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The House met at 1:30 p.m.

MR. SPEAKER (Trimper): Order, please!

Admit strangers.

We'd like to welcome some visitors today. In the public gallery we have Kevin O'Shea, Linda Ross and Cheryl Mullett. They are members of the Access to Justice Committee. They're going to be referenced in a Ministerial Statement this afternoon.

Welcome to you all.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: I'd also like to welcome a very new set of eyes to my right.

This morning we're very pleased to have a ceremony; we call it the hanging ceremony. We have a new tribute to number 43 in the line of Speakers; this is the former speaker Osborne, now the Minister of Finance and President of Treasury Board. He gets to sit across from his portrait for the next little while.

Welcome to you, Sir.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: In the spirit of so much going on in the Francophone community I'm very pleased to announce that this morning, live on our website now, are aspects of the site that guides one through the House of Assembly en français.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: I would like to thank the ministers responsible, including especially the Bureau des services en français and also my own team in the House of Assembly staff. Please enjoy that nice bilingual website.

Statements by Members

MR. SPEAKER: For Members' statements today I look forward to hearing from the hon. Members for the Districts of Terra Nova, Mount Pearl North, Bonavista, Harbour Main, Conception Bay East - Bell Island and a little

tribute from a minister who now represents the District of Corner Brook. We'll hear from you as well.

The hon. Member for the District of Terra Nova.

MR. HOLLOWAY: Mr. Speaker, it gives me great pleasure to rise in this hon. House to acknowledge the tremendous leadership and volunteer efforts of the Discovery Health Care Foundation.

SOME HON. MEMBERS: Hear, hear!

MR. HOLLOWAY: Formed in 1989, the board and its partners have organized various fundraising efforts in support of health care facilities and services to the residents of Clarendville, Bonavista and Burin region.

The Health Care Foundation is well known for several annual signature events including the Dave Hawkins Memorial Hockey Game, the George Martin Golf Tournament and the walk for mental health. On Sunday I, along with my colleagues from the Districts of Bonavista and Placentia West - Bellevue, attended the foundation's annual telethon at the Eastlink Events Centre.

Mr. Speaker, this year's event was another huge success. Through support from local Lions Clubs, volunteers and various musical performers, the foundation raised in excess of \$77,000 which will enhance community initiatives like the Tip-A-Vista Foundation's Wellness Centre and the redevelopment of the emergency room at the Bonavista hospital. In its 29-year history, the Discovery Health Care Foundation has raised nearly \$5.7 million.

I ask my colleagues to join me in congratulating the Discovery Health Care Foundation for its continued interest in the health of the citizens of my district.

SOME HON. MEMBERS: Hear, hear!

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

MR. LESTER: Thank you, Mr. Speaker.

I rise today to pay tribute to the contribution that service organizations provide to our province. In particular, I am proud to acknowledge the Mount Pearl Kinsmen and Kinettes and to show my appreciation for their spirit of giving. The Kinsmen and Kinette Clubs of Canada are the largest Canadian-only service organization.

The Kinsmen and Kinette Clubs of Mount Pearl are made up of passionate members who work together to improve our community. Contributions from their fundraising efforts provide valuable support and services to many worthwhile causes. From raising money for cystic fibrosis and multiple sclerosis, to volunteering their time and providing advocacy for the national organ donation program, their efforts are invaluable.

The Mount Pearl Kinsmen provide sponsorship to Mount Pearl Minor Hockey and the local Air Cadets. They also organize various fundraisers and host many events such as the annual Christmas seniors' dinner. The Mount Pearl Kinettes also host many events and fundraisers which include their annual Trivia Night which I had fun participating in this year.

I would ask all Members present to join me in congratulating all the good work of the Mount Pearl Kinsmen and Kinettes and all service organizations throughout our province.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Member for the District of Bonavista.

MR. KING: Mr. Speaker, it's an honour to recognize the robotics team of Heritage Collegiate. Through the years, Heritage has been known for its robotics teams; however, in recent years, interest waned. Through the guidance of mentors Stewart Churchill and Lyndon Williams, with a renewed interest from 10 eager students, Heritage recently competed at provincials for the first time since 2015.

The Marine Advanced Technology Education (MATE) competition was held at the Marine Institute with over a dozen teams competing. After MATE was completed, Heritage was one of two teams to qualify for the international competition in Seattle. This competition of 50

teams begins on June 21 and our team is hard at work to improve their ROV.

Working since September, our team has built their ROV from the ground up. They do their own computer programming and are quite resourceful in salvaging parts from household items to save on costs. Even an old set of speakers comes in handy as the end result is a medley of pipes, motors, glue, sweat and elbow grease.

I ask all hon. Members to join with me in congratulating Heritage Collegiate on their performance at MATE and wish them our best as they head to worlds.

SOME HON. MEMBERS: Hear, hear!

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

MS. PARSLEY: Mr. Speaker, local businesses are no doubt the lifeblood of many rural communities, and oftentimes receive international recognition for their products. Such is the case of the Newfoundland Distillery Company located in Clarke's Beach.

SOME HON. MEMBERS: Hear, hear!

MS. PARSLEY: They have been awarded a double gold medal for their Seaweed Gin at the San Francisco World Spirit Competition and silver for their Cloudberry Gin.

Winning a double gold means that their Seaweed Gin is among the finest products in the world and that each member of the judging panel independently awarded it a gold medal.

The Seaweed Gin is made using seaweed harvested from the Grand Banks, the barley from Cormack paired with local juniper and a hint of savoury. It is a unique gin that blends the classic flavour of juniper with the taste and freshness of the ocean air of our windy shoreline. The Cloudberry Gin has local juniper, cloudberry and a dash of savoury. This has the classic gin taste enhanced by citrus and fruit notes to give a complex and a smooth gin.

I extend congratulations to Mr. Peter Wilkins and the Newfoundland Distillery Company on receiving this prestigious award.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for the District of Conception Bay East - Bell Island.

MR. BRAZIL: Thank you, Mr. Speaker.

I rise today to recognize a sports team with players from my district who made history by winning the gold medal in the Boys Ice Hockey division of the recently held provincial Winter Games in Deer Lake. I speak of the St. John's North Boys Hockey team who are made up of players from the St. John's North area which includes Paradise and Portugal Cove-St. Philip's in my district.

Mr. Speaker, this team went undefeated during the round robin play and defeated the Mount Pearl South team in the gold medal game with a 3-1 victory. These games give young men and women from every corner of our province an opportunity to compete for their regions in a variety of high-level competitive sports and to make lasting friendships and memories.

Believe it or not, Mr. Speaker, I, too, had the privilege of participating in past games and I am forever grateful for the thrill of competition and the memories and friendships that I cherish. Unfortunately, I never did make it to the podium but the memories live on.

I do want to congratulate all who participated in this year's Newfoundland and Labrador Winter Games, but I particularly would like to congratulate the St. John's North Hockey Team players from my district: Brady Mitchelmore, Will Williams and Thomas O'Brien, who were key contributors to the regional team winning goal.

Good luck in your future hockey participation.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Corner Brook who will need to seek leave before he proceeds, please.

MR. BYRNE: Mr. Speaker, consultations have been held with the parties and I think if you seek it, you will find unanimous consent.

Mr. Speaker, imagine having a kind of looking glass to be able to peer into one full century and see the start of yet another. Imagine, Mr. Speaker, what it would be like to speak to someone who could recall from memory every milestone event of the 20th century and into the 21st century right up to the present day.

If you were blessed by knowing the late Mary Power of Corner Brook, you would have such a window. Mary passed away a week ago today, Mr. Speaker, sound in mind and spirit, but seeking rest from a very long, well-lived life after having met the wonderful milestone of being 108 years young.

Don't think for one second, Mr. Speaker, that Mary was captured by nostalgia of that which was passed. She was a woman of progress, of change and of achievement.

Known better as Muffy, Mary Power was a powerhouse of ideas, dreams and actions. She loved her family and lived for them. She was a devoted instrument of her Roman Catholic faith. She was a life of true example, but don't think for one moment that it was a life of solitude or without a certain edge. She enjoyed her toddy of gin, an odd trip to Vegas, and to stay on the dance floor from one year literally on into the next. And that was while she was still in her 90s, Mr. Speaker.

Muffy's life was not a catalogue of events. It was a life of exceptionalities, well-lived, and on each and every straightaway and turn she lived it. She added to every moment and every life she touched. I'm very happy to have been one of her occasional visitors and to sit with her as often as I possibly could as she told stories of my own family, the Main Street Byrne's, and of her own family and their enduring friendships with each other.

Oh Lord, let your perpetual light shine upon Mary Power and let the souls of all of the faithfully departed rest in peace.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Statements by Ministers.

Statements by Ministers

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

MR. A. PARSONS: Mr. Speaker, our government is working hard to ensure that all Newfoundlanders and Labradorians have access to justice. I'm happy to say we have made great progress through initiatives such as the Sexual Violence Legal Support Program, Drug Treatment Court, additional supports for victims of revenge pornography and the study into bail supervision. Mr. Speaker, these initiatives are made possible because of a group of hardworking individuals who are committed to access to justice.

The Newfoundland and Labrador Access to Justice Steering Committee was formed in 2013 and has met on a regular basis to share information, develop partnerships, and to encourage and promote a variety of access to justice initiatives in the province.

Mr. Speaker, we have members from the Department of Justice and Public Safety, the Court of Appeal, the Supreme Court, both General and Family Divisions, the Provincial Court, the Legal Aid Commission, the Law Society, the Canadian Bar Association, the Public Legal Information Association, the Provincial Advisory Council on the Status of Women, the Human Rights Commission and the English School District.

Since 2016, the committee has established five free legal clinics in the province. The Small Claims Legal Assistance Clinic, the Court of Appeal Legal Assistance Clinic, the Access Law Clinic, the Gathering Place Legal Assistance Clinic, and the Choices for Youth Legal Assistance Clinic and they have assisted 311 participants. Seventy-three volunteer lawyers, articling students and law students have

generously given over 250 hours of legal service to the community.

Mr. Speaker, I am thrilled to see these community members who are working hard to improve the justice system in Newfoundland and Labrador and it's my pleasure to recognize them in the House of Assembly today, including people like Kevin O'Shea, Cheryl Mullett, Linda Ross and those that may be watching on TV.

Mr. Speaker, thank you so much, and to these individuals I'd say thank you for your commitment to Newfoundland and Labrador.

SOME HON. MEMBERS: Hear, hear!

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

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

First of all, I'd like to thank the minister for providing us with an advance copy of his statement today. Also, we want to join with the minister and the government in recognizing the good work undertaken by the Steering Committee, all of its members and the volunteers who support their work and who come from a variety of backgrounds. It's always advantageous when the government consult and engage outside of that government bubble, and those who have particular skills and expertise add great value to any endeavour.

It's the responsibility of government, Mr. Speaker, to then action the various items and proposals that come forward. While government seems to have brought forward some or many of these ideas, there are still some others that need to be actioned. A case in point would be Bill 12, the Protection of Intimate Images Act, which was announced back in April but hasn't made it to the floor of the House of Assembly yet. Well, we're only a couple of days left in this session.

So while I commend the minister for engaging with the group, for making progress and working towards those goals, I encourage him to bring the ideas forward in a timely and responsible manner. Again, I want to very briefly thank all Steering Committee members for their assistance and their direction. We all

look forward to further positive recommendations that will benefit all Newfoundlanders and Labradorians.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MS. ROGERS: Mr. Speaker, I thank the minister.

Thank you and congratulations to all those on the Access to Justice Steering Committee for their progressive and innovative work. Bravo!

We lost a family resource office at our local Legal Aid office. Fewer and fewer people have representation because they can't afford lawyers, resulting in more people self-representing. Justice Green has raised that alarm numerous times. A drug court only works if the necessary wraparound and rehabilitation services are in place, and 60 per cent of inmates in our corrections facilities are on remand. We need a better and more just bail supervision program. There is a lot more work to be done.

Again, to those who have so generously served on the Access to Justice Steering Committee, thank you for your expertise and crucial work. Thank you and bravo!

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Further statements by Ministers.

The hon. the Minister of Fisheries and Land Resources.

MR. BYRNE: Mr. Speaker, I rise today to recognize the outstanding achievements of two members of the Department of Fisheries and Land Resources.

Fish and Wildlife Enforcement Officer Mark Gilliam and Superintendent Barry White were recently nominated for the 2018 Peace Officer of the Year Award. This award, presented annually

by Newfoundland and Labrador Crime Stoppers, recognizes the successes of recipients both on the job and in their respective communities.

I congratulate Mr. Gilliam on his nomination and I applaud Mr. White for being named the 2018 Peace Officer of the Year.

Mr. White was not able to be here in the House of Assembly today, Mr. Speaker, but is instead involved in specialized training today that will further benefit the residents of Newfoundland and Labrador and wildlife enforcement.

Mr. Speaker, Barry White was born and raised in Millertown, and is a second-generation Wildlife Enforcement Officer. Over the past 25 years, Superintendent White has worked as an officer in Cartwright, in Carmanville, in Gander and, most recently, in St. John's, where he has been the Regional Superintendent since April 2011.

Superintendent White is heavily involved in a number of community groups in St. John's and surrounding areas, including the Law Enforcement Torch Run, Special Olympics Newfoundland and Labrador, Paradise Grasshoppers, Newfoundland and Labrador Police and Peace Officer Memorial, Uniformed Services Gala, Gender Equity Committee (through the Department of Justice and Public Safety) and the Duke of Edinburgh Awards. He is also a coach of female under-12 soccer.

Mr. Speaker, I would like to ask my hon. colleagues to join with me in recognizing and congratulating Superintendent White for his dedication to the wildlife of our province and the social well-being of our communities. It is because of people like Barry White that our province will continue to flourish in years to come.

Thank you very much, Mr. Speaker.

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

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

Again I thank the minister for providing us with an advance copy of his statement today. We join

with him, government and the people of our province in congratulating two distinguished peace officers, and not only those as well, but also the police officers of the year.

I had the pleasure to attend the annual Police and Peace Officers of the Year event recently that was held in Conception Bay South and was quite pleased at the calibre of those finalists that were there. There were several finalists there in each category and they had, I can tell you, Mr. Speaker, very impressive backgrounds, not only strictly in enforcement, but also with the work they do in the community.

I know Superintendent Barry White. He lives in Paradise in a part of my own district. Some of the work they've done there has been of great value to citizens within the town, but not only that, throughout the province.

Again, I join with the minister in extending these congratulations and wish them all the very best.

Thank you.

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 his statement. I'm pleased to join him in congratulating both Mark Gilliam and Barry White on being nominated for 2018 Peace Officer of the Year and offer special congratulations to Superintendent Barry White on receiving this year's honour.

I also thank all the workers in Fisheries and Land Resources as their dedication to wildlife and public service is an essential part of our communities all over the province. Both Superintendent White and enforcement officer Gilliam exemplify this commitment. I, again, congratulate them on their continued successes.

Thank you very much, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Further statements by ministers?

Oral Questions.

Oral Questions

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

MR. BRAZIL: Thank you, Mr. Speaker.

Mr. Speaker, in early December of 2017 the minister announced a province-wide audit of road ambulances. The minister stated it would be completed in nine weeks.

It's been six months. Where's the report, Minister?

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

MR. HAGGIE: Thank you very much, Mr. Speaker, for the question.

We engaged an outside company to do this work and they have asked for an extension. They had some challenges validating the data. I expect the report within the next fortnight.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The leader of the Official Opposition.

MR. BRAZIL: Thank you, Mr. Speaker.

The audit was requested so the people throughout our province could have knowledge that in case of emergencies they could rely on an ambulance.

While I realize the audit is not completed, are there any findings here that could be shared so people can feel comfortable about response times for emergencies?

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

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

The people of this province can feel confident in the ambulance service they have, both on the ground and in the air. This audit will take another two weeks or so to wrap up – for those of you who do not understand the English colloquialism of fortnight. I apologize.

The facts of the case are, Mr. Speaker, the audit of response times is an operational activity undertaken by the RHAs and occasionally by the department on an as-needed basis. That is independent of the financial audit which will be ready in two weeks.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The leader of the Official Opposition.

MR. BRAZIL: Mr. Speaker, we know that people in the province have lost their lives while waiting for an ambulance. The minister gave his word to have the results of the audit publicly released within a matter of weeks.

Why has the minister chosen not to proactively disclose the delay up until this point?

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

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

It was my view, and the view of the auditors, that this should be presented as a package, complete, without any hands in the pie from any sources. That was my aim, to have a transparent and independent audit. That is what we will deliver. Two weeks is the time I have been given, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The leader of the Official Opposition.

MR. BRAZIL: Thank you, Mr. Speaker.

When chemo patients were sent home in Central the minister blamed it on staff. When the health ethics board held up life-saving clinical trials, the minister didn't know there was a problem.

Now the ambulance audit is delayed and this is his explanation.

Will the minister guarantee that the people of Newfoundland and Labrador will have access to that audit within the next two weeks?

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

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

As I have said from the get-go, the results of that audit will be made public. They will be ready, according to the auditors, in two weeks' time. When we have it, we will release it.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The leader of the Official Opposition.

MR. BRAZIL: Thank you, Mr. Speaker.

A doctor who received a \$50,000 government bursary to work in our province had his job offer at St. Clare's hospital cancelled.

Can the minister explain why the job offer, which was offered to fill a critical radiology position, was cancelled?

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

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

It was an unfortunate situation which I was made aware of through the media. I have directed Eastern Health to describe to me the circumstances around their decision process and let me know. At the moment I only know what's out there in the media.

We do, however, have a very successful bursary program; we have 22 bursaries, in actual fact. In general, these work very well. This is only the second case in over two decades that Eastern Health had where there has been this kind of a problem. We're looking into it and I will report back when I have some more to tell you, Sir.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The leader of the Official Opposition.

MR. BRAZIL: Thank you, Mr. Speaker.

It's a bit alarming when – what message does this send to our health professionals who are working to recruit and retain when a regional health authority cancels a job offer agreed to?

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

MR. HAGGIE: Thank you very much, Mr. Speaker, for the question.

Recruitment and retention has been an issue in this province for a considerable period of time. We are working through a variety of means, both with Memorial and the faculty of medicine, to grow our own recruits and to keep them.

We have a distributed medical education program which is second to none. Our retention rates in this province for our own graduates are as good as any other jurisdiction at 10 years, Mr. Speaker. We are making a difference; we will look into this hiccup.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The leader of the Official Opposition.

MR. BRAZIL: Mr. Speaker, I think it's more than a hiccup when you've got Western Health currently looking for a radiologist that's in dire need.

Why would Eastern Health pull a contract for a radiologist when it's so challenging to recruit and retain radiologists in our province?

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

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

As I have said, and I will repeat again, I have directed Eastern Health to look into their decision-making process and apprise me of it.

We are always faced with challenges with recruitment, Mr. Speaker; but, as a fact, we have over 1,200 physicians in this province, the largest number we have ever had in this province. We lead the country in doctors per capita. It is not all doom and gloom.

SOME HON. MEMBERS: Hear, hear!

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

MR. BRAZIL: Thank you, Mr. Speaker.

The people of our province deserve the best and brightest medical professionals, and the government is responsible for recruiting these doctors.

Why did the government allow the service of a Newfoundland doctor to go to the United States instead of remaining here in Newfoundland?

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

MR. HAGGIE: Mr. Speaker, once again, I cannot speak to the specifics. We offer in this province a very, very competitive package with Atlantic Canada and we offer some of the best working circumstances for physicians in any jurisdiction in this country.

We will look into the instances of this particular decision, Mr. Speaker, but this is an exceptionality. It is the second time it has happened in several decades of regular offering of bursaries. We will look into it. We'll let you know, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. BRAZIL: Thank you, Mr. Speaker.

People living and visiting our province are feeling the pain at the pumps. All indications point to record high gas prices into the summer.

Will the minister take immediate action and lower the gas tax?

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

MR. OSBORNE: Thank you, Mr. Speaker.

Mr. Speaker, oil prices are volatile. I'm not going to commit today to taking action knowing that last week oil was at \$80 a barrel, today I believe it's at \$75 a barrel.

What I will say, Mr. Speaker, is we've committed to phase out the remaining gas tax as the carbon tax, which is imposed upon us by the federal government, is phased in.

SOME HON. MEMBERS: Hear, hear!

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

MR. BRAZIL: Drivers cannot afford these high gas prices.

Will the minister agree that the high gas prices in this province are endangering our already fragile economy?

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

MR. OSBORNE: Mr. Speaker, tourism numbers are up. Gas prices have not stopped tourists from coming here. In fact, they're at record numbers; while gas prices at the pump are higher in British Columbia than they are here.

The Member can fear monger if he wishes, but oil prices are volatile. We've seen oil prices in the last 12 months, Mr. Speaker, go from lower than \$60 a barrel up to \$80 a barrel. We're not going to make rash decisions. That was the pattern of the Members opposite to make decisions based on what a barrel of oil was today, and we saw where it got the economy and where it got the finances of this province.

SOME HON. MEMBERS: Hear, hear!

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

MR. BRAZIL: Thank you, Mr. Speaker.

I'm not fear mongering but I do have some fear here after hearing the minister mention a carbon tax and what impact that would have on gas prices. So we're going to look forward to that discussion over the next number of days.

Your government increased the gas tax in *Budget 2016*. This gas tax is hurting families, businesses and the economy.

Will the minister direct the immediate repeal of the remaining gas tax as introduced in *Budget 2016*?

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

MR. OSBORNE: Mr. Speaker, I find it absolutely incredible that if something good happens in the province they're going to jump to their feet and say: We did it. But what they don't jump to their feet and say is we did it when they had a \$2.7 billion deficit in this province and didn't bother to tell the people of the province; didn't have a mid-year update. They continued to tell the people of the province it was a \$1.1 billion deficit.

Yes, we made tough decisions in 2016, because you left the province in the situation where they couldn't make payroll.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

The hon. the Member for the District of Topsail - Paradise.

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

From that exchange, when you cut through all the rhetoric, I'll tell you one thing we just learned. We learned that the government is going to replace the gas tax with a carbon tax. That's what the minister just said, Mr. Speaker.

Mr. Speaker, it's becoming increasingly apparent that police will not have the approved roadside screening devices needed to enforce the law when marijuana becomes legalized.

I ask the Premier: What is police in Newfoundland and Labrador expected to do to fill this void?

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

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

I think the first thing to point out right now is that as of today, impaired driving is illegal. As of tomorrow, impaired driving will be illegal. When cannabis is legalized, impaired driving will still be illegal.

The police right now, every single day, are detecting impaired driving through their specialized training, a DRE Program which has been around since the 1970s. It came out of California. In fact, it's been legislated in this country since 2008 through the *Criminal Code*.

If you spoke to Constable Karen Didham yesterday, someone who has been doing this work for some time, what she says is: They are ready.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

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

Part of the new bill and the legalization process will also be to identify drivers when they're between 2 nanograms and less than 5 nanograms. Another law is 5 nanograms or more; another one is 2.5 nanograms when there are 50 milligrams of alcohol. These roadside devices are intended to help guide police in determining the level of THC content.

How are police going to fill that void?

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

MR. A. PARSONS: Thank you.

Again, we're dealing with a situation here where we do have policy that's going forward. Much of

this policy is driven by the federal government. I'm not sure if the Members opposite have spoken to their members of the Senate or their members in Ottawa to talk about this.

Every province faces the same challenges, which is there is no federally approved screening device. The fact is that impaired driving will still be tested. What you can do is a Standard Field Sobriety Test followed by a DRE. The fact is you can test blood through a urine sample right now.

The fact remains that legal or not legal, people, unfortunately, are driving impaired in this province. Thankfully, we have some of the best police officers in the world right here in Newfoundland and Labrador and I have faith in them.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

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

I join in with the comment of the minister, that we have great police officers in this province. There are no two ways about it, absolute great police officers, very talented, very capable, very well experienced, but it's hard for them to do their job if they don't have the technical devices that the law allows for usage. That's the problem. We're not criticizing police. It's about not giving them the tools to do their job.

Mr. Speaker, the government has indicated that drivers can safely drive with less than 2 nanograms in their bloodstream. Can the minister tell us exactly what that means?

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

MR. A. PARSONS: Again, Mr. Speaker, the tone of the questions from the Member opposite, not just in this last week but over the last little while, I think have been inspired to create fear in the general public once the legalization of

cannabis happens. The fact remains, that's simply not the case.

What we are having is a legalization of cannabis that is being driven by the federal government. We, here as a province, have said that we will do what we can within our power to be ready for this. That's why we have four pieces of legislation that are ready within government.

What I will point out, I think it is interesting, that the legislation we debated last night and will debate today, the *Highway Traffic Act*, the president of MADD Canada came out and said it's amongst the best in the country. She was here last night, she watched the debate. So when I hear somebody like that talking, I know we're on the right track.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

The hon. the Member for Topsail - Paradise.

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

I've had conversations myself with the president of MADD. MADD does great work. I talked about them yesterday in debate in the House here. They do great work in the province and they do great work in the country as well, Mr. Speaker. They do support the levels that are going to be contained within the legislation. The problem is there's no way for the police to evaluate those levels at this point in time because the device has not been approved, they haven't been obtained, there's no policy and there's been no training, Mr. Speaker.

Even today, we hear last night in the Senate two dozen amendments unanimously passed by Committee in the Senate just last night.

Mr. Speaker, I ask the Premier: With changes still happening in the federal government, how are those changes likely to impact your legislation that you're trying to pass here today?

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

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

Again, all we can do as a province is control the changes that are within our control. We are debating legislation that is of a provincial jurisdiction.

What the Member opposite is talking about is federal issues and I don't know what he expects. Does he expect us to do nothing and allow the feds to come in and impose their system? What we're showing here is that we as a province are ready to act. We've said it all along, we're doing it now.

The federal approved screening device is exactly that, it's a federal approved screening device. Legislation in the Senate – again, it's up at the federal level. What we're doing here is making legislation that we have the power to do within provincial jurisdiction regarding smoke-free environment, regarding consumption, regarding everything else.

We've taken action and we're ready to debate.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Member for Topsail - Paradise.

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

Mr. Speaker, many people not only in our province, but in our country have some sense of their personal limits when it comes to drinking alcohol and driving. It should be zero for everybody. Some people choose and they have some sense of where they're very, very safe. Two nanograms; people really don't know what that – or understand what that means and the minister hasn't told us.

I ask the government: How will you educate and inform people on the use of marijuana? What will equate or expectations be to reach two nanograms? How will people know what their limit is before we even get off the ground here?

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

MR. A. PARSONS: The first message I'm going to put out: Driving impaired is illegal – period. That's the first message that we're going to put out.

Thankfully, what we have here is some of the most progressive legislation in the country as evidenced by the support of groups like MADD Canada, a national organization. As evidenced by our progressive policy, we have no tolerance whatsoever when it comes to novice drivers, drivers under the age of 22 and commercial drivers.

The fact remains, yes, with this huge policy shift that is happening everywhere, we have a duty as a province to roll out education and awareness programs. We will do that but first we need to get the legislation in place which we are debating in this House. We will continue on, we will continue educating and we will be ready for whatever comes our way.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Member for Topsail - Paradise.

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

My question to the minister was: How are people going to have an understanding of what the level is? What is that level of impairment? What is that legal limit? What do those two nanograms mean? The minister hasn't provided it. If he can provide it, I'd greatly appreciate it.

I'll ask the minister if school curriculums or educational institutions, either our public system or post graduates – will there be programs introduced so that people better understand how marijuana impacts the human body, what causes the impairment and those levels of impairment?

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

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

Certainly, I agree with the Member opposite, there is a lot of education to come with this; I've been stressing that for the two years that I've

been in this position. We've also stressed that point to our federal counterparts.

With this huge policy shift that they have indicated they will be imposing on our country – and we've been ready for it – part of that is education. That's why the feds will be coming up with a significant education awareness program that will be rolled out not just to school kids, but to the entire population. That is coming. You will see it soon.

Right now, we are dealing with the legislative side. We don't know what the legislation is. We've put forward what we think is a very strong proposal in terms of what we can control. We remain to see what comes up to the federal side. Either way, what comes out, we do need to educate the public. There will be a significant public education and awareness program that people can expect to see.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Member for Topsail - Paradise.

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

Lloyd Hobbs of SafetyNL says that employers are waiting for guidance from the government as employers need to adopt policies, understand those policies and educate their employees on policies right away in preparation for the legalization of marijuana.

I ask the government: When can employers expect the necessary concrete guidance they need to develop and educate their employees?

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

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

One of the things about passing on guidance is that, obviously, we have to know what it is we are dealing with. Right now, we are just dealing with the legislation.

It's interesting. The Member opposite has criticized us by saying you're taking so long;

now, we can't do it fast enough. We can't get the information out fast enough.

The first thing we have to do is have legislation passed by this House. I will point out that we will have this done some time during the month of May or June. Either way, legalization will not be happening in July of 2018. We will be ready.

What I will say is we'll continue to work with WorkplaceNL and work with the employment community. We've already done one of the largest public consultation campaigns in the history of this province when it comes to this and we'll continue to work with these groups to ensure safety is preserved.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Member for Ferryland.

MR. HUTCHINGS: Thank you, Mr. Speaker.

Mr. Speaker, I ask the Minister of Finance: What studies were done at the Newfoundland Liquor Corporation related to projected gross sales of marijuana when legalized?

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

MR. OSBORNE: Thank you, Mr. Speaker.

The numbers that they've used were numbers provided federally. At this particular stage this is a brand new industry. Even numbers that are provided to us, Mr. Speaker, we can't say for certain whether those numbers are going to be met or whether they're going to be well exceeded.

At this particular stage it's a brand new market, it's a brand new product for the NLC. We can only give best estimates.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Member for Ferryland.

MR. HUTCHINGS: Thank you, Mr. Speaker.

I ask the minister more specifically: Were there actual studies done by the NLC by auditing firms or any other groups or consultants related to this issue here in the province?

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

MR. OSBORNE: Mr. Speaker, I'm not sure if you went down on Water Street with an auditing firm and asked the current retailers of cannabis for their sales projections and sales numbers, if they'd give you the accurate numbers. All we can go by are the numbers that the federal government provided us. That's what we're going by.

Again, I don't know how often I need to say it: It's brand new territory, it's a brand new business and it's a brand new product for the NLC. We have to be nimble. I believe that the numbers we put in, Mr. Speaker, were a cautious projection. I hope they're exceeded.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Opposition House Leader.

MR. HUTCHINGS: Thank you, Mr. Speaker.

A straightforward question to the minister: Did the Liquor Corporation engage a consultant or others to do a study on the projected sales of marijuana and what the gross profits would be?

A straightforward question: Did it occur or did it not? That's the question.

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

MR. OSBORNE: Mr. Speaker, I will say that I have a great deal of confidence in the NLC; they've been dealing in controlled substances for decades. I believe they know how to set up retail shops. I believe they know how to do distribution. I believe they know how to make projections on sales.

What I will also say is I'm not aware of any auditing firm that conducted studies on sales projections, Mr. Speaker, but I can certainly ask.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Opposition House Leader.

MR. HUTCHINGS: Thank you, Mr. Speaker.

Mr. Speaker, when compared to the percentage of net return on alcohol sales – about 50-60 per cent – what is the expected return on gross sales of marijuana?

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

MR. OSBORNE: Thank you, Mr. Speaker.

The dollar figures, I believe, were \$5.8 million that we're expecting this year as revenue to the province. Out of that, there are some expenses. We've outlined that previously in the Legislature, Mr. Speaker; the expenses that are associated with it. In addition to that, there are other expenses that the provincial government will take on for education and so on.

Again, these are just projections. We have absolutely no certainty whether these are going to be right on the nose or whether they're going to be exceeded. I certainly hope that these numbers are exceeded, Mr. Speaker, but we don't know the market yet.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Opposition House Leader.

MR. HUTCHINGS: Thank you, Mr. Speaker.

I understand where the minister is coming from but there would have been, I'm sure, some projections in terms of what those actual gross revenues would be.

In the *Cannabis Act* it references a federal-provincial taxation agreement: Where sales exceed \$100 million the rate of return to the province changes.

I ask the minister: What is the basis for this \$100 million in the tax agreement?

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

MR. OSBORNE: Thank you, Mr. Speaker.

At a federal-provincial-territorial meeting of Finance ministers we were provided with the \$100 million figure by the federal minister. Those are federal calculations, Mr. Speaker. There was a negotiation that took place.

I will say with the input of our Premier this province was able to negotiate the \$100 million cap at the national level. Once we exceed that, the profits – instead of 75 per cent to the province – will be shared provincially on a proportional basis.

SOME HON. MEMBERS: Hear, hear!

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

MR. HUTCHINGS: Thank you, Mr. Speaker.

I understand as with alcohol sales that money remittance of gross sales revenues must be completed for marijuana sales with a portion reflecting the monthly revenue to the Newfoundland Liquor Corporation.

Is this the method that Canopy Growth will use to get back for any infrastructure they build in Newfoundland for production and retail of cannabis until their \$40-million investment is paid back to them?

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

MR. MITCHELMORE: Thank you, Mr. Speaker, for the opportunity to clarify again the Canopy investment where they will be building a \$55-million facility. With that agreement that is put in place, they're operating for 20 years and 145 jobs.

They have the ability, with their four retail stores, for any product that is sold within the province they will remit a reduction in sales remittances until their \$40 million is recouped – only in their retail stores.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Opposition House Leader.

MR. HUTCHINGS: Thank you, Mr. Speaker.

We did get somewhat of an answer. That's the method. The \$55 million they spend on infrastructure will now be – they'll draw back. It's not going to go into the Provincial Treasury; they're going to draw back, that \$55 million.

Are facilities built by Canopy Growth and paid for by those revenues from the production and retail of marijuana – or retail as you've indicated – by the company on completion? Are those premises owned by Canopy Growth or will taxpayers own them as they have paid for those facilities?

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

MR. MITCHELMORE: The Canopy Growth Corporation is making an investment. They're a publicly traded company in Newfoundland and Labrador. They will be setting up their retail outlets.

Their production facility of what they're making, their capital investment will be upwards of \$55 million. They're only able to recoup a maximum of \$40 million based on their agreement. They can only recoup any funds for sales that are made at their retail outlets in Newfoundland and Labrador, and for a product that would either be sold online through this particular agreement and deal.

There is no tax exchange, there is no money provincially that is going into any of these operations. They have to sell product here in Newfoundland and Labrador before they can ever get a refund.

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Leader of the Third Party.

MS. ROGERS: The Minister of Justice and Public Safety has announced an independent review of the tragic three deaths in provincial corrections centres that happened since August to be undertaken by retired superintendent Jesso.

I ask the Premier: Will he immediately release the terms of reference and powers of the investigator so that the families and the public will know what her work will involve, what her time frame is, what resources she will have, who will she report to and if her report will be tabled in the House?

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

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

What I can say is that yesterday I did announce an internal investigation – an internal investigation, not an inquiry – into these tragic situations, something that concerns us very much. Action is being taken.

We have retained Marlene Jesso – a 34-year veteran of the RNC, someone with significant experience – to undertake this investigation for us. We look forward to the work being started which I think, actually, the work has already commenced as of today. We look forward to getting that information back.

The purpose of doing this investigation is to determine if our policies and procedures were followed – if they were followed, they were appropriate – and making sure that those who lost individuals find out what happened. I think the public is interested in this information. I look forward to getting that information as soon as we have it.

Thank you.

MR. SPEAKER: The Leader of the Third Party.

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

I will assume that information will be made public. Mr. Speaker, in March 2017 the All-Party Committee on Mental Health and Addictions recommended mental health services

in correctional facilities be provided by Health and Community Service's system. The action plan committed to doing this by 2021; four years since the recommendation, three years from now. 2021 is too late; these services need to be provided now.

I ask the Premier: Given the crisis of mental health issues in our corrections facilities, will he commit to transferring mental health services in correctional facilities to the health authorities immediately?

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

MR. HAGGIE: Thank you very much for the question, Mr. Speaker.

Towards Recovery did indeed state that physical and mental health services for corrections inmates in any provincial jurisdiction would be transferred to the Department of Health. That is underway.

We are certainly on time, if not ahead of schedule. I hope to be able to announce some progress in a very tangible way in the not-too-distant future, 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.

The Canadian Institute for Health Information reports that this province has some of the highest rates in the country for use of restraints and antipsychotic drugs on nursing home residents with dementia.

I ask the Minister of Health and Community Services: What is his government doing to lower the instance of these practices?

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

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

I'm pleased to inform the member opposite through the Canadian Foundation for Health Improvement we were part of a multi-center national trial. We had 110 residents in long-term care in this province as part of that. Through a pilot scheme, we actually had a significant reduction in that population of inappropriate use of antipsychotics. The use went down by half.

Nationally, that reduction was of the order of 40 per cent. I hope to be able to announce in the not-to-distant future a provincial-wide program to deal with this issue.

SOME HON. MEMBERS: Hear, hear!

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

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

I think government will also be introducing a program to assess residents and provide specific routines for each resident in order to make the nursing home environment friendlier and more responsive to each resident's needs.

I ask the minister: Will he ensure that new staff will be provided to carry out these assessments and new routines? Or will this be another task assigned to overworked existing staff?

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

MR. HAGGIE: Mr. Speaker, I'm delighted to stand up here and talk about our long-term care and home care assessment process. We have revamped them and are continuing to improve them.

These will ultimately result in individualized patient-care plans for residents of long-term care to address their social, physical and psychological needs on an as-needed, case-by-case, personalized basis. Not only that, Mr. Speaker, we will have that assessment tool out in the community for clients of the home-support system as well.

This system is undergoing a whole reboot. It will be done progressively over the next three years.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The time for 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 Government House Leader.

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

I move the following resolution: Be it resolved that the House of Assembly urge the Government of Newfoundland and Labrador to establish an all-party Select Committee on Democratic Reform.

Further, pursuant to Standing Order 11(1), I move that this House do not adjourn at 5:30 p.m. on Thursday, May 31.

MR. SPEAKER: Thank you.

Further notices of motion?

Answers to Questions for which Notice has been Given.

Petitions.

Petitions

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

MR. BRAZIL: Thank you, Mr. Speaker.

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

WHEREAS school-aged children are walking to school in areas with no sidewalks, no traffic lights and through areas without crosswalks; and

WHEREAS this puts the safety of these children at risk;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge government to ensure the safety of all children by removing the 1.6-kilometre busing policy where safety is a concern.

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

Mr. Speaker, a number of my colleagues have spoken to the issue around bus safety, but particularly around those children who have to walk to school, those students in areas where the dramatic changes in traffic flows, in shouldering in particular areas, and in the nature of the type of traffic where we have big developing areas and high-traffic volume areas. It's a safety issue for everybody in Newfoundland and Labrador with children having to walk within the 1.6, and it has a major impact on it.

We've looked at it, and we've even had some discussions around the financial costing. We know over the last number of years there's been a number of rural areas where there's been a reduction in the number of buses necessary. So we realize that everything has a cost implication. We understand there are restrictions on that and you have to work within the confines of certain budgets, but you've got to look at the safety component here.

On a yearly basis we're saving money in particular areas of this province because of lower enrolment and smaller contracts with the busing companies because we need fewer and fewer buses. We are looking at the fact that courtesy busing, no doubt, is important and does work to a certain degree, but it is the inconsistency of it. It's the administrative nightmare it puts on administrators and somebody dedicated within the school district and a particular school to try and allot it.

Then it becomes almost like a lottery game. If you fit into a certain pigeon hole, you have access to it. That becomes encompassing. There's a process here to look at changing that policy. That's a 45-year-old policy that's been in play that needs to be reviewed here, because it's

about safety. It's about the geography has changed in communities, particularly heavy growth areas, and we're talking about when you identify safety concerns.

Maybe there's not a one-fits-all process here, but there has to be a dialogue and a discussion and an openness for the school district and the department to seriously have a look at the 1.6 busing. It's ironic that only a couple of weeks ago, with very little conversation on a public notice, and there's sort of been a don't ask, don't tell concept of bus companies picking up kids along the way in certain areas when there's space on their buses to ensure kids are safely walking, and this hasn't happened.

So we're encouraging government to take a full review of this and set up a process that works for everybody and continues to keep people safe.

Thank you, Mr. Speaker.

MR. SPEAKER: The hon. the Minister of Advanced Education, Skills and Labour for a response, please.

MR. HAWKINS: Thank you, Mr. Speaker.

I find it really ironic today that the Members opposite talked about the fact it's a 45-year-old policy. They had the last 12 years to change that policy. So obviously over those 12 years, Mr. Speaker, they did not see fit that there was a safety issue or any other issue with the 1.6 kilometre busing route. Now all of a sudden it's a concern for them. I find that ironic.

Mr. Speaker, instead of spending more time just talking about what they've been doing or what they have not done over the last 12 years – again, it's important for all of us. This is a policy, if you do a jurisdictional scan across the entire country you will find that a 1.6 kilometre is in line with most of the provinces across Canada. It's something not unique to the Province of Newfoundland and Labrador.

I understand the 1.6 kilometre. I have four grandchildren that are actually going to school in Toronto. I'd like for them to go and research what happens in Toronto, in Ontario as well, when it comes to kilometres.

Mr. Speaker, we're well aware of that. When it comes to looking at where the school board is, it's certainly an issue that the school board is working within the policy that we have.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Thank you.

Further petitions?

The hon. the Member for Ferryland.

MR. HUTCHINGS: Thank you, Mr. Speaker.

I'm glad to rise today and to present a petition on behalf of residents in my district related to the Witless Bay Line, Route 13, a well-travelled highway and significant piece of infrastructure, the connection of the Trans-Canada Highway to Route 10 on the Southern Shore. It certainly plays a major role in the commercial and residential activity of the region.

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

We, the undersigned, urge the Government of Newfoundland and Labrador to perform brush cutting on the Witless Bay Line, Route 13, immediately for driver safety and to provide clear visibility for the driving public in recognition of the high volume of vehicles travelling this route every day.

This, as I said, is a significant piece of infrastructure, Mr. Speaker, certainly for residents that travel back and forth for a variety of reasons. A lot of people work on various sides, either on the Trans-Canada side or the Southern Shore. As well, from a tourism perspective, it's another access to the Irish Loop to bring folks around and down through the Southern Avalon. It plays a key role in the flow of visitors to the region.

As I said, from a residential point of view, commercial and the various industrial sites, we have the site in Bay Bulls, the offshore site. It's significant in terms of, oftentimes traffic needs to route through that area. I got a lot of complaints from a lot of people in regard to

particular areas and the brush cutting. It's close to the highway, close to the road itself, especially in the nighttime and other conditions, whether it's foggy, and provides a lot of concern to those who travel that highway.

So I ask the minister and the department to take a look at this. I know the last time the brush-cutting program, we did apply to put in for some work to be done but we ask that this be considered and considered this summer to have some work done to relieve some of the concerns of many of the residents and travellers who travel this particular piece of highway.

Thank you very much.

MR. SPEAKER: Thank you.

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

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

I thank the hon. Member for the petition. Mr. Speaker, I am pleased that in *Budget 2018* we were able again this year to commit \$2 million to brush cutting throughout the province. I can assure the hon. Member that as we hear stories of concern with roads, whether it's the highway or other connectors in this province and moose-vehicle incidents, we take all of that data into factors as we do our brush-cutting budget.

Mr. Speaker, I'm very proud again this year as a government that we are able to commit \$2 million to brush cutting. We're also committed to doing earlier brush cutting tenders this year. It's one of those things that is important to all people in this province.

We work with SOPAC when we work with moose reduction polices and strategies throughout the province. It's something that – at this time of the year I would encourage all residents of our province to be very vigilant when it comes to moose on our highways.

I can assure the hon. Member opposite that we will commit to a steady and a firm commitment to brush cutting throughout the province again this year.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Thank you.

Further petitions?

Orders of the Day

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

MS. COADY: Thank you, Mr. Speaker.

I call from the Order Paper, Motion 2.

I move, seconded by the Minister of Health and Community Services, pursuant to Standing Order 11(1) the House not adjourn at 5:30 p.m. on Tuesday, May 29.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Okay.

Thank you.

MS. COADY: Thank you.

Mr. Speaker, I call from the –

MR. SPEAKER: Sorry, excuse me.

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

The motion is carried.

My apologies.

MS. COADY: That's okay.

Thank you, Mr. Speaker.

Order 8, second reading of An Act Respecting The Restraint Of Salary And Extinguishment Of Severance Pay For Non-Represented Public Sector Employees And Statutory Officers Of The Province. (Bill 24)

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

SOME HON. MEMBERS: Hear, hear!

MR. OSBORNE: Thank you, Mr. Speaker.

This particular bill that we're –

AN HON. MEMBER: I move.

MR. OSBORNE: Sorry.

Mr. Speaker, I move, seconded by the hon. Minister of Natural Resources, that this bill be now read a second time.

MR. SPEAKER: It is moved and seconded that Bill 24, An Act Respecting The Restraint Of Salary And Extinguishment Of Severance Pay For Non-Represented Public Sector Employees And Statutory Officers Of The Province, be now read a second time.

Motion, second reading of a bill, "An Act Respecting The Restraint Of Salary And Extinguishment Of Severance Pay For Non-Represented Public Sector Employees And Statutory Officers Of The Province." (Bill 24)

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

MR. OSBORNE: Thank you, Mr. Speaker.

Mr. Speaker, the Explanatory Notes in this bill essentially lay it out. "This Bill would enact the *Salary Restraint and Extinguishment of Severance Pay Act*."

It "would prohibit an increase in pay scales of non-represented public sector employees and statutory officers during the period beginning on June 1, 2018 and ending on March 31, 2020."

Furthermore, would "fix severance pay entitlement for qualifying employees as of May 31, 2018, terminate any further accrual of severance pay and eliminate any further severance pay."

Mr. Speaker, what we're looking to do in this particular bill – and there are two bills. There's this bill and an act as well to amend Post-

Employment Benefits Eligibility Modification Act. This bill and the other would essentially put in place for management and non-bargaining employees of government the same framework essentially that we've negotiated with NAPE, in the agreement that we've received with NAPE, and what we're hoping to achieve through negotiations with other public sector unions.

This would essentially put the wage freeze in place up to March 31, 2020, which is when the contract with NAPE expires. It would also ensure that we pay out the severance entitlements. The courts here in this province essentially, Mr. Speaker, have determined in 1997 that severance is actually a paid benefit, an earned benefit, and regardless of how one's employment is terminated with government, they're entitled to their severance pay.

It would essentially pay out severance, meaning there's no further accumulation of the liability on severance. Severance was accumulating. That liability was growing at a staggering rate each and every year. The payout of severance is something that former administrations had attempted to accomplish with public sector unions.

In fact, they did have success with the Royal Newfoundland Constabulary and Newfoundland and Labrador Housing employees in, I believe it was 2012 negotiations. This bill essentially will do this for bargaining and non-bargaining employees the same as what we've achieved with NAPE and the public sector employees through NAPE.

Mr. Speaker, any questions that Members have on this particular piece of legislation, I'd be happy to answer them. We will say at the outset, the savings as a result of the four zeros, each zero public sector-wide represents approximately \$40 million in savings. The payout of severance, after the carrying costs that we estimate are about \$10 million annually on the payout of severance. The true savings to government – the savings of \$35 million when you take off the \$10 million in carrying costs to borrow what we're paying out in severance. The actual savings on an annual basis to the province is \$25 million.

We'll get into the savings on the other post-employment benefits once we get into Bill 25.

Thank you, Mr. Speaker.

MR. SPEAKER (Warr): The hon. the Opposition House Leader.

MR. HUTCHINGS: Thank you, Mr. Speaker.

I'm glad to rise today to speak to Bill 24, An Act Respecting the Restraint of Salary and Extinguishment of Severance Pay for Non-represented Public Sector Employees and Statutory Officers of the Province.

As the minister has outlined, this is related to the collective bargaining process. Particularly, related to NAPE and the implications of that negotiation and I guess the operationalizing of what was – or some of the parts of that that's reflected here in this amendment or this piece of legislation. We had a briefing on it. I want to thank the folks with the Department of Finance for the briefing. We had some questions, and took us through the intent of the bill.

This is looking at prohibiting an increase in pay scales of non-bargaining employees, from June 2018 to – as the minister said – March 31, 2020. This bill will also freeze the severance entitlements for these employees and give an option of paying out the severance entitlement – well, the entitlement will be paid out, but I think there are some options in exactly the payout and when and how that would happen.

The minister mentioned, this is one of two bills we'll be looking at intended to implement a similar cost-savings restraint mechanism as in the NAPE collective agreement. What this does is basically mirror that agreement, which often happens with collective agreements. With bargaining agents, once a collective agreement is reached it's almost always mirrored non-bargaining positions, management positions, executive and the type. Particular sections of the act outline the changes and what's going to apply and also outlines who's excluded from it.

In this particular act, those who are members of a union, a judge, an MHA or political staff would not be included in this particular piece of legislation in regard to severance. The act will

apply to executives, managers, non-bargaining and non-management employees, House of Assembly service staff and statutory offices and their non-bargaining office staff.

So it does distinguish between employees of government and who's part of it and who are not. Non-bargaining and non-management employees are employees who are not in a union but their pay scale are anchored against a scale of unionized employees.

In the briefing we had, there were some questions asked in regard to: What type of employees are they? What kind of positions would they be? Those types of questions. It was advised they could be in areas of policy analysts, administrative assistants, temporary employees. There could be some contractual employees there and titles of that particular kind. I mentioned in regard to the changes and who they would not apply to.

The first part of the bill looks at salary restraint measures, and that looks up to March 31, 2020. I think that's the period of time that's left when the collective agreement was negotiated. I think it will lapse for approximately two years. Under a normal four-year period, adding on two years from when it was signed or when it was agreed to, that would bring it up to 2020. I know there was some discussion before in regard to the NAPE collective agreement in when it did actually expire and some side letters and what that would mean. This one here we're saying it's 2020.

Step progressions, overtime amounts, bonuses and shift premiums will stay intact. They will be eligible, someone in this classification who's defined by Bill 24. That was questions we had in the briefing as well in regard to things like normal step progression. Someone could be in a position, and most positions do have step progressions based on time in that position. After a year or two or 18 months, you graduate to a new pay scale.

For these employees in such a position, which you likely are in regard to classification and step progression, you wouldn't be inhibited by this piece of legislation we're talking about today. You would receive your step progression.

In overtime amounts, if there was a need in a position for overtime and you worked that overtime, you would not be negatively affected by that. You'd still be entitled to the overtime amounts based on this piece of legislation.

As well, any bonuses that are tied to a particular position, is what the briefing told us, and shift premiums as well based on if someone is in a position that's on a call-in basis, those types of incentives, those won't be affected by this particular piece of legislation as well, as we were advised of in the briefing.

The amount of these particular ones I've talked about, the step progressions, the overtime amounts, the bonuses and shift premiums, all of those – according to my understanding in terms of the briefing we had – cannot be increased during the restraint period. So up to the restraint, which has been designated by this and by the current government up to March 31, 2020, none of those items I listed, which an employee covered by this piece of legislation, would normally avail of and would be entitled to or still entitled to, as I said, step progressions, overtime amounts, bonuses and shift premiums.

They can't change according to this during that period. They cannot change up to the period of March 31, 2020. At that point in time a collective agreement would expire and there would be discussions and bargaining in regard to moving forward from there. What happens there oftentimes would happen post-2020. They would be mirrored, probably in a similar instance as it is here today.

The minister did speak to the fact that this arose from the collective agreement that was signed with NAPE. I guess the intent is that these provisions would flow over to any new collective agreements, whichever bargaining units. But there's no guarantee that this would be part of another collective agreement that's negotiated with another bargaining unit. That would be a separate negotiation. What we're doing here now is entrenching elements of this, which is in the NAPE collective agreement, in these non-bargaining positions. In relation to the other collective agreements that the minister mentioned, it's my understanding they haven't been signed and haven't been agreed to. The

elements are here that are reflected in the NAPE agreement.

This doesn't mandate or make it illegal for something different to be negotiated in another collective agreement that hasn't been signed yet. We'll wait and see if the collective agreements yet to be signed or yet to be negotiated will reflect the provisions that are here related to severance that was negotiated by NAPE. My understanding, as I said in the briefing, there's no guarantee that will take place. I'm sure that's the government's intent in terms of their negotiations and where they're going to go.

There are two components to the bill: one is the salary-restraint measures and the other part is the extinguishing of the severance pay. Currently, most employees must have completed nine years of continuous service and receive a maximum of 20 weeks of service pay upon resignation, retirement or termination of employment based on the rate of one week's salary per year of service. My understanding is that this is the core public service Treasury Board policy that exists today. It's on the books and that's abided by.

We also had a discussion in the briefing about agencies, boards and commissions and what actually happens with those. Some of those may have their own policies related to these provisions related to the extinguished severance pay. My understanding is that applies to those organizations, so they would be implemented or there would be talks underway if they were to modify that, if that was the change. But those policies would exist with those ABCs and would not reflect what we're doing here.

That would be an ongoing process government would have with the ABCs. I know the minister talked in the past in regard to working with ABCs, reducing costs and reducing expenditures. I would guess or assume that it's one of the initiatives they're working on and try to mirror, in some way, some of the things that are reflected here. But, again, my understanding is it's not binding on ABCs.

The current act we're looking at, Bill 24, will freeze the value of the severance as of May 31, 2018. That's what we were advised in the briefing. Employees who have at least one complete year of service as of May 31, 2018,

will receive their severance payout. For most employees the severance payout will be based on the number of complete years of continuous service multiplied by the weekly salary on May 31, 2018, to a maximum of 20 weeks.

The severance entitlement is based on a point in time when the service is discontinued which is – well, the last day would be May 31, 2018. The weekly salary at that time would be used to calculate severance entitlement based on the complete number of years of continuous service multiplied by the weekly salary on that particular date to a maximum of 20 years. There's a cap on how much you can receive and how many weeks would be part of that.

I know there was discussion in the briefing as well about breaks in service, part time over a longer period of time. I understand that person – I think the minimum is a year – would still be entitled but it would have to reflect cumulatively that 12-month period and then they would be entitled. Interrupted service or part-time service could be used collectively to determine entitlement of severance in this particular instance.

If a person has a different severance structure, the value of the severance on March 31, 2018, will be used to calculate the severance payout. Severance will be paid out no later than March 31, 2019 is our understanding – it was what we were advised – except where a deferral was requested. If employees want their severance deferred they have to give notice by December 2018. If employees want to roll a portion of it into RRSPs – I think you need to have the RRSP room – they have to give notice by October 2018. There are particular provisions when this act is approved and timelines for individuals to meet or to express interest in how they want to go with this.

I'm sure government is going to go through a process of informing employees of these dates and the importance of them. Certainly, it's very important to people in terms of their financial management, their particular retirement and other aspects of investments, so that they're fully aware of these dates and they have every opportunity to make an informed decision and meet those deadlines in regard to what they can or cannot do in regard to their severance. Some

people will look at maybe transferring into RRSP, looking at things like spousal RRSP in terms of their particular circumstance: all of it important to them.

The issue of deferral, too, is significant in regard to some individuals I heard from in regard to maternity or paternity leave. Where this is not, we'll say, a planned severance, it's instructed or being legislated in regard to the discontinuance of severance and therefore having to take severance at some point. Originally when it was announced through the NAPE collective agreement, which originally it came from, I don't think at that time the minister indicated or talked about deferrals. I think there was a deadline set over four quarters of a fiscal year and you needed to make a decision within one of those four fiscal years when you would draw it down.

The concern with that, that I had heard from in regard to maybe drawing down federal benefits, maternity or paternity benefits, because of that, because of the quick window, there could be an instance where you would be negatively affected in terms of drawing down those benefits. Based on the fact that the time period, when you draw down, you wouldn't be able to – maybe not access those federal benefits because you're seeing a severance.

We were advised in the briefing that because of this deferral mechanism, people would have an option to do that or to use it, to exercise it, and therefore should not be negatively affected by that situation. That's something I think we need to keep an eye on because, again, this is something that's been mandated, it's not by choice per se. How that affects other benefits, we certainly need to keep an eye out for that to make sure people aren't negatively affected by it.

I mentioned earlier this was based on the NAPE collective agreement and what happens if other unions have a different deal. We're not really sure on that because government has gone through this and done a one-off here with one union and settled it. What the implications are with other collective agreements, if there's something different than what's negotiated in regard to severance, it could be a difference. I

mean, we could have to be back here debating something different.

Section 2 in the act also looks at any individual who is entitled to severance and has deferred it, and not yet received it, will still have the right to that payment. There's also, after May 31, 2018, a compensation plan shall not include a severance pay policy or an increase in compensation.

There are various elements in the piece of legislation dealing with going forward after May 31, 2018. The list of ABCs, which this act applies to, is also listed in the Schedule and who is not included. Nalcor and MUN are not included, related to this particular bill or amendment. Those are listed in the Schedule of who is, but those were – we had a discussion on that as well in the briefing.

Some of the agencies would be: Board of Commissioners of Public Utilities; C.A. Pippy Park Commission; Central Regional Health Authority – all the Health Authorities – ; College of the North Atlantic; Human Rights Commission; Independent Appointments Commission; Labour Relations Board; Marble Mountain Development Corporation; Mental Health Review Board; Multi-Materials Stewardship Board; Municipal Assessment Agency; Newfoundland and Labrador Centre for Health Information; Newfoundland and Labrador Eastern School District; Newfoundland and Labrador Film Development Corporation; Newfoundland and Labrador Housing Corporation; Newfoundland and Labrador Liquor Corporation; Newfoundland and Labrador Medical Care Plan; Newfoundland 911 Bureau Inc.; NL Innovative Council; Provincial Advisory Council on the Status of Women; Provincial Information and Library Resources Board; Public Procurement Agency; Public Service Commission; Royal Newfoundland Constabulary; Student Loan Corporation of Newfoundland and Labrador; The Rooms Corporation; West – and as I said, the Health Authorities – ; Workplace Health, Safety and Compensation Review Division; and Workplace NL.

So those are part of the Schedule of Bill 24. They list all the agency, boards and commissions which this particular act would

apply to. Again, they would be related to this specific group of employees, and others within those organizations would be part of, probably, a collective agreement, maybe NAPE or others. They would include executives, managers, non-bargaining and non-managed employees, which would be relevant probably to those organizations and who this particular piece of legislation applies to.

This is the direction government has taken in negotiations and now they're mirroring, parlaying it in to – a similar direction they're taking with this group of employees, which is outside the normal collective agreement employees, and this will mirror what happened with the NAPE agreement.

As I said, it will be interesting to see as we move forward in regard to those other collective agreements that are outstanding. As they're negotiated, will it reflect what's here, as this is a reflection of what transpired in the NAPE collective agreement?

We'll certainly look forward to having further discussion and debate, and no doubt we'll probably have a few questions when we get to Committee.

Thank you, Mr. Speaker.

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 and speak to Bill 24 this afternoon. The Member for Ferryland did a great job in presenting the bill. This language hasn't been used by either him or the minister, but basically it's a housekeeping bill. Because the practice of government with regard to the salaries and benefits for non-represented public sector employees and statutory officers is for them to follow what happens in the collective bargaining agreements with the public service sector.

We all know this was public when it all happened, that NAPE and government came to an agreement and there is now a collective agreement in place. The issue of severance,

which this bill deals with, that is dealt with in that collective agreement with the 15 bargaining units of NAPE which was accepted by the public service sector workers. What this bill is doing is stating in legislation that what is in that collective agreement between government and NAPE covers the non-represented public sector employees and statutory officers and spells out what that means for these people who are affected.

The Member for Ferryland did go through them, but I'll mention them again. People affected include non-management, non-bargaining employees, House of Assembly service staff, statutory officers and the non-bargaining staff, managers and executive. I did ask in the briefing – and I thank the minister for having his staff do a briefing with us, it was a very good briefing – in the non-management, non-bargaining employees, that sometimes there are positions under that title of people who are policy analysts, doing various types of policy planning and are not recognized as members of the union.

I was assured by the officials in the briefing that those positions are part of agreed upon agreements between NAPE and the government, that there are positions that are non-union, that are not part of the bargaining unit. These people are the ones who are being affected by this change.

Basically, the change has to do with severance. The new provisions, to put it in a nutshell, is there will be no more severance for the members of NAPE, nor the groups that I just mentioned. For the members of NAPE, it's already in their collective agreement. Now it's being put into legislation for the groups I just mentioned.

There will be no more severance after May 31, 2018, but employees must have – as of that date – one or more years of service to get severance pay back. They'll get one week's salary for every year of service, up to 20 weeks. They will have to be paid in a lump sum before May 31, 2019, except if somebody has requested a special deferral that will be considered. But without a deferral, the lump sum payments have to be done by May 31, 2019. The deferral can include having the lump sum put into an RRSP.

All of those things that are in this piece of legislation are things that are in keeping with the NAPE agreements that the NAPE members voted for. It's pretty straightforward. I really don't have any questions when we get to Committee. The answers I got in the briefing were very straightforward as well, and I will be happy to support this bill.

Thank you very much, Mr. Speaker.

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

MR. LANE: Thank you, Mr. Speaker.

I'm not going to take very long to repeat what has been said. Basically, I don't know if I would call it housekeeping. I do know what the Member for St. John's East - Quidi Vidi says in the sense of housekeeping, in that it's traditionally what has been done. When NAPE negotiates a collective agreement, traditionally when it comes to management and non-bargaining employees, they usually end up with the same benefits – or in this case the loss of benefits – that the union members do.

I suppose in that sense it's housekeeping, but if you're someone who is a manager or whatever, and if you're in a situation where you were going to get your full severance anyway, maybe you'd look at it as a positive thing. If you're someone who hasn't yet qualified for severance or you only have a few years, at the end of the day you're losing severance. That's what was agreed to by NAPE in the collective agreement. Fair enough. We understand the situation we're in as a province financially and they agreed to that.

I think it is important to point out though, that what was agreed to, being the loss of severance and a wage freeze for the next three years, personally if I was a manager or whatever here in the Confederation Building or in any of these – they're all listed here: RNC, Public Procurement Agency, the health authorities, WorkplaceNL, the Compensation Review committee and we can go on down through the list – I would think it was a little bit more than just simply housekeeping in the sense that I'm now being legislated that I'm going to take a wage freeze for three years and I'm going to lose

my severance. While I do appreciate what my colleague is saying – I understand what she meant – it is still significant on someone who's going to face this. As I said, we understand the situation we're in as a province and why it's being done.

The only other thing I would say is that it's interesting to note here that while we have all of the management and non-bargaining employees here at the Confederation Building, at our health authorities, at the RNC, the Public Service Commission, the Health, Safety and Compensation Review commission, The Rooms, all of these government organizations, agencies, boards, commissions – while all of these managers and non-bargaining unit employees are being told now, by way of legislation, that they're going to take a wage freeze and they're going to lose their severance, guess who's not on the list?

Just guess who's not on the list, Mr. Speaker? Nalcor is not on the list. I point that out just as an observation that Nalcor is not on the list. All of the managers and everyone all throughout government, health authorities – everyone is going to have to do their part in taking a wage freeze and severance, but Nalcor is not on the list. If you're a non-bargaining unit employee, or a manager, or director or whoever at Nalcor, you're not on the list of having to take a wage freeze. I just point that out as an observation because everybody else is there.

I think the only other one that's not there is MUN. MUN is separate as well. Certainly, if they have bargaining unit employees it will be done through their collective agreements. I assume that the government will be talking to MUN and other agencies and boards who may have their own collective agreements and try to encourage a similar template as everybody else is doing. MUN and Nalcor are not on the list, so that's just an observation.

Other than that, Mr. Speaker, we all understand why it's being done. NAPE agreed to it. We have collective bargaining that's still going to be taking place with the nurses, the teachers and CUPE, I think. Obviously, there's going to be an expectation, given the fact that NAPE has accepted this, given the fact that we're going to legislate it to all of our non-bargaining

employees, our managers through all the boards, commissions, agencies and core government. Obviously, there's an expectation that if I was president of the nurses' association, CUPE and the Teachers' Association, I think it's pretty obvious what government's position is going to be.

It's going to be pretty hard not to go down that road, quite frankly. If everybody else has agreed to or is being legislated these measures because it's required, it's going to be difficult for the other groups, I suppose, to fight that. Although, it will be interesting to see if they fight it and if the membership accepts it, but that's for negotiations. We're not here to negotiate collective agreements in the House of Assembly.

With that said, Mr. Speaker, the bill is what it is. I understand why we do it. We've always done it. It's sort of tradition, if you will, of how things work. Given our tough fiscal circumstance that we're in, I understand why we're doing what we're doing. At the end of the day nobody likes this, but something has to give. At the end of the day I suppose everybody has to chip in and do their part.

NAPE has agreed to this, and so now this template will be carried forward with non-bargaining, with management. I assume this proposal will be carried forward into future collective bargaining with the other unions.

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 today to speak to Bill 24. While some Members say it is a piece of housekeeping, I beg to differ. I think it's a very important part of legislation. It shows our workers, especially our unionized workers, that when it comes to restraint and when it comes to government policy or it comes to severance packages or whatever, that everybody is going to be treated the same for non-union and union members.

The purpose of the bill today is twofold. While we're in negotiations with different unions and bargaining units we have to respect the largest union which is NAPE. Once an agreement is done with them I'm sure that part of the negotiations that were done was saying that other unions will follow along with basically similar language that they have. Also, when it comes to non-union members to be part of the negotiations, that would work to show the same follows through.

We're very fortunate in Newfoundland and Labrador to have the public service that we do have. We have great people working in our public service. We have great employees right here in the building and we have great employees right across the province. It's important that we get up, realize and respect what people do in this province. To all our workers I really want to say thank you for all that they do. A lot of them have put their daily lives on the line sometimes for us, our workers that work for our government.

I just have a few things to say here on this part of it. Over the years on both sides of the House we've worked very hard to show the appreciation that we do have for our workers. There were a lot of years back in the '90s and '80s where there were costs, government didn't have the funds to be able to pay employees and there were wage freezes. I remember there were different slogans; there were licence plates made up and everything else.

But when our government came into power and there was some money, workers in this province were shown that they were appreciated with some huge increases in pay. They deserved it.

AN HON. MEMBER: (Inaudible.)

MR. K. PARSONS: When the cows come home. That's right, there were sayings.

It took time when we could afford to do what we could. Now we're in another time where times are a little bit tough and both union and non-union people that work for our province are stepping up again and saying we understand. We just had an agreement that there's a wage freeze. We understand about severance and the money that it's going to save down the road. It won't

save anything in the next couple of years but in the next 20 years it's going to be huge to the province. I'm sure that when times are better again then negotiations will be better for unions and non-union people in the province also.

I just wanted to make that note that we do appreciate what public servants are doing in this province and we do appreciate – and we have, in the past, shown them how much we do appreciate it when we did negotiations in the past; 21 per cent was what our government negotiated with the public service, and it was well deserved. Do you know why? They paid the price for years and years and years. I'm not blaming any government back then, the fiscal times were difficult and they had to take the wage freeze, but when times got better, it's when you show people that you really appreciate them.

Again, that's part of what's happening here today. I just wanted to get up and say that to our public servants that we really appreciate everything you do for us.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

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 wanted to thank all Members who spoke to second reading in this. As a couple of Members had indicated, we can't exactly call it housekeeping but it is almost essentially housekeeping because we are putting in place for non-bargaining employees, the same framework that we have in place for our bargaining employees through NAPE, and that's what this legislation does.

I look forward to questions and looking forward to answering those questions as we get into Committee.

Thank you.

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

The motion is that Bill 24 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 (Barnes): A bill, An Act Respecting The Restraint Of Salary And Extinguishment Of Severance Pay For Non-Represented Public Sector Employees And Statutory Officers of the Province. (Bill 24).

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

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

MS. COADY: Now.

MR. SPEAKER: Now.

On motion, a bill, "An Act Respecting The Restraint Of Salary And Extinguishment Of Severance Pay For Non-Represented Public Sector Employees And Statutory Officers of the Province," read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill 36)

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

MS. COADY: Thank you, Mr. Speaker.

I move, seconded by the Minister of Finance and President of Treasury Board, that the House resolve itself into a Committee of the Whole to consider Bill 24.

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

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

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

Carried.

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

Committee of the Whole

CHAIR (Reid): Order, please!

We are now considering Bill 24, An Act Respecting The Restraint Of Salary And Extinguishment Of Severance Pay For Non-Represented Public Sector Employees And Statutory Officers Of The Province.

A bill, An Act Respecting The Restraint Of Salary And Extinguishment Of Severance Pay For Non-Represented Public Sector Employees And Statutory Officers Of The Province." (Bill 14)

CLERK: Clause 1.

CHAIR: Shall clause 1 carry?

The hon. the Member for Ferryland.

MR. HUTCHINGS: Thank you, Mr. Chair.

The Schedule of the bill lists the ABCs that this would give oversight to, this particular amendment or piece of legislation. There are two excluded; Nalcor and MUN are not included.

I ask the minister: In relation to these provisions, what attempts are being made or is there an attempt being made that these would be reflective of those two organizations in regards to severance or how that would actually work?

CHAIR: The hon. the Minister of Finance.

MR. OSBORNE: Thank you.

That is a very good question. We have been working with Nalcor and with Memorial University. They have their own bargaining units so we can't impose upon their bargaining units conditions that we've achieved through our bargaining, through collective agreement.

We've asked them to put in place the same framework with their bargaining units. I expect them to put the same framework in place. We are continuing to discuss and meet with them, and it's certainly my hope that this same framework will be put in place for their management.

CHAIR: The hon. the Member for Ferryland.

MR. HUTCHINGS: Thank you, Mr. Chair.

I thank the minister for that. Just to follow up on that. I understand from a collective bargaining point of view you're hoping that they would mirror this particular provision, but, right now, is there anything stopping government from mandating the non-bargaining element of those two organizations to adhere to this particular provision?

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

MR. OSBORNE: Myself and the Minister of Natural Resources are working on that issue with the non-bargaining there.

If it does become an issue, I'm prepared to look at other measures, but we are working with Nalcor, for example, on the non-bargaining employees at Nalcor. It's certainly our hope that this same framework will be followed with the non-bargaining unit.

CHAIR: The hon. the Member for Mount Pearl - Southlands.

MR. LANE: Thank you, Mr. Chair.

I really had the same questions as the Member for Ferryland. I guess just to take it a little further. Minister, you said once again that you're

working with them, you're hoping that they'll do it, you and the Minister of Natural Resources, in terms of the non-bargaining and the management employees of Nalcor, MUN and so on.

While I appreciate what you say, that you're working with them, I would hope – what we're doing here in the House of Assembly today, we're not working with the management and non-bargaining unit employees of the Confederation Building or any of the other ABCs, the health authorities or whatever, we are imposing the same restraint on all of those people as was agreed to by NAPE, and we understand why we're doing that.

So, I'm just wondering if you try to work with them and there is resistance, if you will, will you or the Minister of Natural Resources be going to the board of Nalcor and imposing these same restraint measures on the management of Nalcor and non-bargaining, the same as everybody else has to?

Again, the same situation in terms of – I don't know what flexibility you have in terms of MUN. I believe through the board of directors of Nalcor, it would be my understanding, my belief, that you could impose it. I'm not sure exactly with MUN how much autonomy they have, if you could actually impose it or not, but at least with Nalcor will it be imposed, if need be?

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

MR. OSBORNE: What I can say, which may create some greater clarity, is Nalcor doesn't have a severance identical to ours. Their severance package is called a severance retirement termination package. If we impose the same legislation on them, we'd be basically saying that they have to pay out severance to all employees. There are some nuances that make them completely different than us in that respect. So at this particular stage we're working with them.

The only time, I understand from Nalcor officials, that they receive a severance payout is when a position is actually made redundant. Under the Court of Appeal in the province, we

are told through a court decision that our public servant's severance is an earned benefit and must be paid. That's not the same because a contract at Nalcor is different, the wording is different. So they have a different set-up than us. At this particular stage, we're working with them.

I am very hopeful that they are going to follow the same framework. It cannot be identical to what we're doing for our agencies, boards and commissions, other than Nalcor, for example, because their severance termination benefits are different and have a different set of rules than ours.

At this particular stage, it would be very complicated to try and suss them out in this piece of legislation, but, believe me, we've made the request and we're continuing to work with them.

CHAIR: The hon. the Member for Mount Pearl - Southlands.

MR. LANE: Thank you, Minister, for the response. I do appreciate that. I didn't realize the differences there, so I really appreciate the explanation and that makes a whole lot of sense to me. I'm sure you will do what you can to work that out.

That's the severance piece. Are there any nuances or anything different in terms of salaries? Is there any reason why we could not ensure that we impose the three-year salary freeze on the management of Nalcor, the same as other managers in government?

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

MR. OSBORNE: That is part of their collective bargaining process.

What I can say here, and it's the first time that I've actually said this publicly, but I've met with the board of Nalcor. I've spoken with the CEO of Nalcor and we are working with Nalcor to ensure that, while we grandfather the existing employees, that as new employees are hired at Nalcor, their salaries will be in line with similar positions within government.

That is our hope, that is our desire and that is what we are working towards.

CHAIR: The hon. the Member for Ferryland.

MR. HUTCHINGS: Thank you, Mr. Chair.

Just a further question to the minister in regard to the two organizations and the expiry of collective agreements with those two organizations. Are both of those – and there could be multiple –

MR. OSBORNE: Can you (inaudible)?

MR. HUTCHINGS: Yeah.

Just in regard to the two organizations we're talking about, Nalcor and Memorial, there are probably multiple bargaining units. I'm just wondering, can you give a sense of whether those collective agreements have expired and they're now in the process of – that would be the unionized, obviously, but that would flow over, maybe, to what we're talking about here? Are there talks underway within both of those organizations in regard to expired collective agreements?

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

MR. OSBORNE: There are. Non-bargaining at Nalcor, I believe, have had the same wage freeze as government has had since 2016. So there has been no increase in that regard.

Nalcor, at the moment, have three expired contracts. If I'm not mistaken, I think there's a fourth one that has not yet expired, but there are – or two, sorry, that are not yet expired. So they've got three expired and there are two that are not yet expired. They're in varying stages of going through their collective bargaining with Nalcor.

I think Memorial has somewhat of a similar situation. We're going through a review with Memorial now. The relationship with Memorial is also different. Not in the same way that it's different with Nalcor, but the relationship – as government Members would know – with Memorial is different. They have academic autonomy and there's always a discussion as to

what economic autonomy goes with academic autonomy. So it is a different organization for sure.

CHAIR: The hon. the Member for Ferryland.

MR. HUTCHINGS: Thank you, Mr. Chair.

I thank the minister for that. Just one final question maybe you could comment on. This amendment mirrors what happened in the NAPE negotiations and, obviously, there are other union workforces there that you're currently negotiating with, with the intent that this provision would be similarly negotiated with those bargaining units as well.

Could you comment on how that is going and what if you're not able to reach an agreement, which could mirror what we're talking about here?

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

MR. OSBORNE: Certainly, we have to allow Nalcor to go through their bargaining process with their unions. For example, within government, we've got NAPE sorted away. I'm hopeful that any day we'll be able to announce with one of our other bargaining units that we've reached the same framework we have with NAPE, but we have to allow Nalcor, for example, to go through their bargaining process with their five contracts.

I believe Memorial University – again, where we don't deal directly with their bargaining, they do that, but I believe they've got in excess of 10 bargaining units at Memorial University, and they're also at varying stages, similar to Nalcor.

So we have to expect them to go through their bargaining process, and like government wouldn't speak publicly about what's happening inside the bargaining room or at the bargaining table, I would also expect that Nalcor and Memorial University would want that same level of discretion in dealing with their bargaining units.

CHAIR: Seeing no further speakers, 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: Clause 2.

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

MR. OSBORNE: Thank you, Mr. Chair.

I believe our Law Clerk in the House has probably discussed with both Opposition parties and the independent Member, it's come to the Law Clerk's attention that the language in the Green act is somewhat different.

In any event, we need to make an amendment in order to capture one of our statutory offices so that we have all of our statutory offices.

So I move a small amendment to clause 2 of the bill. The current version in paragraph 2(u) defines a statutory office as a statutory office defined in the *House of Assembly Accountability, Integrity and Administration Act*.

It's come to our attention that in that act, which we call the Green act, does not include the Office of the Auditor General. So in order to include the Office of the Auditor General, as well, the proposed revision would correct the error by deleting and substituting the more general definition as follows: "Clause 2(u) of the Bill is deleted and the following substituted: (u) 'statutory office' means the office of a statutory officer." That would then capture all statutory offices.

I move this amendment, seconded by the Minister of Natural Resources.

CHAIR: We'll take a few minutes to recess to review the amendment as presented.

Recess

CHAIR: Order, please!

The amendment has been found to be in order.

SOME HON. MEMBERS: Hear, hear!

CHAIR: We will resume clause 2.

Seeing no further speakers, shall the amendment carry?

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: All those against?

Carried.

On motion, amendment carried.

CHAIR: Shall the clause, as amended, carry?

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: All those against?

On motion, clause 2, as amended, carried.

CLERK: Clauses 3 through 20 inclusive.

CHAIR: Shall clauses 3 to 20 inclusive carry?

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: All those against?

Carried.

On motion, clauses 3 through 20 carried.

CLERK: The Schedule.

CHAIR: Shall the Schedule carry?

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: All those against?

Carried.

On motion, Schedule carried.

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

CHAIR: Shall the enacting clause carry?

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: All those against?

Carried.

On motion, enacting clause carried.

CLERK: An Act Respecting The Restraint Of Salary And Extinguishment Of Severance Pay For Non-Represented Public Sector Employees And Statutory Officers Of The Province.

CHAIR: Shall the title carry?

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: All those against?

Carried.

On motion, title carried.

CHAIR: Shall we report Bill 24 carried with amendment?

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: All those against?

Carried.

Motion, that the Committee report having passed the bill with amendment, carried.

CHAIR: The Deputy Government House Leader.

MS. COADY: Mr. Chair, I move that the Committee rise and report Bill 24 as amended.

CHAIR: The motion is that the Committee rise and report Bill 24 carried as amended.

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: All those against?

Carried.

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

MR. SPEAKER (Trimper): The hon. Member for St. George's - Humber and Chair of the Committee of the Whole.

MR. REID: Mr. Speaker, the Committee of the Whole have considered the matters to them referred and have carried Bill 24 with an amendment.

MR. SPEAKER: The Chair of the Committee of the Whole reports that the Committee have considered the matters to them referred and have carried Bill 24 with an amendment.

When shall the report be received? Now?

MS. COADY: Now.

MR. SPEAKER: Now.

When shall the said bill be read a third time?

MS. COADY: Tomorrow.

MR. SPEAKER: Tomorrow.

On motion, report received and adopted.

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

MS. COADY: Thank you, Mr. Speaker.

I move, seconded by the Minister of Finance and President of Treasury Board, that the amendment be now read a first time.

MR. SPEAKER: It is moved and seconded that the amendment 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.

CLERK: First reading of the amendment.

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

MS. COADY: Thank you, Mr. Speaker.

I move, seconded by the Minister of Finance and President of Treasury Board, that the amendment be now read a second time.

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

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

All those in favour?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: All those against?

The motion is carried.

CLERK: Second reading of the amendment.

On motion, amendments read a first and second time. Bill ordered read a third time on tomorrow.

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

MS. COADY: It was a trick there, Mr. Speaker.

I thought I was going back to do the third reading, and (inaudible) just said no.

MR. SPEAKER: It's your choice.

MS. COADY: Thank you, Mr. Speaker.

I call from the Order Paper, Order 9, An Act To Amend The Other Post-Employment Benefits Eligibility Modification Act, Bill 25.

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

MS. COADY: Mr. Speaker, I move, seconded by the Minister of Finance and President of Treasury Board, that Bill 25, An Act To Amend The Other Post-Employment Benefits Eligibility Modification Act be now read a second time.

MR. SPEAKER: It is moved and seconded that Bill 25, An Act To Amend The Other Post-Employment Benefits Eligibility Modification Act, be now read a second time.

Motion, second reading of a bill, “An Act To Amend The Other Post-Employment Benefits Eligibility Modification Act.” (Bill 25)

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

MR. OSBORNE: Thank you, Mr. Speaker.

It’s an honour to be able to stand in the House again and speak to Bill 25.

Mr. Speaker, the Explanatory Notes here, the bill “would amend the *Other Post-Employment Benefits Eligibility Modification Act* to describe the eligibility requirements to qualify for other post-employment benefits for non-represented public sector employees hired on or after June 1, 2018.”

So essentially with this particular one, I’ll read the second Explanatory Note and then I’ll get into the explanation of each one. The other is “the percentage of premiums a non-represented public sector employees hired on or after June 1, 2018, who qualify for other post-employment benefits is required to pay upon retirement.

Mr. Speaker, essentially, the first part of the explanation here says that any employee that’s hired on or after June 1, 2018, would be under a different post-employment benefit for health and life benefits than existing employees. Existing employees are required to work for 10 years and then they qualify for OPEBs, or other post-employment benefits, for the rest of their life

based on a 10-year work employment with the provincial government or with one of our agencies, boards or commissions.

This particular one, by the way, I will say – because it’s not complicated like the severance issue with Nalcor – Nalcor is actually included in this particular for OPEBs. With this, instead of working for 10 years and qualifying for other post-employment benefits for the rest of your life, you now have to work a minimum of 15 years before you’re considered qualified to take your other post-employment benefits into retirement.

The second paragraph in the Explanatory Note, essentially, right now, once you work 10 years, you’re entitled to your post-employment benefits, your health and life. Government pays 50 per cent of that for the rest of your life. So you only need to put in 10 years of employment with the provincial government and you get health and life insurance benefits for the rest of your life and government will pay 50 per cent of it.

We’ve changed that under the negotiation with NAPE. We’re putting that in place for our non-bargaining and managers and other employees that are not part of the bargaining unit. Once you reach 15 years, you’ve got to work an extra five years before you even qualify to get any post-employment benefit entitlement in your retirement.

The second part of it, it’s a sliding scale. So at 15 years the employee pays 85 per cent. Instead of 50, the employee will pay 85 per cent of their health and life insurance premiums. That’s from 15 years to 19 inclusive. Once they reach 20 years employment, they are required to pay 70 per cent of their premiums, government will pay 30. Once they reach 25 years, they then pay 55 per cent, government will pay 45. If they reach 30 years of employment, it’s 50-50. Where right now it’s 50-50, after 10 years of public service it’s got to be 15 years and then there’s a sliding scale on what the retired employee pays and what government pays.

Based on this change, Mr. Speaker, if we were to look at this change over all public sector employees with government and our agencies, boards and commissions, including Nalcor, this

year alone, even though any employees hired on this year – our actuaries have looked at it, and this year alone, based on the new employees that will be hired and the number of employees that are retiring under the old system, new employees hired this year – we're about \$3.5 million savings just based on what they determine people have to work an extra five years and then they pay 85 per cent of their premium. This year, the very first year employees will be hired under the new system government saves about \$3.5 million.

Next year, it gets even larger because there are more employees under the new system. By 2026, we break \$20 million annually in savings, and it continues to grow. For as long as there are employees under the old system, as they retire and new employees come in, that amount continues to grow. This is a significant savings to government that was negotiated with NAPE. It will be a significant savings if we put it across all non-bargaining and other bargaining units as well.

Like I said, by 2026, just eight years from now, we break \$20 million per year savings on this change alone. So it's significant. That continues to grow. As I said, it continues to grow until all employees in government are under the new system. That will continue to grow and continue to grow the savings to government.

This was a considerable achievement for government in negotiating with NAPE. It's something that didn't get a lot of publicity or a lot of airplay, but it is a considerable savings and a considerable achievement under our negotiations with NAPE. It is something we're hoping to achieve with our other bargaining units. Through this legislation, we'll achieve it with all non-bargaining employees within government and our agencies, including Nalcor. It doesn't include Memorial because Memorial is under a different OPEB system.

I look forward to further debate and to answering any questions that Members may have once we get into Committee.

MR. SPEAKER: Thank you.

The hon. the Opposition House Leader.

MR. HUTCHINGS: Thank you, Mr. Speaker.

I'm pleased again to rise to speak to Bill 25; we've just gone through Bill 24. Two of these certainly support the initiative of government. The first one we just spoke of related to the Restraint of Salary and Extinguishment of Severance Pay for Non-represented Public Sector Employees and Statutory Officers of the Province, Bill 24. This Bill 25 speaks to benefits as well, An Act to Amend the Other Post-employment Benefits Eligibility Modification Act.

Both of these, as the minister indicated, to implement a mirror of cost-saving restraint mechanisms in the NAPE collective agreement. We did the one related to severance. This is related to the actual post-employment benefits and looks at the eligibility requirements, percentage of premiums paid for other post-employment benefits – group insurance in particular – for non-unionized employees who are hired after June 1, 2018.

So to date, that cost-share was 50/50 in regard to that benefit when someone retired. Where you can elect, currently, to continue that benefit after you've left employment of the public service or with a public entity – if it was available to you – and you would continue to have that same coverage and you will pay 50 per cent of the benefit post-retirement and government would pay the other 50 per cent of that.

This looks at, on a go forward basis, as of June 1, 2018, the changes in the act that applies to non-representative public sector employees. Employees are not members of the bargaining unit who are hired on or after June 1, 2018. Currently, to receive or get access, employees must be eligible for a pension, have a minimum of 10 years pensionable service to the date of their retirement and, as I said, share the cost of the group insurance on a fifty-fifty basis after retirement.

Now, I know the significant benefit, and it's been in the public service for a quite a number of years. I know one of the challenges, and I recognize the minister when he looked at the unfunded liability of this particular fund and dealing with that and moving forward. I know in our time we dealt with the pension fund in the

public service pension in setting up the pension corporation, looking at shared responsibility in regard to managing that fund and laying out a 30-year plan in regard to getting that plan fully funded.

The other significant component of that is this particular one we're talking about here today and post-pension benefits or post-retirement benefits and the cost of those.

This act will change and the impacts on employees hired June 1, 2018 or after and when they actually retire and eligible for a pension, which is a requirement as well. They will have a minimum of 15 years of pensionable service and commence receiving their pension immediately upon retirement. The 50-50 that's currently in place will be changed. There will be a sliding scale for new employees.

The minister talked about, when he went through and talked about the periods of service. It starts off, you would need 15 years, 15 to 19, the percentage of premium paid by employee after retirement with 85 per cent; years 20 to 24 you would pay 70 per cent; 25 to 29 you would pay 55 per cent and 30 plus you would pay 50, which is currently what is paid today under the current system.

Again, this relates back to what was negotiated with NAPE and is now being mirrored in what we're doing here as well as the severance bill we just did and these actual post-employment benefits here.

Again, some of the same questions that we talked about with the severance in terms of ABCs, agencies, which ones would they be applicable to when we look forward to those other collective agreements that have not yet been negotiated. I would suspect the minister and government were looking at, again, trying to bring these into those other areas as well where it's applicable in regard to the benefits and how they're laid out.

I certainly look forward to further debate and maybe have a few questions when we get into Committee.

Thank you, Mr. Speaker.

MR. SPEAKER: Thank you.

Further speakers?

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

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

I'm happy to speak to Bill 25, which of course is related to Bill 24, which we just passed, as was pointed out both by the minister and the Member for Ferryland.

Again, this bill is tied to the agreement signed between NAPE, the major public service sector union in our province, and the government. That agreement has usually been the template for government's relationship with workers who are not part of the union. As has been said before, but I'll say it again, that includes executive, managers, non-management, non-bargaining employees, House of Assembly service staff and statutory officers and their non-bargaining staff.

The particular piece that we're dealing with now has to do with changes to the group insurance that we will all have, of course, unionized or not unionized when we are working for government, but these changes have to do with what happens when somebody retires.

The bottom line is that the practice of government has been whatever the agreement made with NAPE is and with the major public service sector workers is, then government takes whatever that agreement is and applies it to these other workers, the groups I just mentioned, those designated groups.

They have no choice. I have no idea how they feel about the changes to severance, for example, or to the group insurance, but it really doesn't matter. That's the way the practice has been. They know that. Anybody who's in any of these positions is fully aware of the fact that any changes that are caused by the collective agreement between the public service sector workers and the government, then become changes for them as well.

So there you are, it is from that perspective and, I will say, in spite of what my colleague from

Mount Pearl - Southlands said about housekeeping, it's housekeeping from that perspective. It's not something we can choose to vote against. It's something that's going to happen, has to happen and the legislation has to be put in place to go along with that.

Having said that, Mr. Speaker, I once again will, of course, vote for this bill.

Thank you.

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

MR. LANE: Thank you, Mr. Speaker.

I'm not going to take very long here. Again, this is pretty straightforward. Bill 25 is really the same as Bill 24, just takes a different aspect this time. We're looking at group insurance when somebody retires.

Obviously, if you're somebody who decides to make a career for yourself in the public service, it's really not going to impact you. As I read this here, if you're somebody who came into the public service, maybe in your mid-20s or whatever the case might be, and you worked out your whole career, you're going to have 30, 35 years of service and you're still going to end up with your same 50-50 cost sharing once you retire on your group insurance premiums.

I think it's important to note for anyone who may be a long-time employee this is probably not going to impact you at all. What this really gets at is the fact that we've had people over the years who have been in positions for – well, based on this, could be only 10 years, just 10 years of service, and then at some point in time they retire and now they can get 50 per cent of their group insurance premiums paid by the taxpayer for the rest of their life. That's what this looks to address.

It puts a sliding scale in place based on from 15 to 19 years of service, 20 to 24, 25 to 29 and then 30-plus. It's also moving the 10-year initial qualification from 10 years to 15 years before you can even qualify to have group insurance at all once you retire.

That's what's being done. Again, it mirrors what was agreed to by NAPE in their collective agreement, so that's what we're doing here. Based on that, I will be supporting it. I do have a question when we get to Committee.

Thank you, Mr. Speaker.

MR. SPEAKER: Thank you.

If the hon. the Minister of Finance and President of Treasury Board speaks now he will close debate.

The hon. the Minister of Finance and President of Treasury Board.

MR. OSBORNE: Thank you, Mr. Speaker.

The Member for Mount Pearl - Southlands is correct in that this is a significant accomplishment for government because of the costs associated with somebody simply working 10 years and then the taxpayers paying 50 per cent of the health and life insurance for the rest of their life; a significant cost to the taxpayers.

What this now accomplishes, if you're a life employee of the provincial government, you're not penalized. If you're here 30 years, you get your 50-50 coverage – for new hires – but if somebody's only here 10 years they're not going to get coverage for the rest of their life. You have to commit to at least 15 years of public service with the provincial government before you're eligible to have any post-employment benefit and, even then, the employee pays 85 per cent. It does encourage employees to stay with government longer as they develop knowledge.

It accomplishes a number of things. It eliminates a significant cost on the taxpayer, but if somebody is here, they acquire a great deal of knowledge and they're an asset to government, there's more enticement for them to stay with the provincial government and government saves money. Instead of having to recruit and train somebody else for a job that person has developed 15 years' experience in, it's an enticement to have them stay and keep their expertise within government. As opposed to going to private sector and taking the expertise they've gained here and bringing it to the private sector, and government paying to train and

going through that whole process with somebody new.

I look forward to questions in Committee and providing the answers.

Thank you, Mr. Speaker.

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

The motion is that Bill 25 be now read a second time.

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

All those in favour?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: All those against?

This motion is carried.

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

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

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

MS. COADY: Now.

MR. SPEAKER: Now.

On motion, a bill, “An Act To Amend The Other Post-Employment Benefits Eligibility Modification Act,” read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill 25)

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

MS. COADY: Thank you, Mr. Speaker.

I move, seconded by the Minister of Finance and President of Treasury Board, that the House resolve itself into a Committee of the Whole to consider Bill 25.

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

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

All those in favour?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: All those against?

The motion is carried.

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

Committee of the Whole

CHAIR (Warr): Order, please!

We are now considering Bill 25, An Act To Amend The Other Post-Employment Benefits Eligibility Modification Act.

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

CLERK: Clause 1.

CHAIR: Shall clause 1 carry?

The Chair recognizes the hon. the Member for Mount Pearl - Southlands.

MR. LANE: Thank you, Mr. Chair.

I have one question for the minister. I’m pretty sure I know what the answer is but I just want clarification for the record.

Minister, in terms of if somebody is a part-time employee or they’re a seasonal employee – because if you look at the sliding scale that’s been given in the handout, it talks about the number of years to qualify for post-benefit. If you’re somebody who’s only working 20 or 25 hours a week as opposed to a normal 35-hour week or you’re a seasonal employee, you’re only working three or four months of the year, I

assume that you add up all those hours to make up the hours as if you were full time in order to calculate whether you qualify for post-employment benefits. Is that how it would work?

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

MR. OSBORNE: Thank you, Mr. Chair.

It is an excellent question. In this particular piece of legislation it's only referring to management and non-bargaining. For the most part they are full time.

To answer your question, I guess, more directly for unionized – there may be cases where a manager is seasonal. That may certainly be the case in a park. For unionized employees there are different classes. Student assistants, for example, have a different way of calculating their time before it actually adds up to a year. There are other classes of employees, administrative staff in schools, that a year is a year, but for certain classes of employees it has to be a certain number of hours to add up.

It's actually quite complex. To give you a simple answer to your question, it's actually very complex because there are so many different classes of employees. For the most part here, I think managers would be generally full time, but there may be cases, such as park employees or highway depot employees, that could be part time. I don't know the answer to that question but I can certainly get it for you.

CHAIR: The hon. the Member for Ferryland.

MR. HUTCHINGS: Thank you, Mr. Chair.

Just a follow-up question to that, Minister: So a break in employment by someone that's in one of the particular positions that this would cover, is there a restriction on the amount of time or the number of breaks in employment a person can have over a period of time that would discount them from eligibility here to get to that 15-year period? For example, if over a lifetime they had 15 years ad hoc in regard to one of these positions, would that basically still qualify them if it was over a long period of time?

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

MR. OSBORNE: Thank you.

In that regard, nothing changes from how time is calculated with current employees to how time would be calculated with new employees. It's simply moving from 10 years to 15 years and a sliding scale. There are different classes of employees and there may be different conditions on how their time would be calculated.

Student assistants would be different than ushers, for example, would be different from administrative staff at the school. It is a very complicated area that I wouldn't want to put an explanation on in *Hansard* that could be taken out of context in the bargaining world. But nothing will change in how their time is calculated currently to how it's going to be calculated here other than it moves from 10 years to 15 years and then there's a sliding scale.

CHAIR: Shall the motion carry?

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: Those against?

Carried.

On motion, clause 1 carried.

CLERK: Clauses 2 and 3.

CHAIR: Clauses 2 and 3.

Shall the motion carry?

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: Those against?

Carried.

On motion, clauses 2 and 3 carried.

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

CHAIR: Shall the enacting clause carry?

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: Those against?

Carried.

On motion, enacting clause carried.

CLERK: An Act To Amend The Other Post-Employment Benefits Eligibility Modification Act.

CHAIR: Shall the title carry?

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: Those against?

Carried.

On motion, title carried.

CHAIR: Shall I report the bill without amendment?

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: Those against?

Carried.

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

CHAIR: The hon. the Deputy Government House Leader.

MS. COADY: Thank you.

I move, Mr. Chair, the Committee rise and report Bill 25.

CHAIR: The motion is that the Committee rise and report Bill 25.

Shall the motion carry?

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: Those against?

Carried.

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

MR. SPEAKER (Trimper): The hon. Member for Baie Verte - Green Bay and 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 25 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 25 without amendment.

When shall the report be received? Now?

MS. COADY: Now.

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

MS. COADY: Tomorrow.

MR. SPEAKER: Tomorrow.

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

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

MS. COADY: Thank you, Mr. Speaker.

Order 2, third reading of Bill 21.

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

MS. COADY: I move, seconded by the Minister of Finance and President of Treasury Board, that Bill 21, An Act To Amend The Liquor Corporation Act, be now read a third time.

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

Is it the pleasure of the House adopt the motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

This motion is carried.

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

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

On motion, a bill, "An Act To Amend The Liquor Corporation Act," read a third time, ordered passed and its title be as on the Order Paper. (Bill 21)

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

MS. COADY: Thank you, Mr. Speaker.

I move, seconded by the Minister of Finance and President of Treasury Board, that the House resolve itself into a Committee of the Whole to consider Bill 23, An Act To Amend The Highway Traffic Act.

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

Is it the pleasure of the House adopt the motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

The motion is carried.

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

Committee of the Whole

CHAIR (Warr): Order please.

We are now considering Bill 23, An Act to Amend the Highway Traffic Act.

A bill, "An Act To Amend The Highway Traffic Act." (Bill 23)

CLERK: Clause 1.

CHAIR: Shall clause 1 carry?

The Chair recognizes the hon. the Member for Topsail - Paradise.

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

We're in Committee on Bill 23, An Act to Amend the Highway Traffic Act, as it relates to the legalization of cannabis. I've said a couple of times now that we expect we're going to have a fair bit of questions and information and clarification and so on that we're looking for with this particular bill.

Under clause 1, there's a number of areas that I'm going to enter into, and hopefully the minister, who I see is listening carefully over there, will assist us in trying to obtain some clarity and further information as we'd like to have.

I'd just like to open, first of all, with a very general question for the minister. On May 15, there was a story released from *Global News*. The headline read: Ontario Police sound alarm over perceived lack of funds from pending marijuana legalization.

At a news conference that was held that led to this article being written, the Ontario Association of Chiefs of Police commented that, and they said "it's fair to assume based on other

jurisdictions' experiences that drug-impaired driving will go up once recreational pot is legal, and police will need to train more officers to detect drug impairment."

I would ask the minister if she has any comment on that, whereby the Ontario Chiefs of Police Association is indicating in their release and the information they shared on May 15 that their expectation is drug-impaired driving is going to increase as a result of the legalization of marijuana.

CHAIR: The hon. the Minister of Service NL.

MS. GAMBIN-WALSH: Mr. Chair, what I can say for Newfoundland and Labrador, is that to prepare ourselves in the event, we are in fact, right now, training more officers.

CHAIR: The hon. the Member for Topsail - Paradise.

MR. P. DAVIS: Thank you.

I appreciate that and I'm going to get to that about officers trained in SFST and DRE and so on, but the general statement by the chief of police or the Association of Chiefs of Police, which is a fairly significant organization in Ontario, and these chiefs are saying in this article very early that – and again, I'll just read right from the article, Mr. Chair: "... Chief Supt. Chuck Cox said it's fair to assume based on other jurisdictions' experiences that drug-impaired driving will go up once recreational pot is legal, and police will need to train more officers to detect drug"

So my question is: Is the expectation here in Newfoundland and Labrador that drug-impaired driving will increase as a result of the legalization of marijuana?

CHAIR: The hon. the Minister of Service NL.

MS. GAMBIN-WALSH: Mr. Chair, what I can say is that the RNC and the RCMP were consulted considerably on this and supported the amendments we are putting forward.

CHAIR: The hon. the Member for Topsail - Paradise.

MR. P. DAVIS: Okay, so based on the consultation with the RCMP and the RNC, is it government's belief that the amount of drug-impaired driving in our province is going to stay the same, will decrease or increase as a result of the legalization of marijuana?

CHAIR: The hon. the Minister of Service NL.

MS. GAMBIN-WALSH: As the Minister of Service NL, what I can say is the RCMP and the RNC have relayed that they are comfortable with the number of trained officers and the training process that is in place.

It's really difficult for me, as the Minister of Service NL, to answer that question.

CHAIR: The hon. the Member for Topsail - Paradise.

MR. P. DAVIS: Okay, fair enough, Mr. Chair. If the minister doesn't know, if the government hasn't reviewed their circumstances and all the factors to try and make a determination if it's going to go up or if it's going to go down, fair enough. That gives me the answer that they don't know or they haven't attempted to find out.

Minister, you mentioned training more officers. Officers are generally trained as drug recognition experts and also in Standardized Field Sobriety testing. I know a little bit about the training involved for both of those.

Can you tell me how many drug recognition experts the RCMP have in Newfoundland and Labrador?

CHAIR: The hon. the Minister of Service NL.

MS. GAMBIN-WALSH: Yes, Mr. Chair, there are 19 right now in Newfoundland and Labrador.

CHAIR: The hon. the Member for Topsail - Paradise.

MR. P. DAVIS: Thank you.

Minister, 19, I think the RCMP has around, somewhere in the neighbourhood of 450 or 500 officers in the province. Do you know the

number of RCMP officers in the province overall?

CHAIR: The hon. the Minister of Service NL.

MS. GAMBIN-WALSH: I can get that information for you.

CHAIR: The hon. the Member for Topsail - Paradise.

MR. P. DAVIS: Thank you very much.

Can you tell me how many drug recognition experts the RNC have in our province?

CHAIR: The hon. the Minister of Service NL.

MS. GAMBIN-WALSH: What I can say is the total number is 19 overall, for both forces.

CHAIR: The hon. the Member for Topsail - Paradise.

MR. P. DAVIS: Thank you.

So that's 19 for the entire province for both police services? Okay, I have to tell you, Minister, I'm a little bit surprised in that I thought the RNC probably even had more than that themselves. I know they've been training them probably for eight or nine or 10 years that I know of they've been training them and in numbers. I thought there'd be much more than that.

Standardized Field Sobriety testing – and I realize, by the way, that the drug recognition training, a lot of it has taken place not only out of the province but out of the country. It's a two-week training program initially and then, if I remember correctly, there's an accreditation process once they're trained so that they're qualified. They have to do so many tests and control sample testing and so on before they're fully qualified.

Standardized Field Sobriety testing I know in Ontario is a week-long process; it's a five-day class. It takes six instructors, according to the same article, in Ontario. Can you tell me the same numbers for Standardized Field Sobriety testing? How many RNC and how many RCMP officers are trained in SFST?

CHAIR: The hon. the Minister of Service NL.

MS. GAMBIN-WALSH: Mr. Chair, all officers are trained in SFST. That's the procedure they get in their original training. I believe the Member opposite probably was actually one of the first officers to be trained in the province.

CHAIR: The hon. the Member for Topsail - Paradise.

MR. P. DAVIS: I'm sorry, who was that who was trained in DRE?

MS. GAMBIN-WALSH: No, SFST.

MR. P. DAVIS: That I was one of the first officers trained in SFST? I missed that course. I missed that program. I don't know where that information came from. I don't know that to be correct.

So you're telling me that all officers are trained in SFST. I know you're looking for numbers as we go along, so if there are some corrections as you're receiving information, I fully respect that, Minister.

On DRE, a total of 19 for the province but all officers trained in SFST. Are 19 sufficient? Is that meeting the needs today for police officers as they go about their business? We've already established – and we believe there's going to be an increase. Clearly, in all of the communications from the government, SFST, DRE and, of course, the saliva testing, which I'm going to get to in a few minutes, are all critical aspects of determining if a person's nanogram level of THC exceeds what would become the legal limits.

In your opinion, are 19 officers sufficient to have enough officers for the entire province? Is that enough to have so we can follow the processes that are going to become law in a matter of weeks? We're not sure when at this point in time, but in the very near future.

CHAIR: The hon. the Minister of Service NL.

MS. GAMBIN-WALSH: Mr. Chair, not in my opinion but in the opinion of the officers. The 19 that are presently trained are doing an efficient

and effective job; however, we are training more right now as I stand in this House.

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

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

It's amazing to me also that there are only 19. Does that include the Island and Labrador? I would assume the RNC has a large proportion of those. Region by region in the province, do you have any idea what we have on the West Coast, Central, East Coast and Labrador?

CHAIR: The hon. the Minister of Service NL.

MS. GAMBIN-WALSH: Mr. Chair, I don't have the number in front of me. I did have it, but we can get the breakdown for you.

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

MR. K. PARSONS: I, along with my colleague, have the same concern. Everybody knows the demographics of our province. My concern is that we're going to have legalization of marijuana and we all know that Newfoundland, geographically, is dispersed so widely. With only 19 are we going to be able to do an adequate job?

If somebody needs to be called, for example, on the South Coast, does somebody have to come from Grand Falls to do that test, which is three hours away? Or is it Corner Brook that someone has to go to the Northern Peninsula to do that test? It seems like to me that we don't have the adequate resources in place to be able to bring in what we're bringing in. I'm just wondering as to how it's going to work.

CHAIR: The hon. the Minister of Service NL.

MS. GAMBIN-WALSH: Mr. Chair, they're doing an effective job right now. What I can tell you with the RNC break down is the RNC have seven in St. John's, two in Corner Brook and one in Lab West. I can tell you that much from the RNC perspective. From what the RCMP and RNC are saying right now, they're doing an effective job.

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

MR. K. PARSONS: I understand that the RNC and the RCMP do a fantastic job, but anyone that's expected to do their work also needs the resources to be able to do the work properly. As we bring in this new piece of legislation that we're going to legalize marijuana and people are concerned about the road safety and whatnot, again my concern is that we're not going to have adequate enforcement to be able to enforce this.

We talked yesterday in this bill about a two-hour period of time that the person has to test. If we're looking at areas in our province which we're all aware of, especially our rural MHAs – and everyone is aware of – it takes time to travel whether it's to Twillingate, whether it's to Harbour Breton, whether it's to Bonavista, whether it's to Exploits, Botwood or whatever.

My concern is that we need adequate – and are you happy. Is this good? Are you saying we having sufficient resources available to enforce and to prosecute for what we're bringing in here?

CHAIR: The hon. the Minister of Service NL.

MS. GAMBIN-WALSH: Mr. Chair, a considerable amount of consultation has been done on this bill that we're presenting in the House today. My staff and myself have had considerable consultation with the RNC and the RCMP regarding the work they're doing today, regarding the work they're going to do tomorrow and regarding the work they're going to do in the future.

Right now, we are actually training more drug recognition experts. This is why we are doing it. We know there's probably going to be a need for more so we are training more.

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

MR. K. PARSONS: How many officers are in training right now?

CHAIR: The hon. the Minister of Service NL.

MS. GAMBIN-WALSH: For the RNC there are three additional officers in training today. For the RCMP I will have to get the numbers for you.

CHAIR: The hon. the Member for Topsail - Paradise.

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

There are changes coming in the federal bill, under Bill C-46, on impaired driving. There are also changes coming to the *Highway Traffic Act*. One of the changes coming to the *Highway Traffic Act* is there will be zero tolerance for drug use or drugs, so any presence of drugs for novice drivers, drivers under 22 and for commercial drivers.

Minister, how will an officer determine if a novice driver, a driver under 22 or a commercial driver is abiding by those new rules?

CHAIR: The hon. the Minister of Service NL.

MS. GAMBIN-WALSH: Mr. Chair, the same process that they would use today, the Standardized Field Sobriety Test. Then they bring back the individual if they feel they have failed the standardized sobriety test. They bring them back to the precinct and they would do a drug recognition expert. If necessary, they would then have a blood or urine sample withdrawn.

CHAIR: The hon. the Member for Topsail - Paradise.

MR. P. DAVIS: Thank you, Minister. I appreciate your answer.

Once they have a blood or urine sample, then what happens?

CHAIR: The hon. the Minister of Service NL.

MS. GAMBIN-WALSH: If there is a need for a blood or urine sample – if there's a need – it would then be sent off to the lab.

CHAIR: The hon. the Member for Topsail - Paradise.

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

If an officer stops and suspects – and I really don't know how this operates. When my policing career was coming to an end, DREs were brand new; there were a small number of them. I can tell you I have very, very little experience with DREs and SFSTs and how they operate. I'm not asking this to try and trip you up or trick you or anything like that; I really don't know the answer to this.

I have spoken to police officers as well, Minister, to try and get some understanding of what's going to happen, but I'm more interested in the new laws and how they're going to be implemented. So when we have a new law coming in that says zero tolerance for drugs, I don't know how that – I'm trying to understand how this can be evaluated.

In the case of alcohol, a roadside test could be administered to a driver and a roadside test – screening device – will generally tell you – the ones that I've known in the past – if the persons between zero and 50, what their level will be, if I remember correctly. It'll tell you if you're over 50 but under 100 and tell you if you're over 100.

The importance of that is that if you're between zero and 50, and you're in a zero-tolerance category, the officer can determine very, very quickly if the person has a presence of alcohol or not. If there's zero tolerance and if it's anything above zero, then they're not abiding by that.

If they are between 50 and 100, there are administrative rules within the province where officers can issue suspensions and vehicle seizures and those types of things. If you're over 100 then you're into the criminal range of impaired driving under the *Criminal Code* of Canada. Under that circumstance, if a person shows that their blood alcohol – if their roadside screening shows it's over 100, then you bring them for a Breathalyzer to get a true reading of what their reading is.

So my question is, to go back to the zero tolerance for drugs for novice drivers, we know that SFST and DRE are tools available to police officers today, but we also know they're very subjective tests, and they're subjective because it's up to the interpretation of the officer, which is never perfect. A person's interpretation is never perfect. Good indicators, but never

perfect. So if they stop a vehicle today and they want to know or are trying to determine if the person is abiding by zero tolerance, we don't have the Standardized Field Sobriety testing for drugs yet.

That's why I'm wondering, Minister, if you can help me understand, if you stop a person today, you suspect they may have – if there's a smell of marijuana in the car and the person shows no signs. They pass an SFST, a Standardized Field Sobriety Test, and that's where you do a number of tests on the side of the road, balance tests and put your head back and close your eyes to see how much sway you're doing and you do those types of tests and the person passes it, then how do we know that the zero tolerance is being followed, at that point in time?

How do we know they haven't smoked a joint – and I'll use the alcohol equivalent: if a person blows 10 on a roadside test or in a Breathalyzer, there's a presence of alcohol, but they're likely not showing any signs of impairment. Under the provincial rules, it's being suggested as zero tolerance

Anyway, that's where I'm trying to go, Minister. I'm giving you a bit of time to just search your notes and so on.

My question is: How are police officers going to know that a person is abiding by the rules of a novice driver, a person under 22 or a commercial driver being zero tolerance? Can you help me with that, please?

CHAIR: The hon. the Minister of Service NL.

MS. GAMBIN-WALSH: So, today, it's illegal to drive under the influence of drugs in Newfoundland and Labrador. It was illegal yesterday. It'll be illegal tomorrow.

So, today, officers, if they hauled in someone who they thought was under the influence, they would do an SFST and they would determine whether or not that individual was impaired.

Mr. Chair, the officers are well trained. The DRE officers in training, they go through – it's a vigorous process and then they go through 12 evaluations on individuals who have consumed drugs before earning their certificate; six where

they observe and make determination and six where in fact they are the primary evaluator. They must determine if the individual is impaired and what category of drugs the individual has taken.

Today and yesterday in this province, officers haul over individuals and it's illegal to drive impaired by drugs today.

CHAIR: The hon. the Member for Topsail - Paradise.

MR. P. DAVIS: Thank you.

That answers some of my further questions, but it doesn't really answer the one that I have now.

I'm glad you shared all that with me. That's under SFST, you said, or DRE? All those programs. I think she said SFST, which is fine.

My question is – so let me use alcohol as an example. If a person consumes a small amount of beer, for example, and they get in their car and 10 minutes later they're pulled over. The roadside detector may show a presence of alcohol but yet they exhibit no signs of being impaired. They're not impaired. There's no level of impairment. The alcohol has not had an effect, but there's a very small presence of alcohol.

So under the provincial rule there's going to be zero tolerance for drugs, which doesn't mean you can't be impaired. I get that. You can't be impaired by drug or alcohol and drive today, but under what the province is proposing, to be zero tolerance for drugs, which means there should be a way to find out if there's any presence of drugs in a novice driver, a person under 22 or a commercial driver. That's my question, Minister. How are you going to determine?

If there's a very small amount or very small presence of drugs in one of those three categories of driver, how is an officer to stop a vehicle on the side of the road and be able to determine, fairly quickly, if there may be a presence or not? Because you might pull a vehicle over, for example, and say: Have you used any marijuana today? Well, yeah, I smoked a draw with a couple of my buddies two hours

ago, three hours ago I smoked a couple of draws with my buddies.

Okay, so you do all your testing and there's no signs of impairment, which is a good thing, but zero tolerance means there can't be any presence. How do you determine if there's any presence of THC in that person?

CHAIR: The hon. the Minister of Service NL.

MS. GAMBIN-WALSH: Mr. Chair, today, as I indicated, and yesterday, they use the Field Sobriety Test. Mr. Chair, into the future, the new federally approved device will give the positive indication into the future, but today they use the tests that are available to them.

CHAIR: The hon. the Member for Topsail - Paradise.

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

So indications we've had, the reliability on the Standardized Field Sobriety testing for the presence of marijuana, it's oral fluids or some call it a spit test or those types of things hasn't been finalized by – the federal legislation hasn't finalized or determined what device they're going to use yet. So I think in all reality, it could be a year or two years before such a device is available.

Device has to be identified and approved by the federal government. I understand they're going through some testing and so on now. I have some documents here from the federal government that I have been going through. Actually, there's an RCMP one here, final report on oral fluid drug screening devices, so that's not available and may not be available for some time. They're going to have to be procured, obtained, policy developed and training of officers, so it maybe some time.

Minister, again, I'm not trying to jam you up, I just want to know where we are. Is it fair to say, at this point in time, there will not be an available process to determine, for a driver who's showing no signs of impairment, that there's not a presence, there's no way to determine if there's no presence. If they're not showing a sign of impairment on a roadside and it's a novice driver, there's no way for an officer

to readily determine if there's a presence of drugs to determine if they're abiding by the zero-tolerance rule.

CHAIR: The hon. the Minister of Service NL

MS. GAMBIN-WALSH: Mr. Chair, I thank the Member opposite for that very important question and actually it's contingent on Bill C-46, Mr. Chair.

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

MR. K. PARSONS: Thank you very much.

It's a very interesting line of questioning because, yesterday, I spoke also about the effects of second-hand smoke, when it comes to marijuana, and the effects it would have on your system, whether you could inhale it and what that would have.

When you're talking zero tolerance, I know when we were talking about zero tolerance when it came to alcohol that a lot of people had concerns, especially young people. I spoke to a gentleman with his son, he said: If he had a beer the night before or two beers the night before it would still be in his system.

While we still do tests, roadside tests and we have sobriety tests and we have DREs – drug recognition experts – when you're talking – and I think this is where my hon. colleague is coming from. When you're talking zero tolerance it doesn't seem like to me there is any mechanism that will be in place for at least a couple of years.

I know yesterday when I was doing – there was an article in *The Globe and Mail* on May 23, actually. It was a lawyer based in British Columbia, and they talked about saliva screening devices for the road, and they said there's nothing approved right now with the federal government. They are looking at different devices.

They also said that by the time the new equipment comes in – like my colleague just said prior, by the time the new device comes in, the training is going to take time, but first it'll have to go through the federal government for

approval. Then it'll have to be discussed what type of training is going to be needed, and then it would have to go out to the local officers, whether it's the RNC or the RCMP detachment, and the training would have to – and the minimum that that person said is at least two years.

In comparison, what happened when the Breathalyzer system came in and by the time it rolled out and took effect, people had the Breathalyzer and the results from the Breathalyzer were used in a court of law was 18 months by the time they started with the Breathalyzer to – my question to the minister is: Are you expecting a lot of people to be challenging any kind of testing that's done through either the SFST or the DREs in the court system?

CHAIR: The hon. the Minister of Service NL.

MS. GAMBIN-WALSH: Mr. Chair, I just want to respond first to the article that the Member alluded to. In this article the individual said: "Still, she said the existing regime for catching stoned drivers through field sobriety tests and drug-recognition experts appears to be working fine."

So the system as it exists today is working, Mr. Chair.

CHAIR: The hon. the Member for Mount Pearl North.

MR. LESTER: Mr. Chair, statistically there are two forms of conviction. One is related to alcohol and one is related to drugs. According to Statistics Canada, we are already at a very low rate of conviction when it comes to drugs versus alcohol. Alcohol is almost 85 per cent conviction, whereas drugs are 60.

I ask the minister: Does she expect that level to rise or fall with the lack of scientific evidence as it pertains to zero tolerance?

CHAIR: The hon. the Member for Topsail - Paradise.

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

I think the question is a good one, because we had asked questions earlier on increase; the chiefs of police in Ontario are suggesting there's going to be an increase of impaired driving by drug as a result of the legalization, based on experiences in other jurisdictions.

I talked about this in debate last year. I watched a CBC program, which is actually pretty consistent with a federal government report, because they said 40 per cent, I think it was around the neighbourhood of 40 per cent of drivers charged with impaired driving by drug based on the evidence of Standardized Field Sobriety testing or drug recognition experts were being unsuccessfully prosecuted in court. So 40 per cent were being lost in court with the lack of an objective way of determining impairment.

I thought it was an important question to ask, but in keeping with where I was earlier – and, Minister, I'm following along on the handout given to us last Friday, changes to the *Highway Traffic Act* is the top headline on the page. The first line is zero tolerance for drugs for novice drivers, drivers under 22 and commercial drivers. Then it talks about impoundment.

I was going to ask you if you have to rely on a – if there's no signs of impairment for an officer – so an officer stops a vehicle, there's no signs of impairment after an SFST, or drug recognition expert does an examination of the driver, and if we can't determine if there's any presence at all of marijuana, then we get into how vehicle impoundments and suspensions are going to happen for those novice drivers, drivers under 22 and commercial drivers. Because the second bullet on that page says seven-day vehicle impoundment for the presence of drugs or a combination of drugs and alcohol for novice drivers, drivers under 22 and commercial drivers.

Minister, would it be fair to say that until a Standardized Field Sobriety testing device is finalized, obtained, trained and deployed to officers in the province – right now there's only 19 DREs in the entire province – but until that's deployed and readings are understood, is it safe to say it's likely no vehicles at all will be impounded because you won't be able to determine the presence of drugs of a novice

driver, driver under 22 or a commercial vehicle operator?

CHAIR: The hon. the Minister of Service NL.

MS. GAMBIN-WALSH: Mr. Chair, if there's no sign of impairment today, then there's – I'm not certain. The Member is asking me about impoundment and if there's no sign of impairment at roadside?

CHAIR: The hon. the Member for Topsail - Paradise.

MR. P. DAVIS: Yes, Mr. Chair. This is what I was trying to discuss with the minister earlier.

Zero tolerance is not about impairment. Impairment is one thing, but for novice drivers, drivers under 22 or commercial drivers there will be a rule under the *Highway Traffic Act*, our provincial legislation that the minister oversees, to say that in the case of a novice driver, a driver under 22 or a commercial driver which is operating a vehicle of 4,500 kilograms or more – a way one of the officials put it was it's considered to be your office. It's not a regular, every day pickup truck that got a C plate on it. This is about larger, commercial vehicles.

The rule is going to be zero tolerance for the presence of THC, which is the active ingredient that can be measured by testing from cannabis, for marijuana, from smoking weed – however you want to call it.

The second bullet says: seven-day vehicle impoundment for the presence of drugs. It doesn't say for impaired driving. It doesn't say for being over the legal limit or legal limits by drug presence or THC presence. It says seven-day vehicle impoundment for the presence of drugs.

We already have established that in the absence of approved screening devices – to the best of my knowledge, what I'm getting from this exchange with the minister – there's no way to determine on a roadside stop. If a person is not exhibiting signs of impairment, how do we know if there's a presence of drugs?

If they can't determine there's a presence of drugs, am I right to conclude that a seven-day

vehicle impoundment for the presence of drugs, as I just read from the second bullet, is not going to happen until those devices are provided to the police, which could be a year or two years down the road.

That's what I'm asking. Am I right? Do you understand what I'm saying?

CHAIR: The hon. the Minister of Service NL.

MS. GAMBIN-WALSH: What I can say is they need reasonable grounds to test, regardless of the method, and the new testing device that is coming forward will be able to do that testing.

CHAIR: The hon. the Member for Topsail - Paradise.

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

That's exactly what I'm saying. Until the new testing device is available, we can't determine that, and it could be months or it could be a couple of years before those devices are actually available.

That was my question. Is there another way to determine the presence? The minister just answered for me, without those screening devices there's not. So the seven-day impoundment for the presence of drugs won't happen, and there is no way to determine if a person has abided by zero tolerance until those devices are available.

Then we have the Ontario chiefs of police, who feel there's going to be an increase in drug use once it's legalized. That's the point I was trying to reach, Minister. While you're changing the law, which I fully agree with – I know MADD fully agrees with these zero-tolerance provisions – the problem is there's no way to enforce them until those devices are available.

Would that be correct, Minister? I'm sorry; the question was there's no way to enforce the zero tolerance.

CHAIR: The hon. the Minister of Service NL.

MS. GAMBIN-WALSH: Mr. Chair, the premiers have made the case for providing timely resources and training before legalization

and before the bill is put in place. It's hypothetical, what the Member is saying.

CHAIR: The hon. the Member for Mount Pearl North.

MR. LESTER: Mr. Chair, the median length of impaired driving cases in criminal courts in 2015 for alcohol-impaired accusations was about 56 days, versus drug-impaired cases of almost 200 days.

Do you expect this median to increase? If so, are our courts prepared for this increase in median court case length?

CHAIR: The hon. the Minister of Service NL.

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

What I know is that we'll have more trained officers and more resources available to us.

CHAIR: The hon. the Member for Mount Pearl North.

MR. LESTER: We are all I'm sure familiar with the recent case in Ontario where an individual was suspected of being impaired by drugs. This was done by a drug recognition expert. It turned out the individual had a stroke and that was causing his physical impairment.

This concern was also raised by the Member for Signal Hill - Quidi Vidi. That is a very valid concern. Are we going to basically suspend people's licences, cause them economic hardship without scientific evidence? If so, if we do wrongly do that, are we going to compensate them for their economic hardship?

CHAIR: The hon. the Minister of Service NL.

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

First I want to say the individual in the case that the Member alluded to I know quite well. The individual was not impaired. I'm very well aware of the circumstances pertaining to that. Nor were they driving, they were walking.

There are roadside admin penalties to keep individuals and to keep people out of court, Mr. Chair. That is why MADD supported and wanted roadside penalties.

CHAIR: The hon. the Member for Mount Pearl North.

MR. LESTER: My recollection was the individual who did suffer from the stroke was walking because he drove his car into the lake. He was evidently driving at one period of time. That's why they did arrest him for possible impairment of drugs.

Maybe the minister could comment on that.

CHAIR: The hon. the Member for Mount Pearl - Southlands.

MR. LANE: Thank you, Mr. Chair.

I just have a couple of comments to make. Mr. Chair, first of all, it wasn't something that I really thought about in great detail until it came up earlier, and that's the training of the officers and the numbers that we have.

I appreciate the minister saying that we are training more officers – that's a good thing – in the DRE. I know, for example, with the RNC – I can use that as an example because I have experience there – that basically there are four shifts because you have to have it 24 hours around the clock, seven days a week. In order to make that happen you have four shifts: four days on and four days off. Or maybe it's three, two, two, three – whatever; I'm not sure what it is these days. It's used to be four and four. Then you have 12-hour shifts: day shift and night shift.

In theory, bearing in mind there are going to be people sick, on annual leave and things like that are going to happen – they could be doing training. There are all kinds of scenarios that could happen that, at the very least, there needs to be two officers on a shift, maybe arguably even three officers on a shift, bearing in mind officers gone for court time, sick leave, family leave and annual leave. That happens. Given the geography, an officer could be tied up with somebody already doing a test or whatever in

the east end, while over in CBS there's another incident happening.

As an example, if you look at the RCMP maybe down in the Marystown-Grand Bank area – I'm not sure what their shifts are or whatever – I don't know if they have one officer patrolling the whole area in the night or maybe two. If it's two at least one of them has to be trained because you can't have an officer going around patrolling that's not trained or having nobody trained or nobody available, or the closest available officer is two or three hours away.

All I'm saying is I think it's an important point. We need to make sure we have enough officers trained, bearing in mind the shift system, bearing in mind the geography, bearing in mind the fact that people are going to be sick and off on leave and there's got to be someone to replace them so that there's always someone available to deal with these things.

Nineteen, to me, sounds ridiculously low to be honest. I'm no expert. I don't know the geography. I haven't talked to the RNC or RCMP, but for the entire province and Labrador that seems really, really low to me. I just encourage the minister and the government to work with the RNC and RCMP to ensure we have enough officers that are trained.

The other point which has been raised – and I think it ties into my commentary or my understanding during second reading. I kind of echo what the Member for Topsail - Paradise said. It seems to me that with the exception of the section in here to deal with somebody who is charged with impaired, if somebody is actually charged through the DRE process and the Standardized Field Sobriety Test process and an officer charges them with impaired, then there's a section in here that kicks in that says in addition to the individual being charged under the *Criminal Code*, we're also going to take further punitive action in the form of suspension of your licence and impoundment of your vehicle under the *Highway Traffic Act*

That section of the *Highway Traffic Act* that we're amending there can work today because people can be charged with impaired today. All we're doing is we're adding under the *Highway Traffic Act* –

SOME HON. MEMBERS: Oh, oh!

CHAIR: Order, please!

I'm really struggling to hear. I'd appreciate the co-operation of all Members.

Thank you.

MR. LANE: Thank you, Mr. Chair.

What we're doing is we're adding a section in here under the *Highway Traffic Act* to accompany the existing situation today relating to impaired driving by drugs. That's fine. That works fine, no issue.

I guess the issue I have and the Member for Topsail - Paradise is raising – I do agree with him. By the way, this is not being critical of what government is doing here per se. There are two ways you look at it: you could either make the amendments that we're making relating to if someone is charged with impaired and leave it at that and skip the other parts, or you could have taken the approach to put it all in here and when the federal government, through the bill that they're debating and it's tied up in the Senate, comes up with a device, then it will work.

The point is that how are you supposed to know? Right now if a police officer hauls someone over, they can do the Standardized Field Sobriety Test and they can charge that person with impaired. They can't say that person has 0.1 per cent – or I'm not sure how the percentages are measured, but you get my point. They can't say that they have a little bit in their system.

They can say you're impaired and I'm going to charge you. They might think based on their experience that they've got something in them. Maybe if the person admitted and said, yes b'y, I just had a toke – they were stupid enough to admit it – they could impound the vehicle under this. But barring that, until there's an actual device in place they can blow into to get a reading, then there's no way they can say they have the presence of a substance in their system and therefore I'm going to impound your vehicle and fine you and all that stuff. There's no way they can do it.

All those sections, while they're good sections and they will work perfectly well once the federal government approve this device – and it's a good thing. I'm not arguing against it, I think it's a good thing. It makes sense; I understand why MADD is supporting it. I support it. Until such time that the federal government approves this device and everyone is trained, until that happens, then these other amendments – outside of the punitive measures for someone who's actually charged with impaired by drugs – are kind of dead on the paper at this point in time. They're there, ready to go, but they're not enforceable.

Government had the choice of saying we won't put them here at all until the device is ready and everything is ready to go. Or what they've obviously chosen to do is they've said we're going to put it in place knowing what the measurements will be, knowing what punitive actions we want to take and knowing that at some point in time, whenever the federal government gets their collective buns in gear and assents it and they do what needs to be done, then we'll be ready to go from day one.

I think that's what's happening here. That's how I understand it. That's how it makes perfect sense to me to be that way. We can either say we don't support these amendments because they're not worth the paper they're written on or we can say, you know what, we support them because we know eventually it's going to kick in and then they'll be ready to go. You're being more proactive, I suppose, would be the argument.

I have no objection either way to be honest with you. But it is important to note that what the Member for Topsail - Paradise is saying is true when it comes to all these amendments, with the exception of the amendment that says we will take punitive action against someone over and above charging them with impaired in terms of fines, suspensions and so on.

Thank you, Mr. Chair.

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

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

The hon. Member that just spoke had the same train of thought that I did. My fear of this whole piece of legislation – let me start by saying right off the bat that I have the utmost respect for our law enforcement officers. I know there are two former RNC officers that sit here in the House and they're not bad fellas either. The people that –

AN HON. MEMBER: (Inaudible.)

MR. K. PARSONS: Are there three?

I'm sorry, the Sergeant-at-Arms is also one here. There are three here.

We're very fortunate in the province. We live in a province where there are only 500,000, so we have the opportunity to know most of the people that are around us. We're a small community. We know most of the people that are either RNC or RCMP because, like I said, we're a very small province.

Before I make my statement, I'm going to just say I really appreciate all the work they do. I know a lot of RNC officers personally, myself. Over the years, I played a lot of hockey with a lot of them. They're very good people, very dedicated. My whole thing with what we're doing here today – and I am very much supportive of legalizing marijuana. I think it's time. We have to do it.

For the people that are out there that have to enforce this, they need the proper tools. They need to know they have the proper mechanisms, the proper enforcement, the proper whatever it is that they need to do their jobs and do their jobs right. They need to have the tools in order to do it.

I listened that time. The one thing I thought about is if this is going to take two years to have the proper equipment in place to be able to give the proper readings, to be able to do the job that people need to do to make sure – because when we talk about impairment, especially when we're talking about our *Highway Traffic Act*, we're talking about safety. We're talking about giving people in this province the confidence to drive on our roads and know that we have enforcement officers out there that are going to do their job to make sure our roads are safe. In

order for these people to be able to do their jobs, they need the proper tools to be able to do it. That's what we're talking about here right now.

Minister, while I know what you're saying, it's done today, we have people that are trained – and very surprising that there are only 19. We have 19 officers in this province for the whole province trained to be able to do the recognition that needs to be done. That's very low for me. I understand you said we're going to have more training done in the future. I think that's what everybody would like to hear and like to see.

Whenever you bring in any legislation or anything, you have to make sure you're doing it properly. I think that until we have the proper tools in place to be able to detect whether there's marijuana or THC in a person's blood, the tools need to be there to do it.

I spoke earlier about how we say zero tolerance. I'm sure that MADD and all organizations out there really want zero tolerance because of what they fight for and what they do for everybody else so our roads are safe. When we're talking impairment by drugs and you're talking zero tolerance, I don't know how you're going to be able to do it properly. I think that maybe there should be – and the Member just mentioned about bringing in an amendment until the tools are in place to be able to detect the amount of THCs in a person's blood or whatever.

I'll ask you a question now so that you can answer it here also. We talked about urine tests and we talked about saliva tests and everything else that will be done afterwards. My understanding is that it takes a while. I don't know if when you do a urine test, whether it goes into the lab at the Health Sciences or it goes off to some medical place to be tested. How long does that take?

If you're going to do a suspension for a person who is going to lose their car for seven days, do they have to wait seven days before the results come back? Do they have to wait a month? I don't know. That's a question that, as I was sitting here today looking at the suspensions, I hope you'll get up and ask here now.

Minister, I believe that we're on the right track. I don't think anybody over on this side is arguing

the legislation that we're bringing in. We just want to make sure that it's brought in properly, it's well thought out and that we have the tools in the tool box to be able to do the job. That's what I think the general public will want to hear.

I'm wondering about when you say you do some blood work or a urine test, how long will it take for those tests to come back once they're done.

CHAIR: The hon. the Minister of Service NL.

MS. GAMBIN-WALSH: Mr. Chair, I just want to say that the Member for Mount Pearl - Southlands understands this bill. I thank him for his commentary.

We referenced the *Criminal Code* in the *Highway Traffic Act* for a number of reasons indicated by the Member. We have great enforcement officers in this province. You're correct, they're really good. Mr. Chair, all new recruits are being trained today as we move forward.

Both agencies are working together and the federal Parliament, Mr. Chair, will set the date for legislation. The House of Assembly can't change that.

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

MR. K. PARSONS: I'll just ask my question again: How long will it take for anyone that needs to do a urine or a blood test to detect the THC? What's the turnaround time? It's not going to go to the Health Sciences. Is there a lab that's going to do it?

A person who gets picked up, and they're going to be waiting for a certain period of time, is their licence going to be suspended until the results come back or are they going to get results right away?

CHAIR: The hon. the Minister of Service NL.

MS. GAMBIN-WALSH: Mr. Chair, under the *Highway Traffic Act* right now those particular specimens will be sent off to the forensic labs. I believe there are two in Canada and there are two private labs, too. I'm not sure if they're under the *Criminal Code* or not, but we do have

two labs in Canada. The licence would be suspended for seven days, Mr. Chair, and then, pending the results of the specimens, 90 days.

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

MR. K. PARSONS: If the blood levels come back and show that there's no detection of any drugs or anything in their system, they're still going to lose their licence for the seven days. Is that correct?

CHAIR: The hon. the Minister of Service NL.

MS. GAMBIN-WALSH: Because of the Standardized Field Sobriety Test, the officers would then take the individual back and DRE could be done. Then, they would indicate whether or not they would withdraw a sample.

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

MR. K. PARSONS: One part of this legislation that's a little bit different then, when it comes to alcohol, talks about commercial drivers. We're talking about commercial drivers whose livelihood depends on their driving, obviously. We don't want them out there and don't take this in any way – they shouldn't be drinking or they shouldn't be on drugs anyway.

The Member mentioned a gentleman who had a stroke. Or it could be some kind of impairment that the person has and maybe the officer may think because we're talking zero. We're not talking a person that's intoxicated, we're talking suspicion that maybe – and it could be as much as a smell on a person's clothes. We all know that marijuana, if you're in the presence of it, stinks. It really does.

It could be the suspicion there that a person is impaired. When you're talking commercial, we have two labs in Canada that will detect this. That would have to be sent from anywhere in Newfoundland. It could be from Bonavista, it could be from Grand Bank, it could be anywhere in this province. That has to go to a lab somewhere in Ontario, Canada somewhere, the results done and then come back.

I would assume that's going to take a fair period of time. It could be six to nine months. The person who could be innocent will lose their licence, especially when we're talking commercial drivers and stuff like that. Don't you think we should have an amendment on this until we have the proper tools, that we don't take people's livelihoods away?

I'm not endorsing anybody that does this, I'm not, but there has to be mechanisms in place to ensure that we do it properly and we don't affect people that depend on their livelihood. Do you believe there should be some kind of an amendment on this?

CHAIR: The hon. the Minister of Service NL.

MS. GAMBIN-WALSH: Mr. Chair, the Atlantic Provinces Trucking Association, the Canadian Trucking Alliance and the Private Motor Truck Council of Canada all support zero tolerance for commercial drivers. The SFST will be completed by our trained officers at roadside.

CHAIR: The hon. the Member for Topsail - Paradise.

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

The question where my colleague is going right now is about testing. I heard a comment, I'm just trying to recall exactly what one of the officers who was interviewed a couple of days ago – maybe it was yesterday, anyway this week – talked about length of time.

The Chiefs of Police from Ontario are already anticipating an increase. I think you indicated earlier – and you can correct me if I'm wrong – but the government doesn't have a sense if it's going to increase or not. The Chiefs of Police of Ontario believe there's going to be an increase in impaired driving by drug which is going to put more pressure on laboratory analysis and could – unless all the proper beefing up of services and so on takes place – cause delays.

Do you have a sense of what is anticipated? How long would it take for a crime detection lab or a private lab, as the case may be, to examine, analyze and return results from a blood sample?

CHAIR: The hon. the Minister of Service NL

MS. GAMBIN-WALSH: Today it's taking about six months maximum. Mr. Chair, what I can say is the DRE results can determine impairment without samples.

CHAIR: The hon. the Member for Topsail - Paradise.

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

I appreciate that but as I read the law here, we're going to require laboratory analysis. In a case, for example, when you have a new law – just a moment, Mr. Chair – that's going to be so specific to say if you have between two nanograms but less than five nanograms of THC per millilitre of blood, then it's a maximum of \$1,000 fine. Five nanograms or more of THC per millilitre of blood, a first offence is \$1,000 fine, the second is 30 days imprisonment and the third, 120 days imprisonment as a hybrid offence.

Right from your own briefing materials what it indicates to me, and what the federal legislation is going to say, is that we're going to actually have to know what the level is. A DRE, a drug recognition expert, or SFST cannot determine how many nanograms of THC is present in a millilitre of blood, that will have to be a test. The chiefs of police from Ontario say there's going to be an increase in demand on these services. There's going to be an increase in impaired driving by drug.

That's the point, it's going to take – if we're at six months now, is there any anticipation of how long it will take when the increase as anticipated happens or what the results will be? Is it going to take longer? Is it going to take less? How is that going to happen, Minister?

CHAIR: The hon. the Minister of Service NL.

MS. GAMBIN-WALSH: Two to five nanograms that the Member is alluding to is a *Criminal Code* of Canada fine, Mr. Chair. What I do know, right now, today, it takes about six months to get the results back.

CHAIR: The hon. the Member for Topsail - Paradise.

MR. P. DAVIS: Thank you.

Just a quick comment, I know my colleague and I – I'll get back up shortly. I appreciate the fact that it's a *Criminal Code* offence, but even to go back to the zero tolerance, would a blood test or urine sample be utilized to determine if a person is in breach of zero tolerance for a novice driver, drivers under 22 or commercial drivers? Is that an option for police to use, to give a blood demand or a urine sample demand to determine if a young person, a novice driver or commercial driver is abiding by the zero-tolerance rule?

AN HON. MEMBER: (Inaudible.)

CHAIR: The hon. the Member for Topsail - Paradise.

MR. P. DAVIS: What we're inquiring about here, let me just back up a little bit and just try to explain this a little bit further; back off on it a little bit.

We're going through a process where there's the legalization of marijuana that's happening and part of that is going to be new recruitments for policing in Canada in which, in this province, the provincial government has oversight on.

In a briefing we had last week, it was laid out to us what's potentially going to happen in C-46 and changes to the *Highway Traffic Act* such as zero tolerance for drugs for novice drivers, drivers under 22 and commercial drivers.

What we're asking about is when samples are taken, because in order to find out if a person is abiding by zero tolerance, to determine if a person under federal rules is going to be between two nanograms and five nanograms or five nanograms or more, which are different breaches of the law or in a combination when there's 50 milligrams of alcohol if the person has more than 2.5 nanograms.

The line of questioning here is: How long is that process going to take and how onerous that will be on police? My question will also be: How onerous will that be on police to have to process those samples and send them away and analyze them? How long is all that going to take?

CHAIR: The hon. the Minister for Service NL.

MS. GAMBIN-WALSH: Mr. Chair, what I can say is that there would need to be reasonable grounds to lead to requesting a sample. So I really can't explain how onerous or how long it's going to take.

Today, when they need a sample, they do it today. They do it now.

CHAIR: The hon. the Member for Mount Pearl - Southlands.

MR. LANE: Thank you, Mr. Chair.

I don't really have a question, but I just want to say a couple of words again for the record.

Mr. Chair, I think everybody here in the House of Assembly, on both sides of the House, we understand what it is that government is trying to do. I think we all support, from what I can gather, I know I support what government is trying to do with this bill.

I think it needs to be said in this House – and this is not a partisan statement at all but it does need to be said – that the federal government, in the last election campaign, made a promise and they campaigned on the fact that they were going to legalize cannabis. There's no doubt, it was front and centre in the campaign, and the people of Canada, including here in Newfoundland and Labrador, voted them in with resounding numbers. No question about it. Not disputing it.

However, I have to say for the record that the federal government is putting all of the provinces, including this province, in a tough spot, as far as I'm concerned, with this particular legislation, with implementing cannabis and legalizing it here in the country, because we're put in a situation now where our government has no choice really. They're being proactive and doing the best they can to put legislation in place to be ready as best they can.

I think it's terrible that the federal government is going to legalize marijuana and, at the same time, they still haven't approved a device and the tools that police officers can use to deal with marijuana once it's implemented. I think it's absolutely terrible that we were all put in this position.

Even if, at some point in time, let's say if they did come forward with some device, as somebody said, that was approved, it's going to take months and months and months before the devices are in place and approved and so on, and police officers are trained and policies are in place, all that kind of stuff is going to take time.

Without a doubt, what's going to end up happening, so it seems, is that the federal government is going to move too quickly. They're going to legalize it and they're not going to have the tools in place for governments to react properly and for police officers and law enforcement officers to do their job properly.

I think that it's absolutely terrible that in this Legislature and legislatures all across the country that we've been put in this situation. So, once this happens and if we're ill-prepared and if people start complaining, I would say that nobody in this House of Assembly on either side should wear it. It belongs with Ottawa for not planning it properly and not putting things in place, first, before they forced this on us and shoved it down our throats.

Thank you, Mr. Chair.

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

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

Again, I kind of agree that this is a federal government initiative and it's the federal government that are forcing provinces to do what we're doing here and to bring in the legalization of marijuana. I agree that this is not a bad thing. Actually, I think it's a good thing, but, again, my comments are that you have to be ready. You have to be able to do the proper enforcement especially when we're talking about zero tolerance and how to detect whether it's zero tolerance or whether somebody has something in their system.

I understand that under the federal government, C-46 – and that's what the whole basis of C-46 is. It's the new drug impairment driving offences that are under the *Criminal Code* of Canada. Again, what this is going to do is this is going to authorize police officers for new oral-drug

screeners on the roadside to detect drugs in a person's system. So that's what C-46 is mainly about.

So C-46, obviously, is not going to come into effect until we have the proper tools to do the job. Whether we can check and see whether a person's levels are – I don't know it, but in the briefing two nanograms is one billionth of a gram of weed, which is very, very, very, very small, as far as I know. Whether a person can actually test that on the side of the road by looking at a person or seeing if they walk differently. They're different tests and I don't know how the tests are done, but it seems like to me, we're bringing in legislation to novice drivers and commercial drivers that I don't know if we can enforce and I don't know what's going to happen in a court of law.

Part of the question that I asked you earlier is: How long is it going to take? For a blood test or a urine test to go away to a lab on the Mainland, which we have two in Canada, I believe the minister said it's something like six months to nine months.

AN HON. MEMBER: Six months.

MR. K. PARSONS: Six months.

It was also said here earlier that the police chiefs of Canada, or maybe just Ontario, also stated that testing is going to increase because of the number of cases. We all have to agree, and hopefully not, but I think that once marijuana is legalized – and when I looked at it in Colorado there was a big bump in the first of it. When it started they saw a big bump in people using marijuana, but after a while it levelled off and went back to the levels of where it was.

I could see that could happen here also. I have concerns with it. I really do have concerns with it because I'd like to see us be ready and to do the job proper. I go back to the fact that we have great law enforcement officers. They do their best. They work very, very hard for us to make sure we're safe, but we also have to give them the tools to be able to do their job.

I'm not going to harp on it anymore. I think the minister should get what we're trying to say here and I think they should be in agreement. I'd like

to see some kind of an amendment brought in place, probably to force the federal government's hand, to expedite what they're trying to do when it comes to something to detect for drug impairment.

While we bring in laws, we still have to be able to enforce the laws. We don't want to go to a court system that's going to be every person that gets picked up there's a technicality that can be used in a court of law that's going to cost thousands and probably millions of dollars. Take our court system, which right now is strained, and have it even more so, that there's more people going because maybe there will be a way to get around this, I don't know. I really don't want to see it.

Minister, have you received any official communications – probably the Minister of Justice can answer this – from the federal government regarding the legalization date change? I know July 1 was the date we talked about and now it's stretched out. What communications are you having with the federal government on the date basically?

CHAIR: The hon. the Minister of Justice and Public Safety.

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

There are actually no official conversations going on right now because it's actually out of the federal government's – it's in the Senate and the Senate controls it. I don't mind saying it; you can have your perspective on the Senate. Some of the conversations I've heard in the Senate about this bill, the best word I could use is "inane." These are people that it makes the *Reefer Madness* crowd look very sensible. Some of these Conservative senators, it's just ridiculous some of the commentary.

The problem is the feds had the July date. I want to put out just a few things. It was never going to be July 1. Everybody sort of said July 1, but I don't think there was ever any plan. It was July 2018 thinking about would it start on a Monday, would it start on whatever day. Then that July date sort of got looser. The problem we have now, it's in the Senate. There are amendments being put forward. We don't know where it's

going to go, so I can't tell you what's going to happen.

Our operational mindset from this perspective, from our government's perspective, was it's going to be July. If it goes down the road, August, September, later on, we'll be ready. If you use that deadline and you move your own, then the possibility is you won't be ready. What I'm going to suggest is we are ready.

I want to say not just to the speaker opposite – I may have missed some of the earlier conversations – a lot of this conversation is around C-46, around federally approved screening devices and everything else. What I would say is that has nothing to do with our legislative process per se. The question becomes: Are you ready? We are ready.

Right now, we have an illegal drug that is being inhaled, is being used and people are driving. We have the ability to detect that right now using these tests, and I'll call them objective tests, that are being done by experts. You can go – and there is blood and there's urine. There are some timeline issues with that but we're facing that everywhere.

I think as we go on, those issues will be ameliorated. We will be able to work through that. The fact is that when you get it, you still deal with it down the road. There's a suspension, and then what happens is later on, when you get the information back, you proceed. Every province is dealing with that.

We are already farther ahead than many provinces in terms of the legislative framework. We can't help what the feds do. What we can do is be ready from this angle. I'm not saying that the point the Member makes is not valid. It's a valid point. You're saying: Let's be ready. I get it because that's how I feel.

What I'm saying is we're ready but I can't do anything – anything. This government, nobody here, can do anything to speed up that federal process. We're sitting in the Senate. That's a matter the current government has to deal with, with the Senate, who are also dealing with Opposition Parties, primarily Conservatives. I'm not aware if there is an NDP caucus of the Senate.

The fact is we have Conservative senators that are lined up with the Conservative Party; we have independent senators that used to be lined up with the Liberal Party. I'm sure maybe there's still an affiliation of some sort or there's not. Either way, that doesn't change where we are.

Right now what we're going to do is move this legislation forward so that we're ready when it happens. We'll deal with whatever comes, whatever federal-approved screening device, whatever comes out of C-46. If there's something new and radical that comes out that no province is aware of, we'll be in the same position as every other province. We will be ready for when legalization happens.

SOME HON. MEMBERS: Hear, hear!

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

MR. K. PARSONS: Mr. Chair, I respect the answer from the minister. Minister, part of this debate today – and maybe you can answer this also – is we're talking about the legislation that we're bringing in. A lot of it was to do with testing and how to do proper testing. I spoke several times already today about the respect we have for our law enforcement officers that do great work in this province.

Our question basically is we're bringing in similar to what we did with the Breathalyzer with zero tolerance to people under 22, to novice drivers. Different from commercial drivers when it relates to alcohol, but when it relates to drugs, we're talking about zero tolerance for commercial drivers also. Being the Minister of Justice, I know your interest in the court system; we hear a lot about it.

My question to you today is: Where there is no defined mechanism that can actually measure blood levels, other than urine, are you anticipating a lot more court cases? What would the cost be to the judicial system, to the province?

CHAIR: The hon. the Minister of Justice and Public Safety.

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

I think I may have alluded to this in a previous comment. I think with all of our legislation, I think with Bill C-45 and 46 and I think with every province going through this, there will be challenges to the legislation just dealing with the fundamental nature of such a huge policy shift.

There are lawyers out there, whether they're defence lawyers in criminal cases, whether it is lawyers that want to talk about constitutionality, charter rights, you name it. There are going to be challenges. In many cases, what you will see is you may have a challenge in Manitoba to deal with one part of theirs and depending on if it's a federal one, other provinces may intervene and be a part of that.

On our end, I'm very confident that what we've put forward is stringent enough to ensure that we have road safety but, at the same time, I do think it will stand up to constitutional scrutiny. That can't stop from somebody challenging it.

The biggest thing that we can get across to people is not about the – one of the questions earlier today was about our tolerance. We talk about alcohol; there's that sort of you think you might be able to have one, you might be able to have two. The education, to me, comes from we need to get across to people if you partake, get out of the car.

Driving is not a right, it's a privilege. If you want to smoke, if you want to inhale, if you want to vape, stay the hell out of the car. That's the biggest message that I think we can get across to people, that I think we all want to do that. If you're intoxicated, it's not just your own life you're putting in danger it's mine and my kids, and yours and your kids and your grandkids – all of ours.

I'm confident that you may see early on, like any new legislative change, some challenges, you may see some new cases, but I think over time – the other thing, too, is when we talk about a legislative change like this, some States actually saw a spike in numbers in terms of usage but then it went down. We may see a spike in terms of cases that go in, I think that will go down.

Our director of public prosecutions is quite ready to deal with this on their front. We can't

help what comes from people that get charged, their lawyers, whether they are Legal Aid or private counsel, they'll make a challenge. That's what they do. Their job, at the end of the day, is to advocate for their client's rights, so if that means that they can challenge the constitutionality of a rule, they're going to do it, but it's not something I worry about in terms of our challenges.

The biggest challenge we've had to face in terms of courts came with Jordan a few years ago, and I think the changes we've made to address that will help us when we go forward with this.

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

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

Thank you, Minister, for your answer.

This legislation that we're bringing in here this week, I'm just wondering, have you been talking to other legislatures right across the country to see what they're bringing in and how does theirs differ from ours? Are we doing similar things to what other provinces have done? Have you done a jurisdictional scan to see what's been done in other provinces?

CHAIR: The hon. the Minister of Justice and Public Safety.

MR. A. PARSONS: I can't say that I personally have, but every Department of Justice, same as every government department, has policy people and analysis that is going on. I know that our people, people who would have given you the briefing, somebody named Chad Blundon and Mike Harvey, they would have talked to all the other jurisdictions and done a scan. Okay, what are you suggesting? What are you suggesting? Every province is different and has the right to do what they want. We've all dealt with differences in terms of even the age. Some provinces have gone with 18; some have gone with 19, which is a big factor.

Actually, I have a piece of information. This is a great piece of information from the Department of Service NL. Quebec and Saskatchewan have gone with zero tolerance for drug impairment for

all drivers. Other provinces have determined it's best to take zero tolerance for certain classes.

Nova Scotia, Alberta and BC have zero tolerance for drivers on the graduated licence; New Brunswick has zero tolerance for drivers under 21; PEI, Ontario and Northwest Territories have zero tolerance for drivers up to age 22; Ontario, BC and Northwest Territories also have zero tolerance for commercial drivers; everybody has driver's licence suspensions for drug-impaired driving.

So what we've done, obviously, is zero tolerance for novice, 22 and below and commercial. Where I am on this is every province is going to say what they like, but then we looked at national organizations who, again, would be able to do that look and give you that impartial view, that unvarnished view. We're going to say what we have is good and we like it, but these are groups that have no ties.

MADD Canada likes ours. MADD Canada praises ours. So when I see somebody like Trish Coates, who we're all familiar with, and she says: You're on the right track. That gives me hope that we are doing things right, but each province is going to do what they have to do.

I like where we are. I think it promotes safety. I think it's also reasonable. It's like when we talked about the age, whether it's going to be 18, 19 or 25. That's why doctors even said: You can go with 25 and it's probably medically safer, but how are you going to enforce that? There has to be a reasonableness when you're enforcing the law.

I think we're in good stead here.

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

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

Minister, I'm not arguing with anything that you said there. I think we all should be doing our proper work here in the Legislature in making sure that proper legislation comes through, that our concerns are the concerns of the people of the province, and that we all work together to make sure we get the best possible piece of legislation that's going to be here.

A concern that I have is with the federal government, and while I understand that our province – I have to give Chad Blundon the other day when he did the briefing for us, I thought it was one of the best briefings I was ever to. It was very informative. He did a fantastic job, and the people who were there with him at that, again, the briefing was one of the best that I've ever been to and kudos to the department for the great job that they're doing.

The federal government is saying now that even though Bill C-46 may be hung up in the Senate, they're going to bring forward this legislation and force provinces to adapt to the legislation.

Do you have concerns with that, that the Highway Traffic Act is not going to have the proper legislation there in place before the actual legislation for marijuana comes into place? So Bill 45 could get passed but Bill C-46 could be still in the Senate. Is that an issue?

CHAIR: The hon. the Minister of Justice and Public Safety.

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

I would suggest that when it comes to the feds, we simply have no control over what they do. We can only debate the legislation that our House is allowed to do, so the things that are within our mandate as a province, within our control. I can't talk about the *Criminal Code* of Canada, it's federal. We've had input. We've talked to them and we know what was proposed with 45 and 46.

One thing that gives me hope, I will say this, one of the main players in this scheme from the beginning, in terms of the legislation for the Liberal federal government, was a fellow named Bill Blair. Bill Blair was the chief of the Toronto police. The man, I've met him, I've talked to him; we've talked about this.

I take faith in what he says, and we can get into sort of the partisan Liberal, Conservative, whatever, at the end of the day, I think the man is an officer. That's what I look at. I don't care what – I think the man is an officer and he's devoted his life to safety of individuals. So when I hear what he has to say about going forward, I

take great faith in that and I give credence to what he has to say.

Again, I've mentioned this in my first answer to your question, I know there are some issues with the federal process. I get that, but when it comes to the bill we're debating now, whether it's clause 1 or any clause, I can only talk about the provincial side, and we're ready.

The flip side is that if we were here and we didn't have it ready, we'd be accused of not being ready. Nobody is going to accuse us of not being ready. We are ready. What we can do is do the best we can with the information we have and, again, I still think we're farther ahead than other provinces.

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

MR. K. PARSONS: I don't believe that we'll argue or discuss whether we're ready or not. It's just my problem is that I don't know if the feds are going to be ready with what they need to bring in and what they need to put in place.

Minister, you stated in the past that the legalization of marijuana is going to be additional spending for enforcement and also the different costs related to the, I guess, the justice system. You said that on November 23, 2017.

What additional costs are you looking at for our justice system and the additional cost that you can see coming for enforcement?

CHAIR: The hon. the Minister of Justice and Public Safety.

MR. A. PARSONS: The biggest additional cost – which we will be getting some federal funding – is with the training of officers. There's been a lot of work to make sure that DRE training is provided to officers all across the country. In terms of our forces here, I think we're doing pretty well, but I don't think there's enough training. We could always do with more.

The feds have allotted – I can't tell you the number right now, but it has come out, it's publically available. The feds have announced a significant amount of money for training for officers. In fact, the RCMP just announced last

week, their new Commissioner Brenda Lucki just announced that training would be rolling out for RCMP across the country. Constable Karen Didham was in with me yesterday, spoke to the briefing, she talked about the training she has and that we have the ability here to train our own.

That's one of the big costs. We won't be hiring any more prosecutors. We won't be appointing any more judges. We're not anticipating a huge cost to the justice system, per se. We will be able to handle what comes in, whether it's *Highway Traffic Act*, whether it's the *Criminal Code*, we'll deal with it.

The other thing too is that for every increase there might be with a ticketing like that, there will be a decrease on the other side where somebody is being charged with possession of cannabis.

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

MR. K. PARSONS: I agree, and like you said earlier and I also said it, I think we're going to see a huge bump in usage and probably impairment and, hopefully, then it will stabilize and we'll see what's happening in other jurisdictions right across.

I have a question though. It was a question that I wanted to ask in the briefing and I never got the opportunity to ask it because we talked about open marijuana in a car. The briefing was a really frank conversation. We had a talk. It's just like you would be sat down at a table having a conversation. It was really, really good. I wanted to ask about products that are edible products. When we come to marijuana, I believe there's also going to be things like cookies or whatever they eat, whatever it is. I was wondering about that when it comes to a vehicle.

I know that when we talked about boats, and we also talked about vehicles, it had to be stored away in a certain area, the same thing that's similar to open liquor, I believe, in a car or whatever. I was wondering if there was any part to the legislation or was there any consideration given to that product and what would have to be done for people having that in a vehicle or in a boat.

CHAIR: The hon. the Minister of Justice and Public Safety.

MR. A. PARSONS: Thank you.

Right now edibles are not something that the feds have talked about until 2019, so that's not something we're going to deal with. Right now they're worried about cannabis in terms of smoking or vaping. Edibles are going to be a whole other debate, I think, down the road.

In terms of what goes on in a car or a boat, unless they are deemed a dwelling house, both of those it is illegal to consume.

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

MR. K. PARSONS: Okay.

Last night I brought this up also about public awareness. I think it's a very important part – I'm sure, Minister, you will agree with me – making sure the public are aware of the situation and understand the laws of the land, the same thing we do with impaired driving. We've done a very good job and I commend the people like MADD who have done such a great job on the awareness factor to young and old about the effects of driving. I've heard some commercials already – it may not be called MADD but I think it is – when it comes to drug impairment.

As a province, are we going to be doing with the new legislation – and maybe it's something the federal government will be bringing in to introduce to this part of the legislation that they'll have some kind of awareness. I wonder if you could just inform us if there will be any awareness programs. Will there be advertising just for the impairment and the use of drugs in general, really.

CHAIR: The hon. the Minister of Justice and Public Safety.

MR. A. PARSONS: Yes, certainly, there will be a public education and awareness campaign that you'll see coming out in the coming weeks and months to talk about everything, including physical effects, impairment, you name it.

There will also be an educational component that will be ready for the start of the school year. It's being led by the feds but, obviously, we have to take ownership ourselves as well. That's why when we look at the implementation across the board, sometimes you only think of it as Justice, but just about every department is involved.

We'll be working closely with Education as well as the school board. This is an issue that they are aware of and will be dealing with. We'll work with them as well as the broader, general public will want to know. Even little things, when you talk about the usage when you go into a store when it becomes available, there's an education as to the product itself. What does each one mean? That's why the NLC will be involved in that.

When we have something as big as this, I don't think there's enough education. I don't think we can do enough but, certainly, it's top of mind for us.

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

MR. K. PARSONS: Thank you, Minister, for your answer.

I just want to continue with my line. I'm glad, because that was my next line of questioning, about our schools. I think we all can agree that any time we get to our youth and our young people at an early age and educate them on not only when it comes to alcohol or drugs what can happen.

I've seen various scenarios where the school has a certain kind of a day where they see our law enforcement, our fire department, our ambulance and even people from different funeral homes show up to the training to show what can happen when there's an accident. Stuff like that is where we need to be because people see the real effects of impairment and what can happen to loved ones that are on the road.

We hear stories from MADD and different people all the time of the effects of impaired driving, whether it's impaired driving by alcohol or impaired driving by drugs. The effects that it can have, the person that gets killed is gone. The

family lives on with the pain for years and years and years to come. Minister, I'm glad to hear this is going to go to the school level. I think it's very important that we do an educational part with the Department of Education in any way we can.

I always give an example of growing up and how I grew up. I talk about little things like recycling. I never thought of it until my children started to recycle. Maybe if we can educate our children about the use of drugs and the use of alcohol behind the wheel, and the effects that it can have on so many, maybe that will snowball and have an effect on our adults that are going to be out there on the roads.

Minister, have the stakeholders all been informed of these latest changes in the *Highway Traffic Act*? What consultations have you done with different groups? I know we talked about MADD and the different truckers, but I'm talking about driving schools like Young Drivers of Canada and stuff like this to ensure that comes in, that these people that are teaching our people on the roads understand the rules coming in right now are zero tolerance. I think that's another place we could be with different organizations like that. I just want to hear on that also.

CHAIR: The hon. the Minister of Justice and Public Safety.

MR. A. PARSONS: I don't think I have an exhaustive list here. What I can say is we consulted with organizations like MADD. All the industrial commercial truck driving organizations have not only been consulted, but have supported the legislation. The RNC, RCMP and Service NL have met with the various groups.

I've had calls from, not organized stakeholders but individuals that have had an interest in road safety; people, like you say, who have gone through a tragedy. People have spoken out. I've heard from these individuals and that formulates part of this.

It wouldn't just be with Justice; obviously Service NL has been working on this for some time being the lead department. That's the biggest part of the stakeholders.

CHAIR: The hon. the Member for Mount Pearl North.

MR. LESTER: Thank you, Mr. Chair.

I still have a question concerning the efficacy of our court system to be able to handle this. I apologize for not expressing this earlier, but I expressed to the minister that I have a concern with the low rate of convictions as it stands now.

We're a little over 60 per cent and with the new legislation, which I'm in full support of. My concern is that we will be tying up resources in our law enforcement agencies through appeals and court processes. The current median length of a drug-related impairment trial is over 200 days. Now, I think we've all identified a gap in the ability to convict an individual of zero tolerance when there's no immediate equipment there that can verify any trace in an individual's bloodstream or system.

I think that's my biggest concern, that we can put this legislation in place but we're actually going to slow down the enforcement because once one case gets through and it's overturned, we're going to see a floodgate of those individuals lined up to appeal their cases. In the case that we do accuse or arrest somebody on the basis of subjective evaluation, through just visual assessment. I have a big concern that somebody's commercial viability is going to be affected, possibly their business and possibly their whole family's livelihood. They're waiting six months in before they are cleared of these charges.

So does the minister have a way to address this, especially for the commercial operators of vehicles that may be subject to an improper assessment, which is one person's opinion?

CHAIR: The hon. the Member for Mount Pearl - Southlands.

MR. LANE: Thank you, Mr. Chair.

Minister, I never heard anyone ask this tonight, and last night got a little bit foggy, I've got to be honest because it seemed like it went on for a while, so it might have been asked and I might have missed it, it's possible. I'm just wondering, repeat offenders, I think, if I'm not mistaken,

when we made changes to the *Highway Traffic Act* for people impaired by alcohol, that there was maybe longer suspensions and other penalties under the *Highway Traffic Act* for repeat offenders.

So is there anything in here for repeat offenders by drug or – it could be by drug or it could be if you were picked up for impaired and now you're picked up for drugs. Are you still considered a repeat offender even though one is drugs and one is alcohol? Is there any further punitive action in the bill?

CHAIR: The hon. the Minister of Justice and Public Safety.

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

That's actually a really good question. The biggest part of that would be under the *Criminal Code*. When it comes to alcohol right now, basically, it starts off first, second, third and continuing on. Off the top of my head, I can't tell you what that is. The first one comes with a fine and a driving prohibition, the second one has a longer driving prohibition and you start getting into jail time and then the third one it gets more.

Each of those has mitigating and aggravating factors that may – in fact, I remember I saw one case where the person got arrested near a playground during daytime hours. That was an aggravating factor. A mitigating factor might – these are all things, but at the end of the day, there are mandatory minimums. So when it comes to this, my understanding is that this will also be encompassed within the federal bill under those amendments that are coming in there.

My understanding is that, yes, impaired is impaired. That's why we have drug, alcohol and drug and alcohol combination. If you get the second one, that should be added on and should be considered a second offence, which gets you a more severe penalty.

CHAIR: The hon. the Member for Mount Pearl - Southlands.

MR. LANE: Mr. Chair, I thank the Minister for that answer.

It kind of fell in line with what I thought, but maybe he wasn't understanding my question. I do appreciate his answer on the federal side. What I'm wondering is under the *Highway Traffic Act*, like in this particular bill here is about the *Highway Traffic Act*, it's not about the *Criminal Code* or impaired. What I'm wondering is, I didn't see anything in the briefing, was there any thought given to further suspensions for repeat offenders? So in other words, somebody was picked up for impaired, whether it be for alcohol or drugs and they got a suspension. In addition to being charged criminally, they got suspended under the *Highway Traffic Act*.

So I'm wondering why there would not be a stiffer suspension if someone got charged with drugs for the second time under the *Criminal Code*, then they should get their vehicle suspended under the *Highway Traffic Act* for a longer period of time or get bigger fine and so on.

I don't see that in here, I'm wondering was that considered and why repeat offenders weren't considered?

CHAIR (Reid): The hon. the Government House Leader.

MR. A. PARSONS: What I can tell you, Mr. Chair, and tell the Member opposite is that repeat offenders will get more severe sentences when it comes to vehicle and driving prohibitions. That's there, that's not an issue.

CHAIR: The hon. the Member for Topsail - Paradise.

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

Minister, I just want to start, I meant to do this earlier and I thought about it when I sat down a little bit earlier in Committee here and I didn't do it then, I don't think I did it then. In case I missed it the last time, I just wanted to highlight that last Friday we had a Friday afternoon briefing by officials, a room full of people that were there, and I just wanted, in the Committee process here, to acknowledge the patience that they provided and the information and the assistance they provided to us in trying to fully understand exactly what was being proposed

here in the House today. So I want to thank them and thank both ministers for assisting with that matter.

Minister, I know there's been some discussion about the Senate. A committee of the Senate has been meeting and last night a Senate committee passed – according to *Canadian Press* article from 11:20 p.m. last night, yesterday, the Senate committee passed more than two dozen amendments to the federal government's cannabis legalization, including one that will allow provinces to ban homegrown marijuana and so on. However, one of the amendments that passed was the committee agreed and they – I'm told, by the way, it was a unanimous agreement by the committee on these two dozen amendments. One of them was agreeing that regulations would be provided to members of the House of Commons and the Senate – were given 30 days to review the regulations.

I'm wondering, Minister, if you would afford the same opportunity for Members of this House on regulations that are going to come in related to this and other legislation, but we're on this one now. I wonder if you'd be agreeable to provide those regulations or a draft of those regulations.

CHAIR: The hon. the Government House Leader.

MR. A. PARSONS: I'm just trying to make sure I – I apologize, I may have not quite heard the full end part of that. I think what I heard is that the Senate has proposed a bunch of amendments that they'll then send back to Parliament and they want 30 days in order to see that, I guess when it goes

What I would suggest is that we're going to have the debate here on legislation. My biggest concern, to be quite honest with you, is does the federal changes and does the federal process affect what we have here? Right now, what we've put in is what we've put in.

The regulations, as you know, when we deal with that, that's a process that's been pretty consistent for a number of years now, which is they are drafted and brought into place. I can't, right now, promise a 30-day commitment of that nature, right now, no.

CHAIR: The hon. the Member for Topsail - Paradise.

MR. P. DAVIS: Thank you.

What I'd ask, Minister, and I think it goes without saying that you'd probably bring that back to your colleagues and reference the fact that it was asked here.

I'm reading from a *Canadian Press* article dated 11:20 last night. It's listing some of the amendments that were agreed upon, so maybe you could further consider that, but give opportunity for us – I would say even the public. I think it would be a good thing for the government to do to make sure the regulations are available to the public ahead of time so that proper education, awareness and stuff can be done 30, 60 or 90 days before they actually come into effect. That's been done in the past as well.

Minister, we had a discussion earlier with the Minister of Service NL about the number of DRE, drug recognition experts in the province trained and qualified and also SFST. I understand all SFST or all officers now are trained SFST in their basic training, but also the Minister of Service NL, I had asked about RNC and RCMP and she indicated there were 19. I really, honest to goodness, thought there were more than that in the province.

I don't know if the Minister of Justice could just confirm if that's the accurate number. I'd also be interested to know from the minister: What plans are underway for training more officers in DRE and is there a goal for this year for how many you hope to have trained in the coming months?

CHAIR: The hon. the Government House Leader.

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

I don't have any information or evidence that would contradict what was provided earlier in terms of numbers. What I do have here is an indication from the feds that the RCMP will be dealing with a new introduction training course for police officers across the country, which will be called Introduction to Drug-Impaired Driving and will be required for law enforcement

officers in addition to pre-existing standard field sobriety testing. CDSA officers will also get the training.

We're talking about legalization here but as the Member opposite would know, cannabis is not always the big issue. One of the big ones to deal with is prescription drugs, which is something that's legal, especially the combination of prescription drugs with alcohol. It's a huge issue. These are both legal substances. This is something where there is training right there, but we're seeing that there are a lot of factors here. I have full confidence in their training, as I know the Members opposite do as well.

The big thing will be with the approval of the federal device, which I really do anticipate that we are going to see that prior to this process being completely done. We'll be done and ready here; whatever comes, comes. It's the same as when they changed it for the *Criminal Code* a few years ago; we have to prepare for whatever comes.

In terms of the RNC, we are already above the national average in terms of DRE-prepared officers. After speaking to the chief, after speaking to Karen Didham and after signing a lot of the travel sheets that officers fill out – we have to sign them within the department to send them to Jacksonville or Phoenix, I'm signing a lot of them – they're doing more.

I think the challenge will be, and not a challenge, but we're going to get more money from the feds. We have to put it into their forces so that they can send more officers out to do this. I think we all know that's going to be the big thing.

CHAIR: The hon. the Member for Topsail - Paradise.

MR. P. DAVIS: Thank you, Minister. I appreciate that.

I agree. I know we've talked many times about capable police officers we have in the province. We certainly agree on that.

Minister, I've been reading and I have over here a copy of the RCMP-Canadian Council of Motor Transport Administrators *Final Report on the*

Oral Fluid Drug Screening Device Pilot Project.

One of the interesting aspects that I read in the report – and I just read this here today, it came to my attention today and I had a look at it since I've been in here – is during the pilot period where a number of officers were given one of two devices for doing roadside screening, and they were essentially testing these, was the presence of other drugs that were picked up by this screening.

The most common drugs found were cannabis, 61 per cent; – I'm reading right from the report – followed by methamphetamines, 23 per cent; cocaine, 14 per cent; opioids, 9 per cent; and benzos at 3 per cent. I'm just wondering, in all the work that you've done in preparation for this – we have a zero-tolerance rule for cannabis or THC when it comes to driving under the provincial legislation. We're going to have a zero tolerance for novice drivers, drivers under 22 and commercial drivers.

Is that zero tolerance going to be for cannabis, marijuana, weed only, the presence of THC? Once we get those roadside screening devices and you pick up that someone has cocaine or any of these other drugs that have been picked up during the pilot project, will that be considered to be a violation of the zero tolerance, or is it only cannabis that the zero tolerance applies to?

CHAIR: The hon. Government House Leader.

MR. A. PARSONS: Thank you.

Right now, what we're dealing with strictly when you look at the legislation is cannabis. Most of these, if it's an illegal substance, it's an illegal substance under the *Controlled Drugs and Substances Act*. That would, to me, constitute impairment, but I'll leave it to a smarter defence lawyer to say how that would work.

When it comes to prescription drugs, that's the challenge because they are legal, so what it comes down to then is the impairment. That has to be measured by the DRE, by the officer who can look at the level of impairment. That's one of the challenges that we saw, especially with the increase in prescription drugs. I don't think you're going to get a device that can tell you the levels on every prescription drug, but it may be

able to detect it once we get the device. I can't tell you what it's going to come up with.

Once you get the device it may be able to tell you certain classes of drugs but the big thing right now, obviously, when it comes to the legislation, we're referencing cannabis itself right now because that's the drug that's going from illegal to legal.

CHAIR: The hon. Member for Topsail - Paradise.

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

Thank you, Minister.

I realize that the *Criminal Code* is a federal regulation; however, it's the police in Newfoundland and Labrador which comes under the jurisdiction of the provincial government that have to execute that. The federal bill is proposing essentially three different levels of drug use: two nanograms, less than five; five or more; 2.5 or more with the presence of alcohol of 50 milligrams or more.

My question, Minister – I'm just trying to make sure I get this worded appropriately for you – I understand that the roadside screening devices will be calibrated at a certain level, similar to what roadside alerts are calibrated at now. Knowing that the maximum level will be five and anything over two nanograms will be an offence, can you tell me what level these devices will be calibrated at? I've heard talk of a very high level of calibration, a high number for calibration.

As you're just having a look at your notes, I can give you an example. Roadside alerts right now or screening for alcohol are set at 50 and 100; 50 is when the provincial administrative rules kick in; 100 is essentially the level they use. If you're 100 or over 100, it's enough grounds to bring someone in for a Breathalyzer.

So when it comes to the presence of THC, do you know how many nanograms it'll be calibrated at?

CHAIR: The hon. the Government House Leader.

MR. A. PARSONS: I wouldn't have an answer to that, I guess it would depend on what comes out of C-46. I know that the calibration question is brought up in the *Criminal Code* as well, and that's often one of the things that's brought up, if you try to have a defence to this, it's often coming down to the device, was it properly calibrated and everything else.

Right now, what I can say, and the department of motor vehicles or DMV, as we call it. That's what they formerly called it, what's the –

AN HON. MEMBER: Motor vehicle registration.

Motor vehicle registration, they're obviously very much watching this, and what they're saying as well is that we don't know, at this stage, when it comes to calibration. We have to wait and see what comes with C-46.

CHAIR: The hon. the Leader of the Third Party.

MS. ROGERS: Thank you very much.

I'm concerned a little bit, Minister, and you may not have an answer for this but it's just something that I would like to throw out.

Impairment with alcohol and impairment with cannabis, in terms of people's own experience and some of the guidelines that have been given to people, sometimes people can regulate that a little bit better, in terms of some folks know that they're okay if they have a beer; one beer a night. They know that, although we know we really want, if you're driving, don't drink. We know that.

It's a little bit different with cannabis, and we know that there are different strengths of cannabis in terms of the THC. We also know that cannabis stays in your system longer. I think I raised this the other evening and I think it's really tricky; it's really, really tricky.

So if you've imbibed and used a lot of cannabis, say, on a Tuesday night, a lot, and maybe way into the morning and then Thursday morning you're going to drive to work. Sometimes people won't know. How will that be measured?

Also in the *Smoke-free Environment Act*, we talked about second-hand smoke and second-hand exposure to cannabis smoke, which 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.

It's complicated, isn't it? It's really, really complicated. So does it mean that you can't drive to work the next day or maybe even the day after and how will that be dealt with?

CHAIR: The hon. the Government House Leader.

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

I appreciate the question from the Member, we're talking about basically the contact high where you're not consuming it, you're talking about the smoke coming – I remember the first time I ever saw that was the – what Olympics was it Ross Rebagliati famously said that he hadn't – I will say he's also very involved in the cannabis movement now in Canada.

Here's the question, when it comes to alcohol – and I will say, I'm willing to bet if you spoke to officers, it's not often the night of the actual when you are drinking and driving, in many cases it's the morning after, where you think you're fine but you're still quite impaired and that's been one of the issues here.

It's going to be the same as this. One of the big issues has been is that the devices test presence but presence does not constitute impairment. That's why, if we had gone a certain route then what you're going to have – so you can either have zero tolerance all together, which may have a constitutional issue, or we're going to take away your licence just because you tested positive, even though it could have been four weeks ago. That's one of the challenges and that's why one of the big parts, as we referenced earlier with the education, is your own education of figuring out the impairment on your body.

There are a lot of unknowns here. The big thing though is that people – I always suggest when it comes to driving, when it comes to consuming an intoxicant, better safe than sorry and it is not your absolute right to drive. It is a privilege to

drive. So if you feel in any way, shape or form that you're impaired, your best bet is to get a cab or get a ride.

It's no different right now with alcohol, everybody knows where they say I can have one, but I've seen cases where people think they can have a lot more or a lot less, but it determines on bodily factors: sleep, how much food you've had, everything else. Even a person's sort of idea as it relates to alcohol, something we've been dealing with for years, people still misjudge it and that's why we come back to the default which is just don't do it.

It is going to be a challenge. What we do know is that once you see the test has been laid out, I think it was in the briefing, is if you get to the point where you do the test, and even if it's just presence, that's when, in certain case, we have the right to go back and do the urine and the blood, which is where you get the actual amount.

The biggest thing, especially for young people 22 and under, is if you've consumed in any way, shape or form there's going to be an issue.

The good thing we also know too, when we're dealing with the feds, is that the medical side, one of the big issues I had brought to me by medical users is: Well, I'm always going to test positive, forever. I'm consuming it every day.

So the big thing is that, obviously, it doesn't mean that you're allowed to drive if you're impaired but the fact that it shows up in your system doesn't necessarily imply impairment.

Like I say, there are some tricks to that, but we have to work with everybody in the province. I don't think the duty is necessarily on us to educate everybody. I think that the duty is on individuals also to work on educating themselves. We will have the materials there, but ignorance is no defence as well.

CHAIR: The hon. the Leader of the Third Party.

MS. ROGERS: I'm not interested in arguing this point, except to say how slippery this is and how difficult it is and how difficult it is on individuals to be able to judge as well.

For instance, we know that there are people in different industries who, when they're working for weeks and then weeks off, may not use cannabis because it stays in the blood so long. So they do use prescription drugs or they may use cocaine or whatever they may use, but how difficult this is going to be, even for people to try and educate themselves because, at this point, we know it's not yet an exact science.

I just wanted to say, I think that the realization that it is not so cut and dried and it's not like a Breathalyzer, at least at this point.

Thank you.

CHAIR: The hon. the Member for Mount Pearl - Southlands.

MR. LANE: Thank you, Mr. Chair.

Before I get to my question, I just want to say to the Minister of Finance, I really wanted to get to the House of Assembly today and see him hung but, unfortunately, – well, fortunately, my daughter convoked so that's why I wasn't there.

SOME HON. MEMBERS: Hear, hear!

MR. LANE: Congratulations.

Mr. Chair, I just want to pick up where the Member just left off. I understand the Member is talking about impairment. I think someone told me one time there's more impaired drivers picked up on a Sunday morning than probably any other time because of people who were out on a bender on a Saturday night and they got up on Sunday morning on their way home thinking they were fine and they weren't.

With marijuana, as I understand it, and I stand to be corrected and someone can educate me if I'm wrong, but I think marijuana can stay in your system for several days. I heard a month. Maybe it's not a month but I heard someone say a month. Maybe it's a week. I don't know what it is but it's an extended period of time.

While that would not make you impaired – and I can understand, as the minister said, govern yourself accordingly. Take in mind that it's no different than if you were drinking on a Friday

night. You ought to think twice about getting aboard the car early Saturday morning, the same thing with marijuana. But if you are under 22 or you're a commercial driver under the legislation, it's zero tolerance.

It's going to be really tricky. That's something that I don't know how they're going to deal with. Theoretically, are you going to say to somebody if you are a commercial driver, then if you had a joint or something on a Saturday night, you can't get behind the wheel for a full month because it could be in your system and it would register that you have something in your system.

I'm not talking about the impaired piece; I'm talking about the zero-tolerance piece and the length of time it's in your system. I could see that being problematic. I don't know if the minister could talk about it or not.

CHAIR: The hon. Government House Leader.

MR. A. PARSONS: Mr. Chair, what I would say is I'll try my best to keep to the three points and I'll try my best to actually remember those points as I'm going through this.

The first one is there is uncertainty. This is a huge change. Anybody from the prime minister down that says this is going to be exactly figured out would not be telling the truth. The fact is we realize that. What I think we've done is as provinces, as departments, as legislators, as everybody, let's do the best we can to be as prepared as we can. You're exactly right when you say what about this, what about that. These are the hypotheticals and the questions that we will face.

The second part, I would say, is that we already have these commercial issues in play where people going to certain worksites are not allowed to consume certain drugs. That's still there. Even when it becomes legalized it comes down to the impairment. That's why it's even on the website here. WorkplaceNL is dealing with that. They're already dealing with that but, again, another challenge that employers face.

The last part I would say is – and this is probably going to be a big point for all the debate on all the bills which is – I know there's

uncertainty, I know there's federal stuff we're waiting for, but we must continue on. We have to put in the legislation right now. We cannot delay. Delay will be fatal. We must continue on. I'm not saying that in the sense of rushing it, I'm saying it in the sense if we don't do anything inaction is the possible worst-case scenario here.

I can stand up and speak to the legislation and you're right, when we talk about drugs, in fact, the rule of thumb I always heard was 28 days or 30 days. After speaking to somebody yesterday there's new science to suggest it might go up to 60 days. That's an issue. It just goes back to tell you that this is not an exact science.

A couple of things, though. I'd like to think that, as I said in the House yesterday, we've had the same debate here with the advent of when drinking became legalized again and moved into new driving rules. I'm sure they had similar debates about road safety, about people doing that, even though look how long it's taken us to get that message. It's been decades and people are still doing it and too much. We look at our rates here just in this province.

With this new policy shift comes challenges. I'd like to think that now, with the advent of the legalization, the science will improve exponentially. I think the research is going to improve and rapidly. I'd like to think that law enforcement will be able to adapt as they do to everything. You look at something like fentanyl, that's something that just burst on the scene; the police ability to react to something that the touch can be fatal.

We face a lot of challenges but what we can do is our best to adapt and be prepared. I'd like to think as a province we are prepared. That's why it has taken so long to get this ready. It's because it's been a lot of work and a lot of the questions you ask are questions that we have asked.

Even then, a lot of the questions that you ask now might be ones that may not have been considered. There are so many different hypotheticals that can come up. I'd like to think that we addressed them, but like any of the legislation we deal with here, in a lot of cases we deal with situations that were not considered at the original time of implementation.

This is going to have to be reviewed again. Departments will be ready, regulations can be put in place and we'll deal with those issues as they arise. The best thing we can do is ensure they have the resources when it comes to police training, that we get as much education out as we can and we update that as we find out more.

CHAIR: The hon. the Member for Mount Pearl - Southlands.

MR. LANE: I thank the minister for the answer. I agree, I've already said numerous times that I think we all support the bill. We know why you're doing it and moving forward.

I think something else that's going to play into this, perhaps – is going to have to play into this in the interim at least – is there's going to have to be some level of discretion, I would suggest, on behalf of the police officers when they're hauling people over. There would have to be some level of discretion.

I would think that if somebody is a commercial driver, that's what they do for a living to support their family, and they're not impaired but there's a very, very tiny, minute scent – and they said have you had any marijuana and he says, yes b'y, I had a joint three days ago or four days ago or last weekend – I would think there would be some level of discretion there on behalf of the police officer. We don't want to be destroying people's livelihoods over people who are safe to drive, but it's just that there's a very minute trace from a week ago or something like that. Discretion, I'm sure, will be part of it.

CHAIR: The hon. Government House Leader.

MR. A. PARSONS: I would remind the Member opposite that our Charter prohibits from being stopped without reason. If somebody is getting stopped and getting tested, there has to be a grounds to get there.

I get what you're saying because somebody's livelihood could be ruined because of detection and everything, but in order to be stopped by our police there has to be reasonable and probable grounds. There are Charter rights to prevent people just being stopped for no reason.

AN HON. MEMBER: (Inaudible.)

MR. A. PARSONS: Those are Charter approved. Those matter. This is the same challenge people face even when they're having a few drinks and they think they're smart enough to get home and then they come into a roadblock. That's the risk you face.

I'd rather err on the side of safety but, at the same time, I am a student of the Charter. We must uphold those rights.

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

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

Minister, I asked this question earlier and hopefully I'm going to get an answer from you now also. We talked about there are only 19 people right now with DRE training in the province. I understand you said that signing off – a lot of people are going to get it done right now. My concern is – and I asked this question – about different regions of the province. Have you looked at all the regions of the province to ensure that we have the proper resources and people in place?

I gave examples, Minister, of the Burin Peninsula. As you know, where you're from down in your district alone, Burgeo and stuff like this, do we have the adequate people in areas like that, that are off the beaten path really? I know that there are only two or three. Will we be concentrating on those areas? It's about the rural areas of the province. I'll just ask that question.

CHAIR: The hon. Government House Leader.

MR. A. PARSONS: In defence of my colleague I will say I believe she did answer this. The problem is now you're probably going to get a worse answer, but I'll still try to put it out there.

A couple of things; it's a concern, obviously, but the fact is right now, as we stand today, there's impaired driving going on, impaired driving by drug. This is something that the RCMP and the RNC are cognizant of and have to deal with right now as we speak. Even with the legalization, I don't think that's going to change the fact that this is a concern to safe roadways.

Just so people know, we spoke to a DRE officer; training takes two weeks in class, one week certification, which comprises 12 hands-on evaluations and there's a recertification every two years. So, right now, between today and legalization, we have plenty of time to up the training and we have the resources to do it as well.

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

MR. K. PARSONS: You answered my next question. I was wondering about the timeline to get somebody trained.

I understand your answer, Minister, but my question that I'm going to ask you now, and I understand that law enforcement officers, both the RNC and the RCMP, I would imagine when they see somebody that's intoxicated and they look in the car and they can see that that person is stoned out of their head, we'll say, and there's a big sign of drugs in the car. Then they will come and they will say we got to do something about this.

Under this legislation, we're going to be looking at people with very small doses of marijuana in them. Part of our legislation that we're bringing in is for novice drivers with low amounts of drugs in their system. I would imagine it's going to be harder for a RCMP officer or a RNC officer to detect whether that person is stoned. It could be a smell in the car, I know people you look at sometimes their eyes are bloodshot or there are different things that they will look at, but where it's after changing from intoxication of drugs to minor offences of drugs, I'm just concerned that we do have the proper enforcement.

I know they do a great job out there and they can probably detect it a whole lot better than I can.

CHAIR: The hon. the Government House Leader.

MR. A. PARSONS: Mr. Chair, I can confirm that, yes, they can detect it a whole lot better than he can.

In fact, what I could do is after we finish debate on this – I had it shown – I can show you how

the first part of the standard field sobriety goes with the pen on the nose and then the walking. I've been educated on that, but this is specialized training.

I come back to your point, it comes down to our police are going to be prepared now as they are already. It's going to be prepared. The fact is that cannabis, whether it's legal or illegal, presents impairment in certain people. They have to have the ability to do that training, which, like you say, there's standard field sobriety, then we get into DRE.

One of the big challenges is that, right now, I'm just going to guess because I'm not an officer – in fact, there are a couple of officers. We have an officer sitting across from us and we have a couple out in the lobby we could talk to.

Right now, if you smell cannabis, it's an illegal substance, in many ways you know that, but going forward, the smell of cannabis does not imply illegal behaviour. So it is going to have some challenges. In fact, the presence of cannabis is illegal, but going forward, you will be even allowed to have it in your car as long as you follow certain rules.

So there are challenges with this, but going forward, I have full faith in our police, I have full faith in the training and I have full faith that as we go forward, every day is going to be important until we get to legalization. There's going to be a lot more coming from the feds.

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

MR. K. PARSONS: Excuse my ignorance when it comes to this because I'm not really sure, but it's a question I was thinking about here earlier today. When we talk about commercial drivers, I'm wondering about – we have school buses that are out there, but there's some smaller buses, and I'm not sure now – I'm sure the Minister of Service NL probably knows this, the different categories of driving when it comes to commercial driving. Is there any school bus or anything that would be considered not a commercial vehicle, when it comes to driving?

The second part of the question is: I'm wondering about people that transport people. For example, taxi drivers. I know that in some of the schools in my way, there are some contracts. There are contracts that go out to transport children with disabilities and stuff like that in different schools, and we all see it. So would they fall under this category also because they're transporting some of the children?

CHAIR: The hon. the Minister of Service NL.

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

School buses are considered commercial vehicles. As it pertains to taxis, you're not allowed to smoke cannabis in a taxi. Taxis are a regular car. You're not allowed to consume and drive, to be impaired and drive.

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

MR. K. PARSONS: You're not allowed to drive any vehicle with impairment, but what I'm wondering is because of the commercial use and part of this legislation that is different from when we talk about alcohol is when we talk about commercial drivers.

So, again, I gave the example, and a lot of people over there shook their head and understood what I was talking about, that a lot of children get transported to school in the mornings, due to probably some disabilities or some learning problems that are there and they get transport. We all have them in our districts.

I'm wondering would they fall – is this a commercial vehicle or would they fall under the regulations in this legislation also?

CHAIR: The hon. the Member for Topsail - Paradise.

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

I think where my colleague is going with this is we understand you can't use cannabis in a vehicle such as a taxi; however, there's a zero tolerance for commercial drivers and will the zero tolerance apply to taxi drivers or is it only vehicles over 4,500 kilograms, which was

discussed last week, and then buses. There are different sizes and styles of buses, do they all apply under definition of commercial drivers under the proposed amendments to the *Highway Traffic Act*?

CHAIR: The hon. the Minister of Service NL.

MS. GAMBIN-WALSH: The definition of commercial vehicle does not include a taxi under proposed amendments of the *Highway Traffic Act*.

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

MR. K. PARSONS: Thanks very much, Mr. Chair.

There was reference made to exemptions for people legally allowed to use the drugs for medical purposes. I wonder can you give some details of how this is going to work. This is probably one of the hardest parts of the whole legislation, how you're going to be able to determine medical use versus recreational use. If you could give me some details, I'd appreciate it.

CHAIR: The hon. the Government House Leader.

MR. A. PARSONS: What I would say is when it comes to the medical, obviously, that is federal. People that have the medical exemption would have to go with what comes with that.

What I would also say is that there's no exemption for driving if you're impaired, even if you're medical.

CHAIR: The hon. the Member for Mount Pearl - Southlands.

MR. LANE: Thank you, Mr. Chair.

Following up on the Member for Cape St. Francis' question, I thought they said in the briefing – I could be wrong – but I thought the answer was with taxis they're covered under the *Occupational Health and Safety Act*, that the taxi is considered the work place, therefore being under the influence, zero tolerance fell in

place under the Health and Safety Act and that's how we ensured taxis are zero tolerance.

Can the minister just confirm that I was hearing that right and if that's the case? If not, then it's definitely an issue. If we're saying you can't drive a commercial vehicle, it's zero tolerance, then surely goodness we can't have taxi drivers transporting people, transporting children and so on, and not have a zero tolerance for them when we can have it for someone driving a chip truck or something. It doesn't seem to add up to me.

I think I was told in the briefing it was because of the *Occupational Health and Safety Act*, it was covered off there. I'm just looking for confirmation that is the case.

CHAIR: The hon. the Minister of Service NL.

MS. GAMBIN-WALSH: Section 26 under the Occupational Health and Safety regulation applies to workers in a work place, so you can't be impaired by anything when you're in your work place.

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

MR. K. PARSONS: We were told a person that does show positive for drugs and DRE is carried out, and there are about a dozen tests they can do. There's a reference to taking blood pressure, the temperature of a person, or getting the blood or urine test sample.

Where are these tests going to be carried out?

CHAIR: The hon. the Government House Leader.

MR. A. PARSONS: My understanding is these will happen at detachments. There's a standard field sobriety test, which is a series of three tests. One involves the pen and the nose, where it looks for the eye; the next one, there's a walking on the straight line; the last one is holding the foot up and some counting. Depending on that, and once we get the federal-approved device which will show presence, that will be enough to have somebody go back and then you move further into the test.

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

MR. K. PARSONS: Minister, right now – and this is just curiosity, it’s killing me – where is it to now? I know it’s against the law to drive under the impairment of drugs right now, but where – for example, if I’m in Harbour Breton, do you take it to the local area doctor that’s there or do you take it to a medical place? If it’s in St. John’s, do you go to the RNC office or do you go to the Health Sciences? It’s just a general question, basically.

CHAIR: The hon. the Government House Leader.

MR. A. PARSONS: The DRE would be done at the detachment.

AN HON. MEMBER: (Inaudible.)

MR. A. PARSONS: But this is one of the challenges we face, is that more than likely that would have to be done at a hospital or somewhere that is capable of dealing with that. Again, that’s one of the questions we face going through this, is putting that pressure on hospitals, or do you ask police officers to do that? It’s still a question that’s coming up, one that everybody’s grappling with.

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

MR. K. PARSONS: Okay. Thank you very much for that.

I just want to go back to, a little bit on the medical person who’s driving, because if they’re using marijuana for medical purposes or stuff like that, how are you going – is there going to be a level that’s going to be in their body that’s going to be detected, that says okay, once you’re under this level or is there something that will show a difference between a person who’s medically on marijuana than a person who’s on recreational marijuana?

CHAIR: The hon. the Government House Leader.

MR. A. PARSONS: What I would say is I’m one that’s certainly for open, positive debate. I

do believe the question the Member asked was answered earlier by the Member. I think the minister has answered a question similar to that. So going forward – I have no problem standing up and answering the question, and the reason I’m up now is to give the Member an opportunity to get back up, but I’m not going to re-answer – if the minister’s answered, there’s probably not much I can change.

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

MR. K. PARSONS: That’s the first time I asked that question, actually.

The question I’m asking is: Is there different levels for a person who’s on medical marijuana – obviously, there’s something in their blood system because they’re smoking marijuana. Is there a level they have to stay at or is there some kind of – for a person who’s smoking recreational marijuana, because I asked the minister earlier and he said we’ll be able to detect. It’s not a free ride for a person who’s got medical purposes who can say I can smoke it anyway and drive, you know what I’m saying.

I’m wondering, how are you going to be able to detect that a person who is using medical marijuana don’t abuse the system?

CHAIR: The hon. the Government House Leader.

MR. A. PARSONS: What I would say is that impaired is impaired, whether you’re a first time smoker or a medical long-time constant chronic smoker. Impairment is impairment; they’ll have that level set out. That’s the best thing I can say at this point.

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

MR. K. PARSONS: I’m down to only a couple of questions. Minister, thank you for your patience, before we get to the next section.

Minister, a question I was asked this weekend, and actually I brought it up myself when we went to the briefing. Workers that work offshore and are working and are users of marijuana, it stays in their system for a long period of time,

and obviously they can't smoke marijuana and stuff like that. Is there any indication that – I know we talked about two hours use and stuff like that. Obviously, there must be something that can detect the length of time that marijuana is in the system and the effects it has.

I spoke to a person yesterday who told me if you smoke marijuana there's a test you can do down the road ten years that can show it's actually still in your system. I'm just wondering how you're going to regulate this because offshore people who work offshore, that's one of the reasons they can't smoke marijuana because it's detected like six weeks or so down in their system. I know it's a question you probably don't want to answer or whatever, but it's a question people have out there because they know the rules and regulations of it.

CHAIR: The hon. the Member for Topsail - Paradise.

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

We've had a little bit of discussion in the last couple of days about education and I think it's very, very important. I was trying to understand earlier what a nanogram is or two nanograms and how do we articulate to the general public that you can't have any more than two nanograms of THC. Then there's active THC and residual THC, which my colleague just talked about.

I was looking on the Government of Canada services website on drug impaired driving, and just to reference it for a moment because I think there's some interesting points here. They are interesting to me and may be interesting to other people as well. It says: "Drugs can impair your ability to drive safely and increase the risk of getting into a collision. In fact, marijuana increases your chance of a car accident."

While I say this, bear in mind the recent commentary by the Ontario Chiefs of Police who are anticipating that drug-impaired driving will go up once recreational – according to what I'm reading from the article – pot is legal and police will need to train more officers to detect drug appearance. So knowing that it's going to increase.

Then when I read this one, it goes on to say: "Marijuana is second only to alcohol as the most commonly detected substance among drivers who die in traffic crashes in Canada.

"Impaired driving is the leading criminal cause of death and injury in Canada, and drug-impaired driving is increasing.

"Getting behind the wheel while impaired ... is not only dangerous, it's again the law. Drug Recognition Experts can determine if you are under the influence of a drug and can charge you with impaired driving. You could have your license suspended ..." and so on.

"If you're the least bit impaired, don't take a chance with your life, your future, or ..." your safety, and encourages you to "Always drive sober." Which is always a good message, Mr. Chair, when we're talking about driving a motor vehicle.

There's a couple of bullets I've highlighted here that I just want to take a moment to run through.

"Young people continue to be the largest group of drivers who die in crashes and later test positive for alcohol or drugs, and yet, only 11 percent of parents surveyed said they had discussed the risks of driving under the influence with their teenagers."

"Driving under the influence of drugs is a major contributor to fatal road crashes in Canada and young people continue to be the largest group of drivers who die in crashes and test positive for drugs."

A few facts they lay out here as well: 81 per cent of people – there was a public opinion research on drug-impaired driving that was done in 2017.

"Public Safety Canada conducted research with Canadians on drug-impaired driving in 2017. A summary of the findings shows that: 81% know someone who has used cannabis and 56% have consumed cannabis at some point in their lives

"Among those who have used cannabis, 28% reported they have operated a vehicle while under the influence."

There's a reason why I'm reading all of these, Mr. Chair, I will get to it momentarily.

"One in three Canadians report that they have ridden in a vehicle operated by a driver who was under the effects of cannabis.

"Among those who have driven while impaired, 4 in 10 downplayed the risks by either indicating that driving while under the influence of cannabis is less dangerous than driving under the influence of alcohol."

I think that's a very important one. People who have driven under the influence of cannabis, four out of 10 downplay it and say it "is less dangerous than driving under the influence of alcohol.

"65% agree that cannabis users often fail to realize that they are impaired from using cannabis, and 25% believe that the impacts of cannabis consumption are less detrimental to their driving ability than alcohol."

Mr. Chair, the reason I raise all of those is we've had some discussions about advertising – and the federal government has the graphic there that they use as well. We've had some discussion about, I say, advertising education because we know it takes a long time for the message to get in. We know that people who study advertising will tell you that you have to drive a message and drive a message and drive a message and sometimes it takes a while before it clicks in with people and they say oh yeah, now I get it.

When you talk about branding and understanding, for example – I've talked in the past about branding. We talk about McDonald's. When we say McDonald's, you think burgers and fries and coke; but, in actual fact, McDonald's sell a lot of salads these days, but you don't think about that. So that's the kind of branding.

It takes a while sometimes for that to happen. While the Government of Canada have done some graphics like the one I have here that says don't drive high, your life could change in an instance, and they put a number of facts real quick that are easy to see: 50 per cent of cannabis users don't think that it affects their

driving much. Well, one in five doesn't think it has any negative effect at all.

Over one in three, 39 per cent of those who've used cannabis in the past year, have driven within two hours of consuming cannabis – 39 per cent. That's just under 40 per cent – very close to 40 per cent I know. The number of fatally injured Canadian drivers who tested positive for cannabis in 2014 was 149.

Anyway, my question for the government – and I don't know which minister wants to answer it, but my question is: There needs to be a comprehensive plan laid out on education. Education for the very young, for adults of all ages, young, middle-age, older adults so that everybody understands the risk of driving while impaired. I wonder if the government can shed some light or maybe the Minister of Service NL can give us some indication of what the plan is; how soon will it be rolled out; and will it be rolled out before the legalization actually happens so people can be educated and understand before this actually happens.

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

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

Again, I think my colleague had a very important point there and it was about the education part of this and what we're going to be rolling out through the departments. We talked earlier a little bit about the Department of Education. But there are a number of references, details provided with regulations to amendments. I know that regulations usually do with new penalties and have been highlighted.

When can we expect to see all the regulations associated with this bill?

CHAIR: Seeing no further –

The hon. the Member for Topsail - Paradise.

MR. P. DAVIS: I'll be very brief on this.

What I was interested to know is can the government give some indication of when

education campaigns on impaired by drug will begin.

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

MR. K. PARSONS: Obviously, we're getting to the end of the bill. I guess the questions are not going to be answered to that. But that's okay, and I appreciate all the answers that were given here this evening. Really appreciate it.

Thank you very much for the answers that were given.

SOME HON. MEMBERS: Hear, hear!

MR. K. PARSONS: I learned a lot and I hope that anybody that's watching this and people that I can talk to down the road will be able to have answers that I can give them when it comes to different parts of this legislation.

Again, I appreciate that this is something that's completely different. It's a different bill that we've seen and ministers, both ministers, I understand that there are a lot of unknowns because this is not a regulation –

SOME HON. MEMBERS: Oh, oh!

CHAIR: Order, please!

MR. K. PARSONS: This is not something that your government is bringing in. It's something that we have to be ready for obviously, and it has to be something that we look at as a province to make sure that we're ready –

SOME HON. MEMBERS: Oh, oh!

CHAIR: Order, please!

There's too much noise in the House.

MR. K. PARSONS: Yes, there is, Mr. Chair, definitely too much.

I'm going to just finish on how I feel about this bill because I know once we get into section by section, you got to stay to the section and stuff like that. There are some interesting comments we made here today. I hope that government will – and I understand that training is being done,

that we have the proper enforcement on our roads because we're all here for the one reason: We want to make sure that safety plays a huge role in anything, and making sure that our roads are safe should be priority of everybody in this House of Assembly and everybody in the province.

I see a big difference today in what I've seen years ago when people were driving along the highways. I think people are more cognizant of making sure that people are safe and our roads are safer.

I commend government. We brought in some good legislation the last number of years with the *Highway Traffic Act*. I've been critic for Service NL but whenever I see that there's good legislation come in I have no problem standing up here in the House of Assembly and commending government for a good job and making sure that our roads are safe. It's something that we all have to work together at.

I hope that Opposition, our opportunity to ask questions may improve things. I think that's the reason why we're here. I appreciate answers that are coming from that side of the House, but I do have concerns when it comes to the *Highway Traffic Act* with drug impairment. Again, like the minister stated earlier, it's all new to us. There are going to be a few bumps in the road along the way. I'm sure that our justice system will have more than a few bumps in the road when it comes to the courts and to understand the court system and how it's going to work in court.

My concern here is that I hope that when it does get to the court system that it doesn't bog down our system. I know the minister stated earlier that there'll be no new hires or anything like that in our justice system, but our justice system today is strained as much as possible. Anything that we can do as people in this House of Assembly to alleviate any of the issues that they have, we should be able to bring in the proper laws and make sure that that system works the best it can for everybody.

When it comes to drug impairment, I know that both ministers have stated that impairment today is the same as it was yesterday and it will be tomorrow. Okay, I understand that. But the new

laws that we're bringing in the House of Assembly, that we're adapting to be able to go online with the federal government – these are new laws. Reading what I've read and understanding from the ministers today, we are expecting a big bump in the usage of marijuana. And when there is a bump in the usage – it would be the same thing as if alcohol saw an increase in people using alcohol. People will drive. They will go behind that wheel. We have to have the mechanisms in place.

The new laws that are coming in when we talk about zero tolerance – and I understand from MADD Canada and everybody else out there that zero tolerances is zero. That's what it means, and that's not a bad thing. But we also need to make sure that we have mechanisms in place. It's very unfortunate when you look at the tools that we need that law enforcement officers need to do their job won't be available when this comes into force.

That's not deflecting anything that a law enforcement officer does today. That's not deflecting the great job that our officers, our men and women that are on the roads today, that make sure I'm safe, my children are safe, and as the minister mentioned, my grandchildren are safe. So there's no doubt about that, that's what we all want to see, but I also would like to see them given the proper tools to do the job.

The Member for Topsail - Paradise mentioned about education, again, I just want to touch on it. I think it's a very, very important part of this whole – not only the *Highway Traffic Act*, the whole of what we're doing here to bring in the new laws to legalize marijuana. Education has to play a major role in this.

When we can educate children in schools, they will educate us. They'll educate people out there, but we need to make sure that the education factor is there. I've seen some ads, and the Member for Topsail - Paradise just put up a couple that he had out there that the federal government has put out also and it's very important, but this province has to do the same. We have to make sure that we have education in our schools so children and students, and we all, can see the effects of impaired driving.

It's too late when it's a family member. I don't know the effects but I can only imagine. I've seen and I've heard from family members that had the unfortunate thing of an impaired driver causing death to a loved one. I can only imagine what that's like.

I look at Ms. Coates who is a great ambassador for people who go through that and I look at people like her and understand that they'll fight, and they're doing a great job for all of us. They're doing a good job for me and they're doing a good job for the general public.

We need to support those groups and make sure that they have the means to be able to educate everybody. We can never be wrong when it comes to education, especially when it comes to anything that we can control ourselves. Education on the *Highway Traffic Act* is huge. We should be able to enforce and do the proper things to make sure that people who drive along our roads in the daytime or in the night time are safe.

Just in closing with the regulations, I think it's going to take a bit of time for everyone to get used to this. It's not going to be something that's going to come overnight. I hope the federal government and the minister can get the federal government to make sure that they do the proper analysis, have the proper tools in place and have the proper education in place before this really does become law.

Whether it's July 1 or it's August 1 or September 1 or October 1 or whenever this comes into rule, it should be done properly. All the analysis that needs to be done, the tools that people need to enforce the rules and regulations should be put in place. This is all about safety of our people. It's about safety of people that drive our roads every day.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

CHAIR: The hon. the Member for Topsail - Paradise.

MR. P. DAVIS: I was going to start by saying: I want to thank the Member for Cape St. Francis for his comments, but I'm only kidding.

I have a serious question for the Minister of Justice and Public Safety. I was going through my notes to see if I've covered off everything that I had noted to ask and there was one question I came across here that hadn't been asked.

During Estimates of Justice and Public Safety earlier this year – we had a very good Estimates session and a lot of good information from the minister and officials – the department pointed out that \$500,000 from the federal government was being provided to the Department of Justice and Public Safety. I think it's \$100,000 for Fines Administration, \$300,000 for Provincial Courts and \$100,000 for public prosecution, if my memory serves me correct. At that time, the funding was being anticipated to be received. It hadn't been confirmed and it certainly hadn't been received.

I was wondering if the Minister of Justice is able to provide an update on the \$500,000 that was anticipated to be received from the federal government.

CHAIR: The hon. the Government House Leader.

MR. A. PARSONS: I can't confirm whether we've actually received that. I think it still maybe waiting sign off from the feds.

What I can do, and I would have no problem bringing to the House and tabling a document coming from a lady named Virginia English who was actually here during the Estimates who is basically the comptroller for the department. I could certainly find out because that's a simple question and I don't know the answer now. I can find out and report back. I have no problem doing that.

CHAIR: The hon. the Member for Topsail - Paradise.

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

I thank the minister for that information.

Just to reiterate what my colleague said here, we've been here for two-and-a half hours, almost three hours, it's been a good exchange of information, it's certainly been beneficial for me

in grasping a little bit of a better understanding in some areas. Some areas I'd like to have more information, but it certainly gave me a little bit better of an understanding. My colleagues here and I were just discussing the same thing. It's been a helpful process for us to get a bit of understanding. So I thank the ministers for their co-operation.

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 11 inclusive.

CHAIR: Shall clauses 2 to 11 inclusive carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clauses 2 through 11 carried.

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

CHAIR: Shall the enacting clause carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, enacting clause carried.

CLERK: An Act to Amend The Highway Traffic Act.

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 carried without amendment?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

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

CHAIR: The hon. the Deputy Government House Leader.

MS. COADY: Thank you, Mr. Chair.

I move that the Committee rise and report Bill 23.

CHAIR: The motion is that the Committee rise and report Bill 23 carried without amendment.

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 St. George's - Humber and Chair of the Committee of the Whole.

MR. REID: Mr. Speaker, the Committee of the Whole have considered the matters to them referred and have directed me to report Bill 23 carried without amendment.

MR. SPEAKER: The Chair of the Committee of the Whole reports that the Committee have considered the matters to them referred and have directed him to report Bill 23 without amendment.

When shall the report be received? Now?

MS. COADY: Now.

MR. SPEAKER: Now.

When shall the said bill be read a third time?

MS. COADY: Tomorrow.

MR. SPEAKER: Tomorrow.

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

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

MS. COADY: Thank you, Mr. Speaker.

I call from the Order Paper, Order 10, second reading of Bill 26.

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

MS. COADY: Thank you.

Mr. Speaker, I move, seconded by the Minister of Tourism, Culture, Industry and Innovation, that Bill 26, An Act To Establish The Innovation And Business Investment Corporation, be now read a second time.

MR. SPEAKER: It is moved and seconded that Bill 26 entitled An Act To Establish The Innovation And Business Investment Corporation be now read a second time.

Motion, second reading of a bill, "An Act To Establish The Innovation And Business Investment Corporation." (Bill 26)

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

SOME HON. MEMBERS: Hear, hear!

MR. MITCHELMORE: Thank you, Mr. Speaker.

I'm pleased to rise in this hon. House today to speak to Bill 26, An Act to Establish the Innovation and Business Investment Corporation. This bill, Mr. Speaker, is really a continuation of the work that has been ongoing in my department for the last number of months to create a focus on innovation and investment here in this province.

Mr. Speaker, hon. Members will recall last July our government launched InnovateNL. InnovateNL, through the Department of TCII, is a single window in the delivery of the provincial innovation programs and services to clients in a seamless and more efficient manner that supports our approach to working smarter and more collaboratively.

Our goal through InnovateNL and the Innovation Council is to improve service for clients; to reduce red tape for business owners and streamline client access to government supports; leverage research and innovation support; extend innovation programming province-wide; provide a full continuum of supports for clients for idea to market to internationalization; and ensure that other non-funding business supports are provided to clients and available in a very timely manner. We want to focus research and technology investments and projects for clients with global reach, and to build on the priorities certainly of *The Way Forward*.

I'm pleased to say, Mr. Speaker, that we have made progress in this regard, and many of you may have followed some of the tech tours that myself and my parliamentary secretary have taken earlier this year. The purpose of these tours was to raise awareness of innovation that was happening here, right in our province.

Prior to the launch of Innovate NL, many of these companies were clients of both the Department of TCII and the Research & Development Corporation. This meant that in

order to apply for funding they would have to go through two application processes and deal with two separate entities. If the funding was coming from the Business Investment Corporation, they would have to deal with two different boards as well.

Mr. Speaker, keep in mind that this was all to apply for provincial government funding. So during our engagement sessions on the development of our business innovation agenda, stakeholders identified a need for one-stop coordinated advice, integrated service delivery, match with employer needs, as well as better linkage to various supports of capital required.

Through the consultation and review process, it was determined that having both a department for economic development – TCII – and a Crown corporation specific for R & D was disjointed, it was confusing to commercial and non-commercial clients. It was also felt that there was little collaboration between TCII and RDC, the opposite effect of what was envisioned in the plan to have a flow from one organization to support the next for the client's success. So the intention of being able to set up the separate entity and for it to flow into the department was meant to happen. But the collaboration just didn't exist to the level that it was envisioned.

So, Mr. Speaker, small- and medium-sized enterprises are critical to the growth of the provincial economy, and these businesses are located throughout the province, not just in St. John's. The new act demonstrates our commitment to SMEs in Newfoundland and Labrador; in particular it reinforces our priority to support opportunity in SMEs to increase productivity and improve competitiveness.

TCII's regional office structure, including the recent co-location of staff to the College of the North Atlantic campuses is an effective way to bring R & D supports to firms in rural Newfoundland and Labrador. The act also outlines a continued mix of financial mechanisms to support business development, including both loans and grants. The act shows that we continue to take actions to partner with those that want to develop and grow business, including investing in people, their ideas, creativity and plans for promoting economic wealth.

The legislation also supports our efforts to collaboratively work with industry, academia, community, federal and provincial partners in the innovation and entrepreneurial ecosystem to encourage a more connected, innovative and entrepreneurial culture throughout Newfoundland and Labrador. The next step forward from the July 2017 launch of InnovateNL was to ensure that the department had relevant and modern legislation to operate effectively and efficiently.

The new legislation supports *The Way Forward* commitment on reducing the number of entities in the Government of Newfoundland and Labrador. Since I was already responsible for another Crown corporation, the Business Investment Corporation, it was determined that better streamlining was possible to eliminate duplication. It just makes good business sense. Therefore, the new act will replace two previous pieces of legislation, which will be repealed: the *Business Investment Corporation Act* and the former *Research and Development Council Act*. Consequently, the number of boards and corporations will be reduced from two to one, allowing for a more cohesive and coherent approach in decision making on strategic investments in innovation and business growth.

The new corporation is responsible for making funding decisions on projects for commercial and non-commercial clients, for innovation and business development and growth-related projects to advance economic development in accordance with the priorities of the government of the province.

This includes but is not limited to projects for research and development, skills development, market development, technology development or technology improvements, working capital, et cetera. The corporation will remain within the Department of Tourism, Culture, Industry and Innovation and be guided by one board, with members working to ensure public investments are made strategically and effectively.

A transition board will be put in place consisting of existing members of the Newfoundland and Labrador Innovation Council and some board members of the Business Investment Corporation. A new board will be selected

through the Independent Appointments Commission process.

Mr. Speaker, this legislation also allows for increased transparency. One area where government will ensure transparency is through the selection of a new board of directors. The act indicates that the board members will be selected through the Independent Appointments Commission process. Unlike the former RDC Act, the new corporation will not have any special exemptions under the *Public Procurement Act*. Again, in the spirit of being transparent, the new corporation will follow tendering rules outlined in the *Public Procurement Act*.

While the act does have an exemption under the ATIPPA to hold commercially sensitive information from ATIPP applicants, the type of records that can be withheld only reflects the essential information that could bring harm to a client of the corporation if released.

This is very different from the former *Research and Development Council Act* where it gave the Research & Development Corporation the ability to withhold far greater amounts of information. Under the RDC Act, the definition of commercially sensitive information included 12 examples of the type of information considered commercially sensitive. This protection for RDC was maintained when the *Access to Information and Protection of Privacy Act* was passed here by all Members of the House of Assembly in 2015.

Under the proposed bill, commercially sensitive information has been defined and reduced to four types of records. For example, under the RDC Act, strategic business planning information was included as an example of commercially sensitive information; whereas it would not be considered as such under the definition in the proposed bill.

Both the chair and the vice-chair have stressed the importance of maintaining protection for commercially sensitive information. What we have done is to try to strike a balance to ensure protections provided are not lost while ensuring that we increase transparency.

Mr. Speaker, in conclusion, this legislation will result in a single Crown corporation guided by public policy goals, while being flexible enough to enable government to maximize positive impacts for the provincial economy through both innovation and business investment. The introduction of this legislation is a culmination of work that has been ongoing by our government to create a focus on innovation and investment in the province with the launch of InnovateNL.

This will result in continued improvements to client service delivery as it eliminates the need for clients to go through two corporations to receive decisions on government funding. This approach reinforces government's commitment to innovation as a driving force to economic development, and demonstrates the value government places on having the private sector play a leadership role through board membership.

Government is committed to fostering innovation and investment in the province, including providing investment support at each stage of business development, from start-up to scale up. This new legislation addresses the issues of gaps in the business funding continuum and helps provide streamlined, consistent and improved client services.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Thank you.

The Opposition House Leader.

MR. HUTCHINGS: Thank you, Mr. Speaker.

I'm pleased to rise this evening on Bill 26, An Act to Establish the Innovation and Business Investment Corporation. What the minister has suggested in terms of his discussion on Bill 26, there are a lot of entities now that are combined and focuses under the one entity. He talked about consolidating the *Business Investment Corporation Act* and the RDC Act as well.

From our time, and certainly from my time in government, we focused on business development and removing regulation and

difficultly in terms of business to operate to grow and to succeed. As well, to look at the research and development component of business, certainly, through our post-secondary institutions – the Marine Institute, Memorial – and some of the great things they're doing in regard to innovation and growing and commercializing ideas, which is so important.

The focus on that, at that particular time, was through the RDC and also using the levers that are available for additional funding and to partner with the private sector, in particular, under things like the Atlantic Accord and accessing dollars that are required to be used by operators here in the offshore towards education and towards R & D. RDC was the instrument to access that, leverage it and work with industry and companies to enhance technology and innovation in areas that are applied research. Which would see changes or enhancements or innovation in the oil and gas sector, in the mining sector, in other sectors, too, that are priority. To enhance skills and ability, to enhance returns for the companies in question, but also to enhance the returns to the people of the province through such things as royalties and taxations.

I remember, in particular, dealing with the oil and gas sector, a couple of the operators and partnering with them through the RDC, particularly relating to accessing greater oil in an oil field. We established a chair at Memorial – I think it's still there – in regard to that and the technology and how, through that, they were able to take more oil from an actual oil field based on the technologies that were developed.

What that meant was that we commercialized or were able to develop new technologies. That allowed greater execution in that oil pool for extraction. It wasn't left there. It could be taken out. That meant greater production, greater return to the province in terms of the barrels of oil that are produced. It means the company, from an operational point of view, continued the lifespan of that particular oil field through employment. More importantly, from the province's perspective it meant an increase in royalties. Traditionally that would stay because they'd get to a certain level of pumping it out of that particular find, but this technology allowed

more to be taken out which meant greater royalties and greater return to the province.

That develops that ecosystem, too, of support mechanism that we want to develop with the oil and gas sector. It allows those companies to flourish where they have intellectual knowledge that may be distinct to here, but can be transported anywhere around the world and can build that secondary industry that's so important, business support and business supply right here in the province with our companies or around the world that can be exported out, continue economic growth, development and employment.

That was one aspect of the RDC and the work they were doing in leveraging of dollars, and also leveraging of dollars with federal programs as well. But the important part of that was that when it started out there was a lot of money that was public money. When you look at this bill here in terms of what this is going to do – and I hope will continue to be able to do it. A lot of times it is public funds that drive R & D, but with this initiative and the way the RDC worked in the past we were leveraging private sector money which is so important. It was applied research that was giving returns back to the province.

The other aspect of the bill, as I mentioned, is consolidating the *Business Investment Corporation Act* which looks at commercial and non-commercial activity. People may not realize but the non-commercial or non-profit sector does very well in this province and gives great contributions to the economy and to various regions of the province for the work they've done. The work is done through co-operatives and non-profit groups, especially in the tourism sector and other areas as well. They do very well in regard to driving economic activity, developing expertise and developing knowledge. Those entrepreneurs that are involved with the non-profit sector do very well in regard to those activities and what they do as well.

On the innovation side, it's very important that we continue to pursue – and, hopefully, through this process it will continue – innovative activities and support of that, whether it's through the engineering school at MUN, whether it's through some of the activities at

Grenfell on the West Coast. I know there was work done there in regard to environmental science and activities there, but bringing people together with new ideas, commercializing and to provide the supports right along the way to the incubation period, to development, to commercialization, to the point of getting that company started.

I know we developed two streams of venture capital. We hear very little about that today. We had the made-in-Newfoundland fund and, as well, part of the Atlantic Canada venture capital fund which was used, was made available and was very much needed as we heard from stakeholders. Especially, oftentimes, in the IT sector, where you get a start-up that's done well, doesn't have a lot of equity, needs capital investments. It's high risk, a lot of times the commercial banks won't look at it.

With venture capital, you have that fund available that can help with that initial start-up. Often, with a few years of experience, expertise and success that company needs an influx of cash. Venture capital is a way to do that. It's been quite successful in many jurisdictions – and here as well – in terms of helping to drive extra activity and extra growth in small business. As I said, certainly in the IT sector it's been successful here, and helps to drive the extra activity that's needed.

The particulars of the bill, reading through it as I said, talks about consolidation of a couple of acts that now exist. The minister did talk about an innovation window, reducing some red tape, leveraging investment, all great terms and references and speaking points, but really at the end of the day, we need to see that there are actual returns or there are actual initiatives that are driving that activity that shows results. While we hear *The Way Forward* and other references to other programs, we haven't heard a lot in terms of indicators of new economic activity, returns to the province, new investments and those types of things, and that's important.

The minister can laugh if he wants, but we'd certainly like to hear him get up and address it when he can. I don't think it's very funny.

I know, in particular, up my way, if he wants to laugh about that, we've got areas up there that need investments, need people to step up, but we're unable to get this government and individuals to do that related to economic opportunity. As I said, that's both on the commercial side and the non-commercial side.

So, as I said, the terms are great, it's great to do press conferences, all that good stuff, put out wonderful documents, but at some point you have to meet the call and step up and do what needs to be done.

AN HON. MEMBER: Hear, hear!

MR. HUTCHINGS: This bill in particular, as I said, talks about consolidation of a couple of acts.

In July 2017, the RDC was replaced with the Innovation Council, which supposedly is guiding innovation in Newfoundland and Labrador, and the intent was to – and I hope it does – it was supposed to be a single window for delivery of provincial innovation programs and services. That's always good, if that's what it eventually becomes.

One thing business wants is quick access. You have to get rid of the regulations. My belief is that for the business community, the best government can do is create an environment where investment can flourish, where investment is encouraged and where investment is accepted. The less regulation, the more ability to invest and get things moving.

So RDC programs, my understanding, were integrated into TCII. There was about 40 staff there at the time. I think some of those were transferred over to the actual line department. There was consultations done, my understanding, in regard to this change and, as the minister has indicated, some of the feedback was talking about better linkages to various sources of capital, a one-stop shopping and advice, and integrated service delivery across the government.

Again, all well-founded initiatives; makes sense if you talk to anybody in the business community, business associations, you name it.

That's one thing that's generic across the board and is fundamental to driving opportunity.

Transitional programs, traditionally good at funding research and development and business and operation, but some of the feedback, my understanding, was related to commercialization. That needs a concentration, and I hope through this, what we're talking about here, does continue to get a concentration because you get the idea, you get incubation in regard to that, you get some support, you get some mentoring from folks that have good experience in regard to business and economic activity and often through things like I mention venture capital.

I was telling those folks that are involved and that do have that mentoring, do have that knowledge, do have that expertise that they can bring that along with groups or individuals that are trying to commercialize an idea, bring a product or service to the market and is able, successfully, to do that.

The corporation is supposed to make strategic funding investments in areas of innovation and business growth opportunities. Obviously, you want to make sure of economic development in the province and fund both commercial and non-commercial clients.

We talk about the continuum with regard to business development. That's important, right along the whole continuum of business development, you want to make sure that funding support and all those requirements are there for the smallest company or just to individuals who are trying to grow a company, to a company that has existed for a while, has got to the point in time where they need an investment of capital or other supports to get them to the next stage. That's very important. Certainly, this act will look at – we hope – providing some of those elements.

The new corporation, my understanding, we were told will have the same amount of funding available to it as the RDC and the Business Investment Corporation. I think it's somewhere in the range of \$13 million to \$14 million for innovation and I think somewhere around \$14 million as well in the lending portfolio. So that will help support the activities as I described.

Again, if this government has done their consultations, what they've heard back is this is where it needs to go, but fundamentally, at the end of the day, it's certainly about deregulating, making sure the supports are available and that we do the incubation piece, the commercialization piece, but we also have a strong focus on research and development. We're able to access and leverage those dollars that exist, certainly from federal agencies and other research and development agencies, but also from the private sector.

As is said, we've done this before through RDC, through initiatives like the Atlantic Accord, the oil and gas being one example of that, and working collaboratively too with the post-secondary institutions. The success with the engineering school at MUN, with the Marine Institute. The class facilities that are at the Marine Institute certainly related to marine activities, even a degree-granting program there now and some of the expertise and technical skills that are being developed.

An example of some success we've had is certainly in Ocean Technology. Some of those firms that started out, small companies started out from an idea, from young engineers, young commerce students, and how those ideas were supported, incubated, and certainly to the point of commercialization. An investment was found and some of those companies now and those technologies and adaptations for underwater vehicles and some of the things they're doing are not only being used here in the offshore but used around the world.

That's the kind of things that are developed here through the right supports that allow technology to be used here but supported and exported around the world, but at the end of the day, that growth and that return is to the province. Plus, we have people who travel the world who develop this expertise and intellectual knowledge and is able to export that around the world.

So, I'm looking forward to further debate on Bill 26. I'll certainly have some questions when we get in Committee on the actual bill, a bill to establish the Innovation and Business Investment Corporation. Again, it's the commercial and non-commercial ability to

access funding for those companies out through its venture capital component, it's the continuum along the line related to those ideas that we need to try and incubate and move along to provide success for young entrepreneurs and have that business environment for them to have success and certainly can grow.

With that, I'll take my seat. Thank you for the opportunity, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Thank you.

The hon. the Member for Placentia West - Bellevue.

SOME HON. MEMBERS: Hear, hear!

MR. BROWNE: Good evening, Mr. Speaker.

I thank my hon. colleagues for their contributions to this most important debate as we debate the Innovation and Business Investment Corporation act.

I certainly listened with great interest, Mr. Speaker, as the Member opposite brought forward his remarks on behalf of the Official Opposition. I would point out that we are still very committed, as a government, to the ecosystem that has been established here in Newfoundland and Labrador, and has continued to flourish under the leadership of this government.

By changing the structures through which we make investments, by rolling in the Research & Development Corporation into core government, into our department, it has netted a savings of \$3 million, Mr. Speaker. That's not one, that's not two, that's \$3 million.

While that might appear to be pocket change in the days of \$110 and \$150 barrel of oil that was predicted to be in perpetuity, today we certainly regard those numbers as something quite significant, which is why we are delighted to be able to have those administrative savings to reinvest into innovation. The Research & Development Corporation was renamed to the Newfoundland and Labrador Innovation Council and was refocused to guide InnovateNL.

Today we are debating, as I have mentioned, the *Innovation and Business Investment Corporation Act*. This has resulted, the creation of InnovateNL, in a single window for program delivery. Today's bill will result in the creation of a single statutory corporation which will make strategic funding investments in innovation and business growth opportunities to advance economic development here in Newfoundland and Labrador.

One of the criticisms, Mr. Speaker, we would have heard with respect to the Research & Development Corporation was it's something akin to the stereotype that people on the Mainland think that Canada ends at North Sydney. Many would have often said the Research & Development Corporation thought Newfoundland and Labrador ended at the Overpass and didn't extend beyond it.

It's very important that the delivery of programs and services and innovation seed funding and whatnot can be extended to any part of the province that demonstrates the ability to start from the ground up and earn the funding that can be achieved through InnovateNL. We are hearing very positive results from clients, from businesses all across Newfoundland and Labrador, from as far as the Great Northern Peninsula to the Great Burin Peninsula, I say, Mr. Speaker, where they are very pleased with this one window of service in our regional offices and otherwise. This will result in the repeal of the *Business Investment Corporation Act* and the *Research and Development Council Act*.

The new Innovation Council will be comprised of a board of directors with up to nine members selected through the independent appointment's process. There will be three members from government, the deputy minister and the two assistant deputy ministers from the Department of Tourism, Culture, Industry and Innovation.

There's been a transitional board of directors put in place until the IAC process is completed. That is of course chaired by the very laudable, if not esteemed, Mark Dobbin, who, by the way, fully supports this approach and the process. In fact, Mr. Dobbin joined the minister and I at the announcement this morning at Bluedrop Learning, a \$5 million investment by this

government over the next four years that's going to result in up to 50 new jobs.

To contrast the approach formerly, Mr. Speaker, under the Research & Development Corporation where money just seems to go out the door, we're tying our investments to jobs and achievable objectives to ensure that the people of the province understand where their money is going.

The members from the current Newfoundland and Labrador Innovation Council board of directors and the BIC board of directors, the corporation will be supported by our Department of TCII. It will not have its own officers or staff. As I've mentioned, this is resulting in a \$3 million administrative savings. Not \$1 million, not \$2 million, but \$3 million, Mr. Speaker. It's amazing what you can do when you put your mind to being efficient with the taxpayers' dollar.

This act is built on transparency of the corporation. There is now a narrower definition of commercially sensitive information for the ATIPPA exemption than in the *Research and Development Council Act*. We all remember Bill 29 and the overreaches of secrecy, Mr. Speaker, so we're ensuring the balance is struck. The corporation will abide by the *Public Procurement Act* and not require an exemption as was such under the RDC.

I also want to make mention, Mr. Speaker, the Member opposite made some comments with respect to venture capital, implying almost as though this would no longer be the case or available under InnovateNL. This is not the case, I can assure the Member opposite – who I'm sure is extremely concerned and seized with this matter – that it is indeed the case that venture capital is available through InnovateNL. In fact, the tax credits have been signed off on it and such.

As I mentioned today, we announced an investment of \$5 million over a four-year period that will spur further economic growth in one of the largest tech companies in the city, Mr. Speaker, in the province: that's Bluedrop.

Last July, our government took the next step in our approach to fostering greater innovation and

accelerating business growth with the creation of InnovateNL. InnovateNL, as I've mentioned, is a single window for the delivery of provincial innovation programs and services to clients in a more efficient manner. It will do many things, Mr. Speaker, it will do many, many things.

It will streamline client access to government supports. It will leverage research and innovation resources. It will extend innovation programming province wide, Mr. Speaker. That's a very important point, especially for those of us who represent rural areas, to ensure that reach of our innovation funding is available wherever you are in the province.

InnovateNL will provide a full continuum of supports for clients from idea, to market, to internationalization. That needs to be emphasized, Mr. Speaker, it needs to be emphasized. This is not just research and development. We see the move now in legislation across the country is to move this kind of funding away from research and development in towards innovation where you can take it from the concept stage to the market stage and then to the internationalization stage, and that's what we're trying to ensure.

We're also trying to ensure other non-funding business supports are provided to clients and available in a timely manner and that there is a focus on research and technology investments to projects and clients with global reach. Of course, this is all built on the priorities of *The Way Forward*.

All the funding and services that were available through the Research & Development Corporation are available through InnovateNL, it's just less administrative bloat, Mr. Speaker, and more focus on the delivery of those services. To guide these priorities, as I've mentioned, there's been a board of directors established as we await the IAC process which is chaired by Mark Dobbin and representatives from business and industry.

Mr. Speaker, I also want to make mention of our business innovation agenda but I thought first I would reference some strategic investments we have made. There was certainly a lot of talk about Labrador, I say to the Member for Labrador West, and stay tuned for more.

As I've said, Mr. Speaker, we invested \$3 million into the Force Multiplier project with PAL. This is a very strategic investment as we move, as it's one of our companies that we try to scale up with in terms of escalated growth. That's going to result in 150 jobs, Mr. Speaker.

AN HON. MEMBER: How many?

MR. BROWNE: One-hundred-and-fifty jobs. How many corner stores would you need to get 150 jobs? We're going to support every line of business, from the small businesses in the communities such as Long Harbour, Mount Arlington Heights to the large businesses in this province, just like PAL.

Mr. Speaker, that's why we strategically invested in the Force Multiplier project. Not only enhancing the ability of that company but also in terms of our entire ecosystem and the technology sector to ensure that they can compete on the world stage and create an additional 150 jobs right here in Newfoundland and Labrador.

SOME HON. MEMBERS: Hear, hear!

MR. BROWNE: Just last week, Mr. Speaker, I joined the minister and the Premier at Quorum where we announced a \$750,000 investment into Quorum. They already have 96 employees which are full-time employees here in St. John's. This investment will leverage an additional 24 full-time employees, Mr. Speaker, full-time employees; yet we're hearing allusions from the other side that the change from the Research & Development Corporation won't have the same impact, won't have the same reach, that there won't be investments anymore. I can assure Members opposite there are lots of investments to be made through venture capital and otherwise.

I also heard mentioned that perhaps there wouldn't be investments outside of St. John's. Mr. Speaker, I can guarantee Members opposite this is not the case. We're going to be emphasizing investments in all parts of our province, which was on display on August 18, 2017, when a \$261,000 repayable loan investment was made into the Edge of the Avalon.

SOME HON. MEMBERS: Hear, hear!

MR. BROWNE: This is none other than in the District of Ferryland, Mr. Speaker.

We're very happy to be making these investments in all areas of the province, Mr. Speaker. In fact, there's been \$650,000 invested into the District of Ferryland from St. Shott's to Ferryland since December 2015. That does not include Bay Bulls, Witless Bay, Cape Broyle and all the other communities within that district – \$650,000 since December 2015, including a \$261,000 repayable loan into the Edge of the Avalon.

I will commend the entrepreneurs who I've met who were awarded with awards at the recent HNL conference in St. John's, Mr. Speaker. I can certainly assure the Member for Ferryland and all of the Members opposite that we are keenly interested in making investments in all parts of our province.

Before I sit down, I do want to touch on the Business Innovation Agenda which complements the creation of InnovateNL. It certainly is something that's going to focus on product development and commercialization, productivity, growth and internationalization and workforce skills and talent. All of these things, Mr. Speaker, work in tandem. That is why we're very pleased to be introducing this bill.

I commend the Minister and the staff of our department. I certainly commend everyone for their work on this, ensuring that the people of the province, the entrepreneurs, those in the sector can easily take their ideas from idea and concept to market and to internationalization through InnovateNL. As I've said, we've certainly made strategic investments including to the Edge of Avalon and many other businesses across the province.

InnovateNL will continue to do this, Mr. Speaker. I look forward to hearing all viewpoints from all Members of the House, no matter the sector that InnovateNL can contribute to, whether it's mining or aquaculture. If Members are supportive of aquaculture, that would be important as well.

We're certainly looking forward to the debate. We're looking forward to those Members opposite supporting the concept of InnovateNL. I believe it's a good day for our business community, Mr. Speaker. We're hearing people say they are having positive results with this across the province. I look forward to hearing Members opposite as this debate unfolds.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Member for Mount Pearl North.

MR. LESTER: Thank you, Mr. Speaker.

I really appreciate the enthusiasm exhibited by the Member for Placentia West - Bellevue. He recited his notes that were prepared for him very well. Being a business person, I really would like to commend the initiative that the government is taking to continue to highlight the importance of innovation, to highlight the importance of diversifying our economy and helping entrepreneurs take that risk in some situations that could really make a positive change to our economy, the development of our resources and the future of the province.

I'm fairly familiar with both sectors of innovation, RDC as it stood alone and the previous bureaucracies that have been set up for business. As a business person, government has never been able to travel as fast as business needs it to happen. One thing I hear from the business community and, again, from my own personal experience, is RDC was able to operate outside of government control with their own specific mandate. Often, it was RDC that first came to the table and gave their support. That, more or less, brought every other government department and funding agency in line.

That's kind of what I'm concerned about. When you start tying one funding agency in with a whole lot of other beneficial programs, you often get this kind of who's going to dip their toes in the water first? Who's going to get wet first? That's a concern that I, as a business owner, have and also other business owners have expressed the same to me.

If this –

AN HON. MEMBER: Oh, oh!

MR. SPEAKER: Order, please!

MR. LESTER: If this act does facilitate what it proposes to do, I am 100 per cent for it. But as a cautionary measure, my experience with government has been that the more you put government's fingers in, the slower things go. I'm sure the Members opposite would agree with me that we don't need that to happen. We need things to speed up.

The amendment to the access to information portion of the act is also important. That's always a concern as well when it comes to any entrepreneur with proprietary material or ideas or innovative concepts, which this act indeed hopes to foster. As an entrepreneur you want to seek out help to establish your business and develop your concept, but you also want to maintain your competitiveness which is largely based on your creativity. Yes, I do realize the necessary requirement of transparency and oversight, but I also recognize that it is important to protect people's business concepts, ideas and intellectual property.

The combining of RDC into the current government department, I'm really concerned that we're losing the ability for this entity to operate outside of government, but still be funded by government. Yes, the province did save \$3 million by doing that in administration and overhead, but if this slows down the investment of these funds by even a very small percentage, \$3 million is not going to be a whole heck of a lot when it comes to discouraging business or preventing businesses from getting on their feet quicker.

As a government and as a Legislature one of my biggest beliefs is that we are not responsible for creating jobs, we are responsible for creating a job-creating environment. Government in history, be it this administration, the past administration or since time immortal, has not been good or sustainable in creating jobs. Every time government gets involved in creating jobs directly, sooner or later – now, of course, there's exception to every rule – it's a job that has to be funded by the taxpayers' dollar.

Business people create jobs. Business people are good at what they do and putting supports in place for them and removing barriers to expand their business and expand their creativity, that's always important.

If this bill does, I guess, be executed as it's written, yes, that's going to happen, but we've got to mix in a whole dynamic of operating within a large department and multiple facets of that department. Again, I'm a firm believer that RDC had an advantage where they could operate on their own. I know one entrepreneur in particular, actually, they were having issues with government agencies, be it ACOA, I guess, industry, trade and a couple of the other conventional lenders, nobody would step up.

The head of RDC happened to be in the neighbourhood and they came in and had a chat with the entrepreneur and within a month they had an approval, in concept, of the funding agreement and within two weeks everybody else stepped up to the plate, but until RDC stepped in on their own agenda – I can remember a quote that the entrepreneur gave to me, he said that the individual from RDC came in and said we want to try this, that's our mandate. We want to try it. It's not important if you succeed, it's important that if you don't, it's not all going to be on you and compromise your existing business.

That's where government can play a big factor in industry and innovation and economy development, cushioning the blow of something that may not work out as planned. By investing and having those funds dedicated for that, entrepreneurs will expand their businesses. They will try stuff. They will look at innovative products. They will try to develop new technology and that's how we're going to get from where we are today to where we need to be and that's a business-driven economy, not a government-driven economy. We need to have businesses driving our economy, supporting individuals and families through employment, through conducting business within the community. That includes all parts of our province right from the Labrador peninsula, all of Labrador, to all corners of the insular province.

It has to, ultimately, make sense. We can't keep throwing money at an industry or an enterprise

that only exists because we're throwing money at it. It has to have a glimmer of sustainability. If we continue to throw money at businesses, and if that's what they become reliant on, our economy will always be a drain on our citizens. We need to continue to invest in opportunities that are yet undeveloped and opportunities that may hold potential that we haven't even thought of yet.

I do see the purpose of this in connecting different departments within government to the one approval figure. That does make a lot of sense, but if that one entity is responsible for making sure that all these other departments and facets of government are in approval before they do that, that is going to slow things down. We need to go and provide individual approval so that, not only will the time delay from one end of government getting to this entity be eliminated, but the entrepreneur and the enterprise can address issues as soon as they come up and not have to go through chains of government. So that's a bit of a concern that I do have with centralizing the approval.

Again, the thing is that everybody around the table has to be in agreement because often if you have one part of this entity that will not be in approval, the entrepreneur or the enterprise can seek out another partner outside government that could fill that void. That often happens, but if we're all waiting for all of the ducks to line up in a row within the same flock, well, that may be a bit of a problem. If we know one duck is missing, well, we can grab a duck from another flock.

Generally, I'm in support of this. I do see the purpose of it, but I was disappointed when we did take the autonomy of the RDC out of the picture. My experience with RDC and other entrepreneurs which I have talked to, only talked favourably of RDC.

I would like to know – I was under the impression that not a whole lot of the employees did transfer over to the new corporation and that kind of does concern me. I read there that 40 of them, their positions were terminated. Whether any or some of them were able to find employment within the new entity, I don't know, but my conversations in the community were, no, they didn't.

Not saying that the people who are in there are not just as good or better, but I think that, as a province, we have invested in RDC. They did have a fair bit of experience in what they did and I think we probably should've tried to hold on to some of that experience and some of that knowledge that we invested in.

I'm also am impressed and glad to see that this was a result of consultations with industry, business and the associated factors within that, but I'm sure that there was a comment about the autonomy of RDC and the ability and flexibility that they did have. That's something that we'll all have to monitor to make sure that independence and lack of red tape does continue to exist and enables our business and entrepreneurial spirit to develop to its fullest. That's my big concern that we don't want to complicate something that was working very well for the savings of \$3 million.

That's kind of, basically, all I have to say at this point. In closing, I guess, I would like to say one of my more favourite quotes and that is: It takes decades to build economies, the pride of the people, but it can only take a couple of years to destroy it.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Thank you.

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

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

I stand to speak to Bill 26, the innovation and *Business Investment Corporation Act*. I would like to thank the good people at TCII – sometimes I say TCIII – for the great briefing that they provided us with. They were very excited, very, very excited about this.

They were excited about this because they see this as the new approach for government. They see this as cutting red tape, helping innovation, innovative companies navigate through all government funding and programs, through all departments. I believe that is a great service to provide. It's like having one portal which takes

you through and opens up the possibility of maximizing the resources, maximizing and making easier access to new and existing companies to potential funding, whether it be grants or loans to innovative companies. That's a buzzword right now, Mr. Speaker. Innovation is a really big buzzword. It can mean a number of things.

I was really excited by the excitement that was shown by the officials from the department who are so looking forward to being able to roll this out. Who are so looking forward to being able to work in a different way that will support innovation in the province, that will support new ideas and that will support risk taking.

As someone who comes from a film background, I know how important that is, the ability to take risks. I've seen that so much as well in the film industry. Sometimes it's really, really hard to get commercial banks or investors to invest in your film because sometimes it's an idea, and sometimes you've worked to a certain stage but really you're asking investors to take the risk on the expertise you may have and the ideas you may have.

It's risky, but it's only through looking at issues of risk in innovation and how we measure what is success and what is failure that we can move forward. Sometimes it's interesting to see in areas of innovation how you establish what is risk, how do you establish what is failure, how do you establish what is success? Because you may go down one road thinking you are going somewhere else and that opens up something entirely different that you may not have suspected or you may have thought, oh, this may lead us somewhere; or, what happens is the idea, the project, the product, the innovation that you have been working on takes on a life of its own. Particularly when you are then able to be connected with other potential partners.

This bill really is about maximizing opportunities and maximizing resources. So in that, I can certainly support this bill. It's also about leveraging investment for innovative and for high-risk projects. I think that's what the departmental officials were really excited about because some of this is leading edge. We know there are some very interesting projects happening, very quietly, under the radar here in

Newfoundland and Labrador. Some by existing companies, some by new start-ups, some by very established business owners and innovators and some by young people, by young innovators, by young entrepreneurs.

This also will help, for instance, any projects at Memorial University who may be developing any kind of innovative project that will help companies expand or help provide resources to companies that are doing interesting work in the province. That's all really good.

The other thing this bill does and what this new corporation will do is it will help the issue of navigation. For instance, if a company comes to the Innovation and Business Investment Corporation and they may have a project that might be eligible for funding through this corporation, but in fact it's an agricultural project which has a technology aspect to it, then they will also be directed to potential agricultural funding.

It's looking at, how do you maximize resources? How do you incorporate resources? It's very difficult. As someone who has done that kind of – seeking that kind of funding for different projects, sometimes it's a maze. You go somewhere and they say, no, this is not quite the right place, and then you go somewhere else.

Maybe part of what you're going to do can be funded by this but sometimes there are no connections between all these different kinds of funding potentials. So by being able to work as the navigator to make sure that any potential project that looks promising has the advantage of knowing exactly what's available, helping to open doors, helping to increase access and minimize any kinds of blocks and barriers.

One concern that I do have, Mr. Speaker, is the fact that we know the majority of members on the board of directors or the council of this new corporation will be appointed by our IAC, the Independent Appointments Commission. There will be a new board of two to nine members. Two to nine members will be appointed through the Independent Appointments Commission process. They haven't said specifically if there's a minimum number of those, and there will also be three government members on this board.

As well, I believe – unless I misunderstood in the briefing – the function of the CEO will be undertaken by a deputy minister. When we look at the Research & Development Corporation, they had much more independence and they were at arm's-length from government. So I'm a little bit concerned about that.

Again, there is no identified mandatory minimum of members who would be appointed by the Independent Appointments Commission. It says two to nine, plus three government members. I don't know if the DM, the deputy minister of the department, is in addition to that as well or if the deputy minister is encompassed under the three government members. That is very much government controlled.

We know it's very important for government to have control of money, of any programs and funding. It's certainly a philosophical shift from what we had with the Research & Development Corporation, which was much more arm's-length from government, much more independent from government but still accountable to government.

We know in the briefing staff talked about much more transparency and accountability, and that's always good; particularly with any kind of agency or corporation that is dispensing funding. So that's really important. It will be interesting to see – I'd like to hear from the minister exactly how he sees that increased transparency and accountability.

Priorities for this corporation is innovation and technical risks; projects that have technical risks and have innovation. They will loan money at 3 per cent interest rate. At least that's where it's at right now. Not to supplant or substitute for banks, but what it is, it's almost like angel investments. It is loans that will – that perhaps, because these are innovative projects that are seeking funding – and we know how important innovation is. Sometimes that's the hardest type of undertaking, one of the most difficult kinds of undertakings, to actually access loans and money. I'm looking forward to being able to hear from the minister about some of the issues that we have raised, to hear what he has to say about them.

The other thing that we were told at the briefing is that the Business Innovation Agenda – they had a What We Heard consultation report document. It said what stakeholders identified a need for – I never use that word, Mr. Speaker. That's not a word I'm really fond of. I would imagine stakeholders mean companies in the province. They said there was a need for better linkages to various sources of capital required. They wanted one-stop shop advice and integrated service delivery across the provincial government.

I think that's important. We know how confusing it can be, how important it is to be able to have easier access to information, easier access to the potential for interfacing with different programs and departments in government. It's about having a more coherent approach for businesses. It will be interesting to see how that works.

It also talked that really what they are doing is they are addressing gaps in business funding. We do know these are some of the gaps that are most difficult to fill. We were also told it allows for more regional diversity. It will be interesting to hear from the minister, how he thinks that might come about, that we'll have more regional diversity.

Also, one of the issues that was brought up in the briefing – and I know that we've heard this in the social sciences sector, we heard this with community organizations that seek funding who are doing, kind of, social work within the communities – is that so often the funding criteria doesn't quite fit what people are trying to do and the funding that they are seeking. What happens is the criteria become the tail that wags the dog.

We were told at this briefing that, in fact, the criteria is much more flexible so that it is more responsive to the projects that come before this corporation. I believe that's a good thing. We have seen in several different programs and funding mechanisms where we see projects or community groups have to sort of morph themselves to fit the criteria when, in fact, the criteria itself needs to be morphed and needs to be more responsive to the needs and to the realities of business here in the province.

It's an important time in the province. It's an exciting time. We know there are some very innovative projects that are happening. I'm looking forward to seeing what this might accomplish. We know this is about helping companies to grow faster so it's going to be a fine line. That doesn't mean that funding and those decisions can be reckless. They have to be based on real solid principles, but they also have to be flexible in order to be able to promote and support innovation in the province.

They say they're going to bring together departmental experts, corporate experts and representation from commercial investment industry. That will be very interesting. The area that is really somewhat grey but important is how do you measure failure? How do you measure success? Absolute failure from what you have originally intended to do doesn't mean that it's an absolute failure. That will be interesting as well, Mr. Speaker.

This is going to depend on the chops of the experts who are making decisions. It will take a lot of discernment because it's not all black and white. What will be very important are those who will be on the board, the staff in this particular agency as well, because they will have to use their expertise and discernment in assessing the reliability and the risk factor in some of the projects that will come before them for funding.

Those are some of the questions I have, Mr. Speaker. I look forward to hearing what the minister has to say. My concern is that the CEO function is being held by a deputy minister and there is no mandated minimum in terms of the number of folks outside government who have to be appointed by the Independent Appointments Commission.

Thank you very much.

MR. SPEAKER: Thank you.

The hon. the Member for Mount Pearl - Southlands.

SOME HON. MEMBERS: Hear, hear!

MR. LANE: Thank you, Mr. Speaker.

I'm glad to have an opportunity to speak to Bill 26, An Act to Establish the Innovation and Business Investment Corporation. Mr. Speaker, I'm not going to spend a whole lot of time rehashing everything that's been said. I'll be supporting the bill.

For me, there are some really positive highlights here that I want to touch on very quickly. Probably one of the biggest positive highlights from my perspective is that we're going to save \$3.12 million dollars annually. I think it's about time –

SOME HON. MEMBERS: Hear, hear!

MR. LANE: – that we start going down that road in terms of finding savings on that side of the income statement here for the province, for the people of Newfoundland and Labrador. I definitely support that aspect of it.

I always felt, to be honest with you, with the research and development council – I always wondered from day one, when I learned about it if it was really necessary, to be quite honest. I kind of felt at that time there was a lot of duplication so I'm glad that duplication is gone. It makes sense to me as long as they can still deliver the programs and do it more efficiently. If we're going to cut back on red tape, that's a good thing. That's what business is always talking about, the reduction of red tape. That is very important as well.

With that in mind and without getting into all the details that we've already gotten into, that's really a big thing for me. Actually, there were also a couple of other things which I was surprised about. I didn't realize it until I went to the briefing – and I'm glad now that this is being done as well – the research and development council apparently, as we've been told, was not subject to ATIPPA.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. LANE: Again, that ties into the whole concept of secrecy like we've seen at Nalcor. Maybe not to that degree but, certainly, at the research and development council ATIPPA did not apply and there was a lot more information

not being released. Now, with the exception of any information that could – commercially sensitive in the sense it could do harm to a business or a business start-up in terms of not revealing trade secrets and all this kind of stuff, from a more general point of view there's going to be a lot more information available. That is a positive thing, I'd say, Mr. Speaker.

The other thing, which I absolutely didn't know – and I'll probably ask the minister when I get into Committee. I'm just curious as to why the RDC was not subject to public procurement or public tendering or whatever you want to call it – I think it's the *Public Procurement Act* now; it was the public tendering act. I cannot for the life of me understand how they would have been excluded from that to begin with.

Actually, when I asked the question in the briefing the answer was – almost in, sort of, how will I say it – almost half laugh and say I could speculate, but I won't go there. I don't know what that even means. I'm not sure what was being inferred. I have no idea but I'd love to know how the research and development council was exempted from the public tendering act. It's ridiculous and I'm glad that issue is now going to be addressed with the new entity.

With that said, Mr. Speaker, I will definitely be supporting the bill. The only point I want to make, which does concern me, I understand the need – I truly do – to support business. In terms of research and development and innovation, sometimes there are going to be opportunities where the government is going to want to step in. Whether that be some prototype that's being developed at Memorial University or the Marine Institute, something that could benefit like the project that was mentioned earlier that allowed us to extract additional oil from our oil fields which benefitted the province. The government at the time supported that initiative. That was a positive thing.

I understand that. I truly do. I understand there are start-ups that perhaps somebody has a great idea. One of the things they talked about here is the gap that was missing. We were supporting someone with their idea, but once it came to the point that now I have my idea, I have my product developed, I need to get it to market so to speak, that stage in helping get that product to

market was missing. That was sort of like a black hole where a lot of entrepreneurs were being lost. This is going to fix that, so we're told. I think that is a positive thing.

While it's important to do these things, there also has to be a balance. That's the only concern I have. There has to be a balance with this stuff and there has to be a lot of due diligence. I'm not suggesting that staff are not doing due diligence now, but I did ask questions about how many loans, for example, have been given out over the years. Could you tell me how many loans have been given out and were they paid back? Basically, the response I got was more around: Well, there's been a lot of bad loans. We've had to write some off; it's getting better. They said: It's getting better. We're now getting things in place where we're keeping track of it better than we used to and we're having a better success rate. That's what they said at the briefing.

The fact of the matter is that there had been – certainly it was inferred – somewhat of a history there, if you will, over the years, where loans were not necessarily getting paid back. Where the taxpayers' dollars were being invested in businesses that failed.

When I asked them that question about do you track, I heard the Member from Bellevue district – that's not the exact name, but anyway.

AN HON. MEMBER: Placentia West.

MR. LANE: Placentia West – Bellevue, and he was talking about we invested \$5 million there today in Bluedrop and so on and \$1 million here and \$3 million there. I've heard this, not just from this Member, I've heard it from other Members, past administrations, past ministers.

Heck, I probably said it myself. At one point in time, if you go back five or six years ago, there was probably a time where I was talking about all these investments and rhyming off numbers; millions here and two million here and five million there.

The point I think we all need to be cognizant of and the balance we have to achieve with this stuff is that while it's fine, success should not be measured by how many millions of taxpayers'

dollars we've put out the door, it should be measured by the success around those investments because, at the end of the day, we're not writing personal cheques, this is the people's money. So when we say we're investing \$3million and \$5 million and \$2 million, that's taxpayers' money that we're writing cheques for.

I'm not being critical. I'm just saying to the minister that, right now, based on the questioning and the response I've gotten, it doesn't seem like we've got a real good handle –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

It's a little noisy.

Thank you.

MR. LANE: It doesn't seem like we have a real good handle on tracking money out and then what was the return on that investment, and having it in a transparent manner so that the general public, the taxpayer can see that, yes, we invested X number of dollars here but here's the tangible return. This is what it returned us.

Without that, then there's always this fear, and perhaps some people can twist things, even if they're not true, which we see all the time in this House of Assembly, where it's almost giving an impression we're just doling out taxpayers' money, corporate welfare and we're getting nothing out of it. In the meantime, we're cutting dental programs for seniors while we're giving millions of dollars to corporations and they didn't need the money. We're not being as diligent as we should be with the taxpayers' money in terms of writing cheques to corporations.

So I understand why we do it. I support what's being done, I support the bill. I understand why we do it, but the only point I want to make is that we need to have a good tracking system in place so that the general public knows how much money is going out and what the return is.

If we're investing in companies, if we're giving out loans – a report card. Did we get the money back? Are we getting this money back? How

many people defaulted on loans? How much money went out versus the benefit that came in and so on? These are the types of things, in terms of actually measuring these things, that it would seem –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. LANE: – like we're not necessarily doing that.

In answer to the Member opposite about do I support Grieg: If we invest in things like Grieg, we need to go through the process, and if the proper environmental assessments are done and it's shown that it's given a green light to go, I support it 1,000 per cent. I do not support taking shortcuts on things and not following processes and potentially doing harm. That was sort of a bit of a tangent because someone bawled out to me: Do you support Grieg?

Mr. Speaker, with that said, I will be supporting the bill. There are a lot of good things here, as I said. It makes a lot of sense. It's saving us some money. It's reducing red tape. All that is positive. It's making it more open and accessible. These are all good things, but, again, we must remember that while it may seem great at the time, when we're handing out money to corporations and it's a nice photo op and all that stuff, it is the people's money and we need to track that and make sure that we're getting a proper return on the investment that we're making.

Thank you, Mr. Speaker.

MR. SPEAKER: If the hon. the Minister of Tourism, Culture, Industry and Innovation speaks now he will close debate.

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

MR. MITCHELMORE: Thank you, Mr. Speaker.

I will say that innovation is certainly not a buzzword, it's a necessity.

AN HON. MEMBER: Hear, hear!

MR. MITCHELMORE: I want to thank all Members who contributed to the debate in second reading: the Member for Ferryland; my parliamentary secretary, the Member for Placentia West - Bellevue; the Member for Mount Pearl North; the Leader of the Third Party and the Member for Mount Pearl - Southlands. All made some very good points, had some questions, some had some concerns, but I will say that the act itself, and being able to streamline and provide a more efficient one-window service delivery, makes incredible sense when it comes to collapsing two corporation's investment arms and bringing them into the full continuum of care from early stage start-up, to take somebody to the market, to internationalization.

I will thank the Member for St. John's Centre for complimenting our staff who worked very hard and gave a briefing, complimenting their skills and delivery and highlighting their excitement because this is really exciting. This is transformational and the staff worked very hard on, not only the legislation but this entire process of being able to take and the direction of where we need to go for full alignment.

This really started with measurers like the Cabinet Committee on Jobs, focusing on where our opportunities would be, led by the Premier as to how we look at creating the greatest alignment moving forward. So you have InnovateNL and then you move forward now with the business innovation and growth act.

Venture capital is part of the continuum through our Investment Attraction Fund and TCII works with our fund managers to support these investments. One of the first things that I did as minister – one of the early announcements – was investment in three firms in venture capital in partnership with Pelorus, our venture fund manager. These were great companies like HeyOrca, for example, and Clockwork Fox. They did some really good work here in the province and they're growing and hiring companies. So we'll continue to support the same clients and new clients, as the former RDC did, but we'll do so more effectively.

I liked how the Member for Mount Pearl - Southlands had talked about annual savings of over \$3 million; \$3.19 million is an annual

savings every single year to government. It makes a lot of sense to bring in the corporation. There were about 40 employees. We brought in 14, two served on temporary contracts through the transition period. So there are 12 employees within our existing complement of TCII, which helped save a significant amount.

I'm a little surprised because in the new structure there is no CEO because the corporation exists within the department. I'm surprised by the Member, the Leader of the Third Party, advocating for a CEO position and more management structure that was unnecessary.

What we did is we brought in the employees that were the business case managers that dealt with the clients to focus because we already have that structure within government.

AN HON. MEMBER: Client focused.

MR. MITCHELMORE: This is a client-focused approach. This is providing greater savings by not having to have a significant amount of funding. The position of CEO, when you look at that, would have ranged upwards of \$160,000 to \$200,000, annually. When we look at the fact that nine of the 12 board members would be from outside of the government officials and the board would consider the risk versus the reward, so they're certainly not risk averse.

TCII is working to assist their clients through major projects. We have a major project unit and that was talked about, how we could not only look at the funding within this organization but also the funding across the whole of government and support the alignment, whether it be in agriculture, or an aquaculture project, or a fisheries project, or a natural resources project. We also want to point out that we certainly look for good projects, not necessarily ones that fit a particular mould.

The board is continuing to look to leverage, and decisions are made based on the business case. When it comes to public procurement, and the Member has said he would ask this in Committee, it's my understanding the exemption exists so that the former Research & Development Corporation could hire experts

they needed in a very quick and efficient manner without necessarily going through the public tendering process.

We don't necessarily agree with that. We feel the experts exist either within government or we can go through a public tendering process. They have hired consultant after consultant in the Research & Development Corporation without going through the public tendering process and we don't think that is the way to go when it comes to doing business within this new corporation, therefore it will follow the PPA.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

The motion is that Bill 26 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.'

Motion carried.

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

MR. SPEAKER: Bill 26 has now been read a second time.

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

MR. HAGGIE: Now.

MR. SPEAKER: Now.

On motion, a bill, "An Act To Establish The Innovation And Business Investment Corporation," read a second time, ordered

referred to a Committee of the Whole House presently, by leave. (Bill 26)

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

MR. HAGGIE: Mr. Speaker, thank you.

I move, seconded by the Member for Burin - Grand Bank, that this House resolve itself into a Committee of the Whole to consider Bill 26.

SOME HON. MEMBERS: Hear, hear!

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

Motion carried.

Committee of the Whole

CHAIR (Warr): Order, please!

We are now considering Bill 26, An Act To Establish The Innovation And Business Investment Corporation.

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

CLERK: Clause 1.

CHAIR: Shall Clause 1 carry?

The Chair recognizes the hon. the Member for Mount Pearl - Southlands.

MR. LANE: Thank you, Mr. Chair.

I thank the minister for answering my question about RDC and their exemption from the *Public Tender Act*. I guess my only comment to the minister is that under the *Public Tender Act* consultants, which my understanding were

considered professional services, were always exempted from the *Public Tender Act* in any case. So I'm not sure if that's the reason why they weren't – that might have been one reason, but I suspect there was something else.

Anyway, I just say that as a point of information. It boggles my mind that they would have been exempted. I'm glad that at least that part is fixed up.

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

MR. MITCHELMORE: I thank the Member opposite for making his point around the public procurement piece that existed in the former RDC act itself. I'm very much committed to having us comply with the *Public Tender Act*. I know there were contracts let, there were various professionals hired to do performance reviews, do economic analysis, like Dr. Wade Locke with RDC that would not exist.

The Member opposite also asked previously, and I want to answer some of the questions around our Business Investment Corporation. Only 3 per cent of loans were actually written off since 2005-2006. So they have been performing extremely well when it comes to the risk that government is taking and managing a revolving fund.

This is a revolving portfolio. So there's no new money that's being added to the Business Investment Corporation loan fund. They give out the loans and then they have to get them come back in terms of the investment paid for through interest to be able to continue the revolving fund; therefore, they have to make some fairly good decisions when it comes to investment.

When it comes to collecting, our staff at Portfolio Management in our Marystown office has done a phenomenal job in collecting loans. They've actually collected \$1 million more than was projected in last year's budget. These are audited by the Auditor General; there's financial statements that go in.

So there are significant accountability measures when it comes to the loan aspect of the Portfolio Management. There's a whole mix of instruments which government provides, such as

a grant portion that would be provided, or the R&D component. There's a whole mix of equity and other aspects of which government may provide in terms of lending or partner and leverage funding, as Members opposite have talked about. We'll continue to do a significant amount of leveraging on particular projects.

So thank you.

CHAIR: The hon. the Member for Mount Pearl - Southlands.

MR. LANE: Mr. Chair, I thank the minister for his commentary.

Minister, in fairness, the comment they made about the loans was that the history wasn't great but things have improved significantly. In fairness, that's what they said. So perhaps they were talking about back before the time frame that you referenced. I'm glad to hear that, and I thank you for the response.

The only other piece, Minister, that I mentioned when I spoke there, that I have a bit of a concern about, and I don't know if you can comment or give us a sense of where the department may or may not be going in this regard. That's when it comes to actually measuring the success of the grants and loans and so on that are going out the door. I've heard language before – not by you – but I've heard it in the past where even in the department where they talk about success, it seemed like it was being measured by the number of dollars gone out the door. The number of millions invested.

To my mind, that is not – that may be a measure of success in the sense that we're actually processing applications and getting them out, successful in that regard. To my mind, the measurement of success should be here's the money that was invested, and here was the people's return on that investment.

Again, from the commentary I received from staff, it seemed to me there was no system in place, if I can call it a system, or a tangible measurement or something that one could ask for and look at to be able to say here's how much money has gone out in the last year or the last two years, five years; here's what was invested here and here, and this is the return. It's

produced X number of jobs, it's produced X amount of money in estimated spin-off in the economy and so on. So people could tangibly see that this money that was invested actually yielded a return to the people.

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

MR. MITCHELMORE: I thank the Member opposite for his question.

Certainly, there are many, many examples that can be provided. There's also a process that can be provided in terms of explaining.

When you're investing in a company – whether it's financial supports, non-financial supports, they could be at a different continuum in the process – the impact can be X jobs or it could be X return to the economy. Some things are very difficult to measure in a very specific and finite, tangible way when you're looking at something that's in a pre-commercial state.

There are ways of which you can look at what the outcomes are. That's why there are accountability measures that are built into contracts, performance measures that are put in place, milestones that are put in place so that when it comes to disbursements, this is not government writing blank cheques to companies. There may be a target that's put in place before they get a secondary disbursement, before they get the next disbursement of funds to carry them through with what their business plan and what their milestones are.

They may have to revise as they go forward. The department is there to provide that advice and that support throughout the continuum. This would be the same as what RDC would have done with its particular clients as well. Some funding would be carried out over multiple years. Those are things that would be looked at.

When we launched our Business Innovation Agenda after broad consultation looking at the ecosystem, one of the things that we highlighted that was necessary – in consultation, in particular, with NATI – is that we needed baseline research. We needed a good baseline of the number of companies that are operating in the technology sector. What are their sector

profiles in terms of companies that are either in telecom, companies that are sensor-technology related or ocean cluster, the number of employees and their opportunities to scale up?

We're taking a multi-targeted approach when it comes to strategic investments. That's why we're making this decision to align pre-commercial, commercial and R & D innovative approaches to market to international, bringing in the whole mix of government supports. We have our Cabinet Committee on Jobs and our various sector work plans that we're working on, and we have our outcomes there to create tangible results that are completely measurable.

We do have a system within government when we look at our loans, our tracking of loans, when we look at our investments, our payments and we also have milestones as the parliamentary secretary talked about PAL, for example. They had highlighted that they were to create 150 jobs with the investment of the Force Multiplier project and they have met and exceeded those targets.

Thank you.

CHAIR: The hon. the Member for Mount Pearl - Southlands.

MR. LANE: Thank you, Mr. Chair.

This is my last point. Minister, I appreciate the answer you've given. It does make sense. I get that. I guess where I'm coming from is you just talked about PAL, I think you said, and they met their milestones and so on. If I'm a member of the general public, I see the announcement where we are giving PAL \$5 million or \$2 million or whatever it is for this great project, but as a member of the general public I don't see that in two years down the road or three years down the road they met their milestones, that they created these jobs, that they did whatever.

You're telling me because I'm asking you and you're giving examples in the House. But from a public point of view, I can't go to a chart, I can't go to a website and say we invested X amount of money into company X and this is what they said they were going to do. And it is two years later and here's what they've done and you can see that there was a return, as opposed to I'm

just taking it for granted and hoping there was a return. In most cases maybe there is a return. I'm sure there are cases where there's not a return.

All I'm saying is there does not appear to be a tracking system per se, that someone could actually look at and get an idea as to when we write a cheque, are we actually getting the return that we thought we were going to get? What was successful, what failed and where are we along that continuum.

I guess that's my only point, Minister. You don't even need to answer. I'm just making that point that if we're not doing something like that, I would certainly think it's something the department, at least, should be doing. It should be something that the public, if there was an interest, could go in and find out this information.

Thank you, Mr. Chair.

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

MR. MITCHELMORE: I thank the Member opposite for his points.

Any ability through our client-management system – as we go through the Estimates process and people ask for a list of information, any way in which we can proactively disclose information is certainly an important approach. We've done this through *The Way Forward* with updates, with the report cards of the initiatives. There's a website now with live information. Certainly, any idea that's put forward by the Member opposite, these are things that we'll review within our department, our capabilities and see what we can undertake.

I thank the Member opposite for his points.

CHAIR: The hon. the Opposition House Leader.

MR. HUTCHINGS: Minister, I wonder if you could just comment on the Fisheries Loan Guarantee Program. Is that now part of the new act and would fall under that new structure?

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

MR. MITCHELMORE: Thank you, Mr. Chair.

The Fisheries Loan Guarantee Program would fall under the Portfolio Management aspect in the Business Analysis Division within our department as it has previously.

CHAIR: The hon. the Member for Mount Pearl North.

MR. LESTER: Has there been any consideration given to reinstating some form of Newfoundland farm loan board or loan board guarantee?

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

MR. MITCHELMORE: Thank you, Mr. Chair.

When it comes to the agricultural sector in Newfoundland and Labrador, the Department of Fisheries and Land Resources would be leading aspects in that area. I will say that our Premier and the Minister of FLR has been taking significant initiatives to advance agriculture in our province by making 64,000 hectares of farmland available.

Having a sector work plan, meeting with the stakeholders, the farmers and those that are involved in the agriculture sector asking them what they want and their initiatives: everything is outlined in the plan, from the consultation, as to what industry wanted. That's in agriculture and government and working together. Those synergies exist and that's why we've moved forward in that way.

What is in the work plan will be things that will be acted upon. Some will be led by the Department of Fisheries and Land Resources. Other instruments will be the responsibility of TCII or Advanced Education, Skills and Labour or other departments and some will be industry led.

I thank the Member opposite for his question.

CHAIR: The hon. the Member for Mount Pearl North.

MR. LESTER: (Inaudible) in consultation with industry they had expressed an interest in the re-establishment of the farm loan board. It is fantastic the government has highlighted the industry and the potential for the industry, but the reality is we have not increased any funds to the industry to enable them to capitalize on those opportunities.

The farm loan board did exist several decades ago. It was a really good tool for the non-conventional expansion of agriculture. It did fall under the innovation and rural development sector at that time versus the agrifoods. Can you explain if there will be any consideration given? If your department is not going to do it, can you suggest Fisheries and Land Resources step out of their box and get involved in financial management?

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

MR. MITCHELMORE: Thank you, Mr. Chair.

As a former minister of forestry and agrifoods for the Province of Newfoundland and Labrador I certainly consulted with industry. One of the initiatives that was in place at that time that farmers availed of – and we never want to see it happen, but if there are bad years or if something happens to the crop, there are the farm Canada crop insurance programs. There are supports that exist for farmers in the Canadian context and within the Department of Fisheries and Land Resources to support farmers should they have a bad year.

I believe the guarantee that the Member opposite is talking about, though, is within the Department of Finance when it came to farming. But it would lead to be something that right now is not something that government offers when it comes to a loan guarantee to farmers.

It seems to me there are outside lending agencies that will provide financing to farms and there are federal entities as well – such as the Business Development Bank of Canada, or if a farm is getting into export, Export Development Canada – that would be able to provide loan guarantees and financing. There is a mix of instruments that

would exist out there through federal Crown corporations that can support farmers.

Thank you.

CHAIR: The hon. the Member for Mount Pearl North.

MR. LESTER: Will the minister and his department consider creating a mirror program to that of the *Fisheries Loan Act* and administering it for agriculture?

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

MR. MITCHELMORE: Any particular matter that would deal with such an initiative would be led through the Department of Fisheries and Land Resources.

Our department could certainly lend our hand where possible through our Business Analysis Division to look at a mix if this was something that government was to pursue. Right now, I can clearly state there are avenues that are out there through federal Crown corporations such as the Business Development Bank of Canada and Export Development Canada, that could provide loan guarantees to farmers and provide the support.

The province, through the Department of Fisheries and Land Resources as well, does work and provide funding supports through Farm Credit Canada to provide crop insurance to support those, whether they're involved in root crops or if they're spur farming or if there are other initiatives. If they have a bad year they get compensated for not being able to provide the adequate – taking away the risk, I guess, because we never know if there's bad weather or something that could happen in Newfoundland and Labrador.

Farming certainly does have its risks. The Member opposite would have experience in farming and understand the risks associated with farming in Newfoundland and Labrador.

Thank you.

CHAIR: The hon. the Member for Mount Pearl North.

MR. LESTER: I'd like to apologize for putting the minister in a bit of a position to speak out of his area of expertise. A lot of the organizations and functions which he did just speak of are not accurate, but I do understand that we don't all have to be experts on everything.

I think it is important to remove the financial end of it out of the resource development part. The *Fisheries Act* is a very beneficial program for our fishing industry. The fishing industry, of course, also has access to a variety of federal government-sponsored programs. I don't think it would be fair to preclude agriculture from such beneficial programming, similar to that of the *Fisheries Loan Act*.

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

MR. MITCHELMORE: I thank the Member opposite.

When it comes to the farm loan guarantee program – something that was far before my time here in government – it's my understanding that the Business Investment Corporation has written off many particular guarantees, loans that would have been issued through that particular program in the past.

When government looks at initiatives that are being proposed, they have to have the right program or parameters around it to be able to grow and support an industry. We're certainly supporting the agriculture industry in Newfoundland and Labrador. We've seen recent investments and announcements where there are new farmers here in the province and other initiatives that are taking place.

What I will say is that through the federal entities that exist, there is ability for the federal Crown entities – Export Development Canada and BDC – to provide loan guarantees and loan financing and de-risk any type of investment and support farmers at that level rather than put further risk, given the past experience, on our portfolio and our province. With that being said, the Cabinet Committee on Jobs, InnovateNL and this whole board would look at – through our major projects unit, we would support initiatives based on the business case that would come forward, and do an appropriate analysis and

review on the particular matter. We don't have any particular program when it comes to reinstituting a farm loan guarantee at this particular time.

CHAIR: Shall the motion carry?

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: Those against?

Carried.

On motion, clause 1 carried.

CLERK: Clauses 2 through 30 inclusive.

CHAIR: Clauses 2 through 30 inclusive.

The hon. the Opposition House Leader.

MR. HUTCHINGS: Thank you, Mr. Chair.

I wonder if the minister could reference section 12: "The board, with the approval of the minister, may make by-laws ... (h) respecting conflicts of interest" This seems to indicate the board would make its own conflict of interest rules.

I'm just wondering why this would be appropriate and why it wouldn't be governed under the Conflict of Interest Act, which would take away any perception or ability for any conflict to exist as the board of directors would be creating their own conflict of interest guidelines.

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

MR. MITCHELMORE: Thank you, Mr. Chair.

Given that the entity falls within the department, the staff fall within the department, they would be delivering the departmental programming. The bylaws of the corporation would ultimately be approved by the board of directors. That's something that would be put forward to the board of directors.

CHAIR: The hon. the Opposition House Leader.

MR. HUTCHINGS: Thank you, Mr. Chair.

Section 12 starts off with: “The board,” – I assume that’s the board of directors – “with the approval of the minister, may make by-laws” Under (h) it says representing conflicts of interest, so I’m not sure or clear on the minister’s answer.

Is that the same board you’re saying that’s going to make the conflict of interest rules and they’re going to abide by their own rules?

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

MR. MITCHELMORE: Yes, that’s the board.

The Legislative Counsel had advised on this particular matter and they will abide by the act.

CHAIR: The hon. the Opposition House Leader.

MR. HUTCHINGS: Just to be clear, they’ll abide by the act. Which act, the Conflict of Interest Act or this act where they make their own rules in conflict of interest?

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

MR. MITCHELMORE: Thank you, Mr. Chair.

There will be bylaws that the board will have to approve in Newfoundland and Labrador to comply with the specific policies and programs, and how they will operate and function from a bylaw perspective.

When it comes to conflict of interest, they will follow the act, the Conflict of Interest Act. They will follow that.

CHAIR: The hon. the Opposition House Leader.

MR. HUTCHINGS: Okay, I thank the minister for that.

What he’s saying is they will follow the Conflict of Interest Act. I’m just wondering, if that’s the case – and maybe I’ve missed it – why wouldn’t that be referenced in the actual bill in terms of conflict of interest and they would be bound to follow the conflict of interest.

It seems in that case there would be no need to develop a policy or a regulation in regard to how the board members will be governed in regard to conflict. The direct reference that the board members would be obligated to follow the Conflict of Interest Act would seem to be definitive and quite clear if it was stated in the act.

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

MR. MITCHELMORE: The bylaws that would be approved by the board itself would give some extra clarity. It’s certainly something that would not necessarily be required.

The minister, being responsible for the department and responsible for the oversight of the corporation, they would provide guidance. This is really standard when it comes to what’s actually put forward when it comes to conflict of interest and serving on any particular board and capacity, especially when you’re talking about the nature of the financial instruments and innovative approaches and the particular clients that one would be dealing with, that there are protocols in place to appropriately deal with when an individual or a board member would be in a particular conflict.

CHAIR: The hon. the Opposition House Leader.

MR. HUTCHINGS: Just to clarify with the minister, the minister has indicated they would be governed by the Conflict of Interest Act when I asked about what act. So recognizing that, what’s the identification or reference in this bill that refers the activities of the board of directors of this board to be governed by the Conflict of Interest Act – where’s the connection? How does that connection occur? Because it’s not written in the bill.

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

MR. MITCHELMORE: Mr. Chair, this is a standard provision that is not necessarily required, but it's a provision for the board in the bill. It was advised by Legislative Counsel. It doesn't mean that conflict of interest doesn't apply, but it is a standard by law.

CHAIR: The hon. the Opposition House Leader.

MR. HUTCHINGS: It's not mentioned in the bill, but the minister is telling me that based on some fact that it is bound by the Conflict of Interest Act, even though there's no reference in the bill. I'm just looking for an explanation. Is it a could be, should be or maybe it's going under the Conflict of Interest Act, or is it mandatory by some other means that's not written in this act that it has to go under the Conflict of Interest Act?

You said the board of directors will be governed by the Conflict of Interest Act. So I'm still looking for that connection and how that connection is visible or how it occurs.

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

MR. MITCHELMORE: Mr. Chair, there will be a set of bylaws that will be approved by the board of directors. This is something that when you look at business and making private decisions, there would be a set of bylaws that would include conflict of interest. They will comply with conflict of interest policies.

When you're dealing with the information of the Business Investment Corporation, with the former Research & Development Corporation or the Innovation Council, the work that is being done and under the new particular act, these are individuals that in the private sector, in the community, in academia that are held at the highest standard and held at high regard for the information that they would have and the decisions that they would be making on behalf of Newfoundland and Labrador taxpayers, with the resources that they have, and certainly would have to abide by a conflict of interest and understand when there is a conflict of interest.

These are professional people. There will be a set of bylaws that will be approved by the board that will govern the corporation.

Thank you.

CHAIR: The hon. the Opposition House Leader.

MR. HUTCHINGS: This isn't about the abilities or education of the individual; it's nothing to do with that. It's about standard conflict of interest, and it's definitive and clear. So what I heard the minister say now is that there will be bylaws established and it seems to be that they're not covered by the Conflict of Interest Act but those bylaws would replicate much of the principles that are in the Conflict of Interest Act that now exist, and that would suffice in giving direction to the board in regard to a conflict in what they can and cannot be involved with.

Would that be a fair assessment? From what you've said, that's what I understand you're saying.

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

MR. MITCHELMORE: Mr. Chair, this is about two principles of disclosure and non-disclosure. All board members at the beginning of any particular meeting that are participating would have to declare if there would be a conflict of interest at the beginning of any particular meeting. So this is extra clarity for the board. This is standard when it comes to conflict of interest and what would be applied here and in the bylaws and in a specific clause.

CHAIR: The hon. the Opposition House Leader.

MR. HUTCHINGS: Okay, so now the minister says it's a declaration that the board of directors would make before a meeting. I guess it's voluntary that there would be some bylaws created, and in those bylaws it would indicate to a board of directors that if you are involved with approval of funds for a particular company, that you would be obligated through these bylaws, then it would be a voluntary obligation to

identify before that meeting that you had to excuse yourself.

Would that describe what it is you're trying to tell us in regard to conflict of interest?

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

MR. MITCHELMORE: Mr. Chair, the conflict act still applies; the bylaw will also clarify, but will be based on the Conflict of Interest Act itself. So if we never had any particular bylaw, the act overarches the standard of the law and this is providing another layer of protection, given by the Conflict of Interest Act. So this is meant to have bylaws in place that also include conflict of interest, but the Conflict of Interest Act would supersede, should there have not been a bylaw.

CHAIR: The hon. the Opposition House Leader.

MR. HUTCHINGS: Okay, I thank the minister. It's taken a few minutes, but we've gotten there, so that answers my question.

Thank you very much.

CHAIR: Shall the motion carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

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

Carried.

On motion, clauses 2 through 30 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 Establish The Innovation And Business Investment Corporation.

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 assistant to the Government House Leader.

MR. HAGGIE: I move, seconded by the Minister of Justice and Public Safety, that the Committee rise and report Bill 26.

CHAIR: The motion is that the Committee rise and report Bill 26.

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 has considered the matters to them referred and have directed me to report Bill 26 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 26 without amendment.

When shall the report be received?

MR. HAGGIE: Now.

MR. SPEAKER: Now.

Thank you, Sir.

When shall the said bill be read a third time?

MR. HAGGIE: Tomorrow.

MR. SPEAKER: Tomorrow.

Thank you.

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

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

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

I call from the Order Paper, Order 7, second reading of Bill 22.

MR. SPEAKER: Thank you.

The hon. the leader of the Official Opposition to continue his remarks on the debate.

MR. BRAZIL: Thank you, Mr. Speaker.

It's indeed an opportunity to get up again and continue where I left off last night when we closed debate, after what we had was a very open and healthy over 3½ hours of debate –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. BRAZIL: – last night on Bill 22, the *Smoke-Free Environment Act, 2005*.

I'm just going to outline and I'm not going to philosophically talk about all the discussions last night and how we went back generations to talk about how we've progressed forward.

I'm just going to more concentrate on the bill because, as we move into Committee, that's where I'm going to ask a few questions for clarification so people will understand exactly what the Smoke-free Environment Act is but, particularly, the changes that are being made to enhance the legislation and obviously to protect people in society as we bring in the new cannabis laws.

This Bill would amend the Smoke-free Environment Act to include smoking cannabis. The bill prohibits the smoking or vapouring of cannabis in indoor public places and workplaces. It also authorizes the establishment of designed smoking rooms in certain facilities as currently provided, except remote worksites.

Mr. Speaker, there are a few things there later on when we get to Committee I'll have a discussion on, but I'm just going to take people quickly through the bill itself and what it contains. It's not an overly encompassing bill. There are seven different components to it, sections to it, but it outlines particularly what people should be aware of; the minor changes, in some cases, and the major change being the addition of cannabis and putting it in the same realm when it comes to the act itself as tobacco and e-cigarettes.

It's An Act to Amend the Smoke-free Environment Act. Section 2 of the *Smoke-Free Environment Act, 2005* is amended by renumbering paragraph (a.1) as paragraph (a.2)

–

MR. SPEAKER: I remind the Member to deal with the principles of the bill in second reading.

MR. BRAZIL: Oh sorry. That's what I want to get into. What it talks about here is at –

MR. SPEAKER: Try to avoid the terms “clauses” and –

MR. BRAZIL: Sorry.

MR. SPEAKER: Thank you.

MR. BRAZIL: To add cannabis, meaning cannabis is defined as the *Cannabis Control Act*.

What we're talking about here is going through the particular changes that are taking place around the principle here. The principle is to ensure under particular headings, ones that deal with having particular rooms, now those same rooms would be used in the same vein as you would with cigarettes or e-cigarettes, particularly around the use of cannabis. It also restricts the legalities – that cannabis is in a different category than they would be for e-cigarettes or tobacco – as part of that process.

What it does here is outlines exactly which sections have to change. It also outlines the roles and responsibilities of the legislation to improve on what's already there from a safety mechanism but, particularly, around when you look at designated areas. There are some issues here around long-term facilities, psychiatric facilities, designated rooms in people's boarding houses, designated rooms in hotels and designated areas in workplaces.

It outlines here exactly what would be considered a safe environment, what would be considered an acceptable environment there from the perspective of an employer, their own definition of it, but there also has to be those that are defined by law. In this case, it's the regulatory law here.

A designated room can't be a present room now that's been designated for employees who would have access at any given time. It would have to be clearly noted, and notice given to employees that this is a designated smoking room. It also would have to have proper signage to ensure that people are exactly aware that room is solely for

the use particularly – and if anybody obviously goes into that room, they would be taking on the risk of second-hand smoke from cigarettes, from vapours or in this case, from cannabis, as we talk about some of the particular issues around that.

It would also talk about some of the safe workplace environments and what's acceptable for cannabis use. We know cannabis use in the workplace is frowned upon from a legal point of view because of the safety factors that are related to it and the potential for impairment. We know there are impairments with cannabis use; it's just the levels of impairment and what impact that may have on your motor skills, your ability to perform your duties and, more importantly, any issues around safety that may be relevant to the use of cannabis in the workplace.

The bill itself talks about that and the changes talk about what's happening here. The intent is to shore up the regulatory process, the definition of where cannabis can be smoked or inhaled or used; what is also considered a safe environment; and what are the regulatory restrictions by employers, and those who run particular facilities, to ensure that people have a safe environment that is smoke free of their choice. While at the same time it does respect that those who will be using cannabis, or any other type of e-cigarettes or tobacco products, do have certain rights and privileges. But they have to be segregated, restricted and noted away from those, the other parts of our society or other parts of an employer's set-up, or the general public, who would want to ensure the environment they're in is smoke free and safe.

That would happen, as noted here, around things relevant to proper signage. That would ensure that people are aware of it. There's a responsibility by the employers to do that. No doubt, I suspect there are regulations that would outline what that type of signage would look like; if it's the size it has to be, what type of printing it has to be, where it would have to be from a sightline point of view so people would be aware of it, rather than you get inside a room and then realize the signage was right next to the knob you opened, as you walked in. There would have to be some preconceived notion of the distances for proper advertising. That, in itself, would be a good motive, due diligence

and preventative safety, obviously, for anybody who's presenting this forward.

As we talked about last night in debate, again it became a whole cultural process to get to where we are and the impact that this is going to have on the other bills that we've already had debate on. We've taken some to Committee and to third reading. We have another fairly significant one that we'll spend time with over the next number of days going through, debating and getting clarification on exactly the impact that has for the use of cannabis as it becomes a legal entity in our province and in this country.

I just wanted to note, particularly as follow-up from last night, that this was about clarifying exactly the amendments to the Smoke-free Environment Act and ensuring that the employers, the general public and those who provide services in our province would know what is designated, what constitutes a smoke-free environment and what their responsibilities would be around that.

While it's similar in the same vein as smoking and e-cigarettes, there are some other additional challenges that they'd have to be aware of: what it is that they designate as smoke-free rooms and what they designate as rooms that can be used for those who will partake in either one of the three recreational uses of tobacco, e-cigarettes or cannabis itself.

I just wanted to note that I'll have a few questions here for clarification when we get to Committee, but, again, I just wanted to note that we've had some round-table discussions here. We've had a very intensive discussion and we've had a very historic discussion about where we are with this. For a small bill itself, it's very significant because it will have an impact on every sector of our society and how they address this.

No doubt, to me, it's going to be a living entity here. We're going to run into some challenges down the road of people's interpretation of what's a smoke-free room, or what distance it is from an area where people are allowed to smoke, or is it visible where people are allowed to smoke. Is the visibility versus the odours or the vapours or the smoke that can be inhaled by

other people a hindrance and what distances are a part of that?

It does take an act that we've been using for the last decade and adds the word "cannabis" which I think, as we go through over the next period of time, once cannabis becomes legal and we understand that there may have to be some other changes and other definitions added to this, we'll get a better understanding of exactly how we make legislative changes.

I just wanted to note that. When we do get to Committee I have a few questions here for clarification to ensure the people who are out there watching, and as our legislation gets promoted publicly –

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. BRAZIL: – people will know exactly what they're entitled to as we move forward.

Mr. Speaker, on that note I'll take my seat. I look forward to the hon. Member for Bonavista getting up. We'll have a good, healthy debate on this piece of legislation.

Thank you, Mr. Speaker.

MR. SPEAKER: If the hon. the Minister of Children, Seniors and Social Development speaks now she will close debate.

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

MS. DEMPSTER: Thank you, Mr. Speaker.

Given the hour of the night, I'll be very, very short on closing debate on Bill 22 that we started yesterday, Mr. Speaker, a bill that would amend the Smoke-free Environment Act.

Basically, Mr. Speaker, it's just a tiny piece of legislation here that we're amending given the *Cannabis Control Act* that's being brought into the House. There were a number of pieces of legislation that needed to be amended, for the benefit of the people watching tonight: the *Liquor Control Act* and the Smoke-free Environment.

Mr. Speaker, we'll move right along now and move this into Committee. I want to thank the Members of the Opposition, the Third Party and independent who weighed in on the bill, both yesterday and last night. I look forward to answering any questions they might have.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Thank you.

Is the House ready for the question?

The motion is that Bill 22 be now read a second time.

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

All those in favour?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: All those against?

This motion is carried.

CLERK (Murphy): An Act To Amend The Smoke-free Environment Act, 2005.

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

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

MR. HAGGIE: Now.

MR. SPEAKER: Now.

On motion, a bill, "An Act To Amend The Smoke-free Environment Act, 2005," read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill 22)

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

MR. HAGGIE: Mr. Speaker, I move, seconded by the Minister of Children, Seniors and Social Development, that the House resolve itself into a Committee of the Whole to consider Bill 22.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: It is moved and seconded by the acting House Leader that I shall now leave the Chair for the House to resolve itself into a Committee of the Whole to consider the said bill.

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

All those in favour?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: All those against?

The motion is carried.

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

Committee of the Whole

CHAIR (Warr): Order, please!

We are now considering Bill 22, An Act To Amend The Smoke-free Environment Act, 2005.

A bill, "An Act To Amend The Smoke-free Environment Act, 2005." (Bill 22)

CLERK (Barnes): Clause 1.

CHAIR: Shall clause 1 carry?

The Chair recognizes the hon. the leader of the Opposition.

MR. BRAZIL: Thank you, Mr. Chair.

I just want to ask the minister under section 5(4) it appears to denote that in a long-term care facility an operator may have designated enclosed smoking rooms for residents.

Can the minister outline how this will work? Will Eastern Health have smoking rooms for cannabis-only products?

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

MS. DEMPSTER: Thank you, Mr. Chair.

I thank the Member for the question. In long-term care facilities, basically, it will be left up to the owner or the operator to designate a smoke-free room. Right now, with our health authorities, we are 100 per cent smoke free so I don't see that changing.

CHAIR: The hon. the leader of the Official Opposition.

MR. BRAZIL: Thank you, Mr. Chair.

That's good to hear from the minister that our facilities that are now designated smoke free, regardless of the changes here, will continue that way. Perfect.

Section 4 of the bill replaces 6(2) of the act and reads: "An employer or operator shall post signs that identify designated smoking rooms and designated e-cigarette use rooms in a workplace referred to in subsection 5(2) and a facility referred to in subsection 5(4)."

My question: Can the minister please clarify the intent of this clause? Does this give employees the ability to smoke cannabis on their break while at work?

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

MS. DEMPSTER: Thank you, Mr. Chair.

No. There will be no smoking of cannabis in the workplace. We know that cannabis is a mind-altering substance. There will be an exception, I say to the hon. Member, if an owner or operator wants to designate a room, maybe a psychiatric place or something like that, but not in a worksite.

CHAIR: The hon. the leader of the Official Opposition.

MR. BRAZIL: Thank you, Mr. Chair.

As the minister was speaking I just thought of a point. What would be the difference for medical marijuana? I know we're more debating now the bigger picture, but for medical marijuana would

these facilities have the ability to designate a particular room, for long-term care for example.

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

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

The Member opposite raises a very interesting question. There is actually a Charter right effectively – through Carter, Supreme Court of Canada and Bill C-14 at the federal level – for people to have reasonable access to medicinal marijuana under the terms of federal legislation.

We have entered discussions because it may well be that where we could stipulate there would be no smoking of tobacco, we may not have that right under the legislation. We're currently working with legal counsel to resolve that.

I don't think, in practical terms, that is actually going to be an exercise for this piece of legislation, obviously, unless my colleague feels otherwise. But that is something we're looking at in Health because of the Charter and legal issues arising from the Supreme Court decisions of Carter and then Bill C-14.

CHAIR: The hon. the leader of the Official Opposition.

MR. BRAZIL: Thank you, Mr. Chair.

They are good points, too, that the minister is bringing up. Would that be part of the regulations in Bill 20 itself or where would that be contained in the rights, privileges and responsibilities by the facility and by the patient's access to medicinal marijuana?

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

MS. DEMPSTER: No, Mr. Chair, not to my knowledge. It is not included right here right in this amendment, it's just pretty straightforward. We are amending the *Smoke-free Environment Act* to include the definition of cannabis; otherwise, you'd have no law to say you can't smoke cannabis in a public place.

This bill clearly stipulates that cannabis cannot be smoked in any public place and only in a designated room in a long-term care facility if an employer or an owner so chooses. That's my understanding.

Thank you.

CHAIR: The hon. the leader of the Official Opposition.

MR. BRAZIL: I don't really have a question but I do have a comment here because this is a big part of the commentary as we go through tomorrow. The minister has brought up a very important component here, that from a legal point of view people do have rights and privileges. If they are institutionalized for whatever reason – it could be at a psychiatric institution – while we have rules and regulations that stipulate that we're smoke free, they may have other legal rights, from a medical point of view and a freedom point of view that they may have access to it.

I'm trying to figure it out. I know it's going to be a legal quandary, and it's going to be a federal jurisdiction and that, but I think it's something that we need to keep on our radar to see what impact it may have on people who are using medical marijuana who may find themselves in a particular facility that is run by government that has a certain set of criteria and policy. I just want to note that on record.

CHAIR: The hon. the Member for Mount Pearl - Southlands.

MR. LANE: Thank you, Mr. Chair.

Minister, I want to go back to something I said last night and maybe you can allay my concerns. Again, this is not so much about the smoke in terms of people necessarily breathing in the smoke and getting high, or any damage it would do to your lungs, although it's certainly not the same as cigarettes in any regard, in terms of the health effects of marijuana versus tobacco.

I'm just trying to play out a few scenarios. I'm just thinking about – somebody made reference to the fact that in a provincial park, you're on a campsite, you can have a beer now, so you'll be

able to have a toke when this becomes legal. Fair enough.

I'm wondering about, let's say if at a provincial park there's an overflow area, as an example. So you're not on your own private sort of half-secluded site. You're in an overflow area, and there are campers stacked up one next to each other and so on. I'm just wondering how that would apply?

Granted, as it's been said, I don't think everyone's going to just start smoking marijuana, but anyone who smokes the illegal stuff now probably – I'm guessing now – probably would go for a little waltz down in the woods somewhere to have their toke and come back. They're not going to be – whereas once it's legalized, anyone who has that desire to smoke marijuana, I can see a bunch of people all sat out there and smoking and whatever. Then you have people, families with children, seniors and so on, that are literally four feet away parked next to them that have to put up with the odour, more than anything else.

So I'm just wondering how that type of scenario might play out.

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

MS. DEMPSTER: Mr. Chair, the Member raises an important point.

That is why the *Smoke-free Environment Act* was put in place in the beginning in 1994, because everybody has the right to breathe fresh air and to be protected from second-hand smoke, but the thing with cannabis that we need to keep in mind is you will not be able to smoke it in a public place – and in a park would be a public place. Now a year down the road, depending what the federal government does, if there are other forums you might see someone eating a brownie in a public space. That I don't know.

I don't know if that answers your question.

CHAIR: The hon. the Member for Mount Pearl - Southlands.

MR. LANE: Well, that does answer my question, but it does conflict with what – I'm not

sure if it was the Minister of Justice, I don't want to go putting words in his mouth, but another Member, I'll put it that way. Another minister did give reference yesterday or the day before, because it's all getting kind of blurry now, this whole discussion – it was said, someone made the comment: if you can drink beer on a campsite now, then you can smoke marijuana on a campsite tomorrow when it becomes legalized.

So you can do it, and it was said you could do it. You're saying now you can't do it. I guess you can do it in a secluded campsite, but you can't do it in an overflow situation. Is that what we're saying?

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

MS. DEMPSTER: Mr. Chair, what I'm saying is you will not be able to smoke cannabis in a public place. You will be able to smoke cannabis in a place of residence. That's why when we reference a long-term care unit, if there's a designated room there that is considered that person's place of residence. At a worksite, you definitely will not be able to smoke cannabis.

CHAIR: The hon. the Member for Mount Pearl - Southlands.

MR. LANE: Okay. Just so that I'm clear, and this will be my last question. I just want clarification. What we're saying then, because – and I'm not just saying this for the sake of raising random questions, but these are the types of things – I've talked to a few people and these are some of the concerns that you would hear from the average everyday folk.

People have this fear – rightly or wrongly – that all of a sudden if I go out to the provincial park, as an example I gave, everyone is going to be blowing marijuana smoke. I'm going to have to smell that and it's going to be all around me. If I go out in my backyard, on my deck or whatever with my family, my kids are there, neighbour on this side, neighbour on that side, neighbour over on the end, they're all blowing marijuana smoke around and stinking the neighbourhood out.

If I go to Bowring Park – somebody said to me: well, what happens if I go to Bowring Park, for

example, there by the little fountain that they put in there for the kiddies to go running through the little fountains, and people sit around there on the benches, and all of a sudden there's somebody here now smoking marijuana and there are kids running around.

If what you're saying is they're not allowed to do that, then that's perfect. That answers the question, and no issue as far as I'm concerned, but people seem to have that impression that perhaps there would be people going around smoking marijuana the same as you see people going around smoking cigarettes in some of these places now.

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

MS. DEMPSTER: I guess a big difference between the tobacco and the cannabis; tobacco, as you know, can be smoked outside, on a sidewalk, on a street corner, and the cannabis is going to be treated very much like the alcohol. Not in a public place, not inside, not outside.

I do want to reference that if you are in a campsite, that will be up to the owner of that campsite if you want to smoke near your camper but in a common place, shared space, that would be no. Certain things, it will be up to the owner and the operator of those facilities.

I don't know if that answers your question.

CHAIR: The hon. the Member for Mount Pearl - Southlands.

MR. LANE: I thank the minister.

That does answer my question and it makes sense. I think that allays a lot of the concerns that I've heard from a bunch of different people in and around my district that just have some fears about how all this is going to go down. So thank you for that.

With that said, I will definitely be supporting the bill.

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

MR. K. PARSONS: Mr. Chair, I had a question last night that I talked about when I was up here speaking. It was about second-hand smoke. While we talked here tonight about alcohol is no different, tobacco is no different, you're not allowed it in public – or you can smoke a cigarette in public and you can drink a bottle of beer in public.

My question is: What effect does second-hand marijuana have on a person? Can it make them high also? It's a little bit different than what tobacco does. Tobacco is probably not good for your health but I don't think it will affect your mindset, the same thing with alcohol.

Are there any provisions or anything for people who get second-hand marijuana smoke? What happens to them? Have you looked at that at all?

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

MS. DEMPSTER: Mr. Chair, just as a preamble to the minister's question, back to what I said to the independent Member earlier about everybody having the right to breathe fresh air. That is why we are now strengthening this Smoke-free Environment Act.

There are a number of research studies that have been shared with me over the last few days as we've been getting ready to bring in this amendment. Mr. Chair, I think it's possible that maybe if somebody is smoking and blowing cannabis directly in your face in a very enclosed space with the doors shut and the windows shut, you may have a headache, is what I read or things like that. It is very unlikely you would actually get a contact high, I think, is the local term they use for that.

CHAIR: Shall the motion carry?

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: Those against?

Carried.

On motion, clause 1 carried.

CLERK: Clauses 2 through 7 inclusive.

CHAIR: Clauses 2 through 7 inclusive.

Shall the motion carry?

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: Those against?

Carried.

On motion, clauses 2 through 7 carried.

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

CHAIR: Shall the enacting clause carry?

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: Those against?

Carried.

On motion, enacting clause carried.

CLERK: An Act To Amend The Smoke-free Environment Act, 2005.

CHAIR: Shall the title carry?

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: Those against?

Carried.

On motion, title carried.

CHAIR: Shall I report the bill without amendment?

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: Those against?

Carried.

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

CHAIR: The hon. the assistant to the Deputy Government House Leader.

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

I move, seconded by the Minister of Natural Resources, that the Committee rise and report Bill 22.

CHAIR: The motion is that the Committee rise and report Bill 22.

Shall the motion carry?

All those in favour?

SOME HON. MEMBERS: Aye.

CHAIR: Those against?

Carried.

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

MR. SPEAKER (Trimper): The hon. the Member for Baie Verte - Green Bay and Chair of the Committee of 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 22 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 22 without amendment.

When shall the report be received?

MR. HAGGIE: Now.

MR. SPEAKER: Now. Thank you, Sir.

When shall the said bill be read a third time?

MR. HAGGIE: Tomorrow.

MR. SPEAKER: Thank you.

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

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

MR. HAGGIE: In light of the unseemly late hour, Mr. Speaker, I move, seconded by the Government House Leader, that the House do now adjourn.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

It is moved and seconded that this House do now adjourn.

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

All those in favour?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: All those against?

Consistent with Standing Order 9(1), this House stands adjourned until tomorrow at 10 o'clock in the morning.

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