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*Speaker: Honourable Perry Trimper, MHA*

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The House met at 1:30 p.m.

**MR. SPEAKER (Trimper):** Admit strangers, please.

Order, please!

I'd like to welcome all Members back to this House of Assembly.

We have several guests here today, but, first of all, I'm going to put a little bias into the introductions. I'd like to recognize my Deputy Speaker, the Member for Baie Verte - Green Bay, he's just returned from being inducted into the Atlantic Building Supply Dealers Association Hall of Fame.

It's a great honour, Sir.

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

**MR. SPEAKER:** And he tells me he flew on an Embraer.

Additional folks that I'd like to welcome to our gallery today, there very many guests. First of all, Michelle Baikie, who is joining us from the Board of Regents at Memorial University. I'm not sure if I spot her just yet, but she's here somewhere, I hope.

We also have several students from Mount Pearl Senior High School. They are studying social studies, ethics and philosophy, and they are accompanied by their teachers, Shane Antle and Teri Murphy.

A great welcome to you all.

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

**MR. SPEAKER:** I'd also like to welcome in the public gallery and acknowledge Dr. Mari-Lynn Sinnott and Dr. Taryn Hearn of Clinic 215 that serves the LGBTQ population, along with members of the trans community and their allies.

Welcome to you.

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

**MR. SPEAKER:** We also have a number of visitors in the gallery who are here for a reading

of a Ministerial Statement about National Social Work Month.

Please welcome representatives from the Newfoundland and Labrador Association of Social Workers: Lisa Crockwell, Annette Johns, Cheryl Mallard and President Henry Kielley; as well as Sheri McConnell from the Memorial University School of Social Work; Elizabeth Day, Clerk of the Executive Council, who began her career with the provincial government as a social worker and social workers from the Department of Children, Seniors and Social Development and the Department of Health and Community Services.

A great welcome to you.

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

**MR. SPEAKER:** And, finally, I would be remiss if I didn't identify some former colleagues in my life as a minister, I'd like to welcome all those representatives, owners and drivers associated with our very important taxi industry.

A great welcome to you in this House of Assembly.

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

**MR. SPEAKER:** I would now like to rule on a point of privilege raised by MHA Joyce on the 4th of March, 2019.

The circumstances surrounding the reports by the Commissioner for Legislative Standards were serious and have occupied the attention and resources of this Legislature for some time now. I am satisfied that the Member has raised this point of privilege in accordance with the required process.

The point of privilege is based on a recent news story and asserts that the story contains new information that affects his privileges as a Member of this hon. House. On that basis, he asks that *The Joyce Report* of October 19, 2018 and *The Kirby Report* of October 3, 2018, be referred back to this House of Assembly so that the House of Assembly can discuss the manner in which the Commissioner investigated and

presented these reports. The Member is not asking for a review on merits.

The reports of the Commissioner for Legislative Standards were tabled in this House and were the subject of intense debate and discussion. In addition, the Commissioner for Legislative Standards briefed Members in camera and, unprecedented in the last 50 years, appeared in person before the Committee of the Whole House. His remarks were, in fact, limited to the process he used and not the substance of the complaints. Members had numerous opportunities to question the CLS on his work.

The CBC news report from March 2, 2019 referred to by the Member states, and I quote: “Sources within the House’s Management Commission inform me Chaulk did tell some MHAs that” – I guess I’m not permitted to use the Member’s name, but it’s the Member for Humber - Bay of Islands – “was unable to be interviewed ....”

With the exception of the Clerk of the House, Members of the Management Commission are Members of this House of Assembly. Any questions they had about comments the Commissioner may have made in the technical briefing could have easily been raised when questioning the Commissioner or in debate on the reports. This particular issue was, in fact, raised by the Member himself multiple times in the questioning of the Commissioner and in debate. The Member for Humber - Bay of Islands had many opportunities to be heard and to raise issues in this House, and I would refer Members to *Hansard*, November 5, 2018, and the following day, November 6, 2018.

I have examined the documents tabled by the Member and note that they provide additional context in this matter. In a letter from the Member’s solicitor to the Commissioner on July 26, 2018, the following argument is presented on the Member’s behalf: We have discussed your request with our client, and the Member believes that in our reply dated July 19, 2018, with attachments, he has rebutted each of the factual allegations made by the complainant and has demonstrated that the very serious allegations made against the Member, including but not limited to political corruption, financial

irregularities and unethical behaviour, are unfounded and untrue.

The letter is very clear. It goes on to say that the Member is willing to meet or to provide a supplementary written response if the Commissioner deems that the request was not already fully addressed. The letter further states: If, however, as Commissioner for Legislative Standards, you feel that any aspect of the request for opinion has not been fully addressed, or requires further clarification or amplification, our client will agree to meet with the investigator or to respond to written questions from the investigator within the time frame indicated – end of quote.

On August 1, 2018, there is then an exchange between the solicitor and the Commissioner reiterating the above and discussing scheduling which concludes with the Commissioner stating – in quotes: Sorry for the misunderstanding on my part. I wasn’t expecting you or your client – end of quote. This is then acknowledged by the solicitor.

The Member has provided no further correspondence after this exchange to indicate that he sought an in-person meeting with the Commissioner or to submit supplementary written information. Further, no correspondence has been tabled to indicate that the Commissioner refused to meet with the Member or accept additions to the Member’s written submission.

When moving this point of privilege, the Member also tabled correspondence which occurred after the Commissioner’s report had been tabled. In this, the Commissioner responds to a query from the Member as follows –and I quote: With respect to your second question on whether or not a respondent chooses to appear in person, you were not required to appear, nor was it expected. The act provides that you can make representations to the Commissioner in writing or in person or by counsel or other representative. Your counsel provided a very extensive submission – end of quote.

On October 19, 2018, in preparation for the Member’s consideration of the reports, the Law Clerk sent a communication to all House Leaders and independent Members. The memo

outlined the process for dealing with the reports of the CLS and stated as follows: A resolution is a motion like any other, and as such is amendable. Amendments and sub-amendments may be moved. Unlike amendments to the Budget motion, there is no limit on the number of amendments or sub-amendments which may be moved, and they would be subject to the normal parliamentary rules for amendments.

Two amendments were moved to motions before the House in this case and the House voted upon and passed both of them. No amendments were moved by either the MHA for Humber - Bay of Islands or Mount Scio. Any Member concerned with the process could have moved an amendment for consideration of the House at that time.

To conclude, I do not consider the news report cited by the Member to contain any more information than what was already before this House and its Members.

Further, this House has received an extensive amount of information about this matter, debated and decided upon it. The Member for Humber - Bay of Islands accepted the sanction imposed by this House in that he apologized and attended respectful workplace training in accordance with its direction.

I, therefore, rule that there is no prima facie point of privilege to support referring *The Joyce Report* of October 19, 2018 and *The Kirby Report* of October 3, 2018 back to this House for further consideration.

This is my final ruling on this matter.

**MR. JOYCE:** Mr. Speaker, point of clarification?

**MR. SPEAKER:** I'm sorry you're not able – you have a point of order?

**MR. JOYCE:** Yes.

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

**MR. JOYCE:** In your statement that you just made that the Members of the Management Commission had an opportunity to speak in the

House, you just stated that during the debate they had an opportunity. When I wrote you, you informed me, Mr. Speaker, that they couldn't speak because it was confidential.

So, are you saying now that the Members that were in the Management Commission, which you just stated, had an opportunity to speak, can they speak openly now?

**MR. SPEAKER:** Sir, I don't see this as a point of order, per se.

As I said, my ruling is final and –

**MR. JOYCE:** (Inaudible.) I am asking for clarification of what you just stated. You stated in the report that –

**MR. SPEAKER:** Again, Sir, I say my ruling is final.

**MR. JOYCE:** I'm asking for clarification (inaudible).

**MR. SPEAKER:** You'll have to take it up outside of these proceedings.

Thank you.

### Statements by Members

**MR. SPEAKER:** For Members' statements today I would ask to hear from the following Members for Ferryland, Humber - Bay of Islands, Bonavista and Mount Pearl - Southlands.

The hon. the Member for Ferryland.

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

I rise today to recognize Joshua Power, who was chosen as a Youth Service Leader by 4-H Canada.

Last year, 4-H Canada launched Hands to Larger Service program which is funded through the Canada Service Corps by the Government of Canada. Its goal is to select and train Youth Service Leaders aged 18-25 to co-create the community-focused service programs across Canada.

Last year, Joshua participated and was paired with the Hanna District 4-H club in Youngstown, Alberta, where they planned and completed a community park beautification project. This year, he will be working with two clubs in Ontario, the Wellington County 4-H in Guelph, and the Rocklyn 4-H club in Rocklyn.

Growing up, he was a member of the I. Sullivan Memorial 4-H Club in Calvert for 15 years. He has represented the province at many national 4-H events. He was provincial representative on the 4-H Youth Advisory Committee, and completed his two-year term in February.

Joshua exemplifies the well-rounded, innovative and leadership-driven young Newfoundlanders and Labradorians we have in the province. I want to recognize Joshua and so many other youth in our province who are making significant contributions.

Mr. Speaker, I ask all my colleagues here in the House of Assembly to join me in congratulating Joshua Power on his leadership and commitment to his community involvement. We wish him well in all future endeavours.

Thank you very much.

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

**MR. SPEAKER:** Thank you.

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

**MR. JOYCE:** I rise today to recognize Mr. Robert Barrett of Gillams who was recently named the new Illustrious Potentate of the Mazol Shriners of Newfoundland and Labrador.

A native of Bishop's Cove, Conception Bay, Robert has been a member of the Shriners' organization for over 26 years. He joined the Masonic Order of Freemasons in Halifax in 1985 as served as Master with the Mother Lodge of Duke of Kent #12. He is a member of Lodge Corner Brook #11, and Milley Chapter #2, Royal Arch Masons. Robert is also a member of the Crossroads Preceptory #80 Knights Templar where he served as eminent Knight.

This summer, Robert will preside over events being held in Corner Brook as the Long Range Shrine Club will host the Northeast Shrine Association, which includes members from Eastern Canada and the Northeastern United States.

As we know, Shriners are committed to helping children with serious medical issues such as orthopedic conditions, serious burns and spinal cord injuries. To quote a recent statement Robert made in the media: "It's helping children that remains the most important aspect of all they do."

Mr. Speaker, I ask all Members to join with me in congratulating Robert on his appointment and wish him well over the coming months as he serves this wonderful organization.

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

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

**MR. KING:** Mr. Speaker, it's a distinct honour to stand here today and recognize Ross Abbott of Bonavista. Ross is no stranger to the Bonavista region, being known for his countless hours of volunteerism and community service.

It is safe to say that Ross is a fixture with Memorial United Church where he is the organist, active participant in all activities, and puts together one of the most impressive yard sales you'll ever see at Bailey's Cove church hall.

However, since 2009, Ross has become equally known for his documentation of history in Bonavista and surrounding communities, as well as the province. His historical curation doesn't happen at a local museum, it happens through social media on Facebook. This all started with one photo and, 10 years later, Ross has a digital archive of over 49,000 photos spanning generations.

This archive ranges from school pictures, boats, buildings, community events, Sea Cadets, war veterans, postcards and many others. Families have given Ross their photo albums and it's certainly interesting to see how people changed through the years.

Please join me in recognizing Ross's commitment to his community and preserving our history.

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

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

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

It gives me great pleasure to rise in this hon. House to recognize the accomplishments of nine individuals who have given their time and talent to the sport of hockey in the City of Mount Pearl.

Four of these individuals, Harry Bartlett, Gerry Evans, Bonnie Evans and Mimmie Styles have been inducted into the Mount Pearl Minor Hockey Hall of Fame in the category of Builder; three others, David Bailey, Terry Ryan Jr. and Roy Smith in the Player category; as well as two others, Doug Brett and Randy White, in the Officials category.

Hockey, like many other sports, provides tremendous benefits to our youth, not only from a health and wellness perspective, but also in providing life-long lessons such as the value of hard work and commitment and in working as part of a team.

Through the tireless efforts and unwavering commitment of these Hall of Fame inductees, many young people in my community have benefited from both a physical and social point of view and have gone on to be very healthy, well-rounded and productive citizens.

I would ask all Members of this hon. House to join me in commending these individuals for their contribution to this great sport and in congratulating them on being inducted into the Mount Pearl Minor Hockey Hall of Fame.

Thank you, Mr. Speaker.

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

**MR. SPEAKER:** Thank you.

Statements by Ministers.

### Statements by Ministers

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

**MS. GAMBIN-WALSH:** Mr. Speaker, while the rising cost of insurance premiums for the taxi industry has been a problem for a long time, our government is the first administration to deal directly with the matter by trying to find solutions.

In 2017, our government initiated a review of the auto insurance system by the Public Utilities Board, which placed a specific focus on the taxi industry, including a closed-claims study specific to taxi operators.

The findings of the PUB report demonstrate that the insurance pressures facing the taxi industry have been ongoing for more than 20 years. Mr. Speaker, one such pressure is reliance on Facility Association – an unincorporated non-profit organization of all automobile insurers. The organization is an insurer of last resort. However, Facility Association currently –

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

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

**MS. GAMBIN-WALSH:** – insures over 95 per cent of the taxi industry in Newfoundland and Labrador.

After making no rate applications between 1993 and 2012, Facility Association has filed for rate increases almost yearly since then. The total cumulative rate increases over the period 2012 to 2018 is approximately 244 per cent.

Along with the insurance review, we also met with representatives of the taxi industry on a number of occasions and together implemented a number of measures to help strengthen the industry.

Effective July 1, 2018, there were policy amendments focusing on skilled drivers, experience in driving in provincial road conditions, driving history, passenger safety and safer vehicles. A zero-tolerance policy for drugs or drugs and alcohol when operating a taxi came into effect on December 18, 2018.

In *Budget 2018*, government approved a one-third reduction in the tax on auto insurance over four years. This will particularly benefit those paying the highest rates such as taxi operators.

Mr. Speaker, our government remains committed to working with stakeholders in bringing forward changes to legislation during this sitting of the House that will benefit consumers of insurance in Newfoundland and Labrador, including taxi operators.

Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you.

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

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

**MR. CROSBIE:** Mr. Speaker, I thank the minister for a copy of her statement.

It's been six weeks since the minister received the PUB report on the Review of Automobile Insurance in Newfoundland and Labrador. We are glad the minister has had an opportunity to review the report but when will we get the benefit of her deliberations?

From the minister's statement, one would think everything is good with taxi insurance. If so, why are taxi operators here today?

The PUB has said it is clear that the taxi industry is in crisis. The minister notes a cumulative 244 per cent increase from 2012 but nothing else in the minister's statement indicates whether she agrees with the PUB that there's a taxi industry crisis.

The 15 per cent insurance tax is a burden this government imposed, taking one-third off is not enough. The government should join the PC Opposition in committing to remove the tax completely and immediately.

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

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

I just do remind all visitors, we are really happy to see you here, but you're not to express any reaction to what's going on in the proceedings.

Thank you very much.

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

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

I thank the minister for the advanced copy of her statement. As the PUB said in its report, and which the minister didn't mention: Government and the taxi operator's first steps to strengthen the taxi industry will lead to lower costs in the long term, but it is unlikely that these actions will result in immediate measurable reductions in the loss to taxi operators in the present.

The measures the minister is talking about today reflect that prediction. Clearly, much more is going to have to be done to support taxi operators.

I'm glad to hear the minister say that government remains committed to working on this problem, but are we going to see substantive and meaningful changes in legislation which will really make a difference to the taxi operators?

Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you.

Further statements by ministers?

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

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

Today, I rise to pay tribute to our province's 1,500 social workers during National Social Work Month.

This year, the Canadian Association of Social Workers have chosen the theme "Real People. Real Impact."

This theme reminds us that social workers, who are dedicated to enhancing the health and well-

being of individuals, families and communities, are also our neighbours, our friends and family members, and are committed to working with people and communities to make the world a better place.

“Real People. Real Impact.” also refers to the individuals that social workers interact with on a daily basis, people who are diverse, complex and accomplished through their lived experience. It helps us remember that they are more than clients; they are valued members of our society.

Mr. Speaker, throughout Newfoundland and Labrador, social workers can be found in a variety of settings, including hospitals, community centres, government departments, universities and private practice. They work in a variety of practice areas such as adult and youth corrections, child welfare, addictions and mental health. Social workers may also be engaged in community development, policy development, education and many other paths.

In my own department, I have witnessed the commitment and dedication of social workers on a daily basis, and I am so very grateful for, and appreciative of, the valuable work that they do. I also extend my appreciation to the many community partners who work alongside us in the field of social work, some of whom are here with us today.

Mr. Speaker, I encourage all social workers to participate in the many activities taking place during Social Work Month, and I ask all hon. Members to join me in recognizing our many social workers for their ongoing service in society.

Thank you.

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

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

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

I thank the minister opposite for an advance copy of her statement. Mr. Speaker, all Members on this side of this House, of course, join the minister in celebrating Social Work Month and their theme of “Real People. Real Impact.”

Mr. Speaker, social workers touch virtually every facet of our lives from community practice to clinical settings. These trained professionals deal with some of the most complex individuals in our society on issues ranging from mental health and addiction challenges to child protection and corrections.

Mr. Speaker, as the minister noted, social workers are also our friends, neighbours and members of our community. Collectively, they are working hard to make our communities across the province a better place. However, Mr. Speaker, I also note the challenges of social workers in having the necessary supports, supervision and reasonable caseloads in going about their careers. Government must continue to work collaboratively to address these concerns in our society as our society becomes more complex and challenging.

Mr. Speaker, I have worked with a number of social workers in the past and I want to personally applaud the 1,500 social workers in our province during National Social Work Month.

Thank you.

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

**MR. SPEAKER:** Thank you.

The hon. the Member for St. John’s Centre.

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

I thank the minister. Thank you to all the social workers around the province who work for the people of our province, often under great pressure of huge caseloads and limited resources, but with passion and compassion.

Social workers not only work within existing systems but they are also champions of challenging those systems to change and to adapt to the real life needs of our people.

Thank you to all the social workers who dare to resist, insist and persist for social justice and equality for all people.

“Real People. Real Impact.”

Bravo, Mr. Speaker.

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

**MR. SPEAKER:** Thank you.

Further statements by ministers?

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

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

Mr. Speaker, the Newfoundland and Labrador Association for Community Living, a non-profit organization that works with and on behalf of individuals with an intellectual disability and their families, is inviting nominations for the 2019 Inclusive Education Award.

Each year, the award is presented to a K-12 school in Newfoundland and Labrador for their outstanding efforts to develop and design their classrooms, their programs and activities so that all students can participate in all aspects of school life.

Mr. Speaker, this government supports safe, caring and inclusive environments enabling all students to reach their full potential. As part of our Education Action Plan, the department is developing a new policy on responsive teaching and learning for all students, based on the philosophy of inclusion and meeting the needs of all students. We are working closely with teachers in Phase I schools to gather their feedback to ensure the new policy will meet the needs of students.

While the implementation of inclusive educational practices has improved considerably, it is important to continually strive to break down barriers and identify opportunities to implement proven approaches to teaching and learning for all students.

I encourage students and teachers to celebrate inclusive education and apply for the Inclusive Education Award. The deadline for submission is April 12. Information about the award and the new guidelines are available on Newfoundland and Labrador Association for Community Living website.

Thank you, Mr. Speaker.

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

**MR. SPEAKER:** Thank you.

The hon. Member for Fortune Bay - Cape La Hune.

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

I thank the minister for an advance copy of his statement. Mr. Speaker, we, on this side, are also pleased that the Newfoundland and Labrador Association for Community Living is now welcoming nominations for the 2019 Inclusive Education Award.

This association promotes a vision of communities where everyone belongs, have a rightful place and where families support a person's right to full citizenship with society. The association's work on behalf of people with intellectual disabilities and their families has been nothing short of outstanding.

I join with the minister to encourage the public to nominate individuals in the education community for such an important award with such a wonderful group.

Thank you, Mr. Speaker.

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

**MR. SPEAKER:** Thank you.

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

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

I, too, thank the minister for the advance copy. I congratulate the Newfoundland and Labrador Association for Community Living on their 63 years of advocacy for equality and inclusion. I commend the applicants who will come forward for this award, for their efforts to break down barriers in their schools.

I hope government will share concretely their commitment to inclusive education by providing the necessary resources to properly implement

the new policy on responsive teaching and learning.

Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you.

**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.

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

**MR. CROSBIE:** Mr. Speaker, the Public Utilities Board completed its review of auto insurance rates on January 29 after six weeks of consideration.

Can the minister provide an update on specific actions being considered?

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

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

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

Yes, there's been quite a bit of work that's been going on within government since the release of the report by the PUB. It's not lost on me or those people watching today that the irony in all of this is the PUB does some great work. But we also know that it was the former PC Party that actually kicked the PUB out of some very thorough and important discussions just a few years ago prior to the sanction of Muskrat Falls.

But, Mr. Speaker, I want to say to the taxi industry, we want to work closely with them. The minister has already made comment about some 244 per cent increase that is driven primarily by third-party liabilities, and I look forward to the next question from the Leader of the Opposition.

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

**MR. SPEAKER:** Thank you.

The hon. the Leader of the Official Opposition.

**MR. CROSBIE:** Mr. Speaker, we, in this province, have the highest auto insurance rates in Atlantic Canada, we are told.

When will the minister, or the Premier for that matter, inform the public about potential future changes regarding auto insurance?

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

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

There is no question, and as I just mentioned as I was finishing up the last answers, that since 2012 the taxi industry has seen some 244 per cent increase, and that rate is unsustainable to the industry. It's been clearly outlined by meetings that the minister has had.

And by the way, Mr. Speaker, I understand the industry has got a request for a meeting with me, certainly one I'd be more than willing to take as we can fit that into the schedule. I think it's the appropriate thing to do –

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

**PREMIER BALL:** – to listen to the concerns of the industry, just like we've been meeting with the legal industry – the lawyers, and I'm sure the Member opposite would be very familiar how those discussions would go.

We're already meeting with the insurers, as well, to come to a solution. It's been mentioned already, this is a 20-year problem that's been in the making. We want to work with industry; we want to work with people in this province to find a solution.

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

**MR. SPEAKER:** Thank you.

The hon. the Leader of the Official Opposition.

**MR. CROSBIE:** Mr. Speaker, of course it's not only taxi drivers and people in that industry who are greatly vexed by the cost of insurance. It

affects families with young drivers, seniors and others.

Can the Premier or the minister give some indication as to what the plan is to help those citizens?

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

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

Well, I think the Leader of the PC Party would know, going back to 2015, this province faced some unprecedented challenges, and I think the Leader of the PC Party knows why we faced those difficult challenges. We were facing a \$2.7-billion deficit. I am sure he knows the history of what we've had to deal with.

The taxation on insurance right now is just over \$60 million. If you want to remove that tax, I say to the Leader of the Opposition, Leader of the PC Party, where would you replace that money? We are taking it back; we are doing it stable.

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

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

**PREMIER BALL:** We are doing it in a sustainable fashion. Because in the backdrop of all this, we've taken most of the tax right now off gasoline that was there. We are trying to create a foundation for this province, Mr. Speaker.

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

**MR. SPEAKER:** Thank you.

I remind all Members the Speaker is not in a good mood today, so I will not tolerate heckling or interruptions.

Please proceed.

The hon. the Leader of the Official Opposition.

**MR. CROSBIE:** As the hon. Premier has recognized the cost of insurance is a serious concern for taxi operators and others, and he mentioned the figure, which was adverted to in the Ministerial Statement, of a 244 per cent

increase in recent years, we've been told by taxi operators that it can cost up to \$12,000 per year to insure.

What measures are being considered by the minister or the Premier to address specifically this problem?

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

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

But just acknowledging the fact that when you look at the magnitude of the problem here, you'd understand that the only solution that the Leader of the PC Party just mentioned is only a small part of this. It's an important part of it, but some of this is within the controls of government, Mr. Speaker. Some of it we have to work with the industry to find solutions to all of this.

As I said, this problem goes back to 20 years. I look forward to meeting with the group, Mr. Speaker, because I'm sure that there will be some solutions that will come with this.

But I would say, and remind the Leader of the PC Party right now when he just stands up there and says I'm going to reduce \$60 million here, I'm going to take another \$150 million somewhere else, I'm going to balance the books of this province – which is what he said, he would put a ceiling on debt, that he would balance the books next year. Before you sit in your chair, Sir, I would say make no promises (inaudible).

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

Sorry, your time has expired.

The hon. the Leader of the Official Opposition.

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

**MR. CROSBIE:** I counsel a little patience to the hon. the Premier. All will be revealed in good time.

Can the Premier give the public some clarification as to, if not an exact time frame, an approximate time frame, within which this whole complex of issues around the cost of auto insurance will be addressed?

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

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

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

We've already laid out some of the plans about reducing the tax on insurance. Some of that work has already been done. Of course, there will be a budget and lot of those decisions feed into budget 2019, Mr. Speaker. I am guessing that if things – Mr. Speaker, there are many things, no matter what we put, would be good and good for the people in this province.

We mentioned earlier about some of the most vulnerable that we have in our society. We put \$121 million to support low-income people and seniors in our province, Mr. Speaker.

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

**PREMIER BALL:** The Opposition, Mr. Speaker, did not vote for that. They actually voted against that, Mr. Speaker, so that gives you an idea.

We are in an election year, Mr. Speaker, I understand that and it's easy for the Leader of the Opposition to stand there without any accountability and be grandstanding.

**MR. SPEAKER:** Thank you.

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

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

**MR. CROSBIE:** This is a little bit technical so either the minister or the Premier, if he wants to come to the plate on it.

The only auto insurance coverage – 95 per cent anyway – available to taxi operators is through Facility Association, which is referred to as the insurer of last resort. Taxi operators are frustrated by lack of alternatives.

Can either the minister or the Premier explain why operators are limited to being insured through Facility?

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

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

Well, I'm sure the Leader of the PC Party will be very familiar with the insurance system in Newfoundland and Labrador. He had mentioned already that the rates in Newfoundland and Labrador will be the highest in Atlantic Canada, and these statistics that he's mentioning here, Mr. Speaker, are well known to everyone that's associated with this.

I think the Leader of the PC Party is also aware of the role that Facility plays in providing insurance within the system that we have within our province. That is true for all those other provinces within Atlantic Canada as well.

What we're seeing here is we saw insurance increase freezes going back into the '90s, which led into and bleed into some of the problems that we're trying to deal with here today.

Mr. Speaker, this is the first government to look for a solution. We've got the PUB involved, Mr. Speaker. We are committed to working with industry to work and find a solution to stabilize and, hopefully, lower insurance rates in this province.

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

**MR. SPEAKER:** Thank you.

The hon. the Leader of the Official Opposition.

**MR. CROSBIE:** Thank you to the Premier.

Taxi operators are also upset with what they believe is a lack of recognition being given to good driving records. The Consumer Advocate recently stated taxi drivers whose records are without blemish are bearing a burden under the current system.

What will the minister or the Premier and his government do to correct this perception of injustice?

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

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

This is why it's important to look at the ideas and the solutions that will come from the

industry. I agree, that when you have a driver that works within the taxi industry, that has a good driving record, they should not be bear the consequence of those that are responsible for driving those claims up.

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

**PREMIER BALL:** Mr. Speaker, I understand that. That goes without saying. That is the reason why this government got the PUB involved. This government is engaging with the industry, Mr. Speaker, and it's the reason why I am more than willing to sit down with the industry to look for the solutions.

If there's anything that I have learned in the last 3½ years, if you want to make a difference in this province, set it up for a good future, is work with industries of all sorts within this province.

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

**MR. SPEAKER:** Thank you.

The hon. the Leader of the Official Opposition.

**MR. CROSBIE:** Hear, hear indeed on that point, Mr. Speaker, about the injustice of not taking into account unblemished records.

The PUB suggested in its report that government may wish to immediately begin consultations with stakeholders to identify solutions to the current crisis in the taxi industry.

Is that something the minister is considering or has already initiated?

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

**MS. GAMBIN-WALSH:** Mr. Speaker, my officials in my department have met with the insurance industry. We've met with the legal industry. We've met with taxi operators. We've met with a number of interested individuals in this piece of legislation.

The Member opposite knows the procedure for bringing legislation into this House of Assembly. He knows we are working on this legislation. He knows we are going to bring it to Committee and he knows that I have committed

publicly to bringing this into the House of Assembly this sitting.

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

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

**MR. CROSBIE:** The government's 15 per cent tax on insurance premiums has worsened the situation.

Will the minister join the Official Opposition and commit to completely removing the tax on insurance, immediately?

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

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

I would love to eliminate the tax, Mr. Speaker. The reality is the Leader of the PC Party has committed to reducing government spending by what government's revenues are. By reducing the tax, it further reduces government's revenues to almost \$700 million. That's almost the entire budget of the Department of Education, I say, Mr. Speaker.

What is the Leader of the PC Party going to cut? How many people is he going to lay off to fulfil that election promise?

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

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

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

This government made the cost of driving more expensive with the introduction of the 4.42 cent per litre carbon tax on gasoline.

Will the minister admit that this decision to swap this gas tax into a carbon tax was about revenue generation and not about emission reduction?

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

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

Well, I can say quite comfortably that if we had to go with the backstop that was going to be imposed on us by the federal government, we would've paid a lot more than we are paying today, I can guarantee you that.

The fact that we've been able to negotiate, with your help as well, Mr. Speaker, a made-in-Newfoundland-and-Labrador carbon plan, we have saved this province and the taxpayers of this province a considerable amount of money.

Thank you, Mr. Speaker.

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

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

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

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

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

If they would have gone with our approach, they'd be paying nothing.

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

**MR. PETTEN:** Consultations on climate change action policy clearly showed that if a carbon tax was collected, people wanted those carbon tax revenues to be used to reduce other taxes, or support climate change initiatives, rather than for general revenues, is in the What We Heard document. Yet, your government has decided to put the money in general revenue anyway.

Can the minister explain how putting carbon tax money in general revenue combats climate change?

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

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

Obviously, he hasn't read our climate change plan. He has not read it because what he's saying today, Mr. Speaker, is absolutely not true. The monies that we're collecting through our carbon plan will be used to address the 33

actions in our climate change plan to reduce greenhouse gas emissions.

That's where the money is going, Mr. Speaker. We're committed to that and we're committed to the environment.

Had we gone – and I'll say it again – had we gone with the federal backstop program and plan that was going to be imposed on us, we would be paying a lot more.

Thank you, Mr. Speaker.

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

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

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

The minister maybe should consult with the Minister of Finance who stood in this House and told us that revenue would be going in general revenue. Maybe he needs to consult with his Minister of Finance because that's what we're being told.

Isn't the carbon tax really just a tax grab, Minister, to increase general revenue?

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

**MR. LETTO:** I guess I should have answered that question the last time because that's the exact answer I gave. Mr. Speaker, he needs to read the climate change plan.

In the climate change plan there are 33 actions to reduce greenhouse gas emissions. The money that's going to be accumulated through the carbon plan will be used to do just that.

Yes, it may go into general revenue, absolutely, but it has to go into the general revenue. There's nowhere else for it to go. The fact that it's going into general revenue, Mr. Speaker, doesn't mean

–

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

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

**MR. LETTO:** – it's going to be used for general purposes. It's going to be used –

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

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

**MR. LETTO:** – Mr. Speaker, to address the 33 actions in our climate change plan to reduce greenhouse gas emissions. That's what it's going to be used for.

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

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

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

I guess he answered the question. We all need to read up on stuff and I think the minister really does need to crack down and start reading his briefing notes, but we'll wait for that.

Mr. Speaker, last week, to the surprise of many, the Minister of Municipal Affairs and Environment announced more public consultation of banning single-use plastic bags and said he leads by consultations and makes no apologies for it.

Did the minister consult with his counterparts in other Atlantic provinces on what was their input?

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

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

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

Again, I guess the cheap shots are continuing again today. If you want to talk about reading briefing notes, well maybe he should start reading the plan.

Mr. Speaker, yes, I make no apologies, and I made them, no apologies for holding consultations, none whatsoever. That's exactly what we were asked to do in deciding whether to implement a ban on plastic bags or not. We're doing exactly what was asked of us and I make no apologies for it.

Thank you, Mr. Speaker.

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

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

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

Mr. Speaker, last week, the minister also stated that Prince Edward Island had brought in a ban and learned from their implementation that they did it too quickly. The feedback they're getting is that they did not do enough consultation. What the minister said has now been contradicted by the PEI minister of Environment.

Minister, how do you explain this?

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

**MR. LETTO:** Mr. Speaker, I have no intentions of getting into an argument with the Environment minister in PEI.

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

**MR. SPEAKER:** Order.

**MR. LETTO:** They made their decisions to bring in a plan without consultations, Mr. Speaker. And just to set the record straight, when the bill was entered into the House, it came in with no consultations and it ended up making amendments in third reading – amendments in third reading.

Mr. Speaker, when this bill comes to the House, when and if this bill comes to the House, there'll be no need for amendments.

Thank you.

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

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

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

Mr. Speaker, PEI's minister of Environment is not only encouraging the minister of our

province to do the right thing, ban single-use plastic bags, municipalities in Newfoundland and Labrador have been calling for the ban for years. The Canadian Federation of Independent Business no longer oppose the ban.

So, Minister, why the delay?

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

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

Just to finish off on that last point, one thing that did happen in PEI was they had to delay it six months because they didn't do the consultations, Mr. Speaker.

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

**MR. LETTO:** And it was because of businesses that had no input. It was because of the fees that were being charged to consumers to address the issue.

Mr. Speaker, Municipalities Newfoundland and Labrador, the municipalities of this province have the authority today to implement a ban if they so wish.

We are looking at implementing a province-wide ban, and we'll do just that, but we won't do it without making sure that we have the input from all our citizens, all our businesses, whether it's the CFIB or the Retail Council of Canada. We will do it through consultations.

**MR. SPEAKER:** Thank you.

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

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

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

So what exactly is the minister looking for in this new round of consultations? Is he looking for a reason not to proceed with this ban? Is that the real reason we're doing more consultations, Minister? Are you looking for some backstop for this to say no?

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

**MR. LETTO:** This government has never said no to a ban.

Mr. Speaker, what we are talking about here is three weeks of consultations – three weeks, Mr. Speaker. It's not three years, three months or decades; it's three weeks. We've had considerable feedback on our survey. We've had over – I think it's almost 1,800 responses through the survey right now. We are, as we go, doing some work on those surveys.

The feedback that's coming back to us will be quite valuable when we go to implement, if and when we do, implement this ban and develop the legislation that goes with it.

Thank you.

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

**MR. SPEAKER:** Thank you.

The hon. the Member for Conception Bay South.

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

The Minister of Justice is reported as saying he doesn't care about staff concerns if the Marine Atlantic offices move to Port aux Basques.

I ask the Premier: Where would the provincial government prefer to see this office?

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

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

Very happy to stand up and talk about Marine Atlantic. It's interesting because the Member opposite actually put out a press release insulting every person in Port aux Basques the other day, calling it a struggling community.

When I did the interview, what I said is that the decision should be made by looking at what is the best financial move to ensure that Marine Atlantic has the lowest rates possible to ensure that people and goods are coming back and forth.

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

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

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

The minister – he won't admit to, he insulted ever so many staff people who work at Marine Atlantic. I won't go down that road but everyone knows what he said when he was asked a question about those staff.

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

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

Proceed.

**MR. PETTEN:** Thank you.

The heckling is allowed on one side, I guess, is it? Yeah.

Anyway, Premier, has the provincial government discussed the location of the Marine Atlantic office with the board chair?

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

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

Do you know what? Any time I can stand in this House and talk about the value of Marine Atlantic to the people of this province is a good day, and what I can say is that most of the Members on this side – I look at the minister, I look at the Premier – we have had conversations with our federal counterparts, with the board of Marine Atlantic, with the staff of Marine Atlantic.

What I would say is, it's interesting, at no point has any Member on the other side had a meeting with Marine Atlantic any time in the last five years.

Thank you, Mr. Speaker.

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

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

The hon. the Member for Conception Bay South.

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

Premier, are you aware of a consultant report commissioned by the Marine Atlantic board examining a potential move of the headquarters? Have you seen the report and what are the recommendations?

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

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

My understanding from being interviewed on this is that there is a report being done to determine what's the best option for the headquarters. The goal is to ensure that Marine Atlantic rates are reduced.

What I find interesting is that the rates went up while Mr. Harper was the prime minister, and the Leader of the PCs actually wanted to run for that party, so let's talk about that irony.

Thank you.

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

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

The hon. the Member for Conception Bay South.

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

The government needs to realize these rates have been on the increase for the last three-plus years, since they've been in government, and they've said nothing – zero.

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

**MR. PETTEN:** Members over there made a career on bashing Marine Atlantic and all of a sudden for the last 3½ years they don't say anything. So, I'll leave –

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

**MR. PETTEN:** Yeah, who is that? Yeah, that's right.

Most of our food in the province arrives on tractor-trailer and it has been reported that commercial rates for Marine Atlantic are going up. Compounding the problem of getting fresh food to our province is the Liberal's carbon tax.

I ask the minister: What is your government doing to prevent the cost of living to increase even further?

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

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

Again, I'm happy to stand up and talk about Marine Atlantic because living in Port aux Basques, one of the two hubs of Marine Atlantic in this province, I'm glad to talk about it and realize its importance, but, again, it's interesting, the cost recovery for Marine Atlantic is 65 per cent. It went up while they were in government and didn't have any meetings with the feds. It went up while Mr. Harper was the prime minister and there are people on that side that wanted to be on his team.

So, let's talk about that, and, again, I say to the Member opposite, perhaps what you should do is actually meet with Marine Atlantic at some point –

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

**MR. SPEAKER:** Order.

**MR. A. PARSONS:** – because you've never done so.

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

**MR. SPEAKER:** Let's just turn the temperature down just a few degrees here, please.

The hon. the Member for Mount Pearl North.

**MR. LESTER:** Mr. Speaker, today in *The Telegram* there was a heart-wrenching story of a mother who's desperately waiting for a NLHC transfer to a unit with one floor since last year. As reported by *The Telegram*, this lady has a daughter with autism, developmental disabilities and this young girl also experiences seizures,

which makes climbing stairs in the current unit dangerous.

Mr. Speaker, is the minister aware of this case? If so, when did the minister become aware?

**MR. SPEAKER:** The hon. the Minister of Children, Seniors and Social Development for a quick response, please.

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

The Member knows that I can't stand on the floor of this House and speak to an individual circumstance. What I can tell this hon. House is we have a group over in Housing that deals with some very difficult cases.

When somebody comes and makes application to Housing or when they request a transfer, there is a process, Mr. Speaker, in place. I'll even actually say this: Sometimes a unit is offered to somebody and that may not be suitable and then it has to start again.

During the application process, Mr. Speaker, the individual applying gets to indicate whether it's mobility issues, accessibility, whatever it is. I'll use St. John's for an example. They get to check boxes and say whether their preference is to live on the east end, the west end or central, and that gives the individuals more options for units.

We continue to work, Mr. Speaker, to place people (inaudible).

**MR. SPEAKER:** Thank you very much.

Your time has expired.

Thank you very much.

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

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

**MS. ROGERS:** Mr. Speaker, Newfoundland and Labrador is the only province left in Canada making it mandatory for trans people to have their assessments for gender-affirming surgery done at CAMH in Toronto. Even Ontario does not require their trans people to go to CAMH for assessment. There is no longer any medical

reason for assessments to be done out of province.

I ask the Minister of Health and Community Services – he’s been promising to make changes for a while now. I ask him why is he dragging his feet on this.

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

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

We inherited some legislation which is really quite old in this regard. I have met with advocates, some of whom are actually in the gallery today. I have also met with Gemma Hickey and they were very supportive of our approach.

We are crafting changes to the regulations to remove requirements for out-of-province assessment. We are also changing our approach to insured services for what surgery will be available in the province. It’s a work in progress and I’m sorry if the Member opposite feels we’ve not moved fast enough, but we are on the right track, Mr. Speaker.

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

**MR. SPEAKER:** Thank you.

The hon. the Member for St. John’s Centre.

**MS. ROGERS:** Mr. Speaker, he’s been dealing with this for 3½ years and it’s affecting people’s lives.

Requiring our trans people to go to CAMH creates unnecessary wait times, extra stress and extra cost to individuals and the province. Several health care providers here are willing to do the assessments and are qualified as per criteria of the World Professional Association for Transgender Health, which is the world standard for this work. The minister has known this for years and those advocates and those health care providers are asking for it.

I ask the minister: Will he commit to making all necessary changes to the act so trans people can

have assessments done in-province before this House closes.

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

**MR. HAGGIE:** Mr. Speaker, I’m delighted to support that move. That’s been where we have been going. I would take some issue with the timeline that the Member opposite references, but the facts of the case are we have already opened up a wide arrange of transgender surgeries for those people who are in need of it. The assessment process is the piece we are working on and that, unfortunately, was enshrined in very outdated legislation which we are in the process of changing.

**MR. SPEAKER:** Thank you.

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

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

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

I ask the minister again to clarify his answer.

Is he committing and promising to have that act changed before this House closes?

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

**MR. HAGGIE:** Mr. Speaker, I’m quite happy to move as expeditiously as the speed of government will allow.

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

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

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

Trans people and their allies have been waiting for this for years and the minister knows this. It’s not a new issue.

Mr. Speaker, the new *Correctional Services Act* was passed in 2011 based on the 2008 *Decades*

*of Darkness* report, but the previous government never proclaimed it.

This current government has already had 3½ years to enact it, but haven't also. Only now we are hearing there will be amendments to that act.

I ask the minister: Will the new *Correctional Services Act* actually come into force this spring or will his government continue their decade of foot-dragging?

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

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

I'm happy to stand up and speak to this very important topic. The *Correctional Services Act* was debated in this House in the spring of 2011, before many of the Members in this House were actually even here. But the fact is that the Opposition did not do any regulations for the remaining four years after that. That piece of legislation had a five-year statutory review.

When we took office beginning in 2016, we were reviewing the legislation anyway. What we have done since that time with disciplinary segregation, new policies, administrative segregation. Just today, dealing with these issues, we launched a bail supervision program and a program for electronic monitoring, something that was cut in 2013.

Thank you.

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

**MR. SPEAKER:** The hon. the Member for St. John's Centre for a quick question, please.

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

The act still remains unchanged and not enacted.

I ask the minister then: When will he be releasing a female offender strategy that is called for with gender and trauma-informed interventions, programs and services?

**MR. SPEAKER:** The hon. the Minister of Justice and Public Safety for a quick response, please.

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

What I can say is that when it comes to inmates in this province, male and female, we're taking every step we can to ensure that the general way of thinking, when we talk about incarceration, when we talk about punishment – we're moving away from that and we want to talk more about rehabilitation. We want to talk about the fact that we have significant pressures in the incarceration system, in the corrections system when we have facilities that were built before Canada.

What we are doing is working with advocates, community members and the staff to make sure that our places of incarceration is better and we'll continue to do that work.

Thank you.

**MR. SPEAKER:** Thank you.

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

**MR. SPEAKER:** The time for Oral Questions is over.

Thank you.

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

**MR. JOYCE:** Mr. Speaker, I'm standing on a point of order. I'm definitely not challenging your ruling, but I'm going to ask for clarification because statements were made in the House and you have to rise.

The statement you made in the House was that the Members of the Management Commission could have spoken during the debate. That was the statement that you made in the ruling. Mr. Speaker, I just want to read a letter that you wrote me –

**MR. SPEAKER:** I'm sorry Sir, but I don't see this as a point of order. My ruling was very clear, very thorough. It's available in *Hansard*. I can also have it emailed to you to review. I

would propose that would be a venue to deal with it. I don't see further debate on the ruling.

**MR. JOYCE:** It's not debate; it's clarification. I am looking for clarification from you, Mr. Speaker.

**MR. SPEAKER:** Again, Sir, my ruling was very thorough. I would ask you to take your chair.

Thank you.

**MR. JOYCE:** Can I just read what you wrote me –?

**MR. SPEAKER:** I would ask you to take your chair, Sir.

Thank you.

Presenting Reports by Standing and Select Committees.

Tabling of Documents.

**Tabling of Documents**

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

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

As a result of Question Period yesterday, I am tabling the Terms of Reference for the Review of Provincial Solid Waste Management Strategy that's being carried out by Ms. Ann Marie Hann.

**MR. SPEAKER:** Thank you.

Further tabling of documents?

The hon. the Minister of Service NL.

**MS. GAMBIN-WALSH:** Mr. Speaker, in accordance with the requirements of section 10 of the Architects Act, I am pleased to table the ninth annual report of the Architects Licensing Board of Newfoundland and Labrador.

Thank you.

**MR. SPEAKER:** Thank you.

Further tabling of documents?

Notices of Motion.

**Notices of Motion**

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

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

I give notice that I will ask leave to introduce a bill entitled, An Act To Amend The Regional Service Boards Act, 2012, Bill 58.

**MR. SPEAKER:** Thank you very much.

Further notices of motion?

The hon. the Minister of Health and Community Services.

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

I give notice that I will ask leave to introduce a bill entitled, An Act To Amend The Registered Nurses Act, 2008, Bill 57.

**MR. SPEAKER:** Thank you.

Further notices of motion?

Answers to Questions for which Notice has been Given.

Petitions.

**Petitions**

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

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

Newfoundland and Labrador is the only province to still require an assessment and referral from the Centre for Addiction and Mental Health, CAMH, Gender Identity Clinic in Toronto; the wait time for an assessment at CAMH is approximately two or more years; in recent years, other provinces have improved their in-province assessment and referral

processes, in addition to increasing coverage and funding for gender-affirming surgeries; without adequate MCP coverage, these surgeries can cost thousands of dollars; the Department of Health and Community Services is already engaged in investigating an in-province assessment and referral process; long wait times for gender affirmation surgeries often contribute to prolonged gender dysphoria and worsened mental health; among transgendered youth aged 14 to 25 in Canada, 65.2 per cent considered suicide and 36.1 per cent made at least one suicide attempt in the last year, according to a 2014 Trans Youth Health Survey.

THEREFORE, we the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador to develop an in-province assessment process for gender-affirming surgeries that will eliminate the need for an assessment by CAMH as a sole referral option; increase funding and coverage for gender-affirming surgeries through MCP; expand the types of surgeries covered to better reflect national standards.

Mr. Speaker, this is a new petition. This is a petition signed by people all over the province.

Since they did this petition, the wait times at CAMH have been reduced. That's because nobody else is using CAMH across the country for an assessment.

Now, the minister has told us that they're on it, but really it's taken so long. He's had this portfolio now for 3½ years. The previous government, I wrote them letters with names of professionals, of doctors who are able to and willing to do the assessment process here in the province.

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

**MR. SPEAKER:** Excuse me, Sir.

**MS. ROGERS:** Nowhere else in Canada, even Ontario is not required that CAMH be the place where assessments are done for trans folks.

It's time to stop this. The extra burden on the individuals that are concerned, the extra cost; even though some of their transportation is covered, they're still out of pocket a

considerable amount of money, particularly when you don't have money, even a few hundred dollars is next to impossible, and particularly if you have to miss work. If you're in a low-paying job and you don't have holidays, it's very difficult. It's extra cost to the province.

We have the doctors, and the thing is, is that the advocates and the doctors concerned have been asking for this. It's time, Mr. Speaker. It's beyond time.

Thank you very much.

**MR. SPEAKER:** Thank you very much.

The hon. the Minister of Health and Community Services.

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

Glad to rise to elaborate on some of the issues that were raised by the petition and in Question Period.

We have inherited some antique legislation. We are working with clinicians who are interested in providing those services for assessment, locally, and we have yet to finalize a clinical protocol.

I would, however, point out for everyone that we have already, through MCP, increased the number of gender reassignment surgery types that are now available and broadened that. Some of these patients have to go out of the province because the skills do not exist and nor will ever exist in this province.

We cover, under our universal program, for the same as we would for anybody else with a surgical issue. For income support clients who are financially challenged we will cover the entire cost, Mr. Speaker. They have to go to Montreal.

**MR. SPEAKER:** Thank you.

Further petitions?

The hon. the Member for Conception Bay South.

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

Mr. Speaker, I present this following petition on behalf of the residents in my district and, in particular, certain areas like the Foxtrap Access area.

Mr. Speaker, Foxtrap Access Road in CBS is a vital link to the TCH and Peacekeepers Way as well as being a heavily populated area. This road is in need of immediate repairs; it needs asphalt resurfacing as well as shoulder repairs. This road is listed for resurfacing for 2023 in the five-year roads program, but is not soon enough and its needs immediate attention.

THEREFORE, we petition the hon. House of Assembly as follows: We the undersigned call upon the House of Assembly to urge the Government of Newfoundland and Labrador to provide immediate repairs to the Foxtrap Access Road.

Mr. Speaker, I have a lot of those petitions. They're coming in daily, actually, from the residents in that area. I was aware that the road needed upgrades but it's increasingly getting worse pretty well every year, and this last while it's really deteriorating. I acknowledge some repairs that has been done in recent times, recent years, by the government and I appreciate that.

This road is a vital link. CBS is the second largest municipality. Route 60 is the fifth busiest road in the province. Peacekeepers is the second, so you can only imagine the traffic volume. By traffic volume it means lots of potholes, lots of complaints and, as the MHA and provincial representative, I get it and I understand that's where the complaints fall, in my lap.

These petitions are coming in, like I say, on a daily basis and I encourage people, if you have concerns – they ask for petitions, here you go. I'll bring it to the House of Assembly.

I've spoken to the minister about this, but I have petitions to present and it's my duty as an MHA to present them on behalf of the residents I represent, to bring their concerns to the floor of the House, which is what I'm doing.

The road is in dire need of repair. There are huge craters, I call them, they're not potholes anymore; they're becoming craters. People are complaining and rightfully so. It needs repairs.

It's on for 2023, we'd like to see it done sooner than that, just based on the sheer traffic volume, Mr. Speaker.

There are two schools on that road as well. It's a busy, busy road and I appreciate if the government could consider moving this ahead, where it's already on the list, it's identified for repairs. We need it done sooner rather than later.

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, our five-year roads plan has been tremendously successful. In the last two years, Mr. Speaker, we've paved some 1,400 kilometres of roads in the province. This year again, we will invest over \$130 million into roads in our province.

This government, our government has been able to work out a new arrangement with Ottawa where they are now going to come in and contribute as well to northern and rural roads, Mr. Speaker. And when I say northern and rural roads in Newfoundland and Labrador, that means practically every single road in the province except the Trans-Canada Highway.

So, Mr. Speaker, we've been extremely successful with our roads plan. We get this from the road builders and many other organizations with the success of our roads plan.

In the Member's district, we've put significant monies into Peacekeepers Way every single year. Peacekeepers Way is the primary highway built in there, it's a new highway, and we certainly make sure that every single year the necessary funds are going into that.

Anyway, Mr. Speaker, I'll respond with the rest of my answer at his next (inaudible) –

**MR. SPEAKER:** Thank you very much.

Further petitions?

The hon. the Member for Mount Pearl - Southlands.

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

There have been numerous concerns raised by family members of seniors in long-term care throughout Newfoundland and Labrador, particularly those suffering with dementia, Alzheimer's disease and other cognitive debilitating conditions, whereby loved ones have experience injuries, have not been bathed regularly, not received proper nutrition and/or have been left lying in their own waste for extended periods of time. We believe this is directly related to government's failure to ensure adequate staffing at those facilities.

THEREFORE, we petition the hon. House of Assembly as follows: To urge the Government of Newfoundland and Labrador to instate legislation which includes the mandatory establishment of an adequate ratio of one staff to three residents in long-term care and all other applicable regional health facilities housing persons with dementia, Alzheimer's disease and other cognitive debilitating conditions in order to ensure appropriate safety, protection from injuries, proper hygiene care and all other required care. This law will include the creation of a specific job position in these facilities for monitoring and intervention as required to ensure the safety of patients.

Mr. Speaker, I present this again today on behalf of the Advocates for Senior Citizens' Rights. Most of the people on these petitions today are actually from Lab City, Wabush and those areas.

This is an issue which people have concerns about all throughout Newfoundland and Labrador. It's not about, I will say again, as I've said each time I've spoke to this petition, this is not in any way inferring that the nurses and doctors and staff at our health care facilities and our long-term care facilities are not compassionate, are not doing their jobs, are not doing the best they can with what they have. It is in no way inferring that nutritious food is not on the menu and not being served and so on. It's not what they are suggesting.

The concern that they have is are there enough staff working at all times to ensure people in long-term care, particularly those on dementia and Alzheimer's wards, ensuring that there are enough staff to take care of these people, to ensure that they are changed regularly as required, to ensure not only that there are nutritious meals provided, but that they're actually able to be fed because some of these people are not capable of feeding themselves. If a family member walks into the room at supertime and dinner is still laid there, by the bedside and the person is not capable of feeding themselves, and they weren't fed, that's a big problem.

No one is suggesting that's happening every day, by the way, or that it's always happening but, apparently, it does happen. That is the concern. That's why they want to ensure we always have appropriate staffing.

We hear of situations in the health authorities where they talk about this not replacing the first sick call. Is that happening in long-term care as well? If it is, it shouldn't be. There should always be enough people to look after our seniors.

Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you very much.

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

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

I think, whilst I understand the concerns that the Member opposite raises, the frequency with which he has brought the same petition back and to would lead a casual observer to believe that this is an endemic issue and that somehow patients are, despite what he says, being neglected or malnourished or ill fed.

I think I need to stand and correct that illusion, simply by getting up and repeating the same thing every day if needed. Staffing levels in health, in long-term care, are as good, if not better, than the national average in terms of nursing care and those figures do not take into

account recreational therapy, occupational therapy and visitors.

There is a diligent effort to make sure that people who cannot feed themselves are fed warm, hot food at a time that works for everyone, Mr. Speaker. I think really repetition like this is not serving anyone's interest.

**MR. SPEAKER:** Thank you.

Further petitions?

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

**MR. JOYCE:** Nice to speak in the House of Assembly, Mr. Speaker.

To the background this petition is as follows:

WHEREAS the successful proponents for the new hospital in Corner Brook are scheduled to be announced this spring for construction anticipated to begin in the fall and, as this is estimated to be a four-year construction period, and as there are experienced local tradespeople and labourers in the area;

THEREFORE we, the undersigned, petition the House of Assembly as follows: To urge the Government of Newfoundland and Labrador to encourage companies that are awarded the contracts for the new hospital to hire local tradespeople and labourers, at no extra cost to the taxpayers, so that they can work in their own area, support their local families and be able to return home to their families every evening.

Mr. Speaker, I rise again to stand in this House, and always looking forward to speaking in this House, Mr. Speaker, about the people out in the Humber - Bay of Islands, Corner Brook and I'm sure down the Northern Peninsula, Baie Verte, down around Port au Port, Stephenville way, Mr. Speaker, a lot of these people will be working here.

I know the Member for Corner Brook is very much in agreement in trying to do what we can to get local workers working. They are experienced workers. They're great workers, Mr. Speaker, and when you bring in people from outside – and this is no reflection on the workers

from outside, but it's like I mentioned to a person earlier, like up in Alberta. Sure a lot of Newfoundlanders live in Alberta, but I'm sure there are a lot of local people that are looked after first, for the cost of it. So this is nothing against other workers because a lot of Newfoundlanders work in other areas.

There are a lot of local tradespeople, lot of good labourers in the Humber - Bay of Islands area who can do this job, who are willing to do the job.

I know they're speaking to the union, and I say to the minister again, I know you're being proactive in this matter and I'm offering my services again because I do have a good rapport with a lot of the unions around, which I know you do too minister, that you do as the Minister of Transportation and Works.

So I'm looking forward to a positive outcome for this with the new hospital so that it can be built locally with local workers and build the best hospital that we can.

Thank you.

**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. As the hon. Member identifies, we've been working with the Newfoundland and Labrador construction industry association, we've also been working with TradesNL. We've been working with TradesNL around the concept of CBAs or Community Benefit Agreements, and this is something that we're starting to see in other provinces as well. I think the Member sort of outlined that when he talked about home first.

Mr. Speaker, we've taken on a very aggressive infrastructure plan. You look at the commitments that we've made: a new long-term care facility in Corner Brook, a new acute-care facility in Corner Brook, new Central long-term care both in Gander and Grand Falls-Windsor, and that's something that we will be

announcing, the successful proponent in the coming days. Also, the expansion of protective care beds in Botwood at the Hugh Twomey centre as well. We've also made the commitment to the new mental health facility right here in St. John's.

Our commitment to infrastructure in this province has been steadfast and it will remain steadfast, as will our commitment to Newfoundland and Labrador companies and Newfoundland and Labrador workers.

Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you, Sir. Thank you very much.

Further petitions?

The hon. the Member for Cape St. Francis.

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

The current 1.6-kilometre busing policy results in children walking to school in areas where there are no sidewalks or traffic lights, and through areas without crosswalks. This puts the safety of these children at risk.

We, the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador to ensure the safety of all children by removing the restrictive 1.6-kilometre busing policy where safety is a concern.

Mr. Speaker, this is a petition that I bring to the House of Assembly on a regular basis. I recently spoke to some parents that had major concerns with their children walking to school, and we discussed different options for them and I explained, too, what the courtesy seating and courtesy busing is doing and different stops and stuff like that. But in the schools where I am, particularly in Torbay, is the major issue for me, where there are so many cars travelling along Torbay Road, that there are no courtesy seats available because the buses are full and the courtesy stops are not available.

I have to say, I've spoken to the minister about this on several occasions and I've sent him some

correspondence with different parents with concerns of mine and there's only one way to really fix this. We really have to have a look – I understand that it's a job probably to do 1.6 eliminated altogether, but there maybe something we can do where people are walking along the road where there are no sidewalks.

Maybe we can look at it to K to 6. Maybe we can look at different areas, but I think it's time for us just to look at this policy, address the policy and look at the concerns of the parents and grandparents and the school and everybody in the area, because safety should be the ultimate concern of all people. Anytime we put our children at risk going to school, that is a concern of everybody. It should be the concern of everybody.

I just ask the minister to consider this, and, actually, the parents I spoke to the other day, they said: Kevin, this is a good time to get it on and talk to the minister about it and keep it going because it's an election year. They feel that that may be a result in changing some of the policies that government will have on this.

This is very important, I know, in a lot of districts, not only in my own. I ask government to really reconsider the policy and do something about it.

Thank you very much.

**MR. SPEAKER:** Thank you.

The hon. the Government House Leader.

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

I call Orders of the Day.

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

### Orders of the Day

**MR. A. PARSONS:** Mr. Speaker, I call from the Order Paper, Order 4, second reading of Bill 51.

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

**MR. BYRNE:** Mr. Speaker, thank you very much for allowing me to rise and initiate debate on Bill 51, An Act To Amend The Forestry Act, which will be seconded by the hon. Member for St. George's - Humber.

This is an amendment to a bill which really does demonstrate, Mr. Speaker, that smart change, however small, can produce big benefits. We are —

**MR. SPEAKER:** It is moved and seconded that Bill 51 be now read a second time.

Motion, second reading of a bill, "An Act To Amend The Forestry Act." (Bill 51)

**MR. SPEAKER:** Please proceed, Sir.

**MR. BYRNE:** I shall proceed then, Mr. Speaker. I shall start over.

Mr. Speaker, seconded by the Member for St. George's - Humber, this is An Act To Amend The Forestry Act, but we're here today to talk about agriculture, which demonstrates the fact that it is very important that we understand our industries, our key industry of agriculture and how it relates to all of other land resource industries. How synergies can be made, co-operative arrangements can be made, that understandings can be made by having our land resources operating effectively, synergistically with each other, supporting each other, because an amendment to the *Forestry Act*, Mr. Speaker, can indeed produce a big benefit to our farmers.

Now, what this amendment is about is to amend the *Forestry Act* to allow for the harvest of forest resources of timber, of fibre from an agricultural area, from an agricultural lease area, without the necessary, otherwise necessary, previously necessary, commercial cutting permit.

Now, Mr. Speaker, I said earlier that smart change, however small, can indeed produce big benefit. This is an example of that. Mr. Speaker, you might say, well, what exactly is so onerous or so difficult or what is the nature of the regulation or the requirement, the statutory requirement that those who cut timber should have to have a commercial cutting permit to be able to do so?

Mr. Speaker, it's about making sure that our forest industry is well regulated. That those who are engaged in commercial activity in forests are properly regulated. That it's controlled and produces the desired result which it is meant to achieve, but we also recognize that, for the clearing of agricultural land, there is a necessity often, most often, to be able to clear timber, clear trees from that land and what was previously required was that a commercial cutting permit would be required.

Well, there are two options here now, Mr. Speaker, as a result of this amendment once passed is that should a farmer who is entitled or a holder of a agricultural lease, should that farmer wish that they would not engage in a commercial sale of the timber, that they can simply have the right, maintain the right, control the right to be able to harvest that timber without getting a commercial forestry permit.

Now, it's important to note that should the farmer wish to sell that timber, they will still be required to obtain a commercial forestry permit. Is it onerous, is it difficult to obtain a commercial forestry permit? No, Mr. Speaker, it is not. In fact, a simple application. There is a prerequisite fee which is relatively minimal or marginal in magnitude that would be required, but there would also have to be, as a result, the necessary reporting, the necessary stumpage fees paid and other elements.

There would be red tape. What this measure does, Mr. Speaker, is it eliminates a significant body of red tape for our farmers, for our agricultural producers, as they develop, as they prepare their land base.

It's not complicated, Mr. Speaker. I'm pretty confident that this amendment will be passed by all Members of the House or voted on affirmatively by all Members of the House. I anticipate there may be some questions. Most of the questions were dealt with in our technical briefing that was made available to all parties. There appeared to be consensus or strong agreement that this was a worthwhile initiative. So, Mr. Speaker, while I can say further what elements of this particular amendment will be, I think that it's self explanatory in its own right.

The objective here, Mr. Speaker, is not to resolve a red-tape issue by creating an unfair or imbalanced playing field. The original reason why a commercial permit was required of a farmer when they cleared the land was so that they were not in a competitive advantage if they were to sell that timber, they would not be in a competitive advantage over our forest producers, our forest industry.

So, there was a necessity for a commercial forest permit because you would not want them to be able to do, through special privilege, what our commercial foresters could not do. In the same regard, we recognize that it was also imposing an additional red tape, or a burden, for those that did not wish to sell. Even if you did not wish to sell your timber you still had to have a commercial forestry permit as required under the *Forestry Act*. You'd also have to engage in all the necessary reporting.

So, what this amendment is not – we've spoke a fair bit about what this amendment is – what this amendment is not is a barrier from farmers from selling the wood that they harvest off their land. If they wish, they can still sell by acquiring a commercial forestry permit, the same as a commercial forester would. It creates a balanced, level playing field.

That which is commercial activity should be covered under commercial rules, that which is not commercial activity should be governed under a different set of rules. This creates the set of rules so that if the wood is not being sold, if it's being used on the farm by the farmer, then there are no further requirements.

If the wood – and this has been raised in some of the technical outreach that we conducted – the farmer wishes to transfer the wood off of the farm and gift it, well, there is capacity in this particular amendment, the act does allow for further consequential regulation to be made to allow that. We'll engage in a discussion about that in due course.

This act, the amendment to the statutory form of the rules, basically, provides for an opportunity for the farmer to harvest the wood and use the wood on the location of the farm for their own uses. It has been raised that maybe there might be an instance where the farmer would like to

gift the wood. We can deal with that at a subsequent time. We have full capacity to be able to do that. The objective here is to amend the statutory form of the control so that we can deal with it at a subsequent time.

If the argument is: Well, why can't the farmer just simply sell the wood? Well, then, of course, they're engaging in a commercial activity outside of farming. They're engaged in commercial forestry activity, they can sell the wood. They simply acquire a commercial forestry permit to be able to do so.

So it's very straightforward, Mr. Speaker. This is a very positive element, very positive initiative. We've consulted widely with this, with the agriculture – this has been something that the agriculture sector has been looking for, for a while. We've all heard of situations – not all that often, it hasn't come up all that often, but it's come up enough that farmers have said: Why is it that I cannot simply harvest the wood off the land that I've been given title to? Why can't I harvest wood? Why do I have to pretend that I'm a commercial operator and acquire a commercial permit?

This amends that particular situation to allow a level playing field. If you're engaged in a commercial activity, it would be governed under commercial rules. If you're not engaged in the commercial activity, it would be governed under a different set of rules. Very simple, straightforward.

Our farm community really applauds this. It's a simple change, straightforward change, small change, but can play a big, big positive benefit. It speaks, Mr. Speaker, to what it is we're trying to accomplish overall in growing our agricultural industry.

We need to do whatever we can, we only produce 10 per cent of our food in this province – 10 per cent. Our supply managed system, through supply management in dairy and eggs and chicken, produce not only what we eat, but we export. Supply management has worked well for us because not only are we in those three supply-managed commodities producing everything that we are consuming in this province, but we have room for export in

industrial milk, in industrial eggs and, occasionally, in chicken as well.

So, that's working well for us, but it's on the other sectors, on beef, on root crops, on fruits and berries, on a number of different fronts, we do not produce all that we consume. In fact, we only produce 10 per cent and that 10 per cent is actually even factoring in the supply-management commodities.

So, we have taken an ambitious objective, Mr. Speaker, to change that, to double our production in a very, very short period of time. How are we doing that? Well, in a number of ways because we are looking at agriculture with fresh eyes. We're looking at agriculture with fresh eyes. We're seeing what the barriers to growth are and we're correcting them.

One of the things that we've identified is the land. Mr. Speaker, generally speaking, largely speaking, almost exclusively speaking, land is key to farming. That's why we identified 64,000 hectares of agriculture areas of interest. There are two benefits to identifying 64,000 hectares of Newfoundland and Labrador soil, of land, for development for agricultural purposes. One, for existing farmers and for new farmers, there's a pre-identified agricultural ready allotment of land that can be targeted for their developments.

There's already been assessments done of this land so we know a good bit about it already in terms of whether or not it's suitable for agriculture. So, that's been identified. A lot of the regulatory hoops have already been cleared so that the processing time for applications is much reduced, because we know this has been pre-identified not to have a claim against it by a (inaudible) lot, by a Corner Brook Pulp and Paper lot or some other title holder. So that's important.

The second, and this is very, very important to say and say out loud, by pre-identifying 64,000 hectares of agriculture areas of interest, agriculture land, we protect it for the future. Because, as we know, everywhere in North America, just about every agricultural economy in the planet, there is a serious and disturbing reduction in agricultural land. It's been used for other purposes. It is being eroded.

We here in Newfoundland and Labrador, being relatively green field in our agricultural practices in our current context, we have an opportunity, and we saw this opportunity that we can protect our agricultural areas of interest, our agricultural land so that it is noted that when there are competing uses, we noted that this can indeed be used for agricultural land, agricultural purposes.

Is it always tied up? Is it exclusively for agricultural purposes? No, but we have noted that when decisions have to be taken, choices have to be taken, this is land which is very suitable for agriculture and it guides our decision-making process.

Very, very important, Mr. Speaker, to note the two benefits of our 64,000 identified agricultural areas of interest. It's not only to supply farmers today, and future farmers, but it's to protect our land base so that we understand where it is, so that we can ensure that, unlike other areas of North America and the Western Hemisphere, agricultural economies that have always depended on agriculture, that that is not unduly eroded.

Now, in St. John's, for example, since the 1970s, we've had the St. John's agriculture development area. There have been tens of thousands – back from the '70s – of acres of agricultural areas that have been zoned for agricultural purpose. This came up just recently as a public discussion, a public policy issue of great concern. There was a noted erosion of the St. John's agricultural areas from that protection.

Back in the 1970s, literally, just within months after having declared and zoned those areas as agricultural areas, the Frank Moores administration and the Peckford administration, in particular, delisted literally thousands and thousands and thousands of those acres from control. In fact, the most recent example of the St. John's area agricultural areas being delisted, or de-zoned was in 2013, Mr. Speaker, when over 1,600 acres of former agricultural land was allowed to be used for other developments.

So, I can say, and say quite confidently, while we have an appeal process, if there's a particular piece of land which is unsuitable within that designation, unsuitable for agriculture, it can be appealed. We are not going back to 2013, I can

tell you that, Mr. Speaker. That would be a serious mistake.

We have done other things, Mr. Speaker, in agriculture, including we have re-profiled the former Wooddale forestry centre. It's still involved in forestry. It's still key to our forestry sector. It still grows our seedlings for our forest sector for silviculture for replanting, but we recognize that there's not only infrastructure but skills there, a land base there that can be so appropriately used for agricultural development and it has been re-profiled now as the Centre for Agriculture and Forestry Development in Wooddale.

Really a great move, we're producing seedlings there, Mr. Speaker, and we're making those seedlings available, those vegetable and other crops, we're making those seedlings available to farmers. We're selling them at cost but at much reduced cost than what they otherwise do and, as a net result, farmers are increasing their balance, increasing their bank accounts by significant amounts of money as a result and growing more food.

There are other initiatives that we've done. For the first time ever, Mr. Speaker, since 1949, we're the only province, the only province in Canada that did not have a post-secondary agriculture training program. Can you believe that? In 2019, Newfoundland and Labrador, after over 65 years of Confederation, we did not – we were the only province in Canada not to have a post-secondary agricultural program.

Mr. Speaker, this government has changed that. Effective as of September of 2019, that will be our first enrolments into the College of the North Atlantic's forestry technology program at the Corner Brook campus. We will also have outreach programs through the College of the North Atlantic in continuing education for our farmers. That's really, really important and very valuable.

Other things that we're doing in our farm industry, Mr. Speaker – I believe that given the focus on the amendment today, I'll surrender my time. I believe the Member for St. George's - Humber would like to have a few words on this, he's worked hard on this initiative himself. I'm sure other Members will want to speak up, but

I'm very confident, Mr. Speaker, very, very confident that there will be unanimous support for this amendment, as there is unanimous support for growing our agriculture industry. The Government of Newfoundland and Labrador, this government, is really putting its shoulder into it.

In conclusion, Mr. Speaker, there is a renaissance that's happening. A renaissance in support for farms and for farming and for recognizing that this is a key component of our economy. Food security is an essential component of our well-being and whereas farms and farming and, in particular, farmers, really were not on the tip of the tongue of the people of our province in a daily conversation, they are moving with incredible support and reaching out to our farms, our farm community and reaching out to our farmers to say we recognize what you're doing is essential. Our very food safety, our food security is dependent on you and we have trust in you.

That, Mr. Speaker, echoes what people are saying about this government's farm growth initiative, our *Way Forward* on agriculture, people are saying for the first time in a very, very long time, people are now supportive and openly saying farming is something that we need to support as a province, and they're saying this government is standing up tall to the challenge.

The reality is, Mr. Speaker, in 1949, we had 3,400 farms, and we were nearly 100 per cent food secure. We grew all of our own food. From the period between 2011 and 2015, we lost 20 per cent of our farms. In a period between 2011 and 2015, we lost 20 per cent of our farms. From the period between Confederation of 1949 and 2015, we went from 3,400 farms to just over 500.

It's incredible, Mr. Speaker. You can understand why we are only at 10 per cent food self-sufficiency. You can understand why this government said we need to, at a very minimum, double this. Now, doubling food production in a short period of time may seem ambitious, and it is, because we're going to double it in a very short period of time, but, Mr. Speaker, rest assured, through amendments like this, small changes can lead to big dividends. We're leaving no stone unturned. This will produce a

positive result and I look forward to the positive, positive words of Members of the Opposition as they rise to their feet and they say –

**AN HON. MEMBER:** Absolutely. Hear, hear!

**MR. BYRNE:** – the Member is absolutely right, we need to support our farmers and the truth is the evidence is in, they weren't supported before. They are now.

Thank you very much, Mr. Speaker.

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

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

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

It gives me great pleasure to rise to speak to Bill 51, and I guess I'd just like to speak to one little comment there when the minister had stood up and said that farmers were never at the tip of people's tongues. Well, to the best of my knowledge, they are three times a day.

**AN HON. MEMBER:** At least.

**MR. LESTER:** At least three times a day.

We, as an Opposition and I guess through my involvement as a farmer and through industry involvement, are pleased to see that this change did come about. We're also pleased to see that the current administration has continued to push forward the ground work of previous administrations in supporting the agriculture industry and realizing how imperative it is to have more food production.

Just some facts that I must correct and, I guess, give some clarity to before I get into talking about the impacts of this legislation. The minister talked of how farms, numbers of farms have actually decreased since Confederation, but I would like to speak to what has increased.

We are now almost 200 per cent self-sufficient in our egg production in this province. We actually produce all the fresh eggs we eat, plus we export a large amount of eggs to further processing. We are now 100 per cent self-sufficient in fluid milk. We also export a fair bit

of what we call industrial milk for processing outside the province. I look forward to support from this administration and future administrations to establishing secondary processing of this industrial milk for our own consumption and export.

When it comes to chicken, we are actually at our maximum allowable quota because it's a national system and a national quota, it accounts for about 65 plus or minus per cent of the chicken we eat. So, unfortunately, unless there's a change in the national quota system, we're at our limit of production of chicken as well.

There are a lot of things that obviously have declined. The number of farms. The number of farms, globally, has exponentially disappeared because of the economy of scale, largely. I can remember as a child, I could look around my own neighbourhood and there was probably 17 or 18 dairy farms, different farm families all had a couple of dozen cows, up to 30 cows. Now, there are actually more cows in my neighbourhood, but there are only three farms.

It's all the economy of scale. Farms have to get bigger because, unfortunately, the profit margin per unit has not grown as fast as the overhead costs that farmers have had to bear.

I can't remember which president it was, it might've been Eisenhower, but his theory was if you can keep the price of food low, everything else will stay down low with it, that would keep inflation down. That has not worked. The price of food is still low. In North America, we pay the lowest percentage of our annual income on food other than a Third World country. So that's something that we have to look at, increasing the viability of farms.

Now, we're going to speak to this legislative change. While it is very well intended, I caution the department in its implementation. It's well intended but not a whole lot of thought put into the background of what's going to happen, other than it's not going to require farmers to get permits. When it comes to the discretion of the forestry officers who will be enforcing this, even in the briefing there was a bit of a miscommunication or a disagreement between the representation of the department and the representation of the minister in which it was

kind of indicated that, well, the forestry officers might turn a blind eye to when we come to gifting and helping people out.

I agree with that, but what is the purpose of legislation? Legislation is designed so that we all know where we stand when it comes to the rules, so that we don't end up with nuisance court cases, that if I cut a load of wood and bring it to my relative down the road who's unable to cut wood for themselves, that I'm going to get charged with not having a permit.

I know the minister has just said that can be put in after, right. So is that going to be put in after somebody is charged and someone has to go to court and defend themselves? Is that going to be put in after, when an embarrassed forestry officer says, well, I shouldn't have wrote you that ticket, sorry, I'm taking it back. We need to have the details secured as to what we can and cannot do on an agricultural lease.

Another thing that was kind of not really taken in consideration was, part of the transition of farms and family farms is the incorporation of farms. I know in my own particular instance and my families, extended families, all our farms are now incorporated. So, in itself, the farm is an individual. Yes, we own shares in that. So is that individual, the corporate body, allowed to give the same rights as the corporate body, to the shareholders? Can I take wood from my farm, or can other shareholders in my farm, take wood from that farm and bring it to their personal residence, build their personal residence or burn it in their stoves for heat?

Another thing that was brought to my attention is, does this specifically apply to that Crown lease? Obviously, Newfoundland can't be turned into one giant field. Sometimes farmers have to drive hours from one field to the other. So, in transport of that wood from one Crown lease to another or to the farm home base, how are we going to enforce that that wood is actually from that Crown lease? How are we going to do that? Is that going to be more work for forestry officers or are they going to be given a carte blanche to transport?

Another thing that is a little bit of a concern is from the forestry side. I'm going to look at a piece of land, and as a farmer I look at it as,

okay, well, I can't wait to get these trees out of here, get the overburden off, get the ground tilled, the rocks removed and get plants in the ground. But if I owned a private sawmill, if I was in the forestry industry, and I looked across the way and saw a farmer with a couple of hundred acres of prime saw logs and saw him going in with his D12 with a 25- or 40-foot blade and pushing all those saw logs up into a pile to be shredded or to be burned or turned into firewood, I'd be kind of disappointed.

I really think that there may actually be a space where, or some sort of lateral discretion when it comes to the department and the minister, that we don't see good saw logs, which are high value, turned into mulch or turned into wood pellets or turned into firewood. We have to look at this, what implications it's going to have on all industries, not only just agriculture, but also the forestry industry.

It has been a contentious issue since time immemorial, well, since Confederation, for sure, the fight over forestry land and agriculture land because the reality is a land that grows good trees is probably going to grow good crops too. We want to see and a continued co-operation between both forestry and agriculture. As the minister has indicated, the synergies and the partnerships that can be forged, yes, they're beneficial, but often very difficult to attain without clear cut rules.

We need to elaborate on this as to how this can best benefit, not only the forestry and agriculture industries, but also the economy of our province, because we're talking Crown leases. A Crown lease is not a grant. Most of us are very familiar with, oh, I have that deed in my hand, this is my land; I can do whatever I want with it. But as a Crown lease it still technically remains property of the Crown, property of the people of this province.

Why that is, is because, as the minister has referred, in through St. John's and other areas we've seen valuable agricultural land taken out of agricultural production and used for other purposes. Whereas, now with the Crown leasing process, it's specifically outlined that process and the issuance of that lease, that this land has been given to you by the Crown for the purpose of agricultural production. If you are to transfer

it, to sell it, to use it for another use, it will have to primarily go back to the Crown for the Crown's consent.

Another thing that has also occurred within the Crown lease, and I'm also pleased and I think this came from the previous administration, people can't use a Crown land lease as a get-rich scheme. You can't go into an area and mark off 100 acres and say, yeah, I'm going to be a farmer and not do anything with it, and 10 years down the road you can't say, okay, I'm going to take this agriculture lease and I'm going to put strips of cabins around that pond and sell those building lots for an increased amount.

The lease structure and fees are very, very minimal, and so they should be because, obviously, if the cost of farming goes up, well the cost of food has to go up too. So there's really no opportunity there to turn this into a revenue generation in the form of lease payments, it's more of an administrative service purpose.

We want to make sure that our Crown land and our agricultural soiled resources are developed and this is one step towards doing that.

We hear about the 64,000 acres that has been mentioned time and time again, almost to the point of duress. Those 64,000 acres have always existed in this province. It's taken decades of soil surveys, aerial photos and satellite projections to identify this. This land just didn't come about in the past four years, let me assure you that.

This is land that has always been there, always capable of producing food. What the challenge has been is farmers, as good hearted and benevolent as they are, they can't do things for free. They have to feed their families. They have to put clothes on their families. They also have to afford themselves some sort of reasonable lifestyle.

So, the reason that those 64,000 acres haven't already been put into production is largely economics. It is not the fact that they just showed up. It's because farming in Newfoundland and Labrador has been very challenging. We're always under pressure from imports coming into the province and when you

look at the only three, basically, industries that have risen to their potential are ones being under the control of supply management, that being dairy, chicken and eggs. What that means for those who are not familiar with it, supply management was designed to, number one, keep a stable supply – pardon the pun – of those commodities in the Canadian food system, but also designed so that farmers were protected from the market ups and downs, and that they could get a reasonable return for their investment, a reasonable return for their efforts. Those items, being chicken, eggs and milk, the farmer knows what they're going to get for that.

Now, we've seen as of recent due to, I guess, the (inaudible) amongst the federal department, the federal government, a 3 per cent intrusion of American products into our dairy system. Now, people say, 3 per cent, that's not a whole lot. But when you look at average farming profit margin is maybe 4.5 to 5 per cent, we're cutting those farmers down pretty lean, and it's not going to take much of a natural disaster or a commodity price increase: corn, wheat, which is all driven by supply and demand, and, of course, unfortunately, our supplies of corn and wheat and commodities are now also a stock market game. The speculation of these futures on these products is actually driving up the cost of food to every North American.

So, the 64,000 acres, I would love to say in my lifetime I'm going to see farms on all of it, but I know that's not going to happen. Even as of today, there's very limited amount of that 64,000 acres that has been transitioned into agricultural property.

One of the challenges farmers are facing, yes, they're responding to the demand to increase production, to make our province more sustainable, to make our province more efficient when it comes to producing food, but the biggest challenge of that is, it hasn't been complemented with increased government funding. The funding that's available to us today, as farmers – and I keep speaking from my own perspective as a farmer – but the funding that's available to us today is similar to that of previous decades. We had Growing Forward. We had the APF agreement. Each one, basically, offers a similar amount based on our province's population.

Now, in our province – I'll commend the former administration, the current administration, but largely industry groups such as the Newfoundland and Labrador Federation of Agriculture, the Dairy Farmers of Newfoundland and Labrador, the Horticulture Council, the egg farmers, the chicken producers, the fur breeders – who else am I missing – the sheep producers, beef producers and the beekeepers, all of them contribute to lobbying federal and provincial governments to attain the level of funding that we have. Food is not, I guess, an element to be politicized because without it we're all in big trouble. We need to concentrate on the virtue of increasing our food production in this province. We need to concentrate on making our farmers sustainable and profitable and efficient.

This little change in legislation is another step in the right direction. I have cleared property in the past, albeit it has been in a different form of land tenure, but I can remember my grandfather telling me that when most of the land in through the Goulds and Kilbride area was cleared, the farmers used to cut the wood, of course by bucksaw or axe, they would load it aboard a long cart pulled by horses and they'd bring it down to the rail siding. It would be put aboard trains and shipped to the nearest pulp and paper mill.

When you look around our woods and think of the forest industry we have today, it's a job to believe that we here on the Avalon contributed to the pulp and paper industry by shipping wood cleared from farm land, but to that point, that was a major part of the clearing of land was the sale of that wood. The farmers were able to sell that wood and compensate for the clearing that would be incurred.

That's kind of a bit of concern and maybe down the road we could look at more of an exemption for the clearing of farm land because, as I said, this is a Crown lease. This is public resource, a public asset. It's kind of – I want to say unfair but I guess that wouldn't be the appropriate word, but it's definitely an additional challenge for farmers to clear land and not be able to attain 100 per cent of the value of their work by removing those trees.

Right now, the current state of subsidization for clearing farm land is based on, I guess, submitted receipts, but largely the maximum value that a farmer can obtain for clearing a piece of land is \$3,000 an acre, and that's through either the Provincial Agrifoods Assistance Program or the federal-provincial partnership.

Now, that's fine if it's an ideal piece of land, but I have yet to see a piece of land on the Avalon Peninsula, in particular, that can be cleared and put into production for \$3,000. I've cleared land myself, and speaking with my other family members, my uncles and other producers in the industry, they're proponents of a case-by-case level of subsidization because there is land in this province that can be cleared and put in production for about \$1,200 an acre. Here on the Avalon and other areas throughout the province, there's good soil there but whether it be drainage, be it excessive overburden, or trees, or rocks, sometimes those clearings per acre can quickly ramp up to \$5,000, \$6,000 and even \$7,000 an acre.

So people say why don't you just move to another area where there's more, I guess, better quality land, easier to clear? Well, of that 64,000 acres, that could be right in the middle of God knows, anywhere, no roads, no access and the cost of travelling from one point in your farm to another, that's another issue.

Right now, provincially, we have a bylaw where – I don't know if there'd be a bylaw – there are laws and legislations saying that on the designated highways you are not allowed to travel below a certain speed limit. I guess many of us have been stuck behind a tractor, myself included, and the fastest tractor I've personally ever driven has been 62 kilometres an hour.

I remember my grandfather, he used to say every now and then, he said I'm going to go make myself popular. What he would do is get in the tractor and drive up and down the road and he would become quite popular. He used to say he used to get the one-finger salute many times.

So that's a challenge why farmers have to clear the land close to their home bases. A piece of land right next door to your home base or your farmyard, that's a lot more efficient over the

course of a lifetime because when farmers look at clearing a piece of land they don't only just look at their occupation of this land, they look at future generations.

My kids are the seventh generation of farmers in our family. To the best of my knowledge, our family is one of the longest running farms. We're almost into double century occupation as a farmer.

Back to speak to the purpose of this, the industry has asked for it, farmers have asked for it. It's definitely essential to going forward to reduce the amount of red tape and burden. I look forward to asking questions in Committee, but I would like to commend the government for bringing this forward at the request of industry and the individual farmer.

**MR. SPEAKER (Trimper):** Thank you.

Further speakers?

The hon. the Member for St. George's - Humber.

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

It's great to have an opportunity to talk about this bill, Bill 51, An Act to Amend the Forestry Act, but it's really an opportunity to talk about forestry and agriculture together and how they interrelate.

The purpose is to exempt holders of agricultural Crown land from commercial cutting permits to clear land where timber is not for sale or for barter. So it relates to Crown land – this is people who have Crown land leased and are clearing it to do farming. If someone has a farm now, if they own the farm clear and outright, this doesn't apply to them and it doesn't restrict them in any way in terms of what they could do in the past, and what they can do now. It gives some advantage to people who have Crown land and are clearing that land for agricultural purposes.

So the intent of this piece of legislation is to support our agriculture industry, to facilitate collaboration between forestry and agriculture with regards to the utilization of merchantable timber as promoted in *The Way Forward on*

*Forestry* and also it's to reduce red tape and permitting related to new entrants and established farms when accessing new land for development.

I should also say that this piece of legislation is the result of consultation with both the agriculture industry, through the Federation of Agriculture and the forestry industry, through the Newfoundland and Labrador Forest Industry Association. So, it has broad industry support from both the agricultural sector and from the forestry sector. Sometimes that's not always the case. Sometimes there's competition for uses for land either forestry or agriculture, but, in this case, everyone is in agreement that this change is something that's positive and will make things better.

The current legislation, if you have a Crown lease, you're clearing the land. In order to cut that wood and to use it, you have to get a cutting permit. You get a cutting permit, you apply, get a cutting permit to cut the timber. Once you've cut the timber you have to scale the timber. The timber has to be assessed and you have to pay a royalty on the timber that you've cut on the Crown land – lot of red tape, a lot of paperwork, a lot of trouble for farmers that are clearing new land. It's a lot of trouble for new entrants who are clearing land to expand their agriculture enterprise.

The red tape is one of the things that this change to the *Forestry Act*, this amendment to the *Forestry Act* will bring about. It will make it easier for people who want to do this. It'll cut the red tape out of the way. It'll support agriculture in that there will be no requirement for a cutting permit. Timber can be used to support the operation of the agricultural enterprise.

If you have wood that you're using to build a fence or to build a barn, or even if you have wood that you're using as firewood to heat a greenhouse, that is all acceptable under these changes; whereas in the past you would have to go through getting a permit, getting the timber that you're using scaled and supplying all the paperwork related to that. This is a very positive change. It really eliminates a lot of red tape and administrative work that really adds no value to the whole process. It makes it easier for people

starting agricultural enterprises to pursue clearing land and to benefit from the wood that's secured from that land.

The clearing of land is happening a lot in agriculture ventures in this province. I mentioned one way to use the wood would be to heat a greenhouse. I was at a facility in Black Duck Siding about a month or a month and a half ago, and it was the middle of winter, one of the coldest days we had. I walked into this greenhouse and I was surprised to see tomatoes; hundreds, thousands of tomatoes in the middle of winter in Newfoundland. These were being commercially grown, commercially sold and used in restaurants; sold at Colemans store in Corner Brook and other locations around the province.

The name of the company is Growing for Life. I think what they're doing there is a great example for other people in this province. It's a great example of what can be done here in this province. The whole facility is heated with locally-sourced firewood. It's a solution to a problem we have, in terms of how to grow vegetables that we eat in a cold climate during the coldest time of the year. The company is very innovative. They're doing a lot of different things on the West Coast and they're very much a success story. So I just wanted to mention them.

Also, the Member for Mount Pearl North spoke about the dairy and other industries. One of the reasons we're seeing a lot of land cleared in this province is the grains that are needed to support these industries. We're seeing different grains that are grown in this province today that people would've told you 20 years ago that, no, you can't grow corn in Newfoundland; no, you can't grow winter wheat in Newfoundland. You can't grow canola, you can't grow soybeans and all of those things, but there are people today who are growing thousands of acres of corn in Newfoundland. That means our dairy industry is more viable, it's more profitable. Those are the sort of things that are happening within the industry and why clearing land is so important. So it's a very positive move. It's a very positive thing that's happening here.

In terms of my experience with talking with farmers who are clearing land, there was a

couple that was starting a new sheep farm in Loch Leven and they were clearing some land to get their agricultural operation underway. One of the conditions of the lease they had was that this timber that was on their land had to be cut. So for them to get that timber removed they probably would have to wait for a commercial cutter to come along and to look after that, but in this circumstance, it would probably be easier for them to cut the wood, use it themselves on their farm operation.

So it's a very positive change that's being brought about. There are some very exciting things that are happening in agriculture in this province. This sort of little change is something that can help the people who are starting new enterprises and getting underway in that industry. So I just wanted to make a few comments on that and encourage all Members to support this piece of legislation.

Thank you.

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

**MR. SPEAKER:** Thank you.

Any further speakers to the bill?

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

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

I am glad to have time to speak to Bill 51, An Act to Amend the Forestry Act. I won't have a lot to say. I mean, in and of itself the amendment is short in terms of words, obviously, but very meaningful in terms of what it is doing for the agricultural industry.

Both the minister and the former speakers have spoken to the bill and explained the importance of farmers now being able to cut timber on land that they are clearing without obtaining a cutting permit to clear that land. I'm not going to belabour the explanation. If somebody is listening and needs to check in on the bill and learn about it then I invite them to read *Hansard* when the time comes and we'll have full explanations there of the bill. It's extremely very simple, so it's not hard to understand.

The minister, though, went on to talk about government looking at agriculture with fresh eyes and all the work that government is doing to help the farming industry, the agricultural industry in the province. It's true that helping have clear land without obstacles in the way for farmers is important, and it's true that the identification of 64,000 hectares of land for development for agriculture in the province is important, and I do agree with him that land is sort of the first step – land is key, I think is what the minister said when he was speaking. Land is key to the agricultural industry, and I'm sure we all fully understand that that's the case, but it's going to take more than access to land and ability to clear land without being penalized –

**MR. SPEAKER:** Excuse me.

Order, please!

Sir, can I ask – I would direct you not, please, to go through somebody else's desk and their materials on their desk. I just observed you, Sir, going through the desk of another minister.

**MR. JOYCE:** I was getting money for shoes for kids in (inaudible).

**MR. SPEAKER:** Sir, I still would suggest we respect each other's confidences here.

**MR. A. PARSONS:** Boys, oh boys, oh boys.

**MR. SPEAKER:** He was going through the papers of the Minister of Transportation and Works.

I'd ask you to take your seat, please.

I apologize.

Please ask the Member to continue.

**MR. JOYCE:** Mr. Speaker, just –

**MS. MICHAEL:** Thank you –

**MR. JOYCE:** – (inaudible) for clarification on that, Mr. Speaker.

**MR. SPEAKER:** If you have a point of order, I'll listen to it; otherwise, I don't want to hear from you.

**MR. JOYCE:** I don't know, I guess it's a point of order to what you just said.

Mr. Speaker, the Minister of Transportation, I was getting the money for the shoes for kids in Africa which he told me to get the envelope out of his desk.

**MR. SPEAKER:** Regardless, I'm unable to tell that from this view. I saw you going through somebody else's papers. I'd ask you to stay at your desk.

Thank you.

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

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

So, as I was saying, while land is important, and obviously land is key to any agricultural policy and plan that the government has, it's going to take more than clearing of land and access of land to get to where we need to get in this province when it comes to food self-sufficiency, sustainability and food safety, which are major issues that we have to deal with when we're talking about agriculture.

I know that the issue of having to get a permit to cut wood when clearing land has been an outstanding issue with farmers and they've been decades bringing up this issue. It's good that, finally, government has listened but when the government talks about, in their Way Forward document, doubling the province's food self-sufficiency to at least 20 per cent by 2022, and achieving an additional 500 person-years of employment, we're going to have more than just this kind of amendment. We're going to need more than just this kind of amendment to get to that point.

When the minister said that government is looking at agriculture with fresh eyes and here are the fresh eyes, I sat up and said okay, is he going to say something new, and all he talked about was land. As I said, it's going to take much, much more than just making land available. Government needs to be into working with the agricultural industry in a way that resources are being put in because it's going to

take more than land. There has to be resources put in to really get us to where we need to get in our industry.

The sector plan does include a comprehensive regulatory review of all legislation related to the agriculture sector. I know that, but how long are we going to have to wait when it comes to looking at modernized legislation with regard to food self-sufficiency, sustainability, food safety, farm registration, the movement of farm equipment on highways, animal welfare, stewardship of the land base, enhanced protection for the province's honeybee population? There are so many issues that are affecting the agricultural industry right now and all government seems to be doing anything about is the land issue.

I've raised this many times here in the House, sometimes in response to Ministerial Statements around the whole thing of land. When the minister comes out with a statement that has to do with land, I raise the issue – and I'm doing it again today – that it is not enough to just make land available. There is so much more and the agricultural industry is waiting, waiting for new legislation, but also waiting for plans that are concrete and that do involve government putting resources into the industry to help move things along.

Government has no problem putting money into other industries such as oil and gas, such as cannabis, no problem whatsoever; but, one of our most important industries, our agricultural industry, if we're going to get anywhere to the figure that he's talking about in the plan with regard to food security, it won't happen magically just because there's more land. That's not the way it's going to happen.

Fine, I'm very happy to vote for this bill. Obviously, it's good that farmers don't have to get permits now to cut wood on land that they are clearing. That's fine, and I'm definitely going to vote for it. But I'm expecting more from this government when it comes to legislation with regard to the agricultural industry. It is interesting that the amendment is to the *Forestry Act* but, as the minister himself said, really, it's all about the agricultural industry in terms of the effect on farmers of this change.

I'll leave my comments at that, Mr. Speaker, and look forward seeing this bill voted on.

**MR. SPEAKER:** Thank you.

Further speakers to the bill?

The hon. the Member for Mount Pearl - Southlands.

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

I'm only going to take a couple of minutes to speak to Bill 51, An Act to Amend the Forestry Act. I will be supporting the bill, Mr. Speaker.

It's interesting because if somebody were to tune in and listen to the debate, and you're hearing the minister talk about the renaissance – I believe he said we have a renaissance in our province. I found it quite entertaining because, really, what we're talking about here is simply saying that if you're a farmer and you have Crown land on your farm that's wooded and you want to clear trees, you can go ahead and clear the trees. You don't need to get a permit and you don't need to pay royalties on the wood and so on which is what you would have to do.

If you had a farm today, you wanted to expand your farmland, there was trees, you cut it down, you got to go to the Forestry office, get a permit, and like I say you got to pay some sort of a fee or royalty on the wood. Now you won't have to do that, providing that you're going to use the wood for your own purposes. So you could take the wood, you could saw it up and make a fence or something to go around your farm, you could build a new barn or you could do something like that. You can't sell the wood, you can't barter the wood, you can't give the wood away to some senior citizens who live down the road – not allowed to do that without permits.

But, you could take the wood and make mulch or something and wood chips or something to put in the barn with the pigs and the horses and the cows or whatever else animals you have and, like I said, you could use the wood to help build a barn, a fence and that type of thing without a permit. That's actually the substance of the bill.

So obviously, anything that we can do to help farmers and that, and if this is an additional

burden, an additional cost that they don't have to endure and it's a bit of red tape that's being reduced, then I can't see any reason why every Member of this House wouldn't support it, and I'm sure we do, including this Member here.

So thank you, Mr. Speaker, that's all I have to say.

**MR. SPEAKER:** Thank you.

Any further speakers to the bill?

If the hon. the Minister of Fisheries and Land Resources speaks now, he will close debate on second reading.

The hon. the Minister of Fisheries and Land Resources.

**MR. BYRNE:** Thanks very, very much, Mr. Speaker.

It was certainly helpful to receive some of the comments from the Members regarding the future of agriculture, and it was fulfilling to hear their support for this particular amendment to the *Forestry Act*.

There are a couple of comments that I would like to make, however. There's occasionally somewhat of a disbelief or a mocking tone that's produced when we do pronounce that agriculture is on the move, that we are growing our food by growing our agriculture. There's somewhat of a dismissive approach that's taken because it's almost as if their place in this is being displaced.

The good news, and it is clearly a great news story, there is evidence that agriculture has been on decline, significant evidence. Statistics Canada tells us that agriculture has been on the decline in Newfoundland and Labrador. Statistics Canada is the source that we use when we describe that there were 3,400 farms in Newfoundland and Labrador in 1949 and, by 2015, there was 530 farms. It is Statistics Canada that tells us that we were 100 per cent food self-sufficient in 1949, but today we are just 10 per cent food self-sufficient. It is Statistics Canada that tells us that in the last five years from 2011 to 2015 we dropped 20 per cent of our farms – over 100 farms closed. It is Statistics Canada that tells us that these trends

are real, and it will be Statistics Canada that tells us that now, as a result of *The Way Forward* on agriculture, our specific initiatives to grow agriculture, that trend will change, and change for the better, Mr. Speaker.

I recognize it is sometimes difficult for people to hear, that have a vested interest in sowing misery, not sowing seeds, that this is happening. It is difficult for some people to hear that it did not occur under their watch, but it's occurring under ours. It is difficult for some to accept that there is a renaissance in agriculture that's happening, and an appreciation for our farmers.

It is regrettable that far too many children thought that milk came from the carton – the source of milk was from a carton, a source of beef was from a Styrofoam tray, and the source of eggs was from a cardboard carton. Well, through Agriculture in the Classroom, Mr. Speaker, we are making sure that the people of Newfoundland and Labrador, our children, our future farmers, they are very much aware that food comes from the farm.

So while it was mocking to a certain degree, and I enjoyed the back and forth that everyone knows that food is on the tip of everyone's tongue three times a day, the truth is, yes, people eat food, but they do sometimes take farmers and where the food comes from for granted. That's the point here. We're reversing that; we're changing that.

It has also been said that nothing new is happening in agriculture. That really just it's all about the land and, for some reason, our government is preoccupied by land. I heard the hon. Member from the New Democratic Party say this preoccupation with land is a singular issue, it should really stop and we need to branch out into other things and recognize that it's not just about land. Well, it is about land. It is a key component that land base that farmers need – it's intuitive for everyone, every reasonable person to understand that farms, farming, food and land are very synonymous.

Mr. Speaker, to make the point or to make the statement that it's just about land, that our initiatives are just about land and there's no plan, we launched a very specific plan through *The Way Forward* on agriculture: our

agricultural sector plan. One of those components to that plan is post-secondary education in farming, in agriculture. Not only at the college level, not only the public college level, our College of the North Atlantic but Memorial University of Newfoundland has embraced agriculture and Memorial University of Newfoundland, particularly Grenfell Campus, they are the first to say there's a renaissance in agriculture.

They are the first to say that they did not offer agriculture programs before but now they are. Not only do they have master's students, they have research activity underway, but they are exploring now a Ph.D program at Grenfell Campus of Memorial University in agriculture.

With all due respect to those who say it's same old same old, status quo, nothing new here, nothing here to see, get out and spend some time at a farm, at all of our farms; spend some time in our university; spend some time at our college campuses; spend some time at the Pynn's Brook research centre; spend some time at the Wooddale Centre for forestry and agriculture innovation; spend some time in a classroom at our Agriculture in the Classroom program; spend some time with the Newfoundland and Labrador Federation of Agriculture who co-chaired the plan that some Members say doesn't exist.

Spend some time with those who are putting their backs into growing our agriculture; spend some time with our new farmers like Robbie Coles in Reidville who has now started a brand new fruit and vegetable farm in the Reidville area, thanks to our pilot project that this government started to get farm-ready land available to new farmers. Robbie Coles and his spouse are very experienced in farming, but they did not have a chance to get access. They did not have a chance to become their own farmers.

A new initiative of this government – of this government – put Robbie Coles and his spouse and his family on a working farm. They are doing fantastic work. There are other examples. I was at the annual general meeting of the Federation of Agriculture just a few short weeks ago where we introduced yet another new farmer who applied for, was accepted and was

successful in that pilot program. We're going to expand that.

Mr. Speaker, it was said that there is not a renaissance, it's a chuckle, ha ha ha ha, chuckle – the minister says there's renaissance going on about agriculture. Go down to the St. John's Farmers' Market or the Clarenville Farmers' Market, go to the community gardens that are growing up in communities all throughout Newfoundland and Labrador and then say that what you're doing is really, really not special.

They should never say that. There is a new wave afoot; there is a new energy to farming. The energy of our farmers has always been there, it's just not been recognized from outside of the farm community. It's always been there. They are growing the number of farms that are in our province. They are growing their own production in our province because of the programs that are available to them. I say, Mr. Speaker, that when you look at all of the things that are growing here in Newfoundland and Labrador, farming is definitely one of them.

Now, the Member for Mount Pearl North gave witness to why nothing ever happened under the PCs, because he took this issue and he said, well, it's complicated, you know, they didn't answer this question, and until they answer that question they shouldn't provide a solution over here. Well, what I heard the hon. Member say, and I appreciate it very much, is he said sawlogs must be used for forestry. That's what the hon. Member said.

He said sawlogs must be used for forestry, so that in large measure is exactly what I said we would accomplish. We would consult about how, when it comes to these amendments, this particular amendment, we have as a rule, commercial activity is governed under commercial regulation; non-commercial activity should be governed under separate regimes.

We said that we recognize there's no issue here. The only way to enforce and control as to where timber is going and what its purpose is, is if the current holder of the property, those who are in possession, clear possession of logs, of timber, of wood, has to be able to show that they are a rightful owner of that wood.

Now you can imagine, Mr. Speaker, if you were to take wood from a Crown land lease and gift it right now under the current system, there is no provision in place, and it has to be brought in place through regulation, to be able to show that evidence, that proof. That's where we say we will get to this problem, we will get a solution to this, but we will not let the perfect be the enemy of the good. So now the hon. Member has provided us with consultation, that it's his view that sawlogs must be used for forestry, I take that, and we'll call that for here on in, the Lester lesson.

So of the 64,000 hectares, he says that land has always been there. He's right. That land, that 64,000 hectares, not acres as the Member said – Hansard might want to correct that, or he might want to try to correct *Hansard* – but it's not 64,000 acres; it's 64,000 hectares, 2.2 plus acres per hectare.

So, Mr. Speaker, that land has, obviously, always been there but it has not always, obviously, been used. Why has it not always been used? It's because – unlike what the hon. Member tried to suggest. It's not because of simple economics – it's sometimes because of economics, but it hasn't been used in large measure because it was used for other purposes. It was not designated as agriculture in some – a significant portion of the 64,000 hectares were under the control of Corner Brook Pulp and Paper as it were for (inaudible).

That was transferred – Corner Brook Pulp and Paper. This is the work the government did to try to free up that land. It was designated exclusively for one purpose, and it was that one purpose – it was not agriculture. It was used for forestry and it was acceptable. It was really good land for agriculture.

It was good land for forestry, too, but there was better land for forestry so we swapped. That's the thing, that's why the hon. Member just doesn't get it. It was not just there forever, since time immemorial, since God created the earth. It was – notwithstanding plate tectonics, but it was.

The thing here is it was regulated for a different – much of the land was used for a different purpose, and we made sure it was used for the purpose of, or available to the purpose of

agriculture. So that's one of the core issues that came forward there. Now, it was also said there has been no increasing in funding, and he would argue that the answer to agriculture is to increase funding.

The hon. Member for Mount Pearl North was on his feet not long ago – and *Hansard* will record. The hon. Member said the infusion of new entrants and their use of government funding could cripple incumbent existing farmers. That's what the position of the Member for Mount Pearl North was: Be cautious, because getting all these new farmers into farming – well, you know what that could do? They could take over. They could take all this government money and they could swamp and sink existing farmers.

*Hansard* has recorded that.

**MR. LESTER:** That's true.

**MR. BYRNE:** That is ridiculous. That is absolutely ridiculous.

When you grow 10 per cent of your food in this province – we import 90 per cent. He has just said again, Mr. Speaker: It's true, what he said is true.

Think this through. We grow 10 per cent of our food. We import 90 per cent. Getting more farmers in Newfoundland and Labrador, according to the Member for Mount Pearl North, will destroy existing farmers. Whoa. Well, well, well, well, well.

**MR. LESTER:** (Inaudible.)

**MR. BYRNE:** And he repeats it again from the other side, that his position remains steadfast. That the answer is, in Newfoundland and Labrador, keep it up, status quo, don't grow the number of farmers we have, don't grow or increase the amount of food we have, unless of course it's only the existing farmers that would do so. That is (inaudible).

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

**MR. BYRNE:** Mr. Speaker, I'll ask you to make sure there's (inaudible).

**MR. SPEAKER:** Excuse me a second.

The Member for Mount Pearl North, you have a point of order?

**MR. LESTER:** Yes. What the minister is conveying is totally disingenuous –

**MR. SPEAKER:** Sir, are you rising –

**MR. LESTER:** – and it hurts my character for him to be saying that.

**MR. SPEAKER:** Excuse me, Sir, are you rising on a point of order? If not, I'd ask you take your seat.

Thank you.

The hon. the Minister of Fisheries and Land Resources to continue.

**MR. BYRNE:** If a characterization of the Member's character is because of what he's said, I guess I will use what he said and he can determine what his own character is. Because I use this as a matter of discussion, is he repeats again that he is concerned, he is very concerned that increasing the number of farmers in our province could have a detrimental effect on existing farmers. Mr. Speaker, he is going to have to reconcile that point of view with the people of Newfoundland and Labrador because that is not how the people of Newfoundland and Labrador feel.

When we grow just 10 per cent of our food and we import 90 per cent, there seems to be a reasonable level of capacity for new entrants here. It is now, as a result of the debate on the floor of the House of Assembly, on this particular date we will recognize from this point forward that the position of the Progressive Conservative Party of Newfoundland and Labrador and the PC caucus is, as articulated by its agriculture critic, it is unwise to increase the number of farmers in our province. That is not a very tenable position to be able to take to the public, and he will have to answer to this from this point forward.

I can recognize that we have a responsibility to nurture and protect and support our incumbent farmers, our existing farmers. That's why this

government negotiated successfully a \$36 million Canada-Newfoundland and Labrador agricultural partnership. That is why we supply incumbent farmers with seedlings – we'll grow over 2 million seedlings. Just incredible uptake to this, incredible uptake. It reduces the risk for farmers. It lowers their cost. It increases their growing season.

By using the 20-plus to 30-plus greenhouses that are established in Wooddale that use –

**AN HON. MEMBER:** Thirty-four.

**MR. BYRNE:** Thirty-four greenhouses that were established in Wooddale that now have the capacity to be able to grow seedlings. Now we extend their growing season, we limit the risk. We are supporting our existing farmers, Mr. Speaker.

The Newfoundland and Labrador Federation of Agriculture says to us, and we hear them and we agree with them, we support them, they tell us: grow your farmers. Grow your number of farmers. Support your incumbent, your existing farmers, but increase the number of farmers. Reverse the trend that Statistics Canada tells us has been underway in Newfoundland and Labrador for far too long, and that's why, Mr. Speaker, we're rising to the challenge. We are doing what the Newfoundland and Labrador Federation of Agriculture tells us is so important; what the people of our province tells us is so important.

We're growing an apiculture industry. Our honey industry is growing, our cranberries and our root crops. We're growing our beef through introduction of preferred species, of preferred stock. We're growing a whole range of new, but supporting new entrants that makes sense.

**MR. SPEAKER:** Thank you very much.

Your time has expired.

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

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

**MR. A. PARSONS:** Yes.

**MR. SPEAKER:** The motion is that Bill 51 be now read a second time.

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

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

The motion is carried.

**CLERK (Barnes):** A bill, An Act To Amend The Forestry Act. (Bill 51)

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

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

**MR. A. PARSONS:** Presently.

**MR. SPEAKER:** Presently.

On motion, a bill, "An Act To Amend The Forestry Act," read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill 51)

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

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

I call from the Order Paper, Motion 1. I don't know if it's necessary to read the motion in.

**MR. SPEAKER:** I look to the Clerk for direction.

**MR. A. PARSONS:** Okay, for the purposes of *Hansard*, I'll read the motion in:

"WHEREAS subsection 6(3) of the *Independent Appointments Commission Act* provides that the Independent Appointments Commission shall consist of a minimum of 5 and a maximum of 7 members appointed by the Lieutenant-Governor in Council on a resolution of the House of Assembly;

AND WHEREAS there are currently 5 members of the Independent Appointments Commission;

NOW THEREFORE BE IT RESOLVED that the following persons be appointed members of the Independent Appointments Commission: Earl Ludlow, Cathy Duke."

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

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

It is a pleasure to stand today and speak to these two individuals who I'm sure we will receive unanimous consent, or at least I hope we receive unanimous consent of the House for the appointments of these two individuals.

Mr. Speaker, the IAC was our inaugural legislation as a government in 2016. It does provide the most accessible appointments process for agencies, boards and commissions, I believe, in the country. It's an independent, non-partisan body that's responsible to apply a merit-based process to recommend qualified individuals for appointment.

In December, we made amendments to the legislation to move the number of people on the IAC from five to seven. They manage a significant workload; it's on a volunteer basis. The chair of the IAC had indicated to us they need additional help in order to get through the large number of appointments that are required and the large number of applications made. So, increasing the number allows the commissioners to improve their ability to efficiently deal with multiple recommendation requests. It also allows them to have two processes ongoing at the same time instead of being simply bound by one.

When we made the changes, we stipulated that all future appointments to the IAC, including the two individuals that are being appointed today, would go through the merit-based process conducted by the IAC. So the two candidates that we have today, Mr. Speaker, I believe have impeccable qualifications. We'll talk about that to some degree in a moment. I'd like to provide some details on these candidates so that all Members will be clear why we are

recommending these highly qualified individuals.

Cathy Duke has been CEO of Destination St. John's for the last seven years. In this role, Ms. Duke directs sales and marketing efforts in attracting meetings and conventions, leisure travel, and sport and tourism to our destination. Before this, she spent four years in the public service. She was deputy minister in the former departments of tourism, culture and recreation, and then innovation, trade and rural development.

Her private sector experience includes serving as president of Terra Nova Golf Resort and Clarendville Inn, as well as vice-president of Coastal Associates and Consultants Limited. Her past appointments include executive director of Hospitality Newfoundland and Labrador, executive director of the Economic Recovery Commission, account manager with the Atlantic Canada Opportunities Agency.

Her current board appointments include a board member of Tourism Industry Association of Canada, executive member of the Destination Marketing Association of Canada, board member of the St. John's Sports and Entertainment, member of Memorial University Board of Regents and Memorial University Faculty of Business Advisory Board and vice-president of the Stella Burry Foundation.

Ms. Duke holds a Bachelor of Social Work, as well as a Master of Business Administration and she acquired her ICD.D designation in 2017.

Mr. Speaker, the second candidate is Mr. Earl Ludlow. He recently retired from his roles as executive vice-president, Eastern Canadian and Caribbean Operations and operational advisor to the president and CEO of Fortis Inc. His career with Fortis spanned almost 40 years. Mr. Ludlow has extensive career experience as a community volunteer. He served two terms on Memorial University's Board of Regents, and two terms on the honorary lieutenant colonel of the Royal Newfoundland and Labrador Regiment, 1st Battalion.

He is a member of the Professional Engineers & Geoscientists Newfoundland & Labrador and he holds the Order of Newfoundland and Labrador.

He's also been inducted into the Atlantic provinces CEO Business Hall of Fame by *Atlantic Business Magazine*.

He was designated as the Humanitarian of the Year by the Canadian Red Cross in 2010, and is a fellow of the Canadian Academy of Engineering. He earned his Bachelor of Engineering, electrical, as well as a Master of Business Administration from Memorial University.

Mr. Speaker, I believe that all Members will agree that these candidates are more than qualified for the roles that we are recommending them for. I look forward to continued success with the Independent Appointments Commission as they ensure that positions within our agencies, boards and commissions are filled by qualified candidates such as these two individuals today.

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

**MR. SPEAKER:** Further speakers to the motion?

The hon. the Opposition House Leader.

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

I'm pleased to rise to speak to this motion dealing with the *Independent Appointments Commission Act*. It was legislation reported as a mirror-based assessment process that was introduced by this current administration, as I said, in 2016 to look at mirror-based appointments based on various levels of organizations and boards throughout the province. We've had an amendment just a little while ago, I think, related particularly to this. This motion would address this and deal with it.

One of the issues we had when it was originally brought about was the fact that, at the end of the day, there was a board set up that did an analysis based on merit, based on that there were recommendations, I believe, made to Lieutenant-Governor in Council and sometimes it would be three people. We never know if that recommendation is accepted or not, or if it's ever rejected was one of the issues we had with it. We certainly support a merit-based system which is fully transparent and fully open and an

understanding and all details are made available to the public.

This particular motion today looks at expanding the membership of the commission for independent appointments, consisting of a minimum of five and a maximum of seven members appointed by the Lieutenant-Governor in Council on a resolution of the House of Assembly. That's why we're here today. There are currently five members, I understand, in Independent Appointments Commission, and this resolution today is looking for approval here in the House to appoint two additional members to the Independent Appointments Commission.

On a professional basis, I've interacted with these folks a little bit; do not know personally. The minister had indicated then – we weren't given a CV or résumé, but he did go through some of the experiences and somewhat expertise and involvement of these two individuals. From my point of view, I guess our point on this side, we see no reason not to certainly appoint these individuals. Seems like they've been involved in their community, they've held various positions in organizations and seem would have the qualities and expertise to assist in the Independent Appointments Commission.

So we'd certainly have no reason not to support these individuals as they come forward. Again, we just mentioned the fact that, when it was brought in in 2016, this was supposed to be a non-biased, merit-based system. Again, it would be nice to see, at the end of the day, what recommendations are made and if any of the recommendations that flow up to Lieutenant-Governor in Council are not accepted, the public should certainly be made aware of that.

Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you very much.

Further speakers to the motion?

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

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

I'm happy to speak to the motion, the resolution supporting both Earl Ludlow and Cathy Duke to serve on the Independent Appointments Commission.

These are two highly professional and highly qualified and certainly, based on merit, would meet the criteria to sit on the Independent Appointments Commission to make decisions and recommendations on our tier-one agency, boards and commissions of government, highlighting that someone of the calibre of Earl Ludlow, who I've had the privilege of working with Earl in his capacity of vice-chair of The Rooms Corporation, who has been presenting a very long-term view and vision coming from somebody who has such experience working with Fortis, and highlighting that from an audit and risk point of view or taking that viewpoint of having international experience and how we can use that in terms of governance and that structure and to be able to provide that level of advice and that accountability.

Earl Ludlow as a recipient of the Order of Newfoundland and Labrador, and also his capacity around the *Honour 100* and the regimental aspect; very interested in history, very interested in our place here in our province. Earl comes from rural Newfoundland and Labrador, when it comes to growing up on Fogo Island. It's certainly nice to have somebody from a rural community who has such experience internationally and to be able to take all of that talent to the Independent Appointments Commission and give back after serving such a long, esteemed career.

Cathy Duke, who I've had the pleasure of working with in her capacity as the executive director of Destination St. John's. Recently, we partnered with the City of St. John's to do a hub and spoke model when it comes to how we can do better wayfinding in the city for signage and digital signage and getting people to navigate to our key attractions and areas.

Cathy Duke has been working with her team to provide a very broad vision and to help grow the industry. She's been doing it for quite some time in her former capacity as a Deputy Minister of Tourism, Culture and Recreation, a former department; in her role as executive director of Hospitality Newfoundland and Labrador and in

her current capacity. She has great qualifications and proven herself as a leader in the industry, both in private sector and representative of industry associations, but also having accreditation for corporate directors as well is something that shows her education, her criteria. Having somebody of that calibre will serve us all well when it comes to the recommendations that will be put forward of our agencies, boards and commissions of government.

I want to highlight my personal experiences that I've had in the capacity of Minister of Tourism, Culture, Industry and Innovation of working with these two individuals and others, that they have been highly professional, well recognized and highlighting how they work with others throughout this province and the great contributions they made in their respective sectors and that they can in their capacity give back, because they have such broad experience. Whether it's from an education level of serving on the Board of Regents at Memorial University or others, they would be able to provide a very non-biased view when it comes to ensuring that members who are putting their names forward, who want to volunteer and make sure that we have the best people for our agencies, boards and commissions of government.

So, I'm more than happy, Mr. Speaker, to support the resolution of Earl Ludlow and Cathy Duke here in terms of these positions, because it's important. The people who have already been placed on the Independent Appointments Commission, they have served extremely well. People like Clyde Wells, Zita Cobb and others, but some of their memberships are expiring and it's important that we have members like Earl and Cathy to come forward. They have a high level of experience, a high level of qualification and gave generations of dedication to Newfoundland and Labrador, and you certainly need that for this type of committee and organization.

I want to say from a qualifications point of view, these would have people that would have gone through a process that would have been vetted. It truly is a merit-based process. I hope there is unanimous support here in this House for both of these members to serve in this capacity because they will serve Newfoundland and Labrador quite well, to be in that independent

role and to have such authority to be able to make those recommendations to each of the agencies, boards and commissions that need to be filled on an ongoing basis. We certainly need volunteers to serve in that capacity that have the qualifications and the criteria to ensure that each of these entities are performing to the best of their capacity.

So with that, Mr. Speaker, I'll take my seat.

**MR. SPEAKER:** Thank you.

Further Members' speaking to the motion?

The hon. the Member for St. John's Centre.

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

I can't help but sharing with you that I've got this song running through my head by the amazing (inaudible) Alanis Morissette who is a multi JUNO Award winner, singer, songwriter, Canadian, and also she's won a number of Grammy's, and that song is: isn't it Ironic. Isn't it ironic to hear the Minister of TCII stand up and speak about the Independent Appointments Commission when we see the bit of a disaster in the hiring of someone at The Rooms without going through the Independent Appointments Commission?

After that, Mr. Speaker, I'd like to say thank you to the current five people who sit on the Independent Appointments –

**MR. MITCHELMORE:** A point of order, Mr. Speaker.

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

**MR. MITCHELMORE:** The Independent Appointments Commission has a role to fill CEO level positions and board members. It does not fill –

**MR. SPEAKER:** Sir, do you have a point of order?

**MR. MITCHELMORE:** – assistant deputy minister executive level positions. So I have to

clarify for the record what the Member opposite said is not factual.

**MR. SPEAKER:** I require a point of order.

Thank you.

**MR. MITCHELMORE:** Thank you.

**MR. SPEAKER:** Take your seat please.

Thank you.

The hon. the Member for St. John's Centre.

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

I do recommend listening to the amazing –

**MR. KING:** A point of order, Mr. Speaker.

**MR. SPEAKER:** Here we go.

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

**MR. KING:** Mr. Speaker, I would claim under Standing Order 48, relevancy. The comments made by the Member for St. John's Centre were not relevant to the debate. It was nothing more than an attack on the minister.

Thank you.

**MR. SPEAKER:** No, there's no point of order.

I would consider it relevant somewhat, but anyway let's continue.

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

**MR. SPEAKER:** Let's continue, please.

The hon. the Member for St. John's Centre.

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

And I'm going to try and heal myself from the slings and arrows of the Opposition.

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

**MS. ROGERS:** Mr. Speaker, I would again very much recommend the work by the amazing Alanis Morissette; however, the five people have worked so incredibly hard on the Independent Appointments Commission. There were so many positions that needed to be filled. There were probably close to a hundred, or maybe even more than a hundred, and I'm not so sure that these five folks, who are so busy in their own right – and these are volunteer positions they're holding – had any idea what they were in for. I've had the opportunity to speak to a few of them over the year and to thank them for their service. Because it was a yeoman service for sure, how hard they worked, how much work they had to do. And fine jobs that they have done.

The new folks who are going to be appointed, I'd like to thank them, too, on behalf of the people of Newfoundland and Labrador, for stepping up. I don't know if they actually went through the Independent Appointments Commission to be able to be appointed on the Independent Appointments Commission. I'm not quite sure how that worked, Mr. Speaker. Perhaps they did, perhaps they didn't, but I would like to say thank you, welcome and thank you to them, again, for being willing to do this work.

Every now and then I go on the page of the Independent Appointments Commission to see what kinds of positions are needing to be filled. It looks like the five members who are on the commission right now have, again, done such an incredible job, have worked so hard, as have the Public Service Commission, so I'd like to thank those folks for doing that work.

I'd also like to say once again, Mr. Speaker, I believe that government really missed the mark by not mandating a gender lens in the legislation for the Independent Appointments Commission. It was an opportunity to really show their commitment in a progressive way to the women of Newfoundland and Labrador, to the people of Newfoundland and Labrador. We know that there is a lot of work to address and redress the imbalance in a lot of our commissions and boards and agencies. They have done some great appointments, absolutely, and again with so little resources and having to work so hard.

I wish the new appointees well, Cathy Duke and Earl Ludlow. I do not know either of them personally but their résumés are very impressive. Again, they're probably very busy people as well, who are agreeing to do this because of their love and their care for the Province of Newfoundland and Labrador, just like the other members who are on the Independent Appointments Commission. I wish them luck, and anybody who's watching, I encourage people all over the province to continue to go to the website for the IAC to see what positions are being filled. It's great when people step up to say I will serve the people of my province because I care about my province.

So we need more people, we need more people from all over the province, we need more people with all kinds of different backgrounds, younger people, older people, straight and queer and wealthy and not-so-wealthy, and we need a lot of people to serve on our agency, boards and commissions. Some of them are paid positions, some are not, and the more diversity we have in these positions, the better chance we have of making really fulsome decisions that reflect the reality of the lives of the people of our province.

Thank you very much, Mr. Speaker.

**MR. SPEAKER:** Thank you.

The hon. the Member for Mount Pearl - Southlands.

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

I'm only going to take a couple of minutes. First of all, I just wanted to say that in terms of the two people who are being appointed, Ms. Duke and Mr. Ludlow, I don't know either of them personally – well, I can't say I don't know them personally. I've spoken to them in the past. If I ran into them, I could say hello, but I don't know them – we're not good friends or anything like that, per se. But I do know of them professionally. I know of both of their résumés through my time even prior to being part of government. And I think they're both very qualified individuals. So I have no problem whatsoever in supporting both of those individuals.

As had been said, they will now be part of the Independent Appointments Commission. Without rehashing debate that occurred in the past when it was created, just for the record, I still have the same concern about the fact that this commission can recommend people for a position and the minister can just simply take the three names and say, no, I don't want either one of them. I don't know if that's ever happened. I don't know if it's happened or not. Maybe it hasn't. We never know. I think if I was a member of the IAC and I saw that happen, I would be resigning from that commission pretty quickly if I thought that I was recommending names and then they were just being thrown out to give it to somebody else.

So I got a feeling it's probably not happening, to be honest with you. I feel like it's not. But I do think that is a loophole that could possibly be closed and, at the very least, if names are presented and they don't accept any of them, I think we should know in the House that there were names put forward and they were all rejected for some reason. Not saying it's ever happened, but I just think it would be a way to close it up.

The only other thing I would say is that there are people who would say, in the general public – because I've heard these comments; I'm sure we all have before – that when it comes to deputy ministers, assistant deputy ministers and so on, there are a lot of people out there that feel those people should also be appointed based on a merit system and not just appointed because of any affiliation that they may have politically and so on. Because there have been times when we've seen it where people have been appointed who have had affiliation, and when it's been raised in the House first thing you hear is well, this is a deputy minister or an ADM, so the Independent Appointments Commission doesn't apply in this case, which is true. It doesn't apply, but that doesn't mean that the public likes the fact that because of what those positions are that you can just go ahead and appoint former candidates or party supporters and so on. So I just put that out there as part of the discussion because I hear it from people, and I'm sure we've all heard it in the past.

The other thing I've heard from people in the past that I would just put out there is the fact that

we still have a system whereby departments can hire people – they call them emergency hires – for less than 13 weeks. A department can hire people without going through the Public Service Commission, and sometimes they're hired and then they're extended and then they're extended again, and it was meant for emergency situations, I think that was the intent.

But there are a lot of people, I've heard from people, employees here in the government, who have said that there was someone who got hired through the back door, they'd go in as a 10-weeker or a 13-weeker and then they'd get extended and then a job would come up they'd apply for it, they'd have the inside track, get hired, and then perhaps after that surpassed an employee who was there for a significant period of time. I guess that's why I heard it, because there was a person said I worked with the government for X number of years and somebody's buddy gets hired through the back door as an emergency hire, they get extended, then the job comes up, they apply internally, they get it, and next thing you know it, I'm reporting to that person.

So, this is another loophole, I suppose, that I've had a couple of people actually contact me about, that they would like to see closed; that emergency hires should be for emergency hires only and not as a means to get your buddy in through the back door to apply for government jobs. They should all be done merit-based, period. It should go through the Public Service Commission.

So that's the only other comment I would make. I know it's not really relevant, but I think it ties into the whole aspect of appointments in government and positions in government. But again, I will support these two individuals. I think they're quality people, I think they'll do a good job, and I also offer my thanks, as did the Member before me, to the five individuals who have done great work, I believe, since they were appointed a couple of years ago, and I'm sure there will be more great work to continue.

Thank you, Mr. Speaker.

**MR. SPEAKER:** Thank you.

The hon. the Deputy Government House Leader.

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

It's an honour to rise today to speak in support, of course, of two new members of the Independent Appointments Commission. I would like to, first of all, say thank you to those Independent Appointments Commission members that have been doing incredible work for this province. Most people will know some, if not all of the names here: Hon. Clyde Wells, former chief justice, former premier of this province; Shannie Duff, former mayor of St. John's; Zita Cobb, an outstanding entrepreneur responsible for the Fogo Island Inn and the redevelopment of Fogo Island; Philip Earle, he's with Air Borealis and, of course, vice-president of that organization and has been doing a tremendous amount of work and good in Labrador; Derek Young, a Ford franchise owner, four locations and he gives his time as well, Mr. Speaker, as the chair of the Western Regional Memorial Hospital.

Five outstanding Newfoundlanders and Labradorians who have contributed greatly to this province in their own right and now as members of the Independent Appointments Commission.

Mr. Speaker, this government put in place the Independent Appointments Commission and it's a very valuable and a very important process now for getting under the boards of agencies, boards and commissions. I will say, it took politics out of the appointments process. Now, anyone at all in the province can go on the website, can apply for any of the boards in the Province of Newfoundland and Labrador to be considered for outstanding opportunities and to make contributions to their community, to their province.

I thank people who go to the website and put – I can tell you, and I'll use one example, the Oil and Gas council is a council that helps with the development of oil and gas in the Province of Newfoundland and Labrador. We set that up a couple of years ago, Mr. Speaker. They've been very, very active in developing the plan for growth and development in the oil industry, Mr. Speaker, and they've done incredible work, incredible leaders, incredible members of our community and they were all chosen to the Independent Appointments Commission.

I encourage everyone in this province to go to the website and to make themselves available for those positions. It's a merit-based process and just addressing one of the comments that was made earlier about gender equity. I always seek to have parity onboard. I think it is incredibly important. As a business leader, I sat on many, many boards, Mr. Speaker, and I think it does lend balance of perspectives on boards of directors. So I do support ensuring as many females as possible are on boards of directors and, of course, the merit-based process.

Mr. Speaker, I will say that I know both of these individuals, outstanding contributors to our communities. I won't go through their résumés because both of them have contributed greatly, not only to their work life, Mr. Speaker, but also through many, many boards that they have been on over time in this province, both volunteer boards of directors in the community, I know in health care and in the Red Cross and other community activities they've done, because I've been on some of these boards with these individuals. They do an awful lot of work in our community and I'm grateful for the efforts they have done on behalf of our community.

They're both very knowledgeable and learned individuals that will give a tremendous amount to the Independent Appointments Commission. Again, that now makes seven people on the Independent Appointments Commission. I think that will be helpful, as there are so many appointments that are done through the process.

I will point out, Mr. Speaker, that I know at least one of them, and perhaps both, have done the Institute of Corporate Directors program. I too have done that program. For the House and for the people of the province, it's a globally recognized director program within Canada. It's globally recognized because it does contribute to director organizations in the country.

They develop, inform, prepare ethical and connected courageous engaged leaders that come together. This is a very robust education program, I can tell you, I've been through it and taken the exams. It's a very robust program. I did mine through the University of Toronto, Mr. Speaker, but I know many here go through – now it's offered at Memorial University. I think there's one coming up I think next fall. So

anybody who's interested in doing the Institute of Corporate Directors program I would encourage it. It's coming up through Memorial University next fall, and then you become an accredited director and can contribute to organizations going forward.

You have ongoing education and training, you learn from other directors in the course of your business. It is not-for-profit as well for-profit organizations as well as Crown corporations. I do encourage people to consider that program because it does give you the learnings, gives you the education and gives you the connections so that you can talk to other directors about some of the evolving, emerging issues that boards of directors are facing.

So, Mr. Speaker, on that note, I will take my seat. I think this is a very positive thing for the province, I think it's very positive that we have been able to attract incredibly strong, educated, informed individuals to the commission and that, therefore, is attracting very credible, very knowledgeable people to the boards and commissions around our province.

I thank them for their commitment, I thank them for stepping up to assist the province, and with that I'll take my seat.

Thank you.

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

**MR. SPEAKER:** Thank you.

If the hon. the Minister Responsible for the Human Resources Secretariat speaks now he will close debate.

The hon. the Minister Responsible for the Human Resources Secretariat.

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

I appreciate the comments by Members of the House who contributed to this discussion.

Mr. Speaker, I think it is important to recognize the tremendous amount of time and dedication that's put into the IAC by the existing five members. I know that I've spoken on a number of occasions to the Chair as we resolved issues

that the IAC felt they were facing and tried to ensure that it ran as smoothly as possible.

I understand the dedication that is required on this volunteer board. We have to remember that these two new individuals, in addition to the five individuals that are serving on the board, do so on a volunteer basis. It is a considerable and very, very valuable contribution to the people of Newfoundland and Labrador. So I wanted to recognize that.

There was a point made by Deputy Government House Leader, as well as the Member for St. John's Centre, on trying to get more women applying for boards and appointed through the IAC process. To date, we've had approximately 2,000 applications to the IAC for various appointments, and of those roughly 2,000 applications, Mr. Speaker, 42 per cent of the people who've applied are female.

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

**MR. OSBORNE:** So that's impressive. We'd like to see it at 50 per cent, obviously, but it's up to the individuals to apply; but 42 per cent of those individuals who've applied to the IAC for appointment are female.

Here's the point, Mr. Speaker, that I think is worth repeating, because of the 42 per cent of the roughly 2,000 applications that were submitted, we've had 507 appointments by this volunteer board – 507 appointments. So each appointment that they look at, Mr. Speaker, they have to pour through many applications to narrow it down to the people they are going to recommend to government. So 507 appointments by this five-member volunteer board.

Mr. Speaker, of those 507, 238 were female. That's 47 per cent. So even though we've only had 42 per cent applications by females, we've had 47 per cent of the positions filled were filled by females.

So, I really think, Mr. Speaker, that that deserves to be recognized in terms of both the IAC and the work they do in ensuring that we have gender balance in these appointments, but also to the fact that this system is working. It is working, and we are getting the best qualified

people being appointed to these agencies, boards and commissions; the very best people being appointed to these agencies, boards and commissions to provide a service to the people of Newfoundland and Labrador.

So with that, Mr. Speaker, again, I want to thank each individual who's contributed to this discussion. I want to congratulate, again, Cathy Duke and Earl Ludlow, two very fine individuals, very credible and capable individuals, who I know will make a valuable contribution to the IAC.

**MR. SPEAKER:** Thank you.

Before I propose the question, I'd ask the minister if he may, please – I need a seconder for the motion.

**MR. OSBORNE:** Absolutely, Mr. Speaker.

My very learned colleague, my former colleague, still a colleague, the Clerk of the House of Assembly had whispered in my ear we needed a seconder, and the Deputy Government House Leader jumped to my aid and said she wanted to second this because of the importance of this paper.

So the paper is seconded by the Deputy Government House Leader.

**MR. SPEAKER:** Thank you very much.

Is the House ready for the question?

All those in favour of Motion 1, please signify by saying 'aye.'

**SOME HON. MEMBERS:** Aye.

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

The motion is carried.

The hon. the Deputy Government House Leader.

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

Considering the hour of the day, I move, seconded by the Minister of Finance and

President of Treasury Board, this House do now adjourn.

**MR. SPEAKER:** It has been moved and seconded that this House do now adjourn.

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

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

**SOME HON. MEMBERS:** Nay.

**MR. SPEAKER:** The motion is carried, despite some nays.

This House stands adjourned until tomorrow, Tuesday, the 19th day of March at 1:30 o'clock.

Thank you very much.

On motion, the House at its rising adjourned until tomorrow, Tuesday, at 1:30 p.m.