



Province of Newfoundland and Labrador

FORTY-EIGHTH GENERAL ASSEMBLY
OF
NEWFOUNDLAND AND LABRADOR

Volume XLVIII

THIRD SESSION

Number 25

HANSARD

Speaker: Honourable Perry Trimper, MHA

Monday

May 28, 2018

The House met at 1:30 p.m.

MR. SPEAKER (Trimper): Order, please!

Admit strangers.

I'd like to welcome everyone back for another week in the House of Assembly. Joining us today in the public gallery, I'm very pleased to welcome Sir Paul Rose and other Shriners from the Mazol Shriners Club, who will be referenced in a Member's statement this afternoon.

A big welcome to all of you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Also joining us in the public gallery today is Jamie Lundrigan, President of the Child and Youth Care Association of Newfoundland and Labrador, who will be the subject of a Ministerial Statement today.

Welcome to you.

SOME HON. MEMBERS: Hear, hear!

Statements by Members

MR. SPEAKER: Today we will start with Members' statements from the hon. Districts of Ferryland, Exploits, Labrador West, Burin - Grand Bank and St. John's West.

The hon. the Member for Ferryland.

MR. HUTCHINGS: Thank you, Mr. Speaker.

I rise in this hon. House today to congratulate a constituent of mine from the district on receiving the Canada 150 Local Heroes Award. Genevieve Howlett received her Canada 150 Local Heroes Award on Sunday, January 14, 2018 during the second annual Local Heroes Award ceremony.

For the past 50 years, Gen is a very active volunteer within her community. She has volunteered her time with groups such as the Goulds Lions/Lioness Club, St. Kevin's Parish, the Goulds Winter Carnival, Goulds Minor Hockey, Goulds Daffodil Club and many more groups and organizations within the area.

Gen has given so freely of her time to many organizations and plays a big part in helping those in her community. She also delivers Christmas hampers to families in need during Christmastime. She visits the nursing homes in the area just to chat and visit with the residents. Gen is called upon frequently in the region to give a helping hand.

Mr. Speaker, I ask all Members of this House to join me in congratulating Gen Howlett on receipt of the Canada 150 Local Heroes Award.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

SOME HON. MEMBERS: Hear, hear!

MR. DEAN: Thank you, Mr. Speaker.

Mr. Speaker, I rise in this hon. House today to acknowledge the Special Olympics Chapter of the Exploits Hurricanes.

Special Olympics Newfoundland and Labrador is a non-profit organization serving individuals with intellectual disabilities. The Exploits Chapter originated in the mid-1980s, and after a decline, was revitalized again in 2003 by dedicated citizens. Programs are offered to eligible children, youth and adults.

The Exploits Hurricanes have 68 athletes ranging in ages from eight to 65 participating in various sporting events throughout the year at local, provincial and national levels. The chapter's coaches, parents, respite and executive share the belief of dignity, equality and opportunity to improve the lives of these individuals. In return, the participants in the programs transform the lives of these facilitators and make the world a more accepting place.

The Exploits Hurricanes have enabled many successful outcomes at the many competitions and provides an opportunity for social interactions resulting in life-long friendships.

Mr. Speaker, I ask all hon Members to join with me in recognizing the great contribution of the

Exploits Hurricanes to some really amazing individuals in our region, and as to quote the athlete's motto: Let me win but if I cannot win, let me be brave in the attempt.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

SOME HON. MEMBERS: Hear, hear!

MR. LETTO: Thank you, Mr. Speaker.

I rise in this hon. House today to recognize our locally owned not-for-profit organization in Labrador West, CRRS TV.

The organization is a community-based co-operative governed on a volunteer basis by a board of directors. CRRS has grown to be a communications leader, offering the area a full suite of television, Internet and phone services to our residents since 1979.

In mid-March, CRRS entered their name in The Tuned-In Canada: Canadian Communication Systems Alliance Awards under the category, "Best content: community channel programming," where they submitted their coverage of Cain's Quest which was viewed in several countries around the world.

Winners in each category would get to take home a trophy for their excellent work, and bring \$1,000 back to a community charity of their choice.

CRRS was notified on May 23 that they had won their category and would be receiving \$1,000. They chose to share the donation with \$500 for Faith Haven Animal Shelter and \$500 for Hope Haven Women's Shelter.

Congratulations to the technicians and staff of CRRS for a job well done.

I ask all hon. members to join me in extending our sincerest congratulations on their win and the exemplary service they provide to the District of Labrador West.

Thank you Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for the District of Burin - Grand Bank.

MS. HALEY: Thank you, Mr. Speaker.

Mr. Speaker, though Volunteer Appreciation Week was recognized back in April, I'm sure all would agree there is no wrong time to thank a volunteer. Today, I recognize a man who truly epitomizes the community spirit so many volunteers possess: Mr. Kevin Pike of St. Lawrence.

Mr. Speaker, I would need triple the allotted time to speak of the extent of this man's volunteerism over the years. The countless hours spent with organizations that have been impacted by Mr. Pike's patronage is truly commendable. His advocacy on behalf of others has spanned decades and generations, and has touched on practically every field. From education to culture, recreation to community service, church choirs to development associations, Mr. Pike has been at the forefront in looking out to the common good.

A former councillor himself, it is obvious he has passed that torch of volunteerism to those who follow, with his son, Paul, currently serving as the town's mayor.

Mr. Speaker, I ask all Members to join me in thanking Mr. Kevin Pike for his tireless efforts in making his hometown of St. Lawrence, and, indeed, his province, a better place to live.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for St. John's West, who will need to seek leave before proceeding.

MS. COADY: I thank my colleagues for leave to be able to do a Member's statement today.

Mr. Speaker, I rise in this hon. House today to recognize the dedication, hard work and leadership of the Mazol Shriners.

As MHA for St. John's West, I had the pleasure of attending the official installation of the illustrious Sir Paul Rose and Lady Sharon Rose as Potentate and First Lady of the Mazol Shriners, Newfoundland and Labrador. As potentate, Sir Paul Rose provides support and leadership to 10 Shrine clubs in the province with over 450 volunteer Shriners.

Shrine clubs in this province are well known for their community endeavours including helping, on average, 85 children travel to Shriners Hospitals including the Boston burn unit, the Philadelphia spinal cord injury unit and the Shriners' Montreal and Gander facilities. They raise over a quarter-million dollars annually to support this great effort.

Shriners International Awareness Day is held on June 6 every year. It gives us a time to reflect on the volunteerism, leadership and achievements of the Shriners. Their organization is dedicated to fun, fellowship and philanthropy.

I ask all my colleagues to join me in wishing Sir Paul Rose and Lady Sharon Rose the very best as they lead the Mazol Shriners this year, and in thanking all Shriners in Newfoundland and Labrador for their humanitarian efforts.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Statements by Ministers.

Statements by Ministers

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

MS. DEMPSTER: Thank you.

Mr. Speaker, I rise in this hon. House today to congratulate Jaime Lundrigan, who was recently presented with the National Child and Youth Care Award by the Council of Canadian Child and Youth Care Associations.

This national award is presented every two years to a practitioner who has demonstrated outstanding skills, knowledge and advocacy on behalf of clients and dedication to the profession.

Jaime is president of the Child and Youth Care Association of Newfoundland and Labrador and is also the manager of out-of-home care for Key Assets, a non-profit organization that provides residential care and support to youth and families with complex needs.

Jaime is a dedicated professional who has embraced caring for children and youth as a way of life. Four years ago, Jaime and her husband, Kyle, became live-in caregivers for two adolescent siblings. In 2017, Mr. Speaker, Jaime adopted those young people giving them a place to call home and a family to call their own.

Those who nominated Jaime for this award say she is one of the most skilled and dedicated child and youth care practitioners they have ever known. She is a fierce advocate who is passionate about her work in supporting and helping the children and families she works with every day.

Mr. Speaker, you've heard me say it a number of times already in this hon. House, but I do believe that every child is just one caring adult away from being a success story. In the lives of many children in Newfoundland and Labrador, Jaime Lundrigan is that caring adult.

I invite my colleagues to join me in congratulating Jaime Lundrigan on receiving the 2018 National Child and Youth Care Award.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MS. PERRY: Thank you, Mr. Speaker.

I thank the minister for an advance copy of her statement.

We join with the minister in recognizing Ms. Jaime Lundrigan on recently receiving the National Child and Youth Care Award by the Council of Canadian Child and Youth Care Associations. It's a significant achievement that celebrates and recognizes outstanding individuals who demonstrate remarkable skills on behalf of clients and the profession.

The province, in the field of child and youth care professionals, is so fortunate to have Ms. Lundrigan in their midst. Through her practice, advocacy work and goodwill she has made such a significant positive impact on the lives of so many, the likes to which we may never know the full extent.

I wish to congratulate and thank Ms. Lundrigan for her tremendous service and care, and would also like to extend that same appreciation to all those who contribute to the child and youth care system in our province. You're all to be commended.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. 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.

I'm very pleased to rise and congratulate Jaime Lundrigan on winning this national award. Her recognition offers an opportunity to recognize her co-workers as well and all those dedicated people involved in caring for children and youth.

I would like to commend Key Assets, under Jaime's management, in their new role of supporting foster families and all those organizations who are providing essential home-like settings for children and youth who need them. I'm also glad to see government playing a stronger regulatory and monitoring role in the provision of this care through the new *Children, Youth and Families Act*, which brings government, groups like Key Assets and people like Jaime together in working for the good of our youth and children.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Further statements by ministers?

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

MR. MITCHELMORE: Mr. Speaker, I'm pleased to rise to recognize Tourism Awareness Week May 27 to June 2 as it provides us all an opportunity to highlight the tremendous value of tourism to the provincial economy.

Tourism has grown to support over 2,600 businesses and nearly 20,000 jobs in Newfoundland and Labrador. In 2017, the province welcomed over 553,000 visitors, and associated non-resident visitor spending reached an estimated \$575 million.

Mr. Speaker, this is the highest level of non-resident visitation and tourism spending in the history of the province.

Newfoundland and Labrador is known for its scenic coastlines, culture and welcoming hospitality. Our travellers are seeking authentic travel experiences and the Provincial Tourism Product Development Plan, released in 2017, is setting the direction for new and enhanced tourism offerings to attract more visitors – to encourage them to stay longer and to increase spending.

Growing the tourism industry in Newfoundland and Labrador is an enormous collective effort. Guided by *The Way Forward*, together with the Newfoundland and Labrador Tourism Board and Hospitality Newfoundland and Labrador, we are working towards the goal set in *Uncommon Potential*, Vision 2020 to double resident and visitor spending by 2020.

I invite all Members to join me in celebrating this success and the dedication and commitment I see from those working in our tourism industry.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MS. PERRY: Thank you, Mr. Speaker.

I thank the minister for an advance copy of his statement. We join with government in recognizing Tourism Awareness Week and the many achievements that have occurred within the industry over the past number of years.

The previous administration made great efforts to grow and develop the tourism industry. Through co-operation with business owners and operators, so much was achieved. We encourage government to continue to grow this industry based on our Vision 2020, as the sky is really the limit.

While government has continued much of the good work, there are issues of concern hindering the industry such as the Liberal's high gasoline taxes, which restricts people's ability to travel, not to mention the sting of all the additional taxes and fees laid at the feet of operators and potential customers. Government must do better.

I wish all industry stakeholders a successful and very busy summer season. Thank you for your dedication. Your hard work and investment has created a product that we can all be proud of.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MS. ROGERS: Thank you, Mr. Speaker.

I thank the minister for an advance copy of his statement. What has happened in the tourism industry is amazing. Everyone involved is making this happen and ensuring the industry remains strong, must be congratulated.

The fact is the vast majority of the people who make this happen are minimum wage earners. It is mostly their front-line work which has been part of earning this success. Why is it that government cannot see fit to raise minimum wage to \$15 an hour so they, too, can have a fairer share of this prosperity?

Thank you, Mr. Speaker.

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.

Mr. Speaker, the government has waited until the final days of the spring sitting to introduce important policy discussions with respect to implementing legalization of marijuana.

Why did you wait until the last minute to introduce legalization?

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

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

Because if we did it earlier, they'd say we rushed it.

The fact remains that this is a huge public policy shift, in not only this province, but across this country. It's one that every province has been working together on for some time, making sure that we take the necessary legislative policy steps to make sure we are ready for this huge change when it comes to the legalization of recreational cannabis.

There's been a significant amount of time that's been put into this over the last couple of years. At this time, I would like to thank all those public servants and individuals in departments across government who have worked tirelessly to make sure that we have the best legislation possible for this new change.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MR. BRAZIL: Thank you, Mr. Speaker.

What I will say to the minister is that we want to have time to have a proper debate so the people will know what's being legalized here will be in

the best interests of people who are going to be using it.

The 24 retailers announced by government as approved are now identified in legislation as pre-approved.

Will the RFP process be restarted under the new laws that weren't originally in place to ensure that retailers meet the requirements identified in legislation?

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

MR. OSBORNE: We brought legislation in in November to give NLC the authority and the ability to carry out the process that they did to identify the 23 or 24 retailers that have been successful in getting to the place they are.

Mr. Speaker, the legislation that we're bringing forward today will further NLC's ability to work with these retailers and will allow the retailers and producers of cannabis to carry on and do what's necessary to legalize cannabis, as we are required to do under federal legislation.

SOME HON. MEMBERS: Hear, hear!

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

MR. BRAZIL: Thank you, Mr. Speaker.

The new legislation outlines now that there would have to be a public posting. That wasn't done in the previous outline to identify the 24 noted retailers.

What are the guideline regarding the sale of marijuana near schools? Surely there must be criteria during this site selection.

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

MR. OSBORNE: There were criteria, Mr. Speaker. There were points deducted for proximity to schools. There are many, many alcohol retailers that are in closer proximity to schools than there will be cannabis retailers.

I will say that under tier one and tier two, minors are not allowed to enter tier one or tier two stores at all. Under tier three and tier four stores, minors are able to enter because these are stores where other products are advertised, but are not permitted to purchase. In fact, the products are concealed from public view.

SOME HON. MEMBERS: Hear, hear!

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

MR. BRAZIL: Thank you, Mr. Speaker.

I need to outline that in the new piece of legislation that we're going to debate over the next number of days here, under section 18, it outlines a new process. The process that wasn't used previously in identifying the 24 individual companies that will be able to sell cannabis. So we're asking: Why would the same legislation not be implemented for the ones that have already been put in play?

If a new school is built, will nearby sellers be evicted and compensated or will the school board have to choose another site?

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

MR. OSBORNE: Mr. Speaker, as I've said, there are many, many alcohol retailers in closer proximity to schools than there are the cannabis retailers.

Mr. Speaker, I have great confidence in the ability of NLC, who have been in the business of selling controlled substances for decades, to ensure that it will not be sold to those who are minors, that the product will not be visible to those that are minors and that they will ensure that the product is sold in a way that protects minors, just as alcohol is.

SOME HON. MEMBERS: Hear, hear!

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

MR. BRAZIL: We all want the same thing and are very hopeful that will happen, but until we're clear on exactly how that's going to be

implemented, we're very skeptical on how this is going to play out.

Will all applicants be subject to regular review and will inspection reports be immediately published and made public?

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

MR. OSBORNE: Mr. Speaker, the applicants that have made it to this stage still have some work to do in order to receive final approval from NLC. They still need to receive permits and so on from municipalities in certain cases. They need to design and construct stores. There's a great deal of work that needs to be done and that work will be done under the new legislation.

To a point based on what he said in a previous question, Mr. Speaker, there are very strict penalties, up to \$100,000 for selling cannabis to minors. I wanted to add that, as well

NLC is taking this very seriously. I commend them for the work that they are doing. It will be covered under regulations.

SOME HON. MEMBERS: Hear, hear!

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

MR. BRAZIL: We too ensure and do ask that the NLC very diligently do that, but we need to make sure that they have the resources and the ability to do it, and the legislations and regulations reflect that. That's what we're going to be debating here over the next period of time.

Will communities be able to declare themselves dry communities forbidding the sale of importation of marijuana?

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

MR. A. PARSONS: Yes, thank you, Mr. Speaker.

Certainly we've been consulting with municipalities throughout this process. Right now the concern mainly has been dealing with

not whether they can declare themselves dry – we have to remember that if the province does not impose its own legislative regime, the federal regime will apply. They will come in and apply the laws there.

So what we've been doing is coming up with our own legislative framework that will apply throughout our province and in the best interests of Newfoundlanders and Labradorians. We've been working with MNL. One of the biggest issues that they've been dealing with is on zoning and permits and figuring out as it relates to businesses setting up in their area. Most of the areas I've been talking to are looking forward to the opportunity for new business in their communities.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MR. BRAZIL: Thank you Mr. Speaker.

Can a person eligible for medical products also have 30 grams of non-medical product?

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

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

Certainly we know that there are some exemptions as it relates to medical users. Right now as it stands, the limit, what you can carry in public, is set at 30 grams. There is no limit to what you have in your own private residence.

Again when it comes to public consumption, what you can carry around in public, the limit is 30 grams.

Thank you.

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

MR. BRAZIL: Thank you Mr. Speaker.

Where there are so many unknowns here now, we're trying to get some clarification so that

people themselves in the general public would have an understanding of what this new legislation is going to entail.

Under new legislation, will individuals residing in personal care homes be permitted to grow four plants in their rooms?

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

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

They're certainly asking the pressing questions today.

What I would suggest is that the legislation's very clear as it relates to a dwelling home. Each situation would be dealt with differently, whether we're talking about a personal residence, whether we're talking about a dwelling house, apartment building. So we'll have to deal with landlords in every situation.

But as it relates to personal care homes we'll have to see what the qualification relates to, and again all of these will be tested as we move forward.

Thank you.

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

MR. BRAZIL: As the opposition laugh at the fact that every citizen needs to know their legal rights, and also any privileges they may have under this piece of legislation – so these are important questions that have been posed to us. And not only do we have a right, but we expect an answer from the opposition, from the government, to ensure it represents the legislation that's being presented in this House.

Are there any restrictions around growing marijuana plants in households where children are present?

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

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

The first thing I would remind everyone is that the four-plant rule is actually what was decided by the federal government and was certainly part of the federal regime that was put down. Some provinces have chosen not to go with this, some provinces have. We've chosen that each dwelling house can have four plants per household.

What I would suggest is that as parents we all have a responsibility. In fact, as a parent of small kids, I have a responsibility to make sure that children do not get into what's under the sink. I have a responsibility to make sure that they don't get access to alcohol and I'll have a responsibility to make sure they don't get access to cannabis.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The leader of the Official Opposition.

MR. BRAZIL: But you also, as the government who's bringing in this legislation, have a responsibility to do everything possible to ensure children are safe in any environment.

Will people be able to smoke marijuana in households where children are present?

MR. SPEAKER: The Minister of Justice and Public Safety.

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

Right now we have a situation where what we can control is what goes on in the public. We have the *Smoke-Free Environment Act, 2005* which will be amended to prohibit smoking of cannabis in outside public places as per what's already allowed for tobacco.

When it comes to what goes on inside a residence, I would suggest that as it stands we are unable to prohibit smoking of tobacco inside residences, which is something that, in many cases, does go on. It's unfortunate. I would suggest that it's not appropriate for anybody to smoke any type of substance when it comes to an inside residence or a personal resident, but

when we talk about legislation, it can be hard to deal with that.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The leader of the Official Opposition.

MR. BRAZIL: Thank you, Mr. Speaker.

Are there any restrictions regarding growing marijuana plants in registered day homes for children?

MR. SPEAKER: The Minister of Justice and Public Safety.

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

One of the things that was discussed in the briefing today is that under section 5 of this *Cannabis Control Act* there's a phase where we talk about regulations as it applies to the act. There are a lot of regulations that have to take place over the next little while. We'll continue to work with educators, we'll continue to work with the NLC and we'll continue to work with everyone.

This is a huge policy change and legislative change. One of the big things I would stress is that the whole purpose of this change was to deal with the best interests of children. We think the changes we've brought in place here are in line with the federal government's and are in the best interests of children.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The leader of the Official Opposition.

MR. BRAZIL: Thank you, Mr. Speaker.

What delivery services will be used for online products? Will products be specially labelled and secured?

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

MR. OSBORNE: Thank you, Mr. Speaker.

There will be a common carrier, Mr. Speaker. That common carrier has not yet been chosen. That will be done through the NLC with regulations in mind once the regulations are completed.

There will be a common carrier, Mr. Speaker, to ensure consistency. As we have products delivered through online sales or from growers to retailers, the common carrier will be in place. There will be regulations and rules in place for those common carriers.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The leader of the Official Opposition.

MR. BRAZIL: Thank you, Mr. Speaker.

How vigorously will the prohibition on public use be enforced and prosecuted? Will the police and Justice Department prioritize policing public use?

MR. SPEAKER: The Minister of Justice and Public Safety.

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

As already exists, the police do enforce all of our legislation as it relates to public safety, whether it's the *Criminal Code* or whether it's the *Highway Traffic Act*. This will not be any different.

What I would also suggest is that we allow the police discretion as it relates to operations and how they police. The police are the best equipped to deal with this job and I'm going to let them continue to do their job.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MR. BRAZIL: Thank you, Mr. Speaker.

Where will products be coming from to sell in Newfoundland for the July 1 implementation?

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

MR. OSBORNE: Mr. Speaker, first of all, I'm not sure that July 1 will be the date, but we will be ready for whatever the date is.

Again, I have confidence in the NLC. The NLC are securing the supply of cannabis, Mr. Speaker, to ensure that retailers have that cannabis in place for the legalization date. They're securing supply for online sales. So we will be ready for the legalization date.

SOME HON. MEMBERS: Hear, hear!

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

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

Under Bill 20, the *Cannabis Control Act*, it requires licence applications or people applying for a licence to publish notice before filing the application.

I ask the minister: What is required to meet the requirements of a publication?

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

MR. OSBORNE: Thank you, Mr. Speaker.

That will be set out in regulations and officials with the Department of Justice and Public Safety, the Department of Finance and the Newfoundland Liquor Corporation are working now to finalize the regulations. Those regulations will be in place in due course, once this legislation is passed. As we are debating the legislation, the regulations are being worked on.

SOME HON. MEMBERS: Hear, hear!

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

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

My understanding is there are approximately 80 applications for the pre-approved licensee and there are a couple dozen of those that have already been outlined by NLC.

Those applicants, were they required to publish notice before filing their application to the corporation?

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

MR. OSBORNE: Thank you, Mr. Speaker.

The legislation that's before the floor right now has been updated. There are additions to that legislation than there were in the legislation that we put forward in November.

In November, we put forward legislation to allow the NCL to start this process. This legislation will be even more stringent on a go-forward basis; but the reality is, Mr. Speaker, we were required, as a requirement based on the federal government requirement for the legalization of cannabis to move and to act.

Mr. Speaker, based on the legislation that we've put in place in November, the legislation today is more comprehensive.

SOME HON. MEMBERS: Hear, hear!

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

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

Outlined in legislation, one of the key factors in requiring applicants to file an application, or file a publication before they actually file their application, is to allow the public if they wish to file an objection. The legislation actually allows a person to file an objection to the board after they publish their intention to file an application.

I ask the minister: What are you going to do to ensure proper publication is made so people understand what's going in their neighbourhood, so if they wish to file an application they can do so?

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

MR. OSBORNE: Thank you, Mr. Speaker.

This is an important question, it's an important topic. This is the biggest public policy shift in many decades but the applicants, the 23 applicants that are currently before the NLC, Mr. Speaker, still have to go through municipal permitting. They still have to go through another set of criteria through the NLC.

Mr. Speaker, there's still plenty of time for discussion around these applicants. The reality is before they can set up in any municipality they have to get permits and so on from the municipalities to do so.

SOME HON. MEMBERS: Hear, hear!

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

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

Mr. Speaker, I ask the minister – knowing that it's very important, especially in the very early stages. The first time this is ever happening, people are expressing some concerns. I've received phone calls and spoken to people directly face to face who in fact have some concerns about locations, and part of the fundamental review process of that is for an applicant to file or publish a notice before filing the application.

I ask the minister: What steps are you going to take to ensure the public is aware of these locations, they are properly published and what opportunity will people have to object, as listed in the legislation under sections 22 and 23?

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

MR. OSBORNE: Thank you, Mr. Speaker.

The operations are required to advertise for three consecutive weeks, including in local papers. Mr. Speaker, there will be public notification of the applicants as they apply and go through the process.

Again, I have great confidence in the NLC and the work that the NLC are doing, that they will ensure to the best degree possible that these

applicants go through a process that ensures public safety and the safety of youth, Mr. Speaker, primarily the safety of youth, and that all of the regulations will be followed as we put the regulations in place.

SOME HON. MEMBERS: Hear, hear!

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

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

Under section 18 of the *Cannabis Control Act* bill that's before the House, it says: "The board shall not issue a licence to an applicant where ... it would not be in the public interest having regard to the needs and wishes of the public in the community in which the place or premises of the cannabis store or cannabis retail location will be located"

I say to the minister, it's very clearly laid out. It's involved in section 18 and sections 21, 22, 23 and others about the process followed. To me, it would be very important to ensure that publication of applicants takes place as per the current legislation.

Minister, will you make sure that happens?

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

MR. OSBORNE: Mr. Speaker, I've outlined in my previous answer they will be required to advertise for three consecutive weeks. They'll also be required to post in their storefront that location is going to be a cannabis location. The applicants that are currently before the board will have to follow the regulations and will have to follow the legislation that is being put in place.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Member for Topsail - Paradise.

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

The minister referred early on to a go-forward basis.

I ask him: For the 23 applicants that are now in the hopper, will he ensure they go through that publication process so that people who have concerns, as outlined in section 18, can file an objection as outlined in section 22 and the board can consider holding a hearing as outlined in section 23?

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

MR. OSBORNE: It's a good question it is, I heard one of the Members opposite say. I'll give the same answer which I believe is a good answer to the good question.

The 23 applicants, Mr. Speaker, will have to go through the regulations, will have to advertise for three weeks, will have to post on their storefront. They will have to go through the process, yes.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Member for Topsail - Paradise.

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

I wanted to make sure we had it clear that the current 23 have to go through a publication process so people can know if they want to file an objection, because I know people who want to file an objection. I appreciate the answer from the minister.

Under the new federal law, limits will be set for legal levels of THC for drivers. Not only that, but it will also lay out combinations if there's a level of THC and alcohol for drivers.

I ask the government to say and I ask the minister: On July 1, will police be ready to evaluate levels of THC?

MR. SPEAKER: The Minister of Justice and Public Safety.

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

The first thing that I want put out is just sort of a preamble to everything which is right now, according to our legislation, as of today driving impaired is illegal. If cannabis is legalized

tomorrow, driving impaired will be illegal. Come July 1 or whatever date that this happens – we know right now that the federal bill, the one the Member opposite is referring to, C-46, is not put in place yet, but when that happens driving impaired will be illegal.

Obviously, there have been some challenges faced with the fact that there is no federally approved device that can measure the amount of impairment. What we can deal with is the presence of a drug. What I can tell you, after dealing with our police chiefs and our police officers, we will be ready.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

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

Minister, in preparation for making your decision and announcement on Friday regarding regulations for the 2018 salmon angling season, did you consult with conservation groups and other stakeholders dedicated to preserving the salmon resource?

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

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

I appreciate the question because the answer obviously is a resounding yes.

I had an opportunity to meet with not only conservationists but anglers who are the best conservationists of our wild Atlantic salmon resources. I met with SPAWN, I met with the rod and gun clubs associations of Newfoundland and Labrador. I did offer to attend for two straight consecutive days the salmon advisory committee process back in March 27-28. The Department of Fisheries and Oceans unfortunately at that time denied me access or ability to participate in those discussions.

I've been in regular conversations with conservationists, and what we announced on Friday were three very important measures. One, increased science capacity, increased conservation, and increased conservationist activity, increased angling activity.

All good stuff, Mr. Speaker.

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Thank you.

The hon. the Member for Cape St. Francis.

MR. K. PARSONS: Mr. Speaker, I'll remind the minister that the salmon association for Eastern Newfoundland put a request in for a meeting with the minister on April 9 and still not have reserved anything back from the minister. So there's a group there that you haven't consulted with.

Does the province have the authority to change the salmon regulations and override DFO's authority? And, if so, how do you propose to enforce these regulations?

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

MR. BYRNE: Excellent question, Mr. Speaker.

The preamble, of course, not being totally accurate. I have met with conservation groups throughout Newfoundland and Labrador, but there is one universal message that all conservation organizations hold dear, which is the resource must be put first. That is why no organization that truly embarks on a conservation initiative would ever, ever suggest that increasing our science capacity, increasing our opportunities for anglers to participate in that conservation initiative, also increasing the overall conservation of the resource by limiting the catch and mortality of the resource when things are critical, those are all important things to true conservationists.

That is why Friday's announcement is being heralded as a great, great initiative (inaudible).

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Thank you.

The hon. the Member for Cape St. Francis.

MR. K. PARSONS: Mr. Speaker, the minister didn't answer the question. I hope he'll probably go on, the next time he answers, maybe answer that because we never know what answer we'll get out of him.

Mr. Speaker, how does the minister plan to address the confusion, uncertainty and potential conflict on the rivers between anglers and others who have lost business in rural Newfoundland because of his decision of delaying the printing of licences in his announcement on Friday?

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

MR. BYRNE: Mr. Speaker, I won't rise to the bait of the little bit of what could be perceived to be a little passive aggression, but I will answer the question at hand because it is an important one.

The federal government obviously has jurisdiction over inland and sea coast fisheries management under section 91 of the Constitution. Section 92 of the Constitution provides property rights, control over property rights and legislation over property rights to the provincial Legislature, to the provincial government.

We're acting within our section 92 constitutional right. That's the same right that gives us the authority to issue licences to begin with, Mr. Speaker.

It is absolutely essential that we recognize that hook-and-release angling has been in place since, I believe, at least 1984. It has been managed accordingly under regulation. Those same regulations that have been in place for the same enforcement procedures that have been in place for decades will be in place as soon as the angling season starts (inaudible).

MR. SPEAKER: Order, please!

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Leader of the Third Party.

MS. ROGERS: Thank you, Mr. Speaker.

The mother of Skye Martin, who died seven weeks ago in the Clarenville Correctional Centre for Women, has been desperately seeking information about her daughter's death. She has absolutely no information from the Department of Justice. She is going from agency to agency trying to gather information about what happened to her daughter.

Will the minister authorize the immediate release of all information regarding the death of Skye Martin to her mother? Will he meet with her to answer the questions that she has about the death of her daughter?

MR. SPEAKER: The Minister of Justice and Public Safety.

MR. A. PARSONS: Mr. Speaker, the first thing I want to do is, again, express my condolences to the mother of this daughter who's lost her life. This is a tragedy and one that happened in a provincial facility.

Secondly, I will meet with anybody who comes to me. That is the first time the request has been made. I certainly have no problem meeting with this individual to discuss this. Similar to last night, I met with every inmate at Clarenville Correctional Centre last night to talk about a recent tragedy that we faced there.

The last thing I would say is I have no issue releasing information, but we all know that there are ongoing investigations as it relates to these tragedies involving the chief medical examiner, the RCMP, as well as the outside independent force. I don't want to do anything to compromise that but, certainly, I want to get whatever information I can out there.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Leader of the Third Party.

MS. ROGERS: Mr. Speaker, the death of Samantha Piercey in Clarenville on Saturday is the second such death in seven weeks at this institution. We understand that an investigation into these deaths is ongoing and underway; however, this will take time. Indeed, it's already been over a month in the case of the death of Skye Martin and action is needed right now.

I ask the minister: What has he been doing right now to ensure all inmates are safe and properly treated while incarcerated, particularly around mental health services? Has anything yet changed at the institution because of these deaths?

MR. SPEAKER: The Minister of Justice and Public Safety.

MR. A. PARSONS: Mr. Speaker, it's a trying time. I visited last night in Clarenville to talk to every inmate and every staff member. They're shook up.

One thing that I'm not going to do is I'm not going to cast blame right now. The fact is that corrections is a trying job. It is 24/7, 365 in places that are trying at the best of times.

Right now what we do know is that we've had two situations where we've lost lives. We take responsibility for those that are in our care and control, but what I'm going to do is I'm going to continue to work with the correctional officers and the staff to ensure that we have safe facilities in our province. That's also why I continue to meet with and discuss these issues with inmates to ensure that we have safe facilities.

That's what I'm going to continue to do.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Leader of the Third Party.

MS. ROGERS: Mr. Speaker, this is not about casting blame, this is about getting information

in a timely manner to the family. The mothers are desperate for information. It's about the mental health services in our prisons.

Mr. Speaker, Skye Martin was transferred from the Waterford Hospital to Clarendville Correctional facility on March 20 after about six weeks at the Waterford. Her psychiatrist had prescribed a medication treatment regime and she was stable and healthy.

After less than a month, the psychiatrist at the correctional facility altered her medication regime. Within weeks, her mother noticed her daughter was in distress. She begged to go back to the Waterford to have her medication restored. The day she died she was begging to go back to the hospital for help.

What we are seeing, Mr. Speaker, is the criminalization of people with mental illness. They are put in solitary confinement because of the lack of services, which amounts to torture.

MR. SPEAKER: Order, please!

A question, please.

MS. ROGERS: I ask the minister: Will he immediately authorize mental health assessments for all inmates who need them by psychiatrists and mental health workers in Eastern Health, and give them the treatment they need right now?

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

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

One of the positive things, one of the positive changes that we have made, is we've taken the recommendations for the All-Party Committee on Mental Health, which recognized that we do need to do more. Certainly, I'd like to think that we as a government and we as a department have listened to the fact that we do need to do more as it relates to our inmates. We do need to change how things have been done.

I'm willing to do whatever is possible to ensure that our inmates are getting the best of care. I'm going to continue to work with the staff right up to the superintendent who I will point out is

having a difficult time doing the job when he is constantly being texted by the Leader of the NDP to provide information.

We are going to do what we can to get this done. I feel for those individuals involved. I feel for the staff, I feel for those mothers. We will do what we can, but I'm not going to have all the information come out on the floor of the House of Assembly.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Oral Questions has ended.

Presenting Reports by Standing and Select Committees.

Tabling of Documents.

Notices of Motion.

Notices of Motion

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

MR. BROWNE: I move, seconded by the Member for Stephenville - Port au Port:

WHEREAS government announced as part of *Budget 2018* a \$1-million investment for a new cost-shared cellular service pilot project; and

WHEREAS telecommunication services are essential for economic prosperity, social development and global competitiveness;

THEREFORE BE IT RESOLVED that this hon. House encourage providers and municipalities to work together to expand coverage and provide cellular service to communities in rural areas that are currently unserved.

MR. SPEAKER: Thank you.

The hon. the Government House Leader regarding the private Member's resolution.

MR. A. PARSONS: Pursuant to Standing Order 63(3) the private Member's resolution just

entered shall be the one to be debated on Wednesday.

Thank you.

MR. SPEAKER: Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Further notices of motion?

Answers to Questions for which Notice has been Given.

The hon. the Leader of the Third Party.

MS. ROGERS: Point of order, Mr. Speaker.

MR. SPEAKER: Point of order.

MS. ROGERS: The Minister of Justice has made allegations that I have constantly texted the superintendent casting aspersions on the role that I'm doing in advocating on behalf of my constituents. That is not true, Mr. Speaker. There have not been constant texts to the superintendent of the prison, there has been one.

Thank you very much.

MR. SPEAKER: I'll ask the hon. Government House Leader if he has a comment, then I'll make my own.

Go ahead.

MR. A. PARSONS: Pursuant to the information that I have, I stand by my comments.

MR. SPEAKER: I rule there is no point of order; it's a disagreement between Members. We'll continue.

Thank you.

Petitions.

Any petitions? No petitions.

Orders of the Day.

Orders of the Day

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

MS. COADY: Thank you, Mr. Speaker.

One moment, please. I was kind of taken off my game.

I'd like to call first reading, please, Mr. Speaker – just a quick moment.

Thank you, Mr. Speaker.

Sorry, I wasn't expecting it that quickly.

I would like to ask leave to introduce a bill entitled, An Act To Establish The Innovation And Business Investment Corporation, Bill 26.

MR. SPEAKER: It is moved and seconded that the hon. the Deputy Government House Leader shall have leave to introduce a bill entitled, An Act To Establish The Innovation And Business Investment Corporation, Bill 26, 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?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: All those against?

The motion is carried.

Motion, the hon. the Minister of Tourism, Culture, Industry and Innovation to introduce a bill, "An Act To Establish The Innovation And Business Investment Corporation," carried. (Bill 26)

CLERK (Barnes): A bill, An Act To Establish The Innovation And Business Investment Corporation. (Bill 26)

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

When shall the said bill be read a second time?

Tomorrow?

MS. COADY: Tomorrow.

MR. SPEAKER: Tomorrow.

On motion, Bill 26 read a first time, ordered read a second time on tomorrow.

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

MS. COADY: Thank you, Mr. Speaker.

I move, seconded by the Minister of Health and Community Services, second reading of Bill 20, *Cannabis Control Act*.

MR. SPEAKER: It is moved and seconded that Bill 20, An Act Respecting The Control And Sale Of Cannabis, be now read a second time.

Motion, second reading of a bill, “An Act Respecting The Control And Sale Of Cannabis.” (Bill 20)

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

MR. OSBORNE: Thank you, Mr. Speaker.

Mr. Speaker, I’m delighted to have the opportunity to stand in the House of Assembly today as we’re considering the new *Cannabis Control Act*, which is a piece of legislation that covers most areas of regulation in the soon-to-be-created legal cannabis industry in Canada. In particular, this act covers Newfoundland and Labrador.

Mr. Speaker, as this is a completely new area of legislation, especially one that’s meant to regulate an entirely new industry, the legislation itself is quite comprehensive. I imagine that when the bill makes its way to Committee there will be many questions from Members opposite. I, along with the Minister of Justice and Public Safety, welcome such questions and discussion.

I will not spend much time discussing the specifics of the clauses in each section, but I would like to briefly explain each of the sections of the act, why they were put in place and what they will mean when cannabis is made legal. In

general provisions there is a section that authorizes the NLC to exchange information with the federal government department. I want to bring that section to the attention of all Members so that we can provide an update on the taxation.

The provincial government intends to enter into a coordinated cannabis taxation agreement with the federal government on the sharing of tax revenue around legalized cannabis, as was reported after the federal-provincial-territorial Finance ministers’ meeting last year. The province will receive 75 per cent of revenue from the excise tax in addition to HST revenue and markup.

Furthermore, Mr. Speaker, if federal revenue exceeds the \$100-million mark in either of the years of the agreement – the first two years – the excess will be distributed proportionally to every jurisdiction participating in the coordinated cannabis taxation agreement based on their volume of sales in that year. Under this agreement the federal government will bear the expense of administrating the excise tax.

Mr. Speaker, the province faces significant spending pressures as a result of cannabis legalization from enforcement, to ticketing, to public education. The costs will be borne by the NLC for administration. The revenue that will be generated under this agreement is important to help offset these significant costs.

The first part of the act deals with authorizations and licences. Mr. Speaker, in many cases this section replaces the changes that we made to the *Liquor Corporation Act* in the last session of the House. We made these changes in November to an existing act because it was the quickest way to allow the NLC to begin its important work.

Now that we’re prepared to put in place the new act, we are effectively replacing everything that we added to the *Liquor Corporation Act* in the last session and will be repealing those changes. The *Liquor Corporation Act* will retain authority of the Newfoundland and Labrador Liquor Corporation to be in the cannabis business, but the *Cannabis Control Act* will include most of the provincial laws relating to the product. Mr. Speaker, I will speak to that again when we get into debate on the *Liquor Corporation Act*

amendments, but I just wanted to flag those changes for all Members of the House.

Going back to the piece of legislation that's before us today, this section will grant authority to the NLC to act as the regulator of the industry, including the authority to grant and suspend licences, to regulate supply and to undertake inspections. It will also set the rules governing licensed applicants, such as the current stage in the NLC RFP process of providing public notice to local stakeholders for feedback. It was an issue that was brought up during Question Period, Mr. Speaker. I want to assure all Members that under the current stage of the NLC RFP process, public notice to local stakeholders for feedback will be provided.

Mr. Speaker, the next part deals with inspections. I believe the Minister of Justice and Public Safety plans to stand and speak to this bill. He may speak to this section in more detail.

Inspections are a significant tool, I will say, in the regulation of controlled substances. This act will put in place the necessary framework for inspections and law enforcement to effectively enforce the act. It sets rules regarding when warrants are or are not needed in order to enter a premises, to search a vehicle and rules around seizing contraband. Inspectors or police officers can enter the premises of licensees, producers or other places of business without a warrant to inspect the premises and to examine books or records to ensure compliance with the act, similar to the *Liquor Control Act*; liquor licensees and places of establishment that sell alcohol.

Inspectors or police officers can enter other places, but with a warrant, where it is believed that a contravention of the act is occurring or without a warrant in urgent circumstances. Mr. Speaker, I want to note that for entering people's homes defined as a dwelling place a warrant is always required. I felt it was important to put people at ease in those situations. Inspectors or police officers can also stop, detain or search vehicles without a warrant when they reasonably believe that it may contain contraband cannabis.

The third part of the act deals with rules for businesses and individuals, it deals with possession, purchase and sale, consumption,

transportation, advertising and promotion of cannabis. This part clarifies the business side of cannabis operations from supply chain operations to sales and promotion. It puts in place rules around the online sales, prices and commissions under the purview of NLC. It will also prohibit companies from distributing cannabis without a licence.

There has been a contest that we've discussed in the House during Oral Questions, Mr. Speaker, and at a time that we did not have legislation in place, it was premature to speak to that.

Without speaking to any contest specifically, Mr. Speaker, I can say that there would be a way for contests to be legal under the act. For instance, a company could offer gift cards to a winner from a licensed retailer. If they had a gift card from somebody who was legally able to operate as a licensed retailer, that would be considered legal.

Mr. Speaker, this part features many areas that the business community have been seeking clarity on in recent weeks, so I'm happy to be able to provide greater clarity to that today.

For consumers, we're setting a limit for possession at 30 grams in public places, which mirrors federal limits. Those who want to own cannabis plants in their home for personal use can own a maximum of four plants per household, and that also mirrors federal limits.

We're setting a legal limit for cannabis use at 19 years of age or older. Furthermore, individuals who are below the age of 19, will be prohibited from entering a tier one or tier two establishment but will be permitted to enter a tier three or four stores where cannabis is not the main item for sale, will not be in public view and will not be sold to people under the age of 19.

Finally, this section prohibits smoking or consuming cannabis in public places and any place set out in the *Smoke-Free Environment Act*, in a vehicle or boat or another place described through regulations.

I will say, when it comes to boats, for example, if the boat is not in motion, Mr. Speaker, if it's anchored and the operator of the boat is not partaking in the consumption of cannabis, it

would be considered legal to consume cannabis at that time.

Cannabis is a different kind of product from others that we've regulated, so in a certain way, we have to treat it like alcohol, given the fact that it has the capacity to impair. We also have to treat it similar to tobacco or vaping in that it can affect people second hand. There are also areas where we are treating cannabis as a unique product, unlike tobacco or alcohol.

The fourth part deals with liability and offences and provides clarities around the penalties for contravention of the act. This is another section, Mr. Speaker, where I believe the Government House Leader we add some value when he speaks but I will provide some initial details.

General issues under the act are subject to fines of up to \$10,000 and imprisonment for up to one year when those offences are committed for profit or reward. Offences that are not committed for profit or reward are subject to fines of up to \$5,000 or imprisonment for three months.

Possession in a public place of more than 30 grams but less 50 grams, Mr. Speaker, or possession of more than four plants, up to six, are punishable by fines of \$200. Possession of above 50 grams or above six plants, Mr. Speaker, will be subjective to more punitive penalties under the legislation including a minimal penalty of \$300 and \$25 for every gram of contraband cannabis that is seized.

The highest fines are for the sale of cannabis to a minor. These offences are subject to progressively severe penalties including imprisonment for up to two year and fines between \$500 and \$100,000.

Mr. Speaker, I'm sure that this part of the, in particular, will lead to numerous questions during Committee. I welcome that, and any time that we're talking about penalties and limits, it certainly warrants a deep discussion in this hon. House of Assembly. I know that in the recent legislation such as the *Highway Traffic Act* amendments there were detailed discussions.

The final section of the act gives authority to the Lieutenant-Governor in Council and the board

of directors of the NLC to development regulations. There are some parts of the legalization that we'll address through regulations, and as I indicated during Question Period, those regulations are currently being worked on by several officials within government and the NLC.

The Lieutenant-Government in Council can set regulations around setting requirements for containers in which cannabis can be sold and matters relating to the modification of those containers; requirements for products other than cannabis and cannabis accessories that a cannabis store may sell; designated places where cannabis may be consumed or that they are not to be consumed in public places so that it would be consumed in circumstances where it would otherwise be prohibited, such as authorizing owners or operators of communal living accommodations, hotels, multi-unit residential buildings or concert or event venues, for example, to set specific outdoor areas for the consumption of cannabis.

In the final example, Mr. Speaker, you could think of something like a beer tent at a music festival. That's what we're talking about. If you have a concert event or a festival event, the organizers of that event, for example, can set aside a set area that is away from people who do not wish to partake or to be affected that would be considered legal to consume cannabis.

Regulations may also be used to set regulations for cultivation of cannabis. The board of directors of the NLC, with the approval of the Lieutenant-Governor in Council, will be able to make regulations including setting the period of time that constitutes a period of inactivity for a retailer or a producer, setting terms and conditions for licences, authorizations and suspensions and establishing different classes of licences.

Mr. Speaker, the act also authorizes the minister responsible for the NLC to set fees and requires that the minister in this role conduct a review of the act at least every five years. The first such review will need to happen no later than 2023.

Finally, it sets the stage for future amendments and authorizes the enforcement of the act by

way of tickets under the *Provincial Offences Act*.

Mr. Speaker, we've said it many times that this is the most significant public policy shift that this province has faced since we joined Canada in 1949. The legalization of cannabis for non-medical use is a new industry; it's a new area that we're looking at, which is why this debate will be so important, why these regulations and why the legislation will be so important.

While Members opposite have expected us to have all of the answers since day one, a lot of due diligence has gone into this act. Being a new area, being an unprecedented area for government to be in, Mr. Speaker, I have to say myself and the Minister of Justice and Public Safety did not draft this legislation. The Minister of Tourism, Culture, Industry and Innovation didn't draft his legislation. This was work done by professionals in the Department of Justice and Public Safety with the input of several other departments, officials from several departments and officials from the Newfoundland Liquor Corporation.

I have to commend them for the good work that they've done. They have spoken to other jurisdictions; they've done a jurisdictional scan to find out what other jurisdictions are doing. They've looked at jurisdictions where cannabis has already been legalized to try and find out what can and should be done, Mr. Speaker.

A great deal of work and a great deal of thought has gone into this legislation. There's absolutely no doubt, Mr. Speaker, that while we're putting this legislation in place today, there will undoubtedly be situations such as the contest put off by a business downtown that we honestly didn't anticipate when that contest first happened. So there will, perhaps, be situations that occur that we don't currently anticipate, because it is a brand, new area for government to be operating.

We are nimble enough and the legislation is nimble enough that will allow regulations, as we go forward, to be changed, if necessary. I believe that officials have done an exceptionally good job in putting this legislation in place. I believe they're doing an exceptionally good job in looking at the regulations that will be put in

place, but this legislation will allow them to change regulations, should that be necessary as we're moving forward and if something happens that is not anticipated today.

The officials have put a great deal of hard work in putting the legislation together. I believe it is a solid piece of legislation. Again, given the uncertainty that is common in a brand, new industry, if we need to make changes in the not-too-distant future in the legislation, that ability is there.

Mr. Speaker, that in no way devalues the hard work that the staff have put into preparing this. The fact that there may be situations that are unexpected, it in no way undervalues the work that's been put into developing this legislation and the regulations.

The legislation, Mr. Speaker, and this act in its entirety is made in the spirit of government's goals since day one to promote safety on our roads, in public places and in our workplaces; to reduce the burden on the criminal justice system; to keep the profits from the sale of cannabis out of the hands of criminals; and to support new employment opportunities.

With that, Mr. Speaker, I want to thank all Members for their attention and I look forward to debate, to further questions clause by clause once we get into Committee.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. HUTCHINGS: Thank you, Mr. Speaker.

I'm glad to rise today to speak to Bill 20, the control and sale of cannabis. This is, I think as the Minister of Justice and Public Safety is saying, repeated before a number of times, a significant policy issue across the country and a significant change in how the sale of cannabis, obviously, is handled in terms of access to it, and a whole range of different policy initiatives that reflect this change that's coming forward, that was initiated by the current federal

government as an election platform, that they would follow through on this.

We're going through a process now to answer the call in regard to that direction; and on a provincial level of how that would be managed, implemented, produced, sold, all those types of things that would be mandated as provincial authority and to outline how that would work.

The minister had alluded in his comments on introduction of Bill 20 about a time frame and making sure it's done right. I think that he questioned maybe the Opposition calling on having the answers and clear indication of what's happening. I think our intent with this and always has been that the runway is long enough to make sure that at this point in time the law, the legislation, the regulations and policy are at a depth in scope that it does meet the needs of the general public and all stakeholders as we move forward with this in the province and outside.

That's concern. There's understanding that at this point in time – and it's been mandated by the federal government to do it at a particular time – there are blanks that need to be filled in as we move forward. No doubt everybody understands that.

What we're saying is we need to have a minimum level of security to make sure that we're proceeding in a fashion that health and safety of all concerned is maintained, that it is efficient, that certainly the purchase, distribution and retail is clear, public education is made available to all concerned – all of our population – in regard to accessing it, in regard to the health effects. Just like we've seen over decades in terms of smoking and education on the effects of cigarette smoking and the changes that have evolved over the past 50 years in regard to that, not just in our province but across the country, and an education on the negative attributes of that.

I heard a while ago some physicians on a local radio station talking about no filters being used in the smoking of cannabis in many situations and what that does in regard to the intake of toxins and various other elements in it that you wouldn't see today in cigarette smoking. These

are the kinds of things that people talk about and they want to have information on that.

We also have research in the medical community that talks about the fact that the impact of THC and different elements in cannabis can have undue or ill effects on brain development for young people up to the age of 25, which most of the scientific information says overall development goes to that age. We're legalizing it at the age of 19; there are some concerns there as well in regard to the use of cannabis.

That's in the context of people wanting to understand it, that we have the information, that we can make people aware so there could be informed decisions made in regard to the road we're going down.

I was interested to hear too that the minister talked about the revenue stream. This is something in regard to this legislation we've talked about here in the House, asked a lot of questions, first and foremost, on the cost of implementation. There are several acts we're going to talk about over the next couple of days in regard to this legislation and others, and many are interrelated; the *Cannabis Control Act* we're talking about here now, the *Smoke -Free Environment Act, 2005*, the *Liquor Corporation Act*, *Highway Traffic Act*. So all of those are intertwined and speaks to the issue of public safety, of knowledge and expertise in moving this forward, and to make sure we're certainly prepared.

This piece of legislation we're talking about here, the minister referenced when he was up and talked about the revenues, as I said, the returns and talked about the fact that there's a federal-provincial agreement in taxation, in regard to this sale of cannabis and how it all evolves. He talked about the fact that I think the province would receive 75 per cent of the excise tax, which would be collected from this; as well, I think HST would be applied to that. So we'd receive our normal share from that as well. He referenced the fact as well that there's a provision or an exemption of when you get over \$100 million that there would be a different calculation in regard to what would be returned back to the province.

Again, we have no clear indication. I know in some of the debate we had about this the minister has indicated, and certainly through budget debate and Estimates, I think he indicated somewhere in the range of \$4 million to \$5 million for the first quarter of 2019. That would be a little over \$20 million, I guess. He can probably speak to that later in debate on what that number would actually be.

Based on the fact there's an exemption of \$100 million, it would seem to indicate they have some preference in regard to that number. It would be interesting to see what studies or if studies were done by the Newfoundland and Labrador Liquor Corporation in regard to gross profit and what the original projections were in what's been estimated and what they think the amount of consumption will be.

There have been various surveys done and the people in general in the province in regard to what they think the consumption will be initially and how it would pan out over a period of time. That varies from 20 to 25 per cent to 30 per cent, some less, some more, depending on what study is done.

It will be interesting to see where it falls out as we move forward. Ultimately, from our point, the concern is that the taxpayers' money is not used to subsidize something. It's been implemented by the federal government. We shouldn't, here in the province, have any new costs related to this that we can't return and return quickly to the Treasury of the province if we're using it to implement this.

With this, it's not only the legislation in the production, having access to cannabis, issuing retail licenses, setting folks up to sell it, it's all about, too, as I said before, providing the information, the knowledge. As well, whether it's on the policing side, on the medical service side of things that can often be related, there's a cost associated with all of that. We have to monitor all that as we go forward to make sure we're receiving our full share in regard to covering those costs. That's on the revenue side; the minister spoke of when he got up and talked about that.

It will be interesting to see, too, obviously through the Newfoundland and Labrador Liquor

Corporation there's currently, obviously, profit collected by the Liquor Corporation and returned to the province through dividends, through revenues every year, hundreds of millions of dollars.

It will be interesting to see in relation to cannabis comparatively to alcohol and that line of business what the return will be on gross sales from cannabis as we move forward and other strains of it performs. Will it be close to what's invested in the liquor side of things or will it be less? Again, I'm interested to hear, and maybe the minister can talk when he gets up as well in Committee or at the end of second reading.

Was a study done by anybody? The Newfoundland Liquor Corporation, maybe Deloitte or someone like that may have done a study to look at initially what the return would have been on investments. I'm interested to see if that report exists, and maybe you can share some information in regard to – if it is, or such a report was done, maybe we could get a copy of that to see exactly what was described in it.

One of the issues that was brought up today in Question Period, I think it's very important and goes to the issue of being prepared and ready, was related to – this is the social conscious piece I guess in regard to such a significant public policy change, as the minister has alluded to several times, in our province. There are social norms in what's acceptable and what's not. With prohibition on alcohol, we went through all of that over decades and we are where we are today. Certainly, with the introduction and legalization of cannabis it'll be a new social norm that we'll work towards.

As part of that, the current bill, in a general sense, talks about the application process getting certified as a retail sales provider, wherever that may be in the province. Within the legislation – which is a good thing – there's reference to making sure there's notice given, people have the opportunity to have a say if there are concerns. As I talked about, those social norms or people's values or how they perceive something differently than others could vary. Where something is located in a community, where it's located to another facility, whether it be a hospital, a high school, a playground, a recreational centre. People have various issues

and concerns with those, which is often good to be able to express those.

I was happy to see in the legislation that that's clearly outlined starting in, I'm not sure, section 18 I think and goes through four or five sections in regard to what the process would be if an applicant – and I think there were 80 in the last process, I don't think it was an RFP process – but there were 80 applicants that came forward and I think 24 were accepted for retail outlets.

In the legislation today, it speaks to a process where there's a posting, where there's dialogue. People have a chance to come forward and express their views on a pro or con and can even express concern in not approving a particular application. It's very formal and an engagement process for people's concerns to be heard. As I said, that could be in a small community, it could be in a city or town, it could be adjacent to some kind of public infrastructure that people have concerns about. So I was glad to see that's there in a general sense. We'll certainly talk about it when we get in Committee.

What I did hear in questions asked by my hon. colleague was related to what's happening now with those that's already been approved. Obviously, if it's fundamental enough to put in this new piece of legislation and it's such a social policy issue of significance that the minister has indicated, surely the same lens we're going to put in this piece of legislation would be the same lens that would've been provided or should be provided for those 80 applicants that we've already gone through – I think there are 24 now.

I think what the minister said, and I guess we'll get it confirmed later, is they will have to go through and meet the clear definition or what needs to happen here in that consultative – initially being posted, you make an application, it's posted, and then you go through a process where the public can be heard. So I think what he said, and we'll get it confirmed later, is what's in the legislation now, those 24 would have to go through that current criteria that's now set up.

I'm not sure about those 80 applicants because should they have had that lens as well? Again, if it's important enough to put in the legislation

today and significant enough, surely there's no exemption for anybody to this stage. We want to make sure at the very least, that everybody has the ability if an actual retail sales facility gets set up in their area – and I think it's very important.

I'd be interested to hear how that moves forward as we talk about that as we go through debate. I think it's important and I think the minister did confirm, based on questions from my colleague, that indeed that process would be used for the 24 that are already accepted. So it would almost be a second phase of the process, even though I guess they've been selected, to take them through the legislation as it exists, to make sure that all people are heard on particular applications.

Ultimately, at the end of the day, I think it's the corporation as referred to now would make that decision. That decision could be not to move forward, because based on the representation of the general public and concerns in a particular area, it could be the conclusion that they would not move forward.

Again, there was reference to the local governance piece in the agreement to authorize a particular retailer, and municipality was talked about. I know, looking at the legislation, there's reference to the fact that municipality under authority. So other questions we'd have when we go to Committee: Could a municipality basically deny a retailer to be an authorized seller of cannabis to be licensed. Ultimately, at the end of the day that municipality, based on their bylaws, could have a number of variables that a new business coming in to set up would have to meet and would have to get permits for. One that stands out would be an occupancy permit. If the Liquor Corporation – or the corporation as it's called now – went through all of this and they decided that, yes, we're going to award that licence, the municipality could decide, no, we're not going to do that. We're not going to issue a particular permit that's required for operations.

For all intents and purposes, that would mean that awardment of that licence would not be able to operate. That's interesting and we'll certainly want to talk about that as we get through Committee as well. It's very important for local governance. That's the whole knowledge piece,

too, we talked about before, that they have an understanding, they know what the rules are and it's not put on them when it sort of happens when the application comes to them, but there are discussions had. Even with the Municipalities Act, we don't see it here in the list of acts that are being amended, but is there any need for an amendment to something like a Municipalities Act to parallel and coincide with what we're doing here in regard to this piece of legislation?

The legislation as well, the minister mentioned, is certainly extensive. I think there are four significant sections that deal with variable aspects of the implementation of the policy; everything from access to information, ATIPPA. There's reference to that in regard to how information is held, those types of things. We talked about the tax structure and how that is going to flow. We talked about the elements of profits and what refers to the public Treasury.

There's one that I talked about when this came up in. Interestingly enough, in December of 2017 in this House the current government brought in amendments to the Newfoundland and Labrador Liquor Corporation. We made amendments then and a lot of those are reflective of what's been put into this particular bill, the *Cannabis Control Act*. We made those changes in December 2017 to amend that, but for some reason now we're back again with the *Cannabis Control Act*. Most of those require an amendment to take those out of the Newfoundland *Liquor Corporation Act* and bring them into the new act, the *Cannabis Control Act*.

I don't know if that goes to the element of not being ready or not really sure where this is going, but it does lead to some questions in regard to what actually is going on. Maybe the minister, when he gets up, can certainly clarify that and speak to it. Why we had to make those changes in 2017 and now we're back taking those out and putting them into a new particular act.

All of that allows this to flow forward. One of the issues that I had asked before in 2017 – and I think the act speaks to that in some regards – is in regard to trade and the implications. I know I asked at the time in regard to the recently signed

Canadian Free Trade and cross borders. We all want to see interjurisdictional trade in Canada; it's been a great inhibitor over the years in regard to the transfer of goods and services over borders. We've made some progress on that.

The Agreement on Internal Trade, I think, preceded the Canadian Free Trade Agreement. I had some opportunity in prior years to be involved with that. That was passed a couple of years ago to look at breaking down barriers between interprovincial trade. In regard to cannabis and cross border, bringing it in from outside I might assume, based on what I've seen, the corporation would be the ones that you couldn't bring it in. It would have to be authorized by them to bring it in. I'm not sure if there are any restrictions in terms of any provincial jurisdiction, any inhibitor and how that could be done.

As well, would it just have to come in interprovincially in Canada or could it be brought in from the US? Could the corporation bring it in from Europe? What exactly the rules would be in regard to that. In some respects you could get into various tariffs, depending on other countries and where it would come from, but that would be a determination, I would assume, by the corporation as it's called.

Currently, the one that comes to mind would be wines in terms of what's imported from various jurisdictions around the world, various wineries. That's done through the current Liquor Corporation. Could that happen through the corporation now in regard to cannabis and the import from jurisdictions not only here in Canada, but around the world and how that would work.

As well, the question would be Canopy Growth – government has made an agreement with them in regard to guaranteeing that they would produce so much and it would be purchased here in the province. What would happen if another jurisdiction could sell less or had a better market price, wholesale price that they could sell to the corporation here, less than what Canopy Growth is growing here and selling? There could be an opportunity for the same product, same strain, we'll say, that's being produced elsewhere in the country, but is less than what Canopy Growth would be providing here in the province.

Would the Liquor Corporation or the corporation – I'm not sure whether they would import that. Obviously, it's better for the customer here in terms of price, but that's something that we'd certainly ask when we get to Committee in regard to how that would work. What emphasis is on the corporation in regard to seeking out product that's the same quality, same vintage, but at a cheaper price? If it's outside, should we bring it in for a better value for the market here? That's something as well we'll get to when we get to Committee.

As I look at the various points going through in regard to the legislation, it's all about the full gamut of the licensing structure and inspection procedures. It sets out restrictions on sale, purchase, consumption, transportation, advertising and promotion of cannabis, and sets out the offences and penalties. In terms of titles and the various components to it, it's certainly vast in what it is.

The licensing structure; we talked a bit about that. Inspection procedures; I know there's significant authority that's granted to the inspectors with the corporation in regard to access, access to records, access to premises: all of those types of authorities. There are issues related to restrictions on the sale as well as purchase, consumption and also in advertising.

My understanding is through Health Canada, or through the federal government, most of the advertising will be generic. There won't be any – and we can talk about that in Committee as well – specific advertising that's particular to one producer or to one retailer, it will be generic across the country. That may relate to what I spoke of earlier in regard to trade, interprovincial trade and moving it back and forth.

If there was an allowance to come in from another jurisdiction, another country, that may pose some problems in regard to what's being brought in from the US or somewhere else around the world in regard to how it's packaged. I would suggest it would have to come in and have to be packaged at the corporation before it's put to market. If it's a generic marketing scheme, it would have to be maintained no matter where the actual product had come from.

Mr. Speaker, a large section of the legislation, what was added to the *Liquor Corporation Act*, as I said, in 2017, some of that's been removed and we'll probably get some feedback on that later on in debate. It's now been removed from the NLC act and placed in its own act. That's the one we're talking about here today, the *Cannabis Control Act*.

I know the officials provided significant detail and information, slide deck, which goes through the various pieces of legislation including this one, and provided a lot of information. So we certainly recognize that and say thank you to the officials for that.

It's interesting to point out in this current legislation, we look at medical cannabis and medical marijuana, I guess people are quite familiar with and have heard about, it has been existent for some time. This particular legislation is not meant to apply to medical cannabis, is my understanding.

The act does not have any restrictions on education and research activities, except to give regulation-making authority to LGIC. Orders of cannabis will be placed or cancelled only by authorized employees of NLC. There's tremendous authority, I guess, within this, with the corporation that's going to exist and oversee this. So all of the control is going to rest with them very well in terms of how this is written and, again, they may exchange information with a federal government department or enter into an information-sharing agreement with a policy agency in relation to the act.

So that's significant power and authority too, in regard to the exchange of information and how that would work. I don't know if that's worked out yet or whether it's in the regulations, but that will be significant in regard to, we're sharing information in regard to retailers and producers here in the province, and maybe financial information, maybe information in regard to those that could be charged, those that may be convicted, a lot of information. It'll be interesting to see how that agreement and how that arrangement would be set up, who would have access to it.

The other one is the police services, the police forces. Obviously, here it's the RNC and the

RCMP that would be involved in items in regard to contraband and breaking of the law, but as well anything related to this could be inter-jurisdictional. It could be related to the black market, it could be related to the underworld, in regard to criminal activity.

So it will be interesting to see if the exchange of information would be involved with police services and maybe other entities like the corporation here that oversees it. Would there be exchange of information with other similar entities in other jurisdictions, when interprovincial activity comes up that needs to be investigated in areas of contraband or illegal activity?

The federal-licensed producers must obtain authorization from NLC in order to sell cannabis to retailers in the province – another element that exists. Mandatory requirements for licence applications to hold public notice in the proposed areas. We talked about that in regard to what exists today or what's in the current legislation, what has transpired in regard to getting us from 80 applications for retail sales of 24.

In the current legislation, the board may conduct a hearing where a person objects to the issuance of a licence. That gets to issue, as I said before, in regard to communities and regions where an application may have been made, people are aware of it, but from that flows the ability for people to be able to speak to it and speak to any concerns they have.

My understanding is there will be a period for a retail licence up to a maximum of five years. I did see reference to, in some of the notes we had, related to a transfer. In a current period in that five years, instead of if something happened, instead of that licence being cancelled, it can be transferred, which causes a little of concern in regard to it could be an incentive just to get involved with somebody who currently has a licence and get it transferred, rather than going through a process that's outlined that I just talked about beginning in section 21 and 22, which is public notice and all those things happen.

So I don't know in a transfer, if all that process needs to be followed because it would certainly

be needed, because if that transfer is going to a different area, again there may be some public discourse or public discussion that needs to be had and it may not happen if a particular transfer occurred. That's something we may get to in Committee as well.

Retailers are required to display their licence and comply with the federal cannabis tracking system. That gets to the issue, I'm sure, of the federal government in tracking the information, have the database and, as well, the sharing of that information that was mentioned with the federal government and the agencies there as well.

I'm not sure, and maybe this is something we can discuss further, whether that tracking system is ready today or is it available. I guess that gets to the whole issue of – I think July 1 was the date for this and getting to when we get to actual implementation once the law is passed here in the Legislature.

There are also areas in regard to investigations into retail licences, existing licences and the sale, purchase, supply, possession or transportation of cannabis as well. There's also prohibition in regard to how much you can possess, and the amount of cannabis you can possess at a particular time, also what can be maintained in a residence, in a personal home; an organization, whether they can possess cannabis or not.

The minister spoke when he was up talking about fundraising draws and those types of things that are not allowed. There was an incident a little while back in regard to that transpiring, as well what adults may share in the amount of cannabis.

I spoke earlier about a person under the age of 19 cannot enter a cannabis store. That differs in regard to a cannabis store in a retail location. I remember reading that in regard to a cannabis store would be – my understanding is it's specific to the sale of cannabis, that would be it. In a retail location, which is a cannabis store, someone under 19 wouldn't be able to enter that premises, but a retail location would be a location where there would be various many other things sold.

It could be a convenience store, I guess, theoretically, it could be a liquor express and, therefore, normally, someone under the age of 19 could enter that premises. So if it is labelled a retail location, that under-19-year-old could enter that location, much like they would today in a convenience store where there's a liquor express. Obviously, they wouldn't be allowed to buy alcohol, but they could still enter that retail location. So there's a difference in regard to the two and what's available.

I don't think in the current round there was any liquor express entities or convenience stores. I'm not sure if any made the cut in those 24, I don't think. I've spoken to a few people that did apply but were not successful in regard to that.

The act talks about the authority of the corporation. Retailers can only purchase cannabis from the corporation as an authorized producer. Some of the questions we'll have relates to those that currently exist here and those that would exist out of the province, not only in Canada but outside the borders as well, and how that would work.

This goes back to the fiscal management and operations and revenues coming back to the province. Producers are required to remit reports and gross profits on a monthly basis. I think that's somewhat similar to liquor sales as well.

Now, this act too, the producer in this province would be Canopy Growth. There's been \$40 million, I guess, incentives, or I'm not sure what we'd call it, but, I guess, on the other side, we're not giving them any money so it's really not a transfer. Well, that's not correct.

There's \$40 million that won't be collected. My understanding is that will be paid for Canopy Growth's capital costs, so buildings and what they need to construct. They'll be allowed to, I guess, retain a percentage of these monthly remittances to the corporation. In doing that, they'll be able to draw down on their gross profits to cover their capital costs over a period of time.

So on their monthly remittance, if they put in \$100,000 gross sales, 10 per cent of that or 20 per cent of that could be retained by them and not put into the corporation, into the provincial

Treasury of the people of the province, because that 10 or 20 per cent of their retaining back would go to cover off their cost of \$40 million, if that's what they do when they build their infrastructure. Which, when you think about it, is quite a deal because they're getting that piece of infrastructure paid for which, at the end of the day, will be owned by them. It won't be owned by the taxpayers who paid for it. As well, they can draw down and get their return on their gross sales.

So they'd have both of those going on, and that's why we've asked many questions here in regard to that \$40 million and if anybody else in the province has gotten that or would anybody else ever get it.

That's related to the actual remittance on a multi basis. My understanding about legislation, there's no one permitted to give away cannabis in any way in a promotion; not permitted to sell to an intoxicated person, very similar to alcohol and all those type of things; it cannot be sold in vending machines or self-service display; and the corporation will be the only online retailer. Other retailers may sell online if approved by regulations.

The online regulation and being able to get it cut or regulated or make sure that there's a provision there to do it is challenging in and of itself. It will be interesting to see the revenues that are not being accessed due to some of these rules and how this will be managed.

Online, people, depending on what the price is going to be from a market perspective – currently being sold now, we'll say, illegally. If the price that's being charged underground after this is all passed and comes into force is not competitive or is higher than what's being sold now today in the market, there's been no incentive really to purchase that. That's something we'll have to see and how that's dealt with through the new corporation and the new legislation.

The type of product, the strain, all of those things will be overseen by the corporation; standard rules in terms of what would be consumed in public. There's an issue in regard to the Smoke-Free Environment Act. We're going to debate that as well as we move forward

over the next number of days, and where you can – in a vehicle, in a boat, in a moving vehicle, all those kinds of things are serious issues that need to be clear and inform the people as this rolls out.

As I spoke earlier in regard to the information of this and how important it is for people to have an understanding of it, it's laid out and we're well informed is extremely important. While the minister did allude to some of this, that's where the investment is and that's where we need to make sure that all are informed in regard to moving this forward because it is new. There is, as I said, a change in social norms in regard to this. Some people agree with it, some people don't; but, in any case, there needs to be that information involved so that everybody can feel that they have an understanding and can do well with it.

I'm sure we'll hear a lot of debate over the next number of days in regard to the legislation. As I said, there are four in total that we'll debate and all intertwined in regard to actions moving forward. It's not just the use of cannabis in a social environment; it's certainly how that relates to the *Highway Traffic Act* and this particular bill, enforcement, oversight. There are issues in terms of occupational health and safety in regard to working in an environment under the influence of cannabis and how that's dealt with. All of those need to be looked at.

Smoke-free environment – as I said, we went through decades in regard to second-hand smoke from cigarettes. There are rules and regulations in regard to that today and how that works. This act and the use of cannabis would have to mirror that in terms of protection of the general public, for those that choose not to entertain in use. Because all rights need to be respected: those that certainly engage in the activity and those that don't, and make sure that it's a safe environment for all concerned.

Mr. Speaker, with that, I conclude my comments. I certainly look forward to future debate and rolling into Committee and asking a lot of questions and getting clarity on this significant piece of legislation, as I keep referring the former minister of Justice and Public Safety talked about. But there are a lot of questions here and I think it's incumbent on

government that they have some of that information to give people the comfort level that as we move forward with that they understand it, they feel safe and they can make informed decisions.

Thank you, Mr. Speaker.

MR. SPEAKER (Warr): The hon. the Member for Bonavista.

MR. KING: Thank you, Mr. Speaker.

It's an honour and a privilege to take 20 minutes this afternoon to debate Bill 20, An Act Respecting the Control and Sale of Cannabis. It's something that we've known has been coming since the federal Liberal government was elected in 2015. It was a campaign promise that they brought forward.

Mr. Speaker, we're going to be ready as a province to roll this out whenever the bill moves on from the Senate, gets Royal Assent federally. Like I said, we're here debating today because we are going to be ready. We're going to get this through, through good debate, good questions, and we're going to be ready for the legalization, whenever that may be sometime in the near future.

So, Mr. Speaker, before I start I'd like to thank the staff from all the departments who put this bill together. I'd also like to take some time to thank the staff who provided briefings for us this morning. I know this is the first of four bills that are related to the cannabis legalization, and I'm sure we'll have some lively debate over the next couple of days as we move forward on this.

When we talk about the *Cannabis Control Act*, I'd like to just let people know what it's going to include. The *Cannabis Control Act* will include the most substantive provisions related to cannabis in the province. The act will create a licensing structure for cannabis retailers; provide the Newfoundland and Labrador Liquor Corporation with authority to administer and enforce the act and regulations; regulate the sale, purchase, consumption, transportation and use of cannabis; and set out offences and penalties.

Unlike the other bills that we'll be debating today, Mr. Speaker, this is a brand, new bill; it's

not an amendment on anything else, which we'll see coming up. This is the biggest policy shift that we've had in decades, Mr. Speaker, for the Province of Newfoundland and Labrador. So I do appreciate the concerns that the Opposition do have.

Now, I'm going to get to the Opposition a little bit later, because I think they've been fear-mongering a little bit. I don't want to talk about that right now. I want to talk about some positive things that we're bringing forward with this.

We have here today, Bill 20, the *Cannabis Control Act*. So we are going this to be proactive, to get ready for federal legislation. We can have this mandated here today within our own bill, or we can have it mandated to us from the federal government. It's better for us here in the province to have our own bill, act, regulations around cannabis use and legalization. We got a lot of people working hard within the departments, and especially at the Newfoundland and Labrador Liquor Corporation, who's taking the lead on this bill.

The intent of this, when it was brought forward, the idea was brought forward by the federal Liberals in the campaign of 2015, and once they were elected bringing it in right now, is take the industry out of the hands of criminals. So we want to take this industry out of the hands of criminals and give people a product which isn't dangerous, which you could go to a licensed retailer and pick up your supply. You're not funding the black market, you're taking money out of their pockets and you're having a product that is a good quality product, Mr. Speaker.

If you look at the fentanyl crisis; you look at anything else that we have. You have marijuana, cannabis right now where people are smoking it anyway. They are having this product that is dangerous to their health. So we're taking it out of criminals' hands. People who are doing it now anyway, we're going to have a regulated market where they are able to do it legally.

This is one of the other things as well, Mr. Speaker; I know the Opposition talked about how the courthouse is going to be filled with all the people that are going to be breaking the law

because of marijuana. No, Mr. Speaker, what we're doing is actually clearing up the courts.

Right now we have people charged with possession and trafficking of marijuana. We're taking that away, freeing up space in our courts, so we can get cases through in a timely manner. This is the second purpose of this bill, or of this legalization. Right now it's being held up in the Senate, unfortunately.

The PCs always ask us about, when are your federal cousins going to bring this into place? You can't give us a date. Well, they should ask their Conservative senators in Ottawa, what's the hold up? You don't have to serve as a senator, as I just heard. No, b'y. What's Norm Doyle and those people – they're holding it up right now. This is going to be a good benefit to the people in the District of Bonavista, Mr. Speaker. We have some great opportunities.

Recently in the media you may have seen that a local group has purchased the former OCI fish plant in Port Union, Trinity Bay North. This presents a unique opportunity for us, Mr. Speaker. I know a number of different groups were looking at this facility. We had a group come in and purchase it, and they're great, young, local people who want to do good things for the people in our area and create jobs. Provide a product that is legal – a good quality product, Mr. Speaker. They want to come in and do that.

Right now, they are working with Health Canada to get their licence in place. They have the facility bought; they bought it last week, closed the deal. What that's going to do for us, should they get their licence, should they get everything else in place, is that's going to create jobs. The (inaudible), that's the name of the group. They're very community oriented, great local guys. They're working with Health Canada right now. They've got their lawyer working on that, going through the motions to try and get that licence should they be successful. Then they're going to work with the province and NFLC to move forward on that.

Mr. Speaker, any producer that has to get their licence has to go through Health Canada. They're doing their work and they're going to work with NLC to become a provider. This is

very similar to the beer and spirits market, Mr. Speaker. So when the Opposition get up and talk about how this is a bad thing, how we don't know what we're doing, it's going to be regulated just like any other industry: beer, spirits, any craft beer producer, any distillery. It's all got to go through its checks and balances. You can't just decide you're going to start growing cannabis one day and sell it the next. It doesn't work that way. It's a very regulated system.

What these people have done is they are going to renovate the old OCI building which was damaged in Hurricane Igor in 2010 and has been lying dormant ever since. That's going to create jobs, just in renovations alone. To have the support of the public – they talked on the other side about the public outcry against cannabis production in communities and how municipalities don't want it in their town. Tell that to the 200 people that turned out to the Lions Club two weeks ago in Trinity Bay North to support this initiative, to ask relevant questions, to ask about how do they get a job.

That plant, Mr. Speaker, during the height of the cod fishery employed 1,400 people year round. Then it was seasonal since the late '90s until 2010 when the shrimp industry saw a lower number of jobs but still good jobs.

What the PCs are saying, they don't support jobs in rural Newfoundland. They don't agree with it. They're saying that municipalities are going to run them out of towns with pitchforks. Well, they didn't do that. The 200 people at the Lions Club in Port Union didn't do that two weeks ago. They were excited about this new opportunity, and I'm excited about this new opportunity.

It has municipal support. Council has been working hard to bring something into the municipality of Trinity Bay North, Lower Catalina, Catalina, Port Union and Melrose. Those people are crying out for work. They want to see that facility utilized. I'm excited about that and I'm excited about the opportunity it presents. I'm hoping they get their Health Canada licence and then we'll work with them as a province.

They say Canopy is going to have the monopoly on it. It couldn't be further from the truth, Mr. Speaker. It's just more PC fear mongering, misinformation.

Mr. Speaker, we are open for business for anyone who wants to come in to become a producer. Like I said, you've got to go through your licensing; you've got to go through all the rules and regulations that go with it. Like I said, you can't just say I'm going to grow dope in my shed and tomorrow I'm going to sell it because marijuana or cannabis is legal. You can't do that.

It's a very, very lengthy process that takes time and you have to meet all requirements. This isn't rushed. We're not pushing this through. That's why we had to use Canopy, Mr. Speaker, because there is no licensed medical marijuana or medical cannabis producer in this province. They treat cannabis like the bogeyman, like they do everything else, and Quebec. Anything they don't agree with is automatically wrong and the bogeyman, and you can't move forward on it. Canopy is providing 145 jobs in this province.

Mr. Speaker, should the facility in Port Union get up and running that's going to be another 100 jobs in a market that's well needed. These aren't just jobs for the sake of jobs, these are good jobs, Mr. Speaker. You have the renovation of the facility. You have specialized people going in doing lab work, growing the product. You have cleaning, you have office work, you have everything when it comes to that. You're going to have a wide variety of jobs which is going to bring more people into an already booming area. You're going to bring in highly educated people, young people. That's going to put children in our schools, Mr. Speaker. That's going to support our businesses for spinoffs.

When they go out and say this is a bad thing, municipalities are going to run them out of town, people don't want it. It couldn't be further from the truth. When I first met with members of that group last fall, I had good discussions about our area and some locations they may want to set up in, helped them look for land and whatnot. They took an opportunity and ran with it.

Mr. Speaker, this past February I met with another group out of Nova Scotia who are interested in the Newfoundland market. They're coming here because the Province of Nova Scotia isn't as progressive as us when it comes to cannabis production and sale. They are coming looking here.

When they talk about all of the mass exodus out of Newfoundland and Labrador where you have your Marine Atlantic ferries packed because no one wants to live here anymore, we actually got business wanting to come here. They want to come here because there's opportunity.

Mr. Speaker, that gets back to the PC fear mongering. They've been doing it for three years now. They haven't got a record of their own to stand on after 12 years of government so they have to fear monger to try to discredit what we are doing.

Mr. Speaker, they get here week after week after week after week in Question Periods and all they're doing is recycling their same questions over and over again. The former leader, the former premier, gets up and interrogates us on the minutiae and the mundane, things so negative about cannabis production. It's coming whether we like it or not. The federal government, if we don't bring in this act, will mandate what we do. I'd rather have a made-in-Newfoundland plan than a made-in-Ottawa plan. Would you rather have that, Mr. Speaker? I think you would.

Then, the new leader of the Opposition in the House of Assembly gets up and asks the same questions over and over again. He talked about you approved a retail location 600 metres from a school – are you in favour of that – trying to get the gotcha moment so their henchmen up on the fifth floor can do a video of it. That's all they're trying to do. They're gotcha moments; they're trying to scare people.

This is no different than what we do with beer, tobacco and spirits right now, Mr. Speaker. You have to be 19 years of age to purchase those products; you have to be 19 years of age to enter those facilities. This is no different. What the PCs are getting on with is pure foolishness; gotcha moments that their henchmen on the fifth floor can put on a YouTube video, put on

Facebook and other social media. That's all they're at. It's unbelievable what they've been doing.

What they're doing is they're speaking out against rural jobs. They don't want to see rural jobs. In all intents and purposes, that's what they're getting on with day after day after day in Question Period. They don't want to see that. I sit here every day like yourself, Mr. Speaker. That's what I've taken from the questions they ask every day. They want to see this federally thrown down our throats. If we didn't bring this in now they'd say: How come you didn't do it? Now they're saying: You're rushing it through. You can't have it both ways; you're talking out of two sides of your face. You can't do that.

Mr. Speaker, we are seeing the PCs day after day after day in Question Period portraying honest business people, who are running honest business, as bogeymen who are dishonest and would sell this product to minors. They went down that road. They're portraying honest business people who run honest businesses as bogeymen and criminals. In their line of questioning, that is what they're saying.

AN HON. MEMBER: Shameful.

MR. KING: It is shameful.

Mr. Speaker, just before I conclude my remarks – I have a few minutes left – they're going to talk about where can you smoke it and where can you buy it, all that sort of stuff. When it comes to consumption you're allowed to have 30 grams in your possession and you're allowed to have four plants within the place which you reside.

It can't be consumed in public places. If they think I'm going to walk down Water Street tomorrow with a joint hanging out of my mouth blowing it in the wind, it's not like that. It's like alcohol; you can't do it in public places, Mr. Speaker. You can't do it anywhere that smoking is prohibited under the Smoke-free Environment Act.

You can't do it in a vehicle or a boat. We're going to talk a little about amendments to the motor vehicles act shortly. I hope to speak to that one as well because the fear that they have

going out there – they’re saying that enforcement officers won’t be doing their job, everyone is going to be riding around high when the laws are already in place, Mr. Speaker. That’s what they’re saying.

That’s not what I’m saying, that’s what they’ve been saying in Question Period month after month, week after week and day after day. Those are the kinds of questions they’ve been asking. Discredit the people who are out there doing the good work on a daily basis, discredit the good people that we have working putting this bill together. Mr. Speaker, we’re not doing that. We’re going to move forward. We’re going to have a Newfoundland-made bill that’s going to serve the people of Newfoundland – I should say we’re going to have a Newfoundland-and-Labrador-made bill that’s going to serve the people of Newfoundland and Labrador.

Getting back to this, cannabis may not be consumed in any place prescribed by regulations. Medical cannabis users may continue to use cannabis in public places, subject to the restrictions laid within the Smoke-free Environment Act. Mr. Speaker, we’re serious about this. Like I said, you can’t light up anywhere, you can’t vape anywhere. If you are found doing something wrong, if you possess more than the allowable limits, between 30 and 50 grams or five-to-six cannabis plants, you’re going to be fined \$200. Youth possession is punishable by a \$100 fine.

Selling cannabis to a person or to people who are intoxicated is punishable by a fine of \$500 to a \$100,000 and up to two years in jail. When they get up and ask questions about the good people who are operating these businesses and saying they’re going to sell to minors and portray them to be dishonest and bogeymen, that’s not the case. I don’t think any retailer out there wants to be fined between \$5,000 and \$100,000 with two years in jail. They’re not going to do it, much like now you don’t have people selling to minors. Right now we have ID 25. If you look younger than 25 – and I know the Member for Labrador West gets ID’d all the time – you’re getting ID’d. Mr. Speaker, they’re not allowed in the premises. They’re not allowed to be sold that.

Some of the things they’re bringing up, like I said, is just trying to say that this no good, the Liberals aren’t doing a good thing, there are going to be people stoned and high all over the place. Mr. Speaker, I wouldn’t think that you’re going to get too much of an uptake. You’re not going to see a huge increase. Everyone and their dog aren’t going to get out and buy marijuana.

I see it as a great thing. It allows people to do it legally. It gives them an opportunity to buy a high-quality product. It’s going to create employment and grow our economy in Newfoundland and Labrador.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Reid): The hon. the Member for Topsail - Paradise.

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

Thanks for recognizing me to have a chance to speak on the *Cannabis Control Act*, or as it’s written in Bill 20, An Act Respecting the Control and Sale of Cannabis in the province.

I think we just had a little bit of a break here in the House when the Member for Bonavista was up. I tried to listen to what he said and tried to take it seriously, but I have to be honest, it was a little bit hard to do because he used words – he doesn’t seem to understand the parliamentary process because he said a number of times that we’re asking questions to government, regurgitating and asking questions over again. That’s what we do as an Opposition, Mr. Speaker.

Our job, especially in Question Period, is to ask questions. Our job in debate is to correct information. I’m going to correct some of the misinformation that the Member for Bonavista just referenced in the House. If he wants to listen to what I have to say, I’ll correct some of his information.

This is about taking cannabis out of the hands of criminals is one of the things he said just now in debate. He accused the Opposition of just simply fear mongering. With the courts, he said, there’s not going to be more demand on courts because

we're going to take cannabis out of the hands of criminals. The actual fact, Mr. Speaker, is that the federal government is providing funding to the province to assist them in what they anticipate will be an increase in the demand for services.

In Estimates this year, we learned there was \$500,000 from the federal government given to justice and justice processes; \$100,000 for fines and administration; \$300,000 for Provincial Court operations; and \$100,000 for the director of public prosecutions because of the anticipated increased workloads in our courts because of the legalization of cannabis.

I'm glad the federal government is doing their role to offset the additional cost to the province, but the Member for Bonavista should realize that. I always kind of cringe when I hear him take shots at public servants or employees; if he wants to take shots at me, go ahead, which he did. If he wants to take shots at me, go ahead and do it; he certainly can.

I always find it a little bit disconcerting taking shots. If you want to ask questions or reference something about staff, that's one thing – if you want to do that. Even at times when we ask questions about political appointments into non-political positions in government, I never once said anything negative about anybody. I never once said they weren't qualified or they couldn't do the job. It was about the process of appointing them, which was the government's responsibility that we raised.

I take a little bit of issue. I've seen some stuff that he's posted publicly on social media and derogatory comments about former Members of the House – or a former Member of the House. I'm not going to say what the comment was here because I thought it was really, really in poor taste, but it's too bad that he does that.

We know for a long time he stood here and he read the notes that were provided to him by the government or by the departments. It seems liked today he was reading his own. Maybe he should go back to what the government is providing him. It might do him better, instead of trying to make up his own words as he goes along.

Mr. Speaker, first of all, we attended a briefing on Friday. All of us that were available to attend in the Official Opposition attended. They had to bring in extra chairs. I know the Third Party was there as well. The independent Member was there. They had to bring in all these extra chairs because we had a good turnout of people. A number of officials were there to provide a briefing to us. I thank them for the briefing. It was scheduled for 2 o'clock on a Friday afternoon and I know one of them commented – because we were there a couple of hours for sure, and one of them said there were a lot of questions on this, and so there should be a lot of questions on it.

But we didn't schedule a briefing. We had to go at 2 o'clock on Friday, so we did what we could during the couple of hours we had because someone was saying it was getting late; it was Friday afternoon and so on. We do appreciate the officials coming in provide answers to us and to have a discussion.

I thought they did a really good job of doing it. We always greatly appreciate when officials do that and we learned a lot. Also, it raised a large number of more questions on the who, what, where, when and why of a piece of legislation, especially when it's new.

Mr. Speaker, I know that there are a lot of people in the province and in the country who support the legalization of marijuana. There are also a lot of people in the province who support it but are nervous about it or want to make sure it's done right. There are people in the province and in the country who don't support legalization.

I think this notion of taking it out of the hands of criminals is just false; it's not going to happen. There will still continue to be – if the Member for Bonavista was at the briefing this morning, he would have even heard the minister say that there are still people illegally dealing with tobacco and alcohol. Even though it's been legal for years, there are still people who are conducting illegal activity involving movement, transportation, purchase and sales of alcohol and tobacco and suggests, by extension, that's likely going to continue to happen with cannabis as well.

For the Member of Bonavista to just stand up and say we're going to take it out of the hands of criminals is just not true. It's just not true, Mr. Speaker. To say that we're fear mongering when we talk about the increases in demand for services such as courts is not true. The federal government has given half a million dollars to the province to support public prosecutions, court operations and fines and administration. So for the Member for Bonavista, maybe he should think about getting his facts right himself.

Mr. Speaker, in the bill there are a number of aspects and over the next few days – I attended the briefing as I mentioned with the two ministers, the Minister of Finance and also the Minister of Justice. It was interesting that the Minister of CCSD and Service NL weren't there – they were there, sorry, but they weren't part of it because there are four bills, one of them that's coming. One is the *Highway Traffic Act*. One is under the smoke-free – what's the proper name of the act?

AN HON. MEMBER: Smoke-Free Environment Act.

MR. P. DAVIS: Smoke-Free Environment Act, there you go; I thank the minister opposite – the *Smoke-Free Environment Act, 2005* and also the *Liquor Corporation Act* which cannabis control is financed and so on.

We're going to have a lot of questions. After the briefing this morning that I attended, the media asked me for a comment and one of the comments made to them, I said we're going to have a long week because we have a lot of work to do.

I would expect most or all Members of the House who have an interest in this bill are going to enter and participate in debate and talk about it from their perspective. There are many areas that we're going to touch on over the next few days. One of those would be the locations. We talked about this in Question Period today: locations of outlets. This new legislation will require, under section 21, an applicant before they actually make their application; they'll have to publish their interest in applying. How it's worded, it says: "An applicant for a licence shall give notice of his, her or its intention to apply for a licence by publishing a notice"

We asked questions today about the 23 that have already been selected. There were 24 and one backed out. There are 23 right now. We expect more to come. We asked questions today: Will they be required to do that? The minister is telling us yes, they will. There will be a process for publication. Because under the legislation, it allows for people to file an objection and then it says that the board may hold a hearing.

One of the problems in this, Mr. Speaker – and this is not new or unique to this piece of legislation. The officials themselves on Friday said this legislation is heavy on regulation. The regulation doesn't come here to the floor of the House. What we're essentially doing now is passing a bill when I'm pretty sure that the government has a pretty good idea of what the regulations are going to say.

One of those examples is right in section 21 which I just talked about, about publishing a notice. Section 21.(2) says: "A notice referred to in subsection (1) shall (a) include information prescribed by the regulations ... (b) be published in the manner and for the time period prescribed by the regulations; and (c) be in the form prescribed by the regulations."

We don't know what that is. While we're here in the House being asked to support the legislation, we don't know what that is. We're likely in Committee to ask the minister what is their intention when it comes to that particular section. There are numerous sections where it outlines and says the regulation will specify that. That's not unusual. That's what happens in line in our province. The House of Assembly passes an act. Quite often the minister or the Lieutenant-Governor in Council can pass – which is Cabinet – their own regulations and amend regulations as they see sit.

Mr. Speaker, that's the case with this bill. There are a large number of items or areas here where it's prescribed in regulation. One of the areas under Part III, which I found to be interesting – the minister referenced in Question Period: fines. I thought it was interesting for him that he pointed this out because he said our legislation is so strong – and I'm paraphrasing now, but he talked about the fines that are available under the legislation. I'm just looking for the one now

that he probably referenced, over around the section 92 or 93 area.

One of them says, “A person who fails to comply with ... subsection 69(3) ...” – which I’ll go to it – “(a) for a first offence, to (i) a fine of not less than \$500 not more than \$10,000.” A second offence, \$30,000; and a third and subsequent offence, a fine of not more than \$100,000.

That sounds like it’s very strong, and it is very strong; \$100,000 fine is a significant fine, but that particular section relates to taxation and filing, and document filing and so on. It refers to a company and a business’s responsibility, but sometimes what people are quite interested to know is, what are the fines that’s likely going to impact an ordinary citizen, a citizen who may be a marijuana user, who might like to smoke weed and says, well, I’m going to buy the legal stuff now because the act allows for a person to possess up to 30 grams.

Every chance I got this weekend I raised to people the question about legalization of cannabis. I said to them, how much should be legalized and so on? And 30 grams has been kicked around for some while and I said 30 grams. People who are familiar with marijuana, who use marijuana, said to me – I think in all cases when I raised it, and anyone who knows anything about it, they said 30 grams? That’s a lot of weed. That’s a lot of marijuana.

So 28 grams is an ounce, and an ounce of weed is considered to be a lot; so 30 grams is a little bit more than an ounce. I Googled how many joints you’d get out of a gram, because I really don’t know at this point in my life how many joints you’d get from a gram of weed, and I don’t know how much quantity specifically is to a gram because a gram is weight but how much quantity there is. According to Google, it says you can get one or two joints from a gram.

Someone at the briefing said, that’s pretty small joints, one person said. I asked a person over the weekend, a number of people as I talked to them, I said: how many joints can you get from a gram? Even my colleagues here who know people who they’ve been talking to and said it’s not unusual today for people to mix marijuana with tobacco when they smoke it.

I had one gentleman on Saturday who said to me, he gets four joints out of a gram. So 30 grams would be 120 joints. I thought that was probably pretty tight on what’s going to be in a joint but when you mix it with tobacco then you get more out of it.

I don’t know how the weight and how many – when you talk about grams it’s weight, and a person is carrying 30 grams of a mix of tobacco and cannabis, I’m not sure how you would weigh that or how you would consider that or how that’s going to be regulated. If someone has mixed tobacco with cannabis, then are you only allowed to carry 30 grams of the mixture, or can you have 30 grams of just what the cannabis is and how do you weigh it?

By the way, under the legislation, speaking of fines, if you’re caught with having more than 30 grams – it says you’re not allowed to have more than 30 grams, and you can’t have more than 30 grams in a vehicle at any given time. Under the legislation, if you have between 30 and 50 grams it’s going to be a provincial offence under the *Cannabis Control Act*, and 30 to 50 grams is a fine of \$200, which to me, Mr. Speaker, is not \$100,000. It’s a relatively small fine for someone who’s caught having more than 30 grams, up to 50 grams of marijuana under section 64.

Then if we go a little bit further and we look at – just a minute now, Mr. Speaker, because I’m going back and forth from a couple of different areas in the act. One is where it lays out what you can have; another one is where the actual fines are listed.

Under plants, you’re allowed to have four plants, under section 64(3). Section 89 says if you have more than four plants you’ll get a \$200 fine. It’s actually four to seven plants is a \$200 fine. If you got five plants or six plants or seven plants in your house that you’re growing, where you’re going to end up with, the police are going to have to get a search warrant to come in and give you a \$200 fine.

MR. OSBORNE: Five or six.

MR. P. DAVIS: What’s that?

MR. OSBORNE: Five or six, seven is different.

MR. P. DAVIS: Four to seven, but the act says four to seven.

MR. OSBORNE: Under seven.

MR. P. DAVIS: I'll just have another look. Oh, yes, you're right. I stand corrected, Minister.

SOME HON. MEMBERS: Hear, hear!

MR. P. DAVIS: If you have "more than 4 but less than 7" – which would be five or six. You're going to get a fine of \$200. I think a lot of people are probably going to risk that one if they want to have more than four plants, for a fine of \$200.

The other one is, under section 90 it says: if a person who fails to comply with or otherwise contravenes paragraph 66(1)(a) is guilty of an offence and punishable by a fine of \$100. That's under 66(1). So I said that's a pretty small fine, I must have a look at that one.

This one's really interesting, from my perspective it was, 66(1) is: "A person who is under 19 years of age shall not (a) purchase, attempt to purchase, obtain, attempt to obtain or possess ...; (b) give, provide or supply cannabis ... to another person; (c) sell cannabis or cannabis accessories; (d) be an employee in or at a cannabis store." That's a \$100 fine for that one. I appreciate that one because a person could be 18, it could be an adult or it could be a youth under the age of 18 years old.

I just point out a couple of those because I found them to be interesting. We really haven't discussed the fine breakdown much, but I'm sure we're going to get into that a little bit more as we get into Committee and get further into debate.

I only have a couple of minutes left, Mr. Speaker. I wanted to comment on this discussion about – and the Member for Bonavista just mentioned this as well, about rushing this. In Question Period today we asked why is it (inaudible). The Minister of Justice made a comment and said if we had it any earlier, do you want us to rush it? No, we don't want it to be rushed. We absolutely don't want it to be rushed, but the reality is we have a

parliamentary calendar that establishes the House is scheduled to close on Thursday.

Now, I know we could stay open and we could keep the bills being debated beyond Thursday. That could very well happen, depending on the number of bills that haven't been dealt with yet here in the House; yet, we know, we all know, anybody who has been around this House for a few years knows that when you're getting to what you anticipate is going to be the end of the House, the tendency then is to move on with it to get it going. And why keep the House later?

Then you hear them say: well, if you're going to come back one more day there's a cost associated with that, you have to have broadcast time and you got to have staff. For example, if we close on Thursday evening at 5:30 and we still have a couple of aspects of a bill to finish, that means rural MHAs all have to come back in on Monday. You may have one sitting day and then you complete the debate. Then, of course, the question arises, are you cognizant of cost and time and all those kinds of things.

Mr. Speaker, I raise that because we don't want to rush it. I have no intention of standing here today of a filibuster to hang up the bill or to do any of that kind of stuff, but I can tell you, Mr. Speaker, in the minister's own words – and I think two ministers at least now have alluded to this publicly – that is a significant policy shift for government. We fully agree with that.

It's a discussion that's happening publicly on a regular basis, and because of that – even the minister's own statements, the two ministers' own statements say this is a significant policy shift. We have a responsibility as well as an Opposition to do our work and do our job of raising the matters and asking the questions in the House.

While it may seem somewhat redundant to some and painful to some as we're sitting here and asking questions, I can assure you, Mr. Speaker, is that I received lots of input on questions we should ask here in the House. My colleagues and I had a discussion about it this morning. We're all in pretty much the same way, where we've had people say to us, what about this. I don't know, but when we get a chance maybe we'll

ask the question. Well, what about this and what happens in this circumstance and so on.

We heard today on a related bill, because that's the other part of it, is there's content within the *Cannabis Control Act* that was debated under Bill 23 last fall which came to the House last November. As talked about in Question Period by a couple of ministers today, the government, in answering questions, said they brought that in as an interim process to get the process moving. I understand that but some of what's in the new bill is a little bit different such as the publication I talked about. We're here now looking at the original bill, what was done in the fall, plus the new bill.

Mr. Speaker, I thank you for the time this afternoon. I look forward to further debate, hearing from Members of the House and also Committee.

Thank you very much

SOME HON. MEMBERS: Hear, hear!

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

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

I'm happy to stand this afternoon and speak to Bill 20, the control and sale of cannabis act, a bill which we have no choice but to put in place, Mr. Speaker, because it was a decision of the federal government to legalize cannabis. As a matter of fact, it was a major part of the federal Liberal Party's platform.

With the federal government legalizing cannabis and putting a regime in place – because they're the ones who will be licensing producers and they're already licensing producers of cannabis – they have the power to licence the product, they have the power to make this happen. We are here today dealing with a bill that is necessitated by something that the federal government has done.

What the federal government has done, I would like to say, Mr. Speaker, is correct – it's correct. My own party, on a federal level, has always said that cannabis should be decriminalized.

That was something that our federal party pushed, the federal NDP, decriminalizing, and then look at all the issues around legal use after decriminalization happens.

I point out decriminalization has not happened yet and it's going to be very important that it happen. What we have going on here is a recognition of something that has occurred in our society over decades. I would like to point out that the use of drugs, whether cannabis or other various types of drugs around the world and back going for generations, has been part of people's lives in different ways.

I'm not comfortable when I hear people talking about this as if this is really something bad.

SOME HON. MEMBERS: Hear, hear!

MS. MICHAEL: The thing is, people have been using cannabis and they will continue to use cannabis. What we are doing is taking it out of the hands of the criminal element. That's been said by the government and that I completely agree with. I have no problem with this bill. I have some questions of clarification that I'm going to want to ask when we come into Committee, but I have no problems with the bill at all.

I think it's important for us to recognize that we are in a transition period and it's not going to be easy. Yes, there are probably people out there who have the mentality that smoking weed – will be the word that they would be using, or marijuana – is kind of bad, bad, bad. The thing is, people are smoking it and it should not be a criminal activity to do that. The overwhelming use of it in our society says we need to recognize it.

One of my colleagues did mention the alcohol post-prohibition period. That's what we're in here. When the prohibition against alcohol in Newfoundland ended – it started in 1915, but when it ended – then there had to be a transition in people's thinking. When it came in, in 1915, it was done because of the strong efforts of organizations such as the Women's Christian Temperance movement and the Methodist Church. For them, banning alcohol was a cure for many of the societal problems. I don't pooh-

pooh that because there were a lot of societal problems.

In the Women's Christian Temperance movement, very often you had women who were dealing with hard-working husbands probably, but for whom alcohol was something that just kept them going. It caused all kinds of strife in homes. They were dealing with societal problems, there's no doubt about it, but what became obvious is that prohibition wasn't ending the problems. Prohibition wasn't causing the drinking of alcohol to end.

In 1924, only nine years after, prohibition was repealed and we had put in place the Board of Liquor Control, which was the precursor of what we have today in the province, the Newfoundland Liquor Corporation. Some of us will remember when it was called the Board of Liquor Control. I think when I was a child that's what it was called.

What we have here is a very similar situation. When prohibition was over – and, certainly, when you had prohibition in the United States they would have gone through the same thing when prohibition ended – you had to deal with people's mentality and people's thinking about drinking. It had to become controlled. I would say the mechanisms that were put in place in 1924 were probably different than how we deal with alcohol today because they were dealing with a change in society. That's what's going on here.

We have something that has always been illegal in our current society. It has been illegal. We all remember when in North America – not just in North America – the use of cannabis and the smoking of weed was something that became quite popular in the 1960s and became quite common in the 1960s when we went through major revolutions in our society. It doesn't mean the drugs weren't used before then, but it became much, much more prevalent and much more public.

What we're dealing with now is that people in our society do have the belief that this is bad, that smoking a joint is bad or taking cannabis in any form is bad. Now that it's being legalized, now that we are going to have cannabis legally being produced – it's already being legally

produced, but now in mass production so that it can be sold legally – people have to change their mentality. They have to realize: Okay, I have to accept this.

It doesn't mean that everybody is going to start smoking cannabis, no. As a matter of fact, where cannabis has been legalized there is no heavy uptake of people who never smoked it before. What we're doing in doing this is removing the criminal element. That's what's so important: Removing the criminal element.

With legalization, we'll have better controls. Hopefully we'll have better education programs on the dangers of cannabis to young people because there's certainly research showing there can be real danger for young people in terms of the development of their brains, et cetera, and the effect of cannabis. We do need to be listening to the research that's going on. We need to be doing education with regard to that research because it's hard for young people to grasp that perhaps their brains aren't developed. We all know the development of the brain goes on for a long time, right into the 20s, and it takes a longer time for males than it does for females.

Young people don't want to hear that kind of thing. So we have to make sure that we have good education programs, not just in schools, for example, but in our broader society. We have to make sure that we help people break down this idea that it is absolutely awful to use cannabis.

We, obviously, recognize that it has medicinal purposes because we use it for medicinal purposes. What we're dealing with here today is the control and sale of non-medicinal cannabis, and that's where the change has to come. But there are all kinds of people out there in our community, very ordinary people, who are proving the benefit of cannabis, medicinally, for example. People in their 60s and 70s, I know some of them, who are using cannabis medicinally and it is really helping them. So we have to break down this notion.

The profits from production and sale – and there will be profits – will be money that will come to government. That money can help pay for services and that money can also pay for educational programs. If we're going to be selling, if we're going to be having people who

use cannabis, isn't it better that they are buying it legally from agencies that are going to be giving taxation money back to the government, that then gives us money for social services and gives us money to do education around the use cannabis? Isn't that better?

In Nova Scotia, the doctors' association issued a number of recommendations regarding their pending legalization of cannabis, because all of the provinces are going through this because of the decision of the federal government. One of the recommendations of the Doctors Nova Scotia, which is the name of their association, one recommendation calls for the implementation of a comprehensive public education and awareness campaign aimed at promoting responsible cannabis use. That is so important. That would be an excellent consequence of legalization.

Opening the discussion of the effects of the abuse of this substance, which has not been, to date, foremost in public debate, you can't talk about it. It's sort of like, I think the phrase in other ways has been used: boogeyman. Well, this is like the boogeyman.

What we're doing is we're unveiling cannabis and we're saying: No, this is part of society, people use it and we're going to regulate it just like we regulate the alcohol. I think it's very interesting, I found it very interesting as I went through the bill, Bill 20, to see the parallels between the use of alcohol and now the use of cannabis. There were different ways of dealing with the cannabis, where the way in doing it is lifted right out of the *Liquor Control Act* and that makes sense.

We'll be dealing with a bill, for example, that's going to be talking about smoke-free environments. So how do we now fit the use of cannabis into our *Smoke-Free Environment Act*? One question that has been asked over and over to me, I've heard it many, many times, is: Well, what about when we're out camping? Well, when you're out camping, right now, you can have alcohol in your campground, where you are doing the camping, if you are, for example, in one of the parks. You can't take your beer out into the walkway and walk around with it but you can have it right there in your campground. It will be the same way with cannabis.

That was one of the questions that came up when we got the briefing on Friday afternoon. I do want to thank the people, the staff who came Friday afternoon because they spent almost three hours with us doing the briefing on the four pieces of legislation that we're going to be discussing over the next couple of days.

It's really important that we are doing what we are doing. As I said, I have some questions of clarification that I'm going to be asking, I'm sure my colleague from St. John's Centre will be asking, but they are not questions that are attacking or they're not questions that are deliberately trying to breakdown what government is doing. It's just questions to make sure that we all have the answers to those questions.

It is – as the Minister of Justice has said a few times in this House and I think maybe the Minister of Finance has said it too – a policy shift but it's not a policy shift that's being caused by government. There's a shift in our society and there's a recognition that we have people who actually have jail sentences because they have smoked marijuana or they have jail sentences because they sold a small amount of marijuana. This happened, and now they have these jail sentences which follow them for the rest of their lives. So that's why decriminalization has to happen as well.

Decriminalization will have to go hand in hand with the legalization. This, of course, will be federal government, I'm pretty sure, that is something that will have to bring in the whole question of forgiveness so that people who have used marijuana in the past and who are carrying jail sentences or criminal sentences for nothing else but using, there's going to have to be forgiveness so that these can be wiped off their record and they can be treated as citizens who are not criminals, because that's what has been happening.

The one thing that upsets me that's not part of this bill, but I do want to mention, because the Member for Bonavista did talk about the great opportunity for producers out in the Bonavista area in Port Union, because of taking over the fish plant and they're going to try to produce; that is fantastic. The thing is, we should be

having more of it. We're not going to because of this government's decision to go with Canopy Growth as the major producer in the province. That really and truly bothers me.

The government keeps saying they had to do this. No, they didn't. They didn't have to do it. If producers here weren't able to be up and ready by July 1 – we're not even sure July 1 is even going to be the date, actually, for when the bill comes, the federal bill comes in place. If we could not have producers with their product ready for that date – and Canopy Growth won't have it ready for that date, not grown here in Newfoundland and Labrador – then we could have brought the product in. Canopy Growth will be bringing the product in from their own plants in Ontario.

So government says that this is a wonderful opportunity for growth and employment here in the province, and it is, but I'm so sorry that this government didn't have a broader vision on that. Instead of giving a \$40 million tax break to Canopy Growth, that they realize they should be working with the entrepreneurs here in this province.

I think that the government let down the small business entrepreneurs in this province. It's like they didn't have any faith in them. This is a government that says that it promotes innovation, entrepreneurship, the agricultural industry and even the high-tech industry. They say they support it, but they let them down when they agreed to do the contract with Canopy Growth. It's very, very disturbing that the government decided to subsidize a large Canadian corporation, instead of seeing how they could support and subsidize these small producers in this province.

The important thing right now is that we have a bill that's going to regulate the use; we have a bill that's going to regulate the sale; we have a bill that's going to regulate everything around the sale of cannabis. And that's so very important.

I really do like the fact that you have a parallel structure between that and the sale of alcohol.

For example, when you talk about the presence of a retail outlet in an area where you have schools, churches or health facilities, that the language with regard to that presence is the same for cannabis as it is for liquor. I think that's important.

As we get into Committee, we will be pointing out the similarities in the language between this bill, which will become the control and sale of cannabis act, and the *Liquor Control Act*. We'll be pointing out those, and we'll have some questions about interpretation of language because there is some language which is very open ended. We will be asking government to explain some of that language. It's not even explained in the *Liquor Control Act* in a couple of cases, so we will want government to give us an explanation of that language.

I think government has acknowledged that they really have no control over the July 1 deadline. They say, though, that if cannabis is ready for July 1, or the bill is in place for July 1, they're going to be ready. I take it that if the federal bill is not in place by July 1, it gives them some breathing room. I can understand they're probably delighted over that one. It will help the people who are working on the regulations – and we have no idea how soon the Senate is going to send that bill back to the House of Commons.

The corporation which will control cannabis in this province is in Newfoundland and Labrador Liquor Corporation. I'm wondering – because it's not in the bill – will the government change the name because it's going to be more than liquor.

I'll go more into those issues when I speak in Committee, Mr. Speaker.

Thank you.

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

MR. LANE: Thank you, Mr. Speaker.

It's certainly a pleasure to stand in the House and speak to Bill 20, An Act Respecting the Control and Sale of Cannabis. Mr. Speaker, I'll start out by saying I do support this piece of legislation.

SOME HON. MEMBERS: Hear, hear!

MR. LANE: I think it's obviously born out of necessity because of the federal legislation and the legalization of cannabis. I'm not going to get into that debate. That debate has already been had. The federal government made their decision, they campaigned on it and they were elected resoundingly by the people of Canada, including here in Newfoundland and Labrador.

That debate is said and done. I know there are people in the province in favour of legalization. There are people who are against, adamantly. And there are people who are sort of, I suppose, don't really care one way or the other, like all legislation. But at the end of the day, this is required in order to prepare ourselves for the legalization of cannabis, which is going to happen sometime July 1 or maybe a little later than that.

I'm going to have some questions when we get to Committee of the Whole, as other Members have stated. In all likelihood, the way it goes of course the Official Opposition will ask their questions and then the Third Party. By the time it gets to me, the questions might be all answered, so I might not have any. They may be answered for me.

There are things here – I can understand where Members of the Official Opposition would have some questions and concerns. I think we're only doing our job if we ask those questions, because we're hearing from constituents and people in general.

Certainly one of the questions asked in the House of Assembly today had to do with the whole concept of if someone wants to have a cannabis store, then having that public notification and ensuring that people that live near that, have concerns about schools or churches or whatever else that may be in the neighborhood, that they have an opportunity to have their input and say as to whether or not they agree with having it at a certain location and whether there are any modifications that may need to be made to an application. That's a fair question, and I think it's important people have that right. I'm glad the Minister of Finance did clarify that with the applications brought

forward now and others in the future that would occur, so that's a good thing.

There are things like, for example, one question that comes to mind when I was at the briefing, they talked about under the current legislation where it says you can have four plants per property. It says per property. It doesn't say in the house; it says per property. I asked that question to seek clarification from staff and what I was told was the legislation is currently written that the property could be outside.

They said the regulations may be prescribed to say it has to be inside, but as this is written it could possibly be outside, as written. That's obviously a question and a concern I would have. It's one thing to have plants growing in your basement somewhere; it's quite another thing if everyone decided I'm going to put four plants on my front lawn, my backyard or whatever then kids, pets and everything else could have access to it.

Because it's not spelled out in the legislation and is open to that interpretation, then that's a concern. Hopefully, the regulations, when they developed, will address that point.

The question I think someone asked – I think the Opposition asked – was about if, for example, you have daycare, a family daycare in your home. Right now, if you want to have a licensed daycare in your home, it's subject to inspections. They go into your house and they make sure that you have all the proper toys, equipment and that the house is safe, guardrails and everything else that you need for children. I would assume – and maybe I'm wrong, but I would guess that there would be something there to say you can't have four weed plants growing in the middle of the children's play area, for example. I'm sure that would be the case in regulation that you couldn't do that, but again, that's not necessarily addressed.

In terms of tier three, tier four stores, having a cannabis store – a tier one, tier two is really no different than a liquor store. Whether it's within proximity to a school or not, you can't go in. You can't go into a liquor store; it's 19 or over. Corner stores sell beer, cigarettes and so on, and cigarettes, usually they have it inside of a

cabinet that closed up so that it's not advertised and you can't see it and so on.

I would assume that a similar process would be in place for tier three, tier four stores for cannabis. The only question that could come to mind; for example, if you go to a retail store to get cigarettes and it's all behind like a hidden cabinet or whatever, but if you're going to a store and they're selling cannabis I would hope – and I'm assuming it would be the case – there'd be a separate area away from the main counter so you wouldn't have a clerk counting our candies for a child here at the counter while the other clerk is weighing up some cannabis on the same counter where their child is. Just because it was in a tin or something behind the thing, you can't just take out the tin, take out the scales and start weighing cannabis in front of a child who is picking up candies at the other counter.

Things like that, I'm certain that those things will be covered in regulations but, again, because those things are not written in the act, then those are questions that you would have.

Other than that, Mr. Speaker, I'm not going to belabour it. The issue around health warnings, I wonder if there are going to be health warnings. There are health warnings on cigarettes saying this can cause cancer. Would there be health warnings on packages of cannabis saying what the health risks are, the same as for cigarettes.

The Member for St. John's East - Quidi Vidi talked about camping, for example. We were told it would be treated no different than somebody having alcohol. If you were on a campsite you can have a beer, so why can't you have cannabis? Again, the only thing that would come to mind are things like, for example – it's one thing if I'm in an overflow area, it's all RVs and we're all close together, I can go out and have a beer. But if I'm right next to people and I'm surrounded by people smoking cannabis, it's the smell and everything else. Would there be separate areas? Would the owner of an RV park be able to designate a certain area where cannabis is allowed and some other sites where cannabis is not allowed so that people wouldn't have to deal with the odour and stuff like that?

Those are just some of the things that just come to mind: Issues around the delivery of cannabis to homes if you order it in a courier, how that system would work; how you make sure that a youth can't sign for things and making sure there are proper IDs and all this kind of stuff in place. I'm sure these things would be covered under regulations but, once again, we're talking regulations which we don't have. We have to hope and assume that government intends on dealing with these matters, and we're sort of taking it on faith that they will.

The theme is similar to the procurement legislation, which we all supported as well; a lot of these details will be dealt with in regulations. That happens with all legislation. It's nothing new that this government is doing. That's the way it's always been. When we're talking about something that's a significant public shift and people have questions and concerns or whatever, then when it's being dealt with in regulations we don't have any idea here in the House what's that's going to look like and what's going to be covered. Then, we do have to sort of take it on faith that the Cabinet is going to enact all the proper regulations to deal with all these issues. We have to trust them to do that.

Beyond that, Mr. Speaker, I could stand and talk for an hour on it, but I don't really see a need. It's something that's necessary. Beyond some of the little issues I outlined – and I'm sure there are other questions that Members would have – I see no reason in dragging this out in terms of second reading.

I think we need to get to Committee, answer the questions and move on with it because it's something that has to be done. I think, generally speaking, it seems like good legislation to me from what I've read.

Thank you, Mr. Speaker.

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

MR. PETTEN: Thank you, Mr. Speaker.

It's a pleasure to get up and speak on this piece of legislation. I think it's a very important piece of legislation. As the Members opposite have stated time and time again, this law is a federal

law. We've spoken about this in the House many a time in many Question Periods.

I know our leader spoke about it many times and asked many questions, but these questions are very important to be asked. Sometimes you might get some criticism for why you're asking these questions. I think one comment was: This is nonsense or it is foolishness. No legislation coming through this House, Mr. Speaker, is not worthy of a question. No question is ever a stupid question, every question is important. That's an age-old saying. Every question is important and everyone deserves an answer.

I say this again – and I think I'd be remiss if I never repeated it again here today – as Opposition we ask questions. That's what we supposed to do. It's our job; it's our role in this Legislature. Government brings in legislation. It's their role but, in turn, it's their role to also answer the questions. We ask questions for the people in this province, not just in our own districts, but the people we represent throughout the province. They should provide answers. We'll continue to do that, Mr. Speaker. As was evidenced today, we have a lot more questions; we'll go through questions in Committee. In our second reading we'll probably pose questions in that context as well.

There are a few things I'd like to point out before I get into much detail. We had Members opposite – one Member opposite, in particular – getting up and making references of us fear mongering. You have your factors. There are a lot more comments I could make but I'll make clear to the Member for Bonavista, those schools that are being referenced – and I know my colleague from Topsail - Paradise has made reference on that because both of us share Conception Bay South. Those cannabis stores are all in my district. He's been asking a lot of questions on the marijuana-cannabis legalization and he carried on with that one. Most people in CBS, until that was said and even today, do not realize exactly where the locations of those stores are going.

There's no one on this side against this legislation. I don't have to stand up and say we're supporting this legislation. We know it's a federal piece of legislation. What's important for us here is government is bringing in this

legislation tailor made to the province in conjunction – it's tied to the federal legislation. We get all that but it's important for us to analyze and to raise concerns. One of those concerns that my colleague raised was the distance from schools. It's a very valid point. I think it's probably one of the more valid questions that have come up. There are lots of other things that have come up.

We're not against the legalization but is it appropriate? Maybe it is. Maybe the people can tell us: Is it appropriate to have it 600 metres from youth, from an elementary school or from a junior high school? Is that fine? Maybe we're wrong. Maybe we're out to lunch when we say that, but we'd be remiss if we didn't bring it up.

We wouldn't be doing our job if we never brought it up. Me, as a Member representing that community, Conception Bay South – as my colleague also represents a portion of Conception Bay South – if we didn't bring that up, would we not be remiss? Is our government doing anything wrong? Maybe not, but if we don't ask the question, we'll never get the answer. I'll come back to my statement again. We ask questions to get answers from government because that's what we're supposed to do. It seems like you insult Members opposite when you ask questions. It's a terrible thing to do.

You introduce a piece of legislation – we can sit down and we can go through first reading, second reading, Committee, third reading and go on home. We could have this done in two days if that's what they think is the way this is supposed to work. It's not the way it's supposed to work. It is federal legislation that's brought down and we get that. We never said we were opposing it, but we do not and we will not give up our right to debate this legislation or any other piece of legislation that comes to the floor of the House of Assembly, Mr. Speaker, because it's our obligation to the people of this province. We're going to continue to do that.

Members opposite should probably answer our questions. I find, personally – because I sit down and I listen, I spend a lot of time in this Chamber. I listen to a lot of the comments back and forth and that's something that galls me to a degree because what are we doing wrong here?

How dare we ask a question? We're going to continue to do that.

For the Member for Bonavista to make a comment and say this gotcha moment – it was never intended to be that, Mr. Speaker. We read where those stores were going. In a 2.4-kilometre range there are three stores going there. One of them is a level-one or level-two store, the other two are in supermarkets, but they're going in that stretch and in that stretch there are three schools. They are valid concerns.

How dare we ask that question? No gotcha moment, not a bit. That's not what this is about. This is bringing the issue out, bringing the issue out to the public domain.

Maybe people in my district, and my colleague for Topsail - Paradise, maybe they'll come to me and they'll say: Listen guys, we don't have an issue with this. If they don't, that's fine. We asked the question. We can go back and say: We've asked these questions. These were the answers we were given.

During our briefing Friday, and I'd like to thank all the staff that provided the briefing, it was very thorough. We were there for probably two-plus hours. They highlighted the fact that there are 23, there were 24 outlets approved; 23 of those now are still on the docket, but they have to go back through an approval process. You're identified, then you have to go back and you have to get approved, you have to go through the rigours of, I guess, municipal improvements and meeting all the regulations.

One of those state near schools and churches, and the people complain you can have a hearing. So we've identified locations but, actually, they're still not identified. They could still fail in the process of getting approvals, getting a licence.

I'm at a loss again. I guess what jumps out at me in all this stuff is: Are we doing this right? Is this kind of being rushed? Because I get the feeling every time with this legislation, it feels like it's a rushed piece of legislation.

We broke it last fall and we asked questions leading up to the final days here in the House about when is the announcement. What are you

doing with marijuana? What about the legalization? We heard rumours of this, we heard rumours of that.

The House wasn't closed for half an hour or 45 minutes when a news release came out to announcement it was coming the next morning; \$40 million tax breaks given to this company from Ontario, I guess. I'm not sure what province, they're from outside of Newfoundland, Canopy Growth; \$40 million in tax incentives to be our supplier.

We know they're not going to be able to provide the supply of what's required. What about our local producers? We have local companies here. Argentia Gold, they're setting up, they're going through the rigours. Someone in my district, actually, is working on it. I was unaware. They're pretty far in the process, and there are others.

Did we have to jump the gun and give these \$40 million in incentives to Canopy Growth to be a supplier, to have a supply chain for the province? I don't know.

Do we know how much is going to be required? This anecdotal amount. They don't know. No one really knows the amount that is going to be needed to supply the market. Is this going to be feasible for a store, a person to sell cannabis?

The only way it's going to be feasible, from what I gather, based on the percentages, 8 per cent profit margin, is it has to be in addition to other stuff in your stores. I guess you're looking at Loblaws and Sobeys, they can put it in their smoke shops and just be an add-on product, just like you bring in, I don't know, cigars in your store, I don't know.

Is that what people envisioned when this was being announced? Because people envisioned this would be a revenue generator for the province, people could have – it was an economic boost. It would be opportunity for entrepreneurs to set up and make a go of it. I'm not so sure that's what's happening. I'm not sure that's the way it's going to be.

I know there was a store that was down in Flatrock that had passed the test or they were listed as one of the 24. They pulled out a day or

two later, if I'm not mistaken, because of the rigours. Once they went through the process for this 30-page approval letter or application process, they realized after, this may not be something they can make feasible; it wasn't for them. Yet, I don't know if they realized, they still had to go through this process anyway. There's a long process. Municipalities have not been consulted.

I'll go back to the approvals when they look at stores because, I guess, we can talk a lot of angles on this bill. There are people on the individual councils, I know if you're going to build a home you have to go to get municipal approvals. You want a business, you definitely have to get approvals. You have to get approval from Transportation and Works to get access off a provincial roads. There are that many levels of approval. That alone, just the regular regulatory approval, outside of what you're putting there, then you announce what's going there.

Churches and schools, they may be opposed. Not everyone are in favour of legalization of marijuana, Mr. Speaker. Again, I'll point out, we're not opposed to it. We understand it's federal that's coming down, we understand. We just want to make sure we get it right. I can't speak for churches and school groups and parents and residents in my district or any district in this province.

There are still a lot of people out there – it has that polarizing effect to it – that are against this legislation, against this legalization. They'll have an opportunity to voice their concerns, and I'm sure they will in a lot of places. But, again, I'll go back to it, if we don't ask these questions, if we don't be on record of asking these questions, we're not doing our job. We're not representing the people we're elected to represent, if we don't do that.

It's a unique piece of legislation. I sat in on many briefings, both on this side of the House and when I was very closely associated with a minister on the government side of the House, many bills.

It's surreal when you talk about what we're talking about, and I don't know if any Member in this House can attest or feel any different, when we're talking about the legalization of

cannabis, marijuana use, it's something that, culturally, at my age, I still find it, in my mind, it's hard to get my head around, but I'm getting there.

There are a lot of people who are not, Mr. Speaker. There are a lot of people who have serious concerns. It's their right to express those concerns. It's their right to oppose government. It's their right to oppose the federal government. Everyone has that right. It's everybody's right. If you don't agree with something, speak your mind. Do it in a very constructive, reasonable manner, speak your mind. No different than what we do.

You know we have four plants per home. We asked in the briefing: Four plants per home, now what would constitute a home? If you have a bedsitting room, if you have seniors home, what's a home? You could have a four-apartment home. What's a home? Does that mean you can have 16? Maybe you have two people sharing, living together in an apartment, two individual people that are splitting the rent, does that mean they can have four each? Lot of very valid questions.

Now, they might say in the legislation: No, you're only required four. If you're an individual person living in a place and you're paying your share for that bedroom, who says you can't have four? Who says this one can't and that one can't? Those are questions that need to be answered. They may say no, you can't, or, yes, you can, but they have to be answered and we have to ask those questions. What's wrong with asking them?

As I go on, I talk about something that's important, an important piece of legislation, I still get the little heckles from the Member for Bonavista across the way. As it was reported in the media a couple of weeks back, every now and then a bit of gibberish comes from across the way. We're getting it again today. We gets it from other Members, but today I'm getting it from the Member for Bonavista.

He got up earlier and I listened to every word he said. I never said one word. I sat there and made notes, so I'd be prepared. I never said one word. I think he should afford everyone else that same respect, Mr. Speaker.

We're speaking about pieces of legislation that, on this side, we will pick it apart and ask questions on things that we feel that's important to the people and we feel that is important –

MR. KING: Point of order, Mr. Speaker.

MR. SPEAKER: The hon. the Member for Bonavista, on a point of order.

MR. KING: He's saying stuff that is not correct and I (inaudible) listening to the words that he's saying and he's up there misleading the public, Mr. Speaker.

MR. SPEAKER: There's no point of order. It's a disagreement between two Members.

The hon. the Member for Conception Bay South.

MR. PETTEN: Thank you, Mr. Speaker.

I want to point out, it's no disagreement. I'm here speaking on a piece of legislation; he's getting offended again.

Then he makes reference – we have Bill 22 coming up later and it's the smoke-free act – that the Members in Opposition thinks it's fine to walk down the street smoking a joint. That's not what we said.

The Member for Bonavista, that's what he thinks, but when we get around to another piece of legislation, which we were briefed on Friday, there are areas in that we have concerns about. Again, it's not about the legalization of marijuana; it's making sure we do it right.

It's all about making sure we have it right, Mr. Speaker. This is never about do the PC Party of Newfoundland support cannabis legislation? We have lots of questions, we have concerns but that's not the question. That's our duty. It's our responsibility to ask those questions.

The importation of marijuana; what about free trade? What about the barriers? What about the locals? What's wrong with those questions? What about how close you are to a church, how close you are to a school? What about your level one, two stores? What about under-19 coming into a store? What about the advertising of it?

What about the effects it's going to have on our law enforcement agencies?

One of biggest issues facing me, as an elected Member in CBS, was policing. I was taken back by it. It was really unexpected. When I knocked doors in 2015, policing was one of the biggest issues I faced at the doors. It really took me back. Thankfully, in another month's time, there will be a new detachment opened in CBS. It's something I think most people in CBC, me included, are very, very happy to see and I thank government for coming through and the police chief also for making that a reality.

The issue I had at the time was two police cars in Conception Bay South at any one time. If one officer picked up someone for impaired they had to leave CBS, they had to go to an outside headquarters, whether it be Mount Pearl or Fort Townsend, to get the testing done. Leaving one vehicle covering a 26 kilometre main road that goes through the community, covering that from one end to the other, from Topsail – if anyone's familiar, when you enter CBS by Woodstock, you don't stop until you hit Holyrood. It's a large area with all linear roads. There's no interconnecting.

Right now, with this new legalization, the reality that's coming down the line, when you detect drugs, when a traffic stop is detecting drugs, what do we do? Do we do blood tests? Do we do urinalysis? Will the piece of equipment on the roadside testing be adequate enough to do what's required? Obviously, we haven't been told anything otherwise, and we're going to get to that piece in another – on the *Highway Traffic Act* legislation or amendments – but that's another very important question.

We can't be draining our already stretched police forces for another add-on to their day's work. Again, a lot of this stuff is going to do with enforcement.

I went into a Tim Hortons parking lot a couple of weeks back, there were two people sat in a vehicle smoking marijuana. It was reeking across the parking lot. It's not legal yet. It's still illegal, but they're doing it. The notion is, it's coming down the line, it's going to be legal anyway, what's the big deal

AN HON. MEMBER: But it'll still be illegal in a parking lot.

MR. PETTEN: But it's still going to be illegal in a parking lot, right.

Who's going to enforce that, Mr. Speaker? It's going to be the police forces. That's going to be taking away from doing other jobs. That's going to be an add-on to their job, but it's not going to be adding on a routine stop or something. This is going to take time; it's going to require testing. Again, it's going to be another burden on our already stretched police forces that are so valuable. Each and every one of us, I know, I could speak for me and people up in my district, it's a huge issue.

They're valid questions. That's not fear mongering, that's not criticizing government opposite, that's not really making any criticism. That's doing what I always say we're supposed to do. That's pointing out obvious issues of concern. I know I have, as a Member representing that district, I'm sure Members in this House may have similar concerns.

It's not a bogeyman effect, as the Member for Bonavista might say. It's questions, it's the unknown. In five years' time I hope, and I really do hope, that I can sit back in retrospect and probably have a laugh to myself at some of the questions we brought up here in this House about it. Because I know a lot of other legislation goes in and a lot of concerns are raised, and after it come into effect and it works its kinks – and there will be bends in the road to get this sorted out – you'll look back and say this wasn't as big a deal as we thought. And I hope that's the case with this.

If we don't be on our toes now, if we don't ask the questions now, if we don't bring this to the forefront to have the minister, the various ministers, answer our questions and have the public hear our questions, hear our concerns – I know when my colleague from Topsail - Paradise brought up about the locations of these marijuana stores or cannabis stores in my district, I had locals, I had people that I speak to regularly, I didn't realize that (inaudible) there was a media clip. I didn't realize that. So where are they going? Bingo. That was part of our job. It was all right, we told them where they're

going. Now, Friday I found out there's another layer of approvals they have to go through, which is fine.

It comes back to my original comment about our role in this Legislature. I could go for another 20; all of us here could go on various issues with that legislation and concerns we have, but this is the issue. This is what we're all faced with. That's our role, it's not about being for or against this legislation. It's highlighting the concerns and hoping we get this done right.

Thank you, Mr. Speaker.

MR. SPEAKER: Thank you.

The hon. the Member for Cape St. Francis.

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

It gives me great privilege to get up here today and a great pleasure to get up here and speak on this important debate.

I've been around the House of Assembly now for a few years, 10 years now coming up pretty soon, and this is one of the pieces of legislation that I can't understand why there aren't more speakers on it. Because it's a piece of legislation that down the road we'll all have to say that I had my word or I gave my little speech on when marijuana was legalized in our province.

I think it's very important, I agree with the minister. This is something that's one of the most important pieces of legislation, in my time, in Canada. It's important that we do ask questions and it's important that we get it right because people have concerns, and I have concerns.

To tell you the truth and be honest, I support the legalization of marijuana. I think it's a good thing, not that I – but I want to know how it's going to be done. I have questions of how we're going to do things. I got lots of questions here later on that I will get into when I get speaking. I do have questions and I'm going to ask questions while I do my debate today.

It's important that we do it right because we got an obligation to our residents and to the people

that elected us to make sure we bring in the proper legislation. So over here on this side of the House of Assembly, I hope we can agree with that side of the House of Assembly and do it right, no matter if we disagree or whatever we do.

SOME HON. MEMBERS: Hear, hear!

MR. K. PARSONS: Listen, any piece of legislation that comes to this House, I never get up and go against it just for the sake of going against it or be for it just for the sake of being for it. I have an obligation to the people in my district to represent them here in the House of Assembly, and they may disagree with me. I'm sure there are lots of people in my district who are not in support of legalizing marijuana. I am sure there are a lot of people.

I'm also sure there are an awful lot of people that want to see it legalized, but they also want it done right. They want to make sure we have the proper legislation in, we have the proper regulations in so that people will abide by the rules and abide by the law.

I watched a very interesting thing on CBC the other night. I just happened to be flicking through, actually. It came up and it was talking about Colorado. We talk a lot about in Canada, we talk about the United States and the areas where they've legalized – different states have legalized marijuana, and it was pretty interesting.

Now it's a bit different in the United States, because the gist of the show was how – and Members always say the idea of taking this, bringing this legislation forward, is to take it out of the hands of criminals. In Colorado, do you know what's after happening in Colorado? There's a more criminal aspect to marijuana growth than ever before. It's unbelievable.

They had the show on; they showed these different officers – whatever they're called in the United States, I forget. There was a name on their backs when they went in. There are more grow-ops and there are more people getting arrested today. They showed this neighbourhood, you drive through this beautiful neighbourhood, all beautiful homes and here was a grow-op in that home.

A little bit different than what we have here in Canada, because all the provinces in Canada are going to hopefully bring this in the one time, because we're doing this through the federal government. But in Colorado, this is the place now where the majority of marijuana is grown and distributed to the rest of the United States, to states where there are no marijuana laws and stuff like this. So this makes it, I guess, easier to transport marijuana from, say, Colorado than it is from, for example, Mexico, a foreign country or something like that. You don't need to worry about getting it over the border; you just drive to Colorado and all the neighbouring states there can get their marijuana and it's grown there. It was pretty interesting.

Another part of it too, and we talked about it here today, and I know one of the Members mentioned about taking it out of the hands of criminals. You know, marijuana is one drug. If anybody believes that we're going to cut down the criminal aspect of drugs in general, like you've got cocaine – and even today, I get amazed when I listen to some of the stuff that's out there today, compared to – well, I knew what was on the go when I was growing up and my fear is that some of these drugs today are just so serious. We talk about fentanyl and we talk about all these different drugs that are out there laced with this, laced with that. That stuff is still going to be there. The cocaine dealer of whoever, wherever they're from, they're going to be still there doing their part, doing their job or whatever they do to bring it to people.

So to believe that we're going to take all the criminal aspect out of what's happening in society today, it's not right. The marijuana piece, I hope it does take away some of the criminals. I mean, I grew up for years, and you watched it. I have lots of friends that are RNC officers, and I spoke to them about it. When you see people selling drugs at school and stuff like this, it really gets to me. You look at some communities and people that are selling drugs – I remember talking to a little fellow one day and he told me that buddy had the nicest truck, he had the nicest car, he had the nicest bike and he had a big snowmobile, yet he doesn't work.

And we've seen that – and I know the Member for Baie Verte - Green Bay, you know. I just said a former officer and you saw that too. So to

think that we're going to take away the whole criminal aspect to this, it's not going to happen. But I hope that it makes people that enjoy marijuana, I hope it makes them feel not like criminals. That is what I think, because I don't think they are criminals. We've come a long way in society, and that if –

AN HON. MEMBER: A safer supply.

MR. K. PARSONS: Right, a safer supply. I agree with you, Minister, a safer supply is what I want to see. I want to see that if the marijuana's there, that someone can regulate it, and that's what we're doing here today. We're asking questions, and we're going to continue to ask questions about that.

Again, I know the Member for CBS just talked about schools. I know you'll say, they're selling alcohol next to schools, they're selling cigarettes next to schools, but if we can do something to make it right so it's not next to schools then maybe it's not a bad idea. Maybe it's not a bad idea not to have that within half a kilometre or something of a school. Maybe that's a good idea.

Just recently there was 24, I think, retailers that were put out and they were issued – I guess it's just the first phase of being able to become a retailer, really, and there was different aspects to this. What happened with one of them – and it was in my community, in Flatrock. I got a call that evening from the mayor of Flatrock and he said there was a news release today and there's going to be a store opened in our community. I said: Yeah, I saw that. Actually, on the way home that evening I drove by to see where the number of the house was. I said oh my God, that's not a place that – it's residential for one thing. And being a former mayor, I knew the zoning in the area.

I think that person afterwards just realized that the town council is not going to allow them to do it in a residential area. I know that when they looked at it they said, well, whatever they were approved for, they'd only make a certain amount of profit and therefore it wasn't feasible for them to do it.

But I still wonder, and we were asking this question – and I know there's a second phase

and everything else. I believe that municipalities and people in the communities should be able to address this right away because sometimes when you give approval for something it's a hard time to take it back. In small communities in particular, it will cause a lot of animosity, cause people to fight, and everything else in their community because they were put in a certain position.

In this case, a small community like Flatrock, there's a liquor outlet place in Flatrock, a convenience store where it's commercial development done. Maybe if it went there, it would be suitable, but in a residential area I know people didn't want it there. I had a few people call and I said I don't know what the procedure is; I don't know how far on the process is or whatever. I spoke to the mayor and he sent me an email actually, and I was going to forward it on to the Minister of Finance and the Minister of Justice but within a day that application was withdrawn, so I never needed to do it.

Some Members here already mentioned today – and I'm not getting into the bill. I know that we're going to go through the bill and it's going to be line for line and stuff like that. But my concern with marijuana any time – I'm not worried about myself. I worry about children. And I worry about the effects that it will have on children.

I'm going to just give you a little – when I grew up, my mom smoked and her friends smoked, and they all came to the house for a cup of coffee or whatever and sat around the kitchen table, and had their cup of coffee and had a cigarette. That was accepted for years and years. I'm sure everybody in this House can remember people coming to their house and lighting up, or driving along in a car and someone smoking a cigarette or whatever.

Today, honestly, I don't have an ashtray in my house because nobody smokes any more in your house. If someone comes in your car – and I don't begrudge anyone having a cigarette; they can have a cigarette all they want. In actual fact, I've never told anyone not to have a cigarette in my house, but they have the respect to say no, I'm not going to smoke in your house. That's what I mean by times have changed.

Now, I know the minister answered the question today, and he said I got to watch what's underneath the cupboard, I got to make sure my liquor cabinet is clear and whatever – and that's right. Most respectable parents will do that. Most respectable people will not smoke in front of children. But we're not all in that category. We're not all there that's going to say I'm not going to light up a joint or I'm not going to smoke it when there's small children in the place.

I think my question will be; What are we doing to make sure that this doesn't happen? So I do have concern when it comes to children in those places. I also have a concern – we all talk about the effects of second-hand smoke. Now, when you smoke a cigarette, the smoke – we inhale it – they say it's not good for you. I mean, that's why we don't do it in people's homes anymore, so second-hand smoke – we do not smoke in a car where there's another person, we don't do this or whatever.

But under the rules and regulations that we're bringing in here today, what effect does – I don't know, and I'm sure there will be a question on it too. When I inhale second-hand smoke of someone who is smoking marijuana next to me, what effect does that have on me? Can I get behind a wheel and drive because I happen to be at a concert or I happen to be somewhere where somebody else was smoking marijuana? How do I know what effect that has on me?

Look, I've got friends – I know people that smoke marijuana, and I know this is something that's going to be legalized. Again, like I said earlier, I have no problem with it being legalized. But there are some things that I'd like to know, how we're going to do it. We know the effects of second-hand smoke. We know that second-hand smoke causes cancer for people. Does second-hand smoke when you're in where there's someone smoking marijuana, what effect does that have on you? If you go to a party or you go to a function, and there's marijuana being smoked, should you not drive? Is that what it is?

People say, oh, it's like drinking. It's not like drinking. If you go to a party and you're going to get behind the wheel that night, you'll just say: B'y, I'm the designated driver tonight or

I'm not going to have any beer tonight, or somebody in the group, if you're going to take your car home. If you do decide to have a couple of beers then you say: I'm not driving, I'm going to get a taxi. The difference between marijuana and alcohol – there are a lot of differences.

People say: No, it's no different than alcohol. It is. There's a lot of difference to it. There's a combination of what effect it has, like I said, the effects it will have on people. What will happen when a person decides that you're at a party and you drive? How do you know? Is it just you'll know that you're stoned? I don't know. Do you know what kind of effect it has on you and stuff like that? These are questions that people are asking me. That's the reason why we're here today. Like my friend from CBS, that's why we have to be here. That's our role, to ask these types of questions.

I listened to the minister today. The minister talked about 75 per cent of the money that is made on profits, or the taxes or whatever it is, comes back to the province. On that 75 per cent, now we're after giving \$40 million worth of tax relief to a Mainland company. Does that affect the 75 per cent revenue that we have? We have to give them so much out of \$40 million? Is that what we gave Canopy Growth? Is that what happens?

If there are more companies that want to come in to it, now that we gave this honeymoon deal to this company from the Mainland, have we promised other companies in Newfoundland and Labrador that want to come forward and do a similar thing to Canopy Growth that we're going to give them the same? I don't know. Has another province given 40 per cent to Canopy Growth to help them? I don't know.

The other factor here is that – and we will be discussing it, it is part of this deal – there are four bills in this deal, in this whole bill, in the whole process that we're doing with marijuana. I know the *Highway Traffic Act* is one. I have a lot of questions on the *Highway Traffic Act* because a lot of people are talking about it: How do you know this, how do you now that and whatever.

The other thing, just general stuff, is the selling of. I know it is 19 years and over before you can

go in and buy it and the different type of stores that it can be purchased at. Is it going to be a Sobeys? Is it going to be a different tier than it will be at a convenience store in Portugal Cove-St. Philip's? Those things are going to be different, but those are questions that people want to ask.

People don't want their children to be able to go in the store. You want to know that if you do go in the store – I saw a part of the one that I was telling you about in Colorado. They just go in and it's on the shelves there. You can pick it. They even had dispensary machines that you go in and put your money in. You can click D-3 and a gram of this or whatever drops down. I don't know if that's what we're going to do. Is that where it's going to go down the road? I don't know.

Those are important questions. I know the minister mentioned something today that just caught my eye and I just jotted it down: gift cards. He said that gift cards are going to be allowed. If Canopy Growth has a promotion on the go, they can make it so that you can win a \$200 gift card if that's the promotion. Or if I go buy – how you go at Christmas and buy this big basket of stuff. Will it be a gift card for \$200 worth of Canopy Growth in that gift bag?

AN HON. MEMBER: Like the NLC.

MR. K. PARSONS: No, you see it all the time with liquor cards and stuff like that, but that's something else. How do we know that's not getting into the hands of children? How do you know how this is going to run? I know only a couple of weeks ago, Minister, we heard of one of the stores downtown was going to be advertising weed free for a year.

AN HON. MEMBER: (Inaudible.)

MR. K. PARSONS: No, I didn't hear you.

That's the stuff people are asking about. That's why it's important that everybody in this Legislature get up and talk and say what concerns they have about this and what's good about it. It's important that everybody have their voice because I'm sure the ministers that are head over this legislation would want to hear

some concerns. I just gave you a little concern as well.

Someone said to me the other day: How much is 30 grams? How much weed? Is it a lot? Is it not a lot? The other thing we learned is that it is a lot of weed. There's a lot of weed in 30 grams. The other thing I learned the other day is you're only allowed to have 30 grams on you at a time but, yet, if you live next to a store you can keep going back and forth and back and forth as many times as you want and store that in your house.

That's an issue that I'm sure our police forces will have down the road when they bust a house and go inside and the guy says: I own every bit of that. I grew it all there in the back shed. That's where I grew that. Those are questions people have to ask and they have to be answered. I'm sure our law enforcement people want to know the same.

Four plants in a household – we asked the questions over there the other day. It could be a basement apartment. I think, Minister, what they called it, it wasn't a household but it was a dwelling. Is a dwelling a cabin? I could have four plants in a house and I could have four more plants up –

AN HON. MEMBER: Two different houses.

MR. K. PARSONS: Two different? Well, it could be the wife, it could be whoever. They're hers, they're not mine. I could have a guest house outside that people come and stay at. Is that something that could be used for a dwelling?

Those are the things that people want to know. I'm sure that if there's somebody, a next-door neighbour, and he says: I can only have four plants outside my door on the back of my garage; can I put four over behind yours? Is that something that people are going to do? I don't know. Probably, more than likely, because there are always people trying to figure out ways around things.

Once we get into the legislation part of this, it's going to be very, very interesting. I'm interested in making sure that we do it right. I'm interested in making sure this legislation comes through, at the end of the day we pass it and it will be a

good piece of legislation and other legislators right across Canada will look and say Newfoundland and Labrador did it right. I want to be a part of that. To ask questions or to get up and hear and say what's on your mind, I guarantee you one thing, from me, it's not fear mongering. I'm not trying to put fear into anybody.

I want to make sure the people of this province have the right knowledge and they know what's going to happen, that they know if they put four plants in their house, they're not allowed any more. They want to know that there's only 30 grams of marijuana they can have on them at a time. They want to know that their children will be protected, that they can't go into a store and people are just throwing it at them. They want to know all the rules and regulations.

Like I said, this is something we've never done before. It's important that we do it right. I believe the people of Newfoundland and Labrador want us to do it right. It's important that we do our part here today. I look forward to all Members on the other side getting up and speaking.

MR. SPEAKER (Trimper): Order, please!

MR. K. PARSONS: Thank you.

MR. SPEAKER: Thank you.

The hon. the Deputy Government House Leader.

MS. COADY: Thank you, Mr. Speaker.

I move, seconded by the Minister of Finance and President of Treasury Board, that we adjourn debate on Bill 20.

MR. SPEAKER: It has been moved and seconded that the debate now adjourn.

All those in favour of that motion?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: All those against?

The hon. the Deputy Government House Leader.

MS. COADY: Thank you, Mr. Speaker.

I call from the Order Paper, Motion 3.

I move, seconded by the Minister of Finance and President of Treasury Board, that pursuant to Standing Order 11(1) that the House not adjourn at 5:30 p.m. today on Monday May 28.

MR. SPEAKER: All those in favour of Motion 3 please say 'aye.'

SOME HON. MEMBERS: Aye.

MR. SPEAKER: All those against?

Motion 3 is carried.

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

MS. COADY: Thank you, Mr. Speaker.

I call from the Order Paper, Order 2, third reading of Bill 19.

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

MS. COADY: Third reading of Bill 19, Mr. Speaker.

I move, Mr. Speaker, seconded by the Minister of Health and Community Services, for third reading of Bill 19, An Act To Amend The Energy Corporation Act.

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?

Motion carried.

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

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 Energy Corporation Act,” read a third time, ordered passed and its title be as on the Order Paper. (Bill 19)

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

MS. COADY: Thank you, Mr. Speaker.

Order 5, second reading of Bill 20.

MR. SPEAKER: Thank you.

Do we have a speaker to the bill?

The hon. the Member for Mount Pearl North.

MR. LESTER: Thank you, Mr. Speaker.

It gives me great pleasure to rise to speak to the impending legislation regarding the legalization of cannabis. We had the opportunity to meet with government officials this past Friday in their briefing, and I’d like to thank them for providing that opportunity. It was very informative and kind of really brought myself up to speed as to how this is going to progress.

In reading through the documents provided, there was a big reference to pending regulations. I think that is where the concern rises. I’d just like to speak to the accusation of fear mongering. If indeed reality is creating concern and fear, it is our job as legislators, our job as Opposition, to address that on behalf of the people who have elected us to represent them.

I do understand that the approval of the legislation and subsequent approval of the legalization of cannabis is a direction given to us by our federal office. I’m hearing this consistent theme throughout everybody and that is, yes, we have to do this, but we really have to concentrate on doing it properly for our province and our people.

One of the big concerns that I do have is the legal age limit. It is recommended to be at 19. I stand to be corrected and I would like to see

studies tabled, but the only studies I’ve ever seen or heard have been in reference to the human brain developing to age 25 and negative effects that can possibly occur by the consumption of cannabis and how they can affect the development of the human brain. Often those issues that could possibly develop – albeit they are rare, but we as a legislature must look out for any possibilities.

Sometimes you will see – according to these studies – the development of psychosis and other possible complications don’t develop until later on in life. So we won’t actually truly see the effect of consumption of cannabis at that age of 19 until later on down the road and then we have multi-generations of individuals who are already subject to it.

So I would challenge everybody in this Legislature to provide a study that says the contrary. The human brain develops until 25 and any consumption of mind-altering chemicals could possibly have a negative effect. Has anybody seen a study to the opposite? Hearing none, that causes me concern and if you want to say fear, well, go ahead. Because I have children, I’ll have grandchildren hopefully someday – as many of you will – and they’re going to enter a different world.

I remember as a high school student the subject of debate was the legalization of marijuana and that was 25 years ago, so this has been a long time in progress. Basically, my argument at that time – I wasn’t given a choice whether to be pro or con on that – I was against the legalization and I presented a diagram of a ladder and marijuana was the first step on the ladder. Basically, my argument at that time was well, we’re going to take marijuana off the ladder and then all of a sudden something slides down to the first step, and that’s basically a part of my concern.

If we pull marijuana out of the hands of criminals – which we haven’t been able to do and I really doubt we will be able to do – it’s kind of going to be like the gun registry. We said okay registering guns is going to keep the guns out of the hands of criminals. Well, it didn’t because criminals don’t register their guns. It did create a big boondoggle for the federal government that cost billions of dollars in trying

to regulate the gun registry. That's a concern that I have when it comes to the legalization of marijuana. It's going to be a financial drain on our province.

But back to the criminal element of the existing

—

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. LESTER: — use of marijuana, the criminals that sell marijuana are only after one thing. The criminals that sell any sort of illegal drugs or legal drugs are only after one thing, and that's money. They don't care how it affects people. They're only concerned about cultivating a new generation of dependence who will support their illegitimate business.

So how do we think, by legalizing marijuana, it's going to stop illegal drug trade? It's not. They have been, I guess, entrepreneurs — albeit a less favourable kind and we could do with a lot less of them — and are going to replace the marijuana with some other substance that will probably be far more harmful than marijuana. And I'm not saying that if we leave it in their hands it's a good thing, because it's not.

But what I'm concerned with is our law enforcement, our lawmakers such as ourselves, are going to be so occupied with the uncertainties around the enforcement of the legalization of marijuana and the regulations and financial implications and subsequent arrests that may arise and trial processes, we will be so occupied with looking after the new legalized marijuana that our resources are going to be strained to the point that we're going to give a window of opportunity for the criminal element to slip in with a brand new product, and next thing you know our youth or our vulnerable individuals in society are hooked on something far more deadly and far more detrimental.

So in saying that the federal government is going to provide funds for the enforcement, the ticketing, the prosecution and subsequent bureaucracy with that, I think that we as a province, we as people, should also lobby the federal government to increase the amount of funds available for the counteraction of other

drugs. Because as we make marijuana legal, something else is going to fill that void in the criminal world and it's going to cause a lot bigger headaches than cannabis.

In reference to the business model that's been entertained by the provincial government, that's another thing that is really raising concern. It kind of contravenes the normal process and fair process for the people of the province. The government basically hand-picked an individual company to provide their needs of cannabis, and that was done without the standard request for proposals, which was done by many other provincial jurisdictions.

In other jurisdictions it was almost, I'll pay you for shelf space attitude. Whereas we were: come, Canopy Growth, we'll give you tax incentives to provide us with this material. In reality, from a business perspective, any business person would say you've got a guaranteed market there. The government is going to commit to buying X number of dollars' worth of material off you every year. That's a business person's dream.

Why did we have to beg and give incentives for a company to come and provide us with this material? It just defies all logic. The non-competitive selection of Canopy Growth really questions me to even where the provincial government got the reference for that, to use that company. Even as we speak, they're going through an environmental review process. Canopy Growth will have to go through a construction phase. They'll have to go through a commissioning phase. Then they'll have to go in through a crop production phase.

My thoughts on that, we're looking at, at least another two years before Canopy Growth will be able to provide us with any material that's produced locally. I would hazard a guess, given that two-year time frame, there will be many entrepreneurs that have already started the process that will be actually able to produce the provincial supply far ahead of this imported Mainland company.

We see this as a bright spot in our economy. The reality is, it's not. It's going to be a commodity; it's going to be a world commodity. Eventually, price will be a factor. At \$10 a gram, we've met with several people — our caucus has — and they

say it can be provided far lower than \$10 a gram, and without us having to subsidize that production.

While Members of the government may say there's no cash out of our pockets, well I'd like to refer to the old adage: a penny saved is a penny earned. Well, a penny not collected is a penny not revenue. Basically, that's what we've done. We've foregone the opportunity to collect that \$40 million from another company that I'm sure would've come in and set up.

The concept of producing any crop is something I'm very familiar with. Basically, in Newfoundland and Labrador our cost of production is probably the highest in all of the temperate zone of North America. As we go forward, are we going to continue to provide a commitment of purchase to Canopy Growth? In saying that, how come this government can't see through to do the same to food producing companies?

Why are we able to defy provincial trade laws when it comes to the sole-source provision of cannabis with Canopy Growth, when we can't do that with our agricultural producers and say we're going to give Newfoundland producers priority? We're going to buy all the food we need for our government institutions from Newfoundland producers. Why can't we do that for them? Why are we only doing this for Canopy Growth?

I'm at loss to an answer to that. I think I just seen a lot of heads nodding and saying, that would be a great idea to expand our agricultural industry. Market is the most important component of any business. That's why we, in the agriculture industry, have seen such challenges when it comes to expanding our industry. If government was to give us the same opportunity in agriculture as they did Canopy, there would be a lot more farmers around.

Going back to the law enforcement and subsequent issues that is going to create. I have no doubt that everybody in this Legislature has the safety of our citizens at top of mind. I have no doubt that law enforcement agencies will have the same concerns at the top of mind. When it comes to the legal system and actually

being able to prosecute and convict offenders, that's where the challenge is going to be.

Without any scientific device approved in Canada as of yet and having to rely on our federal counterparts to approve this unit, we're still looking at an extended period of time after the legalization comes into place before we'll have that scientific data that will be able to enforce the laws. That's going to plug up our court system. I think the federal government has acknowledged that in their expression of these extra funds for the management of the legal situations that are going to occur.

In regard to legal situations, I'd also like to speak to the tentatively approved sites of retail. Now that we are enacting legislation similar to that of liquor sale and procurement, I question whether we, as a House of Assembly, are going to be liable for any costs or projected or perceived losses of income when it comes to one of those chosen few not getting approved through the new legislation and permitting process. Is that going to be another issue that's going to take more money out of the pockets of Newfoundlanders and Labradorians?

Going to the competitive level, more of a concern to me is the procurement of cannabis through online ordering. How are we going to ensure that those ordering it are actually people of the age of majority? How are we going to go through the process of making sure that those who are purchasing it online do not have restrictions to the possession of it? Are the parameters around prohibition of using alcohol in summary convictions and criminal offences going to translate over to the same restrictions when it comes to cannabis acquisition and use?

Who is going to enforce when the postman or the courier shows up to my house that my 12-year-old son doesn't come out and receive that package and do whatever he wants with it? There's no way that we can enforce that. That's gone to a third party now outside of government, outside of our regulatory agencies. It's going to create a big issue. How are we going to enforce the online purchase of cannabis from other provinces?

Is that something we're going to have to look at putting in place, that we're going to have to have

an agency to oversee the importation of cannabis via online purchases? Is that something that we're going to have to be concerned with as well? That portion of it is more theoretical than actual physical control. I think that's going to provide a big avenue of confusion. The thoughts of us having three stores in a very small geographic location when we have a vast province, and in two-thirds of the province there's no representation of a physical outlet of Canopy sales, how are we going to make sure those people are serviced with their cannabis supply?

In closing, I'd like to speak to the Speaker, all fellow Members of this House of Assembly and the people outside our province. This is an important piece of legislation that we have to do right. It's going to take considerable consideration. The regulations are what we're really going to have to look at.

Not only are we going to have to say, boom, rubber stamp, done deal, we have this legislation passed, we're going to have to look at this a year after we have the legalization process completed. This document here should be a living document. The legislation should be a living document that we're going to look at in a year's time and say, hey, how can we make this better? How can we make sure the people of the province are being better served by this piece of legislation, the control around cannabis?

This is going to establish a precedent for all future legalization of all substances which will be coming. It may be 10 years down the road or 30, but there will be other products that we are going to have look at legalizing. We're going to have to cross that bridge when we get to it, but we're going to want to make sure that we have our travel bag packed so that we don't make the same mistakes.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MR. BRAZIL: Thank you, Mr. Speaker.

It's indeed an honour to stand in this House and speak to Bill 20, An Act Respecting the Control and Sale of Cannabis.

Mr. Speaker, we've heard from colleagues here in the House –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. BRAZIL: – particularly on this, but also on the government side here, about what this particular piece of legislation is all about.

It's been acknowledged that this is very serious and, no doubt, for a new law that's coming in place, a very important piece of legislation. There's no intention, I know, from our side of caucus or even this side of the House to be beating up government on anything do with this. We understand the government has a responsibility because a federal election promise was made to legalize it and that was happening. The province has to abide by rules, regulations and laws that are set out nationally and federally here, and they've started that process.

The only criticism – and I'll start with the only criticism because then I want to talk to the logistics of the bill – is about the timing. I do know, and I'll be complimentary, that this just shouldn't happen overnight.

I know that the government have been working on this for a period of time and there are a number of particular nuances relevant to being able to put a particular bill together no matter what the time frames are. I do realize there's a piece of work that has to include, in this case at least four other, maybe five or six line departments to ensure there's a proper continuum. So I do understand that. It's just from our perspective, we're into the last week or two of the sitting of the House, we would've wanted to ensure we had enough time to debate it, which we will.

One thing about it, everybody on this side will get their opportunity to discuss what this bill is all about, what they feel may be the impacts, but particularly it's about ensuring that as this legislation moves forward, it meets the particular needs of the law and particular needs of the

service that's going to be provided. In this case, it's going to be the selling and growing of cannabis in Newfoundland and Labrador, and how that relates to federal jurisdictions and federal laws.

We have no qualms in acknowledging the government has done a fair bit of work. We do want to acknowledge there's going to be a bit of time for us to clarify, from our perspective, what we feel are some of the things that need to be taken into account. Obviously, for people who don't know, once we finish the debate in the House and we move to Committee, then there's an opportunity for clarification on particular areas in the bill that may be outlined or may be of some concerns.

I've got a list of questions here from constituents and special interest groups and people from all over the province wanting clarification on what would this mean, and how does this work, and why are things going to be done this way, or we're hearing rumours here. A lot of it is more speculation up until the news conference today.

I will note, we had a great two-and-a-half hours with staff from a number of line departments on Friday afternoon for our briefings on, not only this bill but three other bills that are directly connected to Bill 20 – very competent staff. When we throw out a particular question we have and where it may lie, they could quote off, if it was section 19(b) or 21(b) without opening a thing, then I felt they were very confident on whether or not this would work.

SOME HON. MEMBERS: Oh, oh!

MR. HUTCHINGS: Yeah, he can eat. Don't worry about that.

MR. BRAZIL: He'll have an hour to do that.

It was good to see, and we see it in every bill that comes through. In this case, it obviously dictated that the other line departments that may not be the primary ones relevant to the cannabis bill were in sync and in line of how one clause in the cannabis bill, what impact that may have on the *Liquor Corporation Act* or the *Highway Traffic Act* as part of that.

It was good to have one of the few times you had a multitude of officials from departments in a room, because it wasn't as simple as asking a question about consumption of cannabis, because you can only get one perspective from the group that may be looking at what that means from a tax or a revenue point of view. From another one it may mean from a legal point of view from an enforcement, to another one from the traffic act to something else that may have to do with other parts of legislation.

So it was good to have everybody there so that it would easily clarify exactly any question we have or concern, or a particular issue that may have cropped up that may not have been explained or maybe left in the air for down the road.

The concerning thing when you debate in the House of Assembly, and it's not new to this act or this piece of legislation, is the devil is in the detail. It's the regulations, and we understand that. Whatever administration is here, you write the act, the regulations then become your operational procedures and they take a little bit longer.

In this case – and I can understand why there may be a delay in maybe not writing, maybe they're already in play. We're not quite sure of that yet, and we'll get to ask those questions, or before they can be shared, because this piece of legislation, there's also an umbrella, a larger one from the federal government that has to be enacted. That may, depending on what happens from that perspective, if there are amendments to it, if the Senate makes changes, if it's adopted within the House of Commons, about how that impacts the Bill 20 here.

The structure of the bill itself, Bill 20, seems to be what will go forward. It outlines a multitude of regulatory processes in each of the clauses themselves. Again, as I mentioned earlier, and my colleagues have mentioned it here, the regulations are going to be key for us to understand the operations of what's being introduced here, the legalization of cannabis for selling. Obviously, the other areas around enforcement, monitoring from a court perspective, the revenue streams that may be related to that and any other particular avenue

that may have a connection to the sale of cannabis and the impact it may have.

There's no doubt, I've had a number of youth organizations reach out to me to ask for clarification on certain things. All these things have an impact on – some of these youth organizations have in play rules and regulations around smoking around their building, or in some cases even coming into a building with the smell of smoke because of allergies within their own buildings, and what you may have to do in the sense of odours on you from clothing back there.

What does this do in the same relevance? Are there any legalities, because we're making this – it's no difference. It's been said here before, we have the *Liquor Control Act*, we have things related to the tobacco act that all have rules and regulations and laws that have to be enforced, and have been. Society has adopted them, and those that don't adopt them, obviously, there's recourse they have to live by if they violate any of those particular laws.

There's been so much notice of this over the last numbers of years, and particularly the last eight to 10 months, some groups are a little bit more, I guess, confused. Is this something totally different? In principle it isn't, even though it's its own stand-alone act and it does take in two particular components that in most cases we haven't dealt with before, but a lot of it also goes to deal with legalities. It goes to deal with enforcement. It has to do what's acceptable in locations for consumption.

A lot of it is similar to what would be in the alcohol control act, but because it's such a new thing, and because in some cases a taboo around it, because people are not sure what impact it's going to have. Then there's, obviously, an issue here with some citizens being either a little bit more wary that we can't control the abuse of it, that it may have an extreme negative impact. It may be something that is more of a motivator for people to consume more than what normally would be done in any other type of a consumption vice that the people may be involved in.

What we're trying to do here is ensure that we clarify as much as possible. This is going to be a

living entity as we start rolling out exactly the legalization of cannabis versus – my colleague earlier from the NDP had noted about decriminalization. That probably would have been perhaps the best first step. Decriminalizing it takes away at least that structure of the major impact it has from a criminal record and using a lot of the resources from the legal perspective and police forces to be doing something that we know society are going to accept with a certain set of regulations and rules and operational procedures.

Then you would have time, as you started to see how that unfolded and the impact it has on society, and people's view of it, from that perspective, to move right into then the full legalization of it. Unfortunately, that wasn't done. Now we're in the middle of it and we have to ensure we make the best of what is being proposed here so that the flow of the sale of cannabis is done in a way that's legally in the best interest of everybody.

If this was indeed one avenue that would help generate some potential revenues, then we maximize what we can get out of that without it being too – imposing on those people who are recreational cannabis users who want to use that as one of their social mechanisms, or one of their own social coping mechanisms, depending on the use of it. We've already known and seen the benefits of medical marijuana, so we've managed to be able to have that bit of a transition over the last number of years about the stigma of what marijuana was always about. We all know – a number of years ago – about who was being labelled for those who partook in marijuana and cannabis use over the years. That's changed dramatically.

As generations move forward, as we identified the medical benefits of it and we've seen it – and everybody would know somebody, particularly the last decade or so, who can use or now have access to medical marijuana for a medical reason. You can see their quality of life improve, be it for pain, be it for anxiety, be it for a number of medical issues that have been identified through research. It benefits them.

It isn't a big stretch to where we are now. It may be from a cultural point of view and it may be from an enforcement point of view. Talking to

some police officers and that, it's a bit worrisome about enforcement. There were some issues around will this that lead to people overconsuming because they think now it's gone from illegal, to not even going to decriminalizing, to it being totally legal; the issue about being able to enforce it.

There was some discussion around that. I noted in the discussions that we had on Friday, in the presentation and the briefing, that there are things in play that will address all those issues. We were a little bit wary because we couldn't get the time frames. We understand some of the time frames are based on what the federal government does, some of them are based on rather than reinvent the wheel, let's see what other jurisdictions who are moving things forward are going to look at. We've only got a couple of examples in North America where this has been enacted in the last couple of years and the impacts that it's had. Research is still relatively new on the data about how we address, how we approach it and how we design it so it better fits our own society here.

While I realize the bill itself has to reflect what the federal government is putting into play, there has to be, as we do in everything we do in Newfoundland and Labrador, a Newfoundland and Labrador lens here. It has to be reflective of our geography, our social backgrounds, even our economics, our ability to police and our ability to support in certain areas the mechanisms that may be necessary if this indeed adds to another social struggle or asocial demand on our society. There are things here that have to be homegrown.

I suspect the only benefit to the fact that each province could enact its own legislation would be the fact that we can put our own lens on it. The issue is I know it has to be rushed, and I don't say rushed in a negative way, it has a time frame that people were trying to push towards. We now realize the July 1 time frame is probably not obtainable. That's not the fault of the provincial government here. It's the fact that from a federal perspective there are some challenges there in being able to enact it. As part of that, it gives us an opportunity to really look at it.

It also gives the government an opportunity, particularly around the regulations – the legislation not so much. When this legislation is passed after the debate then, obviously, there's a period of time that regulations are being developed and designed if they're not already in play. I suspect a fair number of them are, if not all, but I still suspect that's still a living document that would be reflective of what may or may not change from a federal piece of legislation.

There are two key pieces of legislation federally that are now being debated and looked at. There may be issues around that which would have to be addressed from a different perspective. If indeed that happens, then, no doubt, the provincial government will look at that and look at their regulations to ensure they still cover off any particular changes that may be there.

We're going to have an opportunity through the regulation process, if it's in two months, three months, six months or a year. That all depends on the time frames that are workable from getting it through the Senate and then the House of Commons, and enacted as legislation federally so that then the provinces can enact their legislation. That, then, would kick into play the minute, federally, that the sale of cannabis becomes legal for what's outlined here in this particular bill.

We've talked about why we're here. Again, we're here because it's a federal piece of legislation and a federal law that's going to be enacted. As a result, each province has to do its due diligence and put in play a piece of legislation that reflects their particular needs and their ability – just as importantly – to resource whatever it's going to take to do it.

In some cases – and I know at the beginning when you talked about this a little over two years ago, almost three years ago now in the federal election, when this was one of the promises of the federal Liberals at the time – people could see dollar signs. I could see provinces talking about how this could be a revenue generator. We know what happened in the States, Colorado and those areas, where they've started the process. There are some challenges with it, but there are some financial

benefits that are being incurred down there now and being realized.

I think everybody looked at that and said – and part of it may be tongue-in-cheek – there's a lot of money that can be made here. But as you started to go through it and you realize there are investments that have to be made, there are a number of components that are part and parcel of what you're going to put in as legislation and enact – because you still have to build the bricks and mortar, you still have to have a selling network. You still have to have inspections; you have to have an oversight process here. It's not as simple as just saying we're going to make X number of dollars because it doesn't necessarily always work like that. Your profit margin, when you take into account all of the other social responsibilities you're going to have, may be very minimal at the end of the day.

I think from what was probably projected a year ago on what the revenue would be on an annual basis for the province is probably dramatically downwards. I know the Minister of Finance has noted it's minimal, in a nearly \$8 billion budget, on what revenues will be generated from the sale of cannabis; nowhere in the category of what we generate from the sale of cigarettes or from the sale of alcohol. That's fine. That's understandable.

I just wanted to note that I think a lot of people had a misnomer that this would be, at the end of the day, a big revenue generator. If we could do it and generate monies that we could put into other programs and services that are necessary for people in Newfoundland and Labrador without it adding any other social dilemmas here or social problems that we may have – because people are already consuming cannabis.

This is not new to Newfoundland and Labrador. People have been doing it for decades and decades and decades and will continue to do it. They've been doing it in the privacy of their own homes. They've been doing it in the secrecy of night or they've been purchasing it and that. Now we're sort of saying we're gone from a point of something that's socially not acceptable to we even moved beyond decriminalizing it to making it legal. To do that, we need to ensure that society can reap the benefits of if there are

any monies to be generated and how that then can provide other social services.

We've looked at that. We're still questioning the time frames from a federal perspective. No doubt unless the minister, when he gets up and speaks, can give us a better understanding of the time frames, if they've heard anything from Ottawa, our inquires and what we read in the media, there still has been no defined time frame of when this will kick in and when it becomes law.

I know something I read from the national police chiefs have said they're ready from their perspective where to go. The more time they get the more ready they can be for the whole implementation of what this is going to be. Particular devices that are going to be used, when you talk about one of the other components of this, the *Highway Traffic Act*, about enforcement, they'll have a better understanding of looking at which device is the best for being able to detect impairment from the use of cannabis.

We need to have all these things because not only do we have a responsibility for people's social health and physical health, we also have a responsibility for the citizen who is not engaged in cannabis, doesn't use it, doesn't want to use it, doesn't care about other people using it, but do care about the impact those who are using it may have on their own safety. That could be through impairment on the highways.

We don't have our heads in the sand to realize this is not happening now. We know people are driving under the influence of cannabis now, and we know police do have a legal right to stop these people and try to lay charges. We know because we don't have the devices to a certain level that it's a little bit harder than it would be under the *Criminal Code* or the *Highway Traffic Act* for impairment through alcohol. We know 20 years ago it was harder, then, for police forces to be able to do stops and charge somebody and get convictions.

We know down the road as technology increases, and people's awareness of how this is being done, we're hoping two things will happen. There's an education process here, where impairment through the use of cannabis is

minimized, because people understand the impact it has on them. Their use of cannabis is done in their social setting or their home setting or something that's conducive to their own use, and doesn't have an impact on them driving while impaired.

With the use of technology and better training and additional training for police forces, then convictions – obviously, as a major deterrent – will increase, thus sending the proper message out there that listen, if you engage in a certain activity and it's not acceptable in society but it's illegal, you're going to have to pay the price. So it's better you make the right decision at the beginning, so society doesn't have to deal with the fallout from you making the wrong decisions.

There are a number of things here that are relevant to it. We talked about the *Liquor Corporation Act*, and there are things here, because it has to do with the monitoring and the selling and the pricing, and even the process of how you advertise. We know there's minimal if no advertising that should be connected to this, as it is with cigarettes and these type of things, but it's the visuals. We talked about the different tiers – tier one, tier two – three levels of retailers, as part of that.

There are concerns around how that influences where they're located. We know we've had some challenges here. We've asked questions and we've even, I suspect, criticized somewhat today around the process of the first 24 that have been selected versus the next 24, or 54 or 104 or next four. Because there's a set of legislation or set of regulations in here where there's actually full-fledged legislation that outlines the process that everybody must go through.

Our question at the beginning was, this didn't exist when the other ones were selected. Now it's good to hear that the minister outlined, well the first group we did were for, want of a phrase, temporary. They had gotten through the first hurdle. To get through the next set of hurdles, they'll have to go through the same process that anybody else will who now wants to be engaged as a retailer.

That was good to hear, because on Friday when we were reading this and said there's legislation

here that outlines exactly the process, that seem fairly stringent as part of what would have to be the criteria for you to meet the matrix to be given an opportunity to be a retailer, that made sense. The alarm, the bells went off that we had 24 – 80 had applied, or 80-plus, but 24 had been selected along, I think, with the four that Canopy Growth has as a part of an existing deal, that they may not have gone through this same matrix process.

As the minister outlined, because this is only stage one, they will have to go through the same process about where they fit within their municipality, their location, their design, their proximity to various agencies, organizations, entities, these type of things. So that was good to see. Because over the weekend it was a bit alarming, if we've already got 24 in certain areas or 28 now, what impact and how is that fair to the other 8, 10, 20 or 30 that may want to be part and parcel of what we're doing here.

Particularly, if you look at the list, there's not a lot that are in smaller rural communities, and I don't know if it was the process they had used at the beginning. I do realize, somebody had mentioned to me, it was a 35 or 36 page application process. I have no problem with a process that goes through every component of what you're expecting. You're expecting the retailer to be able to fit into those because of either their expertise, their professionalism, their ability to be secure, their understanding of being proper, corporate citizens and their background of already having a set reputation for running things professionally, legally and with the best interest of the communities involved also.

I had no problem with the length. Some people say it's very encompassing. If it's the same application for everybody, I have no problem with that. Obviously, I take into account that the staff at the Newfoundland and Labrador Liquor Corporation and those engaged with all four or five line departments that have a direct stake in this would be outlining things they feel are important for an agency or a retailer and a business to be given a licence to sell cannabis and what that would mean.

If people are going to want to be in that business, they need to take the time to fill it out and understand exactly, not only what it is

they're looking for, for what they would get as a privilege here as a business where there would be a profit margin and they'd know they have no doubt a captive audience, but they have responsibilities. They have responsibilities to either have a storefront that's a certain design for the visuals in the sense that people can't see it.

If there are restrictions on age limits, what are your securities around that? Your security after hours, all the controls around we understand there's only certain times that the product can be dropped off and picked up. These are all things relevant to that. The labelling of the packages, and even your reporting mechanism after for government. You're paying on what's come in because the checks and balances have to be there.

While there's some criticism from a few that contacted me about the length of the application and all that, I haven't seen that as an issue to me. I read part of what I saw in it and to me it's standard questions that would be asked around any other entity or any other service you want to provide. Some are much more detailed because of the nature of what you're offering. In this case, I could see it. It's a new entity. It has a lot of security risk with it.

It can have some negative connotation when you're advertising to younger people as part of that and you're advertising around the negative process there. So these are things here that the application process should reflect how a business is going to deal with those type of things and if they meet the minimum criteria.

I looked at part of it. In some cases I would have liked it a little bit more stringent but I think – again, that doesn't bother me because as we start this process, if we find there are some gaps here, they can be fixed fairly quickly. Particularly, if we're only starting with a small number of retailers in various areas.

I do know from the conversations we've had, that in rural areas we're not getting the uptake. I don't know if it's the length of the application or if it's people still waiting to see how this rolls out. What are the implications? Are there restrictions on it? What's the initial investment that has to be made?

In some cases, somebody who has a storefront right now may only have to do minimal renovations to be able to accommodate the regulatory processes that are going to be in play. Somebody else who's starting off fresh, either with a new building or renting a building, may have to invest tens if not hundreds of thousands of dollars to make this work. There are a number of unknowns here that people will have to look at as this progresses. Again, I have no problem with that because that's part of a brand new approach to a brand new service that we're going to be providing for people in Newfoundland and Labrador.

I do want to go back to – one of the things, as we talk about this, that I've had four different companies over the last seven, eight months, maybe more, maybe longer, about the cultivating. That's the thing, and we've had some local, very affluent, and I say affluent, successful business people who've been in similar, not necessarily in cannabis, but similar into the agricultural and the horticultural process. We've had other people who've been into major areas in retail and in the service delivery, and some in the medical profession, who've looked at how they could get into it.

The thing that was a little disheartening was the announcement on the Canopy Growth. That's still up for debate, the necessity to go with them immediately as a sole-source provider at the beginning, and I get it. Particularly when you have a time frame that somebody else imposed, that you had to be ready. I'm not actually even beating them up on that part of it because I know they had to reach out publicly to look at it. I would have liked for it to have been a bit more of an open process. No doubt, there are a number of people out there who may have had the ability to be ready also and be able to provide the supply necessary until they can start cultivating through the building, hiring and processing here in Newfoundland and Labrador. I get that at the beginning. I know there are some other companies outside who are a bit disappointed that there wasn't a process that they could have been engaged in.

There is a little bit of a challenge from my perspective. I know from us, from the Opposition – and no doubt we'll have that, the investment the provincial government is making

with Canopy Growth. We have equity shares in a number of other corporations and companies than this, and there's nothing wrong with partnering with other companies to ensure that what they're going to be offering is at the quality and that they're going to provide a benefit to the people of Newfoundland and Labrador by creating jobs.

The streamline is how our investment gets paid back. That's the only concern here. The defined numbers are not clean and cut that we feel confident that payment process and that return on our investment is going to be fluent over the next five, 10, 15, 20, or 25 years. There's so much of an unknown here and so much of an unknown as to the profit margins that the company would have as the producer, then, to the retailers to how they pay that back. That's fine. That we'll get to see as we dig a bit deeper and we have more discussions around what impact that has on the bottom line for Canopy Growth and for the taxpayers in Newfoundland and Labrador.

We're all for job creation. We're all for investing in new uses of technology. We're all for creating a new vibrant business that can be used because of our skill set, that we ourselves can be exporters instead of importers. We're not beyond that, we just want to know if our investment is going to return what we've hoped, plus be a benefit to the people of Newfoundland and Labrador. That will be seen. That was just one of the concerns I wanted to get tabled as we move through this whole process and we debate exactly the cannabis piece of legislation.

It's not the legalization of cannabis. That, we know, is going to be a done deal. That's a federal law, it's a federal piece of legislation moved down. We just want to ensure that in Newfoundland and Labrador the legislation that we have covers off all the key components that we wanted without at the same point – because sometimes legislation is there to protect citizens, their investments and ensure there are rules and regulations. But sometimes you don't want to go beyond it that you're now adding things that are too encompassing or things that may violate, in some cases, their own access or freedoms as part of that.

That's why we've gone through it. We've had good debate with the officials from line departments. We've asked some questions in the House today and we've had, no doubt, some real good discussion here with my colleagues on this side of the House. We'll also, when we do get to Committee over the next period of time, have a multitude of questions for clarification because this is what this is purely about.

Until we have the regulations, we're not quite sure exactly how this is going to be enacted. Without the regulations, what we need in the House is clarification on particular parts of the legislation. For those who may be watching at home over the next period of time stay tuned because some time tonight or tomorrow we should get to Committee where we'll be asking a number of questions that will clarify particular things that we're looking at.

As we get to that process it will be an opportunity for anybody who may want some clarification to listen in. If you do have a question that you think we're not going to ask or you want some clarification, we all have emails, send them along. I have no qualms in representing the people and asking questions. I know the government has no qualms in answering those so that everybody is clear on exactly what this piece of legislation is all about.

Some of the other concerns that we have are the changes to some of the other acts that are part and parcel of it; the *Liquor Corporation Act*. Somewhere along the way we'll be asking the question to the Minister of Finance about the revenue streams, how consistent they'll be and how costly it is to generate that revenue stream. Sometimes it's not cost effective to bring in money in one hand and have to pay out more in the other. It depends on what your product is, what the volume of that product is, what your profit margins are and what your expenditures to oversee all these things are.

If this can fit neatly with the great corporation we have in the Newfoundland and Labrador Liquor Corporation – where we have a very competent group of individuals with a structure that works extremely well, that has been touted provincially, nationally and internationally for being a great corporation that has a great fiscal policy process that engages a good profit margin

– then I'm happy with that. If we have to, the old cliché kill two birds with one stone, enact a piece of legislation and a law that we have to, that's imposed on us, and that will meet a social need in society – and what it does is it's a timeline one. It brings us up to a time and place in society where it's now acceptable that this is another part of people's activities in life that should not be illegal to do anymore. We need to ensure that it's done in the right manner.

To do that, we have a corporation that has a structure in play and has its own assets to how we can maximize the benefit for the people of Newfoundland and Labrador – because it is owned by the people of Newfoundland and Labrador – while at the same time ensuring this doesn't become a cost exercise where we lose at the end of the day. I'm confident that will be done. Again, as we get to Committee later on we'll have a discussion around what that means. The minister will clarify exactly what he figures the revenue streams will be, what categories there will be and what other assets may have to be added. Is it from a security point of view? Is it from a monitoring point of view? Is it from an auditing point of view?

These are all issues that have to be taken into account because the taxpayers of Newfoundland and Labrador are on the hook for ensuring that we not only enact a law that works for everybody and protects society – and those who will be users of cannabis, ensure that it's a safe product and this type of thing – but also for those who are the taxpayers of Newfoundland and Labrador whose corporation has as its responsibility to oversee the implementation, the delivery, the monitoring and the safe inspections. In another case, the other parts of government agencies, being the police forces – them being able to actually do their job to ensure the people in our society are safe, can feel safe and that the use of cannabis is not going to be any more intrusive or any more disruptive, from a safety point of view, than any other thing that we use in society.

These are a couple of things that will, obviously, be discussed and debated as we go through the *Cannabis Control Act* over the next little while. Things like a smoke-free environment – we had some discussion with the staff earlier, on Friday particularly, about what that means. There are a

number of questions here about is cannabis going to be any different than cigarettes when it comes to where you can and where you can't. Staff assured us – and rightfully so and I understand that – that it's in the same vein. There are restrictions on being able to smoke in certain areas. There are certain things you can't do in certain government buildings or government assets like ferries and these types of things.

But because it's a little bit different than cigarettes – and the public perception is that it's a bit different than cigarettes – are there other things that need to be looked at or other things that need to be adhered to, to ensure that people don't feel in any way that those who smoke cannabis are having an impact negatively on those who don't. As we know, smoking itself can have an effect on people's allergies and these types of things. Cannabis smoke – some people would say even more so. It depends around some of the things that are relevant to these types of things.

These are discussions that are going to be had. The questions that we will ask here in the House over the next period of time around what exactly is going to be put in play, what are the issues that need to be addressed by people of Newfoundland and Labrador, what is it that the taxpayers and the citizens can expect? Again, the time frames – and I realize the time frame is floating, but we'd like to know because there are other entities out there. There are communities. There was a discussion here about consultation. I spoke to three mayors over the last three days who said they've had dialogue.

There's a difference between dialogue and consultation. A dialogue is people who came in and made presentations, and rightfully so, to get to where it is, as we've had. The difference of having direct dialogue would be around them having input into what they would suspect would be acceptable, getting full clarification of what this means. I know as we move, over the next period of time with implementation, what that would mean for municipalities. They may have to look at their own zoning. What does it mean?

I know government has said that after this is enacted if a particular retailer who's given a

licence or a permit doesn't meet the municipal regulations, well then, at the end of the day, I guess they lose their licence. That's how I'm interpreting that. I'm hoping that's the way it is because it should be the same way for everything else.

If somebody wants to open a pizza place and/or Service NL happened to give them a particular permit or licence for a particular outlet, if they don't then adhere to the municipality's bylaws and regulations, there's a challenge. Then there's a real challenge around we're enacting something without having the proper dialogue and being respectful of the laws and the regulations that a particular town would have. I know we do this and we know there are different levels: federal law, provincial law and municipal laws as part of that.

As we're bringing in something new, the key thing that was discussed here would be totally around engagement and finding a happy medium. At the end of the day, even for those who are adverse to making cannabis legal, the reality is here I think everybody would want this to be as smooth as possible to transition into what the laws around cannabis are now, to making this a legal product that people can consume and buy with the same, or maybe a little bit more added restrictions on where, how, the time frames, costs and restrictions as part of that, but that we look at a process of decriminalizing that. We've gone beyond that to making it fully legal.

As we talked about things on Friday – and my colleagues have also talked about where we are here – there's a big component that I want to talk about for a few minutes. It's about education. As we know, human nature, no matter what age it is, is about experimenting trying something new. It is trends. Trends are trends.

While I realize cannabis has been around for hundreds of years in Newfoundland and Labrador, the thing is when we're making so much hype about it, when it's now in the media on a daily basis – when it goes from something that's illegal to, not only is it legal but it's available in your neighbourhood and it's endorsed by government because it's under the same thing as you went in and bought cigarettes

or alcohol to a certain degree – then there's going to be either an expectation or maybe a larger uptake. Is it a temporary uptake? We don't know. That has to do with how people engage this as one of their social behaviours and that's fine.

As part of that, we have to ensure that our education process at every age level – with youth organizations in our school system, with our other adult agencies, with our medical professionals and with the general population here – have a true understanding of what we're talking about when we talk about cannabis consumption. It could be around the fact that you're saying all of these products that you purchase in one of the outlets have been inspected, they're of safe quality. They can tell you then the components of each of them to give you a better understanding of what impact they'll have from how it affects you, how high you get and how long it stays in your system. There are a number of things here.

I know some of the employers' organizations out there have some concerns about what impact this may have from an employment point of view. It's like anything else, people consume what they consume. Those who overconsume unfortunately overconsume. Everybody has to be cognizant that there are still going to be rules and regulations, but there are particularly going to be laws. Those same laws will be enacted no matter if it's alcohol or if it's cannabis or if it's opioids. It's about safety and what has to be done.

In this case, because it's out there in the public domain, we need to have a proper education system that ensures everybody who has a question has easy access to the answers to those questions so they can pass on accurate information. The worse thing that we could have in our society is half-truths or misinterpretations. We need to find a way to be able to do that.

I know I've had people ask me: How many plants can I have? I know the minister has gotten up and said four in a household. We had a little debate in the briefing: What's considered a household? Then it was as a dwelling. What's defined as a dwelling? While I asked some questions today that may have seemed a little bit off centre, from seniors homes to bed-sitters and

these type of things, these are legitimate questions people are asking.

People have a right. They want to know if they have the privilege to be able to grow plants if they need to. Or if somebody else is growing them, are they growing them illegally as part of that. I think we need that education clarification and I think that can be done fairly easy. Once everything is clarified and the regulations are ready to be publicly put out there, then it's easy to be able to sell what's happening in our society.

We had that discussion around the number of plants. We had it around what happens if there are four in your garden at the dwelling versus the house and I think everybody agreed to it. We had the difference between five and six plants and what is the fine to beyond that and what becomes a criminal act as part of that. We had it about labelling to ensure everybody knows exactly which one is not homegrown out of the back of somebody's basement or the back of somebody's greenhouse, but came out of a legitimate producer and cultivator – that's a part of that – and what the pricing would be.

Does some of this go back to people saying, legalizing – the hope was to take it out of the criminal element. I would hope that happens. We're not quite sure how that will play, but we'll wait and see how that goes. We don't know what the criminal element might play into this. Does it become a way that they try themselves to undercut the legalization of what we're doing in another way?

That's where our police forces – that are more than equipped and have experience to be able to identify that. If it is delayed until the federal government comes down with its regulation, it gives us a bit more time to look at other jurisdictions and how they've addressed issues like that.

We've had a good, full-fledged briefing. We do understand there are four direct pieces of legislation that affect how we do this, and there are a number of other departments that have a stake in it. I'm glad to see there were a number of staff there who were talking to each other so that we don't do one thing and then realize that's not going to work because we didn't take into

account the impact it's going to have on another sector of our society.

With that being said, I look forward to any other dialogue that goes on here. Then we'll look forward to, when we get to Committee, having some real discussion on clarification on particular parts of the legislation.

Thank you, Mr. Speaker.

MR. SPEAKER (Warr): The hon. the Member for Fortune Bay - Cape La Hune.

MS. PERRY: Thank you, Mr. Speaker.

It's an honour and a privilege to rise once again in this hon. House and speak to another very important bill that's before the Legislature here in Newfoundland and Labrador, Mr. Speaker. We are debating this bill in part because of the federal changes that have led to the process of legalization of cannabis across Canada.

This bill in particular, Bill 20, sets out the framework for cannabis in Newfoundland and Labrador. It creates a licensing structure, it provides inspection procedures, it sets out restrictions on the sale, purchase, consumption, transportation, advertising and promotion of cannabis and it sets out offences and penalties, Mr. Speaker.

I won't reiterate a lot of the commentary that has already been made here in this hon. House today by my colleagues, but suffice it to say, Mr. Speaker, this bill represents a major, major policy shift for everyone in the province. There are a lot of people who are going to be impacted by the changes that are coming forward. I know in terms of speaking with people, constituents in my district, there are some people who are very much in support of this policy change but, as well, there are some people who are very, very concerned about the policy change.

There is one common element that I do find in nearly all of the discussions I have with people around what is happening with cannabis in Newfoundland and Labrador. That is there are some grave concerns with the fact that it's very much a missed opportunity. In a province where we're experiencing economic hardships and in a province where we have skillsets to do just

about anything – I’m confident that a Newfoundlander can absolutely do anything – we have a situation where there’s no opportunity for a Newfoundland-based company to become the supplier of choice for the stores because government has entered into a 10-year agreement with a multinational Mainland company.

Mr. Speaker, that’s very, very upsetting for a lot of people in this province because Newfoundlanders were quite capable of having gone through the process of becoming licensed for Health Canada. That was rushed through last year. Certainly, we’re not debating Bill 20 until, here we are, I think it is May 28. There was plenty of time, had the awareness been provided, for Newfoundland entrepreneurs to have gone through the process to become licensed by Health Canada, to become the grower of this product.

The loss of \$40 million in tax revenue is devastating to a province that really needs every cent it can get. I often scratch my head and I think about: gee, \$40 million could have funded 1,000 jobs in a new industry on the Burin Peninsula, in aquaculture, as one example; \$40 million in our tourism sector could have really done a lot in terms of increasing our market share and global awareness of the opportunities that are here; \$40 million could have paved a lot of roads.

For those who were opposed to cannabis becoming legalized, there was at least the consolation there’s a business opportunity here, there’s some job creation going to happen here and there’s some revenue that may be made that could be applied to improving our roads, our hospitals and our schools. Unfortunately, we’re not going to see that happen because we’ve given away \$40 million in lost tax revenue.

I did want to make that point for the record, Mr. Speaker, because that is an area of concern and something that’s very, very unfortunate, especially for those who were opposed to this in the first place and now they see absolutely zero benefits entirely coming from it.

Mr. Speaker, for those that are in support of the policy change, this bill has outlined some specifics around where the cannabis can be

bought, where it can be sold, who it can be sold to, what age, what the restrictions are going to be, but as many of my colleagues have already stated in getting up to speak to the bill, there’s still a lot of concerns with some of these regulations, still a lot of things have to be fleshed out. It’s very much going to be I guess a learning process for us. I would anticipate we’re going to see a number of bills before this hon. House over the next two or three years as we continue to evolve this policy and implement it and determine what’s working and what isn’t.

Again, I’d like to reiterate some of the comments of my colleagues with respect to the RFP that was issued. It seems like in some cases we’re putting the cart before the horse here in Newfoundland and Labrador. Making the deal with Canopy Growth I see as the first major mistake. Then there was the RFP issued which has a number of companies now that have to go through another process in compliance with the rules and regulations and laws that we’re putting in place through the various bills over the course of the next few weeks. That’s very unfortunate to have seen that happen.

Another thing that’s particularly concerning to us, this legislation does not apply to medical cannabis. There’s still some ambiguity and a lot of questions around how the whole issue of medical cannabis is going to work. For some people, they have found medical cannabis has been extremely helpful for their various conditions and ailments and they certainly don’t want to lose the benefits they have derived from medical cannabis over the last few years. Anything we can do to make it easier for them to avail of it as a medicine as opposed to complicating it and making it more expensive has to be uppermost because the medical side of it is very important, Mr. Speaker, to a lot of Newfoundlanders and Labradorians.

I’m not going to belabour the points any more. My colleagues have certainly done an outstanding job here today in raising the issues and concerns that we have with this legislation. As we get into Committee, hopefully, there will be at least some answers provided to the many questions we will be having on the bill.

So thank you very much, Mr. Speaker, for the opportunity to speak.

MR. SPEAKER: If the hon. the Minister of Finance and President of Treasury Board speaks now he will close the debate.

The hon. the Minister of Finance and President of Treasury Board.

MR. OSBORNE: Thank you, Mr. Speaker.

I just wanted to thank all speakers, the Member for Signal Hill - Quidi Vidi, the Member for Mount Pearl North and the Members opposite. There were some good points made during second reading.

Mr. Speaker, this is an important bill. As I said, it's the most significant change in public policy in many decades in this province. So I do appreciate the input and the feedback. I guess once we get into Committee and go clause by clause some of the points that were raised by Members as they spoke today we can address. There were some good points and some good questions that were raised.

The Member for Conception Bay South raised a point earlier, Mr. Speaker, and in fact most of his 20 minutes was about the fact that they ask questions and that's their job and it is the Opposition. I will say to that particular Member, it's true. I look forward to questions, I do look forward to questions from Members opposite and I will say that he is a good Opposition Member and I hope he's in Opposition for many years to come.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

Is the House ready for the question?

The motion is that Bill 20 be now read a second time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

Carried.

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

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

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

MR. A. PARSONS: Presently.

MR. SPEAKER: Presently.

On motion, a bill, "An Act Respecting The Control And Sale Of Cannabis," read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill 20)

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

MR. A. PARSONS: Mr. Speaker, I call from the Order Paper, Order 6, second reading of Bill 21.

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

MR. OSBORNE: Thank you, Mr. Speaker.

I'm delighted again to stand here, and honoured to be able to stand in the House of Assembly to discuss this legislation.

We're considering amendments to the *Liquor Corporation Act*. I will not speak at great length to these amendments as they're housekeeping measures resulting from the recent introduction of the *Cannabis Control Act*. Anyone looking for the spirit and intent of these amendments, Mr. Speaker, need only look to the debate that we just had in second reading on the *Cannabis Control Act*.

This past November we introduced –

MR. SPEAKER: Order, please!

I just want to ask the minister: Was it moved and seconded?

MR. OSBORNE: I believe the Government House Leader did.

MR. A. PARSONS: I didn't.

MR. OSBORNE: Oh, you didn't. I'm sorry.

I move, seconded by the hon. the Government House Leader, that Bill 21 be now read a second time.

MR. SPEAKER: It has been moved and seconded that Bill 21, An Act To Amend The Liquor Corporation Act, be now read a second time.

Motion, second reading of a bill, "An Act To Amend The Liquor Corporation Act." (Bill 21)

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

MR. OSBORNE: Thank you, Mr. Speaker.

I think it was our hope that we'd get Committee on the other bill. That seems to be dragging out so I think we're going in a different direction.

In any event, this past November when the amended *Liquor Corporation Act* was put through, Mr. Speaker, we needed to give NLC the authority to put plans in motion for retail and supply in this province. We made these changes to an existing act because it was the quickest way to allow the NLC to begin their work, and allow the staff to draft amendments and legislation to deal with this quickly and efficiently.

Mr. Speaker, these amendments allowed the NLC to undertake its recent RFP for licensed retailers and allowed them to begin work toward online retail. Now that the *Cannabis Control Act* – or with this act now just finished second reading, we've put in place an act that governs all the existing aspects of licensing and oversight, in addition to the laws and requirements around inspections, possession, sale, purchase, consumption, transportation, advertising, promotion, liability, offences and administration of the cannabis industry in Newfoundland and Labrador.

This amendment today is simply to remove the language that was added in November to the *Liquor Control Act*, as all of this language now exists in what will be the *Cannabis Control Act*. The *Liquor Corporation Act*, Mr. Speaker, will go back to regulating alcohol products only. What we did in November was made changes and added cannabis to the *Liquor Corporation Act*, but it will go back to regulating cannabis only, while the *Cannabis Control Act* will deal specifically with cannabis.

There's not much more to say. It is simply housekeeping, cleaning up the act and the changes that we made to the act in November to allow for the RFP process and to allow NLC to legally start to insert themselves into the business of cannabis.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

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

Again, it's a pleasure to get up here today and speak to Bill 21, the *Liquor Corporation Act*. As the minister said, we spent a lot of time here in the House of Assembly in the month of November bringing in new amendments and parts of legislation to the *Liquor Control Act* to make sure that things like cannabis – marijuana was introduced at that time into this act.

What the minister just basically said this time what we're doing here now is we're removing all the provisions that we did in November in this act that related to sale, the possession and the delivery of cannabis. They're no longer needed in this act. What we proposed to do in the original act that we just debated that time, which is Bill 20 – that new act will have things that were in the *Liquor Corporation Act*. It will be now separated. We have two separate acts; one which will take care of marijuana and the other one that will be strictly for alcohol, really, for the Newfoundland and Labrador *Liquor Corporation Act*.

In that act when we did the act back in November, there were a lot of duties, responsibilities and regulations that were in the act. These were all new that were added because we only had the one act. So the things we discussed today, when it came to the marijuana, where we looked at how it has to be sold, who can do the retail on it, age limits – which we talked about earlier, similar to the liquor act we have an age limit of 19 now on the new act. All the things that were in the *Liquor Corporation Act* now have been removed when it comes to cannabis. That's basically what we're doing here today.

Also, when you look at the new act, there were definitions. I know under the act itself there were some definitions that were used there. We changed the definitions on the new act to reflect what we were talking about when it came to cannabis. These were also definitions that were in the act beforehand.

When we talk about different things like a board – we talked about the liquor board and the responsibility of the liquor board when it came to the *Liquor Control Act* and we made it so that cannabis was also part of that. Today, we're taking that out. In the act we also talked about accessories that were included in the *Liquor Control Act* and we removed that. We also talked about the locations. In the *Liquor Control Act* there were also provisions that were made there when it came to the selling or the distribution, or things like the transportation, actually, of cannabis and how it was to be transported back and forth. That was all in the *Liquor Control Act*. That's all been taken out now.

We also looked at a tracking system when it came to tracking what we have. I guess that's more or less to do with inventories and stuff like that. We also had a part in the *Liquor Control Act* where we talked about contraband. That happens with both, as you know. Obviously, there's contraband liquor that comes to our province sometimes. There are definitions of that in our act, and when we talk about different contraband marijuana, that's also in the act.

There were also some parts of the act that talked about taxation agreements. It was important we had that same type of agreement in place for

marijuana. What was happening in the province, even before the legalization of marijuana, we opened up for medical marijuana where people can go purchase marijuana for medical reasons.

People may look at this act today and say: Why did you bring in the act in November when marijuana wasn't legalized? The reason for bringing it in was because there are a lot of people in our province that use marijuana for medical purposes and medical reasons. In order to be able to sell that, it had to be done, it had to be controlled and definitions had to be in place.

Today what we're doing, basically, is we're separating two acts. There's the *Liquor Corporation Act*, which is the new act that was always there before November. In November we started – so in order to be able to sell marijuana in this province, we had to recognize that marijuana could be sold. So we brought in an act in November that had a combination of both. Today, we have two separate acts again. We have an act here that's strictly for marijuana and we have another act that's gone back to where it was before November, the *Liquor Control Act*.

The interesting thing about both acts is two of these acts are under the purview of the Newfoundland and Labrador Liquor Corporation. Both acts will be under that umbrella, we'll say. The *Liquor Control Act* and the marijuana act will both be under the Newfoundland and Labrador Liquor Corporation because the Newfoundland and Labrador Liquor Corporation, as we know, we talked about here earlier today, will have the ability to set up retailers. We saw today that they will have the ability to decide which type of store will be set up. We've talked about tier one, tier two, tier three, tier four stores.

One store will be, you'll have strictly marijuana in it only. Sometimes we have liquor stores that are like that, and so it's similar that it can be only liquor. Some liquor outlets are strictly liquor. So it'll be similar to that. The *Liquor Control Act*, which we're talking about here today, that's what's in that act. The marijuana act will have – I'm not sure which tier it will be but there will be stores that only marijuana will be sold in.

Also, like the *Liquor Control Act*, there are stores where you can go in that have a variety of stuff in them. In my community there's a Liquor Express. So that Liquor Express store in my community also sells gasoline, it also sells cigarettes. It sells grocery items. It sells some deli items and stuff like that. So under the *Liquor Control Act*, that stipulation is there.

It's the same thing, what we're talking about today, one of these type of stores will also be able to sell marijuana. The two acts are basically similar, but we're just separating the two acts so that under the *Liquor Control Act* it just talks about liquor; under the marijuana act it just talks about marijuana and cannabis (inaudible).

In the act it also talks about the employees, and who the employees are. If you're dealing with liquor or you're dealing with marijuana, I believe you have to be over 19 years of age to be able to be an employee in those places.

A part that's different from and maybe similar to the *Liquor Control Act*, I don't think it's the same profits, when you look at profits and gross profits, you could get from a controlled area that sells liquor versus a controlled area that's going to be selling marijuana. That's a difference you'll see in the two acts.

The *Liquor Control Act*, I think a lot of that is held by – actually, it will be similar because I'm sure the price of liquor is adjusted through the NLC, Newfoundland and Labrador Liquor Corporation, that will say how much you will sell a bottle of wine for. Again, I think they'll also decide on the profits. I'm not sure if the profits will be the same thing, or if they are with the marijuana and whatnot. I know we found out that marijuana, what I understand of it, they're looking at an 8 per cent profit on the sale of marijuana, and that's in all stores.

Again, the similarities between these two acts are similar because obviously the Newfoundland and Labrador Liquor Corporation controls both of them. They'll control the sale of marijuana and cannabis and they also control the sale of liquor. The difference is I know we had to bring in a new act because there are so many new regulations that are going to come into place when we discuss the sale of marijuana, how it's sold and the different things that are going to be.

I know the similarities are very, very similar when it comes to where you can consume alcohol and where you can consume marijuana. Now there may be some differences, and that will be in the regulations when we see it, but the difference in selling both are very, very similar because they're done in stores under control.

The *Liquor Control Act* sets out guidelines of how liquor stores and how people can consume alcohol. You're not allowed to consume alcohol in public. You're not allowed to be walking down the road with a bottle of beer in your hand. I assume the same thing will be similar to when the marijuana comes into effect, that you won't be able to do that.

I looked at the definitions here; a lot of the definitions are very similar. We talk about inspectors, and similar to the *Liquor Control Act* – it will be a little bit different because a liquor control inspector would probably mainly inspect where alcohol is consumed. I think of nightclubs and I think of areas where liquor is served and the time. I'm not sure what the time will be on marijuana but I would imagine stores will have hours that they have to stop at 11 o'clock and not be able to sell something, similar to liquor.

In the *Liquor Control Act* there are rules and regulations there, for example, clubs having to stop serving liquor at a certain time of night. The *Liquor Control Act*, whenever there's any liquor being consumed or anything like that, there's a capacity in the premises.

If you, for example, were going to have – I'll give you a good example. If you were going to have a function in the Flatrock Community Centre you need to go to the liquor corporation, get a permit, you have to go to the fire department for them to tell you what the capacity of that place would be, and that would depend on whether you have people standing or you have people sitting down or whatever.

It would be important that the liquor inspectors, they're the ones who signs off. They could come in the middle of the night and if you were serving liquor after, say, I think it's around 2 o'clock now, because they give you a certain period of time to say the last call is at 2 o'clock and you got until 3 o'clock to get everybody out. Similar to if an inspector comes, they can just

close the door, count the number of people in the premises at that time and see what's there. That's the job of an inspector here.

Similar to that, the inspector for the new laws that we're bringing in under cannabis, I guess the role of that inspector could be different. Maybe it's a report that there are more plants in a household. Now I don't think a liquor inspector would come and check and see how many bottles of wine you got in your house or anything like that, but I'm sure they would come if they felt you had more than four plants for a dwelling, then they'd do that.

This is why we need a separate act, and this is the reason why we need to have two separate acts. Like I said, what we're doing here today basically is taking what was in one act, removing it from the *Liquor Corporation Act* and putting it into a separate act, which is Bill 20, which we discussed today.

There's an *Executive Council Act* also that is used for the administration of the liquor act. There are rules and regulations that would come from Executive Council to ensure that all procedures and everything is followed so that people abide by the liquor act and make sure they're doing it.

It is a bit of housekeeping, as the minister would say, but it's very important that we all know why in November that we brought this act in. We brought this act in because there was a piece of legislation that needed to be brought in so that people could go to different stores to be able to get medical marijuana and to be able to purchase that legally.

What we've done today is we separated the two acts. We have a separate *Liquor Corporation Act*, which is also – all the *Liquor Corporation Act*, everything in it relates to the sale, it relates to the possession, it relates to the delivery. By separating these two acts, there are two different – the *Cannabis Control Act*, that has its own rules and regulations now and it will not be found in the *Liquor Control Act*.

Like I said, it's important because there are some huge differences in the two acts. Today, when I was up talking on Bill 20, people will always come and say: Well, it's very similar to

alcohol. What you're doing is very similar to what you did with alcohol. Well, I wasn't around when alcohol became legal. I was probably not even thought of back then.

AN HON. MEMBER: (Inaudible.)

MR. K. PARSONS: Yes, but there's a lot of difference between the two acts. There's a difference between what we do with liquor when it comes to regulations under liquor. The reason today the government brought in their new bill under the *Cannabis Control Act*, the reason for that is because everything is different there.

They took everything out of the liquor act that was related to cannabis and now they've put it in a separate act. Everything that was there beforehand in the *Liquor Corporation Act* that's related to how people get licenses to do functions, how stores operate and time frames of when they can sell alcohol – as a matter of fact, this is similar to what we're doing with cannabis. It will look at who can purchase alcohol. That's what this *Liquor Corporation Act* – it gives the NLC the rules and regulations they need to have in order to make sure people follow it so they don't break the law when it comes to the sale of alcohol in our province.

In closing, I'd just like to say the *Liquor Corporation Act* is a very important act for the province. It's very important that retailers in this province have regulations in place so there are guidelines they can follow to ensure that everything they are doing is legal.

It's important people of the province have confidence that when it comes to the sale of alcohol and marijuana that we're doing it properly. It's important the people in the province know that the rules and regulations are there. It can be for as simple as open liquor and different regulations that are there under – this is all under the *Liquor Control Act* what we're talking about here today. They just control everything that's involved with liquor in the province.

What we've done today is just take the two – we introduced Bill 20. We introduced a whole new list of regulations and a whole new list of criteria on how to sell, who can buy, how many plants you can have in your – purpose of plants. They

talked about grams and whatnot. So it's similar to that, but the reason we changed it is because there are two different acts.

Thank you very much, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Reid): The hon. the Member for Mount Pearl - Southlands.

MR. LANE: Thank you, Mr. Speaker.

Like Bill 20, I really don't have a big lot to say here about this. I'll be supporting the bill.

Basically, as has been said, in order to bring forward legislation, back a few months ago for the government to procure cannabis and put out requests for proposals for cannabis shops and all that stuff they needed to make amendments to the *Liquor Control Act* to allow Newfoundland Liquor Corporation to do their work.

As I understand it, all we're doing now is we're saying, now that we've created Bill 20, which is the bill we just debated covering cannabis, then we don't need to have it in two bills. We added cannabis to the *Liquor Corporation Act* and now we're just taking what we already had, taking it back out and putting it into Bill 20. To my mind, all we're doing here is housekeeping.

With that said, there's nothing not to support really. That's all I have to say.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

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

I stand to speak to Bill 21. The bill amends "the *Liquor Corporation Act* to remove the provisions with respect to the sale, possession and delivery of cannabis that are no longer necessary;" – because we have a new bill, Bill 20 – "and add references to the *Cannabis Control Act*."

Mr. Speaker, prior to Bill 21, we did have extensive debate on Bill 20. That created a whole new act for us, the *Cannabis Control Act*, because this is the first time in the history of the province that cannabis has been a legalized substance. Up to this point, it has been illegal; however, we've known for quite a while, in fact, that the federal government was going to legalize cannabis. However, there's been a lot of uncertainty about exactly what the federal legislation will be and how the provinces will adapt their laws to deal with the legalization of cannabis. That's what we're in the process of doing right now.

This bill would repeal, take back most of the provisions related to cannabis possession, sale and delivery in the *Liquor Corporation Act*. The reason these provisions were put in the *Liquor Control Act* is because we needed a sort of temporary home, so to speak, for any legislation relating to cannabis until government had the opportunity, the chance, the time and using the expertise to develop a brand new bill, and that would be the *Cannabis Control Act*.

This was an interim measure. I'll talk a little bit about what the purpose and goal of this interim measure was, what needed to happen and what the interim measure enabled the province to do.

Some provisions are to remain in the act pertaining to the authority of the corporation to regulate the industry and buy land and equipment. We support this bill because it's a necessary component of setting up the final provincial statutory framework now in readiness for the federal legalization of cannabis in the months to come.

This is all about getting ready for the legalization of cannabis. This has been a long time coming. A lot of people across the country have really looked forward to this moment. Particularly, it's quite similar to prohibition, when alcohol was illegal. People were imprisoned for the sale of illegal alcohol, for the distribution of it, for the manufacturing of it, lives were destroyed, companies were destroyed, and we've seen that as well with cannabis.

When cannabis wasn't legalized, many of us have known folks who were incarcerated for possession; not so much now. They're not

incarcerated for illegal possession. Although, we've had three arrests and charges in the past week of three different people for possession of cannabis, which seems an odd thing to be happening in the province right now, Mr. Speaker, when we are so close to full legalization of marijuana.

I'm not quite sure what was happening in those cases but there wasn't a charge of manufacturing. There wasn't a charge of trafficking. There were three charges of possession. It seems like a very, very odd thing to do in light of the fact that this is coming down the pipe very, very soon, within a month and a half, not even a month and a half, sooner than that if the target date of July 1 still holds. So it's an odd thing.

We know how many lives have been ruined by folks who were using cannabis illegally, who may not even have been trafficking, who may not have been selling cannabis, who have criminal records for those who did have a charge for trafficking, and it's hard. People were put in jail, and that was very expensive. Then people, when they come out of jail, have a really hard time getting work. It's very expensive to house somebody in an incarceration facility or correctional facility.

Those have been some of the effects of not legalizing cannabis earlier. We've seen some of that difficulty.

It must be a very interesting time right now when we see all the legislation that pertains to the legalization of cannabis. It must be a very interesting time for those who have been incarcerated, who carry criminal records. I'm hoping there will be something – in fact, that there will be some kind of amnesty for those who were charged with possession now that cannabis will be legalized. One would hope that would be in the works. I think that would really be important, and that's all part of legislation. So we'll see, maybe we can talk a little bit about that.

The federal government will be rolling out the legalization of cannabis. Originally that was set for July 1, but it's now been delayed. We don't know when it will be specifically but the

province will be ready for July 1, and that's a good thing.

We know the legislation is before the Senate. I believe the Senate will pass this legislation, that it will not be problematic. They may have some minor amendments or some suggestions to it. So that will be interesting. Hopefully any amendments, any suggestions in fact will make the legislation better for the people of the country.

The Newfoundland and Labrador Government set up a tentative cannabis legislative framework through the *Liquor Corporation Act* in the fall of 2017 sitting of the House. Officials said the Liquor Corporation would need certain authority between fall of 2017 and July 1, 2018. What they needed, they needed to be ready to licence private sector retailers to sell cannabis. They needed that ability to do that. Businesses need to be prepared, and the Liquor Corporation needed to issue FRPs to ensure a retail network would be in place for July 1.

Again, that takes businesses a while to get up and running, particularly for anybody who wanted to provide a tier one retail operation. Although we know there have been very few that have been able to set up because the business model simply is not there.

We've talked about that in the House here recently, Mr. Speaker. That, in fact, the business model that was being proposed for tier one at 8 per cent commission, it's not economically possible for businesses to be sustainable. We know that. We figured out it would probably take – a small operation would have to sell at least 500 grams a day of cannabis in order to just meet their costs and their needs. That's not going to happen anywhere; not anywhere soon.

We also looked at there are still a number of gaps in the province where in fact there aren't any retailers. Government assures us they're putting out another request for proposals. I also spoke to some folks who had put in proposals who did not receive licenses.

What's interesting in the legislation that we reviewed as well, it says anyone who was turned down has the right to ask for, in writing, reasons why they were turned down, reasons why they

weren't granted a licence. So I'm hoping people might do that, businesses that spent a lot of time and energy preparing proposals – yet they were turned down – if they could be given the reasons they were turned down. If this legislation wasn't in place, the province couldn't move forward with issuing their request for proposals for retail spaces.

Mr. Speaker, I've spoken in this House a number of times about my disappointment and the potential opportunities for local companies to be able to produce cannabis; locally owned companies or perhaps locally owned companies in partnership with companies outside the province. We know what happens if a company is not a local company, that any profits go right outside the province. They don't stay within the province.

We know the province did not issue a request for proposal for the main supplier for cannabis for the province through Canopy Growth. That's very concerning. I've asked government time and time again, why was an RFP not issued? We have no response to that at all. There's no justification for not putting out an RFP.

We also know how highly technical – the province needed to have this legislation in place so they could put a manufacturer in place. The province could, in fact, and we know how technical it is – a cannabis grow-op operation is highly technical. It's about agriculture and it is about technology. It would take a while to get local ones up and running, but those are two targeted areas from the current government for research, advancement and innovation.

It is a shame, Mr. Speaker, it's more than a shame. It's so very unfortunate that government did not issue a request for proposal and make it a level playing field for local businesses to be able to take advantage of this business opportunity and this growth opportunity, so to speak.

This legislation enables the Liquor Corporation to buy in bulk cannabis products. That's what we would see. They are buying from Canopy Growth as a supply until Canopy Growth gets its operation up and running.

It also gives the *Liquor Corporation Act* the ability to control the possession, sale and

delivery of cannabis, to establish and operate cannabis stores, issue licenses for the possession, sale and delivery of cannabis, set fees and establish forms. The same way they do for alcohol, which is also a regulated substance or a controlled substance. The treatment of cannabis and cannabis products are sort of going in alignment with the treatment and control of alcohol for the province.

Mr. Speaker, what happens now is all these powers revert to Bill 20, which is our *Cannabis Control Act*. Again, this has been a long time coming. Many, many people are looking forward to it. It provides also some challenges that we will address I'm sure in Committee. We have some questions in Committee; particularly in Committee for Bill 20, specific questions that may arise and challenges that I'm sure government has thought of but maybe has not articulated yet. So we'll see how that is being dealt with.

Mr. Speaker, what we are hearing from many potential retailers, from also many potential producers of cannabis, the missed opportunity specifically for local producers and local retailers. The concern we see is that Loblaw's and Canopy Growth have the majority of large retail outlets for cannabis. Is that in the best interest of the people? I'm not so sure. Is that in the best interest of economic development in the province?

We know the Liquor Corporation in and of itself have been a big source of revenue for the province, and one would hope the opportunities with the legalization of cannabis would benefit first the people of Newfoundland and Labrador, and that is not the case. Unfortunately, that is not the case. It's a huge missed opportunity. The people see that. The people are unhappy about that. Businesses are very, very unhappy about that and feel this has not been a level playing field and it's been unfair.

The control of cannabis, in all aspects of cannabis, is now within the *Cannabis Control Act* and within the powers and the jurisdiction of the NLC where it should be, and we fully support that.

Thank you, Mr. Speaker.

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

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

I'm just going to take a couple of minutes to rise on this bill, An Act To Amend The Liquor Corporation Act and to speak to it. It is for the most part a housekeeping bill, has been referred to by other speakers. What I did to prepare for debate this evening was to compare what's in the bill to what was previously done on Bill 23 back in November last year when we made amendments to the *Liquor Corporation Act*.

What this essentially does is takes those amendments to the *Liquor Corporation Act* and sets up a separate piece of legislation. What appears to me is they set up the *Liquor Corporation Act* last year, made amendments to allow certain processes to start. Government may have done a reset and has set up now the *Cannabis Control Act* separate from the *Liquor Control Act* or the *Liquor Corporation Act*. Some of those aspects they did to the *Liquor Corporation Act* last year now have been moved into the *Cannabis Control Act*.

When I looked at it I was looking for some references to see what actually took place, and for the most part that's what it is. I do notice that under this bill it repeals a section of what was brought forward last year in Bill 23 under the definition section. Under the definition section last year in Bill 23 there is reference to "cannabis store" which means a store established, maintained and operated by the corporation under this Act to sell cannabis."

Since then the government has changed gears, because what they've established now is two types of retail processes or establishments. One known as a cannabis store, which now means a store as defined by the *Cannabis Control Act*, which we debated a little bit earlier; and, also cannabis retail location, which means cannabis retail location as defined in the *Cannabis Control Act*.

We've heard government speak many times about tier one, tier two, tier three, tier four of how they're separated but I've yet to see in the legislation where those tiers are defined as tier one, tier two, tier three, tier four and so on, even

though government has been using that terminology for some time. It appears to me there's some indication here they may have reset from what they started last year and found a different way of proceeding with this.

Mr. Speaker, this bill is part of what's become a very complex process in many respects. Ministers and the government themselves have said it's a policy change that's unprecedented in many, many ways. The most significant policy change is one of the ways it's been termed in the past, and it is that.

I heard a comment earlier today, by one of my colleagues here, speaking about this process as if it's a bad thing and so on. You know, it kind of is. It's kind of sad in many ways that we actually have to bring forward or we've reached a point in our history where we have to legalize marijuana.

I understand all the theories around it, Mr. Speaker. We heard the Member for Bonavista earlier today; he's been referenced several times about taking it out of the hands of criminals. I don't think for a second it's going to happen.

As a matter of fact, the Minister of Finance made a comment in the briefing today, and I think very well intended and I think it speaks volumes. It's very accurate what he said. In all the years of legal alcohol and tobacco there are still people in society who find ways to illegally, and contrary to the law, move, transport, sell and profit from contraband or alcohol and tobacco not purchased properly in the province.

I think it's a very real commentary. That will no doubt, I fully believe, continue to happen with cannabis. Will it lower what sometimes happens in the criminal world when it comes to the current sales and distribution and production of cannabis or marijuana or weed? Yes, it may have an impact on some of that, which is the highest level.

We know, Mr. Speaker, in the underworld and business of big stakes criminal world where there are lots of groups and organizations that have imported tons of marijuana in the past, and have gone to great lengths to be able to do so without being detected and sometimes being intercepted and detected, you find out there's a

very complex organization that operates behind the scenes in order to provide that supply. So, will all that stop? I don't think it will. Will it put a dent in it? I certainly hope it does.

Instead of having people profiting from sales and distribution of marijuana, now we're going to have government, hopefully – if they're going to profit from it, then that would be a good thing – but also standardizing makes a product that's monitored, ensures what it is you're actually buying.

Where will you buy something off the street today, unless you know exactly where it's coming from, you really don't know what you're going to get or what it might be laced with or treated with to increase the addictive values of a particular substance so that the dealer can sell more. Will it decrease all those? We certainly hope it does. I don't think for a second it's going to eliminate it, but I certainly hope it does decrease it.

Government has decided to go ahead with this – the federal government is. The provincial government is very supportive of it. They're doing their work as well. That's why we're here in the House of Assembly tonight. We have a couple of days left in the session. We're scheduled to close on Thursday. We've got a number of bills related to cannabis and other bills besides, where they're being debated.

We understand the importance of getting this done before federal implementation, probably sometime in the summer. The only solid date anyone's ever talked about was July 1. Of course, there are many indications on that now that it won't be July 1. It will be a date later in time. I think it's a good thing for it to be a little bit later because there are aspects of it yet that are still not in place.

My colleague from Cape St. Francis referenced the *Highway Traffic Act* and highway safety that he wants to talk about when that bill comes forward, either later tonight or later this week, in relation to the legalization of cannabis and the push for sales that we had some talk about today in Question Period. There are many aspects of the legalization and provincial legislation that is coming forward that we'll have some questions on when we get to Committee.

Mr. Speaker, this is, as said earlier, in closing, primarily a housekeeping piece of legislation and undoes a lot of what was done under the *Liquor Control Act* last year. Government says that was necessary to follow the process it needed to at that point in time. They've done that. Now they're undoing it and creating new legislation under the *Cannabis Control Act*.

The impacts to the *Highway Traffic Act* and also to the *Smoke-free Environment Act, 2005* will all have impacts on them because of the policy change the federal government has decided to enact and bring forward in the country.

As I've said before, we've never stood here in this place and said we're opposed to the legalization of marijuana. What we've said is there's only one chance to get it right, because once it's done and it's out of the box it's awful hard to put it back in the box again. Our job is to ask questions, not to rush to judgment on any of this but to ask questions and get as much information as we can.

When I attended the briefing this morning I heard the two ministers, and one of them made a comment that a lot of work has been done by staff to try and understand as many potential eventualities that they could consider and to make sure they had all the bases covered. That's what a government should do. That's what you have, very capable people within the public service, and that's the role they play to make sure they try to cover all the angles and make sure the legislation is as good as it possibly can be.

In a democratic process, coming here to the House of Assembly with the legislation is part of that process and our job is to ask questions on it. That's what we're doing, and that's what we will do when we get to Committee because that's where most of the questions will be asked on it.

Mr. Speaker, I look forward to the Committee opportunity to dig into this one a little bit deeper, just to understand some of the changes in wording and that sort of thing. Then we'll have the other bills to question and to talk about as well to make sure we get the best legislation that's best for the people of the province.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: If the hon. minister speaks now he will close the debate.

The hon. the Minister of Finance.

MR. OSBORNE: Thank you, Mr. Speaker.

I want to thank all Members for speaking to Bill 21. Again, as most Members said, it is housekeeping. It's simply taking the changes we made to the *Liquor Corporation Act* in November in order to make it legal for the NLC to start operating in the business of cannabis and putting out an RFP and now transferring those over to the *Cannabis Control Act*.

I look forward to questions and some discussion and debate in Committee.

Thank you.

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

The motion is that Bill 21 be now read a second time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

Carried.

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

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

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

MR. A. PARSONS: Now.

MR. SPEAKER: Now.

On motion, a bill, "An Act To Amend The Liquor Corporation Act," read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill 21)

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, that the House resolve itself into a Committee of the Whole to consider Bill 21.

MR. SPEAKER: It is moved and seconded that I should 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 this motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

Carried.

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

Committee of the Whole

CHAIR (Warr): Order, please!

We are now considering Bill 21, An Act To Amend The Liquor Corporation Act.

A bill, "An Act To Amend The Liquor Corporation Act." (Bill 21)

CLERK: Clause 1.

MR. SPEAKER: Shall clause 1 carry?

The Chair recognizes the hon. the leader of the Opposition.

MR. BRAZIL: Thank you, Mr. Chair.

Just a couple of questions here; under subparagraph 33(d)(ii) allows the Newfoundland

and Labrador Liquor Corporation to set up cannabis stores. Does the NLC have plans to set them up in communities where there was no vendor included in the previous announcement?

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

MR. OSBORNE: Thank you, Mr. Chair.

I believe the question was about paragraph 33(d). It was to allow the NLC “to establish, maintain and operate cannabis stores” and cannabis retail locations “at the places in the province that may be considered advisable for the sale of cannabis”

If we’re going to stick to this particular bill, what we’re doing here is repealing that from the former act. In November we added this in. Now we’re simply repealing this and it’s going to be part of the *Cannabis Control Act*.

Your question may be more appropriate under the *Cannabis Control Act* because all we’re doing here is simply repealing that from the former act.

CHAIR: The hon. the Member for Fortune Bay - Cape La Hune.

MS. PERRY: Minister, you may find that my question falls there as well.

In my district, for example, Fortune Bay - Cape La Hune, there are 21 communities. They are spread over probably about 100-150 kilometres. There’s only one community that has a licence. I have the rest of my communities – and four of them, in fact, are isolated, accessible only by chopper or ferry, and the others are fairly geographically dispersed and with just the one licence in a community that’s tax exempt. The other communities are wondering how they will be able to avail of cannabis purchases.

Would you be able to provide us any insight into that?

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

MR. OSBORNE: Mr. Chair, I thank the Member for her question, but I think that

squarely comes under Bill 20, which hopefully we’ll get into Committee on tonight, and that would be appropriate. We’re probably cross-referencing Bill 20 with Bill 21.

I’d be delighted, once we get into Bill 20, to get into that.

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

MR. PETTEN: Thank you, Mr. Chair.

Section 45(1) of the act now reads: “An order for the purchase of alcoholic liquor or cannabis by the corporation shall be authorized by those officers of the corporation that may be designated by the board, and an order shall not be valid or binding unless so authorized.”

What this bill is changing it to: “An order for the purchase of alcoholic liquor by the corporation shall be authorized by those officers of the corporation that may be designated by the board, and an order shall not be valid or binding unless so authorized.”

Minister, could you please indicate why the word cannabis has been removed?

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

MR. OSBORNE: Cannabis was added in November to the alcohol corporation act. It’s now being repealed because the alcohol corporation act will deal specifically with alcohol. Bill 20 will deal with cannabis.

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

MR. PETTEN: Thank you, Mr. Chair.

Section 46(1) of the act now reads: “The board may fix the prices at which the various classes, varieties and brands of spirits, wine, beer and cannabis are to be sold and different prices may be prescribed under this subsection in respect of beer sold to the corporation, to a licensee and to the public.”

I guess I'm self-explaining here now, but cannabis was removed from that for the same reason in the clause when it's –

AN HON. MEMBER: (Inaudible.)

MR. PETTEN: Okay.

What is the additional yearly cost, Minister, to the NLC for the administration of the cannabis regulatory regime?

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

MR. OSBORNE: Again, I'll probably stand for the last time on the explanation, but I think we're cross-referencing questions that may be more appropriate to Bill 20.

All we're doing here is repealing what we've added in the previous *Liquor Corporation Act* to add cannabis, and most clauses now we're removing the reference of cannabis because we have Bill 20, the *Cannabis Control Act*.

CHAIR: Shall the motion carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clause 1 carried.

CLERK: Clauses 2 through 10 inclusive.

CHAIR: Clauses 2 through 10 inclusive.

Shall the motion carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clauses 2 through 10 inclusive 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 Liquor Corporation 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 the bill without amendment?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

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

CHAIR: The hon. the Government House Leader.

MR. A. PARSONS: I move, Mr. Chair, that the Committee rise and report Bill 21.

CHAIR: The motion is that the Committee rise and report Bill 21.

Shall the motion carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

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

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

MR. WARR: Mr. Speaker, the Committee of the Whole have considered the matters to them referred and have directed me to report Bill 21 without amendment.

MR. SPEAKER: The Chair of the Committee of the Whole reports that the Committee have considered the matters to them referred and have directed him to report Bill 21 without amendment.

When shall the report be received?

MR. A. PARSONS: Now.

MR. SPEAKER: Now.

When shall the said bill be read a third time?

MR. A. PARSONS: Tomorrow.

MR. SPEAKER: Tomorrow.

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

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

MR. A. PARSONS: Mr. Speaker, I call from the Order Paper, Order 8, second reading of Bill 23.

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

MS. GAMBIN-WALSH: Mr. Speaker, I move, seconded by the Member for Baie Verte - Green Bay, that Bill 23, An Act To Amend The Highway Traffic Act, be now read a second time.

MR. SPEAKER: It is moved and seconded that Bill 23, An Act To Amend The Highway Traffic Act, be now read a second time.

Motion, second reading of a bill, "An Act To Amend The Highway Traffic Act." (Bill 23)

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

MS. GAMBIN-WALSH: Mr. Speaker, I'm pleased to stand today to speak to Bill 23, An Act To Amend The Highway Traffic Act.

In 2017, our government introduced stronger impaired driving laws designed to improve public safety and reduce impaired driving. This is one more step in our efforts to change the conversation around impaired driving in our province.

Our objective is and has always been to encourage everyone to develop safe and sober driving habits. Building upon our continued commitment to making our roads, highways and communities safer for everyone.

Bill 68, *An Act To Amend The Highway Traffic Act No. 5* and its associated regulations came into effect in September, 2017. These resulted in stronger impaired driving laws by imposing zero tolerance of alcohol for novice drivers and drivers under 22; imposing a mandatory ignition interlock requirement for the reinstatement of a licence following an impaired driving conviction under the *Criminal Code*; and adding a regulation making authority to allow for the impoundment of vehicles for impaired driver suspensions.

On June 7 of this year, legislation amendments to the *Highway Traffic Act* related to distracted driving, excessive speeding, stunting and street racing offences aimed at improving road safety in Newfoundland and Labrador will come into effect.

Penalties for these offences include licence suspensions and vehicle impoundments as new penalties. Move over provisions were also enhanced by requiring drivers to reduce their speed by 30 kilometres per hour below the speed limit and move to an adjacent lane when approaching law enforcement or other emergency vehicles stopped at roadside.

A new offence for driving without due care and attention or without reasonable consideration for other persons causing bodily harm or death was also added to the *Highway Traffic Act*.

Government has taken a number of other actions including increasing fines for distracted drivers as outlined in *Budget 2016*, and other safety offences; Bill 13, such as driving without a valid licence or without the correct class of licence and failing to produce a valid driver's licence or proof of insurance.

These are just a couple of examples.

Government has also strengthened regulations and enforcement of school bus safety and taxi safety. My hon. colleague, the MHA for Virginia Waters - Pleasantville will speak more to our improvements to the *Highway Traffic Act* a little later.

Mr. Speaker, I have stood many times in this House of Assembly regarding legislative amendments, and each time I have said that it is incumbent upon us as a government to ensure legislation is effective for the people it serves. The amendments we are proposing today are just one more example. The proposed changes are intended to further strengthen impaired driving legislation in the province, given the imminent legalization of cannabis by the federal government.

Driving while impaired by drugs is already an offence under the *Highway Traffic Act*. The primary amendments we are recommending are to have similar penalties for impaired driving, whether due to alcohol or drugs, and to adopt a zero tolerance approach to driving after consuming drugs for novice drivers, drivers under 22 and commercial drivers.

These proposed revisions to the *Highway Traffic Act* will ensure that Newfoundland and Labrador is prepared for the changes that will occur when the federal government legalizes recreational

cannabis whereby Bill C-45 and legalize and regulate cannabis in Canada and Bill C-46 will create new provisions in the *Criminal Code* of Canada for drug impaired driving. Continued public safety is our goal and those who choose to drive while impaired will face significant penalties as a result of these amendments to the *Highway Traffic Act*.

Mr. Speaker, I would like to take a moment to highlight some of the amendments to the *Highway Traffic Act* and will provide further details in a moment. Upon legalization of cannabis by the federal government the following changes will take effect: zero tolerance for drugs for novice drivers, drivers under age 22 and commercial drivers; seven-day vehicle impoundment for the presence of drugs or a combination of drugs and alcohol for novice drivers, drivers under the age of 22 and commercial drivers; seven-day vehicle impoundment for all drivers deemed impaired based on standardized field sobriety test, a drug recognition expert or an approved testing device; 30-day vehicle impoundment for all drivers for refusal or failure to comply with the demand consistent with alcohol and medical exemption provisions subject to confirmation of legal authorization and the individual not being impaired.

It is important to add that these amendments, more specifically zero tolerance for novice drivers and drivers under the age of 22, are supported by Mothers Against Drunk Driving, the Royal Newfoundland Constabulary, the Royal Canadian Mounted Police. Government listened to the trucking groups who advocated for a zero tolerance model for commercial drivers including the Atlantic Provinces Trucking Association, the Canadian Trucking Alliance and the Private Motor Truck Council of Canada.

A commercial motor vehicle means a vehicle designed to carry goods, and includes: a bus, a school bus, a truck, a truck tractor and other motor vehicles designed for commercial use, but does not include camper-type vehicles designed or adapted exclusively for recreational purposes.

These organizations also stressed the importance of transportation workplace safety. A

commercial vehicle is in fact considered a workplace.

It is important to note here that under section 26 of the Occupational Health and Safety Regulations a worker is not allowed to be in the workplace while impaired, whether by legal or illegal substance. An individual may have a medical prescription for medication that causes drowsiness. That individual could be considered impaired at work if they are endangering the health and safety of themselves or others. Think of someone operating heavy machinery, for example.

The proposed amendments are consistent with most Canadian jurisdictions; however, it is worth noting that Newfoundland and Labrador already has strong legislation in place with regard to drug-impaired driving, and drug-impaired driving will continue to be illegal after the use of recreational cannabis becomes legal in Canada. These proposed amendments will help continue to protect public safety even after recreational cannabis becomes legal.

Today, Mr. Speaker, I would like to highlight a number of substantive changes to the *Highway Traffic Act* we are bringing forward in anticipation of legalization of cannabis in Canada. First of all, there will be a zero tolerance approach for drugs, including cannabis for novice drivers, drivers under the age of 22 and commercial drivers.

In 2017, the provincial government took important steps toward improving public safety and reducing impaired driving by amending the *Highway Traffic Act*. The amendments require that all drivers under 22 years of age maintain 0 per cent blood alcohol content while driving.

The proposed amendments will mirror the current requirements for alcohol for these groups. This legislation will bring about a whole new generation of responsible drivers, giving them additional time to gain driving experience and an understanding that drinking or doing drugs while driving is unacceptable.

Now that the federal government is working to legalize the recreational sale and usage of cannabis, we recognize that we must ensure young people develop safe and sober driving

habits. Again, we are proud to say that Mothers Against Drunk Driving strongly support this decision.

In addition, as a matter of public safety, government identified the importance of zero tolerance for the presence of drugs for commercial drivers. Commercial vehicles are considered workplaces, and as supported by the Atlantic Provinces Trucking Association, the Canadian Trucking Alliance and the Private Motor Truck Council of Canada, the use of cannabis in the workplace compromises safety.

Another proposed amendment includes a seven-day vehicle impoundment for the presence of drugs or a combination of drugs and alcohol for novice drivers, drivers under age 22 and commercial drivers. An amendment made in 2017 states that vehicles are impounded roadside when drivers are found to have blood alcohol content above the legal limit or when they refuse to provide a breath sample.

This was introduced to improve public and road safety by ensuring impaired drivers have no access to their vehicles. We are proposing a similar vehicle impoundment provision for novice drivers, drivers under the age of 22 and commercial drivers who test positive for the presence of drugs when tested at roadside.

There will also be a seven-day vehicle impoundment for all drivers deemed impaired based on standardized field sobriety test, an approved testing device or by a drug recognition expert. Again, this aligns with the amendments made to the *Highway Traffic Act* in 2017.

Drivers who refuse a demand by a police officer to be tested for drugs and alcohol will incur a 30-day vehicle impoundment consistent with alcohol. This is intended to be a deterrent against refusals and to ensure that drivers comply with demands.

Finally, I would like to talk about medical exemptions provisions. First, let me be clear, medical exemption is not a free pass to drive impaired. If an individual who has legal authorization to use medical cannabis is deemed impaired, the law applies. This exemption only applies to novice drivers, drivers under the age 22 and commercial drivers operating

commercial vehicles because these drivers are not permitted to have any presence of drugs in their body while operating a vehicle.

Subject to confirmation of legal authorization, these drivers will be permitted to have non-impairing drug levels in their body; however, it is important to note that if a peace officer has grounds for suspicion that a driver is impaired then the officer can demand further tests regardless of medical authorization.

Mr. Speaker, these are a few of the highlights of the amendments we are proposing today to the *Highway Traffic Act*. These changes are aimed at strengthening impaired driving legislation that aligns with alcohol-impaired driving amendments as the federal government prepares to legalize cannabis in Canada.

The proposed amendments we have introduced in this hon. House certainly reinforce our commitment to improved public safety and reduce impaired driving.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

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

Again, it's a pleasure to get up here today and to talk about Bill 23, An Act To Amend The Highway Traffic Act. It's an important act. I've been up several times in the last little while with different amendments that we've brought in with legislation on the *Highway Traffic Act*.

Last year, this side of the House agreed with the new amendments that were brought in for novice drivers and for drivers under 22 years old and different regulations. Today, we see similar legislation being brought in when we talk about impairment related to drugs.

It is important that this piece of legislation be brought in today. Bill 23 amends the *Highway Traffic Act*. It strengthens the impaired driving legislation in the province, particularly when it comes to drug impairment. This is in

anticipation of the legalization of recreational marijuana, and the amendments the minister just introduced today.

It will introduce a new licence suspension for driving while a proportion of drugs or a combination of drugs and alcohol in the body or in the blood meets or exceeds certain proportions. Also, it adds regulations making the authority to impound vehicles where a person drives with a proportion of drugs or a combination of drugs and alcohol in his or her body meets or exceeds the proportion.

Now, just to do a little background on this, what we're doing here today. In April 2017, the federal government introduced legislation called Bill C-45 to legalize recreational marijuana. It states to intend new laws to come into force no later than July 2018. Until these new laws come into force, marijuana remains illegal everywhere in Canada, except for medical purposes.

The federal government also introduced legislation in Bill C-46 to add new drug impairment driving offences to the *Criminal Code* of Canada and authorizes police to do new oral drug screeners on roadside to detect drivers who have used drugs or have drugs in their system. Currently, both bills are in the Senate right now in committee in Ottawa. The drug impairment driving legislation, Bill C-46, has been before the committee since December 2017. While it still remains there, C-45, referred to a committee in March of this year, 2018.

Both bills are raising lots of questions with the Senate committee studying the legislation. It's unclear when the bills will actually get passed. The Trudeau government, represented by Senator Peter Harder, says the Chamber exists, they will still exist this summer and if they don't pass these new laws, the marijuana laws will still come into effect.

There are lots of questions with the ability to test drug-impaired drivers as the federal government has still not invented or approved a new device to screen drivers. Basically, that's to screen the THCs, the main component when you talk about marijuana products.

In Vancouver, there's a lawyer who specializes in impairment driving cases, stated in *The Globe*

and Mail on May 23, that Canadian police officers are at least two years away from bringing a saliva testing and screening device to the road. What he's saying, while we're going through the Senate and doing all this to legalize marijuana, the screening process that is needed to be able to do the proper roadside tests are really two years away.

He says devices and approved purchase of these devices followed by the RNC and RCMP, what they have to do, they're going to have to review them, then the device will have to be calibrated to impairment limits set by each province. There are thousands of officers that will have to be trained on these new devices.

By comparison, if you want a comparison, when a police force was to adopt a new type of breathalyzer system it took over 18 months to roll out. We're looking at some kind of a screening mechanism that the federal government are trying to introduce, and according to most people we're about two years away from that. That creates a huge problem when it comes to roadside exams and how it's going to be tested.

Again, once we get in Committee we have a lot of questions we need to ask and I'm sure the minister will have the answers for us. It's important that people realize that right now, not like when we talk about alcohol and somebody getting picked up, being hauled in for impaired driving by the result of alcohol where there is a breathalyzer and you can check the blood alcohol level in a person's body, right now there's nothing like that.

I'll talk a little bit later about what we do, but anything – I don't believe there is even anything in Colorado and those places that they use right now that is considered to measure the amount of – I guess it's called nanograms that are in your system.

Earlier in May, MP Bill Blair, the federal government person that was appointed for marijuana legislation, said: Recreational marijuana will become legal even if impaired driving laws are delayed by the Senate. That's important because I think that's a major problem that a lot of people have. People are really concerned that until we get the proper

mechanisms in place to be able to see if a person is impaired by drugs, that this is something we shouldn't be rushing through. I can understand that and I know where they're coming from.

People want to be assured – an example I gave earlier is the breathalyzer test which shows the amount of alcohol in your system. The other test we'll talk a little bit about later has nothing to do with any bodily fluids or anything at all. It's about how you react to things and different tests they can do by looking in your eyes and whatnot.

If you look in Canada, impaired driving is the leading criminal cause of death and injury in Canada, and that's huge. We know the results of impaired driving. We see MADD, we see different groups right across this province. We all know families that have been affected by impaired driving, the causes of impaired driving and what it does to individual families.

I commend the minister for some of the legislation we did bring in here earlier this year with MADD and other groups like that. They were very pleased with increasing the fines. We brought in things like stunting and different things like that. To me, I think impaired driving, when we brought it in for novice drivers and we increased the fines and increased the amount of imprisonment, it was huge.

Impaired driving by drugs is already – and the minister already said this – against the law. I think with the new regulations that will be coming in under Bill 20, which we talked about earlier today, making it legalized, cannabis. I think people really out there want to know. They are making sure that our roads are safe.

We've added people on the road. We really have to ensure that we have mechanisms in place so people can have confidence in driving the roads and knowing that – today, I think people have zero tolerance for people driving the roads anymore and it's a great way to be. People want the same when it comes to the new regulations and new laws that are going to be around cannabis. So we have to be careful that we make sure we do this properly.

The proposed federal legislation outlined in Bill C-46 created three new offences that are specific

to do with drugs in your blood within two hours of driving. That's another thing, too, Mr. Speaker, it's going to be interesting to see what – because I think that is the problem when it comes to marijuana, is to be able to check and see what the levels of THCs are in your body after a couple of hours. The penalties will depend on the drug type and levels of drug combination. It could be a combination with both alcohol and drugs.

The levels will be set by regulations. These proposed levels are two nanograms, which is one-billionth of a gram but less than 5 milligrams of THC, and having less than 2 milligrams and less than 5 milligrams of THC per millimetre. That's both levels and that's after two hours – separate convictions and criminal offences. The punishment for this offence – this offence would be punishable of a maximum fine of \$1,000.

The other level is at five nanograms or more of THCs; having five nanograms or more of THCs in your blood within two hours of driving would prohibit you from driving anymore. The conviction would be a more serious act, and it's right here under the current here. It says that it would mean different levels for different groups. For the novice driver it's no tolerance whatsoever, but for drivers under 22, it would be a seven-day suspension and a seven-day vehicle impoundment too. For a commercial driver it would be similar and the same thing for all drivers in that level.

Then there's a combination of both the THCs and the alcohol; having blood alcohol of over 50 milligrams of alcohol and 100 milligrams for blood and a combination of THCs greater than 2.5 milligrams but within two hours of driving would also be hybrid offences.

So both of those offences would be related. The first time would \$1,000 and with 30 days of imprisonment. The second offence would be 120 days of imprisonment also. Under what's happening right now, when you look at the proposed legislation by the federal government is that legislation would have the police do an oral fluid test to the body to determine how many body fluid are – and that's where the problem relates because it depends where we're

are with any new mechanisms and there's nothing in place to be able to do this.

What they do right now is a Standard Field Sobriety Test, which is SFST, and under Bill C-46 currently being debated in the Senate, draft regulations have been published for Part 1 and that part is done when it talks about SFSTs. Now, the second part will come into effect once we get a new mechanism in place when they can actually check the levels.

Oral fluid drug screening has still not been screened or approved by the federal government. Once it gets approval, like I said earlier, it will take a long time for that to come into effect because, right now, we'd have to train officers and different people to be able to approve this. So we're looking at a couple of years before anything can come into place.

That's an issue that a lot of people have right now. Most people would like to see something there to be able to check the amount of drugs in your system, similar to the breathalyzer test.

Driving while impaired by drugs or alcohol or both is currently prohibited in the *Criminal Code* of Canada and it's also prohibited in the *Highway Traffic Act* of Newfoundland and Labrador.

The *Criminal Code* currently has a limit of 0.08 for blood-alcohol concentration, but has no prior limits for drug impairment under the *Highway Traffic Act*. Also, our province has a 0.05 blood alcohol for roadside suspension and a zero blood-alcohol level for novice drivers under 22. There are currently no prior limits for drug impairment under the *Highway Traffic Act*.

So in Newfoundland and Labrador, there are currently no differences between drug impairment rules for novice drivers and for those under 22, but there are some exemptions for medical users when it comes to marijuana. The minister mentioned that already.

Like I said, currently, there are some tests that are done and the current method to determine whether a person is impaired by drugs is the Standard Field Sobriety Test, which is conducted typically at the roadside by trained officers who suspect that a person is impaired.

Currently, police cannot test for the presence of drugs on roadsides so they do different tests that these people can do. They are also called Drug Recognition Experts. They are police officers trained to recognize impairment in drivers under the influence of drugs. They can do them both (inaudible). They can do for drugs and they also can do for alcohol. Both of these tests detect impairment.

The drug recognition impairment concludes that there is impairment and a blood or urine sample will be demanded. That's what, right now, if a person is seen to be impaired by drugs that once they do these couple of tests on the road then they have to be taken somewhere to be able to check either the blood or the urine and have samples and then testing has to be done.

There is an issue with this too because it takes a long period of time for this to be done. It's not like something that the test will come back within an hour or come back within a day even. There are months you could be talking about waiting for these tests to come back, so that's a huge issue with the new regulations.

In the new proposed amendments, there is zero tolerance for drugs for novice drivers and drivers under 22, and commercial drivers. That's a big difference in what we had when we did our previous regulations when it came to impaired driving with alcohol that it wasn't used; commercial drivers are new. They were the same as a regular driver but under drugs. They're the same thing as a novice driver or a person that is driving under 22. They have zero tolerance for them.

There will be a seven-day vehicle impoundment for the presence of drugs or combination of drugs and alcohol for novice drivers or drivers under 22 or commercial drivers. There will also be a seven-day vehicle impoundment for all drivers on failure to do the Field Sobriety Test. The approved testing device or drug recognition – the same thing as the two people, the expert that comes to the side and the Drug Recognition Expert.

There will be a 30-day vehicle impoundment for all drivers on refusal or failure to comply with the demand. This is the same thing as what it is for alcohol. There will also be medical

exemptions provision subject to the confirmation that the legal authorization under Service NL officials stated that there's a free pass This is what they said in the – there's no free pass for a person that has medical marijuana. If they're impaired with the result of marijuana, they're impaired, and that's what was told to us. So they'll still have to be under the same rules under the *Criminal Code*.

According to Service NL officials, the proposed amendments that were – they met with different groups. The amendments were supported by groups like Mothers Against Drunk Driving, MADD; the Atlantic Provinces Trucking Association; the Canadian Trucking Alliance and Private Motor Truck Council of Canada. There was a bit of consultation done and all those approved of the changes that are being made.

Now, there are some new sections that were added in this bill, section 60.001 and 60.002 were added. They are regarding the officer's request to suspend a licence, to surrender a driver's licence at the roadside. Sections 60.003 and 60.004 were added regarding periods of suspension. Also, in section 60.005, it will be added to allow exemptions for persons legally authorized to use drugs for medical purposes.

If it's there that someone can use marijuana for medical purposes and there is a medical exemption there, these sections were included into the current act and they are being moved by – we'll talk about them section by section.

Mr. Speaker, that's the gist of what's in this bill. Bill 23, like I said, there are some issues here and people do have general concerns. The general concerns that people do have is that we all want to see our roads safe. We brought in some great legislation in the House in the last little while and I believe that legislation is making our roads safer. Impaired driving today, no matter if it's drugs or it's alcohol, is never tolerated and should never be tolerated.

While we bring these changes into the House of Assembly today, we have mechanisms in place when we talk about alcohol. I think two years down the road, before we see any kind of an oral fluid test that can be done so people can determine whether they're impaired by drugs, is

a little long to wait. I think the federal government should've been doing more testing on this so that people could have the confidence they need.

We all drive the roads and we all want to abide by the laws of the land to make sure that people are doing – and more often you'll see people today that will report you impaired. On the news, for example, someone got reported for impaired driving or somebody saw somebody leave a premise and realized they were drinking or something like that.

It's important that people have confidence when they take their families on the road that people are not impaired. I'm very pleased to see organizations like MADD and different organizations are pleased with this. It's something new for everybody. We don't know how it's going to work. People that use drugs and drive, I'm not sure what effects it has on them when it comes to driving or whatnot. Some of the regulations we see used here as detected by the amount of THC you have in your body. So it's important to know what effects this has on you.

Again, the original one is two nanograms and just to our research is one-billionth of a gram.

AN HON. MEMBER: How much is that?

MR. K. PARSONS: How much is that? I don't know. People will want to know that.

I brought up earlier today when I spoke on the previous bill and talked about what would happen to a person that's in the company of somebody who is smoking marijuana. We all hear the stories about second-hand smoke, and we hear the effects second-hand smoke has on people when it comes to cancer and how bad second-hand smoke is for you.

Again, when it comes to testing for drugs and the effects second-hand smoke will have on a person who's driving, I think it's a very important question. I think it's very important we look at that and understand that people have to know this can be an effect.

A huge part of any bill we bring to the House of Assembly is ensuring that people understand and

realize there are new laws in place and what the consequences of those laws are. It is spelled out in this bill when it comes to fines and whatnot. I think related to government is to make sure there's public consultation and there's public notice that these laws are in place and what the effects of these laws are.

Some people may look and say: well, I was only there when a person was smoking marijuana. They should also realize that can still get in your system. Second-hand smoke can get in your system and may impair your driving. So it's important we do the proper communication on this to ensure the general public out there realizes the importance of knowing the situation that you find yourself in.

I'm sure if it's in a group and a person is driving and all of a sudden someone starts smoking marijuana in front of them and they realize and say: I better get out of here because I could be impaired also. That can happen, Minister. It can happen. Second-hand smoke in your system can still happen and you can still be impaired. I don't know why you're shaking your head, but you can answer it maybe when we get into Committee.

It's an important bill. It's important that we do it properly. I'd like to see this have the proper mechanisms in place so people can feel confident driving our roads.

Thank you very much, Mr. Speaker.

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

AN HON. MEMBER: Hear, hear!

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

I'm happy to stand up and speak to this bill and speak to the cannabis debate in general.

I'll first begin by saying, to the final point made by my colleague across the way, he mentions having the proper mechanisms in place so that people feel safe on our roads. What I can say is these are the proper mechanisms to have in place. This is why we're bringing this legislation.

While I'm doing this – I think the track record for the Department of Service NL in our last couple of years in government has shown that we've taken significant steps to show that we do take road safety very seriously.

I can't read it right now, Mr. Speaker, but I got an email today from a lady that many people in this House know, Trish Coates, whose involvement with MADD – being nationally involved. She sent a very nice email to myself and to the Minister of Service NL, congratulating us on the steps this department and this government are taking when it relates to road safety. This is someone who – anybody who's ever listened to her story, she knows about the dangers of impaired driving. She can talk about it, she's lived it and she's grieved it. So when you get something like that from her, I think that speaks volumes as to what we are doing.

When we look at some of the other endorsements we have there from the trucking associations, when we talk about no tolerance for contractors when it comes to long-haul truckers, this is something – we're getting the industry itself coming on board and endorsing what it is that we are doing.

I'm going to get an opportunity to speak about cannabis, and you know what? I've been speaking about it for two years. It's something that, really, when we talk about how – multi-faceted probably is not a good enough term to describe it. This is something that's involved multiple departments, multiple staff, months and months and months of consultation, and we're here now with what I think is legislation that's been well-thought-out, drawn out and taken its time to be put in place.

What I will say, too, is I appreciate the fact – I know the Opposition were given a briefing on Friday, and from what I gather it was a good briefing. Lots of good questions asked as well. One of the points I try to keep in mind as I talk about cannabis legislation is that in many ways I've been – when I say I, other ministers, staff – we've been living this for two years. Dealing with it, meeting on it, talking about it. So we have to make sure we take that body of knowledge that we've accumulated and put it

out there to the public, because they do have questions. They do have questions.

Perhaps one of the biggest questions I get, one that's been brought up by Members opposite on a number of occasions, is as it relates to road safety. When we talk about our *Highway Traffic Act*, which acts in conjunction with our *Criminal Code* of Canada, which we know is being amended or hopefully being amended right now. Impaired driving is something that right now we know is not acceptable in our society, whether it's a drug or whether it is alcohol, or it's a going to be a combination of both. None of it is acceptable.

What I would point out, and I said this in Question Period today, because sometimes there seems to be the misconception that because this substance, this drug is now non-criminalized and legalized, that it is acceptable for people to drive under the influence. What I can say, Mr. Speaker, is a resounding no. That is not the case.

It's currently illegal. It's still illegal today. It's going to be illegal tomorrow and it will be illegal when this happens. That is the plain fact that needs to be remembered. The second part that I think is important – because I have heard some commentary from Members opposite at times, commenting on the ability of police to handle this new change.

I had an opportunity to sit down today, actually, with an officer, Karen Didham, who went through a standard field sobriety test and went through drug recognition evaluation. This is somebody who's been doing it for years here in this province; been trained here, training people here, certified elsewhere. So we went through it. The big take away from that conversation was: we all know there are concerns, as there should be. I can't imagine any police officer or police chief saying: We got this, no worries. That's not how they operate. Even when things are in control, they always operate with caution. That's their line of work

What they've said to me, and what Karen said to me today, what this officer said is: We're ready. So when police officers are telling me they're ready, I take their word for it.

Again, I would also say, they were consulted in the drafting of this legislation. I think we have a very strong piece of legislation here to deal with what is an issue that all the country has been grappling with, and the States have been grappling with, which is the presence of drugs in our bloodstream. The fact is, right now, the technology we use for alcohol, testing the BACs through an approved device through the Breathalyzer, you can tell, not just the presence of alcohol but the amount of alcohol. We know that right now we're still waiting on the feds for that.

One of the questions says: Well, where is it? Again, what I say is that, as a province, we can only be responsible for what's in our jurisdiction. Right now, with this legislation and others, we are ready for everything that comes at us and we will await the federal response as it relates to screening devices.

We assume and expect that an approved oral saliva fluid test will be put in, but, again, that will not measure amount. That will measure the presence and that's not good enough to judge impairment on. So what you'll see here with this legislation is we do have certain categories that the mere presence alone is an offence, when it comes to people within the trucking industry. We have people that when it comes to 22 and under, as well as novice drivers. There is no tolerance whatsoever.

What we have here is we have officers who – it's not like we're putting in new training. The DRE, the drug recognition evaluation, has been in place since the 1970s in Los Angeles. Then it came up to Canada and BC started using it, I think, around 1995. It's been legislated through our *Criminal Code* since 2008. It's been here a decade and it's been approved.

In fact, when drug recognition expert officers go into court, usually when somebody goes into court to give evidence they have to be qualified as an expert and that, in and of itself, takes some time. DREs don't even have to be qualified. They are automatically, by virtue of their training, deemed to be experts.

What I would say is it's a bit different than a blood-alcohol reading for alcohol where you have the exact amount. We know what we have

here, as opposed to that subjective evidence, is we're using the objective evidence of an individual. What I would say is that we have tests that are standard and in use across the country. We have testing that's in use across this nation and our neighbours to the south and we have officers that are trained.

Sometimes there's commentary – and I get how this works, I was in the Opposition and I know what it's like to ask questions about legislation, that's my job and that's the job of the Opposition, but it's also our job when we answer those questions is to quell the misconceptions and the myths that are put out.

One of them that was put out – and I haven't heard it here tonight but I did hear it at some point during this session and the debate as it relates to cannabis – was that this legislation is going to lead to a huge backlog in the court system. What I will say is one of the main pillars of the reasoning why cannabis is being legalized is to avoid that very situation where we have a justice system that does have pressures on it due to the criminalization of cannabis. That's one thing that I'll put out there.

I've also had people put out and, in fact, I was told in part of a scrum today a Member opposite questioned the ability of DREs. What I would say is, again, I'm not putting that on anybody else, they can talk about that themselves when they have the opportunity, what I'm going to say is I have full faith in our police officers. I have full faith in their training. It's training that is internationally recognized.

Will this go to court? Will this be challenged? You know it will. The fact is, in and of itself, we did this when we did the press conference talking about this earlier, when you bring in as much new legislation on a topic like this, guaranteed there will be court challenges and Charter challenges. That's going to come, and if it's not here it's going to be in another province. That is expected; we have no problem. That's why when you draft the legislation, which brings me back to one of the other things that just irritates me just a little bit, when the main point of contention is: Why'd you wait so long?

Well, one of the reasons is we wanted to make sure that our laws are as good as we can get. We

wanted to make sure that they will stand up to Charter scrutiny. If we rushed it out here right away it would be: What's the rush? And then when we bring it in: We got plenty of time. We have tons of time. We will be ready whenever legalization happens, but what we're doing here is we've taken time to put a lot of thought into this and, as I said, a lot of meetings. That's why it's taking time.

Now, I don't think the Opposition has said during the debate on this bill that this is – I hope they're not saying that this is being rushed. There's nothing rushed about this. The conversation has been going on since 2015, at least. This is probably the most talked about issue that I've certainly been speaking about since my time here. I can't speak to other Members of caucus and Members of the Opposition, but this has been a huge topic. I can't begin to talk about how many meetings we've had on this, conversations with experts, not just here, but across the country and down into the States, where, again, we have gone through the legalization component.

I guess what I'm saying, overall, Mr. Speaker, is that when it comes to road safety, we all share that concern, all of us, everyone in this House, everyone in this province wants safe roadways. I think the roadways will be safe with the legislation that we are bringing in, which brings in significant penalties for those that contravene them. I also have significant faith in our police forces that will be in charge and tasked with administering this legislation and with enforcing it.

The fact remains that we'll be working with our federal counterparts to ensure that we have adequate funding so that we can continue to train experts. I'm sure there will be conversation amongst our police forces in this country so that we can move to mandatory training of all officers when it comes to Standardized Field Sobriety Tests, when it comes to DREs. These are things that we'll move to

What I will say is this, when you go back, you only have to go back to the era of prohibition, when it went from illegal back to legal, they went through the same challenges. There were people driving. There were people consuming alcohol and I'm sure they grappled with. I'm

sure if you looked at the *Hansards* from the debates back then when it went through this House, and even during those years when we've talked about it because the *Highway Traffic Act* is something that has been debated a significant number of times. It's always being amended.

It was only a few years ago, I can remember a debate that I didn't participate in but, actually, my father participated in as the predecessor for Justice and they were bringing in laws regarding cellphones. Now, it's funny we talk about driving with cellphones now, we realize the inherent danger, but the scorn that he faced back then for criminalizing, not criminalizing, but for putting a sanction on driving with a cellphone. I can remember discussing this with him. People just couldn't grasp it, couldn't handle it. What are you doing, that's not dangerous. I should be allowed to talk and drive.

You see now, years later, the studies are in, the stats are in and we can look now and say that the change that was made was right. It's being recognized, and not only were we amongst the first here in the province, in the country, that spread throughout this country and into other States.

What I'm saying here is that this act has been amended many times before including going back years and years ago. Technology will take a ways to catch up to this policy. I think that we are ready. I'd like to think that a significant amount of time has been put into place.

Do I think there will be road bumps and challenges along the way? Certainly, there will be. I can't imagine any piece of policy change as significant as this that will come through without some kind of issue that's brought up.

Now, it won't be for a lack of trying amongst departments to ensure that all of these different possibilities have been considered, but the fact remains that these things will come up. That's why there's a review when it comes to cannabis legislation as a whole in the *Cannabis Control Act*. We have to go back and be able to review. That's why the regulations can change as well.

These regulations have to take into account conversations that happen with multiple groups, but as it relates to this piece of legislation right

there, strengthening road safety with the *Highway Traffic Act* amendments, what I will say is we already have it in place. I have to make sure that a misperception is not out there. It's not going to be all of a sudden a free-for-all. It's illegal now. It is illegal, and it's going to continue to be illegal. To say anything other than that is simply not the case.

On this note, what I would like to say since it's my first opportunity to speak to this, I'd like to throw a shout-out to – you know what? There are a lot of people that have made multiple presentations to caucus, to Cabinet, to the Opposition. People like Chad Blundon in the Department of Justice, people like Sean Dutton and Alan Doody over in Service NL, people like Mike Harvey in Health. The amount of work they have put into this as public servants has been tremendous. It's absolutely tremendous.

We get to stand up and we get to debate it and we get to talk about it, but in many cases it's through the significant legwork of these individuals that have been doing this work tirelessly. They don't just throw this out there without making sure it's thought about and rethought about, considered and reconsidered.

There's been a significant amount of debate here. I really appreciate the work they've done, I think all of us in this House, I know Members do opposite. The briefing alone for this on Friday was a significant amount of time, from what I understand. Do you know what? I've been told there were lots of questions asked, which is exactly what you want to see.

In closing, I look forward to having an opportunity possibly to stand up during the Committee stage. On this note, I want to thank all the individuals involved with drafting the bill. I want to thank all those individuals that are involved in debating the bill, and I want to thank especially all those men and women out there that are going to be enforcing this bill down the road.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

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

I'm pleased to stand tonight to speak to Bill 23, the *Highway Traffic Act*.

We've had a number of speakers, the minister, the Minister of Justice and the Member for Cape St. Francis speak to it and explain why this bill is important and why we have it here in front of us. It introduces new licence suspensions for driving under the influence of drugs or drug impairment and adds regulations making authority to impound the vehicles of people found to be driving under the influence of drugs and/or alcohol, because you have a double-whammy there. Sometimes people who are drug-impaired are also impaired because of alcohol. The bill takes that into consideration.

I really appreciate what the Minister of Justice has just explained, but I still feel like we're dealing with a twilight zone bill. I do understand everything he's laid out with regard to the drug recognition experts. I do understand he knows that's different than looking at alcohol impairment because alcohol impairment can be judged. We have the blood level of alcohol as our guide and that can be measured.

The issue we have is with drug recognition people may be trained to see that somebody is impaired. I understand that. When we get into it – we don't have this available yet. When people are brought to the police station they can be demanded to have a saliva sample or a urine sample. That can at least show if there's drug in the system, but these samples do not measure the amount of drugs that are in the system, number one; and, number two, even if they did, we have nothing in regulation which says how much is too much.

It really is concerning, especially because – and I understand what the minister is saying, that impairment is impairment. We have the rules for impairment and that's not going to change, but now that we've legalized, or will be legalizing the use of cannabis, having made it legal I think then there has to be an even greater responsibility on the part of government, the regulators and law enforcement to make sure that we know exactly what we're doing when it

comes to the measurement of a drug in somebody's system.

The minister has admitted that doesn't exist. We do know two different mechanisms are being tested to try to see what can be determined. Right now nowhere do we have anything that can completely, accurately say – you can say there's drug in the system but can you say they're drug impaired when you have nothing to measure the drug impairment.

That's why I see this as a bit of a twilight zone, especially because the government has been giving hope to people who are concerned about drunk drivers, for example, or drivers who are impaired. I did see the president of MADD on the news this evening. She was just so pleased that government was dealing with this issue. The bottom line is I don't think she knows yet how iffy this is and how unscientific it is. That's a real problem.

I'm not questioning the expertise of the drug recognition experts. I'm sure there's intensive training that is given, but they are the ones who have to decide the sobriety of that person. They're the ones who have to take them in, and the bill allows all that to happen. That's what the bill is about, to allow all of that to happen. Then, as I said a minute ago, they can take the saliva test or the urine sample and that can give more accurate results, but only accurate results as it pertains to whether or not the drug is in the system. That is really the problem.

I can see down the road – I don't have any information this has happened yet, but I could see somebody down the road taking a real action against government with regard to their rights being not met because of decisions being made through the drug recognition. It really is problematic.

The sobriety tests are highly subjective. No matter how much a person is trained, it's still subjective. How can a person be convicted if there are no limits for drug impairment? How does that work? That's a very serious question. How does it work? How do we determine that somebody should be convicted if there are no limits in a deterrent? It's easy with alcohol, it's the blood level. We all know that, and that's

absolutely known by everybody, but we have no way to measure the drug.

The Standardized Field Sobriety Tests are commonly used to establish impairment due to drugs and alcohol but evidence exists concerning the combined effects of these drugs on the SFST performance – that's the short term for the Standardized Field Sobriety Tests. The results of controlled studies of SFST highlight the limited ability of the SFST to identify drug consumption in the absence of any evidence of driving impairment or psychological indicators.

My mind is drawn to – and I know I'm talking about something that wasn't somebody behind a wheel – not too long ago in this city when a young man was picked up for being impaired, and he wasn't. It was his physical condition; yet, an officer saw him and determined he was under the influence of alcohol, and he wasn't.

Somebody could be behind the wheel of a car and quite able to drive, but in getting out of the car and standing could have a disability that could, in actual fact, look like an impairment, like happened to this young man a couple of years ago. That's one thing that really concerns me. We could have innocent people being charged because of the non-scientific nature of the roadside testing – not even testing, the roadside observations of the expert.

That's why I say this is like a twilight zone bill. Here we are passing something – and I know that impairment rules are there, but if we do not have something very scientific and concrete with regard to those impairment rules, then how do we know?

I have here some statistics. These statistics are from the Canadian socio-economic database from Statistics Canada. These statistics were between 2008 and 2012. It's interesting to see it. The total impaired driving charges – and that's drugs and alcohol together – between 2008 and 2012 were quite high. This is Canada. For example, in 2008, 65,822 people were picked up because either of drug or alcohol impairment; in 2009 it was 68,338; in 2010 it was 65,188; in 2011 it was 60,164, it actually started to go down; and in 2012 it was 59,777. I don't have any statistics beyond 2012.

During that time the interesting thing is that the percentage of the drug-impaired driving charges of those numbers was really low. In 2008, for example, it was less than 1 per cent, 0.29 per cent; in 2009 it was 1.16 per cent; 2010, 1.43 per cent; in 2011, 1.56 per cent; and in 2012, 1.88 per cent. Is the percentage so low because very few people are driving who are drug impaired? Or is the percentage lower for a different reason, because they just aren't being detected? I don't have the answer to that question but I put that question out there.

Here in Newfoundland and Labrador, for example, between 2008 and 2012 we had 19 people who were charged for a drug-impaired driving offence – 19. In 2009 it was 36; in 2010 it was 53; in 2011 it was back down to 34; and in 2012 it was still 34. What I don't know, and I wonder has the Minister of Justice looked at this, of these people – and it's not a large number – who were charged here in Newfoundland and Labrador over those years, how many were actually convicted? It's one thing to be brought in and charged. How many were convicted? How many were they able to get evidence to say, yes, in actual fact, the person is drug impaired.

It's a very inexact science if I can use the word "science." I guess it's a behavioural science but very, very inexact. We don't have the proof that it really will do the same job as the testing that is done for alcohol impairment simply because you have a very clear scientific measurement of the point at which somebody becomes impaired when drinking alcohol.

I know the minister is sort of saying: We shouldn't be focusing on this, these tests are being used all over North America and the drug recognition experts are so highly trained. He wants us not to be concerned. If I were a member of MADD with all the concerns that they have, I think I would not be satisfied with the answers that are being given.

Making it legal puts an extra onus, I believe as I said a minute ago, on government and on the regulators. I know that this started because of the federal government. The federal government has acted very, very quickly. They made an election promise back in 2015 and I think – I won't say the expression I was going to use, I will – come

hell or high water they were going to bring it in their first four years or the first four years of themselves as government. They did and I don't think they put thought into it.

I know there's work being done by the federal government to test the various roadside screening devices for cannabis, but there's no decision yet. From what I could tell from the briefing that we had there's no real decision in sight yet. There's no proof in sight yet of what would be a good roadside screening mechanism. Yet, the government has chosen to move ahead and legalize marijuana – legalizing cannabis – knowing that we don't even have an accurate or adequate road screening device.

The other thing is – and we were told this in the briefing, and it was an excellent briefing – once they come up with a device, and they're not near to having one yet, the federal government will choose it. That's not a provincial responsibility; it will be the federal government. Police, then, will have to undergo training to ensure the proper authorization that they really know what they're doing with this device. There will be no up-to-date screening device or process for law enforcement when cannabis becomes legal, maybe next month. It could be as early as next month, but that's all still up in the air, too, because of the federal bill still being before the Senate.

We do know that draft regulations have been published in Part 1 of the Canadian Gazette, but not Part 2. Part 1 just publishes notices and proposed regulations; Part 2 is the official regulations. The federal government has not even done official regulations yet and here we are in this House discussing this bill and making decisions to accept this bill with all of this unknown hanging in the air.

Mr. Speaker, I think these are the major points I want to make. I shall have questions for Committee of the Whole. I won't bring them up here now. Does government have any hope whatsoever of having any clear knowledge of what's going to be happening? I do have separate questions and I will ask them in Committee of the Whole.

Thank you very much.

MR. SPEAKER: Thank you.

The hon. the Member for Topsail - Paradise.

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

I'll take a few minutes this evening to participate in Bill 23, which is An Act to Amend the Highway Traffic Act.

Mr. Speaker, this is the third bill today we're debating regarding the legalization of cannabis for Newfoundland and Labrador. Of course, the legalization in Canada is coming, but this one pertains to Newfoundland and Labrador and, specifically, to amendments to the *Highway Traffic Act*.

As I've done earlier, I'd like to take a moment as well, again this evening, to thank officials for our Friday afternoon briefing. It was 2 o'clock Friday afternoon; we were there over two hours, more than two hours. We had a lot of questions to ask. I have to say, the officials were quite patient in their responses and so on.

We did the *Highway Traffic Act* part first. Then officials from Service NL left and we continued on with the rest. So the ones later in the briefing had to hear it all. The ones earlier in the briefing, which we started with the *Highway Traffic Act*, they got to leave. So they didn't have to endure the full time.

The *Highway Traffic Act* briefing was quite useful and helpful and was of assistance to us all. I'd like to say up front that I was quite pleased with some of the sections and some of the efforts by government that will be covered under this legislation, including zero tolerance for drugs for novice drivers, drivers under 22 and also for commercial drivers.

We had a bit of a discussion about commercial drivers. Novice drivers, we certainly know what that is. Drivers under 22 is pretty straightforward, and to have a zero tolerance for those younger adults and mostly with – novice drivers are mostly young adults, but for any novice driver of any age, because it could be a person much older and still be a novice driver, I'm glad to see zero tolerance will be part of the legislation.

Commercial drivers are quite interesting as well. We had a discussion about what does it actually mean for commercial drivers. What's covered there are commercial vehicles over 4,500 kilograms, and someone who drives in a class 4, 3, 2 or 1. Essentially, the way the officials put it, which I think is probably a good summation of it, if your vehicle is your office then you're essentially a commercial driver.

We're glad to see all of those additions to the *Highway Traffic Act*. As well, "Seven day vehicle impoundment for the presence of drugs or a combination of drugs and alcohol for a novice driver, drivers under age 22 and commercial drivers."

These are good pieces of legislation for two reasons. One, it is already included for alcohol, but when you have that seven-day vehicle impoundment then it essentially takes the vehicle away and the opportunity for the person to continue an offence if they're so inclined to do so.

I can tell you, Mr. Speaker, over the years in my time, there were many times I've seen people who committed an offence of impaired driving or related and returned to their vehicle to do it again. So taking the vehicle away certainly helps to prevent that from happening. Of course, a person could have two or three or four vehicles at their disposal. I spoke to one gentleman tonight who has a larger number of vehicles. It could be for anybody who has a number of vehicles, but that'll help as a deterrent.

Then the seven-day vehicle impoundment for all drivers and failure of a standard field sobriety test, approved testing device and/or DRE; "thirty day vehicle impoundment for all drivers for refusal or failure to comply with a demand ..." which is the same as alcohol; and, of course, there's "medical exemption provisions, subject to confirmation of legally authorization." That was discussed at the briefing as well.

These highlight those very direct actions allowable to police to minimize repeat offences soon after, but also gives a person an opportunity to say if I got to live my life now seven days without my vehicle, you're going to endure some discomfort.

One of my colleagues here had some vehicle trouble over the last 24 hours and it has completely thrown their day into turmoil, because all of a sudden they don't have access to their vehicle. They got to get it to a garage, they got to get it picked up. It's just a distraction and upsets it. So when you do a seven-day impoundment of someone's vehicle, right off the top I think it speaks strongly and gives someone that seven-day period of time to really understand the implications of what they've done.

Mr. Speaker, under current legislation under federal law, which runs parallel or in addition to the province law or vice versa, you have criminal law and you have provincial *Highway Traffic Act* law. Under the *Criminal Code* of Canada, it currently prohibits impaired operation of a motor vehicle by drug, alcohol or by both.

The big difference right now between alcohol and drug impairment is that the *Criminal Code* sets out a maximum amount of alcohol in a person's body – 0.08 per cent or 80 milligrams of alcohol in 100 millilitres of blood – as the legal limit for blood-alcohol concentration. No such level exists today in the *Criminal Code* when it comes to marijuana and the active drug being THC.

Right now, today, in criminal law there's no limit for that drug. Of course, one of the challenges the country is going to have and the country is having and the provinces are having, is how do you evaluate and measure that level of THC? What level should it be at and how do you test for that?

The *Highway Traffic Act* prohibits driving while impaired by drug or alcohol or by both. The *Highway Traffic Act* has no set limits for drug impairment, unlike alcohol. The provincial limit for alcohol is 50 milligrams of alcohol in 100 millilitres of blood. The criminal limit is 80 milligrams. So if you have 80 milligrams of alcohol in 100 millilitres of blood or higher, you're considered to have failed the Breathalyzer under the *Criminal Code*, but under the *Highway Traffic Act* it's 50 milligrams. That's on a roadside suspension.

There are two different ways to get an idea of what a person's blood alcohol content is. One is

with a roadside screening device which will give you zero to 50, 50 to 100 or over 100 readings. If a person is over 50 with a blood alcohol content or BAC, then the *Highway Traffic Act* will kick in. They may be over 50 but under the criminal limit and the *Highway Traffic Act* can kick in and provide for suspensions for novice drivers and drivers under the age of 22.

Mr. Speaker, the *Highway Traffic Act* rules now, what they'll become is they're trying to make the same type of rules for people who are impaired by drug as currently exists for people who are impaired by alcohol. There's a problem with this, and one of the problems is to understand exactly what the level of THC is.

The federal Bill C-46, which is before Parliament – there's Bill C-45 and Bill C-46, C-45 is on the legalization of cannabis or marijuana, C-46 is on impaired driving. Under C-46, what they're considering there is the presence of two nanograms but less than five nanograms of THC per millilitre of blood would give you a maximum fine of \$1,000. Here's the complication: How do you know what level is actually in a person's blood?

Right now, there's no approved testing method federally to fully understand exactly the level of THC in a person's blood. There are going to be three offences. The second offence will be for five nanograms or more of THC. So that's a higher presence of THC which gives you a minimum fine of \$1,000. The first one is a maximum of \$1,000, then it's the minimum of \$1,000 fine. Second offence, 30 days imprisonment; third offence, 120 days as well. In the third offence would be where there's 2.5 nanograms or more of THC and 50 milligrams of alcohol per 100 millilitres of blood or more. Those fines and penalties are the same as they were if you are over five nanograms.

Here's the complication, or here's the problem which hasn't been sorted out yet. How do you determine the level of nanograms in a person's blood? What's available to police today? There's standard field sobriety testing, SFST, which are used by police. They do that on the roadside where they'll do a series of tests or examinations to give an idea or give you some sense of what level of impairment exists for that particular person at the time. That's when SFST

has grown and matured over the years where you do a standardized test.

I always remember the one of having a person stand on one foot and a second foot out – you can see how I'm shaking – one foot out in front of him. I always found it more difficult to do that on my left foot than if I stood on my right foot. I don't know why that is. The point is that it's really subjective to the person who is doing the test. Where someone may be very, very steady and sober, someone else may be sober and be less steady. Some of these tests are subjective to the person. That's why there's a variety of testing, so you can get a balance of a number of tests to do an overall evaluation of the person. They may not be good at one test but they may do all the rest very well and be sober at the same time, so there's a number of testing.

Also, a number of years back it was the start of the drug recognition expert program, or DRE as it's known as. If a person provides reasonable grounds to the officer or the officer forms reasonable grounds, they can further subject the driver to a drug recognition expert for testing. One of the problems with the DRE is the subjectivity of it. My colleague from the Third Party kind of referenced this earlier. It's been a level of criticism – and I've talked about this in the House before – on the subjectivity of DRE. Now, they're also going to add a screening device to that. The screening device would remove the subjectivity and provide an objective opportunity to evaluate the level of nanograms of THC in a person.

The only problem with that right now is that the federal government hasn't decided yet what screening device is going to be used. In the case of a Breathalyzer, Borkenstein models are listed right in the *Criminal Code* of what's able to be used to test a person's alcohol. So a person couldn't just create their own Breathalyzer type of test and say we're going to use this one for now, it actually has to be approved under the *Criminal Code* of Canada. It appears that the federal government is going to use the same type of strict guidelines of what type of devices can be used for a screening device for a roadside test. Then, it has to collaborate or set at a level. An officer wants to get an idea: Is the driver over five nanograms or not? Or are they below

five nanograms? If they're over five nanograms, then there needs to be a further level of testing.

I'll use the roadside as an example because a person who does a roadside test, if they fail it and it shows that your blood-alcohol content is over 100, you can't be charged with failing that test. It gives the officer grounds to bring someone in to the police station for further evaluation and for a Breathalyzer. With the screening device here we don't know what it's going to be calibrated at. I've heard suggested it may be very, very high, but I'm sure the police want to give some idea that it's a level that's going to be acceptable, accurate and given a good indication of the five-nanogram level, which is an important level here. Two nanograms to five nanograms is one fine, five nanograms or higher is a very serious offence or more serious of the offences.

Mr. Speaker, they don't know what tests they're going to do, what the screening will test for or what device. Here's one of the problems with that. Here we are now almost at the end of May. June 1 is on Friday. For a long time the July 1 date has been kicked around and stated as the date of implementation. I think it's fair to say most people believe July 1 won't be the date of implementation right now; it will probably be a later time than that. It's a relatively short period of time for the federal government to finalize, and to the parliamentary process, what will be used as a screening device and what will it be calibrated at. Then also, you have to secure sufficient quantity to supply for police agencies across the country and police officers across the country.

Each police agency is going to have to develop their own policy and then also train the officers in the new law and also the use of the devices and how the sample would be accurately captured. As well, of course, what will happen is the option then for a urine sample or blood once a person is believed or the officer has grounds to believe, through standard field sobriety testing, through a drug recognition expert, through a screening device – has the grounds to take a blood sample or urine sample and then send it off to a laboratory for testing.

There comes another problem. Once this new law comes into place and those actual levels are

known – there are tens and tens of thousands of police officers across the country who this new law will apply to, they'll be utilizing this new legislation across the country – then they'll be out on the streets every day testing people, collecting samples and sending them off to a police laboratory for analysis. It can't be done at a local laboratory or a hospital or anything like that; it has to be sent to a crime detection laboratory in Canada. There are four or five in the country. I don't know which ones of those are actually going to be testing this. There may be one lab or two labs or three labs, I don't know. Maybe the government may know or the minister might be able to enlighten us on that.

I'm sure there are going to be challenges over time because I know for years there have been backlogs in some of the labs in the country. Maybe the minister can give us some idea on the expected timelines or what the RCMP crime labs are giving as an indication of how long this is going to take. It could take months in some cases, so a person is waiting for months to determine if they're going to be charged or if they're not, and it's going to slow the process to a crawl.

We're going to have some questions on that with the minister, Mr. Speaker, when we get to Committee on expectations, how long it's going to take and how much time is going to be used for police officers off the streets to be processing exhibits and sending them off for laboratory requests. I've done a few of those in my time back in my policing career. If you're not used to it, it can be somewhat complex. It also has to be done in a way that protects evidence and exhibits and makes sure that it's done in a process that will be acceptable to the courts, and stand a challenge in court if one was to arise. I'm sure the minister can probably help us and enlighten us on some further information in regard to that, Mr. Speaker.

We know that under these acts, as I mentioned, there are going to be some additional options and penalties – I don't know if penalty is the right word – administrative processes, which I think are a good thing. Part of legalization of marijuana is – I don't think anybody wants it to be confused with encouraging use. It should always be discouraging, especially when it comes to operation of motor vehicles or

equipment. There should be a process or a focus on discouraging use, especially by young people.

Mr. Speaker, my time is quickly running short. I look forward to a chance in Committee to ask questions of the minister. I'm sure we're going to have lots on all of the bills related to the legalization of cannabis. When we get to Committee we'll enjoy the opportunity and look forward to the opportunity to have a good, meaningful dialogue with the minister.

Thank you very much.

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

MR. LANE: Thank you, Mr. Speaker.

I'm just going to take a few minutes now to speak to Bill 23, An Act to Amend the Highway Traffic Act.

Mr. Speaker, I think one of the things that we have to bear in mind when it comes to, whether it be this piece of legislation or all the cannabis legislation, we know there are four pieces of cannabis legislation that have to be passed some time before the end of this session.

I think one of the misconceptions is that, all of a sudden, the minute cannabis gets legalized, everybody's going to be smoking cannabis. All of a sudden, we're going to go from – I don't know what percentage of the population smokes cannabis, Mr. Speaker, to be honest with you, no clue – maybe 10 or 20 per cent or whatever it is and, all of a sudden, 80 per cent of people are going to be out there smoking cannabis, out in public, at parties, in their vehicles, whatever. I think it's important to note that I really don't think – at least from my perspective – that's going to happen. I really don't.

Will there be some people that will smoke cannabis who don't smoke the illegal stuff now? There could be some. I'm sure there will be some people perhaps when it first becomes legalized, a bit of a novelty or whatever. Someone will be at a party or out to a barbeque or something and someone will have a bit of cannabis and they'll say: Here, give this a try. There might be someone who might try it once

or twice. There might be some people who might like it and do it more often. I suspect that most people who don't smoke cannabis now will continue not to smoke cannabis. I certainly have no intention, in the future, to start smoking cannabis. I ended that back in my teenage years and I really have no desire to go back there. So I think that's a little bit of a myth.

With that said, Mr. Speaker, what we're doing here tonight, what government is trying to do with this bill and this change to the *Highway Traffic Act*, I see it as a positive thing, overall. I think all Members would recognize, would acknowledge that it is. Basically, what we're doing here is we're basically going to equate what we're already doing, as it relates to alcohol, for the most part, and we're going to take that same concept and we're going to apply it to use of cannabis, in terms of impaired driving, in terms of penalties for driving under the influence. Now, instead of alcohol, we're talking the influence of cannabis, in particular.

There will be *Criminal Code* amendments, as we know, at some point in time, when it passes through – I think it's the Senate where it's held up now, if I'm not mistaken, but at some point in time that will happen. What we're saying here is that, like we've put penalties in place under the *Highway Traffic Act* to sort of accompany the *Criminal Code* charges for people who drive under the influence of alcohol, we're doing a similar type thing. If someone is impaired by cannabis, we're going to put amendments to the *Highway Traffic Act* to put additional penalties in the form of suspensions and so on for people who choose to drive under the influence of cannabis.

Now, in terms of the measurements, Mr. Speaker, I think the first thing that's important to note here is that we have zero tolerance. Well, actually, before I even get into that, I think the important point, and I heard the Minister of Justice make it, is that it's already illegal to drive impaired by alcohol or cannabis. So, in that regard, nothing has changed. There's nothing changed. Whether it's the illegal stuff or it's the legal stuff, at the end of the day, you're not allowed to operate a motor vehicle under the influence of alcohol or drugs.

There are already procedures in place. If a police officer hauls you over tonight and he or she feels that you are under the influence of cannabis, then that police officer – there's already a test and so on, albeit they are subjective, but police officers are trained in a battery of tests that they would undertake to determine whether or not they believe someone is impaired by drugs, and if they do, they can charge that individual, today.

No different than they can charge an individual with impaired driving. Some people believe that blowing over 0.08 and impaired driving are one in the same. They are not. They are not. If a police officer hauled you over and you refused to take the Breathalyzer test, that police officer can still do a battery of tests where he or she can determine whether they believe you are impaired, and you can be charged with impaired driving without ever blowing the Breathalyzer.

There are people who, for example, might not even, if they did blow the Breathalyzer, be at 0.08, but they could still be impaired because of other factors. A police officer's job is to get dangerous people off the road to make it safe for the rest of us, whether that's alcohol or now whether it's cannabis, which is being dealt with here.

So, to my mind, Mr. Speaker, I see this as good amendments. One of the things that we're doing here is we're going to say: If you are a novice driver, the mere of presence of drugs, you will get a two-month suspension and your vehicle will be impounded for seven days. That's not over any particular level. That's the mere presence. So if a police officer hauls over a novice driver and believes that that driver has any cannabis in their system whatsoever, whether they can see the driver smoking it, smell it, looked at their eyes, combination of maybe the person admitted it to the police officer because they got nervous and admitted: Yes, b'y, I had one joint or something like that.

At the end of the day, a novice driver, under this amendment, would receive a two-month suspension and a seven-day vehicle impound. That's on top of any *Criminal Code* charges which could come to that individual potentially, but, again, it's about taking action to get an impaired driver, somebody who is making the road unsafe, not just for themselves but for

others, getting that individual off the road and, hopefully, teaching them a lesson that they don't do it again.

I think a big part of what we're going to be doing with all this cannabis legislation, particularly when we talk about impaired driving by cannabis, the same type of approach which is taken now with alcohol and the whole don't drink and drive, the Red Ribbon Campaign that MADD does and so on, we would say to somebody: If you are going out to a party tonight and you intend on drinking, then you can get a taxi or a designated driver or so on, but you don't drink and drive. Well, the same message needs to go out to people now through education, which I'm sure will happen. If you go out to a party or whatever and you intend to smoke cannabis, don't drive. It's as simple as that. Get a taxi, don't drive.

We're not going to say: If you smoke one joint it's okay or it's two. No different than we say it's okay to drink one beer or two or three or four. We say: If you're going to drink, don't drive. If you're going to partake in cannabis, don't drive. The education piece is going to be very important in that regard I believe.

Now, the only issue that really is sort of controversial, if you will, is this whole idea of testing to see exactly how much cannabis is in someone's system, similar to if somebody is picked up for impaired driving, you give them a Breathalyzer and you can tell if they're over 0.05 or over 0.08, they'll be charged under the *Criminal Code* and so on. We're talking about putting measurements in place – and this falls in line with what the federal government is proposing.

I think that's an important point in this debate as well. We're not determining what those levels are, we're basically mirroring what the federal government is saying under the *Criminal Code* and we are applying provincial sanctions, if you will, to complement the federal criminal infractions. That's what's being proposed. One approach could be, arguably, the sections that are in here that talk about the testing with this particular device, which has yet to be approved, and the levels. I understand there are obviously concerns. There are obviously concerns if the

federal government has yet to determine a proper testing device. That has to be done.

Really, if anyone's to fault for that in pushing this through, you could argue it's the federal government. You could argue that perhaps they should have had all of this figured out before they decided to push it on the provinces, but the bottom line is that the federal government is moving forward with this. Whether we like it or not, whether we're ready or not, it's going to happen.

We could, in theory, say because the feds have not yet selected a device that is going to be used, because the police officers don't have those devices and because they're not trained yet, they're not ordered and all the issues around that – and we're not ready – we could say don't put these amendments into the *Highway Traffic Act*. Wait until it's in place federally, the devices are in place and then come back and make changes to the *Highway Traffic Act* at that point, which would reflect the reality of whatever system has been deemed to be effective and work. Do it then.

Or we could simply do what's being done here now, put it into the *Highway Traffic Act* so it's there and it's ready, and at some point in time when the federal government decides on the device and it's all rolled out, then the act is already up and ready to go. You could take one or the other. The government, in this case, has decided to have it in here, have it in place so at some point in time when the device is decided upon, once everybody is trained, once the supplies are ordered and all this good stuff then it's ready to go. I personally don't have a problem with that.

I'm glad to see the amendments here are being supported by MADD, the Atlantic Provinces Trucking Association, Canadian Trucking Alliance and Private Motor Truck Council of Canada as well, according to the notes we've been given. I'm certainly glad to see that we have zero tolerance in place for commercial drivers as well. That would be zero tolerance and there could be suspensions for commercial drivers if they had any cannabis in their system at all.

Again, these things are being done to make the roadways safer for us all. Is it perfect? No, it's not perfect. It's not perfect by virtue of the fact that the federal government has yet to decide on the device to measure these levels. At some point in time it will happen. When it does, the legislation here will be ready to go from the provincial side to kick in to deal with it.

Will there be challenges as has been alluded to? Will there be challenges with this new technology? Will someone challenge it? Will there be a learning curve? I'm sure there will be. At the end of the day whether we do it or we don't do it, one thing we know for sure is that cannabis is going to be legalized soon. It's going to happen. So whatever we can reasonably do to be ready, we do it and if there are other things that need to be done, we do that. To simply say we do nothing because everything is not perfect doesn't make sense either.

From that perspective, I will be supporting this legislation.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. LESTER: Thank you, Mr. Speaker.

Just to reference my colleague from Mount Pearl – Southlands, some statistics I was just provided with.

Periodically, there's a student drug survey conducted. The most recent one I have access to at this point is 2012. Of that, we have basically one in five students in our high school system have driven within an hour of consuming cannabis. That's a big portion of our student body. Even more surprisingly, almost half of our students have gotten in a car or a vehicle with a driver who is potentially impaired with the effects of cannabis. It's quite common. This was six years ago now, so I would imagine – and again I'm not fear mongering, this is just a progression of reality – those numbers are probably as severe if not more severe.

The changes to the *Highway Traffic Act* are definitely in need because, as we've said – everybody has said – it is illegal to drive impaired under alcohol or drugs, cannabis included. The fact is the existing legislation has very little language around how the limits are assessed, how the procedure of enforcement is in place.

I know the drug recognition experts are what we rely on. I'd like to refer to a recent case in Ontario where an individual was picked up under suspect of being impaired by cannabis. He was put in jail – well, in holding overnight. The next morning it was found out that the individual actually had a stroke. That was what was causing his physical impairment.

That's a prime example where – as my colleague from Signal Hill - Quidi Vidi had referenced – a physical disability or physical impairment, other than that of cannabis or any other drug or alcohol, affected a person's perception of guilt. That's a concern that we have to address. That's a concern that's going to have to be backed up by science. On a person's subjectivity is not a concrete way to get a conviction, it's not even a concrete way to remove impaired people from our highways.

One thing I think we've really missed when it comes to changes to the *Highway Traffic Act* – it's fantastic that we referenced young drivers and commercial drivers – is repeat offenders. We have no language written in about repeat offenders. I think it would be beneficial if we also put in as part of the renovation to the act that repeat offenders would also be subject to zero tolerance in their system.

Because of the delay of initial arrest, or initial apprehension to the scientific end of it returning from the lab, we could have quite an extended period in which an individual – who may have habitual repeat of breaking the law and endangering people on our roads – could actually get back out on the road until the tests came back in confirmation of their impairment. I think we definitely need to look at something when it comes to repeat offenders and put specific language in there that would have a zero-tolerance level for those individuals as well.

The commercial driver's portion also needs to be expanded to give more definition around it. In the briefing that we had this past Friday, it was a very good explanation. It specifically referenced any vehicle which a person would use for their employment or enterprise. That includes, of course, taxi operators, that includes heavy equipment operators, even if they're not on the road in non-licensed vehicles. That's something that I don't think is referenced here.

If it's a non-road unlicensed vehicle, I think that also has to be included as part of the driver's suspension. A heavy equipment operator in an excavator or bulldozer, which wouldn't necessarily be licensed for highway traffic, it still is a vehicle and licensing is administered by Motor Vehicle Registration. I think it would come under their purview.

Several times I've brought up – actually, the Minister of Justice and Public Safety referenced my comments about the additional cost to our court system. I believe the federal government might be a little bit ahead of us and ahead of our government in realizing that this is going to be an extra cost to our court system. I guess they've kind of tried to pacify our concerns with this handout of \$500,000 to the administration of tickets and fines. I think that is definitely a warning or a precursor to what is going to happen. That's something we need to prepare for.

We're still going to be months, if not years, out from an official scientific piece of equipment that will provide us with roadside accuracy or even 24-hour accuracy. That is going to open up the door and floodgates to the appeal process of any pending conviction or actual conviction, and that's going to clog up our court system. We have to be prepared for that because we do have to give everybody due process but we also have to make sure that those who are indeed guilty are able to be charged and their charges are able to be held.

Another thing I did recognize in the briefing was the reference to vehicle seizure of a third innocent party. I think that's an important part of it, especially when it comes to the commercial vehicle situation. Also, if one's child borrowed one's car and did commit a crime and I rely on that vehicle to get back and forth to work or you

needed it for medical transportation, whatever it may be, we do have to facilitate that type of exception in which the vehicle would be able to be given back to the principal owner.

We're definitely going to have to look at putting some language around that as well, that ultimately it will be the owner of the vehicle who will be responsible for keeping the offender or the accused out of the vehicle and from behind the wheel, thus endangering more people. It's something we're going to have to look at periodically. It's new territory for not only us, but the rest of Canada.

When you look at issues that have arisen in Colorado where – since the legalization, maybe it's a coincidence; there are people who are saying it's just a coincidence – the amount of traffic rates and fines have actually risen and the deaths from impairment have also risen. Most people are saying there's no connection between the legalization and the rise of these accidents and fatalities and costs to society, but I think we should learn by their example and not make the same mistakes as they appear to have made.

It's something we need to, as I said, continually look at. It's something we need to continually consider. When it comes to repeat offenders, we definitely need to look at language around how we're going to deal with repeat offenders.

As my colleague from Topsail - Paradise referenced, in his previous career he's seen many people get out of one car one day, be charged, and the next day they're back in another car or back in the same car and compromising the safety and lives of our citizens again. So that's one thing I would like to see addressed.

As well, the education part to our young people, we really have to pressure the federal government to speed up – I guess not speed up, but provide a piece of equipment that we could use and is recognized by the federal court system that we'd be able to use in our own highways.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Reid): If the hon. minister speaks now she will close debate.

The hon. the Minister of Service NL.

MS. GAMBIN-WALSH: Thank you, Mr. Speaker.

I'm fully confident that our government will be prepared for the legalization of cannabis, Mr. Speaker.

As outlined in the *Highway Traffic Act*, we are amending the impaired driving legislation in an effort to strengthen drug-impaired driving laws in this province. As the Minister of Service NL, I take our role in protecting the public very seriously, Mr. Speaker.

Impaired driving is impaired driving. It is already against the law, and drug-impaired driving will continue to be illegal after the use of recreational cannabis becomes legal in Canada. These revisions will help ensure we continue to protect public safety. Those who choose to drive while impaired by drugs or drugs and alcohol will face more significant penalties as a result of these amendments to the *Highway Traffic Act*. Changes to the act include cannabis-impaired driving were not taken lightly.

There was a considerable amount of work done by the staff, and I would like to take this opportunity to thank all those who contributed to this piece of legislation. I would especially like to recognize and thank the Registrar of Motor Vehicles, Alan Doody.

I would also like to reiterate the support that our government received for this bill from Mothers Against Drunk Driving, the RNC and the RCMP, the commercial trucking industry, our colleagues at the Canadian Council of Motor Transport Administrators. As a government, we listened carefully and I'm confident that we have proposed a bill that addresses their concerns.

Mr. Speaker, today myself and the Minister of Justice and Public Safety received an email from Trish Coates, the National President of MADD, commending us on this bill. I quote: on creating a comprehensive road safety plan for cannabis that will ensure Newfoundlanders are safe on our roadways.

Mr. Speaker, that speaks volumes, and I thank her very much for that.

SOME HON. MEMBERS: Hear, hear!

MS. GAMBIN-WALSH: As I noted in my opening remarks, Mr. Speaker, continued public safety is our goal. Those who choose to drive while impaired have no place on our province's roads.

SOME HON. MEMBERS: Hear, hear!

MS. GAMBIN-WALSH: They will face significant penalties as a result of these amendments to the *Highway Traffic Act* and I am happy to play a role in supporting these changes by putting this bill before the House tonight.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

The motion is that Bill 23 be now read a second time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

Carried.

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

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

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

MR. A. PARSONS: Presently.

On motion, a bill, "An Act To Amend The Highway Traffic Act," read a second time,

ordered referred to a Committee of the Whole House presently, by leave. (Bill 23)

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

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

I would call from the Order Paper, Order 7, second reading of Bill 22.

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

MS. DEMPSTER: Thank you, Mr. Speaker.

I can understand you being a little tired, given the hour of the day here. We've been going a long time.

I move, seconded by the MHA for Lewisporte - Twillingate, that Bill 22, An Act To Amend The Smoke-Free Environment Act, 2005, be read a second time.

MR. SPEAKER: It is moved and seconded that Bill 22, entitled, An Act To Amend The Smoke-Free Environment Act, 2005, be read a second time.

Motion, second reading of a bill, "An Act To Amend The Smoke-Free Environment Act, 2005." (Bill 22)

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

MS. DEMPSTER: Thank you, Mr. Speaker.

We've been hearing some debate back and forth this evening around Bill 22, an act respecting cannabis control, and the amendment that I'm going to be bringing forward right now is associated with this act.

Basically, Mr. Speaker, Bill 22 will be amending the *Smoke-free Environment Act, 2005* so that it applies to smoking cannabis. It's somewhat minor, but I'll take a few moments here to talk about it, Mr. Speaker.

As many Members may be aware, in order to prepare our province for the regulation and sale of cannabis, we need to ensure other relevant

legislation keeps pace with these changes. The *Smoke-free Environment Act, 2005* is one of those pieces of legislation.

This legislation came into force in June 1994 with the primary goal of reducing the public's exposure to harmful effects of second-hand smoke in indoor public places and workplaces; 1994, Mr. Speaker, doesn't seem that long ago. I was thinking today as I was getting ready to bring this amendment into the House about what we would refer to as the old days, when you had the smoking and the non-smoking sections on the airplane and the person two rows up, the smoke was twirling back over your head. When our vehicles had ashtrays. Somebody actually told me at the Confederation Building today that her husband, when he worked here years ago and was a smoker, was issued a government ashtray that had an asset number on it. I'd say we've come a long way, Mr. Speaker. We need to ensure that cannabis is included in this legislation as well.

Currently, the act prohibits smoking of tobacco, hookah; water pipes and vaping e-cigarettes products in indoor public places, workplaces and in motor vehicles when occupied by a person under the age of 16.

With the advancement of the cannabis regulation, the protection of public health and safety remains a primary objective in the Department of Children, Seniors and Social Development and, certainly, Mr. Speaker, for all Members on this side of the House of Assembly. As we currently regulate the use of tobacco and vaping products, we must also be consistent in determining where someone can legally smoke or vape cannabis in Newfoundland and Labrador.

Since the most common form of cannabis use is smoking, it is imperative from a public health perspective, that the same restrictions are in place for tobacco smoking, vapor products, e-cigarette use and water-pipe smoking. It is essential that those regulations also be applied to the smoking and vaping of cannabis.

Mr. Speaker, it is also important to note that this approach is in line with the views of those who have participated in the public consultation. So consultations were held, including with

members of the general public, and an overwhelming 87 per cent agreed with this approach, Mr. Speaker. Groups like the Newfoundland and Labrador Medical Association and the Canadian Medical Association.

Mr. Speaker, we know that strengthening the *Smoke-free Environment Act* will help to mitigate the risks associated with cannabis use, and it will also help prevent youth uptake.

Mr. Speaker, I was looking back over some of those statistics today. Yes, we still, unfortunately, have people that smoke and our numbers are still too high, but we have made tremendous progress over the last number of years. In particular, Mr. Speaker, when I look at youth between the ages of 15 and 19. In 1999, 30 per cent of our youth were smoking and in 2013, 12 per cent. That was the latest stats that I could find. Our public awareness, our education, some of our campaigns, that's proof right there to me that it's working, at least for the younger people. You're getting them before they have some habits that are already formed; 12 per cent down from 30 per cent.

This amendment that we're bringing in will help protect the public from exposure to second-hand smoke and it will help prevent the renormalization of smoking in our communities. I think that's been a fear with all of this talk about cannabis and once again we know that this is a measure that is being brought down by the federal government so we had no choice but to prepare for this. We see that there are about four bills that will need to be amended, Mr. Speaker, all related to this *Cannabis Control Act*.

There was some fears that once cannabis is legalized, will we have a new uptake in smoking, but when we look at what has happened across other jurisdictions, Mr. Speaker, we didn't see that, but still it is important to put all these preventative measures in place.

We must reinforce the notion that smoking in any form is harmful and by making those legislative changes, Mr. Speaker, that we are doing, we are maintaining progress made with respect to policies for the prevention and

minimizing harms of tobacco, vapour products and hookah, the water pipes.

Progressive changes over the years to tobacco legislation, I want to say, have only been one component of our comprehensive approach. So while it's been very important to have progressive comprehensive legislation, it has only been one approach, and one of the reasons for success around the tobacco control. Other measures, Mr. Speaker, have included public education and awareness, taxation, school and community programs and cessation supports and services. Even in my department now, Mr. Speaker, we offer a number of supports to individuals who may be smoking and may need help to quit smoking.

While progress has been made, we certainly recognize that our work must continue. We have indicated this in *The Way Forward*, our guiding roadmap, I guess, that is online for anyone to see. Our commitment in *The Way Forward* is to reduce smoking rates by 4 per cent by 2025.

We know that the current provincial smoking rate is 21.7 per cent. This target, with our commitment to reduce, will bring us down to the national rate of 18.1 per cent. We know that 21.7 per cent is much, much too high and that's why we have supports in place to assist people who want to stop, that's why we have education campaigns and things like that. That's why we go into schools and we reach out to children while they're younger, in their formative years to help them understand the harm attached with picking up smoking, Mr. Speaker.

A stronger *Smoke-free Environment Act* will ensure the appropriate restrictions are in place for when cannabis becomes legal and thereby providing greater public health protection and a consistent approach in indoor public places and workplaces. That's what has to be the focus here, Mr. Speaker, around the health protection. It is incumbent upon us as a government to ensure those measures are put in place and to always have safety first, as my colleagues talked about.

With that, I'll take my place. I look forward to listening to my colleagues across the way.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MS. PERRY: Thank you, Mr. Speaker.

It's certainly a pleasure to rise once again and speak to this legislation before the House.

As the minister had stated, there are a number of bills that require amendments in keeping with the major policy change that is coming forward with the legalization of cannabis. The *Smoke-free Environment Act, 2005* is one of these bills as well, Mr. Speaker.

It's not, as bills go – and myself and the minister have had some quite extensive heavy bills in the House that are 50 to 60 pages long. This bill is relatively brief. It's mostly a housekeeping bill that makes amendments to allow for the provision of cannabis as well as tobacco in the *Smoke-free Environment Act*, Mr. Speaker. This bill will prohibit the smoking or vaping of cannabis in indoor places and workplaces. It also authorizes the establishment of designated smoking rooms in certain facilities as currently provided, except in remote work sites.

What this bill does is a few things. It adds the definition of cannabis. That, of course, is to reflect the *Cannabis Control Act*, Bill 20. The definition of an e-substance is modified to include an e-cigarette that may contain cannabis. The definition includes a solid, liquid or gas which is used in an e-cigarette which produces a vapour, regardless if nicotine or cannabis is included in the vapour, Mr. Speaker.

The definition of smoke or smoking is amended to include ignited cannabis. The bill has one section which outlines smoking which does not contain cannabis. I'll elaborate on those, Mr. Speaker, in just a few minutes. That would be section 5 of the bill – section 3, but it edits section 5, sorry. Sections 5(1) and 5(2) are for non-cannabis products and then clauses 3 to 7 are for smoking cannabis. It's still taking me a while to get used to not talking directly to clauses in second reading, so my apologies for the use of the word "clause." It's just in terms of explaining where the changes are in the bill.

For purposes of public awareness and helping the public be informed as to what changes to the law are actually taking place here, subsection 5(1) and 5(2), as I've just said, refer mainly to non-cannabis products or what we refer to as tobacco. In this section, section 5 of the original act is repealed and the following is substituted: "(a) 'smoking' means to smoke, hold or otherwise have control over an ignited tobacco product; and (b) 'e-cigarette' means to (i) inhale or exhale vapour from an e-cigarette that has in it an e-substance which does not contain cannabis, or (ii) to hold or otherwise have control over an activated e-cigarette that has in it an e-substance which does not contain cannabis."

Mr. Speaker, it also defines workplaces. It refers specifically in subsection (2) "paragraph 4(1)(a), in a workplace that is (a) a remote worksite as designated by the regulations; (b) an underground mining operation; or (c) a marine installation or structure as defined in subsection 205.001(1) of the *Canada-Newfoundland and Labrador Atlantic Accord Implementation Act*"

For these specific workplaces, Mr. Speaker, "an employer may, in accordance with the regulations" – it's not shall, it's may – "designate one or more enclosed rooms that are under that employer's control as designated smoking rooms" This gives provisions for these types of workplaces to have a dedicated area where a person who does smoke can go, but where the people who don't smoke are also protected from that smoke. As the minister talked about, what this bill does is help protect the public from exposure to second-hand smoke. Those who choose to smoke have a designated area to go to and those who don't smoke would not be subject to the second-hand smoke that comes from cigarettes. Then the bill, for the rest of the sections 3 to 5, pretty much does the same thing, but it speaks specifically to the use of cannabis as opposed to nicotine and cigarettes.

There is a section here in this particular component that we will have some questions when we get to Committee stage for some clarity around how this is going to work in seniors homes and long-term care residences, Mr. Speaker. We see in long-term care facilities and facilities where people are residing in large

numbers, designated smoking rooms. Our impression or understanding of what we're seeing in the bill is that there will be provisions permitted for the designation of rooms for the smoking of cannabis as well. There are some questions we have on this particular section of the bill that we will be asking about when we get to the Committee phase.

What this is saying is that in a long-term care unit, including a long-term facility that's located within an acute care facility, or in a psychiatric facility or unit, "an operator may, in accordance with the regulations, designate one or more enclosed rooms that are under the operator's control as designated smoking rooms or designated e-cigarette use rooms for residents of that facility."

An employer or operator and a person acting on behalf of either shall ensure that persons refrain from smoking or using an e-cigarette in a workplace or facility under that employer's or operator's control other than in a room designated for that purpose.

"(6) A room that is normally used or occupied by non-smokers shall not be made a designated smoking room.

"(7) A room that is normally used or occupied by non e-cigarette users shall not be made a designated e-cigarette use room."

Mr. Speaker, what this bill does is certainly aim to endeavour to provide the protection to the public at large and ensure that those who choose to live smoke free can do in a smoke-free environment. It's a relatively short bill. I would call it a housekeeping bill in keeping with making sure all components of the legislation are in line with the new cannabis act.

All Members of the Opposition, of our party, will be supporting this bill. We look forward to asking some questions in the Committee stage.

Thank you very much, Mr. Speaker, for the opportunity.

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 22. This bill would amend the *Smoke-free Environment Act, 2005* so that it applies to also smoking cannabis. We haven't really talked this evening about the issue of edibles or oils but we are talking about smoking cannabis this evening, and particularly in this bill.

The bill is called the *Smoke-free Environment Act*. This is a *Smoke-free Environment Act* amended, and the act came into force in 2005. This current act amends the *Smoke-free Environment Act* to include the smoking of cannabis, because cannabis is scheduled to be legalized by the federal government, originally by July 1 of this year, but there will be some delays.

The bill is held up in the Senate right now but we have every reason to believe this will probably pass through the Senate perhaps with some amendments. Hopefully, any amendments that are proposed will actually make the bill stronger and better for the people of Canada. Also, what we are talking about right now is the issue for the people of Newfoundland and Labrador.

We support this bill as one of the supporting bills of the *Cannabis Control Act* which we debated earlier today. There's been a lot of words said in this House, Mr. Speaker. Part of the legalization of cannabis, we are looking at amending other legislation. We're aligning all our legislation to align with the sort of mother bill, the overlooking bill, of the *Cannabis Control Act*.

Then the *Liquor Corporation Act* will have precedence over the *Cannabis Control Act*. The liquor corporation also has precedence over the *Liquor Control Act*. Now we have also a *Cannabis Control Act* which will probably be passed, if not some time tonight or the early morning, perhaps tomorrow. Who knows?

As part of the legislation, this includes the *Smoke-free Environment Act, 2005* to include cannabis smoke in the legislation, which protects people who do not smoke from the dangers of

second-hand smoke. That's what the smoke-free environment does.

Many of us in this House probably smoked at one point in our lives; never imagined we would not be smoking. Many of us have gone to bars and restaurants where you could smoke. I can remember going to a bank and the bank teller would have an ashtray and be smoking in the bank. I can remember smoking in buses, aeroplanes, trains.

I bet you there used to be smoking here in this House of Assembly, Mr. Speaker, and smoking in offices. There was smoking everywhere. The poor people who didn't smoke and the poor people who were allergic to smoke had a heck of a time.

I bet you most of us who had been smokers at one point in our lives are really happy about a smoke-free environment. Particularly those who never smoked are probably ecstatic about a smoke-free environment. Now what's going to happen is smoke will relate not only to tobacco products but also to the smoking of cannabis products. So they are aligning those two issues.

The act originally designated tobacco smoke. Then in 2016 vaping smoke, and we see a lot of that. People with their machines, big, big clouds of smoke. It's a different way of smoking and ingesting. Now this will also include cannabis smoke.

There's something very particularly interesting about cannabis smoke, Mr. Speaker. We know the rates of tobacco use in Newfoundland and Labrador are still way too high, and we're really concerned about the rates of smoking among our young people. We're concerned about the rates of smoking among pregnant women. That's a concern as well.

I only wish government would invest more money in smoking cessation programs. People don't start smoking with the intention of being addicted to cigarettes. Cigarettes are highly addictive, and people don't start smoking with the intention of being addicted.

We gather a lot of tax revenue from tobacco products. I believe it is really important for government to invest more money in smoking

cessation programs. For those who've been smokers, we know how hard it is to give up smoking. Often it takes a number of tries, but particularly what is really helpful is any kind of support mechanism, whether it be through pharmaceuticals or specific smoke cessation programs that help people to get out from that burden and that addiction to tobacco. And we know tobacco companies have specifically done whatever they can to make smoking more pleasurable and more addictive.

I had a friend, Mr. Speaker – this is how much has changed. I had a friend who worked for a major tobacco company in Montreal, and they got paid – her job was a chemist. She worked only, all her work, full-time, was on the papers used in cigarettes. Her work was to constantly improve those papers, to constantly improve the smoking experience. It was about making sure it burned at the right rate, making sure it wasn't too big of an ash.

Here's the thing: every two weeks they went to their paymaster, got their pay, and they got two cartons of cigarettes. They were paid in money and cigarettes. Imagine that, Mr. Speaker. We'd never see that now, would we? No. Things sure have changed, and thank goodness for that.

We also see an increase in the rates of lung cancer and heart disease among women because women were specifically targeted by tobacco companies, but not until around the '50s where there was a big push. Already the male market had been saturated and the tobacco companies saw women as the next market. They did all kinds of things. They paid doctors to put ads in women's magazines to say how good it was to smoke, particularly if you were edgy during pregnancy. They also paid movie companies to have female actresses, at the time they were called actresses, to smoke on screen.

It was a very deliberate, targeted campaign to get women to smoke. That's when we started seeing the increase in heart disease and lung cancer among women, because those two were always seen as men's diseases. And they were, because they're a direct result of smoking, for the most part. So, it's very, very deliberate.

The Newfoundland and Labrador Alliance for the Control of Tobacco cites smoking of tobacco

as a serious danger to the health of the person smoking and to others. Second-hand smoke really is what we're talking about here; second-hand smoke and creating smoke-free environments.

These changes to the *Smoke-Free Environment Act* are intended to protect those who do not smoke from the dangers of smoking in all its forms. The alliance notes that second-hand tobacco smoke is made up of sidestream smoke that goes directly into the air from the end of a burning cigarette, cigar or pipe. Those of us who aren't smoking, we can sure smell it, we can sure feel it, we know it's in the room. Mainstream smoke that is inhaled by the smoker first and then exhaled into the air is second-hand smoke.

Second-hand tobacco smoke contains the same 4,000 chemicals that a smoker inhales through a cigarette. My friend, who was a chemist, who was working with the paper, knows how many chemicals went into that paper alone. According to the US Surgeon General there is no safe level of exposure to second-hand tobacco smoke. A study from Australia in 2010 supports the US Surgeon General's conclusions and indicates that second-hand smoke is dangerous, even in outdoor areas. Who would have thought? Imagine, smoking in banks and smoking on airplanes.

How many chemicals are contained in second-hand cannabis smoke? Now we're talking about cannabis. A scientific review of studies on second-hand cannabis smoke came up with some interesting results. Here's the difference, Mr. Speaker: Second-hand exposure to cannabis "smoke can lead to cannabinoid metabolites in bodily fluids sufficient for positive results on testing of oral fluids, blood and urine, and can lead to psychoactive effects."

We used to call that contact high. If you were in the room where someone else was having a toke, we would say that you'd get a contact high. Who can forget the issue of the Olympic athlete from Canada who was tested for drugs and he was disqualified. He swore up and down that he had not been smoking marijuana, but that he had been at a party where a number of people were smoking marijuana. He was not, and yet he was disqualified from the Olympics after a drug test.

We're talking about contact highs. I'm thinking, Mr. Speaker, imagine the *Smokeroom on the Kyle*. We're all familiar with that recitation the *Smokeroom on the Kyle*. Imagine if in the *Smokeroom on the Kyle* they were smoking cannabis. What a high everybody would have been getting, both those who were smoking and those who weren't smoking. Keep that in mind: the *Smokeroom on the Kyle*. That means you can get high from second-hand cannabis smoke. For those who are not quite as daring and don't smoke cannabis, they can get a little bit of a high on second-hand smoke. Again, that's that old contact high we always talked about.

"There is evidence of a weak dose-response relation between THC content of cannabis and effects on those exposed to second-hand smoke, including metabolites found in blood and urine, and psychoactive effects." Do you know what, Mr. Speaker? This might affect people who are driving, in terms of any of the tests they are doing for impaired driving. It's all pretty interesting.

This issue of impaired driving as well, we know there are different degrees of intensity in different kinds of cannabis. It's grown and cultivated for those reasons. It's going to be very difficult for folks to try and – some folks figure, okay, they can have one beer a night, or one glass of wine, or one drink a night and they feel they are not impaired. How will people be able to judge how impaired they might be if they are driving? It's going to be difficult.

Maybe it's going to have to be total abstinence if you're driving, but then for how long because THC stays in your body for a very, very, very, very long time. How will that show up? If you have been using cannabis for relaxation and recreation on a Thursday night – maybe not a lot, maybe just a little bit – would you be deemed impaired when you're driving to work at 8 on a Friday morning? How would you know? You kind of know what's going on when you know how much you're drinking, but really how would you know? Or if you had imbibed a lot of cannabis recreationally, at what point are you no longer impaired? How do you judge that? Those are kind of grey areas. It will be interesting to see how people cope with that.

This “relation is mediated by environmental factors, including whether the air space is ventilated, volume of air, number of marijuana cigarettes lit at 1 time, potency of the marijuana and number of smokers.” If you are there in that area, how much psychoactive effect are you experiencing even if you’re not smoking?

That’s it. The potency of marijuana is so variable and is cultivated that way. I would imagine those who are cultivating marijuana, who are packaging it and distributing it, maybe they will put on their packaging potency measures. I don’t know. That’s kind of interesting, particularly when you’re talking about going to work the next day or driving the next day. This means how high you get is dependent on all kinds of conditions and situations, depending on the potency of the drug.

The *Smoke-free Environment Act* will now protect people not only from the dangers of tobacco, vaping and cannabis smoke, but also from the added risk of accidental intoxication from cannabis smoke. That’s important, Mr. Speaker, because you need to know that. What happens if you’re in a really crowded room with lots of smoking going on? You’re not smoking and you’re the designated driver, but are you impaired? You could be. How is that going to be measured? Those are interesting things that people are going to have to think about.

The other issue, Mr. Speaker, is 74 per cent of Newfoundland and Labrador residents supported landlords having the right to alter current lease agreements to ban the smoking of cannabis in their buildings once legalized, according to the most recent survey conducted by Corporate Research Associates. Currently, lease agreements do not contain language concerning marijuana due to its current illegal status.

Also, what’s going to happen, Mr. Speaker, in condominiums and people smoking cannabis on their balconies? We know that certain types of cannabis have a much stronger aroma or odour than others; we’re all familiar with skunkweed as well. How is that going to be dealt with? We don’t know. It will be interesting to see how all this is dealt with and how it rolls out.

Mr. Speaker, those are some of the issues that I think we’re going to have to deal with. I’m

looking forward to having the Committee of the Whole where we can ask some of these questions.

The other issue is places of work and other types of facilities can identify and create smoking rooms; for instance, long-term care, including a long-term care facility located within an acute facility, or in a psychiatric facility or unit. In some of these places there are smoking rooms designated specifically for those who are smoking. Cannabis will be included in those spaces as well, in those specifically designated smoking spaces. This is going to be so interesting, Mr. Speaker, to see how this rolls out.

I have another question. For instance, if there is a private party or say you’re having a wedding at the Legion and it’s a private party, you’re able to drink at this private party, it’s not open to the public; however, people have to go outside to smoke. So are people going to be able to use cannabis at this private party?

MR. PETTEN: Well, they already do.

MS. ROGERS: Yes, my colleague for Conception Bay South said that they already do, which is true, but now with this new legislation, you’re able to partake of alcohol in this private party, in this space. It’s not a public space, it’s private space with a private rental, but you cannot smoke cigarettes in that space, but you can smoke tobacco and you can vape right outside the building.

Where does cannabis fit in there? Will people be able to use cannabis right outside the same way that they’re able to partake of tobacco or vaping right outside? How will that be handled, Mr. Speaker, particularly when we look at some of the legislation which really very much aligns cannabis with alcohol?

If people are using cannabis recreationally, they can do it in their homes. They can’t do it in public spaces but is that considered a public space when there’s a private rental? I don’t know. If they have a designated pagoda outside the Legion to smoke, or designated outside spot to smoke, where does cannabis fit in there? I think that’s kind of an interesting question. It

will be interesting, I can hardly wait to see what the responses might be to that.

Mr. Speaker, I see that my time is running out. I certainly didn't intend to speak for the full 20 minutes but there you go. You know, the issues of contact high and just imagine what the *Smokeroom on the Kyle* would have been like.

Thank you very much.

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

MR. LANE: Thank you, Mr. Speaker.

It's a pleasure to stand once again, this time to speak to Bill 22, An Act to Amend Smoke-free Environment Act.

Mr. Speaker, once again, I think this bill is pretty straightforward. It really ties into the bigger picture of what has to be done here. This particular bill is basically saying anywhere where you can't smoke cigarettes, you can't vape now because of the dangers associated to second-hand smoke and so on, they are simply adding cannabis to that list. That's really all that's happening here.

So I really have no concerns, once again, about this particular bill as it relates to the dangers of second-hand smoke because I think the issues around second-hand smoke are already covered under the *Smoke-free Environment Act*. All we're really doing is just adding cannabis to the list of tobacco smoke and vaping and so on. That's all that's happening. So there's nothing really, to my mind, to debate around that piece.

Now, the only issue I have, and it's not that it's necessarily a health issue per se, but I just foresee some problems in the future when all this gets legalized. It's nothing necessarily that the province can control or deal with. I think it's maybe around the whole aspect of the legalization of cannabis.

As we know, cannabis, to my knowledge, at least, which is somewhat limited, basically weed smells like the south end of a north bound skunk, if I could put it that way. It really, really stinks. I've certainly been out around, and even if you stop in traffic today you can smell it at

any intersection, and there's a really, really pungent smell to it.

So while the issues of second-hand smoke and the health effects of second-hand smoke are covered in this bill, I could foresee, when all this becomes legalized, members of the general public placing complaints, whether it be to MHAs, members of community council, municipal councils or whatever the case might be, issues around – and I can really see it being a problem for municipalities and the complaints they might receive around the smell. Not so much the danger of the second-hand smoke, but the smell.

Now, somebody referenced the fact, which I didn't realize but I suppose it makes sense, that there are certain long-term care facilities or whatever where there are designated smoking rooms, which I suppose, when you think about it, if you have a senior citizen who smoked his whole life or her whole life, they put a room in place so they can have a cigarette. Well, is that room going to be the same room as cannabis? Will there be a cigarette room and a cannabis room, or will it be one room for cigarettes and cannabis? Because I can see that being problematic.

Someone might want to go to have a cigarette and they're in this confined room, while someone else walks in and is smoking cannabis at the same time, especially as my colleague from St. John's Centre talked about the effects of second-hand cannabis, you can get high or whatever the case might be, I don't know the science behind it or how legitimate that is. It may be very legitimate, but I could see, certainly, even from the smell, someone saying: I went to have a cigarette and now there's someone here sitting next to me in this confined space smoking weed. So I could see issues and complaints around that and someone saying: Well, b'y, you're going to have a cigarette room and you're going to have to have a cannabis room besides.

I can see issues, maybe, at public places where you can't smoke indoors, but if there are designated places outdoors where someone is saying: I went out for a cigarette and now there are people all around me smoking weed. Where arguably, it happens now to some degree, but

once we legalize it, maybe people who would be less likely to do it in the open are now going to say: Well, now it's legal, I can just go out with the smokers and I can smoke weed. Not that that's necessarily the health issue, because people are there smoking cigarettes anyway, but it's more about the smell and the people complaining about it.

I could see issues, maybe, with people who live in neighbourhoods that the houses are close together. Now, again, I don't know how many people – I really don't think that everyone's going to start smoking weed again because of this legislation, but in theory, if I had a neighbour and my neighbour smoked weed, theoretically, right now, because it's illegal, maybe he or she would be less likely to be just out on the deck blowing marijuana smoke around because it's in illegal activity. Whereas, people who smoke it now, once it becomes legal would be more willing to stand up and blow marijuana smoke around because it's legal anyway, it's no big deal, but then I can see complaints from neighbours about the smell.

What about places like the Regatta? I'm sure that it will be great for the food vendors. The food vendor sales should go through the roof. This year, everyone is going to have the munchies, but I wonder like at the Regatta, for example, will there be people now, because it's outdoors, whatever, will that stuff be regulated, or will people be there now smoking weed?

AN HON. MEMBER: (Inaudible.)

MR. LANE: Yes, the Member says there are people doing it now. Again, I'm sure there are, I know there are some people that do it now. I guess the point is, though, once again, someone who might say: I'm going to have a joint and I'm going to go out around the corner somewhere away from people because I don't want people to know I'm doing it. Now, would more people say: Well, it's legal, so I can stand up here next to the cotton candy machine and smoke a joint and blow the smoke in some little youngster's face.

So, again, I can see complaints coming from all this. It's not tied to this piece of legislation. It's not even tied to the province. It's more tied around the legalization of marijuana in general

and I could see there being some complaints more around that type of thing as opposed to necessarily the health effects. To get back to this bill, which is really dealing with the health effects of second-hand smoke as I said, all we're really doing is adding marijuana to the list of tobacco smoke and vaping smoke. Based on that, I certainly support it.

Thank you, Mr. Speaker.

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

MR. LESTER: Thank you, Mr. Speaker.

It's a great pleasure to rise and speak to Bill 22, the *Smoke-free Environment Act*. (Inaudible) officially, the purpose of this bill will amend the *Smoke-free Environment Act* to include the smoking of cannabis.

I'm fully supportive of this, of course. I can remember, believe it or not, when I was in grade 7 in my high school, we had a smoking room in the centre of the school. The common room was the smoking room. Then, in 1994 – I'm a big believer in all work and no play makes Jim a dull boy – I took a job downtown as a bartender. I was responsible for enforcing the no-smoking act in a bar. That was a big challenge at the time because I had to try to reason with people who were smoking, of course, and often under the influence of alcohol. That was a particular challenge, but I'm glad to see today that continues to be the case, that there is no smoking in bars and public spaces.

I couldn't help but reflect on the speech from my colleague here from St. John's Centre regarding the negative aspects of smoking tobacco. We're 50 years into the – well, more than 50 years but, basically, tobacco was commercialized about 65 years ago when they really started promoting the fashion of smoking tobacco. Over the course of those six decades, we've now seen the adverse health effects due to heart disease, lung cancers, COPD and others: all those type of things that are directly related to tobacco consumption.

I question myself and I wonder in 30 years' time or 40 years' time are legislators in this House going to be talking about the negative health effects of smoking marijuana or cannabis. Our

concern seems to be centred on getting high off second-hand smoke from cannabis, but I think there are bigger issues than that. It's widely known that any sort of pollutant, being in the form of smoke, is detrimental to our respiratory system. Even a woodstove at home, if that's not vented properly, coming from what we may think as a harmless woodstove or a harmless fireplace – that little bit of smoke that comes back into our homes compromises our respiratory systems.

People, especially like me who do have a slight medical condition that's exponentiated by pollutants in the air, really find it comprising. If I'm even out in the public, I know if someone walks by me with a cigarette, I hold my breath. That's going to be more of a challenge now because there are more products in our environment, such as cannabis, that are going to be allowed and permitted to be smoked.

I was at a recent engagement in one of the municipalities which I represent. It was a great family event. There were people there enjoying a public concert. Off to the side there was a group of, I'll say, early-20s people. I could smell they were smoking cannabis. The local security people went over to them and they were kind of laughed at. The security guards asked them to put their cannabis out and do it somewhere private. They said: Sure, it's going to be legal anyway, what are you going to do about it?

That's the kind of attitude not everybody is going to have, but there are going to be violators of the system. I thought how shameful is that at all that they would use the legalization of this product to compromise the health of people around them. Even though we were in the fresh air, the open air, you could still smell it. If you can smell it, you're breathing it.

That's something we really have to look at. We won't know the full health effects of the consumption of cannabis until decades down the road, but I think we should learn from our lesson that we have with tobacco and not allow it to be sensationalized, not allow it to be fashionable or acceptable. Life is stimulating enough as it is. I'm a big believer of that. I have no issue with somebody enjoying the consumption of cannabis on a recreational basis, as long as they're in their own safe environment and they're not risking

anybody else's well-being. That's something that this act in particular will address.

To include cannabis in the language of this act is very, very important. Not only is the burning of cannabis or the smoking of it – but another emerging fashion is the e-cigarette and the vaping. You can see that everywhere, even the high school kids and the junior high kids. It's another thing that people have thought to be a lesser evil to smoking but, again, studies are not quite in on that as to whether it's a beneficial practice. Obviously, it's not as beneficial as not doing it at all. It's something where there are questions around whether it does lead our young people into either smoking tobacco or cannabis but, unfortunately, that's something that only time will tell.

We can learn by our past and that is that one step leads to another. That's something we have to be wary of and take all precautions and safeguards to discourage that type of activity that could potentially compromise the health of the vulnerable, being our children, and the passive bystander who is going to be adversely affected by activities of consumers of tobacco or cannabis. Be it they have it in the traditional burning form or through an e-cigarette or a vaporizer that would pollute the air.

Basically, we're talking about preventing air pollution. I think that if anybody really thought about it in that manner, I think that may put a better perspective on it. This is an air pollution prevention act, and to have to reference specifically cannabis is a big move in us ensuring that our children and the ones who do not wish to consume, or don't wish to consume or be party to the consumption of cannabis in any form, are not violated.

That's the biggest part of this bill. As I said, in speaking to the other bills that we've addressed tonight, this is going to be a living document. This is going to have to evolve from what we see today to even this time next year. It's something that we can't ignore; it's something that we're going to have to constantly revisit.

The Member for St. John's Centre referenced how back in the '70s – and I can remember it was all the sports championships that were sponsored by du MAURIER, for example. I used

to love watching horse jumping and the du Maurier Classic was one of the biggest horse-jumping events in Canada.

By no means would I – nor I don't think anybody else in this House – like to see a cannabis sponsor company. We wouldn't want to see Canopy Growth sponsoring the St. John's Regatta. We definitely wouldn't want to see the employees walking out the door with their own personal allotment of cannabis. I know that's a little bit off the topic, but I'll get back to the bill.

As I said, this is to protect the individuals who are our responsibility, being the ones who do not consume it, or the ones who are of our charge. The minors of the world, be it our children, or anybody – the wards of our care. That's something this bill addresses. So I'm pleased to say we will be supporting this.

In reference to people's concerns about consuming cannabis at the workplace or in public localities; I think that's addressed in a previous bill. The consumption of cannabis is not permitted in public places. We as legislators have to make sure the parameters are there for our law enforcers to enforce that without creating them extra headaches.

I know right now we're seeing there is no – not no, but there is limited enforcement of the smoking of cannabis in parking lots. I have often driven through a parking lot and I've even remarked to several law enforcement officers, can you smell it? I can smell it. Then they just respond, yes, what are we going to do about it? Well, this is something – I know it's only a petty fine at this point, but it is something that will deter the average law-abiding citizen from consuming cannabis just on the non-smoking, smoke-free environment aspect of it.

They may not respect the restriction of not being able to smoke their cannabis out in public, but I'm pretty sure most people do respect their fellow citizens, their friends, their children, their family members. This bill and this act will ensure that they continue to respect them and not compromise their health and not compromise the impression of – this is something habitual. This is something you would do such as we saw back in the '60s and '70s with tobacco.

Like I said, I really hope in three decades or four decades time we don't have to stand up here in the Legislature and say: well, back in the 2020s we legalized marijuana and cannabis consumption, now here we are and we've seen an increase rate of heart disease, an increase rate of lung cancer because of it. Yes, we have to respond to the call from the federal government to legalize it but I think we should be doing everything we possibly can as a Legislature and Members of this House of Assembly to discourage it.

Thank you.

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

MR. HUTCHINGS: Thank you, Mr. Speaker.

I'm glad to rise to Bill 22 to say a few words. One of four pieces of legislation we've touched on today looking to amendments specific to the legalization of cannabis and the act itself; the cannabis act and then supporting legislation, this being one of it, the *Smoke-free Environment Act, 2005*. Supporting and making adjustments to parallel legislation that affects the changes we're making and the legalization of cannabis as directed by the federal government and trying to make those changes in a broad ranging number of areas, including this piece dealing with smoke-free environments to ensure all the supports are there as we move forward.

As my colleague had said just previously in speaking; he talked about some cultures, some norms, past decades in regard to cigarette smoking and the period of time it took to get to a point where it was regulated to the degree that, I guess first it started with information sharing. Way back it started in regard to if there was any ill effects to the inhalation of smoke from cigarettes.

Some studies, scientific, or even medical support many decades ago even questioned that. Then we moved through the era of looking at the health effects, the exposure. Then there was some identification of what that would be related to: lung cancer, respiratory problems, all kinds of medical conditions, to the point then where we got to preventative actions to be taken, whether it's education, information to the public,

to our youth about some of the dangers of inhalation of smoke from cigarettes.

It progressed to the point where – a parallel process we're doing here today in regard to a smoke-free environment – it wasn't only the primary person that was – inhalation of the smoke from cigarettes, it was those that were around. It was secondary smoke. It was those that were exposed to it. The impact on that and the impact it has, not only on the primary smoker, but as I said, secondary smoke on those that are around.

Within that context, it was certainly looked on: How do we deal with that? What's the precautions we need to put in place? Because it was identified there are health implications, there's costs to the medical system. All of those things that cause concerns for society, and with that identification comes the need to deal with that.

Much like we have here in Bill 22, the *Smoke-free Environment Act, 2005*, looking at the introduction and the legalization of cannabis as directed by the federal government. As my colleague just mentioned, it's very important we take the time to assess within that context the ability to have that safe environment.

This piece of legislation, Bill 22 and the amendments to the *Smoke-free Environment Act, 2005*, does indeed look at that in that context in terms of a healthy environment. Obviously, this was brought in originally to deal with smoking, whether it's in the context of a public area, public domain and the secondary component of it. Now with the legalization of cannabis, this amendment is to look at the parallel, the smoking regulations or legislations and protocols that have been put in place and to parallel that with what we are discussing here today with these four pieces of legislation, this being one, and how this would be a parallel process related to a smoke-free environment.

To look at people's rights, obviously, is extremely important. Those that – when it's legalized – choose to avail of it, as anybody does that smokes cigarettes. With the legalization of cannabis, it's a decision that someone would make, whether they wanted to avail of it, purchase it, smoke it or take it in other forms. In

doing so, that they don't infringe on the rights of somebody else and their rights not to partake, their rights not to have inhalation of smoke from marijuana. They have that right.

They're protected as well through these amendments we're doing to the *Smoke-free Environment Act*, which is very important. There are many discussions, and we talked about it today in debate, in people's preference in regard to cannabis legalization. Some agree with it, some don't, some are not sure. They're waiting for everything to be outlined in terms of how it would work dealing with production, retail sales, information and all those kinds of things that make it important for the public to make an informed decision. As I said, it's important that the people have that information in regard to what we're talking about here today in regard to the *Smoke-free Environment Act, 2005*.

Again, it's a culture norm as we progress as a society. When you compare this back to tobacco over the past number of decades and what the inclination was, what people believed would be appropriate, what they knew from a medical perspective of what was appropriate and how it evolved to making changes in the original act to recognize the effects of smoking.

From there, we're to a point now where we're legalizing cannabis and, again, those same cultures, norms are being – well, not being challenged but they're being redefined, if you will, because of this change and people's perspective on it. How do you proceed to evolve and what that would look like and, as I said, making sure people's decisions are respected, no matter which side of the spectrum we're on, or certainly if you're in the public domain that they can be accounted for.

It's been talked about too, but I think it's important to look at it again, some of the areas that this would look at. The definition of cannabis is added to reflect the *Cannabis Control Act*. We've talked about the definition of e-substance is modified to include an e-cigarette that may contain cannabis. We had discussions about that here in the Legislature some time ago in regard to legislating and regulating that activity. The definition includes a solid, liquid or gas which is used in an e-

cigarette which produces a vapour regardless of nicotine or cannabis, is included in it.

So, again, looking at those methods and means and how you ensure that the general protection of the public is there based on what choice an individual or person may make in regard to when cannabis is actually legalized and people can access it.

The definition of smoke or smoking is amended to include ignited cannabis. As well, the bill – my understanding – would outline smoking that does not contain cannabis and then a section for the rules for smoking cannabis. This is broken down and is referred to, I think, as non-cannabis tobacco. These are areas that the particular area attempts to deal with. Within that area, as I said, in regard to the changes and adding another element in regard to cannabis and the smoking of that in public.

Many of the items here are replicated from, as I said, tobacco smoke and what's done there. One element that's important too as we move forward, and we've talked about before in regard to identification, is education; information that's available to the general public and especially our youth. I know we've looked at various cessation processes for smoking and some of the ill benefits for that. There's been, over the past number of years, significant work towards that and education has a lot to play in that. Where you are able to identify, especially for our youth, what the implications are in regard to usage, to exposure to smoke, it could be environments, not only first-hand smoke but secondary smoke and to be involved with groups and you have that inhalation of, I guess, toxins in regard to the smoke and when it's inhaled. That's all part of the education for the public in general, but certainly for our youth as they make important choices in regard to whether to smoke cannabis or not.

We do know a lot of the statistics in regard to smoking. If you start at an early age, and it would be the same for cannabis, there's a tendency to continue and it becomes a lifelong practice. That would mean that the negative aspects of that, whether it's health or otherwise, would be carried through a lifetime. That's something that the education component of it, awareness, those types of things while it

becomes legalized, much like cigarette smoking, there's an awareness there and there's an informed decision and an informed choice that can be made in regard to whether you choose to use cannabis or not.

I think that is extremely important. I think we've had discussions with that and that's the theme that's filtered through most of the legislation we talked about here today in regard to bringing it in, legalizing cannabis and what it means in general for the public and that awareness and people have access to that information and are fully informed on what's happening.

As I said, this is one of four that we've discussed. It's an important aspect. Really, it's not, in terms of the legislation itself, it's not huge. As I said, it mirrors another piece of – well, it amends the legislation to reflect what happens now with cigarette smoke and that type, but in the context of, as I said before, the change in cultural norms, the change in how we view a particular activity in terms of legalizing cannabis, that allows a different perspective, a different look if you would entertain to use it, what the implications would be.

One of those is related to a smoke-free environment, being around, whether it's walking down a street in St. John's, whether it's in a small rural community, whether in a community centre or somewhere else, it's about the privacy and the rights of an individual to choose to partake or choose not to and, either way, there's certain rights and privileges that need to be protected. This piece of legislation certainly attempts to do that and makes sure that there's an ability here to ensure that all are understood, all have right to access, but, most importantly, all have right to the privacy or the ability to do as they wish in public but all to be protected for that.

We certainly recognize this as a needed piece of legislation. The bill is required, as it supports the other legislation we talked about here today, and in doing that it completes or starts to complete the picture as we move forward over the next number of months when the actual legislation becomes law. Then from there, we can flow out as users and those that partake and can look at it and something like this is in place for the protection of all concerned.

This piece of legislation, we do recognize is important as part of the overall roll out of legalization of cannabis. I certainly support and look forward to further debate and asking some questions as well in Committee.

Thank you, Mr. Speaker.

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

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

It's indeed a privilege to get up here again tonight and to represent the beautiful District of Cape St. Francis and the beautiful people in the District of Cape St. Francis.

Mr. Speaker, we've been debating regulations and different bills all day today and this is one of them. Today, we're doing a lot of the legalization, which is going to be coming in the near future, of marijuana in our province. We have four bills here today that we've – I've been up to speak on all four so far.

It's the *Cannabis Control Act* where we set out the rules and regulations of what's going to come when we legalize things with regard to sale, with regard to the age that people can smoke it, how the regulations are going to go, the number of plants you have in your house and different aspects of the rules that will come with the legalization of marijuana. In that act – which was a huge act, Bill 20 – it saw a lot of changes and general questions that a lot of people have of how things are going to roll out when it comes to the legalization of marijuana. It was done in that part of the bill.

We also spoke of the *Liquor Corporation Act*. The reason why we changed that is because we got a brand new one for cannabis. We took all the stuff that was in that bill and moved it. I guess that's more or less just taking care of things and making sure everything is done properly. We have two separate acts now and they're different in a lot of ways. It's important. That had to be done as part of the legislation, to move forward to be able to put everything in place.

Then we talked about – that's one of the four things we talked about – the *Highway Traffic Act*. The *Highway Traffic Act*; again, we do have rules for impaired driving and we do have rules for people who use drugs and drive through drug impairment. Basically this part we introduced tonight was to do with drugs and how different things will be monitored. Not like you do with alcohol, it's more or less of a test from our professionals.

I know the Minister of Justice got up and spoke about the RCMP, the RNC and the respect he has for them to be able to do their jobs and to be able to do their jobs properly. The minister and I can assure the people of the province that our party and our caucus support the RNC and do support the RCMP. I really want to thank them for the great job they do in protecting our roads.

There were some questions there that we will have in Committee afterwards to make sure that the confidence people need to be able to drive on the roads and ensure the safety of the roads is there. Those are three acts that are involved in what we're doing when it comes to government and the legalization of marijuana.

Now, the next one is the *Smoke-free Environment Act*. Out of all the ones I just mentioned, this is the one that I personally am a little concerned about. I know we have to do this. I know this act is part of what needs to be done under legislation in order to be able to legalize marijuana and to be able to have this. This act needs to be brought into place so that we do have an environment where there are rules and regulations of where you smoke it. The bill will prohibit smoking or vaping cannabis indoors, in public places and in workplaces.

Mr. Speaker, I'm going to go back a while now. I'm just going to go back to my days – and I'm not that old. I'm a young fella in here. There are a lot older than me around here. There are a few old fellas here like myself. I go back to the years when smoking was a part of people's lives. I could walk into my house and my mom would be smoking, having a cigarette. I'm not sure, I don't ever remember smoking in school, but I know the teachers often smoked in the staff room.

When we go back to how times have changed, I played hockey for a lot of years and had people come in – we're talking about a smoke-free environment. I can remember coming in between periods and fellas sat down, lighting up a cigarette between periods while we're playing hockey. It's just unbelievable when you look at how our environment has changed when it's related to smoking. I'll give examples. I said earlier tonight about people driving along in a car. Children in the car, the windows rolled up and the smoke inside of it, having it blocked up with smoke. That's not acceptable anymore today.

AN HON. MEMBER: Airplanes.

MR. K. PARSONS: Airplanes, the same thing. If you were up in the front of the airplane, you probably were allowed to smoke. All the smoke could back down to the back of the airplane. That's what the environment was.

I'll tell a little story now. I was over one day with a buddy of mine. We were fixing a photocopier at the Arts and Culture Centre. My buddy had a cigarette in his mouth. The guy came over and said you're not allowed to smoke in this building anymore. He dropped it on the floor, butted it out with his foot and kicked it under the photocopier. That's what society was like back then. I know it's funny today but that's the way people were. We smoked everywhere.

A smoke-free environment, to me, we're after coming a long way. I look at this bill today and I laughed because there are a lot of fellas down my way – and our health care is a huge part of anything. I don't agree, I hope people don't smoke marijuana. I hope people don't smoke cigarettes. I've seen fellas rolling up cigarettes all the time. We used to call them spitlickys. They put it in their mouth and they'd just smoke with no filter, nothing on it at all. They had the whole thing; they could roll it up with one hand.

I saw a show on TV just recently. It showed a healthy lung and a smoker's lung. My God, the difference in the two of them was unbelievable. I think that part of this act that we should be doing – we should be doing something to make sure that people, the less they smoke, the better it is for our whole society.

I can remember with my mom – and I loved doing it for her. I never, ever smoked. I think I smoked once up on the Grotto in Flatrock and it was Cameo. I got that sick I never, ever smoked another one again. My day of smoking was all over when I smoked a couple of Cameo up on the back of the Grotto. That's where they used to go down in Flatrock to smoke a cigarette.

I always liked taking the cigarettes and the rolling machine that you used to put in the filter – and they probably still do it today, I don't see it as much anymore. You'd slide it over and block it up. I'd roll up like 30 or 40 cigarettes for my mom. If I had to know what that was when I was young, if I had to know the effect that was having on her lungs, I would never have done it. I would have said no. Meanwhile, she was a nurse at the time. She should have told me the difference, but I think she enjoyed her smoke.

That's what part of this bill tonight, what we're talking about – I just told some stories of how we just took smoking years ago and how it was an ordinary thing. How it was whether you were out in a fishing boat or you were in a car or you were in a truck, wherever you were, it was acceptable to smoke. Today, in the environment that we live in it's not acceptable anymore.

My next-door neighbour always used to come up to my house –

AN HON. MEMBER: Hospital rooms.

MR. K. PARSONS: Hospital rooms, true. Imagine smoking in a hospital room. That used to happen.

My next-door neighbour now is 79 years old. He drops up to my house all the time and he's been doing it – I've been in my house now almost 30 years. He drops up all the time and has a little chat with me. The last number of years he'll always go out on the deck. He still smokes; he'll go out on the deck and have his smoke.

I always said to him: Sit down in the kitchen, that's okay, I'll open up the patio door and let the smoke go out. But, no, he respects the house now. Years ago he always sat down and every night after he'd leave, I'd dump the ashtray full of cigarettes. Not anymore.

Our environment has changed in how we look at smoking. We realize that smoking – like I said about the two lungs, one lung was completely black and looked really scary looking, and the other lung that was a non-smoker looked healthy. I would imagine the statistics – and I'm sure the Minister of Health could get up and run off the statistics of different diseases, particularly something like lung cancer or different types of cancer, whether it's to the throat or wherever it is, that tobacco plays a major role in that type of cancer.

Not only does it play a role in our health, but we're here in the House of Assembly day after day and we're talking about costs, the cost of this and the cost of that. We look at the cost of health care sometimes. Right now, by people smoking, I would imagine that the Minister of Health or the people in his department could say: Listen here, the direct costs of smoking to this province is X number of dollars. I would imagine that you could almost give us that figure.

By legalizing marijuana – and I don't know how this is going to be done, but I know that most people who smoke marijuana don't have filters when they smoke a joint. They don't have any filters. They probably have a little piece of paper or something like that but they don't actually have filters. Filters in the cigarette I'm sure takes the tar and that away from what you're inhaling.

Like I said, there are four parts to this bill tonight that we're talking about and this is the one section when I looked at it that really bothered me. The reason why it bothered me is because it's something I don't agree with. Again, I'm not a smoker. I have colleagues that smoke. I have friends that smoke and they enjoy their cigarette. I go out in the daytime and I see people outside the door here and they're puffing away. It could be raining, it could be anything, but they all have to go out. They have just as much right to go out and have a smoke as I do to walk across that parking lot.

Again, I think that this part of the legislation that we're doing tonight is just a part that I feel that – I don't want to encourage it. I really don't think we're here to encourage people to smoke marijuana. I think that we're here to say it's a

sign of the times and the legalization of marijuana is just part of what it's going to be.

I spoke earlier tonight when one of the Members across the way was saying that it will eliminate all the crime. I don't think it's going to do anything for crime, I really don't, but I believe that a person who enjoys a cigarette, enjoys a bottle of beer, and if they enjoy smoking a joint then I think they should be all in the one thing.

AN HON. MEMBER: (Inaudible) reduce it.

MR. K. PARSONS: I hope it will reduce crime, I really do, but like I said earlier, I watched a show in Colorado. I know it's completely different, Minister, but in Colorado right now what happened, they were hoping that this would reduce crime, but, in actual fact, it has increased crime. That's a huge problem because I think the reason why we want to do it, we want to take the money that's made from marijuana out of criminal hands. We want to take that money away from them. I agree 100 per cent with it, but, again, when I go back to this part of the debate that we're doing here tonight, I really, really don't like it because of the smoke part of it.

I know the federal government is going to come in and there's nothing we can do about this. This is a promise that was made in the last election and, obviously, the people of Canada wanted it. Obviously, the people of Canada said: Listen, it's time for us to legalize marijuana, and that's part of the way they voted. So I respect whatever they did, that's their choice, the vote went out, the federal Liberal government said: We're going to introduce this and we're going to do it. But there's a part of this, to me, I feel that anytime that we can stop young people from smoking or doing anything like that with their health, would be great.

I believe, now I'm not sure, I don't know the stats, but I remember when I was growing up that nearly all my friends smoked. I know that I have a daughter now who's 30 and my son is 28. I'm in their company lots of times and I hardly see any of them smoking anymore. I think that the younger people today don't smoke like we did when we were younger. I look at the generation beyond me, I think of my mom and dad, nearly everyone of them smoked.

I think education is going to play a huge role in what we do, to do a smoke-free environment. I think it's important that part of what we do here is not to encourage people to smoke marijuana, it's not to get people to smoke, what we have to do is make sure that the less people that smoke it, the better it is.

Also, when you look at places where you smoke. I know it's going to be an issue and people say to me: Well, it's done anyway. I look at people that are in parks, for example. There's a beautiful park down my way, it's called Marine Drive Park. If you go down there, it's just like a – they have great rules there. I mean everything is shut down at 11:30. It's respectful for children. There have great places to play and stuff like that, but I'm wondering what will happen if there are a group of people there smoking marijuana and there are children there. I know it's like some people say to me drinking and whatever, but I can smell it.

If you're driving along Torbay Road in the evening and there's a fellow with his window down, sometimes the drift just comes right to you and you can smell it. So I do have a concern about that, I really do and that's a concern I have because I'm concerned about the influence that it will have on a young person to take it up.

While we all want to encourage people to do the best, and I'm not saying that any person who smokes marijuana is any better or worse than I am, I'm not saying that whatsoever, but I think the less the people are introduced to it, the better it is. I talked already tonight about the health of a person and know that when you take up smoking – I think the main reason why people do give up smoking today is because for health reasons.

People who have smoked for year – I have another friend of mine who's a little older than I am and he smoked probably three packs of cigarettes a day. He has some issues now. He's doing okay, but he went to the doctor and the doctor said: Are you a smoker? One of the things when the doctor said you're a smoker, well, he said, the best advice I can give you right off the bat is to give it up because smoke does affect our health.

As we introduce marijuana into our society and accept it – it's not a bad thing to accept, I said that earlier tonight – I think that this is a part that we really have to have an education level to people to understand that no matter what they do, once they smoke a joint or smoke a cigarette, it's going to have a huge effect on them. I wonder if the effect is going to be even worse with smoking marijuana than it is going to be with smoking a cigarette.

I don't know how they're going to do joints. I don't know what way they're planning to sell them or you just take it and go roll it yourself, or whatever way it is, but I don't believe there's a filter in it. So all that smoke and all that tar – all you have to do is take a cigarette, see the end of a cigarette and see the butt of a cigarette and you can see the tar on it. So that's going to be going right into your system. So, obviously, that's not going to be good for our health. That's a fact. That's not fear mongering or anything at all, that's just a concern that I have.

I have two little grandchildren now and I'm going to make sure that I'll do my best to encourage them not to smoke and do my best to encourage them not to use marijuana or cannabis. I'll do my best to do that, but maybe they will. The concern that I will have, if they decide to go either one of those ways, is their health down the road.

I know we talk, I don't know what it is, if Newfoundland and Labrador is a place where people do get a lot of diseases, but I'd say, and I'm sure the Minister of Health also would say, that we're probably the highest in a lot of – when it comes to cancer in our society, I think Newfoundland and Labrador is one of the highest. I would say lung cancer is probably where we are with a lot of these things.

So I really think that this part of the bill, I'd like to see government take some pro-action. While we say: Listen, we're doing everything to make sure you don't smoke in public places, we're going to do everything, it's going to be brought in similar to what it is with cigarettes. I think that we have to encourage and have a campaign out there and show people what the health effects are going to be of smoking marijuana.

I'm sure there's statistics out there that will show that marijuana is not very good for your health to be smoking, and there will be issues. There'll be issues down the road. We always look at cost to our health care system, and sometimes if you look at the statistics that are out there with obesity and diabetes – I'm type 2 diabetic myself. I'm sure the effect of smoking on diabetes is another huge part.

I think while government is introducing marijuana –and there's nothing this government can do about it. We can't say yea or nay because it's a federal thing, federal government. Most people in this province I'd say are in favour of it, but I really believe we should be doing something to educate people to make sure that when they do smoke a joint or when they smoke a cigarette, that they know there's a health factor here.

Our young people, we got to do it at a very early age to ensure people that: Listen here, there's a consequence, too, if you smoke. Again, I go back to the two pictures I saw only a week or so ago of a healthy lung and a black lung. If you smoke, you're going to end up with that black lung.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

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

MR. P. DAVIS: Thank you very much, Mr. Speaker, for acknowledging me and giving me an opportunity to speak to this bill this evening.

It's An Act to Amend the Smoke-Free Environment Act, 2005. The *Smoke-free Environment Act, 2005* is exactly as stated. In preparing to speak tonight I took out the act to have a more complete look at what exactly is contained in the act and to see what modifications the bill may make.

I was listening very intently to my colleague from Cape St. Francis and the comments he made. He talked a little bit about how evolution has taken place. Earlier today there was a question about smoking in cars and children present and so on. One of the comments I heard

from across the way was: Will you expect parents to do what's right for their own children? Yes, we do. We do expect parents to do what's right for their own children.

We also know when a change happens and a modification happens in law, it's usually because someone advocated or pushed for it. I look behind me for good reason because I've mentioned before that MADD is probably a really good example of how those supporting MADD, those who lead the organization, locally and nationally, have taken a role in society to push the envelope and to drive for stronger rules and stronger laws.

It's not unusual for people to say I don't want that advancement or I don't like that change. If you think back years ago on impaired driving, and drinking and driving, 30, 40, 50 years ago we were in a very different place as a society as we are today on impaired driving.

Go back 50 years ago, and you were almost given a pat on the back if you were able to get half drunk and make it home without having an incident and people would laugh it off. Where organizations like MADD have said look, enough of this. We need to get stronger legislation and stronger legislation.

MADD has been talked about here in the bill that we had earlier tonight on amendments to the *Highway Traffic Act*. Sometimes they, in some ways, uncomfortably push change, force change to happen. Once change happens, people adjust to it and it very quickly becomes the norm.

That's sometimes what happens when we can leave decisions to people's own consciousness and their own abilities to make decisions that are right, sometimes that has to be pushed by law. A good example is seat belt use years ago. Seat belts were put in cars, it wasn't law that you had to put them on. I remember when I was a child, and back in those days the straps that we now wear across the chest were hooked with pins up in the ceiling of the roof of the car.

You're too young, I say to the Member for Mount Pearl - Southlands, to remember that. The strap of the seat belt part used to be clipped on up on top of the car. It would drive my father nuts if we ever took them out because it was so

hard to put them back up, put them up neatly and tidily put them away again. They were a nuisance to have them down hanging around and flapping around in the car. That's before they were retractable. The seat belts were down in the seat all the time; you'd have to find them.

What we used to do, back in those days your parents would push the seat belts down in the seats so they'd be out of the way. You wouldn't want to put them on and they wouldn't be in your way. Then came law that said you have to wear seat belts. People resisted it and they didn't want to change and so on.

Mr. Speaker, today, the fact is you get in your car and put on your seat belt. You don't even think about it, but that was the process of law, forcing people to know that you could get penalized. Now and then, you still see people today that don't wear their seat belt. If you see a police car around they are very quickly buckling up and clicking the seat belt in place because they don't want to get a ticket, because that's what laws do.

My colleague for Cape St. Francis talked about some of the transitions in smoking over the years. As he was speaking, I was remembering. The Minister of Finance mentioned across the way, he talked about hospitals. I remember sitting in a hospital room having a smoke with a patient.

When I was a younger person I did smoke. I smoked for a number of years, but it's been decades since I smoked. As a younger person, as many, many, many people did, they smoked. I can remember sitting in a hospital room with a relative who smoked heavily and having a cigarette with him back many, many years ago.

Then it became you can't smoke in a hospital room but you can smoke in the waiting room, or in a smoking room that was designated in a hospital. Then it became you can't smoke inside the building, you can smoke outside. Then it was the blue lines put outside and you had to be outside the blue lines. You couldn't smoke inside the blue lines or close to the building than the blue lines. Now in our health care facilities you're not supposed to smoke on the property at all. That was a step-by-step progression that was

led by people who said, not good enough, things need to get better.

I was thinking about it while the Member for Cape St. Francis was up speaking just a few moments ago. I remember the days when you were going to McDonald's or in to Tim Hortons and there were little foil ashtrays around every table.

AN HON. MEMBER: (Inaudible.)

MR. P. DAVIS: Yeah, they were on every table in the restaurants.

I remember in particular, I think the first one I ever saw was Tim Hortons up on Ropewalk Lane. They built these rooms within Tim Hortons where you had to go inside the room to smoke. If you wanted to smoke you had to smoke inside the room, but the rest of the outside you couldn't. Every time you opened the door the rest of the restaurant would fill up with smoke, anyway. You have all these smokers inside the glass room having a smoke when other people were outside.

I also remember, the ashtrays in people's homes were furniture. Lots of people had ashtrays as souvenirs or as decorative pieces of furniture. Every living room, on an end table or coffee table, had an ashtray. They even had the self-standing ones. Do you remember the ones? They quite often had the big black, glass ashtrays in them. You could take the ashtray, but they were self-standing. They quite often had a little handle. You could move it around the living room. They were a regular piece of furniture in houses, to have your ashtray with its own self-supporting stand. I'm sure there are houses – I remember one not too long ago, I saw one and there's houses around that still have them today.

AN HON. MEMBER: They're candy dishes now.

MR. P. DAVIS: Well, they might be, yeah. 1960 style candy dishes used today.

That's an evolution and change, and that's why we have legislatures as well. If we left the laws the same, we would never evolve and change the laws. That's what the Legislature is for, is changing laws, writing new laws. Most often it's

amending laws and then sometimes bringing in new laws. When you bring in a new law on cannabis, then you have to update our provincial laws on smoking.

I remember when I first started my policing career many years ago it used to be 30, 32, 33, 35 police officers in a muster room. We'd be working eight-hour shifts back in those days. At the beginning of every shift we would gather and the sergeant would stand in front of the room and read out the latest – no computers back in those days – information, what happened on the previous shift, if there was someone you were looking for and had a warrant for them, or if there had been an area where there was a problem with break and enters or thefts from vehicles, whatever the case may be. Now, they read it all on computer, which they can read constantly, updated with flows of information.

Back in those days we'd start our shift and then you may leave and be gone for the whole day. If the sergeant wanted to have a phone call with you, quite often we'd go to the fire station and use the phone because there were no phones in the cars. You only had a radio which everyone could listen to. If your sergeant or supervisor or someone had a personal message or something they needed to discuss privately, they'd call you and say – give me a 10-21, they'd say give me a phone call. You'd go to a fire station or a restaurant or a Tim Hortons – I went to lots of Tim Hortons, went in the back to use the phone, especially when they were open in the nighttime.

Also, I can remember back early in those days when we'd go in the muster room at the beginning of shift and if there were 30 people there, 20 of them were probably having a cigarette before they went out on the road. That was commonplace. Today, I know from my own experience with groups of police officers like that, there's only a small number that are smoking or, maybe in some cases, none at all, which is much better because of the health.

You look at the health issues and all the negative impacts. If you look at the most frequently diagnosed cancers – I haven't checked lately but my recollection is the five most frequently diagnosed cancers would be, and this is not necessarily in the right order: prostate cancer, breast cancer, colorectal and lung cancer. I think

lung cancer is the leading diagnosed cancer in Newfoundland. I don't know if the Minister of Health knows it off by hand or not. The fifth one is lymphomas now. Lymphomas used to be way down on the list and now they're up in the top five of cancers.

Many health care professionals and scientists, quite often, are not sure what causes those types of cancers or illnesses. Lung cancer is an obvious one from a smoking perspective. Lymphomas are quite often believed to be the result of environmental conditions that would cause the cancer. It could be genetics and a whole bunch of other stuff but, quite often, environmental impacts are one that people believe. Because of our environment today it's part of the reason why there's an increase in the number of lymphomas. Lung cancer has been consistent year over year on top of the list.

Society has moved away from smoking being able to be permitted in hospitals, hospital rooms and restaurants to no more. Bars were commonplace. I remember when they took away smoking in bars. Bar owners were upset, going to hurt their business and that kind of thing. It probably did for a period of time. I don't know if it still does today, it would be hard to measure, but people move out. When you travel, especially in the United States, in recent years you could still smoke in some restaurants and bars. That seems to be coming along now and not as frequent as it used to be.

That evolution changes; quite often it's pushed by advocacy groups and organizations, I mentioned MADD, health groups, cancer groups and people who are concerned about their own environment. I quite often say I'm the worst kind of smoker because I'm a reformed smoker. I don't have a lot of tolerance for it to be honest with you, but I can pick it up. I could pick it up really quickly, most often, if somebody is. I notice it.

There's a study just recently published from *Reuters* on May 14 in an article that's entitled: "U.S. kids' exposure to second-hand pot smoke may be rising." Reading from the article there was a study done of 169,259 United States adults from 2002 to 2015. The first paragraph reads: "A growing number of American parents are using marijuana when they still have

children living at home, according to a new study that suggests cannabis may be complicating efforts to limit kids' exposure to second-hand smoke."

I think, really, if you consider smoking and all the efforts to move away from smoking – thinking about smoking cannabis and what is the risk of smoking cannabis to lung cancer and your health, versus tobacco to lung cancer and your health – according to this study, it looks like the numbers are going in the wrong direction. During the time period from 2002 to 2015, the 169,000 people that the data was collected from, "the proportion of parents with children at home who said they used cannabis at least once in the past month rose from 4.9 percent to 6.8 percent."

You may say that's not a big increase but "over that same period, the proportion of parents with kids at home who smoked cigarettes declined from 27.6 percent to 20.2 percent" So while the exposure to second-hand smoke is increasing, the people who are smoking the cigarettes is going down, which means the amount of cannabis being smoked is actually going up.

I quote from one of the authors here. It says, "While cigarette smoking continues to decline among parents with children living at home, use of cannabis is increasing among parents and this may as a result lead to an increase in children's exposure to secondhand cannabis smoke" This was one of the lead study authors, Renee Goodwin. Renee Goodwin is of the Graduate School of Public Health and Health Policy at the City University of New York.

The story goes on to say: "The increase in cannabis use appeared to be 'disproportionately common among cigarette smoking parents,' ... 'Therefore we may be seeing an increase in exposure to multiple types of smoke/increased amount of smoke in a growing percentage of households with this increase in cannabis use.'" What this study is saying is that while cigarette smoking is declining, and exposures to cigarette smoke is declining, the cannabis increase is outpacing the exposure from second-hand smoke.

The study points out that there is some form of "marijuana now legal in about 30 U.S. states, concern is mounting in the medical community that many people may falsely assume the drug is harmless and fail to recognize the potential harms to children who breathe second-hand smoke." For the Members across the way who think it's harmless, this health study indicates otherwise.

"Cannabis use was almost four times more common among parents who also smoked cigarettes than among non-smokers," the study also found.

"Among smokers, the proportion of parents who reported using cannabis in the past month increased from 11 percent to 17.4 percent during the study period

"For non-smokers, the proportion of parents who used cannabis in the past month also rose, from 2.4 percent to 4 percent."

What that says is if you're a user of tobacco, you have increased amount of cannabis use. If you're not a user of tobacco, you have increased the amount of cannabis use. It says the use of cannabis is on the rise, but it was more common amongst those who smoked cigarettes.

"At the same time, the proportion of parents who said they avoided both cigarettes and cannabis also increased." That's probably one of the most encouraging pieces I read in the article, Mr. Speaker, where it says that the number of people who are avoiding both cigarettes and cannabis together is also increasing.

Mr. Speaker, there's lots of data. This is a story from a study that was written on May 14, so there are lots of stories, data and information that's being shared and that's becoming known as time goes on. For the government here today to bring forward a bill to amend the *Smoke-free Environment Act* I think is a good parallel, because the *Smoke-free Environment Act* is one of those laws in the province which is trying to discourage the use of smoking tobacco. While I fully understand why some of the arguments for legalizing marijuana, for legalizing the use of weed in our province, minimizing how and when and what circumstances it can be legally smoked, similar to cigarette smoking and the

rules around cigarette smoking, limitations about it, I think is a good thing to do.

I expect when we get into Committee we're going to have questions on this piece of legislation as well, as we are the other ones we've done today, the *Cannabis Control Act*. The Corporations Act has now gone through Committee this evening and that was probably the least – that was a housekeeping bill, I think all sides of the House here agreed with that. There's a *Highway Traffic Act*, there'll be lots of questions on that one. Now we have the Smoke-free Environment Act amendments that are being proposed as part of the legalization of marijuana in our province.

Mr. Speaker, as I stand here, I'm slowly getting more and more reports and studies and information available to me regarding legalization of cannabis. I only got a couple of minutes left, so I'm not going to delve into another area. Only to say that second-hand smoke has been a factor that's been studied for many, many years, primarily around tobacco use.

What this article is addressing is the issue of second-hand pot smoke, as it's referred to in the headline in the article: "U.S. kids' exposure to second-hand pot smoke may be rising." That's what the indicators show from the study of 169,000 people in the United States from 2002 to 2015, that it's the amount of usage or second-hand smoke for children.

I think it's important that a strong education program and a strong component program, education component, be part of the roll out of legalization, not only here in Newfoundland and Labrador but across the country. It really should be led by the federal government who we've seen national advertising and campaigns to limit labelling of tobacco use in advertising in support for athletic events, for sporting events and so on has all been eliminated.

One time there were all kinds of tobacco products that were used for promotion and sponsorship of high-level events, and everything from automotive racing to tennis to soccer to all kinds of national and international events. A lot of that is completely gone now, not only in Canada but beyond that as well. I hope

marijuana is treated the same way, and that the approach taken by the government is one to discourage smoking, not to do anything to encourage smoking.

We're going to legalize it, that's one thing, but to do so in a way where there's colour being used and things that are inviting – we've done away with the flavoured products in the past to discourage young people from using it, and I hope the same approach is going to be used when it comes to the legalization of marijuana, not only here in Newfoundland and Labrador but right across the country.

Thank you, Mr. Speaker.

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

MR. PETTEN: Thank you, Mr. Speaker.

It's a pleasure to get up and speak on Bill 22, as it is to speak on any piece of legislation that comes to this House. It's important I think for Members to stand in their place and speak on how they feel about any piece of legislation. This full debate this afternoon has gone into late hours and getting into later hours now. It's been all around cannabis and the cannabis bill itself and piecing it together and certain legislative changes.

As I said earlier today, this is – and government has stated, too – one of the bigger policy shifts we've seen across the country in a long, long time. It's one that, I think it's very important for every Member to stand in their place and be on record to express their concerns, but also add to the debate and discuss issues they feel is important to them, on any piece of legislation, and this one is no different.

My colleagues have stood in their place and spoke about the smoke-free environment in a lot of anecdote stories and whatnot. I guess the thing is, we bring in a smoke-free workplace, smoke-free environments – right now we even have it that it's illegal to smoke in a vehicle with a child, which I think is a wonderful piece of legislation, but now you're bringing in another add-on to that, with that being cannabis.

I said this earlier today, and we talked about it in the previous bill and it applies to this bill as well. It just adds to the level of concern, or the level of – it's another layer. We have to change this bill, Bill 22, for that reason. It's another layer that's going on to the existing legislation, existing rules, existing policies. It's important that we get this right.

I have no doubt, I wouldn't be shocked at all if we'll see revisions or add-ons done to this legislation over the next number of years because as things change, we know what happens. Stuff we're not aware of right now, that may arise next year or the year after – and that's fine, that's why we have this Legislature, to come back and revisit any piece of legislation.

When we talk about cannabis in our workplace, bringing it under the smoke-free environment, there are lots of things that come to mind. I know one thing today, I was thinking about different places where people can now smoke is outdoor areas that are sectioned off. People who smoke cigarettes, they're allowed to smoke cigarettes. Does that mean now you're allowed to smoke cannabis? I know in certain places it's going to be legal.

When I read this legislation, this bill is prohibiting the smoking of vaping, of cannabis in indoor public places and workplaces. It also authorizes the establishment of designated smoking rooms in certain facilities that's currently provided except remote worksites. What does that say?

We'll debate this here and we'll probably go to Committee and ask questions and whatnot and this legislation will come into effect. There's going to be a lot of growing pains with this, Mr. Speaker, and there's going to be a lot of issues arise. There's going to be a lot – we'll learn a lot as time goes on.

With mistakes comes learning. I think there's going to be things revisited in this House. We'll look back on it as there were oversights. I don't know if you'd call them mistakes because we don't know.

When we talk about a smoke-free workplace, what about – I know in debate you're not supposed to smoke marijuana if you're out in a

pleasure craft. What about if you're on a ferry? What about if you're on a ferry where they have a smoking area? Is there anything preventing you from smoking cannabis there? It's a legalized product, no different than cigarettes.

I've crossed the Gulf ferry many times and I will be – maybe you will, too, Mr. Speaker, but I know I will be in another few weeks, hopefully, and people go out and smoke. It's very normal. They're outside. They're out in the open fresh air and it's designated smoking areas for passengers on that boat. Does that mean cannabis will be allowed to be smoked there as well?

You have a social aspect there. I know parents of young children may have concerns about that. People walk around, they take their kids out around. For some reason, even though it's not socially appropriate, it's not a socially accepted thing, neither is tobacco but it's something that is part of society for a long time and everyone has incorporated that, and you tell your child that smoking is not good for your health, yada, yada. It's dirty or whatever.

Now we're going to add something else into that. Are we prepared for that? Is that in effect for this? These are questions we'll no doubt bring up in Committee, too, but there's nothing clearly stated there. There's nothing really stating that that won't be an issue. I think it's a very valid point. If it's not that way, well, that's fine, but again, that brings me back to my original point of us getting in our place and bringing up certain things that come to each of our minds that we may feel is important.

As my colleagues have stated, we've changed a lot as a society. In a lot of years we've come a long way from when you'd see a car going down the road, every window up in it and four children and two adults in the front seats pretty well chain-smoking. That was a common occurrence. If you broke the window or opened the door there would be nothing but a big smoke cloud coming out. That's the way everyone lived. Everyone smoked in the homes. I know my colleague from Cape St. Francis mentioned about the dressing room in the playing-hockey days, but that's the reality of what we all lived in.

Now we're introducing cannabis on top of that. I know there will be rules: You're not allowed to smoke in vehicles and you're not allowed to smoke it out in the middle of a parking lot. They're going to try to tighten the rules. Then we get into the bigger piece of enforcement. You're bringing in the Smoke-free Environment Act which is fine. You have to do this. All of these changes have to happen.

Staff have provided us with briefings on all this stuff. They've done great work and we appreciate the time they spent. They were first class and they got these bills down. They understand this legislation but they have not covered every base. We probably have not asked every question to cover every base either. We're going to miss stuff too.

It's such a policy shift but it's such a societal shift. I think if you would have thought two or three years back anyone talking about this and where we are now this close to the legalization, I think we'd all kind of say – you wonder. I know that when the prime minister made this commitment in his 2015 campaign, it caught everyone's attention, mine included. You wonder: Will this be possible? First of all, he had to win the election, but will this be possible? The what-ifs start playing in your mind. Even today, that's still plays in my mind. How will this really unfold? How is this going to work out?

I know my colleagues across the floor have been telling me earlier that the legalization is going to reduce crime. I hope they're right. I sincerely hope they're right. I know there are arguments out for how decriminalization could reduce drugs in general. There are other people in the Parliament of Canada; I think the leader of the federal NDP has called for that. I don't know, maybe they're right. Maybe they're missing something. Maybe I'm missing something.

All of this legislation we have here, we're pretty steady with different legislative bills tied to cannabis trying to make it right, trying to connect all the dots to cover all the bases. I don't know, maybe we have covered all the bases. When we get into issues like this smoke-free workplace, it seems pretty mundane that you're bringing in a bill, you have to incorporate

cannabis into it and whatnot, but I think it opens up a different avenue.

Designated smoking rooms in certain facilities, how are you policing that? What is going to be allowed and what's not going to be allowed? That's probably one of the things that jumped out at me. It says the definition of an e-substance is modified to include an e-cigarette that may contain cannabis. I never knew you could do that. Who are the experts on that? What effects does that have? How are you going to control that?

You're looking at an e-cigarette that can contain cannabis. I guess outside the smell – and, as my colleague from Topsail - Paradise said just now there are all different types of flavours that can mask things. I know those vapours can come in any flavour, from strawberry to coffee to vanilla. I've smelled it all.

What's the difference? You're going to control cannabis? I know it has a distinct smell, but a lot of this stuff comes to a bigger piece. I'm not a law enforcement official by no stretch, even though I find I talk about law enforcement a lot when I stand here, but how do you enforce this stuff? How do you police all this stuff?

It's fine to change the legislation; you have to do this change. We get that. But when you change it – right now, smoking is what it is. It's a dirty habit; it has a lot of health effects. It's been around a long time. There was a time – as, again, it's worth repeating what my colleague said – it was in the workplace, an ashtray laid on everyone's desk. We've come a long way, thank God, from those days but that's where we were at one time.

I remember when the big debate was on for taking it out of restaurants and bars. I know the restaurant association were very vocal on that issue – very vocal. They said it was going to ruin the bar scene, it was going to ruin the restaurant business. They were very outspoken and there was a big public debate on that at the time. As a matter of fact, my brother-in-law owns a bar, a very busy bar, actually. He expressed that concern himself at the time but he kind of chuckles when he talks about it now. It had no effect. Now, it's such a taboo thing and people adjusted.

Again, it comes back to the societal shift and the fear of the unknown. When you bring cannabis into the equation, it's a different animal. We know second-hand smoke from tobacco can have serious health impacts on our lungs, our breathing and whatnot. What's the second-hand effect of cannabis? Will it make you high? I don't know. I don't know the answer to that. Maybe. What about the health impacts?

It's fine to take cannabis and insert it into this legislation and you have to. It's not being critical at all. These are issues that people talk about. Maybe it was discussed earlier. I haven't heard it. They're things that I've thought about and my colleagues have brought up a lot of other good examples.

We always say it and I say it a lot of times here: Do it right. You get this opportunity, I say do it right. My gut tells me we may not get it right. With a big piece of legislation, a big policy shift like this, there's a very good chance we won't get it right. If we can limit what we miss along the way, it makes for better governance, it makes for better enforcement. It makes for better everything.

People adjust quicker when you don't have a moving target. If you have a piece of legislation that's pretty tight and you have to build it – we're bringing in all this cannabis legislation. If we have it tightened up fairly good, then the chances are we should transition easily. It should be a smooth transition with as few bumps in the road as possible. Us standing in our places and asking the questions of this legislation in debate, bringing up these points, I think that's part of our Legislature. I encourage all Members to get up and have their input because it's what we're elected here for.

We're here to represent our districts and to speak to people. I spoke to a lot of people on this overall cannabis legislation. Some of these things I'm bringing up to you now, they're brought up by people wondering will you be allowed to smoke? If you have a workplace and you're allowed to go out – I know the Dominion in Long Pond has this gazebo they supply for their staff. It's a gazebo over in the far corner. That's where people who smoke go when they go for a cigarette. Are you allowed to smoke cannabis in there now as well?

It's a valid question; I guess the employer would have to decide that. That's the location that will be selling cannabis. They're one of the places that are designated now, when they go through the rest of the process, to be a cannabis retailer. It's easy access but, then again, it's a designated smoking area, so are they going to be allowed to smoke cannabis there? Maybe, maybe not. Are you allowed to smoke cannabis and work at the same time? Maybe not. Maybe when you get off work you can. I don't know.

Those are things that I think are valid to the conversation. They're pertinent to this conversation; they should be put into effect. When you look at this bill – and I know when we had our briefing on it, it was a pretty short briefing, actually, because it seemed fairly routine, which it is. But this bill, to me, created a lot more questions and we have the other couple of bills that are going to have a lot of questions involved too. These created a lot of the more societal issues.

If you have that designated area for a workplace for people to smoke and you're allowing cannabis, but then you're out in public areas, there are children around, there are youth around. There are people around that you could be causing interference to. It's a distinct smell; you're in a public place. Has all this stuff been thought of? Maybe it has.

I haven't heard it yet though, Mr. Speaker. By the time we get to Committee maybe I'll hear it then, maybe we won't. I'd like to be on record as addressing that and bringing it up to say we did bring this to the House of Assembly, brought it to the floor for debate and let the powers that be, the ministers, their staff and whatnot answer those questions. I think they're very valid questions.

It's not like there's 100 per cent support of this legislation across this country because it's not. Sure, there's support in different sections, but it's one of those bills – and I'm not saying this being against the bill, I'm not, but I always make a point of saying this. Everyone is not in support of this legislation; there are people adamantly against this. It was a win-win for the prime minister when he announced this legislation. He garnered a lot of support and good on him. That's what you call in politics a smart move.

We all try to come up with that magic bullet and he came up with it. Good on him, he did it.

That doesn't mean he had unanimous support. That doesn't mean he had near unanimous support. That meant he had a lot of people out there who were supportive. There's another section that really are oblivious and there's another group that are totally against this. You have all facets, different age groups and different religious groups, you name it. People have concerns over anything of this nature.

When we go back to Bill 22 and we think about a smoke-free environment, there are other impacts of that Smoke-free Environment Act when you're adding cannabis to it. Just to recap a couple like I mentioned, the ferry. I think that one is a very interesting one. That one jumps out at me because that one just occurred to me. There are a lot of other things. There's the gazebo down by Dominion, there's all those workplace smoke places or nooks – I call them all gazebos. Most of them are octagon or hexagon, I don't know, they have eight or 10 sides. They're a gazebo to me anyway. They're smoke places; they're little shelters for smokers.

I think that's something that's only right. That's their right to smoke. We can say it's bad for your health but they want to smoke and that's their own right. I applaud any employer that provides a shelter for their staff to do so. It's not our bodies, it's their bodies. They're doing something that's legal so go fill your boots.

Cannabis is that new tobacco now, Mr. Speaker. Are we going to offer the same? As long as they're not driving, as long as they're not causing any harm, we're saying we're going to let them do that too? Maybe we're not but I'd like to know where and how that's going to be policed. How are you not going to do it? Where are you going to put that in legislation to stop that from happening? Again, they are valid questions.

I know government has this legislation and whatnot and they're trying to get their bills through, but it's too bad more Members opposite don't stand up and speak for the residents in their districts. They have people in their districts that have the same concerns I have in mine, as my colleague for Cape St. Francis has, Topsail -

Paradise, Conception Bay East - Bell Island, Mount Pearl North – just as well to finish it off – Fortune Bay - Cape La Hune and Ferryland. Why can't they speak up for their residents like we're speaking up for our constituents, Mr. Speaker?

I'm sure they have the same concerns. If anyone wants to listen to what we've debated here and some of the questions and concerns we bring up. I'd say they'd say how come my Member is not up asking the same questions? That's not 100 per cent unanimous, get this through and let's get on with this, that's the furthest thing from it. It's not even close to that, Mr. Speaker.

This is one component of the bigger piece of the cannabis legislation – it is one component. We have four bills we've gone through tonight, from the *Highway Traffic Act*, this cannabis legislation and the *Liquor Corporation Act*. It's all to do with cannabis. We've all spoken on it. We've gotten up as an Opposition, we've stood in our place and we spoke. We've asked questions, we've debated it. It's what this Legislature is designed for.

I understand the urgency of wanting to get stuff done. We're okay with that, too, but we want to make sure it's done right. We all feel the same thing. As time goes on in the session you get that feeling, but we want to make sure it's done right.

We feel debating these issues is very important. I think we put a lot of important or interesting angles out there and I'm sure that staff – because I know the way this works – pay attention, make notes of a lot of comments that are made across the floor from the Opposition debating bills. They do. I used to be watching this on camera, one time before in my previous life – watching politicians get up and ask the same stuff we're asking here tonight. I get it.

It's a very valuable exercise. I think it's very important for each and every one of us to stand in our place and do what we're doing because we're not taking this legislation lightly. We think it's a very important piece of legislation. Every component of it and how it fits into the puzzle is very important to us, very important to the constituents we represent.

It's something that we will debate. We'll ask questions as we go into Committee on all of this legislation because it's what we should do. I say it every time – and I'll finish up for the Minister of Finance's benefit – we ask questions and we look for answers.

Thank you very much.

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

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

I'm happy to stand up and speak to this. Hopefully I can add some value to this debate if that's what you want to call it.

The Member opposite, I think the Member for CBS, I don't know if he ran out of steam there. He spent the last part of this debate – I'm just trying to figure out what he had to contribute to the *Smoke-free Environment Act, 2005*, because there was a lot of commentary about we're going to ask questions.

To that I say: Good, we're waiting for the questions; in fact, I've been answering questions on this for two years now. I've answered questions during Question Period. I've answered questions during debate. I've answered questions on TV. I've answered questions from citizens.

The Member opposite says: We're all over here talking. I wish the Members opposite would talk too. I wonder what their constituents have to say. I just got one message. One constituent said: What's that crowd on the other side getting on with? That's one of the messages that I got.

It's funny here. The Members opposite have spent some time during Question Period talking about they've delayed this and it's taking so long. Yet, when we get here and we're debating the legislation, they talk about they're rushing it. So I can't quite figure it out.

Let's look back on this. I can't remember when Prime Minister Trudeau first brought it up as a public policy item; I think it was during his time in Opposition. I think the Member opposite, just in his commentary, said something about you brought it up, but it wasn't what the majority of

people wanted. He said a lot of people wanted it but he also said a lot of people are oblivious. I think that was his comment, that a lot of people were oblivious. Quite frankly, I think that's an insult to citizens. I think it was spoken quite clearly; this is a public policy shift that they want to see.

I didn't get anything out of the last 20 minutes that would indicate whether there are some suggestions or additions, amendments, errors or omissions as it relates to this piece of legislation that they'd like to see. A lot of the commentary was that – I heard six Members talk about smoking in the '70s. That's what I heard. I heard six Members talk about remember when you used to smoke in cars. That's fine when it comes up the first time, but after the sixth time, yes, I would call that repetitive.

I haven't made any comments while I'm sitting here. I haven't heckled, I haven't shouted, I haven't said anything. We're giving the Members every opportunity to have their say during debate. What I can say is I do look forward to the Committee stage, which is actually an opportunity to ask substantive questions as to the legislation. That's the part that I think we're all looking forward to here.

Members on this side have been contributing to this legislative process for a couple of years now. This is not something that just came up and they're all surprised here. This is something, as a public policy initiative, we had the largest one in this government's history; 2,600 people that had their say on where should we go and what is the direction that we should take.

Members have been engaged in this. Members have been contributing; Members have been speaking to this. They're prepared to continue to do that and I'm certainly prepared to. I look forward to the debate on this piece of legislation as well as the debate on the other pieces.

I can guarantee you what I won't be doing is that I won't be wasting the time of the public responding to repetitive questions. What we will do is answer the substantive questions that come up. Some Members will ask them, some Members will not. We have no rush; we have all the time in the world to debate this. We're here now at 11:37 p.m. and if they want, we can keep

going tonight. We're going to continue on tomorrow. There's lots of time to debate this, but the purpose of debate is to be constructive as well.

That's why I like the Committee phase of these bills. The Committee phase is the chance for an Opposition to ask constructive questions; if they have a change that should be made, the possibility of an amendment. Then they can put that forward if they have something to put forward. Or if they want, they can just ask questions for the sake of asking questions.

The purpose that we're here is we're basically amending the Smoke-free Environment Act which basically had to deal with tobacco. We're amending it so that now it applies to the smoking of cannabis. One of the big things we talked about today is that cannabis in many ways has to be treated like alcohol, and in many ways it has to be treated like tobacco. It has similar effects to both. It's an intoxicant, but at the same time the smoking of cannabis produces smoke that can be inhaled by others. We have to protect others from inhaling this.

I heard a lot of commentary about the science behind smoking and the health effects. That's not a surprise; we've been talking about this for some time. This is about the legalization stage. As far as I know, the Members opposite are supportive of this. What I am supportive of is right now we have an opportunity to bring it from out of the shadows and into the light.

I have Minister Wilson-Raybould's comments here as they debated C-45 and C-46. What she talks about is the fact that it's easier right now to probably go out and get some marijuana than it is in many cases for a young person to get a beer. You know where they're getting this; they're getting this from drug dealers. They're getting this in many cases from criminals. You don't know what you're getting.

There's no urgency per se. We're not rushing this. We want to do it right, but this is going to happen. The reason it's going to happen is because the fact is that youth are smoking. By making this legislative change, we're going to make that more difficult, but we're also going to make it safer. That's what's going to happen. That's why I don't want to delay this for the

sake of inane questions and inane comments from the Opposition. Let me rephrase. When I say Opposition, I don't refer to everything from everybody on that side. I know what the Member for Mount Pearl - Southlands has had to say and the Members of the NDP.

I look forward to debate. I look forward to hearing the questions on this piece of legislation. I don't think I heard a single person talk about some of the actual clauses in here which would be a welcome start to actually looking at what the clauses say.

On that note, I look forward to the actual debate stage. If they have questions, we'll do them in Committee. We'll take as much time as it needs, Mr. Speaker.

Thanks so much.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Trimper): The hon. the Member for Ferryland.

I'm sorry, the hon. the Member for Conception Bay East - Bell Island.

MR. BRAZIL: Thank you, Mr. Speaker.

I know it's late in the night but the half-a-twin thing is not really kosher with two of us here right now.

Mr. Speaker it's indeed an honour to stand and speak to this bill as we look at An Act to Amend the Smoke-free Environment Act. As was noted by some of my colleagues, there are four key pieces of legislation that's being debated here since mid-this afternoon related to the new cannabis laws that are coming into effect. All have a sequence of importance, a sequence of time frames and the impact that they have on the cannabis bill.

This is why we're here now to debate 20, 21, 22 and 23. Right now we're into Bill 22, the Smoke-free Environment Act. As we listened around you got a chance to, I suspect, relive part of our teen days as we talked about how things have changed in society. There's a point there where I figured I'd get out my bell-bottoms, the Jeffersons CDs and maybe do the mullet back

again because we've lived through all the ashtrays that people have had and all the different components of what we've gone through in society.

I say that jokingly but with a serious note that we've come a long way in our understanding of what's acceptable, our understanding of what's a healthy environment and our understanding that we, as a society, can't impose our own practices on everybody else, particularly if it has an adverse effect. That's where we've come in our society now and this is where we've come to ensuring that our laws and our regulations and, particularly, our legislation reflect that.

That's where we are. As the Minister of Justice and Public Safety has noted over there about the legislation itself and what it entails, it's adding to a good piece of legislation that was put in over a decade ago, An Act to Amend the Smoke-free Environment. Which at the time looked at proper areas for safe environments where smoking was acceptable and it outlined places where it wouldn't be, so people knew exactly, under regulations and under law, where you could smoke and where you couldn't. That came about because of the education process that we had in our province around second-hand smoke, the effects it has, the effects it has on children, the effects that it has on certain medical ailments that people already have and the effect that it would have on an accepted process of people being infringed on, on their own feeling of wanting to feel healthier.

We've come to look at this. It outlined over the last period of time – and I know we made some, only in recent sittings of the House, changes when it came to the use of vapours and what impact they had also. We've talked about that and debated that in this House of Assembly only a year and a half ago, and had some really intense debate about the impact it would have, what would be acceptable and how that fit in with smoking regulations. Now we've gone to the next level and it's about cannabis.

You take in here when you look at the sections here: “‘smoking’ means to smoke, hold or otherwise have control over an ignited tobacco product” Then we changed that to “‘e-cigarettes use’ means to (i) inhale or exhale vapour from an e-cigarette that has in it an e-

substance which does not contain cannabis, or (ii) to hold or otherwise have control over an activated e-cigarette that has in it an e-substance which does not contain cannabis.”

Now we're adding the cannabis segment to it. We've evolved to the point now of as we identify there's a new law coming in that cannabis will be legal, part of that is that cannabis also has some health challenges with it. We have to ensure that the same protections are there as we impose when it came to regular cigarettes, as it came to vapours and e-cigarettes, as it now does to cannabis.

All of these things were enacted. The piece of legislation that we're now debating is adding the cannabis regulation under the same heading. While it's not very in-depth in the sense of how many clauses there are, they are very precise. They outline exactly what it is that our society accepts, what will become law and what are the restrictions on where and how you can use these particular three nuances here: around tobacco, around e-cigarettes and now around the use of cannabis.

It talks about workplace references here, what that means. It gives some examples, like enclosed areas, in mines. So it talks about some of the things that were taken for granted many years ago. We've had many examples here of how people – cigarettes particularly, how they were just an accepted part of our society. We've all shared stories around the impact it has.

All those stories have a reference point, and the reference point is at the end of the day we've learned that our society has an ability to be healthier; but, to be healthier, it also has to put restrictions on actions that may not be healthy for our society. That's what we're imposing here when we add and change the Smoke-free Environment Act.

As I mentioned at the beginning of my discussion here, this is all related to the changes to the cannabis laws. As we reflect and we've talked about the cannabis laws, and most of us on this side have spoken to that during the last six, seven hours, it all relates back to ensuring that while we give freedoms to people who choose to smoke marijuana, and in this case tobacco and e-cigarettes, we also have to ensure

that our environment and the individuals are protected through a different process.

We reflected on how far we've come, just in this building alone and in this House. We heard stories where people would smoke here and the impact that would have. We've heard in the building first when there was a realization and an understanding and an acceptance that second-hand smoke had an impact on people's health.

Then we went to smoke rooms, and even in Confederation Building, but we had no ability to ventilate those rooms. So when you opened the door, the same smoke went everywhere. If you had to go in that room to discuss something with somebody or call somebody out, you still had the full second-hand smoke. Probably more concentrated, because it almost came in a fog-like – engulfing you as you opened the doors.

We've come a long way to ensure people are safe. As we do that, we look at the different components here that are very important to changing this act. Again, it's solely around the point of getting people to understand it's not infringing on your freedoms, it's ensuring that everybody else, the majority of society, are not restricted on theirs.

That's where we're going with this in changing what is an amendment to the Smoke-free Environment Act. We're just adding another component to include cannabis. Who knows where our society – who knows in two years, five years, 10 years, 15 years, what might be added to that also. So this is a living entity here. A living document to ensure rights and privileges to a certain degree, but ensure safety and good health.

As we move that forward, it gives us an opportunity to have a real debate around planning for what may be seen down the road and the impacts they're going to have. As we talk about the cannabis debate – and we've had those discussions earlier – we want to also ensure that we talk about and reflect on how and why we got to this point. It's not just about the cannabis, we're responding to what's coming in, but the bigger picture here is about a smoke-free environment and what that includes and ensuring we have the mechanisms in play that will protect our citizens here.

While we've added cannabis – and I noted and I didn't want to play down that it's just an addition to the Smoke-free, Bill 22 that we have. Because it's cannabis, we've got to be cognizant of the fact it's not going to be as simple as some of the other entities we have here – the other two, tobacco and e-cigarettes – to enforce.

Again, and we've talked about this earlier, there's a whole thought process that changes dramatically here. There's a start point here. The start point here is that this is the first time, when this is enacted, that cannabis will be legal. People's understandings, people's misconceptions I suppose or misinformation will be about: Will I have all the same privileges as I do with a cigarette? In some cases you do, but in other cases you have more restrictions that you have to be cognizant of.

We as a society and as a government are going to have to have more due diligence to ensure that we protect the safety of those individuals who don't want to be around cannabis, don't want to smell the odours that come from it, don't want to in any way shape or form have to inhale the smoke or the vapours that come from that, who don't want to be part of that. We have to ensure that the buildings – because this is going to be a new process where it's public. What are the fumes, the vapours from tobacco in comparison to cannabis?

People tell me cannabis, we know, you can walk down the street and somebody on the other side of the street and smell if they've been smoking, or not even smoking at the time but have been smoking. It's not the same with a cigarette. So that tells me the vapours here and the odours from that are much more dramatic.

What impact is that going to have on people's health? People who have allergic reactions, what impact is that going to have? We have to ensure – just putting it in an act is not good enough. It protects it from a legislative point of view, but we have to have a proper policing process. As we do the policing process here, that's going to have to be in our ventilation systems. If there's going to be smoke rooms that are separate or gazebos like was mentioned, what's publicly acceptable and what's not?

Again, the fact that while it's not illegal to have it, the consumption in public is in a different vein. It's in the same vein as alcohol. So it's going to have to be policed in a different mode. There are a number of conversations here and there are a number of other avenues that have to be really addressed before we can do this properly.

When we're looking at what's being done here – when we get to Committee we're going to have a multitude of questions on the process, the structure, the assets that are going to be necessary, the responsibilities to ensure that not only is this implemented but if the regulations and the legislation can be enforced and enacted in the manner that it was meant to be. Sometimes we'll enforce or we'll put legislation forward but then we don't have the resources to do it properly. Then we have to reinvent how we do things, or there's always a later process before we can really get the effect we want, the positive effects.

We're going to have a discussion around, what is it that's needed? What are the additional assets here? It's not only about the police force. We've talked about we have total faith in our police force about their training and their understanding and the regulatory things, but we also have to look at municipalities because a lot of this will be in the confines of the geographic responsibilities of municipalities. What role are they going to play? What resources are they going to have to dedicate to ensuring that a smoke-free environment does include cannabis and does address the issues so that there isn't an issue around healthy use of cannabis in the fact that it affects other people's health in some way shape or form.

There are a number of things that have to be looked at as we do that. Years ago when smoking first was banned, then the smoke rooms, the issue, as I noted earlier, was about ventilation. How do you do that? How do you have proper ventilation? Then it was you could go outside by the main entrance. Then that became an issue. Then it was so much a distance away. We need to know now exactly what's going to be acceptable and what are the parameters that are out there and who's responsible for enforcing those.

There's a whole education system here or a whole education process that's necessary. We had talked about it on Bill 20, about the legalization of cannabis, but none of these bills can work in isolation. All of them have to have an education component and they all have to relate to the adjacent bills that are obviously being brought in together. They're being brought in together for a reason, because each has a connection to the next one. It either strengthens it or it protects what the intent of that was.

As we move those forward, we need to make sure we don't think of a piece of legislation in isolation to what it does. We have to see what this does to the next bill. What those two bills do to the next bill and what those bills collectively do to each other; how, if you change one, what impact it has on the other ones as part of the sequence.

There has to be a bigger discussion when we get in Committee because we've looked at it, and some of the questions we have ready to go, some will overlap and some – the answer may be relevant to Bill 20, but that answer then may have an effect on Bill 21 or 22. So we're going to have a good open dialogue and discussion there. We're looking forward to – and I know that government are – getting to Committee.

No doubt we will get to Committee in the next number of days and have a good discussion on exactly how these bills work and how we get the best out of ensuring, when these are passed as legislation, that they get the desired effect we all wanted, that they protect people, that people understand their rights, their privileges and their responsibilities. It also ensures there's enough openness, that if we realize something – because, again, we're going down a totally new path here – it's not overly encompassing to go back and change a piece of legislation to cover off what needs to be done.

As we discuss where we are right now, we're looking forward to that dialogue. We've had great dialogue here on the Opposition side – and some members of the government have also been actively involved in it – about what these four bills mean and the impact they're going to have. I think we all support the bills here. We think they're well written. We just want clarification to make sure that there are no gaps

or that there's no misinterpretation, that we have the ability to strengthen these as we move forward over the next number of sittings or the next number of years as we roll out the legalization of cannabis, the distribution, the selling, the cultivating and the online purchasing: all the things that are relevant to what we're debating here as we bring in the cannabis bills.

We'll also be talking about the revenue streams, but when you talk, you can't talk in isolation. This is more about the Smoke-free Environment Act. We all talk about the impacts, the generational changes, where we are from a healthy environment, the difference between what the younger generation now understands as a clean healthy environment versus what we grew up with, and what I suspect our parents and grandparents grew up with when it came to what would be considered a smoke-free environment. In those days, nobody would think about the legalization of cannabis or what impact that would have. That was taboo.

As we bring this in now, we'll bring in pieces of legislation that are consistent with a clean flow, a guarantee that people are going to have healthy choices when it comes to cannabis, on where they smoke it, who's around when they smoke it and what impact it's going to have on what they're doing.

One of the things I did want to note was there are a couple of agencies here; the Alliance for the Control of Tobacco and what role they may play in the education component here. If you talk tobacco – and I know they took on e-cigarettes – no doubt they're going to have to be engaged heavily on the cannabis. This is an organization that has a very in-depth history. It has a network of trainers, facilitators, not-for-profit organizations and educators who were probably the best equipped to be able to sell that to at least, we know for sure, the generation of young people that are going to have a major impact on what influence this has, the uptake to a certain degree and if there are any negative fallouts, what impact it will have on them.

There's one organization that when we get in Committee I'll be curious to see the dialogue there. I'll be reaching out to see what their view is on it now. This piece of legislation is so new

we haven't had time for other outside agencies and organizations to give us some advice as to: here's a concern, here's an issue that needs to be done and if you're going to do this, you need to think about it.

We'll have an opportunity to have those discussions in Committee and figure out what's happening. I look forward to the Member for Bonavista getting up tomorrow when we're in Committee and having a great debate there. Maybe you'll get a chance to answer some of the questions tomorrow. I look forward to those answers.

Mr. Speaker, as I know with our new regulatory processes now in the House of Assembly and looking at the hour with the House new rules, I do move that we adjourn debate on Bill 22 for tonight.

MR. SPEAKER: Debate has been adjourned.

Order please!

Consistent with Standing Order 11(2), this House stands adjourned until tomorrow at 1:30.

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