highway crews is vital. As we approach the summer months, I too would like to encourage all those who use our roadways – drivers, construction crews, pedestrians and cyclists – to stay safe.

Thank you.

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

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

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

I, too, thank the minister for the advance copy of his statement. The problem of some motorists showing little or no concern for the safety of highway construction workers or their own safety is a perennial one and a serious one.

I'm glad to see government implementing new measures to further enhance safety. I hope the cameras prove a deterrent and the attenuators at least save lives in the instances where motorists do not slow down.

I suggest to the minister, respectfully, that an assessment of these new initiatives be done halfway through the season to ensure that they are having an effect.

Thank you very much, Mr. Speaker.

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

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

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

**MR. MITCHELMORE:** Mr. Speaker, this past Saturday, the Provincial Historic Sites network opened to the public.

With 11 locations throughout the province, Provincial Historic Sites offer a wide variety of regular and special programming for all ages that celebrate the unique culture and heritage of Newfoundland and Labrador.

Mr. Speaker, to celebrate this unique culture and heritage, youth aged 16 and under will be granted free admission to Provincial Historic Sites this summer.

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

**MR. MITCHELMORE:** The 2018 programming lineup includes ongoing events such as Concerts by Candlelight at Commissariat; Voices on the Wind at the Beothuk Interpretation Centre; and Lighthouse Dinners at Cape Bonavista and Point Amour Lighthouse.

Exciting new programming additions for 2018 include: Under the Sea at Cape Bonavista on July 7; Long Table Lunch at the Cupids Cove Plantation with Lori McCarthy on August 3; Party Like it's 1910 in Trinity on August 5; and a Ham Radio Operator's Demonstration at the Heart's Content Cable Station on September 8.

Mr. Speaker, there is so much to do and see at the Provincial Historic Sites, and I encourage all to experience the hands-on activities, guided/self-guided tours, exhibits and so much more.

In 2017, the 11 sites saw close to 96,000 visitors, the second best year on record. These sites help to tell our unique story of Newfoundland and Labrador, and I encourage all hon. Members to visit them this summer.

Thank you, Mr. Speaker.

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

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

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

I thank the minister for an advance copy of his statement. This province is blessed with Provincial Historic Sites which are all diverse in experience they offer to those who visit. From visiting Cape Bonavista Lighthouse to the Beothuk Interpretation Centre, these sites offer visitors a chance to learn about our culture and our history.

The announcement of free admission for youth aged 16 and under is a positive announcement. I hope this will encourage more of our province's youth to discover the vibrant and historic stories of our province.

However, Mr. Speaker, I do want to point out, that according to the department's website there is no Provincial Historic Site in Western Newfoundland. Perhaps the department can explore the options for historic sites on the West Coast and designate a Provincial Historic Site in that region soon.

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

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

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

I thank the minister. I am pleased that government sees the benefit of a financial incentive for people to bring their children to historic sites. This kind of investment will build attendance at these sites, not just this summer but in the future, as these children and youth are the museum goers of the tomorrow.

It is also important to invest enough in physical repairs and maintenance and in programming to ensure we can offer high quality attractions that display our history and attract tourism dollars.

Congratulations to the staff of all of our historic sites who are offering creative programming to our people.

Thank you, Mr. Speaker.

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

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

Oral Questions.

### Oral Questions

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

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

Serious issues regarding wait times within our health care system were highlighted in a special CBC series.

Can the minister explain how a Placentia area woman suffering from a debilitating back injury expects to wait four years before she is able to see a back specialist?

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

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

The issue of wait times has been with us a long time. Our department has several strategies aimed at addressing this.

One of the challenges is that I don't think it's realized that a lot of the waiting to see a specialist is actually a negotiation between the referring health care provider and the specialist. That is one of the things that we have been challenged to deal with.

Significant numbers of specialists work in their own offices and we do not have any access or insight into their waiting times. We are working to remedy that and I hope to be able to make some announcements in the not too distant future in that regard.

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

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

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

The article tells another story of a lady living with serious health problems who has been

waiting 18 months for an appointment with a specialist and still doesn't have a date set.

Can the minister explain how someone in medical need is still waiting after a year and a half to get an appointment pencilled in?

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

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

Really the answer to this question is very similar to the last one, the issue about wait times between a health care provider and a specialist is often a matter for negotiation based on clinical need.

As far as the RHAs and the clinics are concerned, we can track those. We are working and have done very well in reducing those wait times. In mental health, for example, there is now a zero wait time for counselling on Burin. In Corner Brook, it's gone from 192 people waiting a year ago for mental health services to 19.

We are making progress, Mr. Speaker.

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

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

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

I didn't know health care was to be negotiated. I thought people had readable access to proper health care in Newfoundland and Labrador but I may be wrong there.

We were disheartened to hear of a gentleman who has been waiting seven months already to see an eye specialist. As of last week, he still didn't have an appointment, let alone a date for surgery. This after the minister rejected a proposal to set up an eye treatment centre in Corner Brook that would undoubtedly help with the provincial backlog.

What is the minister's plan to help people desperately waiting months, possibly years, for vital eye surgery?

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

**MR. HAGGIE:** Maybe the term negotiation was misunderstood, Mr. Speaker.

It is a discussion between clinicians. The urgency with which an individual sees a specialist is down to clinical decisions, not administrative ones.

And just simply for the record, Mr. Speaker, the CIHI report of April of this year shows this province has the lowest wait times in Canada for cataract surgery.

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

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

**MR. BRAZIL:** Well, from my discussions with a number of patients who are on the waiting list, you need to tell them that the waiting time is much too long for them, particularly those who are waiting to get the surgery to go back to work.

Most disturbing of all, perhaps, is the extended wait times for medical care needed for children. One family tells a story that seems they've been waiting 17 months just to sit down with a pediatrician, 15 months before the child can begin speak-language therapy and two years before the child can see a psychologist and social worker.

How can the minister explain such widespread deficiencies in our health care system?

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

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

Once again, a decision about how long it may or may not be appropriate to wait rests with the two clinicians concerned. If the clinician who is referring the patient makes the case on medical grounds, those waits are significantly shorter. Are they perfect? No.

In terms of speech-language pathology, for example, we accept in some areas there are challenges. I actually met with a speech-language pathology association as recently as last week to discuss some ways in reducing that. In the Central region, we have done that, Mr. Speaker.

We are making inroads. We have to do what we can with what we've got, but we are making progress and we're getting there, Mr. Speaker.

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

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

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

This morning Newfoundland Power reported widespread power outages in the province as a result of loss of supply from Newfoundland Hydro.

I ask the minister: What was the cause of the loss of power supply?

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

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

We had what's called a frequency fluctuation in the province. Newfoundland and Labrador Hydro is doing an investigation; their experts are out there doing an investigation now, Mr. Speaker.

Security supply is incredibly important to this province, and you did see an immediate reaction to that frequency disruption. We'll learn more in the coming days as to what had occurred. I understand it has nothing to do with generation at all.

Thank you, Mr. Speaker.

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

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

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

In November 2017, the minister, while answering questions about the level of the water reservoir, said: Newfoundland and Labrador Hydro has assured me that they have adequate thermal generation and there should be no difficulty in supply.

Is low water availability related to the power outages which occurred this morning throughout the province?

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

**MS. COADY:** No, Mr. Speaker, it is not. It was a frequency interruption on the line. It has nothing to do with generation.

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

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

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

We have heard that the reservoir in Hinds Lake is so low that they cannot produce any electricity; that is 75 megawatts which is not available.

Can the minister confirm this?

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

**MS. COADY:** Mr. Speaker, we have a mix of generation in this province. There has been no indication to me that there is any concern on the generation side of things. Water levels do fluctuate. We have had spring runoff. Sometimes they're high; sometimes they're a little lower. But I can assure the people of this province, there is adequate supply.

Today's event, which was only a small event, not that that's acceptable, but there was a small event that occurred today. It is under investigation because they would like to understand what caused the frequency fluctuation.

Thank you, Mr. Speaker.

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



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

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

We're hearing that this is a 40-year low in water reservoirs, which is going to definitely have an impact down the road. We have also heard that the reservoir at Cat Arm is down 18 metres.

I ask the minister: What impact does this have on energy generation?

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

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

I understand that we have a very adequate supply of generation. That's why we have a mix within this province. Today's event has nothing to do with generation.

Thank you, Mr. Speaker.

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

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

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

Given the low water reserve levels, has hydro used energy from the combustion turbines to provide energy to consumers in this province?

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

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

From time to time, they do use combustion turbines for the very instances that we were just talking about, the mix of energy within the province. When need occurs, they do have to use other generation sources, Mr. Speaker, but I understand it's being kept as low as possible.

Thank you, Mr. Speaker.

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

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

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

A letter from the federal minister to the former minister of Municipal Affairs expressed concern that the province was not utilizing the small community's infrastructure fund. The federal minister's letter stated: We are seeking to ensure that all the remaining funds under the program is approved as quickly as possible.

Minister, why is there a delay in using this fund for municipalities and other groups?

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

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

It's timely question, given that we're getting ready very quickly to move forward with the unveiling of this money that, again, is a joint project between the federal government and the provincial government.

What I can say is that any delay may have been caused, perhaps, by the transition that we've had in the department, but we'll be ready very quickly to unveil this and looking forward to making announcements all across the province for the benefits of municipalities, local service districts and Newfoundlanders and Labradorians.

Thank you.

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

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

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

I also look forward to those announcements.

According to the federal minister's letter in July of 2017, only 64 per cent of your national and regional project allocation and 29 per cent of your Small Communities Fund allocation had been approved for projects.

Minister, we have heard your government talk the talk about improving municipal infrastructure. Why is the federal minister writing you to expedite approvals?

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

**MR. A. PARSONS:** Thank you.

Certainly, we're looking forward to making announcements in the very near future as it relates to the Small Communities Fund for this province. What's interesting is this coming from the other side where they left \$34 million on the table. I find that very interesting.

What I can say is that we do everything in our power to make these announcements, to work with the federal government to get sign-off and to leverage monies as it relates to provincial investments.

Again, we know – and I tell you the reception that I got at Municipalities Newfoundland and Labrador shows the fact they are very happy with the direction that this government and this department has taken. I look forward to continuing that.

Thank you.

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

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

**MR. BRAZIL:** I need to clarify for the minister, there was no money left on the table when this administration left when it came to federal infrastructure, particularly for municipalities. Also, they've been taking credit for a lot of the municipal infrastructure projects that we had in play before we left, Mr. Speaker.

The minister encourages this province to ensure that your funding allocations can be fully utilized. What percentage of this fund has now been used?

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

**MR. A. PARSONS:** Thank you.

Again, interesting, there are a lot of things – they get very upset that we take credit for the great work that they did, but I can guarantee you, there's certainly a lot more that we want no part to do with the decisions that they made.

What I can say is that we'll be moving forward very soon as it relates to the announcements on this again. Our goal is to advance as much money as possible to municipalities. We work with them to make sure this happens. In some cases, the money cannot be spent for various reasons that are outside of the provincial government's control.

And any other details that the Member wants as it relates to percentages, I can certainly provide them to this House forthwith.

Thank you.

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

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

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

When presented with the recommendations of Independent Expert Advisory Committee on methylmercury at Muskrat Falls, the minister would not commit to implementing the recommendations and stated multiple times that he needed time to review the report. Six weeks have now passed and a new minister is responsible.

So I ask the minister: Have you reviewed the recommendations of this report?

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

**MR. A. PARSONS:** Thank you.

Certainly, I have had an opportunity to review the recommendations made by the IEAC. It's a significant report that also comes with a significant responsibility and a tremendous cost to multiple individuals and parties.

What I will say is I'm looking forward in the very near future to meeting with Dr. Ken Reimer who was the chair of this committee. Our

department has been in correspondence with him to have a discussion on this and we've agreed in principle with much of what was recommended, but you will remember that the last recommendation that was made that, in fact, the committee itself had some disagreement on what we should do.

What I can say is that we will do what's in the best interest of Newfoundlanders and Labradorians. We take this quite seriously and certainly there's a lot of work that's gone into this. I look forward to moving on it very soon.

Thank you.

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

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

**MR. PETTEN:** Thank you.

The report recommended that Nalcor undertake targeted removal of soil and the capping of wetlands. The minister said he would consult with indigenous groups to try to gain consensus on the issue.

I ask the minister: What progress has been made?

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

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

Again, we're still working on that. That's a significant commitment we're talking about, \$700 million in terms of a request. In fact, there is some disagreement amongst the indigenous groups as to what is the right step forward. We'll continue to work with them and to consult with them.

What I would like to know is why wasn't this work done in the beginning when this project was sanctioned.

Thank you.

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

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

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

Given the Muskrat Falls Project is nearing completion; the government needs to make a decision on these recommendations quickly.

I ask the minister: When will you issue a decision on this recommendation?

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

**MR. A. PARSONS:** Well, one thing I can guarantee, Mr. Speaker, is that before we make any decision, we're certainly going to continue to consult. That's the problem here is that there wasn't the adequate consultation done when this project was sanctioned. It was forced down the throats of Newfoundlanders and Labradorians.

What I can say is I'll continue to work with the indigenous groups, as well as with the chair, Dr. Ken Reimer. I look forward to meeting with him very soon to discuss this. Again, there are significant recommendations, many of which we agree in principle. But when there's some disagreement amongst the parties that are a part of the committee, we have to work with them to see if there is a common ground we can attain.

Thank you.

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

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

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

The federal minister of Fisheries has made such a mess of the surf clam quota that the ethics commissioner has finally launched an investigation. The winning group didn't even have the required indigenous (inaudible), didn't have a vote. They proposed to use a foreign vessel. Even after all that, they revealed that they're very proud of this decision, both the federal government and the federal minister.

I ask our minister: Are you proud of that decision, and why do you continue to make excuses for your Liberal cousins?

**MR. SPEAKER:** The hon. the Minister of Fisheries and Land Resources.

**MR. BYRNE:** Mr. Speaker, the hon. Member takes the opportunity to give voice to the very facts that I have stated on the floor of this House of Assembly on numerous occasions since September of 2017. We've been on our feet on this side of the House informing not only the federal government, but listening to our stakeholders, the Town of Grand Bank and others that have a direct interest in this, finding out their concerns and relaying those concerns to the federal government.

We are not happy with that, and the Member will know that we're not happy with that because we have stated this on the floor of the House of Assembly on many occasions. This, however, will be third time since September of 2017 that Member has spoken about this particular issue.

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

**MR. SPEAKER:** The Member for Cape St. Francis.

**MR. K. PARSONS:** Mr. Speaker, I don't know where the hon. minister gets his numbers but I've been up more than three times on this.

Minister, where are the seven MPs on this issue and where is our regional minister?

**MR. SPEAKER:** The Minister of Fisheries and Land Resources.

**MR. BYRNE:** Excellent question, Mr. Speaker, because we have reached out to all seven of our Members of Parliament, as well to our regional minister and to the federal minister.

These are the decision makers in this particular issue. The surf clam allocation was made by the federal government, by the federal minister. That's why my interventions, my discussion has been directly with him to inform him that the provincial government of Newfoundland and Labrador is not satisfied with the decision. We

have voiced and we've given notice of that dissatisfaction on numerous occasions.

I will note, since the Member brought it forward, that it wasn't until December, until the dying hours of the session before Christmas in 2017, that the honourable Member gave any heed to this particular issue. We have been on this since September.

Thank you.

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

**MR. SPEAKER:** The Member for Cape St. Francis.

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

The Conne River band has gone to court to get the decision quashed. At one point, Minister, you said you were seeking a legal opinion.

Did you ever bother to pursue that?

**MR. SPEAKER:** The Minister of Fisheries and Land Resources.

**MR. BYRNE:** Mr. Speaker, I think there are several legal issues or legal opinions being sought and there are matters before that have been brought for review as we speak.

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

**MR. SPEAKER:** The Member for Cape St. Francis.

**MR. K. PARSONS:** So, obviously, he's done nothing.

The process was flawed. It's bogged down with Liberal links.

Minister, what are you doing to demand the federal minister restart this process?

**MR. SPEAKER:** The Minister of Fisheries and Land Resources.

**MR. BYRNE:** Mr. Speaker, the federal minister, of course, is exercising his jurisdiction, his authorities. We have reached out on several

occasions to get him to review those decisions. We anticipate that we'll ask them and we'll ask our federal Members of Parliament to provide him with that encouragement as well.

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

**MR. SPEAKER:** The Member for Cape St. Francis.

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

Last week's announcement outlining new regulations for the taxi industry is being criticized for not including the criminal background or vulnerable sector checks.

Why wasn't this done?

**MR. SPEAKER:** The Minister of Service NL.

**MS. GAMBIN-WALSH:** Mr. Speaker, the amendments announced last week were under the *Highway Traffic Act*, under the legislation that Service NL can adjust and can change; however, we are certainly open to conversations and consultations with all groups.

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

**MR. SPEAKER:** The Member for Cape St. Francis.

**MR. K. PARSONS:** Mr. Speaker, municipalities, residents, women's groups and the police have all advocated for these checks to be included. Why were they ignored?

**MR. SPEAKER:** The Minister of Service NL.

**MS. GAMBIN-WALSH:** Mr. Speaker, they were not ignored. What I had said a few minutes ago was the changes that were made last week were what we could change under the *Highway Traffic Act*.

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

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

**MR. K. PARSONS:** Mr. Speaker, these groups have been lobbying for these checks to be done for quite a while, many of them openly

criticizing you and your government for making these changes without consulting them.

Why weren't these groups consulted?

**MR. SPEAKER:** The Minister of Service NL.

**MS. GAMBIN-WALSH:** Mr. Speaker, I would not consult these groups when we were adjusting the *Highway Traffic Act* and making changes under what the registrar of motor vehicles could do. I don't know why the Member opposite does not understand that the role of the *Highway Traffic Act* did not include these vulnerable sector checks last week.

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

**MR. SPEAKER:** The Member for Cape St. Francis.

**MR. K. PARSONS:** Mr. Speaker, the City of St. John's says they were never consulted even though they had been requesting a meeting for this for some time.

Why did you ignore the city's request for a meeting on this?

**MR. SPEAKER:** The Minister of Service NL.

**MS. GAMBIN-WALSH:** Mr. Speaker, I did not ignore the city's request for a meeting; in actual fact, I've met with the RNC.

This is a very important topic and we will continue to consult on it. As a government, Mr. Speaker, we will consider it as we move forward.

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

**MR. SPEAKER:** The Member for Cape St. Francis.

**MR. K. PARSONS:** Mr. Speaker, I was at the announcement and you suggested that you were leaving this up to the cab companies and municipalities to carry out background checks. The City of St. John's has stated it can require those checks but have no authority or ability to enforce these regulations.

Why did you push this over on municipalities when you know full well they have no authority to do anything here?

**MR. SPEAKER:** The Minister of Service NL.

**MS. GAMBIN-WALSH:** Mr. Speaker, at the announcement I actually alluded to the fact that the City of Corner Brook was doing it now. The Member opposite is twisting my words.

The changes that were made last week were the changes that could be made under the *Highway Traffic Act*, under the registrar of motor vehicles, Mr. Speaker. We are definitely open to continue to consult with stakeholders regarding this important change that the Member opposite is putting forward.

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

**MR. SPEAKER:** The Member for Cape St. Francis.

**MR. K. PARSONS:** Minister, municipalities have no ability to stop cars or remove unlicensed taxi drivers from vehicles.

How do you expect municipalities to enforce these regulations?

**MR. SPEAKER:** The Minister of Service NL.

**MS. GAMBIN-WALSH:** Mr. Speaker, as I have said, we are open to continued discussion with stakeholders regarding this topic.

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

**MR. SPEAKER:** The Member for Cape St. Francis.

**MR. K. PARSONS:** The City of St. John's and others are continuing to ask to be included in requirements for background checks and vulnerable sector checks in the new licensing changes.

Will you reconsider your decisions?

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

**MS. GAMBIN-WALSH:** Mr. Speaker, what I will do is on a go-forward basis consult with the stakeholders and try to find ways to meet their needs. Under the changes that were made last week it was what we could do under the *Highway Traffic Act*.

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

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

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

The carbon tax will increase the price of everything, a fact that your government seems willing to ignore.

How much will the carbon tax cost the Newfoundland and Labrador economy?

**MR. SPEAKER:** The Minister Responsible for the Office of Climate Change.

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

I was waiting for this question again. I appreciate the opportunity to stand up and talk.

What I can say is we all know this is a directive that is coming from the federal government and it's a struggle that each province has. The fact is we do have to take action as it relates to climate change.

We are not in the process or not right now able to say what our system is going to look like. What I can say is that when we are ready we will be putting out our response. It will be in the best interests of Newfoundlanders and Labradorians.

Thank you.

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

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

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

The Premier said details of the carbon tax plan would be released this spring. The former minister said details of your carbon tax plan would be released this spring. It is nearly June

and your government is still refusing to provide any details.

Why won't you be open and transparent and inform the people of the province on the details of your new carbon tax plan?

**MR. SPEAKER:** The Minister Responsible for the Office of Climate Change.

**MR. A. PARSONS:** Thank you.

Again, what I would say is there's nothing open and transparent about the Opposition. What I will say is this: We are not going to be rushed; we are going to take our time to make sure we do this right. This is a huge step. If we were to move on this in haste, what I can guarantee you is that the Opposition would have questions as to why we took a certain action.

We are going to do what's right for this province; we are going to do what's right for Newfoundland and Labrador. We will take the time that is necessary. There's still time left this spring.

Thank you, Mr. Speaker.

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

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

**MR. PETTEN:** In his Budget Speech, the Finance Minister linked the new carbon tax plan with the phase-out of the remainder of the temporary gas tax.

Will the minister confirm that the four cents remaining on the Liberal gas tax will be rolled into the Liberal carbon tax plan? Yes or no?

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

**MR. OSBORNE:** Mr. Speaker, what we can confirm is that as the federal government's carbon system is implemented in this province, the gas tax will be phased out.

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

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

**MR. PETTEN:** In a recent report made public from Environment and Climate Change Canada, the federal government clearly states that it has asked all provinces to provide details of their carbon tax plans by September 2018.

Minister, that is a few short months away. When exactly will you release the details of your carbon tax plan?

**MR. SPEAKER:** The Minister Responsible for the Office of Climate Change.

**MR. A. PARSONS:** By September 2018.

Thank you, Mr. Speaker.

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

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

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

I want to ask the minister – this is one I've asked several times.

Have they figured out what a family of four with two children, how much the carbon tax is going to cost the individual family in this province? Have they broken down those numbers, because I think the people of the province would like to know?

**MR. SPEAKER:** The Minister Responsible for the Office of Climate Change.

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

What I can say is, obviously, we know that this is an important issue. It's one that people in this province are thinking about. It's one that is being discussed, but it's not just this province, it's all of Canada. The fact is climate change is real and every province has to take steps.

We will keep the best interest of Newfoundlanders and Labradorians at heart when we make this decision. We already had to figure out how to spare them from the tax that was put on them by the PC Party with Muskrat

Falls. We'll keep in mind what we have to do as it relates to climate change and what's best for Newfoundlanders and Labradorians.

Thank you.

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

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

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

After the government opposite puts over 300 new taxes and fees on the people of this province, they have the face to get up say that in this House. It's unbelievable. They must have an estimate of how much it's going to cost the average family.

They can talk in circles, Mr. Speaker, but I'd like to know: What is the estimate this carbon tax is going to cost the families in this province? It's a simple question. I've asked it over and over again and I think it deserves an answer.

Thank you.

**MR. SPEAKER:** The Minister Responsible for the Office of Climate Change for a quick response, please.

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

Again, I find it interesting that they have to talk about budget measures that were taken two years ago. This was a response that was taken in result of the direct incompetence of the crowd opposite who blew every dollar that came in here.

What I can say is when we take action, it will be in the best interest of Newfoundlanders and Labradorians.

Thank you.

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

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

**MS. ROGERS:** Mr. Speaker, I ask the Premier: Exactly why wasn't an RFP issued for the supply of cannabis in this province?

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

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

As I've said in the House previously, cannabis is becoming legal. It is a federal government decision when it comes to making recreational cannabis legal.

Newfoundland and Labrador did not have any licensed supplier. Newfoundland and Labrador was the only province in Canada without a licensed supplier; therefore, we had to act to make a decision to decide if we wanted to have industry here in Newfoundland and Labrador to acquire cannabis production in time to meet the July target, and that was the case. We took action. We were able to secure supply here in Newfoundland and Labrador.

There are a number of other producers who are interested in producing here in Newfoundland and Labrador. We'll continue to work with those, Mr. Speaker.

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

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

**MS. ROGERS:** Mr. Speaker, it's the province who issues RFPs.

I ask the Premier: How did he know that the now highly subsidized Canopy Growth deal was the best deal for the province when no other companies were even asked to bid?

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

**MR. MITCHELMORE:** Mr. Speaker, when it comes to – and I don't know where the Member opposite is talking about the tax dollars. There is no tax exchange of dollars going into Canopy. What they're doing is they've entered into an agreement for 20 years to operate here, provide 145 jobs and that's going to lead to growth and development of an industry.

There are also a number of other companies that are interested in producing here. There was one



that was released from environmental assessment, Argentia Gold. There were others that have highlighted their interest in being here in the province.

We have gone the approach of – for the retail model – issuing an RFP so that process can be involved for the supply of cannabis at the retail level.

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

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

**MS. ROGERS:** Mr. Speaker, no RFP for a huge project with a lot of substantial money from the province. The business community knows the highly subsidized Canopy Growth deal was a bad deal for the province. The people of the province know it's a bad deal for the province. It is a bad deal for the province.

I ask the Premier: Why would he, a businessperson, sanction such a terrible deal for the province?

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

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

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

The Member opposite keeps referring to one deal, but what I will tell the people who are listening, and including the Member opposite, is that this province is open for business. You've seen that with our offshore. You've seen that with our aquaculture industry, our agricultural industry.

Those people who are interested in setting up business in his province, Mr. Speaker, we are always willing to listen to them. If these are cannabis producers, others, there's a set process that they must be included to get a permit from the federal government. They are more than willing to come here under the same scenario that we put in place for the companies that already exist.

Mr. Speaker, we are working with a number of companies that are interested in getting into production in this province. I can tell you, the

minister here and his officials are working very closely with them.

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

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

**MS. ROGERS:** Mr. Speaker, I ask the Premier: Why wouldn't government at least ensure the highly subsidized Canopy Growth facility and its 145 jobs be set up in an area of the province with high unemployment instead of St. John's with the lowest unemployment rate in the province?

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

**MR. MITCHELMORE:** Mr. Speaker, whenever you attract business or you work with any entity that wants to come and set up business in Newfoundland and Labrador, they make the decision. You do not dictate to a business and their model as to determining their success. The company would be in the best position to do so.

There are numerous companies outside of St. John's that are looking at setting up production facilities, whether it be on the Burin Peninsula, whether it be in Stephenville on the West Coast, whether it be in Bonavista, whether it be in the Placentia area. There are numerous people, numerous companies. Nobody is stating, from a production point of view, that there is unfair advantage.

When it comes to Newfoundland and Labrador we are open for business, and we are not putting one single tax dollar ...

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

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

**MR. SPEAKER:** The hon. the Leader of the Third Party for one final quick question, please.

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

A \$40 million tax remittance break subsidy. Will other cannabis production facilities be offered

the same sweetheart deal as the heavily subsidised Canopy Growth agreement, including relief on remittances and guaranteed retail outlets?

**MR. SPEAKER:** The hon. the Minister of Tourism, Culture, Industry and Innovation for a quick response, please.

**MR. MITCHELMORE:** Mr. Speaker, we've said this that we would use the framework that we have put in place for Canopy for other cannabis production facilities across Newfoundland and Labrador. We're working with a number of providers and each deal is certainly depending on what is eligible cost, what the actual business plan is and we'll continue to work through that process. One thing we will do is we'll continue to make good business deals for the people of this province.

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

**MR. SPEAKER:** Thank you.

Time for Oral Questions has ended.

Presenting Reports by Standing and Select Committees.

Tabling of Documents.

Notices of Motion.

Answers to Questions for which Notice has been Given.

The hon. the Member for Stephenville - Port au Port.

**MR. FINN:** Point of order, Mr. Speaker, under section 49.

During Question Period this afternoon, the Member for Conception Bay South insinuated and is misleading the House of Assembly in his questioning to the Minister of Municipal Affairs and Environment by suggesting that our government brought in some 300 new taxes. That is incorrect, Mr. Speaker, some 240 of these taxes were brought in by the PC government.

Thank you, Mr. Speaker.

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

**MR. SPEAKER:** I don't see this as a point of order. It's just a disagreement between two hon. Members and their skills at debating.

Thank you very much.

Petitions.

### Petitions

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

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

Newfoundland and Labrador's ban on hand-held electronic devices while driving took effect in 2003. The maximum fine since has been increased to \$400 with four demerit points against the driver's licence. However, the use of hand-held electronics while driving has escalated since 2003.

Many studies have linked use of these devices while driving to the cause of life-threatening accidents due to driver distraction. Distracted driving takes you away from the primary task of driving. Driving requires your full attention at all times. Cellphones are one of the most common distractions for drivers.

Studies have shown that texting while driving increases the odds of a crash two to eight times out of non-distracted drivers, while driving and talking on mobile phones – even hands free – makes an accident four times as likely. Research has shown that texting while driving slowed a driver's reaction time more so than a drinking driver or using drugs.

Safety on our roads and highways must always be a priority.

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

We, the undersigned, call on the House of Assembly to urge the Government of Newfoundland and Labrador to ensure the safety on our provincial roads and highways by imposing a one-day driving suspension for first-time offenders for using hand-held electronic

devices while driving; a one-week driving suspension for a second-time offence and an additional week for every offence thereafter.

We thank you for hearing our petition.

**MR. SPEAKER:** Further petitions?

The hon. the Member for Conception Bay South.

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

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

WHEREAS Route 60 is the main highway that runs through the Town of Conception Bay South and is a vital artery in the provincial road network; and

WHEREAS Route 60 is one of the most heavily travelled roads in the province; and

WHEREAS Route 60 has been deteriorating and requires major upgrades;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge government to allocate funds to upgrade Route 60

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

Mr. Speaker, I would not want to count how many times I've done this on Route 60, this petition, but I say it every time I stand. I think I'd be remiss if I never said it again. It's a very important issue to the people of CBS; a pure, simple fact. The road is in bad shape, it needs upgrades. Again, it's the fifth busiest travelled road in the province.

The people of the district speak out about this issue more than any other issue. As elected representatives, we fight for all kinds of improvements in each of our districts to make our communities better, that's what we all strive to do. Having a decent road to drive over is not a lot to ask for. I know it's a big cost, but the

people deserve something decent to drive over, Mr. Speaker.

I say this a lot of times, it's not about me; it's about the people in the community. They've come forward, and there's never been, in my opinion, a more united issue in my district than has been this road. It's something I hear about daily and I don't have any problem standing up, I have many conversations, I have many disagreements, but, ultimately, we're all united that this road needs upgrades. I speak to the minister regularly and he's been pretty receptive to my conversations.

It's something that I have to keep lobbying for on behalf of the people I represent. They're the ones who give me these petitions and they're the ones encouraging me to keep presenting and fighting the issue. I will continue to do that, Mr. Speaker.

Thank you very much.

**MR. SPEAKER:** Further petitions?

Sorry, the hon. Minister of Transportation and Works for a response, please.

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

I thank the hon. Member for the petition. Mr. Speaker, when you look at Route 60, it's interesting when you go back and look at the numbers. In construction season '13, '14 and '15, the previous administration invested \$200,000 into Route 60; \$200,000 over four construction seasons.

That's when the hon. Member opposite was, I believe, in the Department of Transportation and Works. He was there. So in that three-year period, Mr. Speaker, they invested \$200,000 into Route 60.

Since taking government, since we formed government in the 2016 construction season, in 2016 and '17, we have invested \$1.4 million into Route 60. Mr. Speaker, in two years, this government has invested – excuse me, Mr. Speaker.

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

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

**MR. CROCKER:** Mr. Speaker, in two years, since forming government, we've invested seven times more in Route 60 than they did. So don't blame us for Route 60. Just think about it.

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

**MR. CROCKER:** Three years, \$200,000; two years, \$1.4 million into Route 60, Mr. Speaker.

Not only that, Mr. Speaker, he asked about Peacekeepers Way. This year we are going to invest \$2.5 million more into Peacekeepers Way; seven times what they did for Route 60.

Thank you very much, Mr. Speaker.

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

**MR. SPEAKER:** Further petitions?

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

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

Any further petitions?

#### Orders of the Day

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

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

Motion 6, I move, seconded by the Minister of Health and Community Services, that pursuant to Standing Order 11(1) that the House not adjourn at 5:30 p.m. on Tuesday, May 22.

**MR. SPEAKER:** Thank you.

The hon. the Deputy Government House Leader.

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

I move, seconded by the Minister of Health and Community Services, Motion 4, leave to introduce a bill entitled, An Act To Amend The Corporations Act, Bill 18.

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

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

The hon. the Deputy Government House Leader.

I'm sorry, you moved and seconded.

**MS. COADY:** I did.

**MR. SPEAKER:** It is moved and seconded that the hon. the Deputy Government House Leader shall have leave to introduce a bill entitled, An Act To Amend The Corporations Act, Bill 18, and that the said bill be now read a first time.

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

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

The motion is carried.

Motion, the hon. the Minister of Service NL to introduce a bill, "An Act to Amend The Corporations Act," carried. (Bill 18)

**CLERK (Barnes):** A bill, An Act To Amend The Corporations Act. (Bill 18)

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

When shall the bill be read a second time?

**MS. COADY:** Tomorrow.

**MR. SPEAKER:** Tomorrow.

On motion, Bill 18 read a first time, ordered read a second time on tomorrow.

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

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

I move, seconded by the Minister of Health and Community Services, Motion 5, and ask leave to introduce a bill entitled, An Act To Amend The Energy Corporation Act, Bill 19.

**MR. SPEAKER:** It is moved and seconded that the hon. the Minister of Health and Community Services shall have leave to introduce a bill entitled, An Act To Amend The Energy Corporation Act, Bill 19, and that the said bill be now read a first time.

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

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

The motion is carried.

Motion, the hon. the Minister of Natural Resources to introduce a bill, "An Act To Amend The Energy Corporation Act," carried. (Bill 19)

**CLERK:** A bill, An Act To Amend The Energy Corporation Act. (Bill 19)

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

When shall the bill be read a second time?

**MS. COADY:** Tomorrow.

**MR. SPEAKER:** Tomorrow.

Thank you.

On motion, Bill 19 read a first time, ordered read a second time on tomorrow.

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

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

Order 3, Committee of the Whole.

I move, seconded by the Minister of Health and Community Services, that the House resolve itself into a Committee of the Whole to consider Bill 15.

**MR. SPEAKER:** It is moved and seconded that I do now leave the Chair for the House to

resolve itself into a Committee of the Whole to consider the said bill.

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

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

This motion is carried.

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

### Committee of the Whole

**CHAIR (Warr):** Order, please!

We are now considering Bill 15, An Act Respecting Tenancies Of Residential Premises.

A bill, "An Act Respecting Tenancies Of Residential Premises." (Bill 15)

**CLERK:** Clause 1.

**CHAIR:** Shall clause 1 carry?

The Chair recognizes the hon. the Member for Cape St. Francis.

**MR. K. PARSONS:** Thank you very much, Mr. Chair.

In April of last year the previous minister said that Service NL would be doing its own new review to get more updated information. What happened to that plan, Minister?

**CHAIR:** The hon. the Minister of Service NL.

**MS. GAMBIN-WALSH:** We did consultations with groups. We met with Sherwin Flight from the Facebook group, we met with the Board of Trade and my staff did consult with other groups.

**CHAIR:** The hon. the Member for Cape St. Francis.

**MR. K. PARSONS:** There were only just a couple of more additional public consultations that were made? You stated in April last year that you were going to go right through the whole review. You only made those two consultations?

**CHAIR:** The hon. the Minister of Service NL.

**MS. GAMBIN-WALSH:** No, we consulted with Stella Burry also, Mr. Chair. There were a number of groups that the staff consulted with. There are 61 clauses here in this act and there were issues and concerns that were had. We had further discussion on them.

I listed here when I introduced this bill I think it was six or seven different documents that were available to us since 2012. Newfoundland and Labrador Housing Corporation did consultations last year also.

**CHAIR:** The hon. the Member for Cape St. Francis.

**MR. K. PARSONS:** Minister, my point is that you said in April there were going to be public consultations and I don't believe there were any. In October of last year you said you wouldn't be introducing an entire new act. What changed there? Today we see a new act being introduced.

**CHAIR:** The hon. the Minister of Service NL.

**MS. GAMBIN-WALSH:** There are 61 clauses here. There are numerous changes. We're introducing a change to the act here in the House today. There were consultations done from 2012

—

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

**CHAIR:** Order, please!

We're having difficulty hearing the hon. speakers. Can I ask for co-operation from the House, please?

**MS. GAMBIN-WALSH:** There were consultations done in 2012. It was your own document. We actually used the information that was provided from the previous administration, updated it and used numerous documents that were provided to us. Poverty reduction, mental

health, Mr. Chair, Newfoundland and Labrador Housing Corporation: there were numerous resources available and a number of consultations done.

**CHAIR:** The hon. the Member for Cape St. Francis.

**MR. K. PARSONS:** Mr. Chair, since 2015 since the Liberal government came to power, we've had three different Ministers of Service NL. On different occasions ministers stated they'd be completely reviewing and revamping the whole thing, but you've gone back to 2012 and used a lot of stuff since then.

My question is: Have stakeholders had the opportunity to review the new proposed act? Have you gotten any feedback?

**CHAIR:** The hon. the Minister of Service NL.

**MS. GAMBIN-WALSH:** Yes, they have had opportunity; this was posted online last week, Mr. Chair. Also, we've received some very positive media on this.

**CHAIR:** The hon. the Member for Cape St. Francis.

**MR. K. PARSONS:** Thank you, Mr. Chair.

You said in your news conference there were a number of recommendations that weren't included in the new act. Can you give us some examples?

**CHAIR:** The hon. the Minister of Service NL.

**MS. GAMBIN-WALSH:** I think we should probably go through the act. There are 61 clauses here and we can go through them.

**CHAIR:** The hon. the Member for Cape St. Francis.

**MR. K. PARSONS:** My question is that in the news conference you said there were some examples that are not in the act. Can you give us some of those examples?

**CHAIR:** The hon. the Minister of Service NL.

**MS. GAMBIN-WALSH:** Could you just be a little bit more specific of exactly what type of examples you're requiring? There are 61 clauses here.

**CHAIR:** The hon. the Member for Cape St. Francis.

**MR. K. PARSONS:** I'm just wondering what you were referring to in the news conference when you said there were recommendations that weren't included in the new act. What were those recommendations?

**CHAIR:** The hon. the Member for Conception Bay South.

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

How do you intend to inform the public of the changes so that tenants and landlords are made aware of their rights and obligations?

**CHAIR:** The hon. the Minister of Service NL.

**MS. GAMBIN-WALSH:** Mr. Chair, there's a lead time that will be in place after the act is debated here in the House today and put in place. It was posted on the website since last week. Also, the director of Residential Tenancies is available to answer any questions, as am I, to the general public.

**CHAIR:** Shall clause 1 carry?

All those in favour?

**SOME HON. MEMBERS:** Aye.

**CHAIR:** Those against?

Carried.

On motion, clause 1 carried.

**CLERK:** Clauses 2 through 61 inclusive.

**CHAIR:** Clauses 2 to 61 inclusive.

The hon. the Member for Cape St. Francis.

**MR. K. PARSONS:** Mr. Chair, are we going to go clause by clause? I'd prefer to do it clause by

clause rather than go through right to 61 because I have a lot of questions.

I can state the clause when I'm asking my question, if that's okay. Or will I just continue to ask the questions right through? I just need to know what direction.

If the minister (inaudible), I'll state the section.

**CHAIR:** You can go and just signify the clause that you're referring to.

**MR. K. PARSONS:** Okay, no problem.

Under section 3 there was also some support for nursing homes that should be included in the act, but that didn't happen. Was this considered?

**CHAIR:** The hon. the Minister of Service NL.

**MS. GAMBIN-WALSH:** No, nursing homes are not considered.

**CHAIR:** The Member for Cape St. Francis.

**MR. K. PARSONS:** Under section 3(4)(j) it states the act does not apply to a government department or agency that pays rent on behalf of their tenant.

Does this mean that Newfoundland and Labrador Housing is exempted from the act?

**CHAIR:** The hon. the Minister of Service NL.

**MS. GAMBIN-WALSH:** No, Newfoundland and Labrador Housing Corporation is not exempted from the act.

**CHAIR:** The hon. the Member for Cape St. Francis.

**MR. K. PARSONS:** Can you give me a definition, because the act states that government departments or agencies that pay rent on behalf of tenants are not included. What departments and what agencies are not included?

**CHAIR:** The hon. the Member for Conception Bay South.

**MR. PETTEN:** Under section 3(4)(f), what about the residences at MUN? Is there any consideration given to including them in the act?

**CHAIR:** The hon. the Minister of Service NL.

**MS. GAMBIN-WALSH:** Transient accommodations are not included in the act.

**CHAIR:** The hon. the Member for Cape St. Francis.

**MR. K. PARSONS:** Mr. Chair, I'm going to just go back to the previous question that I did ask.

Minister, I want to know: What government departments and agencies that pay rent on behalf of tenants are not included in this act?

**CHAIR:** The hon. the Minister of Service NL.

**MS. GAMBIN-WALSH:** Mr. Chair, you're asking what government departments are not included in the act.

**MR. K. PARSONS:** So what do it (inaudible)?

**CHAIR:** Order, please!

The hon. the Member for Cape St. Francis.

**MR. K. PARSONS:** Under section 3(4)(j) it states that the act does not apply to a government department or agency that pays rent on behalf of the tenant. My question I asked first: Was it Newfoundland and Labrador Housing? You said no.

What departments or agencies that pay rent for a tenant are exempted from this bill?

**CHAIR:** The hon. the Member for Conception Bay South.

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

Under section 5, Appointment of director; under the new act, the appointment of director will be made by the minister rather than the Lieutenant-Governor in Council. We were told this would reduce red tape.

Can you explain why this change was made and exactly what difference it will make in how the director will be appointed?

**CHAIR:** The hon. the Minister of Service NL.

**MS. GAMBIN-WALSH:** Mr. Chair, there's a competition process and the director is appointed. It will reduce red tape because now it won't have to go to Cabinet for that final stamp of approval.

I believe that's the question you're asking, correct?

**CHAIR:** The hon. the Member for Cape St. Francis.

**MR. K. PARSONS:** Under section 14, Security deposit; I just got a question here. In some cases this is very good for the tenant but I know the landlords had some questions.

Some landlords have been looking for an increase to security deposit from three-quarters of a month rent to a full month's rent. Was this considered?

**CHAIR:** The hon. the Minister of Service NL.

**MS. GAMBIN-WALSH:** Yes, Mr. Chair, there was an analysis done on that, and we decided we would remain at the three-quarters amount after going through jurisdictional analysis and looking at the cost to government as a landlord also.

The cost to government and the taxpayer would increase if we increased the security deposits. So we decided at the end, with the jurisdictional analysis and the analysis here in the province, that we would stay at the three-quarter.

**CHAIR:** The hon. the Member for Cape St. Francis.

**MR. K. PARSONS:** Under section 16, and this is Rental increase; there's no reference to rent control or caps on how much rent can be increased.

Is this something you considered, and what was the analysis? Can you show us what analysis you did?



**CHAIR:** The hon. the Minister of Service NL.

**MS. GAMBIN-WALSH:** Yes, Mr. Chair, there was a significant amount of jurisdictional analysis done on this. There were several disadvantages to having rent control policies. We did increase the notice period that one would have to go, from three months to six months, Mr. Chair. So that was the change we made here.

**CHAIR:** The hon. the Member for Cape St. Francis.

**MR. K. PARSONS:** Under section 19, Notice where failure to pay rent. Mr. Chair, again, just a question of how you got to this issue.

Can you give us an explanation of how and when you decided to drop it from 15 days to five days before a 10-day notice to evict was done?

**CHAIR:** The hon. the Minister of Service NL.

**MS. GAMBIN-WALSH:** Mr. Chair, we're reducing the time required before notice can be issued; however, that does not take just five days to evict a tenant who has not paid rent. Once a notice is served, a tenant would have 10 days to pay rent outstanding, which means a minimum of two weeks to pay the rent from the date the rent was due.

Most other jurisdictions allow the landlords to take action and terminate the tenancy one day after rent is not paid, and in some provinces three days.

**CHAIR:** The hon. the Member for Conception Bay South.

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

Section 23, 24, Notice where landlord or tenant contravenes peaceful enjoyment and reasonable privacy. I know people wanted to see peaceful enjoyment more clearly defined, and I imagine they will now want a clear definition of reasonable privacy. Was that considered?

**CHAIR:** The hon. the Minister of Service NL.

**MS. GAMBIN-WALSH:** Yes, Mr. Chair, in actual fact, we do have a peaceful enjoyment

policy here. It's quite lengthy. I can read it out but it's long. Peaceful enjoyment is clear in the policy. I can table this document, Mr. Chair.

**CHAIR:** The hon. the Member for Conception Bay South.

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

Section 25 to 27: Application for certificate; Notice where tenant is victim of family violence; Confidentiality. These sections are new to the act and outline issues where tenants are victims of family violence. One of the key provisions allows for early termination of fixed-term rental agreements without penalty by providing 30 days' notice in situations of family violence.

This was proposed by the Federation of Labour and it also emerged from a jurisdictional scan done by the department. The section on confidentiality and protection of information was closely informed by the practice in Ontario. This is a welcome addition to the act.

Can you clarify how allegations of family violence be substantiated for purposes of this act?

**CHAIR:** The hon. the Minister of Service NL.

**MS. GAMBIN-WALSH:** Mr. Chair, a certificate from a designated authority confirming that the tenant or child has been the victim of family violence would be required to end a tenancy. An example of such would be: law enforcement, health care provider, a social worker, a doctor, a nurse.

**CHAIR:** The hon. the Member for Cape St. Francis.

**MR. K. PARSONS:** Thank you very much, Mr. Chair.

Under section 31, Abandonment of residential premises by tenant; changes have clarified that the tenant is considered to have abandoned the premises. Under 31(2)(c) it states the premise is considered abandoned when rent is overdue.

What time frames are you talking about here?

**CHAIR:** The hon. the Minister of Service NL.

**MS. GAMBIN-WALSH:** Mr. Chair, the landlord, once he determines – or he believes that it's been vacant or abandoned, he has to give 24 hours' notice before he can enter the premises.

**CHAIR:** The hon. the Member for Cape St. Francis.

**MR. K. PARSONS:** My question is, under that section it states a premise is considered abandoned with overdue rent. Is there a time frame you're talking about here? That's the question.

**CHAIR:** The hon. the Minister of Service NL.

**MS. GAMBIN-WALSH:** No, it's any time frame. The landlord has to have reasonable consideration to believe the premises have been abandoned.

**CHAIR:** The hon. the Member for Cape St. Francis.

**MR. K. PARSONS:** Under section 32, Abandoned personal property. The changes here reduce the time that landlords can store abandoned personal property from 60 days to 30 days. The new act will also allow landlords to securely store the personal property in or on a rental property without requiring it in writing.

I ask, what practices in here have you done with other provinces, any jurisdictional scanning done?

**CHAIR:** The hon. the Minister of Service NL.

**MS. GAMBIN-WALSH:** Mr. Chair, this was one of the things that actually came in the *What We Heard* document from 2012, and a jurisdictional scan was done. This will save landlords considerable costs. They will no longer have to rent a U-Haul or a place to put the stuff that is left over by the tenant. This is a cost-saving measure for the landlord and was very evident in the 2012 *What We Heard* document.

**CHAIR:** The hon. the Member for Conception Bay South.

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

Sections 36 to 39: Inspectors; Power of inspectors; Order of inspector; Contravention of Act suspected. There seems to be a lot of change from the current act to the new proposed act regarding investigations and inspectors.

Could you provide some detail on the explanation of these changes?

**CHAIR:** The hon. the Minister of Service NL.

**MS. GAMBIN-WALSH:** Mr. Chair, now the inspector is the director of residential tenancies and residential tenancies officers are inspectors. We can engage the fire commissioner, the City of St. John's or health inspectors as required and as deemed necessary.

I'm sure the Member opposite can remember a number of situations that have been in the media of recent that would require this change and would allow the director of residential tenancies now to have some control over this matter, Mr. Chair.

**CHAIR:** The hon. the Member for Conception Bay South.

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

I ask the minister: Who's the most likely to benefit from these changes?

**CHAIR:** The hon. the Minister of Service NL.

**MS. GAMBIN-WALSH:** Mr. Chair, if you go through the 61 clauses you will note that both tenants and landlords will benefit, and the province as a whole. This is all about good tenants and good landlords, Mr. Chair.

**CHAIR:** The hon. the Member for Cape St. Francis.

**MR. K. PARSONS:** I say to the minister, good landlords and good tenants really don't need this act. It's about bad tenants and bad landlords.

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

**MR. K. PARSONS:** Mr. Chair, section 46, a question. One of the things included in the less substantial changes in your briefing on the act

was shift notification of applications and hearing requirements from the director to the applicant.

Can you provide some clarification on this?

**CHAIR:** The hon. the Member for Conception Bay South.

**MR. PETTEN:** What are the time frames for hearings now? If I asked for a hearing today, how long would it take to be heard?

**CHAIR:** The hon. the Minister of Service NL.

**MS. GAMBIN-WALSH:** Mr. Chair, hearings are held pretty frequently, and there's not a huge wait-list or wait-time period for hearings. If the Member opposite knows different, I would certainly like for him to bring it to my attention.

**CHAIR:** The hon. the Member for Cape St. Francis.

**MR. K. PARSONS:** Section 48 is also Order without hearing, and this section expands the director's authority to make an order without attempting to mediate or hold a hearing in a situation where the landlord's property is significantly at risk. An example of significant risk was provided in the briefing where tenants set off fireworks inside the unit. This hopefully assists landlords in reducing additional damage to their properties.

My question is – I understand this is defined in policy – can you tell us when the policies will be developed?

**CHAIR:** The hon. the Minister of Service NL.

**MS. GAMBIN-WALSH:** Mr. Chair, just to a previous question, there were 538 hearings last year.

Policies are being developed.

**CHAIR:** The hon. the Member for Conception Bay South.

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

Section 51 under Offence, this section increases penalties for contravening the legislation from a

maximum of \$400 to a maximum of \$10,000 for corporations, and \$3,000 for individual.

I understand that we had the lowest fine amounts in Canada, and fines were expected to increase. How did you determine these fine amounts?

**CHAIR:** The hon. the Minister of Service NL.

**MS. GAMBIN-WALSH:** Mr. Chair, I can say through jurisdictional scans these fine amounts were determined. But also from what we've heard, fines of \$400 were benefiting neither the tenant nor the landlord. So these numbers that we arrived at were done through jurisdictional scans.

**CHAIR:** The hon. the Member for Conception Bay South.

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

What particular fines are associated with particular offences? For example, what would be the fine for smoking in an apartment? What would be the fine for having a pet in an apartment?

**CHAIR:** The hon. the Minister of Service NL.

**MS. GAMBIN-WALSH:** Mr. Chair, I think I would need the individual case before me or before the director of tenancies to be able to give you an answer specific to that. Each case is individual.

**CHAIR:** The hon. the Member for Conception Bay South.

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

I think that's a pretty straightforward question. If someone is someone in an apartment and they're not supposed to, there should be criteria for a fine associated with the offence. I mean, to me, that's a pretty straightforward question. I don't know if the minister wanted to elaborate more.

**CHAIR:** The hon. the Minister of Service NL.

**MS. GAMBIN-WALSH:** Fines are determined by the court system, Mr. Chair.

**CHAIR:** The hon. the Member for Conception Bay South.

**MR. PETTEN:** Where are the fines and criteria outlined and will it be made publicly available?

**CHAIR:** The hon. the Minister of Service NL.

**MS. GAMBIN-WALSH:** Section 51 indicates the fine of \$3,000 for individuals and \$10,000 for corporations. Other fines are determined by court decisions.

**CHAIR:** The hon. the Member for Conception Bay South.

**MR. PETTEN:** Are the fines in addition to any property damage?

**CHAIR:** The hon. the Minister of Service NL.

**MS. GAMBIN-WALSH:** Mr. Chair, it's pretty clear here: "(a) in the case of an individual, to a fine not exceeding \$3,000, and in default of payment, to imprisonment for a term not exceeding 4 months; and (b) in the case of a corporation, to a fine not exceeding \$10,000. The fines are for contravening the act, Mr. Chair.

**CHAIR:** The hon. the Member for Cape St. Francis.

**MR. K. PARSONS:** What process do you have in place to collect the fines and where is it outlined?

**CHAIR:** The hon. the Minister of Service NL.

**MS. GAMBIN-WALSH:** Mr. Chair, the court system presently collects the fines.

**CHAIR:** The hon. the Member for Cape St. Francis.

**MR. K. PARSONS:** Mr. Chair, we see what successes in the court procedures in collecting fines when we hear – there are a lot of success, but there's a lot of non-success also.

What do you expect the likelihood of being able to actually collect these fines?

**CHAIR:** The hon. the Minister of Service NL.

**MS. GAMBIN-WALSH:** Very likely, Mr. Chair.

**CHAIR:** The hon. the Member for Cape St. Francis.

**MR. K. PARSONS:** I hope you're right.

Section 61, states that the new *Residential Tenancies Act* for the province will come into force on January 1 – why was this date selected?

**CHAIR:** The hon. the Minister of Service NL.

**MS. GAMBIN-WALSH:** Mr. Chair, January 1, 2019 gives us time to bring the act in and to educate the public and to develop the policies.

**CHAIR:** Shall clauses 2 through 61 carry?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

On motion, clauses 2 through 61 carried.

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

**CHAIR:** Shall the enacting clause carry?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

On motion, enacting clause carried.

**CLERK:** An Act Respecting Tenancies Of Residential Premises.

**CHAIR:** Shall the title carry?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

**CHAIR:** All those against, ‘nay.’

Carried.

On motion, title carried.

**CHAIR:** Shall I report the bill without amendment?

All those in favour, ‘aye.’

**SOME HON. MEMBERS:** Aye.

**CHAIR:** All those against, ‘nay.’

Carried.

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

**CHAIR:** The hon. the Deputy House Leader.

**MS. COADY:** Mr. Chair, I move that the Committee rise and report Bill 15.

**CHAIR:** The motion is that the Committee rise and report Bill 15.

Shall the motion carry?

All those in favour, ‘aye.’

**SOME HON. MEMBERS:** Aye.

**CHAIR:** All those against, ‘nay.’

Carried.

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

**MR. SPEAKER (Trimper):** The hon. the Member for Baie Verte - Green Bay, Chair of the Committee of the Whole.

**MR. WARR:** Mr. Speaker, the Committee of the Whole have considered the matters to them referred and have directed me to report Bill 15 without amendment.

**MR. SPEAKER:** The Chair of the Committee of the Whole reports that the Committee have considered the matters to them referred and have

directed him to report Bill 15 without amendment.

When shall the report be received? Now?

**MS. COADY:** Now.

**MR. SPEAKER:** Now.

When shall the said bill be read a third time?

**MS. COADY:** Tomorrow.

**MR. SPEAKER:** Tomorrow.

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

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

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

Mr. Speaker, Order 5, second reading of Bill 10.

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

In this case, Education and Early Childhood Development.

**MR. HAWKINS:** Thank you, Mr. Speaker, for clarifying the title first of all.

Certainly I’m pleased to rise in this hon. House today to talk about the important amendment that’s being proposed to the *Schools Act, 1997*.

**MR. SPEAKER:** Excuse me, Mr. Minister.

**MR. HAWKINS:** I need to move and second, don’t I?

**MR. SPEAKER:** We require a mover and a seconder before we commence.

**MR. HAWKINS:** All right, I move, seconded by the Minister of Transportation and Works – sorry.

Are we good?

**MR. SPEAKER:** It is moved and seconded that Bill 10 be now read a second time.

Motion, second reading of a bill, "An Act To Amend The Schools Act, 1997." (Bill 10)

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

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

Let's start again.

I'm pleased to rise in this hon. House today to talk about the important amendment being proposed to the *Schools Act, 1997*. Ensuring all students have a positive, safe and caring learning environment is a key priority for our government, Mr. Speaker.

All students between ages five and 21 have the right to attend school. There are limited circumstances under the *Schools Act, 1997* to enable school districts to remove a student from school in direct correlation to the safety and well-being of students and staff. We need to change this. We are committed to reviewing legislation and making amendments to support students and teachers, ensuring their safety. This brings us to the debate we are engaging today in the House.

The amendment being brought forward will address the provision of alternate instruction where someone's presence would be or could be detrimental to the safety and well-being of others.

Department officials consulted with various staff members as well as Departments of Justice and Public Safety; Children, Seniors and Social Development and the Women's Policy Office. In addition, department officials consulted with the English and French school districts, the Newfoundland and Labrador Teachers' Association, the Provincial Advisory Council on the Status of Women, the Public Legal Information Association of Newfoundland and Labrador and the Child and Youth Advocate's Office. Consultations concluded with an agreement to the proposed amendment.

This bill, Mr. Speaker, will amend the Schools Act to provide both school districts, directors of education and the CEO with the legal authority to refuse school admission to a student where the director is of the opinion that the presence of

the student in the school is detrimental to the physical or the mental well-being of other students and staff.

Such decisions, Mr. Speaker, will never be taken lightly and will be made through a thorough investigation and understanding of a specific situation and in broad consultation with school administrators, teachers and other people to the specific situation.

Mr. Speaker, I now focus my remarks on the key considerations for this amendment. Exercising this authority, the director will be required to notify the student and the student's parents of the refusal and the reasons for refusal; notify the student and the student's parents of the appeal provision in the act which is section 22 of the act; provide alternate delivery of education program for the student and review the decision within 15 days and at least every 15 days thereafter.

Mr. Speaker, authority to refuse to admit a student will rest with the head of the school district, the director or the CEO. Both the English and French school districts will be responsible for developing the necessary policies and bylaws in the time proposed, September 1, 2018 implementation. Criteria will be established to inform the director's decision and will be reviewed and approved by the elected board of trustees. It will also be reviewed by department officials.

Mr. Speaker, this amendment is intended to ensure safety and well-being of students and staff. It is not, and I repeat, it is not a punitive measure nor is it associated with suspension, expulsion provisions within the act. Further, it is not intended in any way to replace or supersede existing policies and programming for the students with exceptionalities.

We do not anticipate that this provision will be extensively used and the respective director and CEOs will have to be satisfied that there are reasonable grounds for the refusal.

Upon a decision to refuse the student into their school, the student or parent guardian has the right to appeal the director's decision under section 22, Appeal of the act. The primary purpose is the safety and well-being of all

students and staff. The provision still provides for educational programming for the student, but it will happen in an alternate setting. It is also important to note, in cases where a student is suspended or expelled from school, there is no requirement for alternate educational instruction.

Mr. Speaker, let me just make a comment or two about the difference between what we're legislating today, or proposing, and what already exists within the purview of the school, the physical plant and the school grounds.

Right now, the principal can make a determination of expulsion or suspension on an incident, which could be punitive in nature that actually happens within the school or on the school grounds, and he has every right to do that, but because it's an expulsion or a suspension, they are not required to provide alternate programming.

The piece of legislation that we are proposing today, Mr. Speaker, addresses situations that can happen outside of the school or school grounds. They are non-punitive and as a result of that, this piece of legislation will give the school district the authority to make a determination on whether a student returns to school or not. It also gives the right to every student to an education. When there is an enactment under this piece of legislation or if there is an enforcement under this piece of legislation, then, obviously, what has to happen is that the school district must provide alternate programming to that student while the investigation is taking place.

Mr. Speaker, some possible options for alternate delivery of the educational program may include, but are not limited to, a distant education, or CDLI courses, if the student is in high school. If in reasonable proximity, the student may have the option to transfer to another school if deemed safe to do so. Also, Mr. Speaker, the provisions under this legislation would enable the student to avail of home tutoring. We continue to listen to the concerns that are raised by students and school communities throughout the province, and are taking steps to work with stakeholders to review the Schools Act to ensure that it is up to date.

We are aware of the importance of a safe learning environment in our schools. We do not

anticipate that this provision will be extensively used. The respective directors and CEOs will have to be satisfied that there are reasonable grounds for refusal. We are undertaking every effort to protect student safety, protect the learning environment and ensure public confidence in our schools. We are committed to continue to work with stakeholders to improve and to strengthen the policies that address issues around any incidents that are detrimental to the physical or mental well-being of students or staff.

Mr. Speaker, we are confident the changes to this legislation, and the amendment that is being proposed, will provide the opportunity for CEOs to make a decision that is in the best interests of the students and staff that are in the schools. We believe this amendment to this new legislation will provide safety for both students and staff and protect all that will be involved in the situation, including the student that is being refused to come back to school.

Part of that, we have to also think about that person and the situation, Mr. Speaker, when it arises. The legislation will provide for us now and direct the school districts to make sure that the proper programming is in place to enable that student to take advantage of the opportunity to complete their schooling.

Mr. Speaker, I'm counting on all of my colleagues to accept this amendment as being progressive in nature to ensure that our schools do have, in fact, a safe environment.

Thank you, Mr. Speaker.

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

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

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

It's indeed an honour to speak to the amendment to the Schools Act, aimed at ensuring a safe learning environment. As the acting minister had noted, this indeed is about safety and access to learning.

We know it's as a result of events that happened on the West Coast earlier this year. It sort of

caught everybody off guard by how do you deal with a particular situation when there's been an investigation or, in some cases, charges may have been laid that include two students in the same environment. No doubt it has an impact on safety within the school system; it has an impact on the ability to learn in the proper environment.

I give credit to the department and the school district for swiftly identifying that there was an issue with the Schools Act, particularly that part. For anybody who knows, the Schools Act is a very encompassing and very large document. It has a multitude of different clauses that deal with every component of our education system. As such, no doubt, every so often we update it and try to anticipate particular issues.

In this case, this was a unique situation that had never been dealt with in the same circumstance in the past and, as a result, actions had to be taken. I know there were some challenges about what actions were taken or weren't taken. That was based on interpretation or the limitations in the act itself.

To see that we're moving this forward is a positive. To see that the driving force behind it and the philosophy here is about safety in schools as primary and then still learning access for all who may be involved here. It's not only about the proposed victim here, but it's also about the accused in ensuring they have access to proper education.

I do like the fact – and I'll start off on an extremely positive note here – that there was dialogue. We've talked about that a number of times in this House here, about making decisions haphazardly without really including all the key stakeholders. Because this had gotten so much media attention, everybody who would have a stake in this, everybody who felt they had something that could add to it – or particularly in this case, particular groups and that who could outline potential issues to think about down the road in changing the piece of legislation here in this part of the act itself – had a chance to weigh in.

That was positive. Some weighed in through the media itself. Some had weighed in through, I know, their contact with the department in the school district. Some had weighed in through

their contact with the school council in that particular school area. There was an opportunity that did open up the lines of dialogue that, I think, gave us an opportunity to actually put together what would be responsive here. I was at the briefing. I do acknowledge staff who have looked at other jurisdictions, because this was new, on how we were going to do it. It meant we were going to have to change a piece of our legislation.

They looked around the country because it's not in our best interests just to grab what happens in some other province and make that part of our legislation. We've evolved beyond that. There may be nuances in each one or there may be components that are relevant here, but we have our own unique set-up here, our own unique culture, our own unique geography and our own unique needs in how we offer our programs and services, particularly around education. Any piece of legislation or any resolution has to be in the best interests of the people that we're serving.

In this case it's the students who may be affected. All students are affected. If there's an issue within a school system, that has an impact on everybody in that school. It has an impact on the administration and the teachers there on how they deal with the particular issues. It has an impact, in some cases, on the communities themselves because students then have another role they play in their respective communities. So to have that proper dialogue, to ensure that we're also trying to think five, six, eight, 10 steps down the road as to what may be the impact on an individual if we do this, this, and this.

I do like the point that there was an awareness and a responsibility to ensure the quality of education is offered for the individual who's accused also, and in conjunction with their caregiver, their parents, to exactly what is the situation within the school system, why they don't fit the criteria to be able to stay in the school system in the normal process. But the alternatives, after being noted of what the allegation is, here's how you can still access education, and noting the various types of levels of education that I'll have a discussion about a little bit further down in my remarks.



I know there was some dialogue and we asked questions about the existing process. The existing process – it's unfortunate that it is people trying to interpret if it's an administrator in the school, if it's the school board themselves, if it's the district supervisors. Who has the decision-making process? We found that really nobody had that ability. You're opened up for legal action if you didn't take the right one. From an operational and a moral point of view, you have to ensure somewhere along the way that you try to provide education in a proper manner, but also respecting the safety and the particular challenges that may be in the school system when there are an accused and a victim.

In this situation they did scan and look around to see what was operational. Obviously, it was impossible to put anything in play for this school year, but as we are here in the House now it's an opportune time for us to have this piece of legislation put in play, have it enacted after the dialogue, also give it a bit of a time lapse to understand how it will be implemented for September 1, which is important here. We're going to start a new school year now. It's good for everybody to know exactly, if there are situations like this that air itself again in the future, that we have a clean policy, so everybody involved would know exactly step one is here's where we move to, step two is what we do as part of that.

The fortunate thing here is that we've got an opportunity to deal with this before this becomes widespread and that we disrupt multitudes of students who should have access to proper education.

I do want to note now that the CEO, by giving the responsibility to the CEO of the school district, that the director obviously puts it in a point where it's at a level where they know all the components of the Schools Act, they know all the components of the operations in every school district. They would know – in most cases, if not all, I would think – the physical layouts of the communities and the schools they are dealing with. They obviously would be aware if there's any pertinent information prior to this allegation to particular students in a particular area. So that gives them that.

It also removes the personal contact. Sometimes we talk about in education, one of the philosophies that we promote is personal contact that administrators, teachers and counsellors would have an understanding of the particular differences in students, or the particular nuances, or particular challenges they may have and that will work in their favour to be able to address certain issues.

In this case, I think you need to be arm's-length because there's a scope here. There has to be a lens put on this that you look at it from the outside saying how do we ensure that the safety in the school system is ensured, and the integrity around what that's meant to be, but also the rights of the individual who may be accused of a particular situation because they are entitled to a proper education. Our first philosophy in our act is to provide an open, inclusive process for our education system that everybody has access to.

So restricting that because we're not ready, or we totally only offer supports to the victim at the time, or the proposed victim at the time, also taking into account that we have to take avenues to ensure there are appropriate supports for the accused as part of that.

Noting that, but starting it off on a fresh notice that there are notifications to the parents that they will be refused to be able to attend that particular school, and then also the reasons for the refusal. Because parents would need to know exactly what it is that their son or daughter is being accused of, and what impact that will have on their education, particularly for that period of time. It could be for a long period of time, depending on the situation itself.

There is an appeal provision and that's under the act, section 22. We have that in most of our legislation when there's a decision being made, there's an appeal process. Obviously, we need to ensure that this is enacted quickly because if a student loses any instruction time, particularly any length of instruction time, it will have an impact, no doubt, on the potential outcomes. So we need to be able to move that as quickly as possible, and that's there. So they're notified immediately of what the recourse is there under the appeals provision.

Provide alternate delivery of educational programs for the students – there'll be a discussion there with the parents and, no doubt, the administration of that particular school about what is the best approach to use. Because there could be some restrictions on that particular individual; it could be from a learning point of view; it could be from a physical point of view. So you'd look at what options are available, what resources are available that could best meet the needs of ensuring that person still has access to an appropriate education without it in any way, shape or form interfering with the victim themselves or having an impact on the allegations that are being made.

Again, the 15-day review of the decision, I think that's timely. Beyond that, I think it could be detrimental to all involved. Prior to that, I don't think you could do justice if you just said it was going to be four or five days, guaranteed. There has to be a bit of time to find out what are, particularly, the needs of that individual and what are the resources we have available. Is it that they have to travel a certain distance that's not workable? Is it that it will have a negative impact in another area? Is it that there's a connection between other people? You need a bit of time to investigate that and then come up with a solution that works.

It's always alarming when we don't have things right away when it comes to the criteria. You know the cliché the devil is in the details – in this case, I'll forego that because everybody involved in this is doing it for the right reason. The right reason is to improve our education system, particularly around this area here, to ensure that we continue to have safe schools that also have appropriate processes for everybody to have access to education, even when there are investigations or charges being laid in certain circumstances.

The criteria will be developed. Meeting with the staff and knowing the stakeholders who've been involved and knowing the school district, they're going want to be able to get this in play as quick as possible; have a clean, neat set of criteria that are easily interpreted and can be enacted fairly quickly. So I'm looking forward to those, only because if down the road I run into that with a constituent situation, I'll be able to know exactly

what advice to give as to what their rights and their privileges would be around that.

Also that the CEO or the director will be satisfied that there are reasonable grounds for the refusal; departmental officials suggest that the provision will not be extensively over-encompassing. Because, at the end of the day, you want something that's clean and neat and easily understandable, and can quickly be defined as here are the rational reasons why we're going to have to take an alternate approach to educating your son or daughter and here are the alternatives that we have.

I was supportive of that when we had the briefing, after we had asked them some questions, and I do understand that's the way it should be. I am looking forward to what they are, but I do have confidence that they'll come out to be in the best interests of all involved. It's not a punitive measure. And we know that because, at the end of the day, the process itself will be to ensure all involved still have access to education and in a safe manner.

Not intended to replace supervision expulsion procedures for dealing with student misconduct – and that's the clarification, and we had that clarified. Once it's neatly and tidily outlined, the criteria, there won't be an interpretation by administration or by parents or by school councils or by students about exactly the difference between expulsion for not following procedures or rules and regulations, or suspensions for not adhering to the rules and regulations that are outlined, not only in our Schools Act, but don't forget schools, administrators and the school district have other sets of criteria within their own region which is acceptable for behaviour in our school system and their own base operations.

So I like the fact that this will be clarified. There are two separate entities there. There's one that deals with the situations that we ran into in the Stephenville area, and that will forever and a day until we make changes down the road address those issues and ensure that both parties are taken care of. There is possible alternative delivery of educational programs. It was noted here by the ministers we have a multitude of ones that we do now as alternatives. Not because in any way, shape or form we've had to remove

people, but because there is just not access in some regions to particular course studies.

The CDLI is one possible way of being able to ensure that the student still has access to all the courses that they're now enrolled in. And that can easily be transferrable to most, if not, all communities in our province now so that the student doesn't have to fall behind or would be restricted to only getting X number of the courses that they're already enrolled in.

Reasonable proximity transfer to another school – so there are issues here about is it in the best interests if you move to a school where it's anonymous, nobody knows the situation, you can be integrated fairly easy and you feel comfortable to be able to do that. Those are the discussions that would take place. Again, we talked about the proximity. We've constantly argued about what's an appropriate distance for someone to travel to get to a school, if it's by bus or by their own means of transportation. So that has to be taken into account when you look at if you're going to transfer somebody to another school for a particular region, or if you're going to use distance education and what access do they have to the equipment and the technology that's necessary.

Home-tutoring and -schooling is another avenue. We talked about how many hours would be provided and what levels, if that's seen to be the most workable process to use. I know these are part of the criteria that will be worked out, but the fact there are three or four different options here tells me that if the situation rears itself again, we do have alternatives there to ensure that that individual or group of individuals have access to continuing their education at the levels they had before, but just changing perhaps the method we offer the process for them, for their education.

We do realize at the end of the day that the consultation here was important. As we talk about the education system we also have to talk about the social issues that are relevant to it. In some cases it's going to be identified when we run into situations like this that there's a systemic issue here. It might be a culture in some cases, it might be an attitude, it might be a behavioural issue in some cases that stemmed or caused, particularly, the issues between two

students or groups of students. There are other agencies outside that we may need supports from. We may need counselling services from. We may need more advice on other policies or the criteria itself.

The process that was used around consultation and that, I think was effective enough to be able to get us to a point where we're ready now to bring in the piece of legislation that will strengthen the existing act and fill the gap. What we've had there was, unfortunately, a gap that was left to interpretation by school administrators, school districts, without having a clear-cut regulation that protects everybody involved and doesn't open up the school district or the administration for legal action depending on the actions they had taken.

So, as we look at this, I look forward to some questions when we get to Committee. With that being said, I think it's a piece of legislation that's long overdue, and I understand why. It's one of those things, particularly, as I mentioned earlier – the Schools Act has so many nuances and so many components to it that until you run into a situation you don't know exactly what it is you need to put in place to address that, and address it in the most appropriate manner.

What's being proposed here, I think it's workable. It's a living entity. We'll find other challenges as things transpire, but because of the proper dialogue, because of the fact we haven't rushed it since the situation came to light, and have all the key people involved here, I think we can come up with a piece of legislation that addresses the particular issue here about access to education and safe environment habits.

Mr. Speaker, I'll get an opportunity in Committee to ask a few questions for clarification.

Thank you, Mr. Speaker.

**MR. SPEAKER:** The hon. the Member for Stephenville - Port au Port.

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

It's certainly a privilege to rise and speak to Bill 10, An Act to Amend the Schools Act, 1997. I'm just going to take a few moments, Mr.

Speaker, understanding that the Minister of Education has already kind of highlighted I guess the main keys to this amendment today. I certainly appreciate the input from the leader of the Opposition as well.

Mr. Speaker, I guess it comes as no surprise to most of us here in the Legislature, this amendment is in part due to an allegation that was made regarding a student in the Stephenville area.

Mr. Speaker, I have great and tremendous respect for our students, our staff and our educators all across this province. I've actually had the great fortune of spending a significant amount of time at Stephenville High while, in addition to being a student some 17 years ago, also in a volunteer capacity as well, having coached the Stephenville High senior boys' basketball team, as well as their touch football team, as well as helping with the soccer team; a lot of sports at the Stephenville High School that I was involved with. It put me in touch with a lot of parents and a lot of our educators. I spoke with parents, I spoke with the administration, I've spoken with English School District officials, as well as students, Mr. Speaker, as this situation unfolded just a few short months ago.

Mr. Speaker, as a government, we have an obligation to ensure that the safety of all of our citizens is paramount, but of particular importance is that we ensure the safety of all of the children in this province.

Mr. Speaker, there are some 70,000 students in approximately some 270 schools in this province. All of our students between the ages of five and 21 have the right to attend school. They have the right to an education. What this change was bringing about, there was a situation that arose in the sense while we were trying to understand a way that balances all of our students having a right to an education, we also have to work with the Department of Justice and Public Safety in understanding how things work in our justice system in a sense that individuals who may have been accused or alleged to have done some harm are also innocent until proven guilty. Weighing those two situations essentially prompted this particular amendment today.

As the minister mentioned in his remarks, there was some significant consultation work that was done. I certainly wish to thank the Minister of Education and his staff. I'd be remiss, Mr. Speaker, if I did not mention and thank the former minister of Education that held that portfolio as well.

Consultations were held with the Department of Justice and Public Safety, the Department of Children, Seniors and Social Development, the Women's Policy Office. In addition, the Newfoundland and Labrador English School District, the Conseil scolaire francophone provincial, the francophone school district, the Newfoundland and Labrador Teachers' Association was also consulted on this amendment, the Provincial Advisory Council on the Status of Women, the Public Legal Information Association of Newfoundland and Labrador, as well as the Child and Youth Advocate.

Mr. Speaker, some significant consultations to ensure that we could have an amendment within this legislation that achieves what we're looking for. What we're looking for, again, the primary purpose is to ensure safety and well-being of all students and all staff across this province.

The proposed amendment, it's going to provide – as the Member alluded to, and as the minister alluded to – the director of Education and CEO with legal authority to refuse school admission to a student where we're of the opinion that the presence of the student in the school is detrimental to the physical or mental well-being of other students and/or staff. This measure is not replacing any suspensions, not replacing any expulsion of any particular student; rather, it's something to ensure general safety of all students and staff.

The director or the CEO would have to notify the student and the parents. Then once this decision is made it would be reviewed within 15 days. I guess of key importance is we review every 15 days thereafter to ensure that as things change or as any other information may arise that our director and/or CEO is in the best possible position to ensure the safety of all students and staff.

Mr. Speaker, we all understand, I guess, in this hon. House the importance of a safe learning environment for our schools, and we all wish for the best for all of our children as they continue with their education. This change, while very, I guess, minimal in terms of length of the bill, in terms of length of any direct clauses in the actual piece of legislation, it is a tremendous piece of legislation that we take very seriously and that we all look to see that our students can be safe in our schools.

With that, I certainly won't take much more time. I just want to say a huge thank you to the minister, the staff and all those who provided input during the consultation phase of this piece of legislation, Mr. Speaker. I certainly look forward to support from all sides of the House as we move forward.

With that, Mr. Speaker, I'll take my seat.

Thank you very much.

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

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

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

I'm glad to have the opportunity to stand and speak to Bill 10, which is an amendment to the Schools Act. The minister, the Member for Conception Bay East - Bell Island and my colleague who's just spoken, have all given a good explanation of why the bill is before us. I really don't need to repeat all that.

We know that we had a problem back some months ago when the incident occurred in Stephenville and when the district school board, as well as the school itself of course, had to deal with a situation which was a new situation for them, and a situation which was uncovered in the Schools Act as it is. I understand the need for trying to deal with that situation, but I have some concerns about how it is being dealt with and I want to raise those concerns.

It is extremely important, as everybody has said, that our schools are safe places for everybody. We have to make sure that nothing is done in an

amendment that could make it unsafe for some students in the school. That's the concern I'm going to be raising and I will be speaking to that.

The minister talked about the fact that there is going to be – and there is – major work being done to the Schools Act because of the task force and recommendations of the task force. There are many things that need to be fixed in our Schools Act. One of the major areas the task force dealt with was inclusion. The Schools Act, I think, will reflect – and maybe some other acts, as well, will reflect – issues around inclusion that were being raised by the task force and recommendations of the task force.

I'm sorry that the ministry could not have waited – and I understand why it could not have waited – until the type of amendment that's coming in today was an amendment that was part of a whole package in looking at changes to the Schools Act as it relates to inclusion. That's the concern I have, how the need for inclusion is not negatively affected by this amendment. That's what I'm mainly going to be speaking to. The schools have to be safe for everybody.

Is this amendment going to bring in something that is not intended? I'm not saying that it will. I'm saying that the potential is there. The reason I'm saying the potential is there is because it happened in Ontario. Ontario made a similar change to its equivalent act, to their *Education Act*. The change they made which is – wording is almost identical to the change that's being proposed here. The change that was made there led to something that has become a real source of questioning.

The part that is the same between our proposed act, the bill, the amendment, and Ontario is what's underneath the bill here in section 2, which is a new section that would be added after section 35 in the current Schools Act. It would become 35.1(1): "Where the director is of the opinion that the presence of a student in a school is detrimental to the physical or mental well-being of the students or staff, he or she may refuse to admit the student to the school."

That wording is almost identical in the act in Ontario. I know it's not quite the same as here because Ontario has quite a number of boards, I think they have about 10 boards. We just now

have one district – two districts, one is the English speaking and one is the French speaking. What has happened in Ontario is an interpretation of what I just read that would include in that definition or in that clause children with disabilities; children with disabilities that some people – teachers, students, parents – say are disruptive, disabilities that might be disruptive to a classroom.

I've had parents come to me since this amendment was being talked about – a while ago actually. I've had parents of children on the autism spectrum come to me quite concerned about this amendment. I notice of all the people who were consulted, of all the groups who were consulted, the Autism Society of Newfoundland and Labrador was not one of them.

The minister might say it's because it has nothing to do with them, it has nothing to do with children with disabilities. That was said to us in the briefing, that it's not intended to replace or supersede existing policies and programming for students with special needs, but there's a difference between policy and programming and legislation. If we have legislation that is open to interpretation, then policies and programming can be changed easily. That's one of the concerns.

I won't read this whole paper but there was an extremely good analysis done by an organization in Toronto, the ARCH Disability Law Centre. They did a real study of the legislation that came in, in Ontario because of what started to happen. The practice that started to happen was that children with disabilities were starting to be taken out of the classroom in a way that wasn't happening before.

Right now – and I think it's the same in Ontario – children with disabilities are protected from suspension and expulsion. That cannot be the reason for suspension or expulsion. What they found in Ontario was that the section there, section 265(1)(m), has started being interpreted by some school boards – and I'm saying it's a bit different there because they have so many – to include children who have disabilities. The other thing is that nobody is tracking how many students and which students are being removed from the system and offered the alternative education model. It's not being tracked in any

appreciable way so nobody really knows what's happening.

I know we're dealing with many more school boards there and dealing with a large population of people. I would hope that won't happen here, but the problem is, especially with parents I've spoken to, they are really in fear and I mean that. They are really in fear that now the director will have the power – and will have it, will have the power – to have children who have disabilities taken out under these new clauses. So that's why I say I'm sorry that this is not happening at the same time that an overall change is being made to the act with regard to the need for inclusion.

One of the issues for me is nowhere in the amendment do we have a recognition of the potential of a clash between the value of inclusion. That is certainly our major value in this province and it's stated by the department. We know that inclusion is a key value, but if this clause could be challenged legally, if somebody had a child taken out because of disability, removed from the class because of disability and if this were challenged legally, what would win?

Now, according to the ARCH Disability Law Centre there have been rulings that they say shouldn't have happened. That, in actual fact, legally, you can't even interpret it that way but, in actual fact, it has been interpreted that way.

We have a real conundrum here. How do we make sure that the kind of situation that happened over in Stephenville can be dealt with and yet how do we protect the children that will now be open to removal from class who weren't open for that before?

Although, I have to say, and I'm sure that some of us know this, there are children who even though they can't be expelled or suspended from school, there are children on the autism spectrum, in particular, who are at home because the schools cannot deal with the children and the school board has actually recommended to some parents – I don't know if it was the school board or the school but the school board is involved, the district is involved – that the children stay at home.

When that happened in Ontario, it was interesting. A study was done of what was

happening and it was shown that, in actual fact, there were children who now were being excluded from school under this new clause or there's a threat of such exclusion. The ARCH Disability Law Centre has found that it often occurs because there are inadequate accommodations in place for disability related needs. I think that's very significant.

According to the survey that was done, almost half of all elementary principals and 40 per cent of all secondary school principals have recommended – in quotation marks – that students with disabilities not attend school for at least some period of time. For the most part, the principals reported that this widespread practice was related to either safety concerns or the health of the student. However, in a significant proportion of cases, the principal stated that a lack of appropriate support was a factor in the decision.

So very often, children with disabilities who are at home because it's been recommended, are there because there aren't adequate resources in the school for the child to be there; safely for the child and safely for everybody else. This is what we have to realize. Safety is not just safety for those outside of the child, it's also the need of safety for the child, as well, the child with disability.

So we have a serious situation here. It's difficult for me to know which way to go. I know we have to deal with this situation, the type of situation that turned up in Stephenville, because it could happen again tomorrow. It's just like what we've said around the harassment issue, we've got to deal with it now because we know it could happen again tomorrow and we have to deal with things.

When I get into Committee I will be asking specifics from the minister, because how can this minister assure the parents of children with disabilities that this new amendment that's coming in is not going to be opening Pandora's box the way it did in Ontario? How can they be sure that their child, who can't be suspended or expelled under the current legislation, will be open for being sent home under the new legislation because of that broad power, that broad definition that I've already read out?

It's the definition, I'll read it once again: "Where the director is of the opinion that the presence of a student in the school is detrimental to the physical or mental well-being of the students or staff, he or she may refuse to admit the student to the school." That is so broad.

Now, that definition is under suspension and expulsion too, but the difference is children with disabilities cannot be suspended or expelled.

So it's a major concern. I know that there are some parents who are paying attention to this debate this afternoon because they are fearful of how their child is going to be affected by it.

I have no recommendations to make to the minister as to how things could be worded. It seems to me there could be a clause, there could actually be a clause in the bill which indicates that children with disabilities who cannot be expelled or suspended, neither can those children be affected by this act. I don't know where the legal minds go with that. I really don't know because there are a lot of nuances in saying that, but something has to be done.

We just can't say the current policy covers it. A policy is not legislation, and if this legislation goes through, then we have the potential – I'd like to think it won't happen. I'd like to think that especially because we have the two school boards – the English-speaking district and the French-speaking district – that with just two, one in each jurisdiction, we couldn't possibly see this happen, but the thing is, it is already happening.

There are children who are being sent home temporarily, and sometimes it's a long time temporarily being sent home because the school doesn't have the resources to deal with the child. If that's happening already, then the potential for a child to be sent home permanently under this bill is there. Even though, I know there is the thing of reviewing: "The director shall review his or her decision under subsection (1) at least every 15 days and determine whether the student should be re-admitted to the school."

But when we're talking about children with disabilities, especially children on the autism spectrum and other disabilities that lead to what look like behaviour problems, these aren't

behaviour problems because the children don't know how to behave. That is part of the disability.

So that's not going to change. So if that became the reason for getting them out of the school in the first place, that's not going to change in 15 days' time or 30 days' time or 45 days' time. So it's very problematic.

We had a briefing last week, but I have to say, I was very disappointed that we didn't actually get the bill delivered to us until some time Friday afternoon. I had left my office, and we didn't get the formal bill distributed here in the House until today. So it really wasn't until this morning that I finally saw the actual wording and saw the potential for interpretation in the wording, something that had been said to me before, especially by a couple of the parents. I said: No, no, no, that's not going to happen. You're worrying over nothing.

When I finally got the bill – I was able to sit with it this morning and read it carefully – I said: They're right. Then, when I started doing research this morning and saw what happened in Ontario, I said: They're right, it happened there. It opened the door. It opened the Pandora's box.

Parents have suffered enough and that came out in the consultations done by the task force. Parents have suffered enough. Parents with children with a disability, and who are begging for full inclusion, have suffered enough without having to have more fears laid on them. That's what's happening with this bill. They are fearful.

We can't say to them it's not going to happen because things have happened. Things have gone wrong for them and for their children. There are situations where there aren't resources and children are being sent home, not so much because of who they are but because the resources aren't there for them to be included in the situation. I will have some direct questions to put to the minister in Committee but, for the moment, I really don't know where I stand with the bill.

Thank you very much, Mr. Speaker.

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

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

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

It's a privilege to stand this afternoon and speak to Bill 10, An Act to Amend the Schools Act. For those who may be watching the debate at home this afternoon, just to put the bill in context as I understand it, what we're talking about this afternoon is an amendment to an existing act, the act that was approved by this Legislature I think in 1997.

This is an amendment that is being driven as a result of public conversation around an incident, an issue that had happened earlier this year in our community as a whole, Mr. Speaker. While the Member opposite, the Member for St. John's East – Quidi Vidi, spoke eloquently and passionately about her concerns – and I certainly have respect for her prior experience in the education system – I do want to speak a little bit in the context of my own feelings about the bill that our government is putting forward today; one that I'm very supportive of.

Mr. Speaker, the situation that arose earlier this year was that we had young students who found themselves in a situation where outside of the school environment an incident had happened. Both parties – I would argue as a parent, whether it was the victims or whether it was the individual who was at that time an accused – would have been in a circumstance that would have made the dynamic of those parties being in the same room quite concerning.

I can certainly speak as a parent that I wouldn't want my child – whether they were involved in a situation outside the school property that resulted in a challenge between the two individuals, may involve criminal charges, court proceedings, may involve other circumstances. I certainly wouldn't want my child – whether they were the child being accused or the child that was the victim – to find themselves in a situation where their right to an education was taken away from them because they didn't feel safe in a classroom.

Mr. Speaker, we've made it clear, this government's made it clear that our intention is to modernize the *Schools Act, 1997*. I'll take the opportunity, as we debate this bill now, that as



one Member of this House – whether this will happen or not, I'm not sure – I'd be of the opinion that the Schools Act and the age in the Schools Act needs to move not only from five to 21, but actually needs to go back to zero. The state has an obligation – my personal opinion, not necessarily the opinion of our government, but one that I continue to advocate on – that we have a responsibility to educate not only those from five to 21, but from zero to five.

Whether a young person finds himself tragically in a situation outside of school where they are the victim or they are the accused, then we still, as a state and as the province, have a responsibility to provide a safe environment for those individuals to be educated.

When I listened to the public debate that took place back in the early part of this year, it was quite concerning to me as a Member of this House of Assembly to hear the CEO of our largest school board talk about his belief at the time that he had no ability in this particular case to act, and also quite frustrating when a colleague of mine shared his concern that as the province, the province couldn't act. We found ourselves locked in this legal quagmire where young people were forced into a situation that neither the accused nor the victim, quite frankly, should be, in the context of our modern world.

Mr. Speaker, for that reason I'll certainly be supporting the bill and supporting what the minister has brought in today. I would ask the Members of this House to consider the uniqueness of the circumstances that have brought this into the House. I would agree, as I'm sure many of us would in this House, that the *Schools Act, 1997* needs an overall review. I'm proud to be part of a government that, through the Premier's Task Force, has looked at that and is doing work ongoing to make those changes.

Mr. Speaker, the Member who spoke before me referenced an article from the ARCH Disability Law Centre, an article that was dated in 2000. While certainly there is not sufficient time in the House today for us to do our research – and as she articulated, as MHAs we take our roles very seriously; often, we'll do our own research and look at things through our own resources. I also understand that in 2007 the Ontario government

also adjusted and made amendments to the school act.

My limited knowledge of it at this stage is that they actually brought in revisions to that school act that provided the opportunity for progressive discipline inside the schools. That was an attempt to further protect, quite frankly, the rights and access to education by those individuals that may be deemed disabled or may need extra supports in the school system. I think everyone in this House of Assembly understands, supports and believes – as do the people of the province – that every child has a right to attend school, regardless of the circumstances that their life may present to them.

We have teachers in this province, Mr. Speaker, who are doing tremendous work. I'll share a story that a dear friend of mine shared with me only several weeks ago. His son was attending a school in our province, has a litany of disabilities that the child and his family are trying to support. The teacher of that young student actually decided not to retire and decided to continue in the school system so she could support that child who had made a connection with her and was making progress – albeit challenging progress, but was making progress.

So while I understand the Member opposite's concerns about what some would refer to as the slim edge of the wedge, I don't believe that the intention of the amendment that we're discussing and debating today is to allow schools and allow principals and allow the districts to impede any child's ability to get an education.

As a matter of fact, Mr. Speaker, I think it's quite the contrary. I think the change that we're proposing in this act enables administrators, principals and teachers, particularly administrators in the school board to make decisions that enable education to happen in those circumstances as I described earlier, which was something that happened outside the school, is my understanding.

Mr. Speaker, we in this legislature have to make decisions on legislation here, as we did earlier this afternoon on the piece of legislation that has long-term ramifications. The minister had

spoken earlier today about upcoming changes to the act, the Schools Act on an overall basis, on a macro level and I look forward to participating in those debates when we have them in the House of Assembly. But I'm not prepared to not trust school administrators to act in the best interest of every single child, including those children who may be disabled or are participating in inclusion programs, at the expense of protecting children who find themselves in very, very difficult circumstances, Mr. Speaker.

As a mom and as a legislator, I'm not going to sit here and support that. I respect the Member opposite and her opinion and her concerns, but I also think we need to understand the immediacy of what's happening in our school system. Not only are we seeing situations like we saw in Stephenville earlier this year, and as the Member for Stephenville - Port au Port articulated, the huge volume of people and organizations that spoke out about the circumstances that the individuals, the parents, the school, the school board, the ministry found themselves in at the time, I think we also have to recognize that in the backdrop of what's happening in the world, that young men and women, and parents of young children are educating and training them in a way that allows them to find their voice to be able to speak about situations that happen outside the community that may impact them in the school.

For us to not recognize that is a serious, active conversation, may involve really difficult discussions that include the criminal justice system as well, we have to recognize as legislators. We need to give the tools to the people in those roles in our school systems so they can help protect every single child and ensure that every single child has the right to an education in our school system.

Mr. Speaker, I do want to take a quick moment, and while my list certainly won't be as exhaustive of the Member for Stephenville - Port au Port, I certainly want to call out the Child and Youth Advocate. Her voice at the time that these situations were being talked about in our province, I think was one that was very powerful. I also think that the women's centre in the community who reached out and tried to support the young people, particularly the young

women in the school, should be commended. But most importantly, Mr. Speaker, I want to comment on the parents in the community who stood up and spoke about the circumstances that they found themselves in and actually called on us, I think they called on someone at the time, but ultimately that someone is the Legislature, to act and to act in the best interest of the children that have a legal right to an education.

Mr. Speaker, sometimes this House has to take action and decisive action and has to do it quickly. We have, I think, maybe four, five or six weeks left of the school year, before we sit in the fall we'll have a couple of months of the school year, and as a parent, I think two things. Number one: I think it's critical that we give the tools to the professionals who need them, who have asked for them earlier this year. Secondly, that we trust the ability of the teachers, administrators, the school board, the school board trustees to operate in the context of this particular amendment to ensure that those young people throughout our province – I think it's about 60,000 young people right now who are in our public school system – that they are led by leaders who have the tools to be able to do the things they need to do to ensure their safety in the school

Mr. Speaker, with that, I'll conclude my remarks for this afternoon. I do want to thank the minister and his staff for the opportunity to learn about the bill through the work of our team of researchers on the fifth floor and the briefings that we've gotten.

I can certainly stand here proudly and say that I'll be one of many I'm sure in this House that will be supporting this legislative change today. A change that is needed and more changes to come in the Schools Act, changes that the minister and the government will bring forward later on this year I'm sure.

Thank you.

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

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

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

It's a pleasure to stand in the House this afternoon and speak to Bill 10, An Act to Amend the Schools Act.

Mr. Speaker, it's certainly not my intention to drag this out any longer than we have to. I will be supporting the bill. I think it's a very important bill. There may not be a whole lot to it in terms of content but I think the intent here is very important.

We've obviously seen an incident that has occurred in this province where we did not have a mechanism to deal with it. It's important that we do have a mechanism to deal with such matters and to ensure the safety of all children attending school here in Newfoundland and Labrador.

I will say that it does two things, while we are ensuring the safety of all students, which should be a priority, by the same token, this bill also allows for provisions and ensures that the child who would be displaced from school, still has the right to an education and there's still an obligation to ensure that child gets an education. We were told that it could be home-schooling with tutoring. It could be simply being transferred to a different school in the area, and there are other options. It's not like we're going to be denying anybody an education.

Now, with that said, and I think it's also important to note because I was a little bit confused by my colleague from Windsor Lake when she talked about giving tools to principals, administrators and so on, because my understanding – and I stand to be corrected – is really this is just a director, and that's an important thing.

We're talking about the director of the school board. So it's not as if, under this legislation, that every principal can have their own take on whether I'm going to let a student in, whether I'm going to remove him and so on. It's one person, one director following one consistent policy that's going to apply this. That gives me a lot of comfort.

If I thought that this was going to be a case of any principal at any particular school could decide on a whim for whatever reason to take a different interpretation and start removing

students for whatever reason, then I would have a major concern with it, but that's not the case here. It's the director with the school board and there will be a consistent policy applied equally to everybody.

I would also say that I take great comfort in the fact that this has been endorsed by the Child and Youth Advocate because this is a person who has been put in place, who is well qualified, whose number one priority is the safety of children and youth in our province. That is the mandate, that is the job, that is the expertise. Not saying that we don't question things – we should question everything, I suppose – but still, I do take comfort in the fact the Child and Youth Advocate is endorsing this bill, and I think that should give us all some level of comfort, for sure.

Now, I didn't really think of the issue that the Member for St. John's East - Quidi Vidi raised, to be honest with you. Wasn't something that occurred to me, because certainly in receiving the briefing there was never a mention and there was no intent, and I don't think that it is the intent – I'm sure it's not the intent.

That said, I do understand where she's coming from in terms of if you read this amendment and you look at the broadness of the statement, I can see where somebody could have that concern. I think it's reasonable that someone could look at it and say, gee whiz, yes, that's possible, the way this is written, that somebody could be removed, someone with a disability, a student with a disability.

I could see it because it does not specifically – if there was a clause there that sort of counteracted to say this being said, the intention here is not to remove children with disabilities, or to protect children with disabilities. Because it's not actually written there in black and white, I can see why she would have that concern, or someone would have that concern – and parents, of course, would have that concern. Albeit, nobody did contact me about it, but that's fine and dandy.

I would say, though, that I'm sure the minister, when he gets up to speak, can confirm the fact that's not the intent, I'm sure he can confirm the fact that the criteria that will be developed will

definitely make it crystal clear, I would hope, that's not the intent and if when we do a further review of the act and a broader review of the act that there would be something placed in here to make it abundantly clear that that's not the intent. I don't think the minister would have a problem, I would hope, in sort of committing to doing just that.

The other thing I think is important to note here is that if there was a decision made under this particular section that was not made in the best interests of the parties involved, and it was a case of somebody removed who ought not to have been removed, there is an appeal mechanism. That's the other thing. That's written here; there is an appeal. So it's not like the director can just say, nope, you're out, end of story. The parents, the family do have a right to appeal this decision. So that's another safeguard that's in place to make sure that it's applied properly.

With all that said, Mr. Speaker, I will absolutely be supporting this bill. As I said, out of respect for what the Member for St. John's East - Quidi Vidi is saying, I do understand where she's coming from and I would hope certainly now that the minister will be able to allay any concerns that she would have and that parents who have contacted her would have. I'm sure if there was anything that happened that was untoward, people like Scott Crocker at the Autism Society would be the first one on the phone to make noise and express that concern and iron it out.

It is something that's needed. It's unfortunate that it's needed, but it is needed, and we have to make sure that any child going to school in our province can go there and have a safe learning environment.

Thank you, Mr. Speaker.

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

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

I rise in my seat today obviously to speak in support of this amendment. I do so as Minister Responsible for the Status of Women. I want to

thank my colleagues in the Provincial Advisory Council on the Status of Women, as well as the Public Legal Information Association Newfoundland and Labrador who met with us many months ago following an incident that occurred on the West Coast. We've been speaking about it all afternoon. I want to congratulate the speakers before me who very eloquently set out what had occurred and why this legislation has been moved, very quickly, I might add, before House.

I want to thank the Child and Youth Advocate's office for all their work as well. Most importantly, I want to thank my colleague the Minister of Education and Early Childhood Development and the minister before him for the work that they have done to move this forward. I know that there will be a broader review of the *Schools Act, 1997* that will come up, but this particular piece of change that's before the House today was really focused on a particular instance that can occur.

Mr. Speaker, it's difficult when you have to face these types of things, but our government – and I'm sure everybody in this House and everybody in this province – takes all forms of harassment and violence very seriously. We needed a mechanism, Mr. Speaker, to ensure that we have safe and caring schools and to make sure that we have, what I'm going to call, a positive and safe learning environment. It's very, very important to ensure that we have that and I think this mechanism really does allow for that to occur.

The proposed amendment will of course provide both the school district's director of education and CEO with the legal authority to refuse school admission to a student, where the director is of the opinion that the presence of the student in the school is detrimental to the physical or mental well-being of other students or staff.

I think that's very important, Mr. Speaker. It's the physical and mental well-being of other students and staff. It's not meant to be a punitive measure or associated with suspension or expulsion provisions in the act, and it's not intended to replace or supersede existing policies or programming for students with exceptionalities.

This is really something that the decision around will not be taken lightly and we've made through thorough understanding of a specific situation, and broad consultation, of course, with school administrators, teachers and other people connected to the specific situation, but it will allow for the ultimate delivery of instruction for students impacted by removal from the school under this amendment.

Those are some critical points that I wanted to reiterate, Mr. Speaker. There are two other provinces, Ontario and Alberta, that also have similar types of legislation. The main difference is they give authority to refuse admission to the principal of the school. Because we wanted to look at this with consistency across the province and to avoid any conflict of interest between the principal and the student, we wanted to make sure that it would be the authority rested with the director of education and CEO. I think that's important, Mr. Speaker.

This is a small amendment, Mr. Speaker, but with big impact I say – I really do. I think that this is a positive change and one which will be respected by those in authority and one which will allow for that positive and safe learning environment.

Again, thank you for the opportunity to say a few words in support of this legislative change and amendment, and I look forward to future changes to the Schools Act.

Thank you, Mr. Speaker.

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

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

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

It gives me pleasure to stand and rise to speak to An Act to Amend the Schools Act, 1997. As a parent, when we put our children on the bus in the morning or drop them off at school, basically we're entrusting the school system to provide them with safe environment, conducive of, I guess, capitalizing on their intellectual ability. As our society has evolved and the world has become a much smaller place when it comes to incidents that happen within and without our

school community, this amendment is high time in coming forward.

The alleged incident that did happen in Stephenville kind of really brought this to fruition. When you look beyond our borders, you can even look at something as extreme as a school shooting, or organized intimidation of an individual or a group of individuals. This amendment gives the power to an independent director to not enforce as such, but apply a set standard of protocols as it pertains to maintaining our school environment, a safe and conducive environment for individuals to optimize their intellectual potential.

We have heard some concern raised about individuals with particular challenges but, really, this director's responsibility is solely the protection and safety of the general student body. They have to act upon issues that are deemed or perceived to be detrimental to the physical or mental well-being of the students or staff. If such a threat does exist, it can have lifelong lasting effects on both students and staff and hamper their ability to reach their full potential.

As I said, we entrust the directors and the administration of our school system to maintain that safety level, to maintain that potential for people, for children to optimize their potential. As much as we have an obligation and legislative requirement to provide an education to our children, it is probably foremost that we protect them while doing so. I'm pleased to see the Child and Youth Advocate is in support of this. I'm also pleased to see the extensive cross-country scan capitalizing on jurisdictions that have had success with this type of activity and this type of amendment.

The outlined protocol of the CEO or director exercising their authority, on first read, looks to be quite thorough. I was very pleased to see there is opportunity there for appeal. It's not an open-and-shut case. In an event where the director does have to exercise their authority, it will be a case where it is reviewed every 15 days. A great element of any amendment or any policy is to have an active appeal process.

The proposal of putting options out for the individual to pursue their education – that being

the subject of the removal – is also very important. We should maybe consider levels of discretion when it comes to the director, as to where that individual may be placed to conduct their education while they're in consideration of this event.

We really need to continually look at our Schools Act because as our society changes the presence of mental and physical harm is going to evolve as well, and so will the definition for those types of elements that could affect our children or the staff that are providing education to our children in our school systems. This is something that should almost be reviewed on more of a periodic basis versus once every 20 years.

I do commend everybody, the staff and the minister, for their action and for moving things forward. I won't echo much more because I think with the various Members' and the minister's perspective, I think we're all very clear on the good intent of this act. There's a little bit of body to fill around it when it comes to the recommendations of the alternative education for the individual. There's a little bit more body to put around when it comes to how long this can proceed without having to move to permanent expulsion or permanent alternative measures for students that pursue their education.

I, in particular, as are the caucus, will be supporting this amendment. We look forward to it proceeding to the next level.

Thank you.

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

**MR. SPEAKER:** If the hon. the Minister of Education and Early Childhood Development speaks now he will close debate.

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

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

I certainly would like to thank my colleagues the acting leader of the Official Opposition, the Member for Stephenville - Port au Port, the Member for St. John's East - Quidi Vidi, the

Member for Windsor Lake, the Member for Mount Pearl - Southlands, the Minister Responsible for the Status of Women and the Member for Mount Pearl North for your contribution in the discussion on this bill today.

Mr. Speaker, I will try to summarize to some degree some of the discussion that has taken place. I didn't write down any of the items – only a couple of them – so I'm going to try to let my memory serve me to the best of the ability that it can at this hour of the day, and hopefully be able to address some of the situations that have been brought up.

Mr. Speaker, I think there was one mention of the fact, the question of the timing of the amendment. Why now, why not wait until we look at broader changes to the Schools Act? My question becomes: Why not now? Why are we going to wait? We have a Premier's Task Force; we're going to be looking at the *Schools Act, 1997*. We're going to be making significant changes.

However, Mr. Speaker, after we recess next week, or whenever we do recess, we're not back here until October and school starts in September. By the time legislation gets through, we know what we're looking at when we look at a time frame. This, I think, is so important. In the situations that arise within our province, unfortunately from time to time, this is critical that we make sure we have proper legislation in place to be able to address situations that have come up in the past few months.

Mr. Speaker, I know the Member for St. John's East - Quidi Vidi had some concerns with the implementation of the legislation.

Exceptionalities within our school system are crucial to all of us. I spent 14 years of my life as an administrator in a school knowing full well the responsibilities and issues that we had to deal with on a day-to-day basis. I spent 16 years in the classroom where even back in those days, way, way back – I won't tell how many years back it is – we dealt with inclusive education in those days as well.

I want to assure the Member opposite that for me, as a minister, exceptionalities are very, very important, that we respect and we make sure that all students within our schools are given the

opportunity to be able to be in the school and enjoy the safety of the school.

Mr. Speaker, the proposed amendment we're having here today has absolutely nothing to do with expulsion or suspension within the school plant or with on the school grounds. Mr. Speaker, the piece of legislation we're looking at is non-punitive. In other words, it's likely it will happen – a particular event that will happen outside of the physical plant and school grounds that has to be addressed.

Right now, Mr. Speaker, within the school plant, within the school grounds, the principal has the right to manage the school that he feels is a safe manner. This particular measure is an event that will, or can potentially happen outside of the school plant and the school grounds. It does not give the CEO of any school district the right to expel or suspend people. It is not expulsion, it is not suspension. It is refusal based on an event that will happen, or could happen, outside of the school physical plant or the school grounds.

Mr. Speaker, the Member for Mount Pearl North made an excellent point. If there's any fear out there that this is not going to be managed in a way that's proper – because in the amendment piece and leading up to the amendment, we have been very, very clear that it's not likely that this will happen regularly. The Member for Mount Pearl North was very clear –

**AN HON. MEMBER:** Mount Pearl - Southlands.

**MR. HAWKINS:** I'm sorry, Mount Pearl - Southlands.

The Member for Mount Pearl - Southlands was very, very clear in saying that we do have – if, in fact, there are situations there, there is an appeal system. It's not like someone is going to be automatically refused, you're going to be sent off somewhere in the desert, you're not going to be looked at anymore for the next number of years or whatever. None of that is there, Mr. Speaker. I don't want to set out antennas of fear to people that have exceptionalities, students that are attending the school. That is not the intent and that is not what is going to happen with this amendment.

The Member also talked about consultations.

Mr. Speaker, what will happen with the passing of this piece of legislation, or amendment to the legislation, is policies and bylaws will be put in place by professional people, including consultation with groups such as autism, or some other exceptionalities of students in schools. So there will be consultations with that to make sure the policies and the bylaws will fit into the category of the proposed amendment to the legislation so that it will be enforceable by the CEO, not the principals of the school.

We're not giving principals of the school – like the Ontario model she talked about. We're not giving principals of the school a blanket statement to go out and suspend or expel, or refuse people with exceptionalities. That is not what this amendment is going to do, Mr.

Speaker. I want to make sure that groups with exceptionalities are comfortable in knowing that we respect exceptionalities in school, we respect inclusive schools, we respect a safe and caring environment within our schools.

Again, Mr. Speaker, it's important for all of us to understand that this is – and arises from a situation that happened outside of the school. I have every confidence that when the policies and bylaws are put in place, after they've been proposed they will then go to the elected boards, our elected school boards, and it will also come back to my department as well so we can ensure that the proper safeguards are in place, we can ensure that the proper policies are in place, we can ensure that the proper bylaws are in place that will protect students with exceptionalities, that will protect students that are in situations because, as I said, Mr. Speaker, this is different.

In a case that we talked about, or in cases or events that may come up, these are non-punitive in nature; whereas, when principals make a decision within a school and if it's a disciplinary decision, these are punitive. In other words, there's something that caused it. When it's a non-punitive, there has been no decision made on that. We don't know if the student or the person is innocent or the person is guilty. There's a period of time where that takes its due course.

We're not dealing with something that we know is punitive. We're dealing with a non-punitive

situation, whereby there's a period of time when an investigation has to take place, a period of time when we have to go through the course. If it's a criminal situation, we have to determine innocence or guilt. So it's a different situation, Mr. Speaker. What we're trying to do is we're looking at that in preventing the student that's involved in that event of going back into a classroom where there could be the potential of another student that's involved in the event.

Mr. Speaker, what makes this amendment different than a suspension or expulsion is the fact that the school board has to provide, not may provide, not possibly provide, the school board has to provide programming for the student that's impacted – has to provide programming – so that the student, while the student is waiting for the process to take place in this non-punitive matter, is looking at a possibility of continuing their education, whether it's through distance learning or some other measure that we will provide, but that student is given an opportunity to continue their education. They will not be impacted and will not find themselves in a precarious position of not being able to continue their education.

Mr. Speaker, I think we've captured these points to ensure that we are providing in a proactive manner, we're providing safety, safety for students in our school, safety for teachers in our school, but not jeopardizing the students that may be impacted by this as well.

Mr. Speaker, I certainly want to thank my Members who have indicated they will be supporting this piece of legislation, and I look forward to debate in Committee.

Thank you, Mr. Speaker.

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

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

As I did not want to interrupt the debate, I did want to cast the memories of all Members back to just a few days ago when I reminded them there is to be no food brought into this room. If you'd like me to start identifying those Members, I'd be more than pleased to do that, or I can identify the Sergeant-at-Arms to come and remind you of that.

Thank you very much.

Is the House ready for the question?

The motion is that Bill 10 be now read a second time.

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

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

The motion is carried.

**CLERK:** A bill, An Act To Amend The Schools Act, 1997. (Bill 10)

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

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

**MR. A. PARSONS:** Now.

**MR. SPEAKER:** Now.

On motion, a bill, "An Act To Amend The Schools Act, 1997," read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill 10)

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

**MR. A. PARSONS:** Mr. Speaker, I'd just like to point out for the record, that my stomach just rumbled, so it's not me.

I move, seconded by the Minister of Natural Resources, that the House resolve itself into a Committee of the Whole to consider Bill 10.

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

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



All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

The motion is carried.

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

### Committee of the Whole

**CHAIR (Warr):** Order, please!

We are now considering Bill 10, An Act To Amend The Schools Act, 1997.

A bill, "An Act To Amend The Schools Act, 1997." (Bill 10)

**CLERK:** Clause 1.

**CHAIR:** Shall clause 1 carry?

The Chair recognizes the hon. the leader of the Opposition.

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

I have a few questions here for the minister just for clarification.

Will the education director or CEO be required by law to consult with the school administration, the principal, the vice-principal, guidance counsellor when making such decisions on a removal of a student?

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

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

Again, part of the purpose of the amendment to this act is to give the CEOs the opportunity, or, I guess, the enforcement, to be able to enforce the legislation to ensure that the safety of children coming to school certainly would be paramount in his mind. I would suspect, Mr. Chair, that would be a discussion that they would have. Within any situation with students, again, there are many facets of the education and guidance

counsellors are always involved, so are some of the specialists involved with exceptionalities as well.

Mr. Chair, although the decision rests with the CEO now to be able to do that based upon the information he has, I would garner to suspect that part of the whole investigation of that would engage other educators. I'm sure that before he makes his decision, because there will be criteria in place and there will be policies in place, that part of that in getting all that policy together, that would certainly be an avenue they would take in making their final decision. Because the decision they make is not going to be an easy decision. Every decision they make they're going to make sure they have a program in place. So certainly, it's going to be a consultation that would happen for sure in making that decision.

**CHAIR:** The hon. the leader of the Official Opposition.

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

Just a couple of questions here: How will the student or parent/guardian make an appeal? What's the process that you're thinking that would be for an appeal process if they're removed from the school system?

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

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

Different capacity, though.

**CHAIR:** Absolutely.

**MR. HAWKINS:** Education and Early Childhood Development capacity today.

I certainly thank you for the question. Again, the old appeal process, they will have 15 days to make the appeal to the school board and the school district. Then the onus is on the CEO as well because, following the 15 days – they will be reviewing this every 15 days if it prolongs beyond 15, if it goes to 30 or 45. So they'll be keeping a close eye on what's happening and what's transpiring, so the appeal would be made to the school board.

**CHAIR:** The hon. the leader of the Official Opposition.

**MR. BRAZIL:** Can the minister give us a couple of scenarios of how this process would be enacted if a particular student is removed from the system?

**CHAIR:** The hon. the Minister of Education and Early Childhood Development.

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

I think it would be very difficult for me to come up with scenarios. I will probably try, to some degree, without bringing specifics into the answer to the question.

But, Mr. Chair, certainly as I've said before, these are circumstances or events that can happen in the community, will happen outside of the physical plan of the school, will happen outside of the playground. They will be situations and events that in the opinion of the CEO, with the consultations, will be what he or she would consider to be detrimental to the safety of the students that are in the school.

So it's very, very difficult for me to specifically come up with a type of example. But again, it would be certainly extenuating circumstances that are just not normal. It would be a situation that the CEO would feel that putting that student into the school setting, into that particular school setting could be hazardous to the students that are already there.

I don't want to talk about specific situations that are out there now that's being dealt with through the proper procedures, but it certainly could be situations like that.

**CHAIR:** The hon. the leader of the Official Opposition.

**MR. BRAZIL:** I understand, Minister, and that's reasonable.

Should a student be removed by the education director or CEO, will government be responsible for covering costs of alternative education which might be incurred by the family; for example, transportation, tutoring or the use of technology that they may need?

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

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

Certainly the onus will be on the school district to provide alternate programming. There are some measures in place now that the school board would compensate for tutoring. Of course, distance learning would be another option. Another option would be to travel to an alternate school if, in fact, there is something in the close proximity.

Mr. Chair, if the school board is putting an alternate programming in place, it would give reason to believe that they would certainly have to incur some of the cost that's involved there.

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

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

I thank the minister for that answer. I have one last question: How will this amendment work in respects to our more isolated, rural areas where access to CDLI may be restricted?

**CHAIR:** The hon. the Minister of Education and Early Childhood Development.

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

A very good question – as a matter of fact, it's a question that I asked when we were briefed on this, knowing that there are isolated areas. I really didn't give a whole lot of thought to the fact that there are retired teachers out there, and I might fall in that category as well. That was a concern that I had, particularly in remote areas, but I am told that from the briefing that I received that, in fact, there are quite a number of still even retired teachers out there. So if we can't avail of the distance learning and if we can't avail of some of the tutoring services that may be available, we believe that there are possibly retired teachers that are in many of those outlying areas that could certainly be utilized for that purpose.

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

**MS. MICHAEL:** Thank you very much, Mr. Chair.

I want to thank the minister for responding to points I raised in second reading, but I would like to ask some questions to get some clarification, and to put out to the minister that I actually didn't see this point myself until some parents came to me, in standing in the House and raising it. It's because they really do have concerns and that's why I'm asking the question.

Minister, how can you ensure that the protection of children with disabilities have right now under suspension and expulsion, the district cannot or principal or teacher or whatever suspend or expel children with disabilities? How can you assure the parents who have come to me that those children are still going to have protection under this much more open-ended amendment that we're looking at today?

I want to make it clear that I'm not opposed to getting something in place to deal with the kind of situation that could come up like came up in Stephenville. I know we have to do that, but how can we ensure and assure the parents of children with disabilities that their children are now going to lose some protection that they have?

**CHAIR:** The hon. the Minister of Education and Early Childhood Development.

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

Thank you for the question and for the concern. Again, it's – I don't know if funny is the right term to use, but when I had my briefing on this amendment as well, I can assure you that was a question and concern I had, particularly with exceptionalities.

I'm not so sure that the Member is totally correct because my understanding is that – unless things have changed in recent years – principals still – if, in fact, the safety of the exceptionality student themselves or other students are in danger, that they have that authority now, Mr. Chair, for suspension and expulsion. That's the principals.

Not that its used a whole lot, but there are cases, or can be cases when, in fact, an exceptionality student – depending on the severity of their exceptionality – may be in a position to harm

themselves or harm others and certainly that provision will be there.

Mr. Chair, again, I am very, very confident that the measures, the amendment that we're putting in place today will still continue to protect students with exceptionalities. There's nothing in this bill, the amendment today, that would in any way, shape or form give the CEO of a school board the right to refuse a student with exceptionalities because of their exceptionalities.

The amendment, Mr. Chair, today is in situations and events that can happen from time to time, and we're not expecting it to happen very frequently, but it gives an opportunity for a CEO of the two school districts that we have, based upon information that he can gather or she can gather, to be able to make a decision that if put in an event that will happen, an event that will happen outside of the physical plant of the school, outside of the school grounds. An event that can happen in a community involving students, the CEO now will have the ability, under the policies and bylaws that will be drawn up, to refuse that student from coming back into a situation that could potentially be upsetting, could be a position putting some other students safety at risk and so now they have that ability to do that.

Mr. Chair, it's never intended to be willy-nilly on this stuff. This is addressing a void that presently exists in the *School Act, 1997* to now ensure that we have an even safer school environment than we presently have.

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

**MS. MICHAEL:** Thank you very much, Mr. Chair.

A point first, I don't think that the children with disabilities who may be at home have been suspended or expelled, I think it's a matter of the principal, along with the teacher, I'm sure both would be involved, encouraging parents to keep the child at home. I don't think it's called suspension or expulsion. I just wanted to make that comment.

Minister, I have to ask you: Where in the bill does it indicate that an incident that might cause

the director to make this decision happens outside of the confines of the school or school property or school activity? If that's in the bill, I'd like you find it for me.

**CHAIR:** The hon. the Minister of Education and Early Childhood Development.

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

It's very simple, within the school physical plant environment, within the school, it's the principal's responsibility; the administrator's responsibility to address any disciplinary measures that are necessary for punitive events that happen in the school. This is non-punitive events that happen outside of the school environment.

Mr. Chair, these are non-punitive in nature. The principal is the administrator of the school, the principal is the person that deals with discipline on punitive nature, on punitive matters that happen. These are non-punitive. It's an event that happens that we don't know if the person is guilty or not guilty until proven, but yet, when an event happens, it may place students that are in that school in a precarious situation because that person coming back into the school could have an impact.

So, Mr. Chair, it's designed for the CEO, on consultation and taking the information that he has available to him, to have the ability to refuse a student from coming back into the school situation.

Again, I just want to be clear, by refusing, the school district must provide programming for that student while the investigation is ongoing.

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

**MS. MICHAEL:** Thank you very much, Mr. Chair.

I'm not doing this, Minister, to in any way to annoy you, but I really am asking serious questions.

When we had the briefing – it's not in the deck, I've been looking through the deck – it was a point that was made that probably – I'm not

going to say definitively – the reason why this particular action is put under the role of the director and not the principal or the individual school itself is that because – even though it doesn't say it – we are dealing with situations that might be out of the norm.

I don't know if out of the norm is the correct way of saying it either, but not your everyday issue that's being dealt with in the school, such as what happened in Stephenville, that it could be difficult, in small communities in particular, for a principal or the teacher to deal with these rather stickling kind of situations, and that putting it in the hands of a director removes it out of the difficulty of doing something like this in a small community. Having said that – I mean that made sense to me, that is why it was in the hands of the director – I still have to come back to the fact that I'm just questioning the interpretation. There's nothing in here that says it's events that are happening outside of the school. They could happen outside of the school, like this situation in Stephenville, but it's not saying that.

It's not taking away powers from the principal and the teacher. I realize that. It's separate from suspension and expulsion. But there could be something happening in the school that the parent of a child may not be happy with the decision of a principal or a teacher and thinks it fits more under the amendment, for example, and could go to a director with a complaint, I would imagine.

I just question saying that it's something that would be happening outside the school situation. I don't think the act, the bill says that. I think that's a concern of the parents who are coming to me. That is their concern. I just once again ask: What can be done to assure them?

I understand the legal difficulty of trying to put exceptional language in the bill. I really do. I think it would be really hard if you were to say: But this doesn't cover children with disability. The thing is you could have a child with a disability who this may have had to be done for a separate reason, so you can't say that either. I understand that but how are you going to ensure the policies and programs that are going on under the districts right now will continue for the children with disabilities and not be affected

by this amendment just because they are children with disabilities? I just want some assurance for them that this is being discussed, that it's being looked at.

**CHAIR:** The hon. the Minister of Education and Early Childhood Development.

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

Thank you for the question. I can assure you, as I said, it is part of the discussion that I will continue to have. When I was briefed on this particular amendment, I believe I mentioned earlier one of the first things that I mentioned and talked about was students with exceptionalities.

I have lived this, Mr. Chair, for years and I know the importance of inclusive education. I know the importance of treating students with exceptionalities. I know the challenges that families with exceptionalities face. It's sometimes very, very difficult, and unless you have a child with exceptionalities or you're involved in working with them, many of us would never really fully understand the challenges that exist.

Mr. Chair, as I've said before, the assurances have been given. This is not intended to address students with exceptionalities. As I mentioned before, when we put together the policies, when we look at the criteria, we will certainly, or I would expect the school districts to involve – if I use the term, stakeholders, I'm not so sure that's a good term to use – organizations that are dealing with exceptionalities to be a part of that discussion.

Mr. Chair, again, I go back to the intent of the amendment. It is to address what we would consider to be a void in the existing *Schools Act, 1997* that we found out a few months ago. We are trying and we are being proactive to ensure that if an event happens, in the opinion of the CEOs of the school districts that could be detrimental to the safety of the students in the school, they have the ability to do that.

Mr. Chair, this amendment is not intended to give CEOs free will of refusing students into our schools. It's not happening. It's not there. As I said, I have every confidence in principals and

administrators to be able to administrate their schools.

I like the comment you made because, as an administrator myself, there were times I made decisions that probably weren't favourable to some parents. I can assure you the parents knew where to go to make a complaint. I don't think there's a whole lot different today from what it was then. These measures are still in place, Mr. Chair. We're not going to, by making this amendment, make any changes to what is already existing in the policies that these administrators have within the school.

I have every confidence that school administrators will continue to administer their schools. They will continue to deal with disciplinary measures within our schools as they have done for many, many years. This amendment, today, will now give the CEOs of the two school districts an opportunity, if it's necessary, to be able to view an event and be able to refuse a student coming into a school.

I personally don't think it's going to be taken lightly because of the fact there are repercussions for that. Right away they've got to put in place a program for those students. I don't think it's going to be taken very lightly. I think there's going to be a lot of thought process go into this and it will only be under extenuating circumstances that this amendment to this bill will be enacted.

Thank you, Mr. Chair.

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

**MR. LANE:** Thank you, Mr. Chair.

Mr. Chair, just a couple of quick observations and I have a question for the minister.

As I indicated, I do support the bill. I understand the impetus for it, the need for it. I totally agree we need to ensure that all of our children, when they go to school, are protected and that they are safe. I also agree, as I'm sure we all agree, we need to ensure that while doing this we're still going to protect the rights of children with disabilities, exceptionalities and that this

amendment is not used in a way that goes beyond what the intent is.

When the minister says the intent is not to, in any way, be punitive towards a child or student with a disability or exceptionality, I take him at his word. Staff have said that and I'm confident that is the case. I will make the observation, though, that my colleague from St. John's East - Quidi Vidi is correct. When you read the amendment, when the minister is talking about these events that are non-punitive events that take place outside the school, nowhere in this particular amendment is it written. It doesn't say that. That may be the intent but it doesn't spell it out in black and white. I do understand the Member's concern in that regard because it's not spelled out.

With that said, and what leads me to my question I suppose ultimately, is that like a lot of the legislation we pass in this House of Assembly the devil is in the details. The details always come in the form of regulation and policy out of regulation.

I would just ask the minister – and I'm pretty confident he's going to give me the answer I'd like to hear. I want to just confirm for the record that in developing the regulations and the policy, is it the minister's intent that there would be consultations once again with the Child and Youth Advocate in terms of not this particular piece of legislation, but the actual regulation and policy?

Will there also be consultation with groups such as the Autism Society, FEAT-NL is another one – I forget what the acronym stands for, but is an autism group, if you will – groups like Empower and the Association for Community Living – I think that might be Empower now, I think that's what they're renamed; but anyway, you get my point, minister – consultation with stakeholders that represent students and children with exceptionalities and disabilities, consult with those groups, consult with the Child and Youth Advocate to ensure that they are comfortable, not just with this act, this amendment to the act, but that they are comfortable with the actual regulations and/or policies coming out of those regulations?

**CHAIR:** The hon. the Minister of Education and Early Childhood Development.

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

Thank you to the Member for Mount Pearl - Southlands.

I think when we put together policy criteria I think it's in the best interest – we want to do it right, and part of doing things right is consulting with the right people and the right organizations and right groups. Again, as I said, part of the policy, even though the CEO of the districts will have the responsibility of designing and putting the policy in place, I would suspect that in a normal process to get it right they would engage within these groups.

We want to do this right. The intent of this is to protect the safety of our students in our schools. So, Mr. Chair, it would be in the best interest of whoever's putting the policy together to make sure they have input from areas that have expertise in putting this policy in place. Once that policy is designed, then it will go to the elected board. They will have a look at that and then it will come to me as minister and my department, and we will look at it to ensure that all of these areas, that we've crossed all of our t's and we've dotted all of our i's to make sure it's the best policy to be able to protect and provide a safe and caring school environment for all of our students.

Thank you, Mr. Chair.

**CHAIR:** Shall the motion carry?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

On motion, clause 1 carried.

**CLERK:** Clauses 2 and 3.

**CHAIR:** Shall clauses 2 and 3 carry?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

On motion, clauses 2 through 3 carried.

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

**CHAIR:** Shall the enacting clause carry?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

On motion, enacting clause carried.

**CLERK:** An Act To Amend The Schools Act, 1997.

**CHAIR:** Shall the title carry?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

On motion, title carried.

**CHAIR:** Shall I report the bill without amendment?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

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

**CHAIR:** The hon. Deputy House Leader.

**MS. COADY:** Thank you.

I move, Mr. Chair, that the Committee rise and report Bill 10.

**CHAIR:** The motion is that the Committee rise and report Bill 10.

Shall the motion carry?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

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

**MR. SPEAKER (Trimper):** The hon. the Member for Baie Verte - Green Bay, Chair of the Committee of the Whole.

**MR. WARR:** Mr. Speaker, the Committee of the Whole have considered the matters to them referred and have directed me to report Bill 10 without amendment.

**MR. SPEAKER:** The Chair of the Committee of the Whole reports that the Committee have considered the matters to them referred and have directed him to report Bill 10 without amendment.

When shall the report be received?

Now?

**MS. COADY:** Now.

**MR. SPEAKER:** When shall the said bill be read a third time?

**MS. COADY:** Tomorrow.

**MR. SPEAKER:** Tomorrow.

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

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

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

I call from the Order Paper, Motion 1. I move that the House resolve itself into a Committee of the Whole on Supply to consider a resolution relating to the granting of Supply to Her Majesty.

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

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

I have received a message from Her Honour the Lieutenant-Governor.

**MR. SPEAKER:** All rise.

I have a message from Her Honour; it's dated 17th May, 2018:

As Lieutenant-Governor of the Province of Newfoundland and Labrador, I transmit Estimates of sums required for the Public Service of the Province for the year ending 31 March 2019, by way of further Supply and in accordance with the provisions of sections 54 and 90 of the *Constitution Act, 1867*, I recommend these Estimates to the House of Assembly.

Sgd.: \_\_\_\_\_  
Lieutenant  
Governor

Please be seated.

The hon. the Minister of Finance and President of Treasury Board.

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

I move, seconded by the Minister of Natural Resources, that this historic document, the first message by Her Honour, be referred to a Committee of Supply.

**MR. SPEAKER:** It is moved and seconded that the House resolve itself into a Committee of Supply and that I do now leave the Chair.

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

The motion is carried.

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

### Committee of the Whole

**CHAIR (Warr):** Order, please!

The Committee of Supply are to consider a resolution relating to the granting of Supply to Her Majesty, Bill 3.

### Resolution

*"Be it resolved by the House of Assembly in Legislative Session convened, as follows:*

*"That it is expedient to introduce a measure to provide for the granting to Her Majesty for defraying certain expenses of the public service for the financial year ending March 31, 2019 the sum of \$5,010,991,400."*

**CHAIR:** Shall the resolution carry?

The hon. the Member for Ferryland.

**MR. HUTCHINGS:** Thank you, Mr. Chair.

I'm glad to rise to Bill 3. I'm looking at the process we've gone through in regard to the budget process and the Estimates on Concurrence debate, and the process to allocate the totality of the budget for this particular fiscal year, 2018-2019.

Folks may recall that in the prior session we would have went through Interim Supply, which would have preceded the budgetary process and would have looked at the process to allow government to function and to have monies allocated pre-Estimates and preapproval here in the House. That amount, together with the figure of a little over \$5 billion that's spoken of here, in totality would be \$7,807,543,600. That would be



the total amount budgeted with Interim Supply and with just this here in this bill today.

This would lay out, as I said – we’ve gone through the Supply Act, authorized the spending authority as laid out, as I said, by the Estimates and approved by the Estimates meeting and Concurrence debates that we had here in the House. We had three Committees that went through and looked at the Estimates which were broken out by each department and were tied into the three Committees. Members from all sides of the House would have debated those line items, expenditures in those actual financial documents and voted on those as well. Those would flow up into what we see here in this particular bill, plus that with Interim Supply.

In the bill itself, the Supply Act, Bill 3, it speaks to – well, it’s *Supply Act, 2018*, I think the last one was 2016: From and out of Consolidated Revenue there may be issued by Minister of Finance and President of Treasury Board sums not exceeding a little over \$5 billion in addition to the sum of \$2.8 billion authorized by the *Interim Supply Act, 2018* the aggregate of the sums authorized to be issued under this act and the *Interim Supply Act, 2018* being approximately \$7.8 billion.

So with authorization of this, government gets to proceed ahead in regard to its expenditures for this fiscal year. With it comes, as well, the ability to transfer funds and a couple of items and options where funds can be transferred.

It speaks to Treasury Board and the transfer of funds voted within the Department of Finance and a particular line item of “the Department of Finance, 1.3.01 - Government Personnel Costs, to another head of expenditure during the fiscal year ending March 31, 2019” – that would be the end of this particular fiscal year we’re discussing here – “to facilitate expenditures for compensation, benefits, contracts and other associated adjustments.”

Under *Supply Act, 2018* section 4(2) it speaks to again “the *Financial Administration Act*, the Treasury Board may transfer” – again talking about transferring of – “sums voted within Consolidated Fund Services, 2.1.02 - Ex-Gratia and other Payments, to another head of expenditure during the fiscal year ending March

31, 2019” – again the end of this fiscal year – “to facilitate expenditures for special retirement, salaries and other payments.” I assume that will be related to possible severance and occurrence that would happen during this particular fiscal year based on policy directives taken by the current administration.

Another area talks in regard to transfer of funds is: “Notwithstanding the *Financial Administration Act*, the Treasury Board may transfer sums voted within one head of expenditure to another head of expenditure during the fiscal year ending March 31, 2019, to facilitate expenditures for Financial Assistance, 2.1.02 and 2.1.03, voted within the Department of Finance.”

Now, my understanding is this may have changed since last year or the last previous, maybe the minister could speak to that. It was my understanding in the past this particular provision required under the previous Supply Act that transfer was required within three days if the House was open, to be presented here in the House. If not, I think it was as early as thereafter presented here and then it would be open and transparent in regard to where that expenditure went to and how that transfer was done.

My understanding now is that it’s done through Treasury Board. So it’s not done through the process that was in place but it’s now going through Treasury Board. Maybe the minister can speak to that and to the particular change. From what I see that’s the difference in the Supply Act, what it was and what we’re looking at here today.

The other one it speaks to in terms of transfer of funds is: “... the *Financial Administration Act*, the Treasury Board may transfer sums voted within the Consolidated Services, 3.1.01 - Contingency, to another head of expenditures during the fiscal year during the fiscal year March 31, 2019, to facilitate expenditures that have been foreseen.”

I think in the past, we talked about contingency, that particular fund, and some dialogue in terms of usages and what would it be used for. I think in prior years, it was maybe about \$20 million. I’m not sure this year. Maybe the minister can

speak to that as well in terms of what that amount is.

This bill, the Supply Act, that gives the authority – as I've mentioned those four areas in regard to the transfer of funds because of all it, collectively, both the Interim Supply that was needed for the operations and what we approved here in totality is the budgets that have been allocated for this fiscal year by government and has been voted on here in the House.

Within that, there are provisions and four of those I've identified in regard to the transfer of funds: who can transfer, the meaning of the transfer and what information needs to be provided for that transfer. As I said, the Supply Act, in regard to previously, there seems to be a change in regard to some expenditures, what was done in the past where needed to come here to the House and, in particular now, a change in regard to being done through Treasury Board which may not be publicly aware of that transfer of funds. So it's something maybe the minister can comment on when he gets up.

Those are the four areas I just wanted to draw some attention to in regards to Bill 3, the Supply Act. As I said, it's the process now with the bill, it's the granting of funds based on the fiscal year of 2018-2019 and the actual activities that will carry out through the year.

We've gone through the budgets, the Estimates, the line items, appropriations and the transfer of funds that go out to ABCs and all those other groups and agencies, and what all that means. That's all included in all of this, but this is a necessary process that we've come through each year in regards to the budget.

As I said, if there are exceptions in regards to – well, not exceptions, I guess, it's within that context, within the departments, within the line departments, within Treasury Board. If there's a means to transfer funds or there are funds that are held in Finance, a particular amount, and they're allowed to be accessed during the year and transferred out to a line department or somewhere else, the process here, as I said, in regards to the transfer of funds, it's identified and it's important that it's open and transparent in regard to those transfer of funds so it can be seen and understood because for the public, but

certainly for the Legislature as well because everybody here votes on the Estimates. They are voted on here by parliamentarians and those decisions made unfold over the next number of months, right up until the end of the fiscal year 2019.

That concludes my comments on Bill 3, Mr. Chair. I look forward to any comments as we move forward.

Thank you very much.

**CHAIR:** Shall the resolution carry?

All those in favour?

**SOME HON. MEMBERS:** Aye.

**CHAIR:** Those against?

Carried.

On motion, resolution carried.

A bill, "An Act For Granting To Her Majesty Certain Sums Of Money For Defraying Certain Expenses Of The Public Service For The Financial Year Ending March 31, 2019 And For Other Purposes Relating To The Public Service." (Bill 3)

**CLERK:** Clause 1

**CHAIR:** Shall clause 1 carry?

All those in favour?

**SOME HON. MEMBERS:** Aye.

**CHAIR:** Those against?

Carried.

On motion, clause 1 carried.

**CLERK:** Clauses 2, 3 and 4.

**CHAIR:** Clauses 2, 3 and 4.

Shall the motion carry?

All those in favour?

**SOME HON. MEMBERS:** Aye.

**CHAIR:** Those against?

Carried.

On motion, clauses 2, 3 and 4 carried.

**CLERK:** WHEREAS it appears that the sums mentioned are required to defray certain expenses of the public service of Newfoundland and Labrador for the financial year ending March 31, 2019 and for other purposes relating to the public service.

**CHAIR:** Shall the preamble carry?

All those in favour?

**SOME HON. MEMBERS:** Aye.

**CHAIR:** Those against?

Carried.

On motion, preamble carried.

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

**CHAIR:** Shall the enacting clause carry?

All those in favour?

**SOME HON. MEMBERS:** Aye.

**CHAIR:** Those against?

Carried.

On motion, enacting clause carried.

**CLERK:** An Act For Granting To Her Majesty Certain Sums Of Money For Defraying Certain Expenses Of The Public Service For The Financial Year Ending March 31, 2019 And For Other Purposes Relating To The Public Service.

**CHAIR:** Shall the long title carry?

All those in favour?

**SOME HON. MEMBERS:** Aye.

**CHAIR:** Those against?

Carried.

On motion, title carried.

**CLERK:** The Schedule.

**CHAIR:** Shall the schedule carry?

All those in favour?

**SOME HON. MEMBERS:** Aye.

**CHAIR:** Those against?

Carried.

On motion, Schedule carried.

**CHAIR:** Shall I report the resolution of Bill 3 carried without amendment?

All those in favour?

**SOME HON. MEMBERS:** Aye.

**CHAIR:** Those against?

Motion, that the Committee report having passed the resolution and a bill consequent thereto, carried.

**CHAIR:** The hon. the Minister of Finance and President of Treasury Board.

**MR. OSBORNE:** Thank you, Mr. Chair.

The questions asked by the Opposition House Leader, I will get him – in fact, I have the responses here but I'll provide that to you. I wasn't sure if other Members were going to get up. Things moved along very quickly.

Mr. Chair, I move, seconded by the Government House Leader, that the total contained in the Estimates in the amount of \$5,010,991,400 for the fiscal years 2018-19 be carried and that the Committee report that they have adopted a resolution and a bill consequent thereto.

**CHAIR:** The motion is that the total contained in the Estimates in the amount of –

Order, please!

The hon. the Minister of Finance and President of Treasury Board.

**MR. OSBORNE:** Thank you, Mr. Chair.

I understand that the amount is not just the Supply but the full budget and that amount is \$7,817,543,600.

**CHAIR:** The motion is that the total contained in the Estimates in the amount of \$7,817,543,600 for the 2018-2019 fiscal year be carried and that the Committee report that they have adopted a resolution and have a bill consequent thereto.

All those in favour?

**SOME HON. MEMBERS:** Aye.

**CHAIR:** Those against?

Carried.

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

**MR. SPEAKER (Trimper):** The hon. the Member for Baie Verte - Green Bay and Chair of the Committee of Supply.

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

**MR. WARR:** Mr. Speaker, the Committee of Supply have considered the matters to them referred and have directed me to report that they have passed the amount of \$7,817,543,600 contained in the Estimates of Supply for the 2018-2019 fiscal year and have adopted a certain resolution and recommend that a bill be introduced to give effect to the same.

**MR. SPEAKER:** The Chair of the Committee of the Whole reports that the Committee have considered the matters to them referred and have directed him to report that the Committee have adopted a certain resolution, and recommend that a bill be introduced to give effect to the same.

When shall the report be received? Now?

**MS. COADY:** Now.

**MR. SPEAKER:** Now.

On motion, report received and adopted.

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

**MS. COADY:** Mr. Speaker, I move, seconded by the Minister of Finance and President of Treasury Board, that the resolution be now read a first time.

**MR. SPEAKER:** It is moved and seconded that this resolution be now read a first time.

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

All those in favour?

**SOME HON. MEMBERS:** Aye.

**MR. SPEAKER:** All those against?

This motion is carried.

**CLERK:** *“Be it resolved by the House of Assembly in Legislative Session convened, as follows:*

*“That it is expedient to introduce a measure to provide for the granting to Her Majesty for defraying certain expenses of the public service for the financial year ending March 31, 2019 the sum of \$5,010,991,400.”*

On motion, resolution read a first time.

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

**MS. COADY:** Mr. Speaker, I move, seconded by the Minister of Finance and President of Treasury Board, that the resolution be now read a second time.

**MR. SPEAKER:** It is moved and seconded that this resolution be now read a second time.

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

All those in favour?

**SOME HON. MEMBERS:** Aye.

**MR. SPEAKER:** All those against?

The motion is carried.

**CLERK:** *“Be it resolved by the House of Assembly in Legislative Session convened, as follows:*

“That it is expedient to introduce a measure to provide for the granting to Her Majesty for defraying certain expenses of the public service for the financial year ending March 31, 2019 the sum of \$5,010,991,400.”

On motion, resolution read a second time.

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

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

I move, seconded by the Minister of Finance and President of Treasury Board, for leave to introduce the Supply bill, Bill 3, and I further move that the said bill be now read a first time.

**MR. SPEAKER:** It is moved and seconded that the hon. the Minister of Finance shall have leave to introduce a bill entitled the Supply bill, Bill 3, and that the said bill be now read a first time.

Is it the pleasure of the House that the hon. the Minister of Finance shall have leave to introduce the Supply bill, Bill 3, and that said bill be now read a first time?

All those in favour of the motion?

**SOME HON. MEMBERS:** Aye.

**MR. SPEAKER:** All those against?

The motion is carried.

Motion, the hon. the Minister of Finance and President of Treasury Board to introduce a bill, “An Act For Granting To Her Majesty Certain Sums Of Money For Defraying Certain Expenses Of The Public Service For The Financial Year Ending March 31, 2019 And For

Other Purposes Relating To The Public Service,” carried. (Bill 3)

**CLERK:** A bill, An Act For Granting To Her Majesty Certain Sums Of Money For Defraying Certain Expenses Of The Public Service For The Financial Year Ending March 31, 2019 And For Other Purposes Relating To The Public Service. (Bill 3)

On motion, Bill 3 read a first time.

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

**MS. COADY:** I move, seconded by the Minister of Finance and President of Treasury Board, that the Supply bill be now read a second time.

**MR. SPEAKER:** It is moved and seconded that the Supply bill be now read a second time.

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

All those in favour?

**SOME HON. MEMBERS:** Aye.

**MR. SPEAKER:** All those against?

The motion is carried.

**CLERK:** A bill, An Act For Granting To Her Majesty Certain Sums Of Money For Defraying Certain Expenses Of The Public Service For The Financial Year Ending March 31, 2019 And For Other Purposes Relating To The Public Service. (Bill 3)

On motion, Bill 3 read a second time.

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

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

I move, seconded by the Minister of Finance and President of Treasury Board, that the Supply bill be now read a third time.

**MR. SPEAKER:** It is moved and seconded that the Supply bill be now read a third time.

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

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

This motion is carried.

**CLERK:** A bill, An Act For Granting To Her Majesty Certain Sums Of Money For Defraying Certain Expenses Of The Public Service For The Financial Year Ending March 31, 2019 And For Other Purposes Relating To The Public Service. (Bill 3)

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

On motion, a bill, "An Act For Granting To Her Majesty Certain Sums Of Money For Defraying Certain Expenses Of The Public Service For The Financial Year Ending March 31, 2019 And For Other Purposes Relating To The Public Service," read a third time, ordered passed and its title be as on the Order Paper. (Bill 3)

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

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

I call Motion 2, to move that the House resolve itself into a Committee of the Whole to consider a resolution relating to the raising of loans by the province, Bill 17.

**MR. SPEAKER:** It is moved and seconded that this House do now resolve itself into a Committee of Whole to review the said bill.

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

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

The motion is carried.

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

### Committee of the Whole

**CHAIR (Warr):** We are now debating the related resolution and Bill 17, An Act To Authorize The Raising Of Money By Way Of Loan By The Province.

### Resolution

*"Be it resolved by the House of Assembly in Legislative Session convened, as follows:*

*"That it is expedient to bring in a measure to authorize the raising from time to time by way of loan on the credit of the province a sum of money not exceeding \$1,450,000,000."*

**CHAIR:** Shall the resolution carry?

The hon. the Minister of Finance and President of Treasury Board.

**MR. OSBORNE:** Thank you, Mr. Chair.

I move, seconded by the Minister of Tourism, Culture, Industry and Innovation that Bill 17, An Act To Authorize The Raising Of Money By Way Of Loan By The Province be now read a second time.

**CHAIR:** The hon. the hon. the Minister of Finance and President of Treasury Board.

**MR. OSBORNE:** Thank you, Chair.

Bringing forward the *Loan Act, 2018*, everybody in the House will be familiar with the loan acts. They are regular pieces of legislation that give the government the authority to borrow in any given year.

I hate to call it an annual occurrence because it's not always every year. It's almost every year that we bring in a loan act; however, last year the province didn't require a loan act. The previous year the province – through the Loan Act – borrowed enough to carry it for the previous year and for last year as well. The reason that happened, Mr. Chair, the previous year the government borrowed \$3.4 billion in the *Loan Act, 2016*. So there was no loan act in

2017, but there was a loan act in 2016, 2015, 2014 and so on. It's almost every year, not annually, so I won't call it an annual thing.

This year, Mr. Chair, we are in the *Loan Act, 2018*, the requirement for \$1.45 billion to meet the 2018 and 2019 requirements. This is in line with the projected borrowing as announced in *Budget 2018*. However, it is better than forecast. The budget of 2017 forecast that we would need to borrow \$1.6 billion this year, because of measures taken by government and some of the efficiency measures that we've taken, we've gotten that to \$1.45 billion requirement so we're better than what was forecast in 2017.

Mr. Chair, we made the point on budget day, but it does bear repeating that the \$1.45 billion borrowing, as I said, is ahead of the forecast in 2017, so we are ahead of forecast. We are focused and remain focused on returning to surplus in 2022-23. The measures that we brought forward in *Budget 2018* will help us get to surplus in 2022-23.

It is through the rigorous fiscal management practices of our government and the balanced approach that we are taking, Mr. Chair, that the department has reduced our borrowing requirements in each of the past two years from the original projections of what we set out as what we would need to borrow.

We remain focused on returning to surplus in 2022-23. The \$1.45 billion that is required for borrowing in this particular fiscal year will see us realize returning to surplus. It remains government's main focus through our fiscal approach, and we do that so that we can continue to reduce our borrowing needs. We'll continue to find efficiencies hopefully again this year. What we forecast we're going need to borrow next year, we'll be ahead of target again next year.

So, Mr. Chair, the borrowing that we're doing this year will help ensure things such as paying out the severance requirements that we've committed to in the negotiations with NAPE and hopefully with other public sector unions. We will also be bringing in measures to ensure that we pay out the severance requirements for non-bargaining and management employees throughout government as well.

When you look at the fact that we've been able and have successfully negotiated the payout of severance with our largest public sector union, you look at the fact that last year we forecast we were going borrow \$1.6 billion, which didn't include the \$600 million in severance payouts which – the severance payouts, I will say, is one-time borrowing, but it eliminates the liability off of government's books and prevents that liability from continuing to grow at an enormous rate each and every year.

So we will have to pay out the borrowing to cover the payout of severance, but that liability will not continue to grow each and every year. It will also help stimulate the economy, because much of that severance payout will come back to government in the form of income and sales taxes. It will also help local businesses throughout the province as people receive their severance and spend in local businesses.

The borrowing will help with that. It will also help with the requirements to provide additional funding to Nalcor, which we're required to do until the Muskrat Falls Project is completed. The borrowing this year – it's important, it's ahead of target. It's especially ahead of target when you consider the fact that we're paying out severance, which wasn't anticipated when we forecast in 2017 a borrowing requirement of \$1.6 billion.

So we're actually doing exceptionally better than was forecast last year as far as borrowing is concerned.

Thank you, Mr. Chair.

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

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

**MR. HUTCHINGS:** Thank you, Mr. Chair.

I'm glad to rise to speak to speak to Bill 17.

The minister spoke to the bill and as he said, it's usually an annual process you go through in regard to government looking at expenditures and revenues and based on other investments, being able to meet the needs. This bill looks at the authority to allow a borrowing for the

current fiscal year – or that fiscal year – with a cap to what that borrowing would be. Now, based on government's projection, that may be needed – part, or some, or all – but it is a projection of what would be needed to meet its obligations and any unforeseen obligations.

The minister had mentioned one of the things that government has taken an initiative on, and that's in regard to severance payout. He'd mentioned the fact that part of the borrowing may indeed fund some of the payout of severance to public servants. I think the NAPE particular one was about \$250 million. Then from the minister in other discussions we had, we looked at, I think it was either three or two other unions that were in discussion, and what may flow from them in regard to severance. That would be something as well I guess, that could evolve over the next fiscal year.

When we went through Estimates, we talked about discussions in Finance in regard to where money is raised on the various markets, and a couple of years ago government talked about going outside of domestic markets. It's been some time, I think, in this province since we've done that, securing funds from outside the market, and I think the United States was looked at.

In the past couple of years I think there's been some expenditure in regard to entering that market and raising funds outside of our own markets of Canada. I think we had discussions about work that's been done over the last couple of years in regard to that possibility to raise funds in another market. I think the European market as well; there was some discussion about that and the possibilities.

Now one of the things with that is the concern in the exchange on rate fluctuations in regard to entering another market. In Estimates we had some discussion in being insulated from that in the rate you pay and the type of markets you enter, but in and of itself there's still a cost to that. Again, with that fluctuation it could be of a negative version depending on where the rate is at a particular time after the initial borrowing is done. That's something, I guess, government would assess the risk in terms of access and the cost of going into those markets as opposed to in a domestic market.

The other issue is too, the agencies too, I guess once you have discussions about maybe going into a US market or European market, they're aware of that and maybe would be a little bit more inviting in the rate that's paid, the tenure of that rate and those kinds of things. So it may help on that side of things. That's something as a province we need to keep an eye out in entering other markets outside, domestic markets in raising of funds to meet obligations. I think from Estimates, I don't think a decision had been made on that. I'm sure it'll be announced at a particular time if we do go outside current domestic markets to raise funds.

The minister spoke to the province's fiscal plan, the current government's fiscal plan in returning to surplus in '22-'23. It led a seven-year plan to do that. We've talked about it here and had discussions and discussed with the minister as well on Estimates in regard to meeting that plan. Some disagreement on what the bond rating agency says or government's fiscal plan, whether it's achievable, a lot of challenges over that period of time in economic changes, a slight recession or you could see a greater return on a commodity like a barrel of oil, which we're seeing now.

Who would've thought two or three years ago that a barrel of oil would be back at \$80? I think the budgeted was \$63; now just recently it's hovering around \$80 again. Then when you looked at that with the exchange rate, there's a huge amount of revenue that can be returned to the Provincial Treasury based on that. I think somewhere in the range of a dollar and change to the good on a barrel of oil could equate – and that's an average over, obviously, the fiscal year, the 12 months. It's not scrape the seed up for a number of weeks or a month or two, but it has to have that longevity over a period of time for the whole year to give the type of returns that could really help the province in additional revenue.

I think I read it was somewhere a little over – for every dollar to the good, it's about \$20 million plus in returns back to the Provincial Treasury over the full fiscal year. So that's positive in terms of the ability to meet our needs. Obviously, if we can do it through increase in royalties, increase in returns of our investments, that's money we don't have to borrow, which is



positive no matter who's governing our province and our fiscal framework.

So that's something to watch as we proceed over this fiscal year. Some projections are that it will continue to rise, others not. I think there are about 11 agencies that the government uses in giving advice in regard to the projection of oil. It's very similar to the same 11 that have been used in our term in government as well. Based on that, you take a projection where you think they're going to be and build your budget around that. Then tied to that would be a bill like this Bill 17, which would allow you to meet those obligations and a cap on the actual ability to raise funds if and when they're needed.

As the minister said, this is an exercise that government goes through every year. It identifies for the people of the province what that capacity is in the raising of money by way of loan by the province and being able to meet the obligations.

The minister spoke, as I said, of the fiscal framework or fiscal capacity or plan as you lay it out. I know we had discussions before – he mentioned in regard to cutting expenditures, trying to bring down costs to meet our needs and to not have to borrow and get down to any deficit. Expenditures this year were a little up, about 2 per cent, but if you look at things like inflation, cost of living and those kinds of things, even if your spending is status quo, due to inflation, even a couple of per cent, it's significant in regard to expenses over an \$8 billion budget.

Those are some of the things we have to watch as we move forward over the next several months. Certainly, look at our commodity prices, I mentioned oil. Look at iron ore; we had discussion here in regard to that on the mineral side of things, the return we get for that, the royalties. As well, from the mining sector, certainly high paying jobs, personal and corporate income tax that comes back to the Treasury.

Iron ore is starting to bounce back. We're hopeful, and we've asked questions here in regard to Voisey's Bay, what the plan is for that and getting that operational and going underground. Cobalt, I understand is a derivative

as well that in world markets now is very high in terms of the commodity price and what it is. If we can link those two – and the Minister of Natural Resources had talked about this here in the House – it poses great potential for employment, for development of underground mining in Labrador as part of the Voisey's Bay Project and, as well, the longevity.

I think the original plan was to go underground in 2020 I believe, so it's important we get that started and be able to draw down on the economic benefit that's coming from that. We need it because we've seen several megaprojects over the past number of years bring great wealth, great experience to a state-of-the-art workforce and that experience to build those projects and various facilities. Now on the horizon, hopefully with some of the great reserves offshore here on the Island and in Labrador, the mining side, we can see increased revenue and increased activity to drive our economy and improve our financial position.

That, too, means that it's an environment where corporate and other investors want to invest, see an opportunity here to invest. That's a place where young families want to stay, come here and continue to build their livelihood here and be part of our community. That's part of the whole package in regard to economic stability.

That's it in regard to Bill 17. I certainly recognize the requirement for it. We look forward, over the next several months, to monitoring the fiscal plan laid out by the current minister and the government in 2018, but also 2016 and 2017 budgets. It's a four-year window that you get the privilege to lay out an economic plan and we'll continue to follow.

As I said, there are positive items in our province moving forward; a great opportunity. We certainly see them to be hopefully exploited in this fiscal year and continue to see our economic woes continue and economic opportunities for all concerned continue.

Thank you, Mr. Chair.

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

**MR. LANE:** Thank you, Mr. Chair.

I'm glad to have an opportunity to speak to Bill 17. As has been said, what the government is looking to do in this particular bill is to have the approval of the House to be able to borrow up to a maximum of \$1.45 billion – I emphasize: \$1.45 billion with a B.

Mr. Chair, it's unfortunate, I think, that we're at a stage where we all feel to some degree that it's almost been routine business. It's not this particular budget but it's almost been routine business to be borrowing billions and billions of dollars year over year over year. At the end of the day we keep adding to the tab and at the end of the day it has to be paid back. As we do so, then we're having higher debt-servicing costs and so on. I understand the need for it. I obviously support it. We have to pay the bills, obviously, but it is a concern. It is a concern that we all have to be cognizant of.

With that said, it's not all doom and gloom. As the Member for Ferryland indicated there, I think there are reasons to be optimistic. Oil prices now have gone to \$80 or over \$80 which is good. I'm glad to see that government is only budgeted at \$60-odd which I think is the prudent thing to do. It's really where we need to be in the future actually, not budgeting based on the highest possible commodity prices but, actually, being more conservative in our estimates. If at the end of the year we wind up with a surplus, we can pay it down on debt. If we don't and prices drop, at least we have that buffer. That, I think, is the prudent thing to do and I support that.

As I said, there are opportunities with oil and gas in terms of production. We just heard of another discovery, I think last week, White Rose 2 I think it's called or something like that and another discovery. We know that's just the tip of the iceberg, based on the seismic data that was put in place by the former administration I would acknowledge. It was a good investment. From what I understand, there is tremendous opportunity right around the coast of our province and certainly up the coast of Labrador as well.

We know there's wealth there in terms of oil and gas. We know we have tremendous wealth in terms of minerals in the Big Land and also on the Island. Commodity prices are starting to go

up in iron ore and other minerals. That's a positive thing.

We have opportunities. I'm glad to see some of the investments that have been made and decisions made around our forestry industry although, granted, there is work to be done in forestry with freeing up more land for agriculture. There are opportunities, as we know, with aquaculture providing it can be done in an environmentally sustainable way. There's definitely opportunity to diversify the economy and employ a lot of people in our aquaculture industry.

With tourism, we continue to see growth in tourism, which is fantastic news, particularly seeing growth on the shoulder seasons which is really where need to go. Bonavista is a real success story, the whole Bonavista Peninsula, which hopefully we can emulate in other parts of the province. I know it is happening in other areas, but we need to continue working on that, expanding those shoulder seasons.

There is no doubt opportunity here, and it isn't all doom and gloom. There is opportunity to grow our economy, to diversify our economy. Diversifying the economy, as I've said in the past and I think everyone would acknowledge, there's no such thing as waving a magic wand and the whole economy is diversified; it's not as simple as that. It takes a lot of time. It takes investment in terms of creating an environment for that to happen and the strategic planning and so on in the various sectors, but we do have opportunity to diversify beyond just oil and gas.

It's also important that we note the opportunity, what brought our people here to begin with: the fishery. It's still a billion-dollar industry, but there are definitely challenges in the fishery. I have in the past and I will continue to say that I think that we need to be a little more aggressive with Ottawa and put more pressure on our federal MPs to be taking a more, what I would view, proactive approach on our fishery and trying to get things like adjacency and so on as a principle – maybe even joint management, which would ultimately be what we would like to see.

Mr. Chair, there are lots of opportunity. There is reason to be optimistic for the future. But, with

that said, again I have to come back to the fact that despite the bright future we may have, everyone must remember what we're doing here on top of an already huge deficit, on top of the huge bill associated to Muskrat Falls – and we've seen where that went and how that's gone out of control in terms of cost and so on. By way of this particular motion, we're going to add up to \$1.45 billion on top of that.

That is without a doubt a concern, and we definitely need to continue to work on reducing those numbers. We need to work on not just diversifying the economy but controlling expenditures. I will say in fairness we have seen some measures taken by government to reduce some costs. I applaud them for doing that, but there is definitely more work to be done – definitely more work to be done. Everybody can't be employed by the government, we can't go laying people off in mass layoffs, but we have to utilize attrition and be as aggressive as we can, bearing in mind the people still need, require, deserve government services. So we have to be careful in how we do it, but we do need to get those expenditures and those numbers down. I think it's also important that we need to create that environment for investment, for people to be more willing to spend money, invest and so on, and we do that by reducing the tax burden.

We have seen some measures taken to start to reduce that; we need to do more, and I'll certainly be happy when the levy is gone – I will say that for the record, again – but we are heading in the right direction in terms of that as well, which I will acknowledge. Obviously disappointed with the carbon tax coming our way – don't have a whole lot of control, but I'm still disappointed that that's going to happen. I will still say as well, in terms of the creating an environment for investment and so on, we've had – Vaughn Hammond and their group – the small business group, the name escapes me at the moment, but anyway –

**AN HON. MEMBER:** CFIB.

**MR. LANE:** CFIB.

And they've talked about the fact that if you want to see investment and so on, and if you want small business to grow, create that

atmosphere by reducing taxation so that people invest and people spend and so on. We don't need to be writing cheques and handing out big money to big corporations. We don't need to be giving big tax breaks to big corporations. There will be times in certain industries and certain communities where it's a one-industry town, and if they're in danger of shutting down and totally devastating the community – we've seen other times where government was forced to have to make some investment to keep it going; I get that.

In general, we don't need to be at that, and certainly I was disappointed in the Canopy Growth decision. I wouldn't have gone that way, personally. I think that in that particular case they could have come in and built the facility if they wanted to. They didn't need a tax subsidy to do it. We should have been working more with local business to make it a more local thing as opposed to sending tax dollars out to the mainland. So I do have a concern with that one.

In general, I've got to say, there are positives happening and I think we're starting to turn the corner; we're starting to head in the right direction, slowly but surely. At the end of the day, we do have to support this bill because we do have to pay the bills. Once again, it's another \$1.45 billion dollars added on to the huge amount that we already owe, and that has to be a concern for us all.

Thank you, Mr. Chair.

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

**MS. MICHAEL:** Thank you very much, Mr. Chair.

I thought I would stand and make a couple of points, as we draw to the end of issues that are related to budget. As we know this, in itself, is not a budget issue. It is in a sense that the loan guarantee is to pay for the deficit.

Some thoughts on where we are – today, my colleague from St. John's Centre asked some questions on Canopy Growth. The government seemed to be upset and I've heard them being upset when other people in the House mentioned it, when we talk about the \$40 million gift. No,

they're not giving that money to Canopy Growth. No, they're not giving that money. Well, yeah, they are. Because by giving Canopy Growth a tax break, that's money that would have come into the public coffers and it's not coming into the public coffers. It's money that we could have had so if that's not a gift of \$40 million, if that's not a cash gift, I don't know what it is.

I get upset when government plays around with things like that and things that people don't recognize what they're doing, don't recognize what they're saying because people do; \$40 million is \$40 million. The other day there was a picture on the front page of *The Telegram* and I bet we all saw it: a big smiling face of a senior citizen, smiling because she now had teeth in her head; a face of a woman who, even though part of the cost was covered in order to reconstruct her gums in order for her to be able to wear teeth, still money had to be raised for that woman to be able to have teeth in her head.

At this day and age, we all understand how important it is to have good teeth, how important it is to be able to chew one's food. Chewing one's food is the first step in getting good nutrition. Yet we continue to ignore in this province the need for low-income people, for senior citizens to have their costs covered, not just extraction, not just letting teeth rot in their heads and then pull them out, but preventive dental care, dental hygiene and dental care covered for low-income people and for senior citizens.

It's shameful to think that that picture of that woman on that front page is a picture of somebody who had to go begging to the public in order to have her face reconstructed and have her teeth. The MCP covered part of the procedure and she had to beg for money for the rest of it.

I understand debt; I understand the situation that we're in.

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

**CHAIR:** Order, please!

**MS. MICHAEL:** Thank you very much, Mr. Chair.

I understand the situation that we're in but government does have to put in place longer-term plans for growth.

My colleague to my right doesn't always agree on stuff, but that part I agree on with him. Government has to put a plan in place for growth because if not, we continue borrowing. We keep asking government for a long-term plan. We keep asking them what is your answer with regard to, for example, the fact that our employment rate is going down and our unemployment rate is going up. I'm not talking about government creating the jobs; I'm talking about government creating a climate, creating what's needed for the private sector to feel confident enough to get into projects that will create jobs.

I'm not asking government to create the jobs, but government is responsible for laying the groundwork for having a climate here that encourages investment, that encourages people to do more to get jobs in this province. We are losing our young people, we are losing jobs and that's the reality. What can be done? Government is not coming up with answers. They keep telling us to wait, that things are getting better but things aren't getting better. What is their plan for moving forward?

I see so many possibilities and so much potential in the agriculture sector. Yes, I'm glad that land is being freed up, but that is such a small part of what's needed. Government has to see the need to really help to invest in the younger farmers, the younger people who want to get into agriculture. It's so exciting to know there are young people wanting to get into it. That's why I follow the Young Farmers NL Twitter account because I really like seeing the things that they're doing.

If these are going to grow into enterprises that create more jobs – not just for the people of the family who may have started this project or starting an agricultural project, but create more jobs for others as well – then we need to really give support to them. We really need to do more than just make land available to them.

I know government will say they really support agriculture NL and they go to the events, et cetera, but we need more than that. We need a

plan. The diversification that government talks about – I want diversification into new areas, not just another project in oil and gas or not just another project in mining. That's not diversification of the economy, that's still depending on the natural resource sector.

We have to diversify by getting into new sectors. There are some that we've gotten into that we're aware of in IT, for example. There is growth there, but what is government doing to really help that even more? What is the thinking that's going on inside of government to see what the potential projects are that could be done that will create more jobs? Not created by government but by government creating the atmosphere that really encourages others to come.

You look at what can be done in this province – for example, the award that's being won by people from the medical school because of the work they've done with regard to that heart condition that some families in this province have carried genetically – I mean it's tremendous the people that we have in this province and the potential that we have. What is government doing in looking for other opportunities, sitting with others and looking for the opportunities in new areas?

As I said, a new find in mining or something new in oil and gas is not diversification. That's still depending on the same old same old and that's what we have to change in this province. I know that entrepreneurs are, but where is government in working with entrepreneurs? Are we looking at the potential, for example, because of IT? The fact that one can sit anywhere in the world and be doing work that is going on somewhere else in the world because of the tremendous technologies that we have today is quite amazing.

It's just like the other day, I was communicating with somebody who was down in South Africa. We were working on something together and all of a sudden it struck me and I said to the person I was communicating with: This is absolutely amazing. When you think about it, the age that we're living in, we're sitting in two different poles of the planet working on a project together in real time.

I think we really need to do a whole lot more thinking about how that can grow in our province. Every now and again you hear a story of an entrepreneur here in Newfoundland and Labrador who's probably in a small community in rural Newfoundland and who has a business going because of the technology that we have today. I just think there's so much more that we could be doing because of today's technology.

The technology is out there being used in the industries that are part of us like mining and oil and gas, but the technologies in and of themselves are industry. What are we doing? How are we using that technology to create more jobs here in this province to create a greater economy?

Thank you very much, Mr. Chair.

**CHAIR:** Shall the resolution carry?

All those in favour?

**SOME HON. MEMBERS:** Aye.

**CHAIR:** Those against?

Carried.

On motion, resolution carried.

A bill, "An Act To Authorize The Raising Of Money By Way Of Loan By The Province." (Bill 17)

**CLERK:** Clause 1.

**CHAIR:** Shall clause 1 carry?

All those in favour?

**SOME HON. MEMBERS:** Aye.

**CHAIR:** Those against?

Carried.

On motion, clause 1 carried.

**CLERK:** Clauses 2 through 6 inclusive.

**CHAIR:** Shall clauses 2 through 6 inclusive carry?

All those in favour?

**SOME HON. MEMBERS:** Aye.

**CHAIR:** Those against?

Carried.

On motion, clauses 2 through 6 carried.

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

**CHAIR:** Shall the enacting clause carry?

All those in favour?

**SOME HON. MEMBERS:** Aye.

**CHAIR:** Those against?

Carried.

On motion, enacting clause carried.

**CLERK:** An Act To Authorize The Raising Of Money By Way Of Loan By The Province.

**CHAIR:** Shall the long title carry?

All those in favour?

**SOME HON. MEMBERS:** Aye.

**CHAIR:** Those against?

Carried.

On motion, title carried.

**CHAIR:** Shall I report Bill 17 carried without amendment?

All those in favour?

**SOME HON. MEMBERS:** Aye.

**CHAIR:** Those against?

Carried.

Motion, that the Committee report having passed the resolution and a bill consequent thereto, carried.

**CHAIR:** The Government House Leader.

**MR. A. PARSONS:** Mr. Chair, I move that the Committee rise and report the resolution of Bill 17.

**CHAIR:** The motion is that the Committee rise and report the resolution of Bill 17.

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

All those in favour?

**SOME HON. MEMBERS:** Aye.

**CHAIR:** Those against?

Carried.

On motion, that the Committee rise and report progress, the Speaker returned to the Chair.

**MR. SPEAKER (Trimper):** The hon. the Member for Baie Verte - Green Bay and Chair of the Committee of Ways and Means.

**MR. WARR:** Mr. Speaker, the Committee of Ways and Means have considered the matters to them referred and have directed me to report that they have adopted a certain resolution and recommend that a bill be introduced to give effect to the same.

**MR. SPEAKER:** The Chair of the Committee of Ways and Means reports that the Committee have considered the matters to them referred and have adopted a certain resolution and recommend that a bill be introduced to give effect to the same.

When shall the report be received?

**MR. A. PARSONS:** Now.

**MR. SPEAKER:** Now.

On motion, report received and adopted.

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

**MR. A. PARSONS:** Mr. Speaker, I move, seconded by the Minister of Natural Resources, that the resolution be now read a first time.

**MR. SPEAKER:** It is moved and seconded that the resolution be now read a first time.

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

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

The motion is carried.

**CLERK:** *"Be it resolved by the House of Assembly in Legislative Session convened, as follows:*

*"That it is expedient to bring in a measure to authorize the raising from time to time by way of loan on the credit of the province a sum of money not exceeding \$1,450,000,000."*

On motion, resolution read a first time.

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

**MR. A. PARSONS:** Mr. Speaker, I move, seconded by the Minister of Natural Resources, that the resolution be now read a second time.

**MR. SPEAKER:** It is moved and seconded that the resolution be now read a second time.

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

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

The motion is carried.

**CLERK:** *"Be it resolved by the House of Assembly in Legislative Session convened, as follows:*

*"That it is expedient to bring in a measure to authorize the raising from time to time by way of loan on the credit of the province a sum of money not exceeding \$1,450,000,000."*

On motion, resolution read a second time.

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

**MR. A. PARSONS:** Mr. Speaker, I move, seconded by the Minister of Natural Resources, for leave to introduce a bill entitled, An Act relating to The Raising Of Loans By The Province, Bill 17, and I further move that the bill be read a first time.

**MR. SPEAKER:** It is moved and seconded that the hon. the Government House Leader shall have leave to introduce a bill entitled, An Act To Authorize The Raising Of Money By Way Of Loan By The Province, Bill 17, and that the said bill be now read a first time.

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

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

The motion is carried.

Motion, the hon. the Minister of Finance and President of Treasury Board to introduce a bill, "An Act To Authorize The Raising Of Money By Way Of Loan By The Province," carried. (Bill 17)

**CLERK:** A bill, An Act To Authorize The Raising Of Money By Way Of Loan By The Province. (Bill 17)

On motion, Bill 17 read a first time.

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

**MR. A. PARSONS:** Mr. Speaker, I move, seconded by the hon. Minister of Natural Resources, that Bill 17 be now read a second time.

**MR. SPEAKER:** It is moved and seconded that the said bill be now read a second time.

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

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

The motion is carried.

On motion, Bill 17 read a second time.

**CLERK:** A bill, An Act To Authorize The Raising Of Money By Way Of Loan By The Province. (Bill 17)

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

**MR. A. PARSONS:** Mr. Speaker, I move, seconded by the Minister of Natural Resources, that Bill 17 be now read a third time.

**MR. SPEAKER:** It is moved and seconded that Bill 17 be now read a third time.

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

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

The motion is carried.

**CLERK:** A bill, An Act To Authorize The Raising Of Money By Way Of Loan By The Province. (Bill 17)

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

On motion, a bill, "An Act To Authorize The Raising Of Money By Way Of Loan By The Province," read a third time, ordered passed and its title be as on the Order Paper. (Bill 17)

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

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

By leave; I understand I have the leave from both House Leaders with regard to this.

Thank you.

I am giving notice of the motion for tomorrow's private Member's motion. It will be moved by the Member for St. John's Centre.

WHEREAS while national unemployment has reached a record low, Newfoundland and Labrador's unemployment rate of 14.8 per cent in 2017 was twice the national average; and

WHEREAS the R8 unemployment rate is growing closer to 20 per cent, taking into account those who have given up looking for work or are underemployed; and

WHEREAS it is crucial for all of us to work together to address the growing unemployment crisis; and

WHEREAS we have seen the success of previous all-party committees on Northern shrimp and mental health and addictions;

BE IT RESOLVED that the House of Assembly urge government to create an all-party select committee on jobs to address the growing unemployment crisis in Newfoundland and Labrador.

Seconded by myself, Member of St. John's East - Quidi Vidi, and this will be for tomorrow's private Member's motion.

**MR. SPEAKER:** Thank you.

The hon. the Government House Leader.

**MR. A. PARSONS:** Perhaps what I could suggest is, to make sure we maintain parliamentary procedures, that maybe the



Member could move it and we could find an alternate seconder, and what I would –

**MS. MICHAEL:** It's only a notice of motion.

**MR. A. PARSONS:** It's only a notice of motion. We're going to move the motion tomorrow?

**MS. MICHAEL:** That's right.

**MR. A. PARSONS:** Okay, that works for us.

**MR. SPEAKER:** Okay.

The hon. the Government House Leader.

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

Given the hour of the day, I would move, seconded by the Minister of Natural Resources, that the House do now adjourn.

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

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

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

This House stands adjourned until tomorrow at 10 o'clock in the morning.

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