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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 several guests that we have in the Assembly today. First of all, in the Speaker's gallery I'd like to welcome Mrs. Jean Hanley, who will be the subject of a Ministerial Statement this afternoon. She's accompanied by Earl Howell, chair of the Vera Perlin charitable foundation, and two of her daughters, Vera Howard and Cathy LeDrew.

Welcome also to members and clients of the Vera Perlin Society who are joining us in the public gallery.

A great welcome to you all.

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

**MR. SPEAKER:** Also joining us in the Speaker's gallery today is a very esteemed gentleman; he happens to be the husband of the Minister of Children, Seniors and Social Development, Mr. Gaius Dempster.

Welcome to you, Sir.

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

**MR. SPEAKER:** And then to my immediate right I would like to welcome, in the public gallery, a very special class. It's Mme Ashleigh Hudson's grade 4 French Immersion class from Vanier Elementary School in St. John's. I just watched a great video of them, along with the Minister of Environment. It's a great group; they will be mentioned in a Member's statement today.

Un grand gros bienvenue, et bonjour tout le monde.

**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 Torngat Mountains, Fogo Island

- Cape Freels, Cape St. Francis, Placentia West - Bellevue and Virginia Waters - Pleasantville.

The hon. the Member for Torngat Mountains.

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

I rise today to recognize the newly elected members of our Nunatsiavut Government. The new members were sworn in at the Nunatsiavut legislature in Hopedale earlier this month. Some of these individuals have gone on to take up Cabinet portfolios in various departments.

Congratulations to Jim Lyall and Anthony Anderson of Nain, Rachel Saunders of Hopedale, Tyler Edmunds of Postville, Kate Mitchell of Makkovik, Carlene Palliser of Rigolet, Gerald Asivak and Marlene Winters-Wheeler of Upper Lake Melville and Ed Rudkowski and Roland Saunders representing the Canadian constituency.

Mr. Speaker, although I represent many of these officials in the provincial Legislature, they, in turn, represent me in our Nunatsiavut Government. I look forward to working with these newly elected officials in advancing the lives of the people we represent.

Mr. Speaker, I ask all hon. Members to join me in congratulating all of the newly elected officials of our Nunatsiavut Government and wish them well in their governance over the next four years.

Thank you.

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

**MR. SPEAKER:** The hon. the Member for the District of Fogo Island - Cape Freels.

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

It's with a heavy heart I rise in this hon. House today. Two years ago, I rose to highlight an outstanding volunteer from my District of Fogo Island - Cape Freels - a guy who gave everything and expected nothing in return.

Leo Blackmore was indeed a man amongst men. As a young driver, Leo was involved in a car accident which left him a paraplegic. To say it

left him confined to a wheelchair would not be anywhere accurate to describing his life. My best memory of Leo was his ability to tear up the dance floor. I'm sure there were times he had that chair up on one wheel.

Seven years ago, cancer turned Leo's wheelchair upside down. He fought the fight of his life. Unfortunately on May 16, Leo lost his fight. At 56 years old, Leo left this world, but not before making his mark in the New-Wes-Valley area. He will be fondly remembered for his love of serving on the recreation committee and the Lions Club. He will surely be missed at the local stores selling tickets.

I want his family to know how much Leo was appreciated as we celebrate his life.

Thank you, Mr. Speaker.

**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.

I rise today to recognize the Torbay Lions Club for its tremendous community service. Mr. Speaker, the Torbay Lions Club is the newest club in the province and, in a short time, has contributed greatly to our community. It is a very active club and is involved in many activities – everything from concerts, parades, pancake suppers, dart tournaments, clothing collection, dog walks, you name it, the Torbay Lions Club is there.

With the tremendous fundraising efforts, the club has made donations to a wide variety of groups such as the Torbay library, the Holy Trinity Elementary school breakfast program, the Gathering Place and the Fort McMurray Relief Fund, to name a few. They have also assisted many area residents with funding for medical travel and other emergency services, and have sponsored an award for the graduating high school students.

But today, Mr. Speaker, I want to highlight the Torbay Lions Club's most recent effort – a \$15,000 donation Juniper Ridge Intermediate

school to purchase Chromebooks and a charging unit. Mr. Speaker, this generous donation from the Lions Club's legacy fund is a welcomed asset for the new school and will have a profound and lasting impact on the entire school community.

I ask all hon. Members to join with me in commending the Torbay Lions Club for its incredible donation and thanking them for the valuable service and support they provide to our residents and communities.

Thank you very much.

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

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

**MR. BROWNE:** Mr. Speaker, we are all familiar with the adage "I hear and I forget, I see and I remember, I do and I understand." That is the underlying premise of heritage fairs in the province and was most certainly evident at the Vista Regional Heritage Fair held in Trinity earlier this month.

I was pleased to attend the fair, along with the Member for Bonavista, and was impressed by the visual presentations, but even more impressed when I spoke to the presenters, including nine students from my district who attend Tricentia Academy in Arnold's Cove.

In fact, two of the students received the top honours. William Martin was named overall winner at this year's fair for his project The Battle of the Boyne, highlighting the role of Orangemen while wearing his great-grandfather's Orangemen regalia.

Hannah Bannister won the Ambassador Award for her project, Women in Warfare, showcasing the role of women in the First World War. She will be travelling with the Royal Canadian Legion at the end of next month to France and Belgium to visit the Trail of the Caribou.

Mr. Speaker, passing on our history is crucial, and let me tell you I have full confidence based on the displays at the Heritage Fair that our young people are getting a full grasp of our past as they plan for their own futures.

I ask all hon. Members to join me in congratulating the students and teachers for this successful Regional Heritage Fair.

Thank you, Mr. Speaker.

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

**MR. SPEAKER:** The hon. the Member for the District of Virginia Waters - Pleasantville.

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

I rise in this hon. House to recognize a proactive and environmentally conscious group of students. The grade four's at Vanier Elementary have been working on environmental projects over the past number of years. Vanier has an active community garden and is making every effort to recycle and reduce waste.

Recently, Vanier Elementary was awarded the Golden Broom Award by the City of St. John's, which is given to a school which demonstrates a commitment to engaging youth in Clean and Beautiful Youth Initiatives. This will be accomplished through litter and unwanted graffiti reduction, installation of no-idling signage and the beautification of school grounds that includes painting, planting shrubs, trees and flowers.

This would not be possible without the dedicated staff like Mme Hudson, the grade four teacher. Mme Hudson is passionate about the environment. Her students have shown great dedication and determination by working on an advertising campaign using a green screen technology. What a fantastic job!

Their job is entitled: Don't be that guy, aims to target many bad routines that we all have each and every day involving single-use plastic. This grade four class hopes this campaign will inspire others to reduce plastic consumption and eliminate single-use plastics in Newfoundland and Labrador.

Thank you to the students and staff for your passion and commitment to the environment.

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

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

### Statements by Ministers

**MR. SPEAKER:** The hon. the Minister Responsible for Children, Seniors and Social Development.

**MS. DEMPSTER:** Thank you.

Mr. Speaker, since 1954, the Vera Perlin Society has provided quality service and support for all individuals with an intellectual disability and their families in the St. John's and surrounding areas. This work enables individuals to participate in all areas of community living thereby supporting and creating an inclusive society.

The success of the Vera Perlin Society is based on their dedicated staff and their many volunteers. In particular, Mrs. Jean Hanley has been at the forefront. She started her career as the bookkeeper for the Vera Perlin Society in 1961, working very closely with Mrs. Perlin and was instrumental in helping the organization become what it is today. Mrs. Hanley continued working until June, 1999.

Mr. Speaker, even after retirement, Mrs. Hanley continued her work with the society and remains an active board member today. Mrs. Hanley has dedicated 57 years to the Vera Perlin Society and, more importantly, to enhancing the lives of individuals who have an intellectual disability. I am told there is not a client that Mrs. Hanley cannot remember, which I believe after I experienced her incredible memory myself while talking to her last month during Volunteer Week.

Mr. Speaker, I thank Mrs. Hanley for her dedication to the Vera Perlin Society and for her commitment to the clientele and the many people throughout our community whom she has helped.

Today is Mrs. Hanley's 95th birthday. Please join me in wishing her a very happy birthday and recognizing this remarkable woman for her wonderful contributions to the Vera Perlin Society.

Thank you.

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

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

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

I thank the minister for an advance copy of her statement. On behalf of the Official Opposition, I wish Mrs. Hanley a very special 95th birthday. Mrs. Hanley is a vibrant example of the volunteers in our communities who work tirelessly towards helping enrich the lives of others.

In Mrs. Hanley's case, she continued to volunteer with the Vera Perlin Society well after her retirement and continues to be an active volunteer even today.

In addition to recognizing Mrs. Hanley, I'd also like to acknowledge the Vera Perlin Society for their work with individuals with intellectual disabilities. Their efforts enable these individuals to participate in all areas of our society, and we are most appreciative.

Once again, congratulations and thank you to Mrs. Hanley. We hope you join us again to celebrate your 100th birthday.

Thank you.

**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 very much, Mr. Speaker.

I, too, thank the minister for the advance copy of her statement. It's more than a pleasure to stand and wish you happy 95th birthday on behalf of our caucus, Mrs. Hanley. Volunteers are the heart of the community and I cannot think of many who have shown more dedication and heart than Mrs. Jean Hanley with her work with the Vera Perlin Society.

Mrs. Hanley remains an active board member. That is amazing, and I hope she serves for years to come. Her depth of knowledge and wisdom must be a huge asset to the society.

Once again, Mr. Speaker, I congratulate her on her incredible career and wish her the happiest of birthdays.

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

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

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

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

I rise today in this hon. House to recognize an important step being taken in response to the recommendations of the Premier's Task Force on Improving Educational Outcomes.

To build capacity among K to six teachers, and to enhance mathematics pedagogy in primary and elementary schools, I am pleased to announce that for the next five years, the Department of Education and Early Childhood Development is providing \$40,000 in funding annually for the K to six Mathematics Bursary Program.

The task force identified mathematics as an area where there is a particular need for improved teacher education. Mr. Speaker, it is important for primary and elementary teachers and administrators to have a sound background in mathematics and have ongoing opportunities to enhance their knowledge and their skills.

The Mathematics Bursary Program is in response to Recommendation 37 of the task force report that the Department of Education and Early Childhood Development introduce a bursary program to encourage teacher participation in university level courses in mathematics content required for grades K to six.

The department welcomes applications from administrators and classroom teachers who work with K to six students, including substitute teachers. The mathematics bursary is a financial award that recipients may use to recover course costs and related expenses for successfully completing a pre-approved bursary-eligible course. I encourage eligible teachers and

administrators to apply. Applications are due on July 1 and November 1 of the each year.

As a government, we believe that it is important for teachers to feel comfortable and have a great skill level with teaching mathematics. Knowing more mathematics and the latest techniques of teaching it is an important part of this program.

By implementing the recommendations included in the Premier's Task Force on Improving Educational Outcomes, we are bringing positive changes to the education system. These changes will ensure students receive a high-quality education that prepares them to succeed in whatever path they choose when they graduate.

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.

I thank the minister for an advance copy of his statement. This side of the House is anxious to see the implementations of the recommendations that have been outlined in the task force on education. There is little doubt that the government must strive to make improvements in the education system, particularly in the area of mathematics. Hard working teachers in our province must be given the supports that are required in order to aid our students and make these academic improvements a reality.

This side of the House will be paying close attention to how the \$40,000 a year is allocated and the level of benefit it will provide. We remain optimistic that this bursary program will prove to be an incentive to teachers and to administrators.

Thank you, Mr. Speaker.

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

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

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

I, too, thank the minister for the advance copy of his statement. It's good to see the government acting on this recommendation, which is a really important one as the basis for the 11 other recommendations pertaining to math listed in the report, which was submitted in July of last year. We know that we have a need for assistance in our math program for the good of our children.

We're looking forward to an update on some of the other recommendations such as revamping the assessment framework, allocating new math program specialists and revising the K-to-nine curriculum, as well as developing new standards of practice for the teaching of math.

We await the other announcements, Mr. Speaker.

Thank you very much.

**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.

A media story this morning provided a troubling review of overcrowding at the Health Sciences Centre. On March 6, three ambulances were unable to offload because more than 25 people were waiting in emergency. There was a bed shortage and the Health Sciences could no longer divert patients to St. Clare's.

I ask the Premier: What actions has your government taken to address overcrowding at the Health Sciences?

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

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

I think it would be worthwhile using this opportunity to congratulate the staff at Eastern Health and the Health Sciences Centre who

managed a difficult situation very well and went well above and well beyond what is usual in those circumstances.

Further to point out, that it's one of only four or five institutions in the country that won the Gold Seal from Accreditation Canada at its last round of accreditation. I think the score was 97 per cent.

We experienced a very challenging flu season partly because of a lack of efficacy of one of the components of the flu vaccine. The staff have dealt with it and the situation is currently under control, Mr. Speaker.

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

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

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

No doubt, this side of the House acknowledges the great work done by our health professionals on a daily basis.

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

**MR. BRAZIL:** Cardiology beds were in need. The regional director of cardiology said in an email: "I am at a standstill."

I say to the Premier, this is a critical issue. How many cardiac patients were impacted by the shortage of beds?

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

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

The incidents to which the gentleman opposite refers were two, were isolated and have been the only ones of that level of severity in recent times and were, again, related to the flu issue.

With regard to cardiac services in general, we actually have an outside reviewer looking at data that came through from CIHI suggested there may be some problems there. It is not clear yet whether that is problems with data collection or

problems with the service itself. I anticipate their report within the next couple of weeks.

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

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

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

I ask the minister: Were surgeries cancelled in March because there were no beds available?

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

**MR. HAGGIE:** Mr. Speaker, when a hospital is at overcapacity a triage system kicks in. Those people whose clinical needs are the greatest are dealt with on a priority basis. There were some delays in surgeries of an elective, planned nature and those have been accommodated in the weeks subsequent to these events.

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

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

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

Closed beds are used on an as-needed basis.

How many closed-bed spaces exist at the Health Sciences today?

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

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

There have been some beds temporarily unavailable because of renovations. Those were transient and were done as part of a planned series of renovations. My understanding is that 100 per cent of the available beds on the roster at Health Sciences and St. Clare's are available for patient use.

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

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

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

I want to note, this is not an isolated situation.

Premier, on April 11 another serious issue with overcrowding took place. Why has nothing been done to address serious overcrowding issues which may be placing people's lives at risk?

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

**MR. HAGGIE:** Just for clarity, Mr. Speaker, these two events were isolated. Twenty-four-hour episodes, unfortunately, related to a significant spike in flu cases this year.

It is a five-year maximum in our flu cases this year. It is due to an acknowledged failure from scientists of one component of this year's flu vaccine. All these extra cases were down to a lack of vaccine efficacy. We actually had our best flu season in terms of vaccination, but unfortunately the vaccine didn't live up to expectations.

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

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

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

We're hearing this is happening on a daily basis, that there are people in corridors and overcrowding in emergency facilities.

Premier, tell us your plan to deal with serious issues with overcrowding.

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

**PREMIER BALL:** Mr. Speaker, when you look at the record of this government over the last three years and you compare that to the record of 15 years by the prior administration, the news articles that we're seeing today were in the news back when you were in government, but I will tell you about some of the good things we've had when it comes to addressing wait times, when it comes to addressing infrastructure.

As an example, some of the overcrowding we're seeing in bed usages comes to how we accommodate some of the long-term care patients that exist in acute care settings. That is why we took a very proactive approach in making sure long-term care facilities were available in Grand Falls-Windsor, Gander, Corner Brook, Mr. Speaker, opening up beds in Carbonear, protective care units in Botwood. These are some of the things we initiated, and with the work of this minister, the work will continue.

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

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

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

And you've outlined a lot of the things that you wanted to do in your campaign promises that you haven't lived up to.

Mr. Speaker, the Premier needs to speak to the people of Newfoundland and Labrador who on a daily basis are outlining the concerns and the lack of health care availability they have. Something's not working here, and the Minister of Health should be aware that it's his responsibility to improve health care here in Newfoundland and Labrador.

Is this a result of your expenditure reduction plan over the last three years?

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

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

I take exception to the leader of the Opposition, Mr. Speaker, in some of the comments that he just made. What we've done in less than three years they could not accomplish in 13 years, Mr. Speaker.

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

**PREMIER BALL:** Let's talk about the hospital in Corner Brook. Let's talk about the Waterford, Mr. Speaker, from 1855 –

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



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

Please proceed, Premier.

**PREMIER BALL:** Mr. Speaker, in 1855 the doors of the Waterford Hospital opened and they could not find a way in 13 years with some of the most money that we've seen ever in the history of this province. Well, I will tell you, it's this government that has found a way to replace the Waterford Hospital. Also, to put in place better health care, better addictive services for people all across this province and I did not mention the wait times that the minister addressed yesterday. I'm looking forward to another question because I love talking about health care and I love talking about improving outcomes.

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

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

The hon. the leader of the Official Opposition.

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

I hope the Premier loves talking to the hundreds if not thousands of people in Newfoundland and Labrador who are not receiving adequate health care because they don't have access to it because of the programs and services you do not have put in place.

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

**MR. BRAZIL:** How many people are taking up beds in the health care facilities that are waiting for long-term care beds?

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

**MR. HAGGIE:** Okay, Mr. Speaker, I think it's about time we got some facts out here instead of some rhetoric.

How about 100 per cent of all fractured hips in this province receiving surgery within 21 hours. The national benchmark is 80 per cent in 24 hours. How's that for access?

How about 192 people waiting in Corner Brook for mental health services last year down to 19

this year? How about no wait time on the Burin Peninsula for access to counselling services? How about that crowd had a wait time of seven years for bariatric surgery, it is now 6½ months.

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

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

The hon. the leader of the Official Opposition.

**MR. BRAZIL:** That's great for the minister to pick and choose the groups that they've made some small advances on. Let's pick the tens of thousands who are not receiving proper health care.

I ask the minister: the former chair of the Canadian Medical Association, what are you going to do to improve access to health care in Newfoundland and Labrador for the people who need it?

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

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

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

I think the minister just answered that question. I would challenge the leader of the Opposition, to suggest that the number of people we've made significant improvements in waiting for outcomes for mental health services is not important? Because when you listen to your preamble there basically highlighting things that were important – I will guarantee you, in listening to the people of this province mental health was a big concern and a priority for everyone that I talked to.

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

**PREMIER BALL:** There is no question – I will say this, acknowledge this and accept the responsibility that we have to do better, and we will do better. It's incremental.

Mr. Speaker, I will tell you that from 2015 to where we are today we are seeing better outcomes as the minister just highlighted.

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

**MR. SPEAKER:** Order please.

The hon. the Opposition House Leader.

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

Mr. Speaker, the 2017 *Supply Act* indicated that when money is moved from the contingency reserve in the Department of Finance, public notice must be given.

Can the minister confirm that *Budget 2018* removed that requirement for public notice when government draws down on the \$22-million fund?

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

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

The contingency fund in this year's budget is not unlike the contingency fund that was in many budgets under the former administration. It makes it easier for departments who require funding, in a timely manner, to access the contingency reserve Mr. Speaker. In all occasions, if there's funding provided to a department, that information will be made public.

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

**MR. SPEAKER:** The Opposition House Leader.

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

Mr. Speaker, the former minister of Finance had the three-day requirement to report to the House of Assembly under the *Supply Act* in that particular budget.

I ask the minister: Why did you change it? The necessity was there. It was in the *Supply Act* that it would be presented here within three days. Why the need to change it?

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

**MR. OSBORNE:** As I said, Mr. Speaker, the contingency fund is not unlike the contingency fund that was put in place by the former

administration in many of their budgets. The same access applies. The same rules apply.

The former administration, Mr. Speaker, had a contingency fund. The necessity for that fund was there. We've got a contingency fund in this year's budget.

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

**MR. SPEAKER:** The Opposition House Leader.

**MR. HUTCHINGS:** Again, I ask, Mr. Speaker, the former minister of Finance in the current administration in the last *Supply Act* clearly indicated there had to be three days' notice given in regard to expenditures of the contingency fund. There's no guarantee now that will be made public.

I simply ask the minister today: Why did you make the change? What was the reason for changing the accountability and public notice that was required in the prior *Supply Act*?

A very simple question: Why did you change it?

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

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

We've seen in the past 12 months, Mr. Speaker, incidents in this province where there have been flooding and other occasions. There are times that timely access to funds is required. The former administration again had the exact same contingency fund in their budgets. We saw the necessity to have a contingency fund in this year's budget.

If the funds are drawn upon, the reasons for that and the information will be provided to the public, Mr. Speaker. There's absolutely nothing here to prevent the public from knowing what those funds are used for.

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

**MR. SPEAKER:** The Opposition House Leader.

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

I would just advise the minister it was clearly stated in the previous *Supply Act* what the requirements were for notification. That has now been removed.

In the 2016 budget, the former Finance minister trumped the success which indicated they had saved over \$100 million in part by reducing the use of consultants. In the 2018 Estimates, which you participated in, I asked if a list could be provided comparing consultant savings for each of the last years beginning in 2016. I was told in Estimates that a list did not exist but officials would try to find one.

I ask the minister: Does a list actually exist? If not, how can you determine what the savings were in those particular years?

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

**MR. OSBORNE:** Mr. Speaker, yes, officials themselves in the Estimates process had volunteered to provide that information to the Opposition. If that has not been done at this particular point, I will ensure that it is.

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

**MR. SPEAKER:** The Opposition House Leader.

**MR. HUTCHINGS:** So, obviously, through the Estimates and budget process we looked for Estimates and actuals of what had actually gone on over the past number of years and with the current year.

I ask the minister, can he tell us: Since 2016 what have the savings been on consultants? Surely it was estimated in your budget. Surely you would know. What's the figure?

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

**MR. OSBORNE:** What I can say, Mr. Speaker, is that I will get the information. But what I can say is under the former administration there were a very large number of consultants around, in and around the building and throughout our agencies. We have, through our attrition process

as well as other processes, eliminated 1,160 positions, many of those consultants.

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

**MR. SPEAKER:** The Opposition House Leader.

**MR. HUTCHINGS:** Mr. Speaker, if he doesn't have a list for prior years, how can he compare it to another administration? He doesn't know how many, he doesn't know the cost, but he's saying it's better. It doesn't make any sense.

Mr. Speaker, a recent access to information request shows that the decision to split Nalcor had been discussed in pre-budget discussions and months prior to budget. Very few details have been publicly made available.

I ask the minister: Is there an update on this actual announcement from *Budget 2018*? At this point does the new corporation even have a name?

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

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

We certainly made an announcement during *Budget 2018* that we are considering taking the oil and gas company, within a subsidiary of Nalcor, and making it a stand-alone – all because we want to move forward on the development of our oil and gas industry, Mr. Speaker.

We have announced *Advance 2030* which is an ambitious plan, a very dedicated plan to developing our offshore in terms of – more than doubling our production in terms of making sure that we have 100 new exploration wells.

Mr. Speaker, we're being very prudent. We're being very diligent. We're making sure every consideration is in place. In due course, we will make the legislative changes that are required to ensure that the oil company is stand alone.

Thank you.

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

**MR. SPEAKER:** The Opposition House Leader.

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

Mr. Speaker, this was announced with the 2018 budget.

I ask the minister: She referenced legislation; will legislation be coming in this particular sitting of the House? When, in fact, will the legislation be brought forward to change the requirements in regard to it here in the House?

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

**MS. COADY:** I thank the Member for his questions. As I just said, we're being very prudent; we're being very reasonable. We all know what happens when governments do knee-jerk reactions, Mr. Speaker. We can look at the Abitibi situation as a prime example of when they do things too quickly.

We want to be prudent. We want to be responsible. We want to do all the due consideration to ensure what we're doing is in the best manner possible to ensure that we have the best process possible for the people of Newfoundland and Labrador. Therefore, we're taking our time and doing that. I will advise this House when we have legislative change available for their review.

Thank you, Mr. Speaker.

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

**MR. SPEAKER:** The Opposition House Leader.

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

I assume the legislation won't be coming in this sitting.

In the past, the minister has indicated there would be no new costs incurred for establishing a new corporation, cognizing the change in executive structure, administration and other operations. Is this still your position, Minister?

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

**MS. COADY:** I thank the Member opposite for his question. Yes, Mr. Speaker, we would like to make sure that this new entity, the new Crown corporation does not cost any more money. We are really focused on the development of our offshore oil and gas industry.

We have an incredibly great plan called *Advance 2030* that over 150 stakeholders – 150 stakeholders – have supported, Mr. Speaker. The insurance of having an oil company – instead of having a subsidiary of Nalcor having it as its own Crown corporation is supported by many of those stakeholders in and of itself.

So yes, we don't anticipate any additional costs.

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

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

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

Mr. Speaker, the Acting Minister of Education has stated that he has confidence in decisions made by the former minister of Education.

I ask the minister again today: Have you reviewed all the evidence on which the former minister based his decision on the cancellation of the new school for Mobile in the Witless Bay region?

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

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

I must say in the last three weeks or so it's been interesting, as I've started to look into the files that were current. The early evidence that I have from staff, the numbers that were given, with the projections of the demographics for the next number of years, my understating is the construction has already started.

Mr. Speaker, I certainly am confident that the decision that was made by the school board to move forward on this is something that should continue.

Thank you.

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

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

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

I want to clarify something the minister said and something he said last week again. He said the decision was made based upon the information the school board had provided. That's incorrect.

The Newfoundland and Labrador English School District has never voted to put on extension on Mobile school. It always voted to build a new school in the Mobile-Witless Bay region. Even this year in the 2018 budget, in their actual capital cost, they're looking for a new school for Mobile. So with all due respect to the minister, he's incorrect.

Mr. Speaker, based on this and other things that have gone on over the past year, I ask the minister: Will he review this and meet with the residents of the area who have sent a letter to him asking him to have that meeting and discuss these issues?

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

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

Again, I just repeat what I had previously said that, in fact, the information that was provided to me, there is actually construction that has begun on the Mobile school. My understanding is that we do have an elected school board that's in place and based on the information that's given, these decisions are made.

From the ministerial perspective, Mr. Speaker, if they look at the numbers that were provided by the statistics department, the demographic enrolment for those years coming up that were in question, that an extension was the most cost-effective measure or means to be able to provide the programing services to the students in that area.

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

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

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

There was a BAE-Newplan report done in 2014 – the minister apparently hasn't reviewed that either, or his officials – which clearly indicated the options were to build a new school for the Witless Bay region and that would meet the needs for the next decade, so he hasn't read that.

As well, the Newfoundland and Labrador English School District has never supported an extension to Mobile Central High. What they've supported was a new school. So again, the minister is not updated.

I ask the minister: Based on all of this, and some of the comments made by the previous minister of Education in regard to this was a valid decision, can he please meet with the school council and the people of the region once and for all so he can discuss this and make sure the right choice is being done and the proper expenditures are being done? That's all we're asking for.

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

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

Again, I will repeat what I had previously said. Based on the information that we have and the information that was given, the decision was made to do a build, construction on Mobile school to provide and make sure that the proper – in a most cost-effective manner, would provide the programming that would be available in this particular area, Mr. Speaker.

The construction, my understanding, the tender has been let, the construction has begun in that particular area and according to the demographics that we were given that this will satisfy the requirements in this area for the next number of years without having to build a new school.

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

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

**MR. K. PARSONS:** I think the hon. Member is only asking if he'd have a meeting with the constituents in the area.

Mr. Speaker, I'd like to ask the Minister of Service NL: When do you plan for a decision to implement caps on compensation for injury?

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

**MS. GAMBIN-WALSH:** Mr. Speaker, I guess the hon. Member is asking about WorkplaceNL and caps on compensation. Mr. Speaker, that's under discussion and I can get back to the Member on that question.

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

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

**MR. K. PARSONS:** I apologize to the minister.

When does the Minister of Service NL plan to have a decision regarding implementation on insurance and the caps on compensation for injury?

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

**MS. GAMBIN-WALSH:** Okay, Mr. Speaker, now I have the question clear; he's actually talking about automobile insurance. I'm sorry about that.

Newfoundland and Labrador has the highest rate for automobile insurance in Atlantic Canada. As a provincial government we, in fact, are now doing a review for that particular reason because we understand that insurance rates are very important to Newfoundlanders and Labradorians. I believe in this hon. House not too long ago, I said that we would hope to have an answer in the fall; however, we want to ensure that all stakeholders have opportunity to have input into this review.

Mr. Speaker, as long as it takes for a review to be completed, we will do it.

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

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

**MR. K. PARSONS:** Will the PUB provide clear, defined recommendations to the minister on or before June 30?

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

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

I'll certainly answer the question from the Member, given that the PUB does fall under the jurisdiction of the Department of Justice and Public Safety.

To reiterate what the minister said, this matter has been referred to the PUB so we can have an independent review and study done of insurance costs in Newfoundland and Labrador. Our goal as a government is to take whatever action is necessary for the best interests of consumers and citizens of this province.

By putting it to the PUB, we will get an independent analysis that allows for full consultation, to hear from all people that are involved. That matter may take some time. Again, whatever recommendations the PUB does come up with, we will obviously, as a government, have a look at that when it comes in.

Thank you.

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

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

**MR. K. PARSONS:** I ask the minister: Will the PUB's recommendation be binding?

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

**MR. A. PARSONS:** No, the PUB's recommendations aren't binding. That's not how the PUB works.

What we will do actually, though, which is a contrast to the Opposition, we'll actually listen to the PUB and put into their purview, as

opposed to taking things out of their purview like Muskrat Falls.

Thank you.

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

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

**MR. K. PARSONS:** The government can take action today in order to lower insurance rates.

Why don't you just remove the excessive insurance tax that you implemented in 2016?

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

**MR. A. PARSONS:** Mr. Speaker, I find it very rich. This was an administration that came in, in 2003 and talked a big game about what they were going to do and they did nothing during the 12 years that they were in there.

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

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

**MR. A. PARSONS:** They did absolutely nothing and they're now talking about what we need to do.

The fact is that a lot of the decisions that we have made and continue to make, as a government, are based on the misdoings of the previous administration. Insurance costs in this province are just another thing that we had to clean up their mess.

Thank you.

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

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

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

We understand that a number of salaried-physician positions will be eliminated around the province this year.

I ask the minister: How many positions will be cut? What positions are they? How many specifically are family physicians and where will the cuts take place?

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

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

The issue of salaried physicians is a negotiation between ourselves and the NLMA and is part of our Family Practice Renewal and primary care efforts. The issue, specifically, around where a physician will go. Where they are needed is the answer, and that will be based on decisions made through the RHAs and in conjunction with the Department of Health, which provides the funding for them.

Thank you.

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

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

**MS. ROGERS:** Mr. Speaker, I did ask the minister how many positions he's going to be cutting. We didn't get that answer.

According to Statistics Canada, 50,000 people in this province do not have a family doctor, that's 10 per cent of 33 per cent of people depending on the region.

I ask the minister: What is he going to do immediately to address the problem that these people don't have a family physician?

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

**MR. HAGGIE:** I can do no more than refer to yesterday, in actual fact, Mr. Speaker, when the discussions with the NLMA, the College of Family Practitioners and the academic lead of family medicine produced the NLMA's 10-year vision for family medicine in this province.

Essentially, those items in there – and if I recall correctly there are eight things – line up

perfectly with, not only what we plan to do, but what we actually started to do.

Just for the record, in terms of numbers, we have the highest number of physicians in this province we've ever had and we have the second highest per capita of any jurisdiction in Canada.

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

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

**MS. ROGERS:** Well, Mr. Speaker, that doesn't address the fact that we have 50,000 people in the province without a family physician. That's a major health crisis for those particular people.

Mr. Speaker, we are losing many overworked family physicians to provinces that have actual, true primary health care teams, where doctors are integrated with other professionals resulting in a better work-life balance.

**MR. SPEAKER:** Excuse me.

Order, please!

Can I have some order, please?

Thank you; please proceed.

**MS. ROGERS:** Doctors are saying that they were promised a primary health care system, but the current government pilot model does not fully integrate physicians with the teams.

I ask the minister: When will he have a plan for primary health care teams in our community health centres where doctors and other health professionals are fully integrated as a team?

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

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

Well, again, just to put some facts out there rather than rhetoric. We have two fully functioning primary health care teams. We had urban pilot in the downtown collaborative. We have one in Bonavista, which in all but name is a primary health care team. We have dedicated

our efforts to bringing out at least three more this year and possibly five.

We've found ourselves with a system that suffered from malignant neglect for the last 12 years and we're in the process of fixing that problem, Mr. Speaker.

Read the NLMA's document from yesterday. They and us are on exactly the same page. We've got to get there, no argument about that, but we can't do it in one night, Mr. Speaker.

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

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

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

I have read the document and met with these folks.

I ask the minister once again: With the 50,000 people in Newfoundland and Labrador without a family physician, what does he recommend that they do when they have a health issue?

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

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

Well, by the end of this summer, we will have a further three primary health care teams. We have acknowledged recruitment and retention as an issue. We were talking about strategies for this last night. The medical school has an approach. The residency program has an approach.

Recruitment is only part of our problem; retention is another part. There are key stakeholders missing from that group and they're starting to come to the table. I reference, specially, municipalities and I would like to take my hat off to my own in Gander who have recognized this as a problem and have put together a group to welcome professionals of all kinds, but, particularly, health care providers.

There is a role for all of us, and simply enunciating the problem over and over again



without any solutions becomes counterproductive after a while.

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

**MR. SPEAKER:** The time for Oral Questions has ended.

Presenting Reports by Standing and Select Committees.

Tabling of Documents.

### Tabling of Documents

**MR. SPEAKER:** In accordance with section 19(5)(a) of the *House of Assembly Accountability, Integrity and Administration Act*, I hereby table the minutes of the House of Assembly Management Commission meeting held on April 18, 2018.

Further tabling of documents?

Notices of Motion.

### Notices of Motion

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

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

I give notice now that I ask leave to introduce a bill entitled, An Act to Amend The Management Of Greenhouse Gas Act, Bill 27.

**MR. SPEAKER:** Thank you.

**MR. A. PARSONS:** Further, I give notice that this House not adjourn at 5:30 p.m. on Monday, May 28, pursuant to Standing Order 11(1).

Finally, Mr. Speaker, I give notice that this House not adjourn at 5:30 p.m. on Tuesday, May 29, again, pursuant to Standing Order 11(1).

**MR. SPEAKER:** Further notices of motion?

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

**MR. MITCHELMORE:** Mr. Speaker, I give notice that I will ask leave to introduce a bill

entitled, An Act To Establish The Innovation And Business Investment Corporation, Bill 26.

**MR. SPEAKER:** Thank you.

Further notices of motion?

Answers to Questions for which Notice has been Given.

Petitions.

### Petitions

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

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

The petition that I'm presenting today is entitled: Designated Parking for Cancer Patients at the Dr. H. Bliss Murphy Cancer Clinic. Here are the reasons for this petition:

Having a designated parking area close to the hospital for cancer patients who are receiving treatment is vital.

Cancer patients often experience significant difficulty when walking long distance and are having difficulty finding available parking spaces close enough to a clinic.

Providing designated parking permits and similar monitoring and enforcement measures of these spaces could significantly improve access for cancer patients to the Dr. H. Bill Murphy Cancer Clinic.

Designated parking for cancer patients is currently offered at a number of other hospitals and clinics across the province.

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

We call upon the House of Assembly to urge the Government of Newfoundland and Labrador to encourage Eastern Health to provide a designated parking area for cancer patients with at least 25 spaces at the Dr. H. Bliss Murphy Cancer clinic.

Mr. Speaker, I'm very pleased to stand here today and present this petition on behalf of the 390 signers who are concerned about the need for designated parking at the Bliss Murphy centre and support the call of this petition.

Some of these signatories are in the House today, Mr. Speaker, in our gallery and are speaking from personal experience through this petition; an important way for them to bring their concerns forward. Petitions bring the voice of people directly onto the floor of the Legislature. I am happy to be doing that for them today.

Being in treatment for cancer, especially receiving chemotherapy is not an easy thing. It can mean everything from weekly to daily treatments for various periods of time. Depending on the stage or type of cancer, treatments can be quite taxing for the individual. I have, myself, seen people after chemo treatment being transported to their cars in wheelchairs.

In asking for a designated parking area, the petitioners are looking for something that would ensure that cancer patients will have secure parking spots and will not have undue stress caused by long searches for a space, as some of them have experienced. As I said, some of the signatories are in this room today, Mr. Speaker, and have had that experience.

I think it is important for government to support their call for recognition of the difficulties facing cancer patients and to ensure the health authorities find ways to improve access for cancer patients to the Bliss Murphy Cancer clinic, as well as to other facilities in the House offering the same services.

On behalf of the signatories of this petition I thank you very much, Mr. Speaker, for the opportunity to present the petition.

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

**MR. SPEAKER:** Thank you.

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

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

I'd like to take this opportunity to just make some brief comments on the petition opposite, now that we have the opportunity. I think it's useful and important to acknowledge the difficulties that cancer patients face and the stresses alluded to by the Member opposite in her petition.

We have had discussions in our department with probably some of the signatories to this petition and, certainly, we've also had discussions with Eastern Health. I am pleased to make the House aware that Eastern Health has added 25 preferential parking spaces at Eastern Health facilities and they are working to make sure these are in close proximity to the building.

Access to those parking spaces is on the basis of need and is available through passes that can be accessed through the cancer centre. We also have an undertaking from Eastern Health that if that number is insufficient, in the light of experience, they're happy to revisit that. We'll keep an eye on it, Mr. Speaker.

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

**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, once again this is, I think, every day this week. I'll say it every time, I committed the –

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

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

**MR. PETTEN:** – previous concerns to the House of Assembly. Every petition is vital, it's of equal importance. I'm just following through on my commitment. As I've said many times – I've been on record saying – it's a huge issue. Without repetition, it's the fifth busiest road in the province.

It spurred me to bring this petition up again today because the minister will stand in response to these petitions and he will say it's downloading this road on the municipality, giving this road to the municipality. Basically with just a stroke of the pen he can give this road back to CBS.

That's not just a CBS issue, Mr. Speaker. That can be an issue right across this province. There are provincial roads running right through our province that the government can take that initiative and with the stroke of a pen can download this on every municipality in the province where this applies. CBS is not unique to this, which brought me to this petition today. I felt it's worth getting up and speaking on.

At the stroke of a pen, you're going to download this on the people of CBS, the town council and taxpayers. It's another thing you're downloading on municipalities. Be careful when you say you're going to download a road you don't think is the responsibility of the province anymore. Maybe municipalities need a break too, Mr. Speaker, because right now they're maxed out, most of them are. I know CBS and other towns are struggling to make ends meet with the demands that are placed on them.

The minister can get up and say we don't have a responsibility, stroke of the pen we're going to give this back to the municipality – and every other municipality, maybe some of the municipalities in his own district. When he refers to CBS, I hope he realizes that he's referring to a lot of the Northeast Avalon and throughout the province.

My issue is: be careful. If you're going to download this on municipalities, make sure you bring the road up to scratch, up to the standards of where it needs to be today. That's all I've ever asked for: upgrade the road. Then maybe you can sit down and talk to the Town of CBS and to the people. Stroke of the pen to give them a substandard road is not going to fly, Mr. Speaker.

Thank you very much.

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

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

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

I thank the hon. Member for giving me the opportunity this afternoon to stand up and address this petition.

First of all, Mr. Speaker, I'm sure he'll afford me the opportunity to thank our crews in Central Newfoundland and Western Newfoundland who were out last night and early this morning again, Mr. Speaker.

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

**MR. CROCKER:** Mr. Speaker, in a matter of two days, our department was able to mobilize 82 fliers; almost one-third of our fleet, actually. Our employees were out this morning providing late winter snow-clearing services; being the 24th of May it's not unusual. Again, Mr. Speaker, a big shout out to our crews for the great work they do.

Mr. Speaker, it also gives me a great opportunity today to talk about our Roads Plan and where we are so far in the 2017-2018 construction season.

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

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

**MR. CROCKER:** To date, Mr. Speaker, we have awarded 48 projects, 48 tenders in our province. We've also awarded \$77 million worth of roadwork this year so far, some of which is in the hon. Member's district.

We're doing some work on Peacekeepers Way. Some substantial work, actually, with the mill and fill; over \$2 million this year, Mr. Speaker, on Routes 1, 2, 3 and Route 75. We're doing about \$5 million worth of extra work this year, so we've done some tremendous work.

As well, Mr. Speaker, there are two bridge rehabilitations this year on Route 60. Bridge rehabilitation is very important. We've done, I think, five bridge rehabilitations on Route 60 in the last two construction seasons. We'll continue to invest in Route 60 like the other roads in our province.

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

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

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

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

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

I'm certainly pleased to rise today to present a petition on behalf of residents of the district. The issue is an issue I spoke of here in the House a number of times in regard to petitions, as well as public discussions in regard to the Mutton Bay Bridge located in the Trepassey area.

It's approximately 50 years old. In 2015 an inspection identified significant structural issues with both the substructure and superstructure portions of the bridge. The inspection urgently recommended a full replacement or significant maintenance and repair.

We, therefore, petition the House:

We call upon the House of Assembly to urge the Government of Newfoundland to immediately address the most serious issue that impacts the lives and safety of the travelling public and make it a priority for the upcoming construction season.

Mr. Speaker, I've had numerous discussions with officials and, as well, with the minister in regard to this piece of infrastructure. It is not included in the Roads Plan. We don't know where it is in the overall assessment because since it's not in the plan, we don't get to see the assessments that are done on other pieces of infrastructure, whether bridge or roads.

I do know that I just received the bridge inspection that was done just recently. Some of the findings of that: substructures referenced as poor; superstructure, fair, inspection within a year; the decking is poor and that goes to the handrail in different conditions for immediate repair. The region is looking to have that replaced because the decking or rails on it now are pretty well gone; they're gone over into the river. Really, in terms of traffic going by, especially with the winter coming, if some vehicle was to lose control there's no barrier there to keep that vehicle from going into the actual river.

We have had discussions about putting guide rails up on an interim measure on both ends, both sides, to make sure that element of safety can be introduced. I know in the most recent inspection report, in regard to replacement and rehabilitation, it does mention the structure should be – in the interim, install a new guide rail, hazardous markers, maintenance and possibly resurface of the deck approaches and fixed handrails.

This needs to be replaced. It needs to be a priority. Ultimately, as I said, the guide rails and these immediate repairs that are in the inspection report need to take place and take place now. The department has gotten back and forth to me. They've put up some two by four as a handrail, which is not appropriate. We need some guide rail at least in the immediate measure to make sure safety is there, and as well to get this replaced and replaced as soon as we possibly can.

As I said, the minister is well aware. We've had discussions on it. He did indicate that they may look at some costing this year but we certainly look forward to that and getting it done this construction season.

Thank you.

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

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

I thank the hon. Member for the petition. I recognize the challenges we're facing with that particular bridge, the Mutton Bay Bridge. The Member and I have had many conversations around that bridge. As he did allude to, we have installed some temporary handrails on that bridge. I've asked the engineering staff to go back and look for a more – I guess a more temporary permanent solution because we do recognize that this piece of infrastructure is due to be replaced.

Mr. Speaker, we are investing on Route 10 this year. In the Member's district we are investing in two new bridges. An investment between \$4 million and \$5 million, which is a significant investment, but we do recognize the challenge with this bridge.

Mr. Speaker, we all have to realize when you talk about bridges, in this province we have over \$800 million worth of bridges over 40 years old. There is a big infrastructure deficit when it comes to bridges. It was outlined in the 2015 Auditor General's report, Mr. Speaker. It is a challenge we have as a province, and one as a department we're certainly working towards rectifying.

Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you.

Further petitions?

The hon. the leader of the Official Opposition.

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

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

WHEREAS opioid addiction is a very serious problem affecting many individuals and families in our province and the Bell Island area is no exception; and

WHEREAS the effects of this problem have implications that negatively impact many people old and young; and

WHEREAS support and treatment programs have been proven to break the cycle of addictions and have helped many into recovery;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge government to establish a Suboxone - methadone treatment plan for Bell Island which would include a drug addictions counsellor at the hospital and a drug awareness program at the local school.

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

Mr. Speaker, this is the ninth time I've gotten to present this and speak to it. Again, I could reiterate the fact that we all had agreed and we all support that we need to do more when it comes to addressing the issues around opioid addictions and providing supports.

I am happy to say that the last time I presented it, last week, I've gotten a call from a Dr. Young who has, as a speciality, clinics that would look at Suboxone and methadone clinics and being able to support that, but also the other supports that go with it from a counselling point of view. He's reached out. I will be having a full-fledged discussion with him tomorrow. There have been some discussions with some of the other health professionals around how we address this. So we are making inroads.

I am happy to say that as part of this, the community has taken a big lead in this. This past weekend they had what was called sober 2-4 camping. They had a big area on Bell Island where people could come and camp, but sober.

Sober from alcohol and drugs and part of a whole counselling but a more therapeutic counselling and outdoors, a more environmental therapy. It was well attended. It was great for the organizers to put this together and hopefully this will be continued and be part of how the community supports dealing with addictions, no matter what the issue is.

Getting back to the opioids, and particularly the services that are needed around Suboxone and methadone clinics to ensure that people have the proper medical interventions to start weening them off their dependency on the opioids and be able to get them back to being more productive and get more control over their own lives.

The fact that we're having medical professionals from other parts of the province, they're in Central and the West Coast, reaching out to me is a positive. It tells me the medical profession out there, regardless of the demands they have in their own clinics, are willing to take their resources and their expertise to assist other areas that are in need.

I saw that as a positive. I'm looking forward to the conversation I'll have tomorrow and then hopefully we'll move forward and if I think I need to continue to do this, I will so, Mr. Speaker.

Thank you for your attention.

Thank you.

**MR. SPEAKER:** Further petitions?

The hon. the Government House Leader.

**MR. A. PARSONS:** Yes, I call Orders of the Day, Mr. Speaker.

**MR. SPEAKER:** Orders of the Day.

### Orders of the Day

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

I move, seconded by the Minister of Natural Resources, for leave to introduce a bill entitled, An Act Respecting The Protection Of Intimate Images, Bill 12, and I further move that the said bill be now read a first time.

**MR. SPEAKER:** It is moved and seconded the hon. the Minister of Justice and Public Safety shall have leave to introduce a bill entitled, An Act Respecting The Protection Of Intimate Images, Bill 12, 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 Justice and Public Safety to introduce a bill, "An Act Respecting The Protection Of Intimate Images," carried. (Bill 12)

**CLERK (Barnes):** A bill, An Act Respecting The Protection Of Intimate Images. (Bill 12)

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

When shall the said bill be read a second time?

**MR. A. PARSONS:** Tomorrow.

**MR. SPEAKER:** Tomorrow.

On motion, Bill 12 read a first time, ordered read a second time on tomorrow.

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

**MR. A. PARSONS:** Mr. Speaker I move, seconded by the Minister of Finance and President of Treasury Board, for leave to introduce a bill entitled, An Act Respecting The Control And Sale Of Cannabis, Bill 20, 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 Justice and Public Safety shall have leave to introduce a bill entitled, An Act Respecting The Control And

Sale Of Cannabis, Bill 20, 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 Respecting The Control And Sale Of Cannabis," carried. (Bill 20)

**CLERK:** A bill, An Act Respecting The Control And Sale Of Cannabis. (Bill 20)

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

When shall the said bill be read a second time?

**MR. A. PARSONS:** Tomorrow.

**MR. SPEAKER:** Tomorrow.

On motion, Bill 20 read a first time, ordered read a second time on tomorrow.

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

**MR. A PARSONS:** Mr. Speaker, I move, seconded by the Minister of Advanced Education, Skills and Labour, for leave to introduce a bill entitled, An Act To Amend The Liquor Corporation Act, Bill 21, 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 Advanced Education, Skills and Labour shall have leave to introduce a bill entitled, An Act To Amend The Liquor Corporation Act, Bill 21, 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 Advanced Education, Skills, and Labour to introduce a bill, "An Act To Amend The Liquor Corporation Act," carried. (Bill 21)

**CLERK:** A bill, An Act To Amend The Liquor Corporation Act. (Bill 21)

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

When shall the said bill be read a second time?

**MR. A. PARSONS:** Tomorrow.

**MR. SPEAKER:** Tomorrow.

On motion, Bill 21 read a first time, ordered read a second time on tomorrow.

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

**MR. A PARSONS:** Mr. Speaker, I move, seconded by the Minister of Children, Seniors and Social Development, for leave to introduce a bill entitled, An Act To Amend The Smoke-Free Environment Act, 2005, Bill 22, and I further move that the said bill be now read a first time.

**MR. SPEAKER:** It is moved and seconded the hon. the Minister of Justice and Public Safety shall have leave to introduce a bill entitled, An Act To Amend The Smoke-Free Environment Act, 2005, Bill 22, 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 Children, Seniors and Social Development to introduce a bill, "An Act To Amend The Smoke-Free Environment Act, 2005," carried. (Bill 22)

**CLERK:** A bill, An Act To Amend The Smoke-Free Environment Act, 2005. (Bill 22)

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

When shall the said bill be read a second time? Tomorrow?

**MR. A. PARSONS:** Tomorrow.

**MR. SPEAKER:** Tomorrow.

On motion, Bill 22 read a first time, ordered read a second time on tomorrow.

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

**MR. A. PARSONS:** Mr. Speaker, I move, seconded by the Minister of Service Newfoundland and Labrador, for leave to introduce a bill entitled, An Act To Amend The Highway Traffic Act, Bill 23, 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 Service NL shall have leave to introduce a bill entitled, An Act To Amend The Highway Traffic Act, Bill 23, 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.'

This motion is carried.

Motion, the hon. the Minister of Service NL to introduce a bill, "An Act To Amend The Highway Traffic Act," carried. (Bill 23)

**CLERK:** A bill, An Act To Amend The Highway Traffic Act. (Bill 23)

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

When shall the said bill be read a second time? Tomorrow?

**MR. A. PARSONS:** Tomorrow.

**MR. SPEAKER:** Tomorrow.

On motion, Bill 23 read a first time, ordered read a second time on tomorrow.

**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 Respecting The Restraint Of Salary And Extinguishment Of Severance Pay For Non-Represented Public Sector Employees And Statutory Officers Of The Province, Bill 24, 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 and President of Treasury Board shall have leave to introduce a bill entitled, An Act Respecting The Restraint Of Salary And Extinguishment Of Severance Pay For Non-Represented Public Sector Employees And Statutory Officers Of The Province, Bill 24, 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.'

This motion is carried.

Motion, the hon. the Minister of Finance and President of Treasury Board to introduce a bill, "An Act Respecting The Restraint Of Salary And Extinguishment Of Severance Pay For



Non-Represented Public Sector Employees And Statutory Officers Of The Province,” carried. (Bill 24)

**CLERK:** A bill, An Act Respecting The Restraint Of Salary And Extinguishment Of Severance Pay For Non-Represented Public Sector Employees And Statutory Officers Of The Province. (Bill 24)

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

When shall the said bill be read a second time?

**MR. A. PARSONS:** Tomorrow.

**MR. SPEAKER:** Tomorrow.

On motion, Bill 24 read a first time, ordered read a second time on tomorrow.

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

**MR. A. PARSONS:** Mr. Speaker, I move, seconded by the Minister of Finance and President of Treasury Board, for leave to introduce a bill entitled, An Act To Amend The Other Post-Employment Benefits Eligibility Modification Act, Bill 25, 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 and President of Treasury Board shall have leave to introduce a bill entitled, An Act To Amend The Other Post-Employment Benefits Eligibility Modification Act, Bill 25, 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.’

This motion is carried.

Motion, the hon. the Minister of Finance and President of Treasury Board to introduce a bill,

“An Act To Amend The Other Post-Employment Benefits Eligibility Modification Act,” carried. (Bill 25)

**CLERK:** A bill, An Act To Amend The Other Post-Employment Benefits Eligibility Modification Act. (Bill 25)

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

When shall the said bill be read a second time? Tomorrow?

**MR. A. PARSONS:** Tomorrow.

**MR. SPEAKER:** Tomorrow.

On motion, Bill 25 read a first time, ordered read a second time on tomorrow.

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

**MR. A. PARSONS:** Mr. Speaker, I call from the Order Paper, Order 2, third reading of Bill 16.

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

**MR. A. PARSONS:** Mr. Speaker, I move, seconded by the Minister of Natural Resources that Bill 16, An Act To Amend The Court Security Act, 2010, be now read a third time.

**MR. SPEAKER:** It is moved and seconded that the said 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 To Amend The Court Security Act, 2010. (Bill 16)

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

On motion, a bill, “An Act To Amend The Court Security Act, 2010,” read a third time, ordered passed and its title be as on the Order Paper. (Bill 16)

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

**MR. A. PARSONS:** Mr. Speaker, I move, seconded by the Minister for Service NL, that the House resolve itself into a Committee of the Whole to consider Bill 18.

**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 (Bragg):** Order, please.

We are now considering Bill 18, An Act To Amend The Corporations Act.

A bill, “An Act To Amend The Corporations Act.” (Bill 18)

**CLERK:** Clause 1.

**CHAIR:** Shall clause 1 carry?

The Chair recognizes – a little rusty here now because everybody has moved around a

thousand times – the hon. the Member for Ferryland.

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

I want to ask a general question in regards to Bill 18 and the additional provisions of titles as introduced, in particular, under the PNP. I notice this is not coming into force until some time in the future.

What outstanding negotiations or discussions or redefining of the current agreement of PNP needs to take place with the federal government, the Department of Immigration, before this can proceed?

**CHAIR:** The Chair recognizes the hon. the Minister of Advanced Education, Skills and Labour.

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

Thank you for the question. What we have done under the proposal for the amendment is to ensure that all of the provisions are in place. We’re looking for implementation of this in the fall of 2018.

It was important for us to put this legislation in place now. We have been talking to the federal government. We have in principle, the two categories. As you know, the entrepreneur and the international graduate entrepreneur categories are in other provinces in Canada, and we were one of the few provinces that did not have it.

What we’re doing now, of course, as you know, all of the regulations and criteria around any program that we have are federal regulations. So we are anticipating that under the federal guidelines and criteria, we’re just making sure that all the policies are in place. All of this should be done before the end of the summer so we can have implementation of those two programs in the fall, versus having to wait until the fall to bring the legislation in and then it will be spring of 2019.

So we just sort of expedited this in order to have all the provisions in place so we can implement this in the fall.

**CHAIR:** The Chair recognizes the hon. the Member for Ferryland.

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

I thank the minister for that. Just to be clear, are there any updates that need to be done between the Newfoundland and Labrador and the Canadian government Provincial Nominee Program? In that actual agreement, are there any amendments required in that to reflect the change we are proposing here in this current amendment?

**CHAIR:** The Chair recognizes the hon. the Minister of Advanced Education, Skills and Labour.

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

I thank you for the question. No, there's not. The way in which the legislation – if we pass the amendment to the legislation, it will enable entrepreneurs and also graduate entrepreneurs the ability to set up a business within the province and, of course, one of the commitments and criteria within that is they will have one year in order to do that. That's one of the criteria. Then they will apply for the Provincial Nominee Program.

There are no impacts or no changes that have to be made. The whole idea of putting that time frame in place is to ensure that we do have some longevity, giving the companies or the graduate entrepreneurs the opportunity to have their business set up. Then they make application under the Provincial Nominee Program and that will work through the process. By that time, we expect them to be established within the province.

**CHAIR:** The Chair recognizes the hon. the Member for Ferryland.

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

As the minister said, there are two new categories now under the Newfoundland and Labrador PNP. Currently there would be three: express entry skilled worker, skilled worker and international graduate. Now we'd add two more is my understanding.

In regard to the PNP process and the application process, now we have two new application entities or processes that will be added to that list so there will be five. Is there any preference given to the two that you're introducing today? What will the expected timeline be for someone that enters or wishes to put in an application under these two new definitions?

I guess my question is: Is there any distinction in those five that will exist in the future and any way to expedite those recent two that we're talking about here today?

**CHAIR:** The Chair recognizes the hon. the Minister of Advanced Education, Skills and Labour.

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

It's a very, very good question. As you know, of course, under the Provincial Nominee Program now it roughly takes about 14 to 16 months. The application process within the province, we have improved the application process – and I'm just trying to check, if you'll give me a minute or two. The applications of the current categories, we've reduced that to 32 days for processing at the provincial level versus what used to be somewhere in the vicinity of 47 days.

Mr. Chair, having said that, the processing of the application within the province, then it has to go to the federal government because it has to be compliant with the federal government regulations. What we're finding under the Provincial Nominee Program is that these are taking somewhere between 14 and 16 months. So, as a result of that, there are two other categories, and we have put a new category in, which is the Atlantic pilot project which came in March 2017 to try and expedite – and we have 442 immigrants that fall within that category. We are able to expedite that process and get the amount of time from 14 to 16 months reduced to somewhere between five and six months.

The other category is the express entry, which of course again is a way in which the federal government wanted to expedite the immigration process. Again, that's a limited category because of the fact that it is express entry and they have to be highly skilled in the labour force. They are

in a special (inaudible) when it comes to the federal regulations.

So those three categories, they're in place now. The two categories we have, the two new ones we're putting in place, we do have timelines in there. Because part of what we're asking for in the amendment to this legislation is they do not require to have the 25 per cent Canadian directorship. So an international graduate student from either Memorial University of College of the North Atlantic that would be interested in starting a business will make application upon completion of their graduate program. They will go through that process, it will be monitored, we will look at whether it fits into the categories we have; and if, in fact, it does, then they will be given the permission to establish their business – and of course there are different categories.

They can get into the graduate entrepreneur program with one-third investment, versus if you're looking at the international entrepreneur you're looking at 100 per cent. Without sort of muddying the waters on that, because it can get a little bit complicated, what would happen then is they would be required to be in business for a year, because that's one of the requirements under criteria. Both of those new categories, they would require to be in business for a year. Then at the end of that year if, in fact, they are in good standing, and they will be monitored, there's a stringent assessment in there on a periodic basis and if they're meeting all of the requirements that are set out in those regulations, at that point in time then after they've completed their year, they will make application under the Provincial Nominee Program, then that starts the process the same as if a Provincial Nominee Program person started today.

So the whole idea of that, in these two categories, it will move the process out almost anywhere between 32 to 36 months. The rationale for that is the fact that now, by the time they've started their business, they're not leaving the province. That's a capturing thing. That's a safeguard that's put in there to ensure that if they're making significant investment within a company, within their company, as an entrepreneur, that they are now working through that and that gives us a safeguard so we know by

that time that they're actually going to be staying in the province and hopefully have a successful business.

So the process is a little bit complicated but we feel that the safeguards are there to enable us to be able to have a successful program in those two categories.

**CHAIR:** The Chair recognizes the hon. the Member for Ferryland.

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

I thank the minister for that explanation. I'm just wondering in that particular example of the graduate entrepreneur and leading up to I think that 12-month period, to get to the point – and monitoring for a year – to get them to the point of application for the PNP, if there's an outside investor that wanted to invest and incorporate here in the province, that international graduate, is there a point in time when they could represent the 25 per cent that's needed or the residence requirement that's needed to fulfill the obligations of the *Corporations Act*?

**CHAIR:** The Chair recognizes the hon. the Minister of Advanced Education, Skills and Labour.

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

Under the provisions of the *Corporations Act*, that exists now and will continue to exist. The two categories that we're having are specific to these two categories. So all of the previous – if an investor wanted to make – of course obviously we cannot have passive investing because that's something that we wanted to prevent happening, because passive investing really does not bring a sense of ownership to a company. We wanted to avoid that.

There are no changes in the *Corporations Act* with regard to starting a business. There are criteria set up into both of these categories – of course that as being immigrant – and they will work through the process. That's how the removing the requirement of a 25 per cent Canadian directorship, that's the whole purpose in that so we can work through those two categories to ensure that we're giving

opportunities for immigrants to become business owners within the province.

**CHAIR:** The Chair recognizes the Member for Cape St. Francis.

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

Can you explain the purpose of the 25-per cent residency, why it's required? Why is it included in the act in the first place?

**CHAIR:** The Chair recognizes the Minister of Advanced Education, Skills and Labour.

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

By the way, I just preface that by saying there are some provinces that don't have that requirement. But the original intent within the *Corporations Act*, to have that, there would be a part of a Canadian directorship involved.

I just go back to an example of a company I was involved in several years ago that was an American company. We wanted to incorporate within Canada and that exact regulation was there. It gave us and gave that company the opportunity to have how the business would operate within Canada. Of course, I not only worked for the company, I also became a director of the company which satisfied that requirement.

The intent of it would be to have the Canadian knowledge that would be required. Sometimes companies that are set up in Canada and want to become incorporated in Canada and they're from another country, they need to have that connection.

Mr. Chair, the two categories that we have, we recognize and realize that really could create a bit of a challenge, if that requirement was still there, for International Entrepreneurs and International Graduate Entrepreneurs. Some of them may not have that direct connection so they could fulfill the requirement of the 25 per cent.

That was the rationale that we used to make this amendment. To ensure that in order for these two categories to be successful, it would be

necessary for us to remove that requirement. That's the reason. When it comes to any other incorporation within Canada, there are no changes when it comes to the requirements in that area.

**CHAIR:** The Chair recognizes the Member for Cape St. Francis.

**MR. K. PARSONS:** I do understand, Minister, where you're coming from, but my question now is the 25-per cent residency rule. Has there been any consideration to either eliminate the whole lot of it and say, no, like other provinces – and the majority of provinces, may I say – in Canada have done?

In the briefing it was stated to us that the residency wouldn't be practical. I don't know if you can explain that, why it wouldn't be practical. Is there consideration in the future that this 25 per cent will be completely removed?

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

**MS. GAMBIN-WALSH:** Thank you, Mr. Chair.

In actual fact, the removal of the 25 per cent is just indicated for this particular program. We're just isolating to this particular program. This is the bill that we're discussing here today, so consideration for additional times has not been discussed because we're discussing it in this particular program.

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

**MR. K. PARSONS:** My question is: The 25 per cent is still in this program, right? It's still under this program?

Other provinces, and the majority of provinces, have eliminated the 25 per cent completely. In the briefing we were told that it wasn't practical for us to remove it. The question was asked in the briefing: Why don't we remove it like other provinces have?

My question to you is: I don't know the reason why it wouldn't be practical. Is it something that will be considered in the future?

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

**MS. GAMBIN-WALSH:** It's not something we have discussed yet for the future. Right now it's in place as a modality to monitor the *Corporations Act* and to ensure people are residents of Canada at 25 per cent. It helps with efficiencies and monitoring processes.

Right now what we've been looking at is the removal specifically for this program. We're testing it with this program to see if it should work with this program. We're doing it specifically for this AESL program; we're not considering removing it for future at the present time.

**CHAIR:** The Chair recognizes the Member for Cape St. Francis.

**MR. K. PARSONS:** I think my understanding is that the 25 per cent is still going to stay in this program. You're still going to need 25 per cent. I think that's my understanding.

The two new categories you added to the three that are already there will help entrepreneurs to be able to get people to be able to get in the programs so they will have 25 per cent. That's what other provinces did in Canada. I believe that's my understanding.

It was also mentioned in the briefing PEI was exploring the requirements just to residents of PEI. I was wondering if Newfoundland was considering that also. I think the program that you're talking about, the residency rule will still be there. There's no removal of the residency rule. That 25 per cent will still exist.

**CHAIR:** The Chair recognizes the Minister of Advanced Education, Skills and Labour.

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

The 25 per cent that's there will – my understanding – still be in place for incorporation within Canada. That's not attached to the International Entrepreneur and the International Graduate Program.

Under the two new categories we will be hopefully putting in place – and every indication

is that it will happen – we have removed that. We felt that if we had kept the 25-per cent requirement in, it would have a negative impact on international entrepreneurs and international graduate entrepreneurs in setting up a business in Canada because of the fact it would have to be incorporated under the existing regulations. The 25 per cent has been removed for those two categories and those two categories only.

**CHAIR:** The Chair recognizes the Member for Cape St. Francis.

**MR. K. PARSONS:** Minister, my understanding with the briefing was that these two new categories were added to assist so that entrepreneurs could find the 25 per cent. In the briefing it was told to us the reasons why the 25 per cent was there was for the cultural aspect, the local content and to be able to have immigrants that come to our province be able to have to know our culture and stuff like that. They just wanted to make it easier to make more people that could become directors within their corporation, and that 25 per cent was added.

Also, in your *Way Forward* documentation that was released in March 2017 it was mentioned another category that you were going to add – but I don't know why this was dropped, the question I'll ask – was International Investor. That was in *The Way Forward* in 2017. That was another category that you were going to look at. I'd like to know why that was dropped, but I still believe that your 25 per cent is there.

**CHAIR:** The Chair recognizes the Minister of Advanced Education, Skills and Labour.

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

I just want to be very, very clear; the 25 per cent is not there for those two categories. That's the reason why we're making the amendment today, to remove the requirement for 25 per cent for these two categories.

The whole idea of this International Entrepreneur graduate and International Entrepreneur program is to ensure – because there are probably some graduates that do not have connections with Canada, there are areas they do not know, people that would be Canadian directors, or Canadian directors would

have an interest in investing. That piece has been removed. It has been removed for the International Graduate and the International Entrepreneur.

When it comes to international investment, I can't make a comment that that's dropped, Mr. Chair, because that in itself – there are all kinds of investments. There are provinces that have had problems with passive investment. So that's an area we will be looking at, but right now we're concentrating on those two categories so that we can find a way. We have quite a number of international graduates that are coming to our post-secondary institutions and when they finish, right now there is no opportunity for them to get involved in the business.

I might add, Mr. Chair, we also are concerned because we do have private institutions out there and right now when graduates from private institutions, when they're immigrants and they had completed their post-secondary education at a private institute, they have to leave the country and come back in.

I have written my federal counterpart and asked that we would include private training institutions as well because they are not included under the federal regulations. We are trying to fill that void as well, Mr. Chair. We'll continue to work on that, but that is very clear that that 25 per cent is eliminated.

**CHAIR:** The Chair recognizes the Member for Conception Bay South.

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

There seems to be some confusion, Minister, on the 25 per cent, because based on briefings and what we're reading in the bill we're not seeing what you're saying there. I look for some clarification.

What is your goal in modifying these categories and adding these new definitions? What's the department's goal with the new definitions and the categories being added?

**CHAIR:** The Chair recognizes the Minister of Advanced Education, Skills and Labour.

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

The goal is to increase immigration within the province and opportunities for entrepreneurs. One of the areas we find lacking is the opportunity for immigrants to be able to start business, to start their own businesses, to create employment. One of the spinoff effects from anybody starting a business is the opportunity to increase employment. This gives international entrepreneurs an opportunity to come within this province, to be a part of the province, to make an investment in the province, start a business in the province, to hire people in the province.

That is the goal of what we're doing. We're trying to make it such – we're trying to make it as easy as possible for them to transition into an opportunity to start a business and to run a business.

**CHAIR:** The Chair recognizes the hon. Member for Ferryland.

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

Minister, the two new definitions, international entrepreneur and international graduate entrepreneur, once that designation is obtained by an applicant they'll become residential status of Canada, I assume. That's what the process is all about. Then individually under the *Corporations Act* here, they could invest their own funds and start their company.

In that example – and I think I asked this before but I'm not sure on the answer. In that particular example where they've done that, could they also be the conduit for someone from outside the country who want to invest, incorporate here, and they'd be the conduit to be that 25 per cent under the *Corporations Act* as it now exists today? It seems like once they get that residency status they could be the 25 per cent that someone from outside want to invest here but don't have that residency status.

**CHAIR:** The Chair recognizes the Minister of Advanced Education, Skills and Labour.

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

Again, when it comes to the investing part, there are – I was just trying to look and see if I had all of the specific details because when you look at the international entrepreneur, there are certain

criteria they have to meet with regard to the amount of investment. I don't know exactly, I couldn't find it there, but there are criteria in place.

I know, in fact, with the international graduate entrepreneur they can do one-third or 33 per cent investment versus – I think the Province of Nova Scotia, for their international entrepreneur, are requiring 100 per cent investment. They're having some challenges in getting people interested investing at 100 per cent, particularly from the international graduate section.

What we did, when we put in and looked at some of the criteria, by putting it at 33-and-one-third per cent we felt it would give maybe other students an opportunity. So it could be three students, it could be combined. When we look at these two categories, the intent of that is making sure we have proper measures so that they can make the investment that's necessary.

I'm trying to remember the second part of your question, was with regard to –

**MR. HUTCHINGS:** (Inaudible.)

**MR. HAWKINS:** Thank you.

Again, that would not be necessary under the graduate entrepreneur because we're looking at immigrants who are coming into the country. That would not be necessary because they could fall within the categories of an immigrant coming in and if they wanted to start their business. If they wanted to become part of a business, then that option could be there as well.

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

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

Minister, I just go back to one point before my next question. You say about the residency rule being removed for international graduate entrepreneurs and international entrepreneurs, but where is it stated to in the bill? I am after reading the bill again the second time. I'd like you to be able to clarify that for us because that's something we're trying to get some clarity on.

What measures are in place to ensure that these businesses will continue to operate and be managed in the province?

**CHAIR:** The Chair recognizes the hon. Minister of Advanced Education, Skills and Labour.

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

There are significant monitoring tools that are in place as they work through that process. As I stated earlier, once the 25 per cent Canadian directorship has been removed they are not required to have that. So they'll come in, make an application. The application will be reviewed. We will work through the application process, and if they meet all the criteria that are established under these two groups, then they would be given incorporation so they can start their business. They will be clearly monitored as we work through the entire process.

At the end of one year – because that is one of the stipulations we put into the criteria, they have to be in business for one year. At the end of that one year then, they can start their process for the Provincial Nominee Program and they'll go through the application. The intent of that is to make sure, as the Member mentioned, that we do have the proper monitoring in place to ensure that the people who are making those investments and starting their businesses, that they indeed stay, that they have a stake in the province and they stay in the province.

As they work through the entire process, it's probably going to be up to maybe three years from start to the time they get their permanent residency. That is important in the sense that by that time they will have potentially other people working in their company, their company is successful, the business is working well and they have now been established within the province and they will stay.

There were some problems back in 2011 – I believe it was 2011, the previous criteria that were in place just did not work. They would pop into Newfoundland and Labrador as a stepping stone and then pop out on the other end. The investment program just did not work. The Auditor General made mention of that back in, I think it was 2011-2012.



So what we have done now in establishing these two categories and putting the proper measures in place, we want to ensure that we have and we protect that investment, an investment is made within the province and we have a business that will be successful within the province.

**CHAIR:** The Chair recognizes the Member for Ferryland.

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

I just want to ask the minister – he gave a really good example in regard to international graduate entrepreneur in a post-secondary institution and the process that individual would go through if they wanted to invest and start an incorporated entity. He talked about the one-third, 33 per cent that could be used.

I'm just wondering, could you give an example from the international entrepreneur and how that would work in regard to I guess it's just an individual that wanted to come to Canada, wanted to invest in Newfoundland, wanted to get incorporated – what's the process for that individual who wouldn't be tied to a post-secondary institution? Could you just explain that and give an example?

**CHAIR:** The Chair recognizes the hon. the Minister of Advanced Education, Skills and Labour.

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

Part of that process – that's a good question. My understanding is what they would do is there would be an expression of interest. The expression of interest would be forwarded to my department. Once the expression of interest has been looked at and the categories, whether they would fit into the category that we have and meet the requirements there, they would then be invited to apply, and they would be invited to make application. Which roughly probably would take somewhere between month three and month five, because they go through their expression of interest in probably one to two months, and then we'd be able to evaluate that. Then ask them to invite, and that would probably take another couple of months.

At that point in time, once the invitation to apply has been done, there would be an assessment done of the business creation. From months six to 19, they would go through a monitoring process to ensure that once the business has been set up and once the incorporation has taken place that we'll work through that. They will be monitored on a regular basis to ensure that they're still satisfying the requirements under the applications they made. So that's basically how that works. Again, they would be in business for one year and, at the end of their one-year period, they would be able to make application for under the Provincial Nominee Program.

**CHAIR:** The Chair recognizes the Member for Ferryland.

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

I just thank the minister for that. He mentioned in that particular case there would be categories in regard to the application that would be considered after the expression of interest is done and someone invited to come in and have a discussion and indicated there were categories.

Would that be particular industries that there would be a preference for in regard to investment? How would that actually work? I'm just curious in regard to are there preferential industries or business activities that would be looked on more favourably than others.

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

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

Probably it was the incorrect usage of the word categories. It would be criteria that we have established. So that was probably my fault in saying categories; we're not looking at specific categories. The correct term should have been criteria that we would follow and what policies are there.

**CHAIR:** The Chair recognizes the Member for Ferryland.

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

Just into that particular example, that investor comes in, is there a requirement, if they're investing, to identify that investment and where it's coming from – would it have to come from Canadian financial institutions or could funds be transferred in from other jurisdictions, and how would that be monitored?

**CHAIR:** The Chair recognizes the Minister of Advanced Education, Skills and Labour.

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

Again, not necessarily trying to restrict where their investment would come from, one of the key areas that would be looked at, of course, under the international entrepreneur – I know one of the requirements there would have to be 100 per cent investment.

Certainly, that would be part of the analysis that would be done to ensure that the proper mechanism is in place, to ensure where the funds are. So that will be part of the whole process of going through that application, at which time, if they satisfy all those requirements then they will be invited to make application for that particular program.

All of these details with regard to putting all those safeguards in place certainly will be important. I think it's important for all of us to make sure that whatever investment is made it's in the best interest of the entrepreneur as well as the best interest of the province to ensure that everybody has a success rate within these categories.

**CHAIR:** The Chair recognizes the Member for Ferryland.

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

Minister, I understand – I just wanted to clarify. That investment that's made by the entrepreneur that comes in and gets status, I guess it would be like a business plan. They would lay out what their intent was and look at investment and where it's coming from.

I know in some international jurisdictions now they're concerned in regard to things like money laundering and those types of things, and funds coming in from outside that jurisdiction. I'm just

wondering – and that's why I mentioned about investment by Canadian institutions or if there is banking or requirements that would be done at a national level here – what safeguard would be there? Would that be the monitoring process where you would have to demand to demonstrate where the investment is coming from and where the dollars are coming from, if they're financed or if they're coming from another jurisdiction?

I'm just wondering if you can comment on that.

**CHAIR:** The Chair recognizes the Minister of Advanced Education, Skills and Labour.

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

Again, I have every confidence that once this expression of interest – whatever category that they're falling into, all of that will be certainly checked out, whether it's banking or whatever the case may be, all of the safeguards are in place to make sure that these are all legitimate investments. I can't see that being any different, Mr. Chair. I have every confidence within our staff to ensure that that will be done to meet all of the necessary requirements that's required.

**CHAIR:** The Chair recognizes the Member for Conception Bay South.

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

Mr. Minister, are there any other provinces bringing in similar categories to their nominee programs?

**CHAIR:** The Chair recognizes the Minister of Advanced Education, Skills and Labour.

**MR. HAWKINS:** Yes, Mr. Chair, as a matter of fact, we're probably one of the few provinces that have not put in an entrepreneur, international entrepreneur or an international graduate program. Different provinces have different programs. Some of them are working well; some of them are not working so well. Hopefully within the requirements that we put into these two categories, we have two programs that we feel very confident we can look for long term – because obviously for us we're not looking for short-term investment, we're looking for the long term and we feel that the criteria in

the categories that we have will satisfy that requirement.

**CHAIR:** The Chair recognizes the Member for Conception Bay South.

**MR. PETTEN:** So what other provinces have an entrepreneur category?

**CHAIR:** The Chair recognizes the hon. the Minister of Advanced Education, Skills and Labour.

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

As I said, some of them have varying models of the entrepreneur program. If you look at Nova Scotia and New Brunswick, if you look at the Atlantic provinces, I'm not at liberty to talk and criticize or talk about other provinces. There is an entrepreneur program in PEI. There are some issues with that. I think the hon. Member for the Third Party mentioned that in her remarks the other day as well.

I'm not really getting into talking about what's good and what's not good, but within the Atlantic provinces we do have these categories. That's one of the discussions we had with the federal government, why we are so confident that we're going to get it is because since other provinces have these two categories, there's no reason why we shouldn't as a province as well.

That's what we're working on, the premise that we're working on. We expect to have all of that done by the fall. One of the things that we have to realize is the fact that no matter which programs we put in, we have to, in all instances, follow federal regulations and federal guidelines. These will become part of the regulations that's under the entrepreneur program as well.

**CHAIR:** The Chair recognizes the Member for Cape St. Francis.

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

What consultations were done prior to proposing these amendments?

**CHAIR:** The Chair recognizes the hon. Minister of Advanced Education, Skills and Labour.

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

Of course, we consult in many cases with the Association for New Canadians, with stakeholders that are certainly important when it comes to looking at opportunities for immigration, so we would have included these in our discussions. A lot of what we talked about not only within our province, we've discussed and talked about with other provinces as well, to make sure that the model we have will be an effective model and will work and something that I think we will be proud of. I'm hoping there will be a significant uptake on this as we move forward.

Again, I cannot overemphasize, one of the reasons we are putting these two categories in place is to avoid having passive investment. We know that passive investment does not really benefit the province. The result, we are putting these two categories in place so that we can see significant opportunities in this province going forward so that we can see entrepreneurs coming into this province that see a potential to be able to grow a business in the province and employ local people.

I think that's very important for all of us, Mr. Chair, and I think we will certainly achieve that as we work through those categories.

**CHAIR:** The Chair recognizes the Member for Cape St. Francis.

**MR. K. PARSONS:** Minister, you mentioned people like the Association for New Canadians and different groups. Can you give us any feedback that they have provided to you?

**CHAIR:** The Chair recognizes the hon. Minister of Advanced Education, Skills and Labour.

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

Certainly, the indication I've had when I talked with my staff is that this is a very progressive move. This is a very proactive move. This is looking at future opportunities.

Mr. Chair, really when you look at it, it's an opportunity for us to address some of the concerns we have and to attract more immigrants to the province. This is just another tool, actually it's two tools, that will provide an opportunity for that to increase our immigrant investment in the province.

**CHAIR:** The Chair recognizes the Member for Cape St. Francis.

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

I think all Members received an email this morning from Vaughn Hammond, the Canadian Federation of Independent Business. They were concerned, while they support the bill, they were never consulted. Is there some reason why they were never consulted?

**CHAIR:** The Chair recognizes the Minister of Advanced Education, Skills and Labour.

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

When decisions are made within government as well, we're not necessarily compelled to consult with every stakeholder or every group that's out there.

Mr. Chair, the important part to this whole process – if Mr. Hammond has a problem with creating employment in this province, then I would certainly invite him to give me a call because this is not against employers, it's not against business. This is a business opportunity and, as a result, Mr. Chair, it will give not only the Canadian Federation of Independent Business an opportunity possibly to get other businesses within their group and organization that will help to finance their operations.

**CHAIR:** The Chair recognizes the Member for Cape St. Francis.

**MR. K. PARSONS:** I just feel the association is a very important business association in our province and it's probably one of the ones that you should have provided for some income. Like I said, I'm sure they're not against any business setting up in our province. I'm sure a lot of their work is done to encourage

investment and to encourage business in our province.

Do you have any concerns about the current economic climate and taxation regime brought in by your government that might determine that immigrants don't want to come here?

**CHAIR:** The Chair recognizes the Minister of Advanced Education, Skills and Labour.

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

Not at all, because we're very competitive to any of the Atlantic provinces. As a matter of fact, you'd probably have to go West of Ontario to find any rates that are higher than what we have. We are very competitive. As I stood here before, as I talked about the budget when it comes to business tax and incorporation tax. We talked about personal income tax. We are certainly very competitive to the rest of Atlantic Canada. As a matter of fact, I think Ontario, a few months ago, reduced their business tax. Believe it or not, I think they reduced it to what the rate was here in Newfoundland and Labrador.

So I don't have any concerns with that, Mr. Chair.

**CHAIR:** The Chair recognizes the Member for Cape St. Francis.

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

Minister, there's a lot of concern about the taxes like we have on – we talked about it today, about insurance tax. We talked about different taxes, that people are really finding it difficult to live here.

My question basically was: With the economic climate we find here in the province, I'm sure people look at the overall standard of living and where we're to, whether they decide to come and start a business in that province. Can you expect these changes to come into force soon, or when do you expect them to come in?

**CHAIR:** The Chair recognizes the Minister of Advanced Education, Skills and Labour.

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

Again, I think part of the rationale for us to have this in the spring session is that we would get this piece of legislation, an amendment done to the legislation, and we would like to have this so we can implement this in the fall of 2018 so we can get these two programs up and running.

**CHAIR:** The Chair recognizes the Member for Cape St. Francis.

**MR. K. PARSONS:** Minister, I'd like to know, what's your plan to inform stakeholders about these changes?

**CHAIR:** The Chair recognizes the Minister of Advanced Education, Skills and Labour.

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

Once we have this amendment completed and we have the final policies worked within the federal government, we will certainly go through the normal channels that we do in making sure the stakeholders will be involved in this. There will be releases done on this as well to make sure it's marketed properly, and we're looking forward to investment within the province from entrepreneurs that are outside of Canada.

**CHAIR:** Shall the motion carry?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

**CHAIR:** Carried.

On motion, clause 1 carried.

**CLERK:** Clause 2.

**CHAIR:** Shall clause 2 carry?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

On motion, clause 2 carried.

**CLERK:** 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 Corporations Act.

**CHAIR:** Shall the title carry?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

On motion, title carried.

**CHAIR:** Shall I report Bill 18 carried without amendment?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

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

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

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

Kudos on a great job handling that bill.

I move that the Committee rise and report Bill 18.

**CHAIR:** The motion is that the Committee rise and report Bill 18.

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 (Reid):** Order, please!

The hon. the Member for Fogo Island - Cape Freels.

**MR. BRAGG:** Mr. Speaker, the Committee of the Whole have considered the matters to them referred and have directed me to report Bill 18 without amendment.

**MR. SPEAKER:** The Chair of the Committee of the Whole reports that the Committee has considered the matter to them referred and have directed him to report Bill 18 without amendment.

When shall the report be received?

**MR. A. PARSONS:** Now.

**MR. SPEAKER:** When shall the bill be read a third time?

**MR. A. PARSONS:** Now.

**MR. SPEAKER:** Now.

On motion, report received and adopted. Bill ordered read a third time presently, by leave.

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

**MR. A. PARSONS:** Mr. Speaker, I call from the Order paper, Order 3, third reading of Bill 18.

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

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

I move, seconded by the Minister for Service NL, that Bill 18, An Act To Amend The Corporations Act, be now read a third time.

**MR. SPEAKER:** It is moved and seconded that the said bill be now read a third time.

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

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

**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 To Amend The Corporations Act," read a third time, ordered passed and its title be as on the Order Paper. (Bill 18)

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

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

Order 5, second reading of Bill 19.

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

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

I move, seconded by the Member for Lab West, that Bill 19, An Act To Amend The Energy Corporation Act, be now read a second time.

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

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

Motion, second reading of a bill, "An Act To Amend The Energy Corporation Act." (Bill 19)

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

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

A little over about five months ago, Premier Ball promised swift action to resolve a situation regarding the release of information related to independent contractors working at Nalcor that he knew was not in the best interests of the people of the province. That action is being taken today in the spirit of enhancing openness and transparency.

I'm pleased to stand today to present second reading of a bill amending the *Energy Corporation Act*. Our intent with this amendment is to ensure that information regarding Nalcor Energy's independent contractors is available to the people of the province.

Members of the public have inquired about remuneration of Nalcor's temporary contract staff, who are otherwise referred to as independent contractors, sometimes known as embedded contractors.

Typically, these contractors work primarily out of Nalcor facilities, using Nalcor tools of trade and work equipment. They are under Nalcor's direction and control and work exclusively for Nalcor. Sometimes they may work from a separate location or provide their own work equipment, such as a computer or a cellphone.

In this bill, we define such an independent contractor as "a person retained under a contract to perform services for the corporation." When we say person in this definition, it's actually much broader than the normal, everyday sense of the word, because the *Energy Corporation Act* defines person to include "a natural person, a corporation, another entity recognized by law, and the heirs, executors, administrators or other legal representatives of a person."

In 2017, Nalcor received two requests under ATIPPA, *Access to Information and Protection of Privacy Act*, for personal and financial information related to independent contractors at Nalcor operations. The energy corporation released some information, but withheld the

billing rates of individuals and the name of the company associated with each of these individuals. The based the refusals to release that information on section 5.4 of the *Energy Corporation Act*.

Nalcor's decision to withhold the information culminated in both applicants filing complaints with the Office of Information and Privacy Commissioner. Efforts to achieve informal resolution were unsuccessful and the complaints proceeded to formal investigation by the Commissioner.

It is neither necessary nor appropriate to keep the cost of these independent contractors secret from the public. Premier Ball has been clear, Nalcor is a Crown corporation using public funds. Ultimately, it is the taxpayers who pay the bills and they have a right to know how and where their money is being spent on services performed by independent contractors working within Nalcor and its subsidiaries.

On December 5, 2017, the Information and Privacy Commissioner released his report regarding Nalcor withholding certain information regarding independent contractors. The Commissioner concluded there is no evidence that disclosure of the information could unfairly harm the contractors nor that it constituted an unreasonable invasion of privacy under the *Access to Information and Privacy Act*; however, given that the previous administration gave paramount importance to section 5.4 of the *Energy Corporation Act*, over ATIPPA, the *Access to Information and Protection of Privacy Act*, the Commissioner stated he had no choice but to recommend that Nalcor continue to withhold the information.

The Commissioner further stated that and I'll quote: "... the only solution to this unintended differential treatment of similarly situated employees is via legislative amendment. Legislation often leads to unanticipated results. The ability to amend legislation ensures that unintended consequences are not permanent."

This is what our government is doing with this bill. It is an opportunity to correct, basically, an error and maintain our commitment to the people of Newfoundland and Labrador. It should be noted these proposed amendments will have

no implications on the recently amended *Public Procurement Act*. They will not interfere with the intent or application of that act, but are a further enhancement of government's commitment to openness, transparency and the public's right to know.

The amended legislation would allow the Commissioner to consider the release of information through the regular process of ATIPPA. The Commissioner will be able to do his work with respect to Nalcor's independent contractors without the constraint of the *Energy Corporation Act*.

He'll be able to treat them in the same manner that ATIPPA treats independent contractors of other Crown corporations and agencies. These proposed amendments protect the original intent of section 5.4 of the *Energy Corporation Act* and seeks to allow the release of information related specifically to payments and rates of pay remunerated to all independent contractors that are within Nalcor operations so that Nalcor is in line with all other Crown corporations and agencies.

We understand this amended legislation may not be popular with some of Nalcor's independent contractors. To protect the province from any litigation a third party might bring in relation to the amendments and the consequences arising from the release of information, the proposed amendment in section 2 of the bill includes a generic statutory immunity clause.

This will not be the first time that government seeks to release information that has previously been withheld. The *Public Sector Compensation Transparency Act* came into force in 2016. In the summer of 2017, we posted online the 2016 public sector compensation listing for all employees in government and specified public bodies, including agencies, boards and commissions, health care bodies, educational bodies and Crown corporations who received compensation greater than the threshold which is currently \$100,000.

This is known as a sunshine list. We enacted this legislation because the information should be available to the public, as it is important for the people of the province to have access to information about government spending in an

open and transparent way. Nalcor is no different and has employees that are covered by the sunshine list.

Our amendments will mean that commercially sensitive information under the *Energy Corporation Act* does not include an independent contractor's name, position or function, remuneration or payments received from Nalcor. This means Nalcor's independent contractors will be treated like those of any other Crown corporation or agency with respect to information disclosure and accountability.

A little less than two months ago on March 17, 2018, *Budget 2018* announced our government will be separating Nalcor's oil and gas subsidiary from the rest of the energy corporation. This will require new legislation that could remove that subsidiary from the energy corporation. We are working diligently towards that goal by very carefully reviewing our oil and gas partnership agreements, and by reviewing our oil and gas commitments. If we can remove unnecessary protections we will do so, but we will do it methodically, thoroughly, prudently. We won't rush legislation through this House.

Mr. Speaker, two separate applicants asked Nalcor for independent contractor information. Nalcor was not fulsome in its released of information, citing section 5.4 of the *Energy Corporation Act*. Nalcor's CEO Stan Marshall stated publicly at the time he would release the independent contractor information if not bound by this legislation.

In the ATIPPA or access to information – the Privacy Commissioner's report of December 2017 regarding Nalcor withholding certain information, he concluded that there was no evidence that disclosure of the information could unfairly harm independent contractors, nor that it constituted an unreasonable invasion of privacy under ATIPPA; however, given that the former government's paramountcy in section 5.4 of the *Energy Corporation Act* over ATIPPA, the Commissioner stated he had no choice but to recommend that Nalcor continue to withhold this information.

Now, Mr. Speaker, since this issue has been raised publicly, Nalcor has informed us, our



government, that it will include a clause in any new contracts with corporate entities that allows Nalcor to make rates paid to contractors publicly available. The company has also committed that for any renewal contracts with corporate entities renewed in 2018, a clause will be included that allows the release of rates paid to contractors publicly.

This is a positive step forward and our government approves of this proactive approach to openness and transparency. Today's proposed amendment to the *Energy Corporation Act* is the latest step in a series our government has taken since coming into office to ensure Nalcor and the Muskrat Falls Project is better managed with greater accountability and transparency.

A number of significant actions related to the Muskrat Falls Project have been undertaken by this government. In fact, I could tell you since I've become minister my department is consumed with ensuring that that project is well managed.

Mr. Stan Marshall – the renowned Stan Marshall I would say – was appointed the CEO of Nalcor Energy in April of 2016. He subsequently made changes to the organizational structure, separating generation and transmission, which has resulting in a positive impact on the management of the project. In November of 2016, the additional federal loan guarantee of \$2.9 billion was secured, Mr. Speaker, saving this province and the ratepayers of this province and the taxpayers of this province a significant amount of money.

New members were appointed to the board of directors of Nalcor, including the chair, Brendan Paddick, who is a global business leader. We put four independent members who were appointed to the Muskrat Falls Oversight Committee and methods of reporting to the public were revised and improved. Updates on the project's cost and schedule were given in June of '16 and June of '17. At Nalcor's AGM in April, CEO Stan Marshall indicated the Muskrat Falls Project was within its schedule and budget.

I think, Mr. Speaker, that bears repeating: It is now within its schedule and budget. There has been no further slippage. I thank the efforts of Mr. Marshall and the board of directors and,

indeed, this side of the House for all of the work that we've done to ensure that is the case.

Late last year, Premier Dwight Ball and I announced the Muskrat Falls inquiry, which has since started work and is expected to have its work completed by the end of next year. We're continuing to work to ensure that Nalcor is operating in the best interest and to the best benefit of all Newfoundlanders and Labradorians.

The amendments proposed today reflect our government's continued commitment to openness and transparency. Mr. Speaker, I'd like to thank Premier Ball for his leadership on this issue from the very beginning. From the very beginning, his position and the direction were very clear and we are pleased that we were able to bring forward changes to resolve this matter so very promptly.

Thank you, Mr. Speaker.

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

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

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

I'm glad to rise to speak to Bill 19, An Act to Amend the Energy Corporation Act. The Explanatory Notes with the bill says: "This Bill would amend the *Energy Corporation Act* to exclude certain information relating to an independent contractor from the definition of 'commercially sensitive information.'"

Usually, the debate would centre around the Explanatory Notes in a bill. I'll certainly stick to that. The overview, as I said, is dealing specifically with commercially sensitive information, the definition of that and how it's defined. That would be information related to name, position, function, remuneration and payments received by an independent contractor through this amendment would now be released through access to information is my understanding.

In 2017 – I think the minister may have referenced this – Nalcor received ATIPPA requests for financial information related to what

is referred to often as embedded contractors. Those are contractors – they could have a small company, one or two individuals or more that could be under contract with an entity like Nalcor and basically involved in day-to-day functions and operations, either in a facility here or actually on a project like Muskrat Falls on site.

At that time there was a request made, and these contractors would not be salaried employees of Nalcor but under contracts with Nalcor or through an actual third party. Nalcor released some information but withheld the billing rates of individuals and the name of the company associated with each.

This went to the Privacy Commissioner and that office released a report, I think it was in December 2017. Some of the comments made at that time from the Privacy Commissioner, one was that: “It appears the only solution to this unintended differential treatment of similarly-situated employees is via legislative amendment.”

When the Privacy Commissioner, as requested, looked at the original act as written, he said: “It appears the only solution to this unintended differential treatment of similarly-situated employees is via legislative amendment.”

We’re here today to review Bill 19 and proposed amendments, I assume, based on partially what the Privacy Commissioner had done in his review and what the recommendation was in terms of how the current legislation was written in particular to this.

The Privacy Commissioner further reported or noted: “The Commissioner did not recommend disclosure of any of the records as per section 5.4 of the *Energy Corporation Act* prevails over the *Access to Information and Protection of Privacy Act, 2015*.”

What we had was two pieces of legislation that, if you will, were in conflict in regard to which piece of legislation supersedes or which piece of legislation would be held in accordance from an authoritative point of view and which piece of legislation would be used. That was the conflict the Privacy Commissioner identified in his report in December 2017.

The Privacy Commissioner also wrote: “Nalcor states that it withheld the billing rates and other financial information pursuant to section 5.4 of the *Energy Corporation Act*. Nalcor argues that it is commercially sensitive information ...” – which is really what this bill is all about.

If you go to the content of the bill under 1(1), and I’ll touch on that. It goes through the various definitions of what commercially sensitive information is. This is not excluding commercially sensitive information. What it’s done is redefining it based on, I guess, the Commissioner and what was suggested in regard to one particular instance of release of information, and that’s related to independent contractors.

The commercially sensitive information provision of the *Energy Corporation Act* is being redefined with most of what’s currently in the act staying and provision made for this particular area related to commercially sensitive information related to contractors or what’s often referred to as embedded contractors.

Just going back to the Privacy Commissioner, some of the comments made: “Nalcor states that it withheld the billing rates and other financial information pursuant to section 5.4 of the *Energy Corporation Act*. Nalcor argues that it is commercially sensitive information.”

That’s what I reference in regard to the current act and the amendment we’re looking at today. They had argued “... disclosure of which will harm the competitive position of Nalcor or third parties, would result in financial loss or harm to Nalcor or third parties and is information treated consistently in a confidential manner by third parties.”

Really, when you’re talking about commercially sensitive information, what’s talked about here in regard to disclosure may harm in relation to competitive positions, financial loss or harm to Nalcor or third parties – or to the entity or the third party, no matter what party it was when we’re speaking about commercially sensitive information. That’s the issue that’s been dealt with through this amendment and why the Privacy Commissioner had recognized it in the current way that the act was written.

The Commissioner also went on to state: “there is no evidence that disclosure of this information could unfairly expose these employees to the risk of financial or other harm.”

So that was the review of the Commissioner when looking at and examining from a commercially sensitivity point of view should this information continue to be blocked and this particular act, the corporate act, supersede the ATIPP act. That was the opinion that was rendered by the Privacy Commissioner.

“The introduction of public sector salary disclosure legislation in the province resulted in the disclosure of the salaries of many of their fellow employees.” I think that was something the minister referenced as well in introducing the bill.

The Privacy Commissioner could not recommend that this information be released because section 7(2) of ATIPPA notes that section 5.5 of the *Energy Corporation Act* prevails over ATIPPA. So that gets to the issue I spoke of in regard to two pieces of legislation. One is particular to the actual entity that was asked to release the information, and the other one is broad-based ATIPPA legislation that looks at the overall release of information within government and within agencies, boards and commissions; and, as well, goes beyond that and looks at other government entities outside of this facility and looks at municipal governance as well. But what the Commissioner had said, this is not in keeping with the provisions of commercial sensitivity, rendered an opinion that was different than what had originally been given in regard to why the information wouldn't have been released.

That leads us here today in regard to the actual bill and the amendments that are before us here in the House. What happens now? What's transpired in regard to the request that was made in the release of information, the Privacy Commissioner reviewed it, made some recommendations and gave some thoughts on the provisions of the two pieces of legislation and what should prevail. So now we see that changes made to the bill will allow information related to the name, position, function, remuneration and payments received by the

independent contractor can now be released via ATIPP.

I mentioned earlier, the bill changes the definition of commercially sensitive information to explicitly say: it does not include. It has not wiped out commercially sensitive information in terms of the provision but it is amended, and that is what we have here, that it does not include that term commercially sensitive information, does not include information related to an independent contractors name, position or function with the corporation, remuneration and payments received from the corporation.

By specifically excluding this from the definition, section 5.4 of the *Energy Corporation Act* can no longer be used as an exception to releasing this information. Specific to this type of information, if it happens whenever, the provision to exempt it would not exist because it's pulled out of the provision of being commercially sensitive information.

The bill adds the definition as well of independent contractor. It also adds, to my understanding, an immunity clause which notes that a person who has their information released through ATIPP cannot take action against the government, Crown or ministers.

The actual bill, An Act to Amend the Energy Corporation Act, Bill 19, does look at, as I said, commercially sensitive information, what it means and defines it. There are still a number of types of information that still would be classified under commercially sensitive information under the *Corporations Act*: “scientific or technical information, including trade secrets ...” – those types of information – “strategic business planning information, financial or commercial information, including financial statements, details respecting revenues, costs and commercial agreements ... individual business activities, investments, operations or projects ...” and so on.

As well, there would be a provision for “information respecting positions, plans, procedures, criteria or instructions developed for the purpose of contractual or other negotiations by or on behalf of the corporation, a subsidiary or a third party, or considerations that relate to those negotiations, whether the negotiations are

continuing or have been concluded or terminated ....”

It would go on to define commercially sensitive information as “financial, commercial, scientific or technical information of a third party provided to the corporation or a subsidiary in confidence, (vi) information respecting legal arrangements or agreements, including copies of the agreement or arrangements, which relate to the nature or structure of partnerships, joint ventures, or other joint business investments or activities ....”

Further, commercially sensitive information would be defined as “economic and financial models used for strategic decision making, including the information used as inputs into those models,” and commercial information of a kind similar to that referred to in the paragraphs I just read out from those defined as commercially sensitive.

The significant difference here now is the provision “but does not include information related to an independent contractor’s (ix) name, (x) position or function with the corporation, (xi) remuneration, and (xii) payments received from the corporation ....” It also goes on to define “‘independent contractor’ means a person retained under a contract to perform services for the corporation ....”

I mentioned as well the issue in regard to liability and the actual release of that information: “An action or proceeding does not lie or shall not be instituted or continued against the corporation, an officer, employer or agent of the corporation, the Crown or a minister, employee or agent of the Crown based on a cause of action arising from, resulting from or incidental to the disclosure of information in accordance with this Act.”

The bill outlines the current criteria for determining the release of information in relation to commercial sensitivity, and then it also outlines items that relate back to 2017 when requests were made for specific information. That information, based on the current writing of the *Energy Corporation Act*, couldn’t be released. It was undertaken for review by the Privacy Commissioner. That office gave some

recommendations and insight into the comparative legislation, ATIPPA.

The *Energy Corporation Act* made recommendations in regard to what was felt to be commercially sensitive information and whether it was harmful or not. Then made those recommendations and, through that, made another recommendation that the appropriate course of action was to look to legislative change of this particular act, the *Energy Corporation Act*.

That’s the content of the bill that we’re here today discussing. It’s outlined very well. The minister went through it in regard to some background, historical perspective and why we’re here today.

I’m certainly pleased to speak to Bill 19. I look forward to further discussion. We may have some questions, as well, as we move into Committee.

Thank you, Mr. Speaker.

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

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

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

It’s a pleasure for me to rise today and have a few words on Bill 19, An Act to Amend the *Energy Corporation Act*. I think a lot of what needs to be said has already been said by the Minister of Natural Resources and by the Opposition House Leader. I will not belabour those points, but I just want to reiterate that the question is: Why are we doing this today? Why is government making those amendments? A very simple question and I think there’s a very simple answer.

Today, we are making amendments to the *Energy Corporation Act* to enable more information about independent contractors, or embedded contractors as they’re sometimes called, at Nalcor’s operations to be made available through the *Access to Information and Protection of Privacy Act*. When this came to light sometime last fall or earlier, it was certainly a big issue for the Premier knowing

full well that we are committed to openness and transparency on this and other issues. That's why we moved so quickly.

I'd like to applaud the minister and the department for working so diligently and getting these amendments in place so soon. I think it will go a long way to allay any of the concerns that a lot of people may have about the contractors.

When it happened at the time, of course the issue was around who were they and what kind of money were they making to put it in layman's terms, and how much were they being paid by Nalcor. These amendments that we're making today will allow that information to be shared with anybody who wishes to avail of that information through the *Access to Information and Protection of Privacy Act*.

These amendments, Mr. Speaker, will ensure that commercially sensitive information under the *Energy Corporation Act* excludes independent contractor's names. So, now, you'll be able to release the name of the contractor, the position, what they are actually doing there, remuneration and payments received from Nalcor. I think from the concerns that were raised when this issue was brought before the House, these were the main concerns – who were they, how many were there and, really, what were they being paid by Nalcor? I think these amendments today will allow that information to be released.

Those independent contractors will be treated like those of any other Crown corporation or agency with respect to information disclosure and accountability. These contractors that are working for Nalcor, we'll treat them no differently than other contractors working for a Crown corporation.

Section 5.4, as the minister alluded to earlier, in the *Energy Corporation Act* will continue to protect other commercially sensitive information that Nalcor may have in its partners with the oil and gas companies, for instance. We know that's going to be a concern down the road as we move into the separate entity with the oil and gas sector. We're open to making those amendments as well, but they will come in due time and after careful consideration – the due diligence is done.

It's not something that needs to be rushed into but, certainly, we're open to making those amendments as well.

Mr. Speaker, just for a little bit of background, the members of the public have been asking for this information for some time now, ever since, really, I suppose this project started. It's been a project that's received a lot of publicity, both positive and negative. Everybody in this province, and probably in Canada, knows where Muskrat Falls is today and what's actually happening there.

As the minister said as well, in 2017 Nalcor received two requests under ATIPPA for personal and financial information related to contractors embedded in the Nalcor operations. These embedded contractors, also referred to as independent contractors, are individuals that are not salaried Nalcor employees, but are engaged by a contract either directly or through a third party staffing enterprise to provide services to Nalcor. Nalcor released some of the information but withheld the billing rates of individuals and the name of the companies associated with them. Now, hopefully that will be cleared up by these amendments.

As I said, I think everything that needs to be said about this amendment, this Bill 19 that's before the House today for consideration, has been said. The commercially sensitive information that's outlined – that still remains there – is well defined in the act, whether it's scientific or technical information, strategic business planning and financial or commercial information, including financial statements. These people are protected, but I think the information that the public requires and needs to know will be able to be released now through these amendments.

Mr. Speaker, again, I think we've acted in a very timely manner. In the interest of openness and transparency, the Premier, as well as the minister, soon realized that this is information that should be out there and the taxpayers of this province should have access to and should not be refused the information.

I'm glad to stand today in support of this bill and to show that we are continuing down the path of openness and transparency. There are lots of

things that could be said about the Muskrat Falls Project, but I don't think today is the time to do that. In fact, I think we need to focus on where we are today and these amendments that are being made. They are in the best interests of all the taxpayers of Newfoundland and Labrador.

Thank you, Mr. Speaker.

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

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

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

I am standing to speak to Bill 19, the *Energy Corporation Act*, and an amendment to the act. I'd like to thank the officials in the department who gave us a very thorough briefing, and also I'd like to thank the Office of the Information and Privacy Commissioner for a very thorough ruling that they made in this case.

So, in summary, what this bill does is it amends "the *Energy Corporation Act* to exclude certain information relating to the independent contractor from the definition of 'commercially sensitive information'" as defined in the *Energy Corporation Act*. The effect of these exclusions is to allow access to information regarding independent contractors while retaining the ability to exclude commercially-sensitive information in the oil and gas industry from public scrutiny.

Mr. Speaker, it's a very important ruling, and we know that there is a lot of mistrust all over the province about the secrecy of Nalcor, about the secrecy of Muskrat Falls, and we can be pretty sure that there were rumours circulating about almost a parallel workforce that was working at Nalcor, particularly around the Muskrat Falls Project. There was a lot of mistrust. There were a lot of rumours. There was a lot of misinformation.

When there isn't transparency and accountability, or seemingly lack of transparency or accountability, then those rumours become even more persistent; there become even more rumours. So this is a very important ruling. This is a very important bill.

There is much yet to be done in terms of when we look at the inquiry, right now, on the Muskrat Falls Project.

Again, that's in response to the fact that often some people saw Nalcor as a bit of rogue nation. That it was unaccountable to government. That it was exempt from ATIPPA rules and regulations. This is kind of chipping away at that feeling about Nalcor, also chipping away at some of the, sometimes justified, criticisms of Nalcor and how they proceeded with Muskrat Falls.

We cannot forget, Mr. Speaker, the billions and billions and billions of taxpayers' money that have gone into the Muskrat Falls Project. Also, high scepticism about (a) how that was jammed through the House and (b) whether or not it was really needed. We know that decision was clearly articulated by the government CEO of Nalcor, Mr. Stan Marshall, who said that this project was not needed and, in fact, was not the way to go.

Let's not forget that he called this project a boondoggle. Some may feel it's a boondoggle because of the way it was handled. Some may feel it was a boondoggle from the very fact that it was sanctioned and went forward.

I can remember, Mr. Speaker, in 2012, as a newly elected Member when I was on a panel with newly elected – one Member from each party, we were all newbies. It was on a CBC program. We were all there together and the topic of Muskrat Falls came online; it was the topic that we were debating online on this half our radio program.

It was a David Cochrane show, and I said: David, I've got my dancing shoes right here, right here in the studio with me. I've got them right beside me and I'm ready to dance in the street if this is a good project. But, so far, we still have three outstanding questions. Some of those questions weren't answered because of the limit of debate here in this House, but also because it was pulled out from under the PUB. I said: Is it economically viable? Is it environmentally sustainable? Is this good for the people of the province? I said: Until those questions can be verified and answered, I'm not

putting on my dancing shoes; I'm not dancing out of the streets in celebration of this project.

The other thing, at that point, it was expected to be – the budget was \$6.8 billion. I said: Furthermore, David, I believe that this is going to be \$12 billion. They all looked at me, rolled their eyes and laughed. Here we are, Mr. Speaker, over \$12 billion. I got my dancing shoes but I'm not going out and dancing in the street because we still don't know the affirmative to any of those questions.

So, Mr. Speaker, that's just a bit of an example of how many people all over the province feel about Muskrat Falls, and feel about Nalcor. Again, many people feel that Nalcor has been a bit of a rogue nation. Is it? I don't know. What I do know, Mr. Speaker, is because of what appears to be the secrecy and the impenetrability of what is happening, that people are highly suspicious and they have many questions. That's how rumours start and that's how rumours circulate.

So, I believe, Mr. Speaker, this amendment is a good thing and it will address some of those concerns. There were catalysts to this amendment and some of the catalysts that were there were two ATTIPA requests, requesting personal and financial information related to embedded contractors working for Nalcor on the Muskrat Falls Project, and they were filed with Nalcor.

The Privacy Commissioner noted that the two individuals, who were the subject of the ATIPPA request, are not directly employed by Nalcor, but by other companies; companies that the Commissioner noted in some instances are personal corporations created by the individuals.

So it was about, these are public sector workers really, if you come down to it, because Nalcor is a rogue nation. Nalcor belongs to the people of the province, and any revenue that Nalcor might get from oil and gas belongs to the people of the province. Any expenditures are expenditures of the people's monies. So the people of the province have a right to know.

The persistent rumours about almost two parallel employee sectors going through Nalcor on the Muskrat Falls, those who are permanent

employees of Nalcor and then these embedded contractors. Again, the rumours about what was going on were very persistent.

These folks provide their services to Nalcor under professional services contracts. They occupy Nalcor positions and work on Nalcor projects, including the Lower Churchill Project, but they are not employees per se in the same way that other employees were at Nalcor, but doing work for Nalcor.

Some information was released by Nalcor, such as tables of occupational and professional groups, including general titles, the number of individual contractors in each group and a range of remuneration for each group, including the highest, the lowest and the average. It was sort of broad information; it wasn't specific information that was being requested.

Nalcor did not release what was requested, which was the names of the individual, their individual billing rates and the company name that they were associated with. Something that people had a right to ask. Again, Nalcor belongs to the people of Newfoundland and Labrador and the expenditures are expenditures of the money of the people of Newfoundland and Labrador; we are the shareholders of Nalcor.

As a result of this the original ATIPP applicants registered complaints with our Office of the Information and Privacy Commissioner and the Privacy Commissioner did his investigation and he released his report in December of 2017. So in its defence, Nalcor argued that certain sections of ATIPP, the act, prohibit the release of individuals' personal information and section 5.4 of the *Energy Corporation Act* protects financial information that is commercially sensitive.

So what was at play here, Mr. Speaker, (a) was this commercially sensitive information – that's the ruling that the Commissioner's office had to make – and also how much of a person's personal information can you release. But the person who was inquiring, who filed the ATIPP request, they weren't asking for personnel files, they weren't asking for their work history; they were asking who's employed on these contracts, under what company if there's a company name, what is the position, how much money are they

getting, what is their rate and how many billable hours were billed by that person. Which is what we know – we know the salaries of our public sector workers, we know the names and we know the positions. So that’s what this was about – simple, that’s the information that they wanted.

There was a conundrum and so the Premier wrote Nalcor in 2017 stating: “As you are aware, Nalcor’s board of directors have a fiduciary obligation to the shareholders of the corporation; that is, the people of Newfoundland and Labrador. While I concede that the intense political scrutiny surrounding Nalcor may be seen as problematic for those more accustomed to a typical corporate climate, as premier of this province I absolutely endorse openness and transparency as it is a hallmark of any functioning democracy.”

So again, Nalcor is not an independent corporation. It belongs to the people of the province. The balance here and the question here was how to meet the seemingly conflicting needs of openness and corporate confidentiality – confidentiality which is legislated under Nalcor’s enabling legislation.

That statement is encouraging in that it appears the only solution to this unintended differential treatment of similarly situated employees is via legislative amendment. So the only way to deal with this kind of issue is to amend our legislation. And that’s what we’re doing here today. Sometimes legislation often leads to unanticipated results; so the ability to amend legislation ensures that unintended consequences are not permanent.

So here we are today. The amendments before us in this bill solve that conundrum by amending section 2(b.i) to exclude an independent contractor’s name, position or function with the corporation, remuneration and payments received by the corporation. Those are no longer deemed as commercially sensitive material. Commercially sensitive material is still protected. That’s not violated in any way, shape or form. And personal information about these employees is still protected. Those are two conundrums, and they’re protected. This legislation is not providing any unintended consequences in those two areas.

The act is amended to include the definition of an independent contractor as a person retained under contract to perform services for the corporation. Now, this is not dealing with the oil and gas sector yet, and maybe that’s going to be next, because that’s also under Nalcor. Even if it’s moved to its own separate body and corporation, it still belongs to the people of Newfoundland and Labrador. These amendments protect commercially sensitive information, which protects the proprietary technology of multinational oil companies, while allowing public accountability of what is paid to contractors, which would normally be public.

I will have a question for the minister as well that I’ll ask in Committee of the Whole in terms of will this be retroactive. Is it just for any ATIPP that goes forward or, in fact, can it be applied retroactively as well? I see the minister nodding her head. I’m hoping that her answer to this is yes.

Mr. Speaker, that is about all that I’m going to say to this now. Again, I thank the folks from the department for their briefing, and I also recommend that people read the report of the Office of the Information and Privacy Commissioner. The report was released December 5, 2017.

So here we are now, this amendment honours the recommendation of the Privacy Commissioner who’s done a great job on this file.

Thank you very much, Mr. Speaker.

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

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

Certainly it’s a pleasure for me to stand in the House of Assembly this afternoon to speak to Bill 19, which I will refer to as the James McLeod act. I thank James McLeod – Telegram James, maybe people know him as – for taking the initiative when he was here in Newfoundland and Labrador with *The Telegram* and digging into the issue of embedded contractors. It was him bringing a shining light on this issue that ultimately lead to us being here today.



With that said, I also acknowledge the Minister of Natural Resources certainly for taking the step to bringing the issue here today, and I will be supporting and endorsing this bill 100 per cent. I think it's been described enough what we're doing here, and I will have some questions when we get to Committee.

It's obviously a good thing that we will be releasing the information now as it relates to embedded contractors, as they've been termed, with Nalcor, so that people understand if we're hiring companies to do work on our behalf – I say on our behalf because it's our company; we are the sole shareholder, the people of Newfoundland and Labrador – that we actually get to know who's working for us and what we're paying them.

And when you think about it, if this was a private corporation I wonder how that would fly in a private corporation if the shareholders went to a shareholders' meeting and they were asking questions about a project or any aspect of the company and the CEO looked up and said, sorry b'y, that's commercially sensitive. I'm sorry b'y, we can't tell ya this, can't tell ya that. No explanation, sorry, too bad.

I wonder how they would feel. I wonder how long that CEO would be in place before that person got the pink slip and they were out the door and someone else was hired, if that was the case. Unfortunately, with our public corporation, we've seen a situation where there has been a veil of secrecy which, by virtue of this legislation and other pieces of legislation, the people of Newfoundland and Labrador unfortunately have been denied countless pieces of information – very important information – to a company that they own lock, stock and barrel and that they're paying for. Anything that we can do to improve that situation, I will definitely be supporting it. That's why I will be supporting this bill.

With that said, Mr. Speaker, I will say that when the minister first gave notice of an amendment to this bill I was really excited. I really thought for sure that we were going to go all the way and do what needed to be done. I'm still hopeful that's going to happen because she has indicated to me to expect further legislation in the fall. I really and truly hope that happens.

This is a step in the right direction. I will say that. It is definitely a step in the right direction. Is it going far enough? Absolutely not, the only thing that we're doing here is we're saying that if we have an independent contractor working for Nalcor we can disclose who they are and how much we paid them. That's all we're doing, but there are so many questions. A lot of them – most of them I would hope – are going to be asked at the inquiry.

Unfortunately, it's come to that. We have to put an inquiry in place to get the answers as to how a project could get out of control to the extent that it did. How it could go from \$6 billion up to \$12.7 billion – and possibly climbing I would say because I no longer have faith in any of these numbers, to be honest with you. If it went to \$15 billion I wouldn't be surprised. I hope it doesn't, but I wouldn't be surprised based on the track record.

Mr. Speaker, there are so many questions that we could ask about Nalcor, so many things that this won't cover. I would like to know, for example – and again, a lot of this I'm sure will come up at the inquiry – when you look at Astaldi and the situation that happened with the dome that started and ended, how much money did that cost us? Who was the brainchild behind that one? What caused all that to happen? Was there accountability for whoever made that decision? If it was Astaldi, we still end up paying the bill. At the end of the day maybe that contract wasn't set up the way it should have been set up. Who did that?

We look at the cement pour which was, I think, a big cost in this project for the powerhouse and to go, as I understand it, cost plus, plus, plus. If you were to hire somebody and you said I want them to pave my driveway or I want you to put in a walkway or something and they're going to pour some concrete, you say: How much am I going to pay you for that? They'd say \$2,000. Okay, \$2,000. When the job is done I'll pay you \$2,000. My God, this just went out of control. It was just like keep her going b'ys; as long as you go we'll just keep writing cheques. Who was the brainiac behind that? These are things I would like to know, these are things the public would like to know. Unfortunately, under this amendment those types of issues don't get addressed.

As an example, when we had DarkNL that occurred here in this province the Liberty report, which came out after that, showed – or they said – they didn't do basic maintenance. They did not do basic maintenance and that's why the lights went out. What happened as a result of that? Who decided? Who was the person or persons who said we're not going to do maintenance? Was that person held accountable? I never heard anything. The only thing I heard after DarkNL was that everybody was getting their corporate bonuses because they had a good safety record. Zero accountability and the public couldn't get answers to any of these questions.

While this is a good thing and I support it, there are many things that need to be done, and we know what needs to be done. We know what needs to be done because when this House of Assembly was called to a special session a while back to deal with a piece of legislation that had to be put in, I forget what the bill number was, to allow for the Muskrat Falls inquiry to be exempted from ATIPPA – when that piece of legislation was put in here the Department of Natural Resources contacted the Privacy Commissioner about that. The Privacy Commissioner wrote back to staff of the Department of Natural Resources and said that he was okay with that bill; he was okay with removing the Muskrat Falls inquiry from ATIPPA.

His next paragraph said: If you want true – and this may not be the exact words, but something to the effect – transparency and accountability at Nalcor, what you need to do is you need to remove the *Energy Corporation Act* which currently is an exemption under the ATIPPA. Under ATIPPA – it's either Schedule A or B – it lists Nalcor as being exempt from ATIPPA. What the Privacy Commissioner was saying is that while you're here, while you're at it on this particular bill to exempt the Muskrat Falls inquiry, all you have to do is take out Nalcor from Schedule A of the ATIPPA. If you did that, then ATIPPA would apply to Nalcor.

That doesn't mean that everyone is going to all of a sudden get all the information they want. Commercial sensitivity and is still going to be protected, but at least if you went to Nalcor looking for information and they denied you, you had a mechanism to appeal. You could

appeal to the Privacy Commissioner the same as you could do under ATIPPA now. He's the expert; he was appointed and all voted for here in the House. A very qualified individual; he's an independent Officer of the House. He would look at it and he would make a determination.

If he said, yes, you should release something and Nalcor disagreed – and it was legitimate for commercial sensitivity or whatever is it was – then Nalcor had the right, as any government department has under ATIPPA, to go to the courts and let a judge decide. It's not like placing Nalcor under ATIPPA means that all of a sudden they're going to have to hand out every bit of commercially sensitive information. It does not mean that at all. That's why ATIPPA was put in place. That's why the Privacy Commissioner is in place. That's why you can appeal a Privacy Commissioner's decision to the courts. That's why that's in place. Let the judge decide.

We could do it. He recommended at that time that while you're in here making this change, make this one and you will have true transparency and accountability at Nalcor. Unfortunately, it didn't happen. While I support this bill wholeheartedly, I really do – and I congratulate the minister on doing it, thank her for doing it, good job – I would say to the minister I hope that when legislation comes in the fall, as you've indicated, what will be included in that will be what the Privacy Commissioner was saying: Allow Nalcor to fall under ATIPPA.

I understand the rationale I was given by the department. There's concern with the Oil and Gas division. Once the Oil and Gas division is removed and there's new legislation, then that could all be dealt with at the one time. I accept that, I understand that but, then again, there was nothing to stop us theoretically. If oil and gas is the issue, there's nothing to stop us from adding a little clause to this that says this does not apply to the Oil and Gas division of Nalcor. That's all you got to do. Maybe some other drafting around it, yes – the minister says no, it's not all you've got to do. I understand that, but you get my point. The point is that if the will was there, because we're concerned about Oil and Gas division, then they could have made an amendment here to basically say that it doesn't

apply to the Oil and Gas, but it does apply to the rest of Nalcor. All the hydro side and so on, it does apply to that.

So again, good job, I support it, it's a step in the right direction; go further and I'll be your biggest fan.

Thank you, Mr. Speaker.

**MR. SPEAKER:** If the hon. Minister of Natural Resources speaks now, she will close the debate.

**MS. COADY:** Thank you very much, and I do appreciate –

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

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

**MS. COADY:** – all Members of the House for their attention to this. I thank my colleagues who spoke: the Member for Ferryland, the Member for St. John's Centre, the Member for Mount Pearl - Southlands and of course the Member for Labrador West. I certainly appreciate the words of encouragement from my colleague the Member for Mount Pearl - Southlands and I like the fact that he will be my biggest fan.

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

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

There's too much banter back and forth in the House; I ask Members to restrain themselves a bit so I can hear the person speaking that I've recognized.

Thank you.

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

I know I'm a forceful speaker, but sometimes it is hard to hear in this House.

Mr. Speaker, this is another step forward to increase the transparency at Nalcor. This addresses a certain specific challenge that we've found ourselves in. The Commissioner of access to information and privacy did say it was an unintended consequence of legislation that was put forth I guess or amended back in 2008, but

once this government understood that embedded or independent contractors could not be disclosed, we made every move to ensure that they could be.

We do believe that Nalcor has to be held to accountability and openness and transparency. Mr. Speaker, I'll just note that the CEO of Nalcor did say if it was up to me, I'd release it, but I'm bound by legislation. If they change the legislation, I'll go along and disclose it.

So there you have it, Mr. Speaker. The CEO that this government put in place, who is doing an admirable job of making that project, putting a project that was derailed – it was really in trouble when we took over. This government, we were able to put it on a better path.

I'll answer a couple of the questions by way of introduction to allow some Members opposite to have time to think about them. The question was asked whether it was retroactive and I will say that the ATIPP legislation – so what we're doing is actually removing from the protection of the energy corporation the issue of embedded contractors or independent contractors.

ATIPP –ATIPPA as it's known, Access to Information and Privacy Act – is all about the records that you have in your possession in the past, present and future. So it relates to information in Nalcor's custody and control, no matter when the records were made. The information is in Nalcor's custody and control; therefore, in actual fact, it is retroactive because you asked for the information, it is in the care and custody and control of Nalcor, and they are required to release it.

I will say that ATIPP has some provisions in it to ensure that the information that is there is protected. We've heard a ruling by the Commissioner of ATIPP to ensure that information on independent contractors can be released, and I'm sure there are people that will put forward that request in due course.

To address my colleague from Mount Pearl - Southlands, he asked for further reforms to section 5.4 of the *Energy Corporation Act*. As this House knows, as the people of the province know, we are considering right now the move of the subsidiary of oil and gas from underneath

Nalcor to its own Crown corporation. We're being very prudent, we're being very responsible and we're being very methodical.

I will remind the Member opposite that at the time of the report of the statutory review of the Access to Information and Protection of Privacy Act, Justice Clyde Wells did note the compelling factor is that Nalcor Energy is operating on behalf of the people of the province in a competitive, commercial world that requires it to keep certain aspects of its operation's information confidential from its competitors.

So, Mr. Speaker, we do have to really look at all aspects of this, so it's not as simple – and that's why I said to the Member opposite it's not as simple as just removing that clause or removing Nalcor from Schedule A. We have to ensure that what we're doing does protect and ensure – especially in our oil and gas interests – that we have the protections that are required for commercial sensitivity reasons. So that is why we're taking our time, prudently ensuring that we're very methodical, very responsible in making further changes as we move forward.

As we forward with that review, as I've said earlier today in Question Period, we'll be bringing further legislative change to this House. Mr. Speaker, I'll take my seat now and I welcome any questions around this. I think it's a very positive day. It opens up more transparency and more openness. We acted very swiftly on this, Mr. Speaker. This is only mere months' old, this issue, and we were able to change the legislation hopefully in this sitting, and I look forward to further questions.

Thank you, Mr. Speaker.

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

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

The motion is that Bill 19 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?

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

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

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

**MS. COADY:** Now.

**MR. SPEAKER:** Now.

On motion, a bill, "An Act To Amend The Energy Corporation Act," read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill 19)

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

**MS. COADY:** I move, seconded by the Member for Labrador West, that the House resolve itself into a Committee of the Whole to consider Bill 19.

**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 that the motion be adopted?

All those in favour?

**SOME HON. MEMBERS:** Aye.

**MR. SPEAKER:** All those against?

Carried.

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

### Committee of the Whole

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

We are now considering Bill 19, An Act To Amend The Energy Corporation Act.

A bill, "An Act To Amend The Energy Corporation Act." (Bill 19)

**CLERK:** Clause 1.

**CHAIR:** Shall Clause 1 carry?

The hon. the Member for Mount Pearl - Southlands.

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

I just have a question. I'm just wondering, when we talk in this bill about revealing remuneration and so on, I just wonder if the minister can expand on that, in a sense that this is not simply going to be, for example, company A or individual A got paid \$100,000 and that would be – I'm just using this as an example.

For example, when the story broke that James McLeod put out, there was one story he told within that, that talked about some contractor or individual that would had to have worked 16 hours a day, 365 days a year, based on his hourly wage and how much he got paid. So there's no explanation.

So when we're talking about remuneration, does it just simply say: Here's the company, here's what they got paid. If someone says: Well, I want details on exactly how much an hour, how many hours and was there overtime? A breakdown so that people understand exactly what's going on and that things are being managed properly, as opposed to just simply saying: Company A got paid this much; company B paid that much.

**CHAIR:** The Chair recognizes the hon. the Minister of Natural Resources.

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

What we're doing today is removing from the act the requirement, or the shield, I guess, that the *Energy Corporation Act* provides under Schedule A from ATIPPA.

So it would depend on what someone would ask under ATIPPA, access to information and

privacy, as to how that remuneration or how that would be broken down. For example, you could ask about rates of pay. You could ask about payments. You could ask totals. It will depend on what the person who's making the inquiry requests.

I can't actually tell you whether it will be all – it is all encompassing in that you can ask. This is just removing the protection of embedded or independent contractors from the *Energy Corporation Act*. Under the access to information, you can ask those questions. So that veil of secrecy is removed.

**CHAIR:** The Chair recognizes the Member for Mount Pearl - Southlands.

**MR. LANE:** Thank you.

I understand, Minister, it depends on what someone asks, but, I guess, the point I'm trying to make is that by doing this, I'm just looking for some assurances that if it's anything around remuneration then everything is fair game. It's not just simply a case of if I were to ask the question, detailed questions such as company B got paid X amount of money and I want a breakdown of what that was for, then I could now get that information.

It wouldn't simply be company B got paid X amount of money and that's all we're telling you, and that's all we're required. They would have to give breakdowns and so on, if I asked for those. I say I, but anybody, right?

**CHAIR:** The Chair recognizes the hon. the Minister of Natural Resources.

**MS. COADY:** Should this bill pass, Mr. Chair, what would happen is the protection under the *Energy Corporation Act* for independent contractors would disappear. So, therefore, whatever anyone asked for, under the access to information and privacy, would prevail. It depends on what is requested as to how that breakdown would occur.

So what we have is a ruling by the Commissioner that says that information can be released. It would depend on how they ask the question.

**CHAIR:** Shall clause 1 carry?

All those in favour?

**SOME HON. MEMBERS:** Aye.

**CHAIR:** Carried.

On motion, clause 1 carried.

**CLERK:** Clause 2

**CHAIR:** Shall clause 2 carry?

All those in favour?

**SOME HON. MEMBERS:** Aye.

**CHAIR:** Carried.

On motion, clause 2 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:** Carried.

On motion, enacting clause carried.

**CLERK:** A bill, An Act To Amend The Energy Corporation Act.

**CHAIR:** Shall the title carry?

All those in favour?

**SOME HON. MEMBERS:** Aye.

**CHAIR:** Carried.

On motion, title carried.

**CHAIR:** Shall I report Bill 19 without amendment?

All those in favour?

**SOME HON. MEMBERS:** Aye.

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

Carried.

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

**MS. COADY:** I move, Mr. Chair, that the Committee rise and report Bill 19.

**CHAIR:** The motion is that the Committee rise and report Bill 19 carried without amendment.

All those in favour?

**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 Stephenville - Port au Port.

**MR. FINN:** Mr. Speaker, the Committee of the Whole has considered the matters referred and have asked me to report Bill 19 without amendment.

**MR. SPEAKER:** The chair of the Committee of the Whole reports that the Committee have considered the matters to them referred and recommend to report Bill 19 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:** Mr. Speaker, given the hour of the day, I move, seconded by the Member for Labrador West, that we do adjourn for the day.

Thank you.

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

**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?

**SOME HON. MEMBERS:** Aye.

**MR. SPEAKER:** All those against?

This House stands adjourned until Monday at 1:30 p.m.

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